



Citizen Participation Plan

US Department of Housing and Urban
Development Entitlement Programs

Resolution _____-2020

Department of Community Development
Planning Division
PO Box 150027
Cape Coral, FL 33915-0027

REVISION PAGE

2020

- Remove references to Assessment of Fair Housing (AFH) and replace with Analysis of Impediments to Fair Housing Choice per HUD suspension of AFH requirements;
- Include virtual hearings as an allowed method for citizen participation;
- Update the types of declared disasters or emergency events to include terrorism and infectious diseases, such as the recent coronavirus 19 (COVID-19) pandemic, that may necessitate expedited substantial amendments;
- Provide details on possible actions, including reprogramming of funding and types of possible activities that may be undertaken in response to the COVID-19 pandemic;
- Includes provisions relative to Consolidated Plan and Annual Action Plan citizen participation for Community Development Block Grant waivers made available under the Coronavirus Aid, Relief, and Economic Security (CARES) Act; and
- Make minor edits that do not change current citizen participation policies.

City of Cape Coral Citizen Participation Plan

PURPOSE/SCOPE:

To meet HUD requirements for the Consolidated Plan for HUD entitlement programs and the Analysis of Impediments to Fair Housing Choice, which require a written Citizen Participation Plan that sets forth City of Cape Coral's policies and procedures for a meaningful and transparent resident participation process.

SCOPE OF CITIZEN PARTICIPATION:

The City of Cape Coral's citizen participation process is implemented in accordance with 24 CFR 91.105 which describes the standards for local government's Citizen Participation Plans. The City has determined the best practices that allow for meaningful input from low and moderate income residents who are the primary clients for HUD programs. All interested parties will be afforded adequate opportunity to review and comment on the development and implementation of the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, Analysis of Impediments to Fair Housing Choice and Consolidated Annual Performance and Evaluation Report (CAPER), and any substantial amendments to these documents. The City will make the development of the above items public. Residents will be provided with reasonable and timely access to public meetings and hearings.

CITIZEN ADVISORY BOARD:

The City of Cape Coral created the Citizen Advisory Board in the spirit of the CDBG regulations, to provide increased accountability to the public, as well as encouragement for active participation. The Citizen Advisory Board is established in Ordinance 71-1988, as amended.

The Citizen Advisory Board is a five (5) member body that contributes and facilitates public participation by helping with the identification of housing and community development needs; the establishment of priorities relating to those needs; proposed activities and projects to address urgent issues; and, suggestions for the amount of funding to be allocated to those activities.

Participation in the Citizen Advisory Board will be representative of the many facets of our community including the elderly, handicapped, religious organizations, low and moderate-income families and minority members of our community.

All Citizen Advisory Board meetings shall be open to the public, advertised as described above and provisions will be provided for citizen comments.

All meetings will be held in central locations that are easily accessible and will be held at a time convenient to the general public.

During times of a national declared disaster or pandemic such as COVID19, in person public hearings will not be required. Virtual public hearings would be acceptable.

The Citizen Advisory Board shall designate a Chair and Vice-Chair, who in cooperation with City staff, will establish an agenda, lead discussions, schedule meetings and promote citizen input. City staff will provide the Citizen Advisory Board updates regarding the implementation of the program, monthly performance updates and relevant information

prior to meeting dates.

The Citizen Advisory Board shall formulate recommendations regarding the allocation of funding, including program income and forward such recommendations to the City Council for formal adoption.

ENCOURAGING PUBLIC PARTICIPATION:

Residents, businesses, developers, local and regional institutions, philanthropic organizations, non-profit organizations, community-based and faith based organizations and other interested parties will be encouraged to participate in the development and implementation of the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, Analysis of Impediments to Fair Housing Choice, and CAPER and any substantial amendments to these documents. Cape Coral will take reasonable action to ensure meaningful participation among all residents, especially low and moderate income, minority and non-English speaking persons, as well as persons with disabilities. Participation of residents of public and assisted housing, including any resident advisory boards, resident councils, and resident management corporations will be encouraged through cooperation with public housing agencies. The City will provide information regarding the Analysis of Impediments to Fair Housing Choice to public housing agencies to ensure that the public housing agencies can make such information available at required public hearing(s).

NOTICES, REQUESTS FOR INFORMATION, AND ACCESS TO RECORDS:

The City of Cape Coral will provide reasonable access to public meetings. The City will post timely notice of such meetings on the calendar of official city meetings. In addition, The City will publish public notices of all official public hearings in a newspaper of general circulation and on the City website approximately 14 days before the scheduled hearing. Notices will be sent to organizations serving multi-cultural persons who are homeless, disabled, youth, elderly, affected HIV/AIDS and their families, low- income advocates and other special needs organizations and individuals upon request. Printed and media notices will indicate the date, time, location, and topics to be discussed. Upon request, the City will supply written documents converted into alternative non-written formats. During times of a national declared disaster or pandemic such as COVID19, in person public hearings will not be required. Virtual public hearings would be acceptable.

All entitlement grant records and program information relating to the Analysis of Impediments to Fair Housing Choice, Consolidated Plan, and Annual Action Plans during the preceding 5 years will be available for review by residents, public agencies, and other interested parties, during normal business hours at the Department of Community Development. All Requests for Information by residents will be subject to applicable federal, state, and local laws regarding personal privacy and obligations of confidentiality. Printed copies and electronic copies of the Consolidated Plan, Annual Action Plan, Analysis of Impediments to Fair Housing Choice, and the CAPER will be available at the Department of Community Development upon request.

DEVELOPMENT OF THE CONSOLIDATED PLAN/ANNUAL ACTION PLAN/ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

The City will hold two public hearings per year to obtain resident's views and to respond to proposals and questions at two different stages of the program year. The first will address housing and community development needs, development of proposed activities, proposed strategies and actions for affirmatively furthering fair housing and review of

program performance. The second public hearing will be held to review the proposed Consolidated Plan, Annual Action Plan, and/or Analysis of Impediments to Fair Housing Choice. Hearings will be held at times and locations convenient to Plan Beneficiaries. During times of a national declared disaster or pandemic such as COVID19, in person public hearings will not be required. Virtual public hearings would be acceptable.

The City will notify the public by publishing advertisements in one or more local newspapers of general circulation and posting public notices regarding the development of the Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice and the holding of the two public hearings. The advertisements and posted notices will describe the amount of assistance City expects to receive in grant funds and program income, the range of activities anticipated, the estimated amount benefiting low and moderate-income persons.

The City will publish a Notification of Availability for the proposed Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice so affected residents will have sufficient opportunities to review and provide comment. The Notification of Availability will include summary of the proposed plan, assessment, or amendment will be published in one or more local newspapers of general circulation along with the locations of the complete plan. The Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice will be made available at the Department of Community Development and on the City of Cape Coral website, which is accessible through any internet connection, including those at public libraries. The City will provide a reasonable number of free copies to those requesting it (one per resident or one per agency/business). The City will give all interested residents a 30-day public review period. The City consider any comments or views received in writing or orally, at public hearings, in preparing the final Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice. During times of a national disaster or pandemic such as COVID19, the comment period shall be no less than 5 days. A summary of accepted comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice.

Any HUD-provided data and other supplemental information that the City plans to incorporate in the development of the Analysis of Impediments to Fair Housing Choice, Consolidated Plan, or Annual Action Plans will be made available to the public, resident, public agencies, and other interested parties at the start of the public participation process (or as soon as feasible after). HUD-provided data may be made available by cross-referencing data on HUD's website.

AMENDMENTS:

The City shall amend its approved Annual Action Plan whenever one of the following decisions is made:

1. To make a change in its allocation priorities or a change in the method of distribution of funds;
2. To carry out an eligible activity using funds from any project covered by the approved Consolidated Plan not previously described in the Annual Action Plan;
3. To change the purpose, scope, location, or beneficiaries of an activity.

Notice of the amendments will be posted on the City website, which is accessible through any internet connection, including those at public libraries. The amendments will be signed

by the City official representative authorized to take such action, and the City shall notify HUD that the amendment has been made.

SUBSTANTIAL AMENDMENTS:

A substantial amendment to the Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice is defined as follows:

1. Reallocation of funding that involves a change in eligible activity and/or change in subrecipient.
2. A material change occurs. A material change is a change in circumstances within Cape Coral that affects the information on which the Analysis of Impediments to Fair Housing Choice is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the Analysis of Impediments to Fair Housing Choice no longer reflect actual circumstances. Examples include Presidentially declared disasters, under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), that are of such a nature as to significantly impact the steps a program participant may need to take to affirmatively further fair housing; significant demographic changes; new significant contributing factors in the participant's jurisdiction; and civil rights findings, determinations, settlements (including Voluntary Compliance Agreements), or court orders; or
3. Upon HUD's written notification specifying a material change that requires the revision. Substantial amendments are subject to the resident participation process. Citizens may comment on Substantial Amendments during the 30-day public comment period or at the Public Hearing. During times of a national disaster or pandemic such as COVID19, the comment period shall be no less than 5 days. Notice of the amendments will be posted on the City of Cape Coral website, which is accessible through any internet connection, including those at public libraries. Comments or views received will be considered in preparing the substantial amendment. A summary of the comments or views and the City's responses will be included with the final substantial amendment to the Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice. After completion of the public comment period, the substantial amendment will be signed by the official representative authorized to take such action. They shall then notify HUD that the amendment has been made.

Disaster/Emergency events that may require expedited substantial amendments:

It may be necessary to expedite substantial amendments to the Consolidated Plan in the event of a declared disaster or emergency. There are three types of disasters/emergency events that may necessitate an expedited substantial amendment including (1) Man-Made-disasters, (2) Natural disasters, and (3) Terrorism. Man-made disasters can include chemical spills, mass rioting, power outages, dam failure, plant explosions, etc. Natural disasters can include earthquakes, tsunamis, hurricanes, tornadoes, wildfires, flooding and public health issues such as wide-spread disease such as the recent coronavirus disease 2019 (COVID-19). Terrorism events include bomb threats, biochemical attacks like the spread of anthrax, or cyber-attacks like hacking, phishing, and virus distribution, etc. These expedited substantial amendments may include funding new activities and or reprogramming of funds including cancelling activities to meet needs resulting from a declared disaster or emergency. Therefore, the City of Cape Coral may utilize CDBG funds to meet these needs with a 5-day public comment period instead of a 30-day public comment

period which is otherwise required for substantial amendments. For CDBG funding under FY 2019-2020, FY 2020-2021 and the Coronavirus Aid Relief and Economic Security ACT or CARES Act, the City of Cape Coral may provide 5-day notices for public comments as allowed under the HUD waiver.

CHANGES TO CITIZENS PARTICIPATION PLAN:

This Citizen Participation Plan can be changed only after the public has been notified of the intent to modify it, and only after the public has had a reasonable chance to review and comment on proposed substantive changes or during the regular consolidated planning process which provides for proper public noticing.

CAPER:

The City of Cape Coral will provide residents with reasonable notice and an opportunity to comment on the CAPER. The City will give residents a 30 day public review period. Comments will be received at the Department of Community Development. The City will consider any comments or views received in writing or orally, in preparing the CAPER. A summary of these comments or views shall be attached to the CAPER.

TECHNICAL ASSISTANCE:

Groups representative of low and moderate income residents may request technical assistance to comment on the Consolidated Plan, Annual Action Plan, Analysis of Impediments to Fair Housing Choice, and the CAPER, or to develop funding proposals to strengthen community-based development organizations within the objectives of the Consolidated Plan. The City will supply reasonable assistance in the form of staff presentations, informational handouts, research of a specific issue, or other short-term efforts. This staff assistance does not include the provision of funds to the requestor groups.

PROVISION FOR NON-ENGLISH SPEAKING RESIDENTS AND PERSONS WITH SPECIAL NEEDS:

Upon public request, and subject to the availability of non-English general circulation newspapers, public notices will be published 14 calendar days prior to a public hearing in local newspaper(s) read by non-English speaking populations. If the Department of Community Development has determined that a significant number of non-English speaking residents are expected at a public hearing or meeting, an interpreter and/or other appropriate provisions will be made. Persons needing this assistance will be asked to submit a request for these services to the City Clerk's Office and/or Department of Community Development at least five (5) working days in advance of the meeting/hearing

REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES:

The City of Cape Coral will make reasonable accommodations for persons with disabilities. All public meetings and hearings will be held in locations accessible to all persons with disabilities. Upon request a sign language interpreter and/or other appropriate provisions will be made. In accordance with the Americans with Disabilities Act and Section of 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in hearings should contact the Office of the City Clerk at least forty-eight (48) hours prior to the meeting. If hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

ANTI-DISPLACEMENT:

In cases where the actions of the City of Cape Coral's use of federal CDBG grant dollars

results in the displacement of residents, the City will implement its anti-displacement relocation plan and make all plans available for public comment. Such plans resulting in displacement of city residents shall include a plan for compensation of persons actually displaced as a result of the use of these funds, specifying the type and amount of compensation. The City of Cape Coral has established Ordinance 41-1989 to provide for the protection of displaced low and moderate-income household.

COMPLAINTS:

Written complaints from the public will receive a meaningful review and a written reply within fifteen (15) working days from receipt of the complaint.

City staff will be available during regular business hours, to assist persons in addressing concerns. All complaints shall be logged and addressed by Department of Community Development staff.