

Citizen Participation Requirements for LCDBG Applicants

Each applicant/grantee shall provide citizens with adequate opportunity to participate in the planning, implementation, and assessment of the CDBG program. The applicant/grantee shall provide adequate information to citizens, hold a public hearing at the initial stage of the planning process to obtain views and proposals of citizens, and provide opportunity to comment on the applicant's/grantee's community development performance.

Developing a Citizen Participation Plan

All applicants and grantees must **develop** and **adopt** a Citizen Participation Plan prior to application preparation in order to be in compliance with Section 508 of the Housing and Community Development Act of 1974, as amended. The Plan at a minimum should:

- a) provide for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used;
- b) provide citizens with reasonable and timely access to local meetings, information, and records relating to the unit of local government proposed method of distribution and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended;
- c) provide for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
- d) provide for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance; which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodations for the handicapped;
- e) provide for a formal written procedure which will accommodate a timely written response to written complaints and grievances, within 15 days where practicable; and
- f) identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

For grant applications, the plan must be made available to the public at the beginning of the planning stage, i.e., the first public hearing. The plan must include procedures that meet the following requirements.

Scheduling and Providing Notices of Public Hearings

Adequate notice must be given of the public hearing. A minimum of five calendar days notice shall be given. Public hearings must be scheduled early in the planning process to ensure adequate public participation and still have time to develop an application. In addition, the applicant/grantee must provide citizens with reasonable and timely access to the public hearings. The location and times of these hearings must be scheduled in such a manner as to be convenient to potential or actual beneficiaries with accommodations for the handicapped and non-English speaking persons.

Citizens, with particular emphasis on persons of low and moderate income who are residents of slum and blighted areas, must be encouraged to submit their views and proposals regarding community development and housing needs. Citizens must be made aware of where they may submit their views and proposals should they be unable to attend the public hearing. Where a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter must be present to accommodate the needs of the non-English speaking residents. Citizens must be provided with the following information at the public hearing prior to application submittal to the state. The following items must be included in the first public notice:

- i. the amount of funds available for proposed community development.
- ii. the range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income.
- iii. the plans of the applicant for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided by persons actually displaced as a result of such activities.
- iv. if applicable, the applicant must provide citizens with information regarding the applicant's performance in prior LCDBG programs funded by the state.

Written minutes of hearings and an attendance roster must be kept for review by state officials. Nothing in these requirements shall be construed to restrict the responsibility and authority of the applicant for the development of the application.

A second public notice must be published after the first public hearing has been held and prior to the application being submitted. This notice must be published a minimum of seven calendar days prior to application submittal. The second notice must inform citizens of the proposed objectives, proposed activities, the location of the proposed activities, and the amounts to be used for each activity. Citizens must be given the opportunity to review the application and comment on the proposed application. The notice must state the proposed submittal date of the application and must further provide the location at which, and hours when, the application is available for review. The application must be available for review when the notice is published in the newspaper.

In addition to the information required to be included in each public notice, you will find, in order to satisfy all the requirements of Citizen Participation, there is additional information which must be provided citizens and the most logical source for this provision is public notices. The sample Citizen Participation Plan, sample attached, incorporates all of the required elements. Review this document carefully.

Applicants must submit a notarized proof of publication of each public notice with the application.

Technical Assistance

The applicant must provide technical assistance to facilitate citizen participation where requested, particularly to groups representative of persons of low to moderate income. The level and type of technical assistance shall be determined by the applicant/grantee based upon the specific needs of the community's residents.

Amendments

The grantee must involve citizens in program amendments to the Community Development program. This shall be done by means of a public hearing prior to the submittal of the request for a program amendment to the state. Minutes of the hearing and a roster of those in attendance must be included with the program amendment request. *Exception:* a public hearing is not required if the activity of acquisition will be eliminated from a program.

Complaint Procedures

Each applicant/grantee must have written citizen and administrative complaint procedures which provides the address, phone number and times for submitting complaints and provides for a maximum of fifteen working days, where practicable, for a written response. The Plan must provide citizens with information relative to these procedures or, at a minimum, provide citizens with the information relative to the location and hours at which times they may obtain a copy of these written procedures. The complaint procedure has been included in the Citizen Participation Plan.

All written citizen complaints which identify deficiencies relative to the applicant/recipient's community development program merit full and prompt consideration and must be handled according to the grantee's written complaints procedures. Good faith attempts must be made to satisfactorily resolve the complaint at the local level. Complaints must be filed with the Chief Elected Official or his/her designee, who will investigate and review the complaint. A written response from the Chief Elected Official to the complainant must be made within fifteen working days, where practicable. A copy must be forwarded to the Division of Administration, Office of Community Development. The complainant must be made aware that if he/she is not satisfied with the response, a written complaint may be filed with the Division of Administration, Office of Community Development.

All citizen complaints relative to Fair Housing/Equal Opportunity violations involving discrimination must be forwarded to the Louisiana Department of Justice (DOJ), Public Protection Division, P. O. Box 94095, Baton Rouge, LA 70804-9095, for disposition. The complainant must be notified in writing within 10 days that, due to the nature of the complaint, it has been forwarded to LA Department of Justice. Citizens must be made aware that they can forward a complaint alleging discrimination directly to the Department of Justice or may contact the Department of Justice by telephone 1-800-273-5718 or TDD 1-225-342-7900.

Persons wishing to object to approval of an application by the State may make such objection known to the Division of Administration, Office of Community Development. The State will consider objections made only on the following grounds:

- a) the applicant's description of needs and objectives is plainly inconsistent with available facts and data;
- b) the activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant; or
- c) the application does not comply with the requirements set forth in the state's Annual Action Plan or other applicable laws.

Such objections should include both an identification of the requirements not met and, in the case of objections relative to (a) above, must include the data upon which the objection is based.

Performance Hearings

Prior to close-out of the Community Development Program, the recipient must have a public hearing to obtain citizen views and to respond to questions relative to the recipient's program performance. This hearing must be conducted after the construction has been completed. It may be conducted during or after the lien period. A copy of the public notice and minutes of the hearing must be submitted with the close-out documents.

Documentation must be kept at the local level to support compliance with the aforementioned requirements.

Sample

CITIZEN PARTICIPATION PLAN

The _____ (City/Parish) has adopted the following Citizen Participation Plan to meet the citizen participation requirements of Section 508 of the Housing and Community Development Act of 1974, as amended. The _____ (City/Parish) is committed through adoption of this plan to full and total involvement of all residents of the community in the composition, implementation and assessment of its Louisiana Community Development Block Grant (LCDBG) Program. Attempts will be made to reach all citizens, with particular emphasis on participation by persons of low and moderate income, residents of slum and blighted areas and of areas in which funds are proposed to be used. A copy of this plan will be made available to the public upon request.

As part of the citizen participation requirements and to maximize citizen interaction, the _____

(City/Parish) shall:

- 1) Provide citizens with reasonable and timely access to local meetings, information and records relating to the state's proposed method of distribution, as required by the Secretary, and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended;
- 2) Provide for public hearings to obtain views and respond to proposals and questions at all stages of the community development program. These hearings will consist of the development of needs and proposed activities and review of program performance. These hearings will be held after adequate notice, a minimum of five calendar days, at times and locations convenient to potential or actual beneficiaries with accommodations for persons with disabilities;
- 3) Provide for and encourage citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used;
- 4) Provide for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals;
- 5) Where applicable, identify how the needs of non-English speaking residents will be met in the case of public hearings; and
- 6) Provide for a formal written procedure which will accommodate a timely written response, within fifteen days where practicable, to written complaints and grievances.

Written minutes of the hearings and an attendance roster will be maintained by the _____

(City/Parish).

PUBLIC HEARINGS

Notices informing citizens of any public hearings will appear in the official journal of the _____

(City/Parish) a minimum of five calendar days prior to the hearing. In addition, notices will also be posted in (parish office buildings/town hall) and the hearing will be publicized through local community organizations, i.e., churches, clubs, etc., and/or dissemination of leaflets in the target area. Hearings will be held at times and locations convenient to potential or actual beneficiaries with accommodations for individuals with disabilities and non-English speaking persons. Whenever possible these hearings will be held within or near the target areas, at times affording participation by the most affected residents.

I. APPLICATION

First Notice/Public Hearing

The public hearing to address LCDBG application submittal will be held approximately _____ calendar days prior to the deadline for submission of the application for the current funding cycle. The Citizen Participation Plan will be available at the hearing. The public notice for this hearing will state that the following will be discussed:

- a) The amount of funds available for proposed community development;
- b) The range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income;
- c) The plans of the _____(City/Parish) _____ for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided by the _____(City/Parish) _____ to persons actually displaced as a result of such activities; and
- d) The _____(City/Parish) _____ prior performance of LCDBG programs funded by the State of Louisiana. In addition, the notice shall state that all citizens, particularly low and moderate income residents of slum and blighted areas, are encouraged to submit their views and proposals regarding community development and housing needs. Those citizens unable to attend this hearing may submit their views and proposals to:

(Address of local governing body)

The notice will also state that accommodations will be made for disabled and non-English speaking individuals provided a _____ day notice is received by the _____(City/Parish) _____.

Second Notice

Seven calendar days, at a minimum, prior to the deadline for submittal of the application, a second notice shall appear in the official journal informing the citizens of the following:

- a) Proposed submittal date of the application;
- b) Proposed objectives;

- c) Proposed activities;
- d) Location of proposed activities;
- e) Dollar amount of proposed activities; and
- f) Location and hours available for application review.

In addition, the notice shall state "all citizens, particularly those affected by the proposed project, are encouraged to review the proposed application and submit any written comments on the application to:"

(Address of local governing body)

Negative comments received will be forwarded to the state's Office of Community Development, Division of Administration or the application will be withdrawn if necessary.

II. AMENDMENTS

Program amendments, which substantially alter the LCDBG project from that approved in the original application, shall not be submitted to the state without holding one public hearing in accordance with the procedures outlined within this Citizen Participation Plan. Minutes of the hearing will be submitted with the request for the amendment. All interested citizens, particularly the low and moderate income, elderly, handicapped, and residents of the project area, shall be made aware and have the opportunity to comment on proposed amendments and/or submit alternative measures.

III. GRANTEE PERFORMANCE

The _____ (City/Parish) _____ will hold one performance hearing to solicit the public's opinion of the effectiveness of the LCDBG Program. The manner of notification will be the same as previously described for all public hearings. Notification will be made in the official journal approximately _____ calendar days prior to the anticipated submittal of close-out documents to the state, and will indicate the date, time, and place of the performance hearing, and invite comments and opinions on the LCDBG activities implemented under the _____ LCDBG Program being closed out. The notice will also state that accommodations will be made for disabled and non-English speaking persons provided a _____ day notice is received by the _____ (City/Parish) _____.

This notice shall invite all interested parties, particularly those low to moderate income residents in the target area to attend.

The hearing will be held no sooner than five calendar days from the publication date of said notice.

CONSIDERATION OF OBJECTION TO APPLICATION

Persons wishing to object to approval of an application by the state may make such objection known to:

Office of Community Development
Division of Administration
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

The state will consider objections made only on the following grounds:

- i. The application description of needs and objectives is plainly inconsistent with available facts and data;
- ii. The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant; and
- iii. The application does not comply with the requirements set forth in the state's Annual Action Plan or other applicable laws.

Such objections should include both an identification of the requirements not met and, in the case of objections relative to (1) above, the complainant must supply the data upon which he/she relied upon to support his/her objection.

BILINGUAL

Whenever a significant number of persons and/or residents of blighted neighborhoods communicate with a primary language other than English attend public hearings, the _____ (City/Parish) will provide an interpreter for dissemination of information to them providing the _____ (City/Parish) is given sufficient notification of _____ day(s).

TECHNICAL ASSISTANCE

Technical assistance may be provided directly by the _____ (City/Parish) to any citizen, particularly to low and moderate income persons, residents of blighted neighborhoods and minorities, who request assistance in the development of proposals and statement of views concerning the LCDBG Program. The local officials, administrator and engineer will conduct informational meetings with the residents of the low to moderate income areas if a written request is received by the _____ (City/Parish) with at least a one week notification. The person who conducts the technical assistance meetings will disseminate information on the program and answer all pertinent questions.

TIMELY ACCESS AND ADEQUATE INFORMATION

The _____ (City/Parish) shall provide timely disclosure of records, information and documents related to the LCDBG program activities. Documents will be made available for copying upon request at the _____ (City/Parish), Monday thru Friday, _____ a.m. to _____ p.m. Such documents may include the following:

- 1) All meetings and promotional materials.
- 2) Records of hearings and meetings.
- 3) All key documents, including prior applications, letters, grant agreements, citizen participation plans, and proposed applications.
- 4) Copies of the regulations (final statements) concerning the program.
- 5) Documents regarding other important requirements, such as Procurement Procedures, Fair Housing, Equal Employment Opportunity, Uniform Act, Labor Provisions and Environmental Procedures.

CITIZEN COMPLAINT PROCEDURE

SECTION 1

It is the policy of the _____ (City/Parish) _____ to review all complaints received by the _____ (City/Parish) _____.

SECTION 2

The following procedures will be followed on all complaints received by the _____ (City/Parish) :

- 1) The complainant shall notify the (designated local official) of the complaint. The initial complaint may be expressed orally or by written correspondence.
- 2) The (designated local official) will notify the Mayor or designated representative of the complaint within _____ working days.
- 3) The Mayor or designated representative will investigate the complaint and will report the findings to the (designated local official) within _____ working days.
- 4) The (designated local official) will notify the complainant of the findings of the Mayor or designated representative in writing or by telephone within _____ working days.
- 5) If the complainant is aggrieved by the decision, he must forward the complaint in writing (if previously submitted orally) to the (designated local official) who will forward the complaint and all actions taken by the Mayor or designated representative to the appropriate council committee for their review. This will be accomplished within _____ working days of receipt of the written complaint.
- 6) The reviewing council committee will have _____ working days to review the complaint and forward their decision to the complainant in writing.
- 7) If the complainant is aggrieved with the decision of the Committee, he must notify the (designated local official) in writing that he desires to be afforded a hearing by the _____ (City/Parish) Council. The complainant will be placed on the next regularly scheduled council meeting agenda. The (designated local official) _____ will notify the complainant in writing of the date of the hearing.
- 8) The complainant must bring all relevant data, witnesses, etc., to the hearing. The _____ (City/Parish) Council, at the hearing, will review the complaint and forward within _____ days a certified copy of the minutes of the meeting at which the hearing was conducted and a decision was rendered to the complainant. If a decision is not reached at the hearing, the (local governing official) Council will inform complainant of an appropriate date to expect a response. Within _____ working days of reaching a decision, the complainant will be notified in writing of the decision.

Complaints concerning the general administration of the LCDBG Program may be submitted in writing directly to the:

Division of Administration
Office of Community Development
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

SECTION 3

All citizen complaints relative to Fair Housing/Equal Opportunity violations alleging discrimination shall be forwarded for disposition to the:

Louisiana Department of Justice
Public Protection Division
Post Office Box 94005
Baton Rouge, Louisiana 70804

The complainant will be notified in writing within 10 days that, due to the nature of the complaint, it has been forwarded to the Louisiana Department of Justice.

or

Complainant may contact the Louisiana Department of Justice Public Protection Division directly at the Toll Free Telephone number 1-800-273-5718 or 225-342-5521.

SECTION 4

The (designated local official) will maintain a file for the purpose of keeping reports of complaints.

SECTION 5

This policy does not invalidate nor supersede the personnel or other policies of the (City/Parish) which are currently adopted, but is intended to serve as a guide for complaints.

SECTION 6

This policy may be amended by a majority vote at any of the (City/Parish) regularly scheduled meetings.

ADOPTION

This Citizen Participation Plan is hereby adopted by (City/Parish) in regular session on this _____ day of _____, 20xx.

(WITNESS)

(CHIEF ELECTED OFFICIAL)

SAMPLE

PUBLIC NOTICE for PUBLIC HEARING

_____ (City/Parish) _____, Louisiana

The _____ (City/Parish) will hold a public hearing at _____ p.m. on _____, 20xx at the _____ (City Hall/Parish Courthouse). The purpose of the meeting is to obtain views on the housing and community development needs of the _____ (City/Parish) and to discuss the submission of an application for funding under the State of Louisiana FY 20xx/20xx Community Development Block Grant (LCDBG) Program. The following items will be discussed at the hearing:

- A. The amount of funds available for proposed community development and housing activities;
- B. The range of activities available that may be undertaken, including the estimated amount of funds proposed to be used for activities that will benefit persons of low and moderate incomes;
- C. The plans of the _____ (City/Parish) for minimizing displaced persons as a result of activities assisted with such funds and the benefits to be provided by the _____ (City/Parish) to persons actually displaced as a result of such activities; and,
- D. The _____ (City/Parish) past performance on LCDBG projects funded by the State of Louisiana.

All residents, particularly low and moderate income persons and residents of slum and blighted areas of the _____ (City/Parish) _____ are encouraged to attend this meeting.

Accommodations will be made for persons with disabilities and non-English speaking individuals provided that three day notice of received by the _____ (City/Parish).

Those citizens unable to attend this hearing may submit their views and proposals until _____, 20xx in writing to:

_____ (City/Parish) _____

(Address of local governing body)

_____ (name) _____, Chief Elected Official

SAMPLE

PUBLIC NOTICE

LCDBG Application Available for Review

The _____ (City/Parish) announces that an application for the *FY 20xx/20xx* Louisiana Community Development Block Grant (LCDBG) funds will be submitted for the following:

Activity: LCDBG funds will be used to _____
Objective: To provide adequate service for low-moderate income residents of the _____
(City/Parish)
Location: The target area consists of _____
Amount: _____
(List each activity and the amount)

All citizens, particularly persons of low and moderate income and residents of blighted areas, are encouraged to submit their views and proposals by _____ (insert date) (this date must allow for a review period of a minimum of seven days prior to application submittal) to the _____ (Mayor/Parish President) at the following address:

Office of the Mayor/Parish President
(City/Parish)
Post Office Box _____
_____, Louisiana _____
Telephone: _____

The application is to be submitted to the Division of Administration, Office of Community Development on or about _____ (date application to be submitted). A copy of the application will be available for review at the _____ (City Hall/Parish Courthouse) between the hours of _____ (insert hours City/Parish is open for business) on _____ (insert days of the week application will be available for review).