



PALM BEACH
Gardens

City of Palm Beach Gardens



Citizen Participation Plan

August 2015
Revised July 2020

Introduction

The citizen participation component of all Community Development Block Grant (CDBG) funded activities for the City of Palm Beach Gardens is an important element of our Community Development Program and, if effectively implemented, can yield substantial benefits to the City both in assessing need and establishing priorities.

As a recipient of Department Housing and Urban Development (HUD) CDBG funds, the City of Palm Beach Gardens is required to adopt a Citizen Participation Plan to comply with the provisions of 24 CFR Part 91: Consolidated Submissions for Community Planning and Development Programs; Subpart B: Citizen Participation and Consultation. This document serves to satisfy this requirement.

These requirements are designed to encourage participation by low- to moderate-income persons, particularly those living in slum and blighted areas, and in areas where CDBG funds are proposed to be used, and predominantly low- to moderate-income neighborhoods. "Predominantly low- and moderate-income neighborhoods" shall be defined as neighborhoods where greater than fifty percent (50%) of residents have total household incomes which are at or below 80% of the area median income. Data on households and income levels is collected from the U.S. Census by tract and block group. Additionally, the City will take whatever actions are appropriate to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities such as mobility, visual, or hearing impairments. Local and regional institutions, Continuums of Care, and other organizations (such as businesses, developers, non-profit organizations, philanthropic organizations, and community- and faith-based organizations) are also encouraged to participate.

In response to the above requirements of 24 CFR Part 91, Subpart E, the City of Palm Beach Gardens Consolidated Plan Citizen Participation Plan will be implemented in a manner that encourages citizen participation in the development of the Assessment of Fair Housing (AFH), revisions to the AFH, the consolidated plan, any amendments to the plan, and the performance report, with appropriate information furnished to citizens.

In March 2020, certain waivers were listed by US HUD in order to expedite response to the novel coronavirus, COVID-19. A section is included in this plan to address these allowances.

Information to be Provided

Before the City adopts an AFH, consolidated plan, or Action Plan, the City will make available to citizens, public agencies, and other interested parties information. The information shall include, as applicable, the amount of assistance the City expects to receive, and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low and moderate income and the plans to minimize displacement of persons and to assist any persons displaced. This information will be included in a summary of the proposed consolidated or action plan, which the City will publish for comment. At the start of the public participation process for

the AFH, or as soon as feasible, the City will make HUD-provided data and any other supplemental information available to residents, public agencies, and other interested parties. This may be accomplished by cross-referencing data on US HUD's website.

The summary will be published in the Palm Beach Post, a newspaper of general circulation, the City's website at <http://www.pbgfl.com/>, and may be published in other local newspapers at the City's discretion. The summary will describe the contents and purpose of the AFH, consolidated plan, and/or Action Plan and will state a list of locations that that copies of the entire proposed plan may be examined, such as the City of Palm Beach Gardens City Hall, and on the City's website.

The summary will be published to allow a period of not less than 30 days to receive comments from citizens on the proposed AFH, Consolidated Plan or Action Plan before the document is finalized. The City will consider any comments or views of citizens received in writing, or orally at public hearings, in preparing the final AFH, consolidated plan, or Action Plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, will be attached to the final consolidated plan. This 30-day period may be amended annually, as permitted by US HUD.

Public Hearings

The City will conduct at least two (2) public hearings annually to obtain citizens' views and to respond to proposals and questions at different stages in the program year, with a minimum of one (1) hearing during the development of the AFH or consolidated plan. The hearings will address housing and community development needs, development of proposed activities, proposed strategies and actions for affirmatively furthering fair housing consistent with the AFH, and review of program performance. In order to obtain the views of citizens on housing and community development needs, including priority non-housing community development needs, the hearing will be held before the summary of the proposed consolidated plan is published for comment. The City is not required to hold a public hearing to amend the consolidated plan, although one of the public hearings could accommodate such a discussion. Adequate advance notice of each hearing will be given to citizens, with sufficient information published about the subject of the hearing to permit informed comment.

Each public hearing notice will be published in the Palm Beach Post, newspaper of general circulation, and may be published in other local newspapers at the City's discretion. Each notice will be published at least 15 days in advance of the public hearing date.

However, for meetings held regarding a substantial amendment to the PY 2019 Action Plan, or any meetings held regarding the new 2020 5-year Consolidated Plan, or the PY 2020 Action Plan, a minimum of 5 days' notice shall be provided.

Public hearings will be held at times and locations convenient to potential and actual beneficiaries, and with accommodations for persons with disabilities, with use of the following

language in each public hearing notice “In accordance with the Americans with Disabilities Act and Section 286.26, *Florida Statutes*, persons with disabilities needing special accommodations in order to participate in this proceeding are entitled to the provision of certain assistance at no cost. Please call the City Clerk’s Office at 561-799-4122 no later than five (5) days prior to the Public Hearing if this assistance is required. For hearing impaired assistance, please call the Florida Relay Service Numbers: 800-955-8771 (TDD) or 800-955-8770 (VOICE).” Public hearings may be held during regularly scheduled City Council meetings. In cases where a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, reasonable steps toward language assistance will be provided by the City to ensure meaningful access to participation by non-English speaking residents of the community, such as a translator.

The City will consider any comments or views of citizens received in writing, orally at the public hearings, in preparing the final AFH, consolidated plan, substantial amendments of the plan, or the performance report. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, will be attached to the adopted consolidated plan, amendments of the plan, or performance report.

Amendment to the AFH, Consolidated Plan, and/or Action Plan

The City may revise an approved AFH if a material change occurs such as described in 24 CFR 6.164 (a)(1)(i). A revision pursuant to paragraph (a)(1) of this section consists of preparing and submitting amended analyses, assessments, priorities, and goals that take into account the material change, including any new fair housing issues and contributing factors that may arise as a result of the material change. A revision may not necessarily require the submission of an entirely new AFH. The revision need only focus on the material change and appropriate adjustments to the analyses, assessments, priorities, or goals. When a revision is required, such revision shall be submitted within 12 months of the onset of the material change, or at such later date as HUD may provide. Where the material change is the result of a Presidentially declared disaster, such time shall be automatically extended to the date that is 2 years after the date upon which the disaster declaration is made, and HUD may extend such deadline, upon request, for good cause shown, and as required by 24 CFR 5.164 (b)(2).

When the City decides to make a change that requires an amendment of the AFH, consolidated plan and/or Action Plan, the City will provide citizens with reasonable notice of the change and an opportunity to comment on it. A summary of the proposed amended consolidated plan will be published in the Palm Beach Post, newspaper of general circulation, and also may be published in other local newspapers at the City's discretion.

The summary will be published to allow a period of not less than 30 days to receive comments from citizens on the proposed amended AFH, consolidated plan and/or Action Plan, prior to finalization and submission to HUD. The City will consider the comments or views received in writing in preparing the final amendment of the plan. A summary of these public comments or

views, and a summary of any comments or views not accepted and reasons therefore, will be attached to the adopted amended AFH, consolidated plan, and/or Action Plan.

The City will amend its approved plan whenever it makes one of the following decisions:

- A. To carry out an activity, using funds from any program covered by the consolidated plan including program income), not previously described in the Action Plan; or
- B. To make substantial change in its allocation priorities or a substantial change in the method of distribution of funds; or
- C. To substantially change the purpose, scope, location, or beneficiaries of an activity.

Coronavirus Aid Relief Economic Security (CARES) Act Amendments

Given the need to expedite actions to respond to COVID-19, HUD waives 24 CFR 91.105(c)(2) and (k), 91.115(c)(2) and (i) as specified below, in order to balance the need to respond quickly to the growing spread and effects of COVID-19 with the statutory requirement to provide reasonable notice and opportunity for citizens to comment on substantial amendments concerning the proposed uses of CDBG, HOME, HTF, HOPWA or ESG funds.

This 30-day minimum for the required public comment period is waived for substantial amendments, provided that no fewer than 5 days are provided for public comments on each substantial amendment. The waiver is available through the end of the recipient's 2020 program year. Any recipient wishing to undertake further amendments to prior year plans following the 2020 program year can do so during the development of its FY 2021 Annual Action Plan.

HUD recognizes the efforts to contain COVID-19 require limiting public gatherings, such as those often used to obtain citizen participation, and that there is a need to respond quickly to the growing spread and effects of COVID-19. Therefore, HUD waives 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401 as specified below to allow these grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances. Meetings may be held using media technology to receive public comments.

This authority is in effect through the end of the 2020 program year.

Substantial Change

The City will apply the following criteria in determining whether a change in an activity or project represents a substantial change:

- A. Cancellation of an activity or project previously described in the consolidated plan.

- B. The movement of funds from one eligible activity to another by more than 25% of the costs of the total projects involved as projected in the consolidated plan. Projects included in the consolidated plan whose actual costs exceed the estimates presented in the consolidated plan are exempt from this policy when contingency funds are used to complete the project.
- C. The activity will not meet the National Objective that has been designated by the City in the consolidated plan.
- D. The aggregate use of CDBG funds fails to principally benefit very low- and low-income families in a manner that ensures that at least 70 percent of the amount expended is for activities that benefit such persons during the designated period.

Performance Report

The City will submit an annual performance report to HUD within 90 days after the close of the City's program year. Citizens will be given notice and opportunity to comment on performance reports. Notification of availability of the annual performance report will be published in the Palm Beach Post newspaper of general circulation, and may be published in other local newspapers at the City's discretion.

The notification will be published to allow a period of not less than 15 days to receive comments from citizens on the performance report, prior to finalization and submission to HUD.

The City will consider any comments or views of the citizens received in writing, or orally at a public hearing, in preparation of the Consolidated Annual Performance and Evaluation Report. A summary of these public comments or views, and a summary of any comments or views not accepted and the reasons therefore, will be attached to the performance report.

As stated in the Public Hearings section of this Citizen Participation Plan, performance will also be discussed at one of the two public hearings, at a minimum.

Access to Records

The City will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the City's adopted Citizen Participation Plan (CPP), AFH, consolidated plan, Action Plan, and the City's use of assistance under the programs covered by 24 CFR Part 91 during the preceding five (5) years. To request information, interested parties may contact the Department of Planning and Zoning at City Hall, and information can be provided electronically via the City website, or in print, or in a format accessible to persons with disabilities upon request. A reasonable number of free copies of the CPP, AFH, consolidated plan, or Action Plan will be provided to residents and groups as requested.

Technical Assistance

The City will provide technical assistance to groups representative of persons of very low, low-to moderate-income that request such assistance in developing proposals for funding assistance under any of the programs covered by the consolidated plan, with the level and type of assistance determined by the City. This assistance does not include the provision of funds to the groups.

City Staff is available year-round for presentations or assistance to all interested parties, including appearances before homeowners' associations, as well as civic community action groups operating in areas traditionally affected by CDBG projects and activities.

Complaints

The City will respond to all complaints from citizens related to the AFH, consolidated plan, amendments of the plan, or the performance report. The City will provide a timely, substantive written response to every written citizen complaint, within 15 working days, where practical. Complaints registered orally will be logged in the Complaint Register located in the Planning Department, with all pertinent information recorded. The complaint will be responded to orally, or in writing, as deemed appropriate by the City.