Managing Citizen Participation to Support Compliance

U.S. Department of Housing and Urban Development
Agenda

I. Why Citizen Participation?

II. Citizen Participation Waiver

III. Alternative Requirements

IV. Certification Requirement

V. Making Citizen Involvement Work

VI. Stakeholders

VII. Impact on Communities
Why Citizen Participation?

The primary goal is to provide citizens, especially low and moderate income citizens of the community where CDBG-funded activities will take place, an opportunity to participate in an advisory role in the planning, implementation, and assessment of the programs and projects.
CDBG-Disaster Recovery Citizen Participation Waiver

• In general, to ensure disaster recovery grants are awarded in a timely manner, provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24CFR 570.486, 91.105(b) and (c), and 91.115(b) and (c), with respect to citizen participation requirements, are waived via Federal Register Notice.

• Please refer to applicable Federal Register Notice for specific requirements for each appropriation: https://www.hudexchange.info/cdbg-dr/cdbg-dr-laws-regulations-and-federal-register-notices/
Citizen Participation – Alternative Requirements

Alternative requirements for Disaster Recovery grantees:

1. Publication and Time for Comments
2. Criteria for Determining Changes/Amendments
3. Consideration of Comments and Summary for HUD
4. Plans, Reports, Other Information Available to Public
5. Timely, Written Responses to All Complaints
1. Plan Publication and Time for Comments:

   - Manner of publication must afford reasonable opportunity to examine
   - Reasonable period of time to receive comments (at least 7 days – P.L. 113-2)
   (Note: Requirements may vary by appropriation)
2. Criteria to Determine Changes/Amendments:
   – In its Action Plan, Grantee must specify criteria for determining a substantial amendment
   – At a minimum, the following will constitute a substantial amendment:
     • a change in program benefit or eligibility criteria
     • the allocation or re-allocation of more than $1 million
     • the addition or deletion of an activity
2. Criteria to Determine Changes/Amendments (cont’d)

– If substantial amendment, Grantee must publish the proposed amendment and follow Citizen Participation process as required in applicable Federal Register Notice(s)

– If non-substantial, Grantee must notify HUD 5 days before implementing changes or amendments, but is not required to undertake public comment.
3. Consider Comments and Summarize for HUD:

1. A number of comments raised the issue of the need for adult literacy training within these programs in order to ensure that people lacking these basic skills were able to access employment training. It was suggested that language be changed in two places within the action plan amendment to more strongly emphasize the need for inclusion of adult literacy within program being developed. The changes include:

- The overarching concern with the current language relates to Page 3, paragraph 3—an amendment to the following sentence:
  - Collaboratives will be required to consider instruction and services that address the needs of local underserved populations such as high school students not planning to go to college, out of school youth, soon to be released inmates and adults needing basic skills instruction such as reading and math. Entities which include this continuum services that include these populations or provide sufficient reasons why this approach is not feasible.

- In addition, the term ‘adult literacy participants’ should be changed to ‘adults needing basic skills instruction such as reading and math.”

RESPONSE: The action plan language has been adapted to reflect this message. Basically, groups that include programs that address the needs of local underserved populations such as high school students not planning to go to college, out-of-school youth, soon to be released inmates, and adults needing basic skills instruction such as reading and math will be considered for additional points in the RFP process.
4. Make Plans, Reports, Other Information Available to Public
   – Provide reasonable, timely access to information and records relating to Action Plans and Quarterly Performance Reports (QPRs)
   – Ongoing, prominent posting on the grantee’s official Web site
   – Grantees are also encouraged to notify affected citizens in alternative manners
5. Timely, Written Responses to All Complaints (within 15 working days of receipt)
Citizen Participation – Certification Requirement

• Grantees must adopt Citizen Participation Plan for disaster recovery in accordance with the requirements of applicable Federal Register Notice(s)

• Grantees must certify that it is following a detailed citizen participation plan that satisfies regulatory requirements as applicable

• Each UGLG receiving assistance from a State grantee must follow a citizen participation plan that satisfies regulatory requirements as applicable
## Making Citizen Involvement Work

### Program Level

<table>
<thead>
<tr>
<th>Activity</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Publication of Documents</td>
<td>Action Plans and substantial amendments</td>
</tr>
<tr>
<td>Public Notice</td>
<td>Action Plans and substantial amendments</td>
</tr>
<tr>
<td>Public Hearing</td>
<td>Not required by HUD, but must provide reasonable opportunity for review &amp; comment</td>
</tr>
<tr>
<td>Community Meeting</td>
<td>Major issues, adjustments, new designs</td>
</tr>
<tr>
<td>Websites</td>
<td>Posting data on all activity levels, document libraries, reports</td>
</tr>
<tr>
<td>Citizens’ Advisory Committee</td>
<td>Ongoing program review and advice</td>
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</tbody>
</table>
## Making Citizen Involvement Work

### Project Level

<table>
<thead>
<tr>
<th>Activity</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Meetings</td>
<td>Project design and update; feedback</td>
</tr>
<tr>
<td>Citizens’ Advisory Committee</td>
<td>Possible role in coordinating projects</td>
</tr>
<tr>
<td>Neighborhood Meetings</td>
<td>Design, direction, fine-tuning project, and reporting to immediate area; feedback; can work like focus group</td>
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<tr>
<td>Websites</td>
<td>What’s Happening in My Back Yard (LA) progress reports</td>
</tr>
<tr>
<td>Interactive Web Environments</td>
<td>GIS, polling, comments, blogs</td>
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Who are your Stakeholders?

- Residents/Community of Impacted Areas
- Municipal Elected Officials
- Advocacy Organizations/Special Interests
- Non-Profit
- Industry Recipients (farmers, fishermen)
- Developers
Citizen Participation – IMPACT on the Community

• Vitally important to the success of CDBG-funded programs and activities undertaken by grantees
• Compliance reduces the number of legal challenges and citizen complaints against the grantee
Questions?