City of Cape Coral
Citizen Participation Plan

Introduction

The City of Cape Coral, Florida has developed a detailed Citizen Participation Plan which contains the City’s policies and procedures for public involvement in the Consolidated Planning process and the use of Community Development Block Grant (CDBG) funds. This Citizen Participation Plan is available to the public and strives to be an open and participatory process.

Encouraging Public Participation

The City of Cape Coral provides this Citizen Participation Plan for the purposes of providing for and encouraging public participation, emphasizing the involvement of low and moderate-income people, especially those living in neighborhoods identified as low and moderate income. The City of Cape Coral will make every reasonable effort to encourage the participation of minorities, people who do not speak English, and the physically challenged.

In accordance with the Americans with Disabilities Act and ss 286.26, Florida Statutes, persons needing a special accommodation to participate in any proceeding should contact the Human Resources Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone (941) 574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, (800) 955-8771 (TDD) or (800) 955-8700(v) for assistance.

Low Income Persons

The City of Cape Coral, in accordance with federal guidelines has established this plan to improve neighborhoods and build a greater sense of community spirit. By providing for decent housing, creating a suitable living environment and providing economic opportunities for low-income persons, the entire City benefits. In order to provide these opportunities, the City actively seeks to build partnerships in which those citizens most affected participate in the development and implementation of the program.

The City of Cape Coral seeks citizen involvement in the identification of needs, in setting priorities, in allocating funding and assessing the success of established goals.
Consolidated Plan Process

The policies and procedures in this Citizen Participation Plan relate to several stages of action mandated by the United States Department of Housing and Urban Development (US HUD) and the CDBG program guidelines in the Consolidated Planning Process. The following processes are contained within the plan:

 Needs Assessment: The identification of housing and community development needs.

 Proposed Annual Action Plan: The preparation of a draft use of funds for the upcoming year. This process may include the development of a proposed new five-year Strategic Plan depending on the cycle.

 Adoption by the governing Body (City Council): The formal approval by elected officials of a final Annual Action Plan or Five Year Strategic Plan, as required.

 Substantial Amendment (if needed): The opportunity is provided to change the use of the money already budgeted in an Annual Action Plan, or to change priorities established in the Five Year Strategic Plan so as to meet community needs. In the case of a formal Substantial Amendment, the established procedure of needs assessment, proposal and formal adoption shall be followed.

 Consolidated Annual Performance And Evaluation Report: Upon the conclusion of a program year, an Annual Performance Report shall be prepared, provided for public comment, properly noted and then forwarded to HUD.

Program Year

The CDBG program year commences October 1 and ends at the close of business September 30.

Public Notice

The City of Cape Coral shall provide advance public notice for all required federal CDBG documents including the Proposed Annual Action Plan, the Five-Year Consolidated Plan, and the Consolidated Annual Performance and Evaluation Report.

The City of Cape Coral shall make every effort to provide 30 days advance notice, in a
paper of general circulation of all CDBG related public meetings. This notification shall include all meetings of the Citizen Advisory Board, and meetings related to the funding or planning process covered by this Citizen Participation Plan. The City of Cape Coral will further make every effort to assure that the notice is provided in a format and language that is easily understandable and provides a contact (name and telephone number) where additional information may be obtained.

Forms of public notice will include publications in a major newspaper, press releases to the local media, display ads and through public service announcements. Notice shall also be provided to neighborhood organizations, public housing resident groups, religious organizations in lower income neighborhoods, and agencies providing services to lower income persons. A mailing list shall be maintained for all interested parties so that they can be provided notices, as they become available.

Public Access to Information

As required by the CDBG program guidelines, the City of Cape Coral will provide the public with reasonable and timely access to information and records relating to the data or content of the Consolidated Plan, as well as the proposed, actual, and past use of funds covered by this Citizen Participation Plan. The law requires reasonable public access to records about previous expenditures during the past five years. The law requires reasonable public access to records relating to the expenditure of CDBG funds during the previous five (5) program years.

The City of Cape Coral will provide the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds including the Citizen Advisory Board, Planning Commission and City Council meetings.

Typical or standard documents available for public access, at a minimum will include the proposed and final Annual Action Plans, the proposed and final Five-Year Strategic Plan (Consolidated Plan), proposed and final Substantial Amendments to either an Annual Action Plan or the Five-Year Strategic Plan, Annual Performance Reports, and the Citizen Participation Plan. The City of Cape Coral will provide copies of standard documents, within two working days of a request at no charge to the general public. Every reasonable attempt shall be made to accommodate persons with disabilities and assist them in obtaining requested materials.

All documents shall be made available at the City of Cape Coral, Office of the City Clerk, 1015 Cultural Park Boulevard, Cape Coral, Florida 33915, during regular business hours.

Public Hearings
Public hearings are required under the CDBG program guidelines. These forums provide the public access to information and an opportunity to provide input, question strategies and offer suggestions.

Public hearings are provided throughout the planning and adoption process, including a hearing to assess community needs, review proposed uses of funds and a public hearing to assess how funds were spent during the previous program year.

The City of Cape Coral will give the general public, adequate notice as addressed in the Public Notice part of this Citizen Participation Plan, including a published notice in a paper of general circulation. The notice shall be placed in various areas including the non-legal section or public information section. The intent is to locate the notice in such a location so as to reach targeted populations or other interested parties.

Public hearings will be held at a time convenient to most people who will benefit from the use of funds. Public hearings will include meetings held on weekends, after/before normal business hours and at such times, so as to provide an opportunity for interested members of the community to attend.

Whenever possible, public hearings will be held at places accessible by public transportation and in locations throughout the community. These locations shall include community centers, libraries, schools and other locations, which are considered less intimidating to the populations being served.

All public hearings will be held at locations accessible to people with disabilities. Provisions shall be made for people with disabilities when requests are made in advance. The process for requesting special accommodations will be included in all information and public notices.

Whenever possible, translators will be provided for people who do not speak English. Requests for translators will be addressed as special accommodations and may require advance notice.

**Conduct of Public Hearings**

A representative from the City of Cape Coral shall be present at each public hearing and shall be required to provide a summary of the issues discussed to the Mayor and the City Council.

All members of the public wishing to speak shall be provided an opportunity to address the topics of discussion. In the interest of time and to provide an opportunity for all those present to speak, residents choosing to speak will be allowed a minimum of three (3) minutes to make a verbal presentation.
CDBG Public Hearing Process

Identifying Needs

The City of Cape Coral recognizes that the needs of low and moderate-income households represent diverse and emerging concerns that vary within our community. The City also recognizes that resources are limited and the solutions must be developed at a community level if they are to be effective. For these reasons, the City seeks to assess community needs and prioritize their urgency based on the input provided by concerned citizens. Each year, the City shall use resident's opinions and input regarding community needs and the priorities to be established as the basis for a plan of action. Public hearings for this purpose shall be planned and held in accordance with a published timetable, which identifies the opportunity for public comment.

Proposed Annual Action Plan

The City of Cape Coral uses the annual planning process to provide for accountability in the administration of the CDBG program. Staff shall make information regarding the program available, address concerns, and provide an opportunity for all comments to be addressed. This annual process will include the following processes.

The City shall provide the public an estimate of the amount of grant funds available, along with a description of the range and types of activities than can be funded under the program.

City Staff will provide assistance to organizations and individual representatives of targeted groups who are interested in submitting a proposal for funding. All groups or organizations seeking funding are encouraged to contact City staff for assistance, and requested to be placed on the mailing list.

Copies of the proposed Annual Action Plan will be made available to the public at no charge. Additional copies will be placed at locations of public access including the City Clerk's office, City Hall and the public information section of the local public library. City staff will also place the information on the City's web site, as the opportunity becomes available. City staff may also make available an executive summary to persons requesting a condensed version of the Annual Action Plan.

The Annual Action Plan shall be presented to the City Council for formal adoption. A minimum of two opportunities will be provided for public comment on the presented plan.

During the preparation of the Final Annual Action Plan City staff shall give proper and careful consideration to all comments and views expressed by the public. Verbal testimony at the public hearings and/or written comments, shall be reviewed and
incorporated to the maximum extent possible within the plan. All comments and input received shall be documented and included as part of the plan. The comments section of the plan shall include said commentary and provide information regarding how the comment was addressed or incorporated into the plan.

The final Annual Action Plan adopted by the City Council and all summaries of the information contained therein, shall be made available as provided for above. Public comment submitted after the final adoption shall be kept on file and included in the following year's Action Plan. City staff shall also be available to discuss the final Action Plan with any member of the community and the general public as requested.

**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.

**Amendments to the Annual Action Plan and/or Five Year Strategy**

The final Annual Action Plan will be amended to provide for changes in the HUD required priority table or for changes in the purpose, location, scope or beneficiaries of an activity. Substantial amendments are triggered by the following actions.

1. The addition or elimination of an activity differing from the ones originally described in the Annual Action Plan.
2. A change in the purpose of an activity, such as a change in the type of activity or its ultimate objective.
3. A meaningful change in the location of an activity.
4. A change in the type or characteristics of people benefiting from an activity.

**Public Notice and Public Hearing for Substantial Amendments**

There must be reasonable notice of a proposed substantial amendment so that City residents have an opportunity to review changes and offer comments. Notification shall be made according to the procedures described earlier in this Citizen Participation Plan and provide at a minimum the following information.

1. The City shall make every effort to provide thirty (30) days advance notice of and
availability of a proposed substantial amendment, before there is a public hearing regarding the amendment.

2. A detailed written description of the proposed substantial amendment shall be included in the advertised notice and shall be made available to the general public at no cost as provided in this plan.

3. The substantial amendment shall be formally adopted by the City Council and provide at a minimum two (2) opportunities for public comment must be made available.

4. All opportunities for public comment and public hearings will be held no sooner than two (2) weeks prior to submission to HUD.

5. In preparing a Final Substantial Amendment, careful consideration will be given to all comments and views expressed by the public regardless of the manner in which they are submitted. The final substantial amendments will provide a public comment section including all commentary received with staff explanation of any comments.

Annual Performance Report

Each year, the City of Cape Coral in order to comply with the terms and conditions of the CDBG program must submit an Annual Performance Report. The report is submitted within 90 days of the close of the program year. This report details how funds were actually used and the extent to which these funds were used for activities that benefited low and moderate-income persons.

Public Notice and Public Hearing for Annual Performance Report

The Annual Performance Report shall be made available for review and comment. Notice will be made in accordance with the procedures described earlier in this Citizen Participation Plan and provide at a minimum the following:

1. The City shall provide 30 days advance notice of and availability of a proposed Substantial Amendment before there is a public hearing regarding the amendment.

2. A complete copy of the Annual Performance Report will be made available to the public. Copies will also be made available at locations as indicated earlier in this Citizen Participation Plan under Public Access to Information.

3. The City of Cape Coral shall hold a public hearing regarding the Annual Performance Report.

4. A public hearing will conducted by the City Council in the interest of public accountability.

5. In preparing the City's Annual Performance Report for submission to HUD, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing. The
Annual Performance Report sent to HUD will have a "public comment" section that presents all comments and staff explanations.

Contents of the Annual Performance Report

The contents of the Annual Performance Report are submitted in accordance with HUD requirements. The purpose of the report is to account for each CDBG funded activity in each program year, until the project is "closed-out" in accordance with program requirements.

The Annual Performance Report shall include the following information as required:
1. Activity number from the Action Plan.
2. Name of Activity, including the HUD activity title with regulation reference.
3. A description of the activity that is in enough detail for the public to have a clear understanding of the nature of the activity.
4. The name of the entity carrying out the activity.
5. The location of the activity.
6. The description of economic development activities including the amount of the loan, interest rate and loan term. It will also indicate the number of permanent, full-time jobs to be created or retained and the number of those jobs that will be held by low/moderate income persons.
7. Identify float loan funded activities and Section 108 loan guaranteed activities.
8. The date activity was initially funded.
9. The national objective met by the funded activity.
10. The status of the activity indicating whether the activity has been completed, underway or canceled.
11. The amount of funds budgeted and the amount expended.
12. For public service activities, the amount of money which meets HUD definition of un-liquidated obligation.
13. The amount of program income and or revolving loan fund dollars used for an activity.
14. The accomplishments for the activity should include a description of what was actually done, including numerical measures; for economic development activities, the total number of jobs created or retained.
15. For activities that provide a direct benefit to individuals or households, the City must show the number of persons or households served, the number of how many were moderate and low income and the number which were White, Black, Hispanic or Asian.

Complaint Procedures

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 City staff.

**Changing the Citizen 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.

**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.

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.