

CDBG-DR

Citizen Participation Plan

Lee County, Florida

Version History

Version	Date	Summary Description
1		Creation of Citizen Participation Plan

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Background

The Board of County Commissioners in Lee County, Florida (The County) is the recipient of a Community Development Block Grant-Disaster Recovery Grant (CDBG-DR) to support long-term recovery efforts following Hurricane Ian.

The allocation was announced for Community Development Block Grant Disaster Recovery (CDBG-DR) and Implementation of the CDBG-DR Consolidated Waivers and Alternative Requirements via Federal Register Notice (5/18/2023, 88 FR 32046) with funds made available through the Disaster Relief Supplemental Appropriations Act, 2023 (Public Law 117-328).

A requirement of this program is the adoption of a Citizen Participation Plan (CPP). The following describes the citizen participation process in accordance with the applicable regulations. The primary goal of a Citizen Participation Plan in CDBG-DR is to provide all citizens with an opportunity to participate in the planning, implementation, and assessment of the CDBG-DR recovery program(s).

For CDBG-DR purposes, Lee County will, where practicable, generally follow the policies outlined in 24 CFR 91.105 but will leverage waivers and alternative requirements provided in the Notices where appropriate.

Maintain a Comprehensive Website

Lee County must have adequate procedures to maintain a comprehensive website regarding all disaster recovery activities for Community Development Block Grant-Disaster Recovery Grant (CDBG-DR) to support long-term recovery efforts following Hurricane Ian.

As a result of CDBG-DR funds being appropriated, the Lee County will create a separate CDBG-DR website to conform to the requirements in the Notice which may be found at www.leegov.com/recovery/cdbg-dr. The CDBG-DR webpage will be updated at least quarterly, or more frequently if needed, in accordance with the following procedures and standards so that it will contain links to information regarding the use and management of grant funds, links to all action plans and action plan amendments, performance reports, citizen participation notices, and program information for activities described in the action plan, including details of all contracts and ongoing procurement policies.

CDBG-DR Website Contents

To ensure compliance with the public information and transparency requirement of the Federal Register Notice, the County maintains a comprehensive website regarding all disaster recovery activities assisted with these CDBG-DR funds.

Lee County will have a prominent posting for the action plan on the grantee's official disaster recovery website to afford residents, affected local governments, and other interested parties a reasonable opportunity to review the contents of the plan or substantial amendment, and to see how all grant funds are used and administered.

The website provides residents, affected local governments, and other interested parties the opportunity to review the following documents:

- the Action Plan created using DRGR;
- any amendments to the action plan;
- the citizen participation plan;
- procurement policies and procedures;
- vital documents that are critical for ensuring meaningful access by beneficiaries or potential beneficiaries generally and LEP persons specifically;
- all executed contracts that will be paid with CDBG-DR funds as defined in 2 CFR 200.22 (include subrecipient contracts);
- a summary description and status of all services or good being procured by Lee County and its subrecipients using CDBG-DR funds; and

(Contracts and procurement actions that do not exceed the micro-purchase threshold, as defined in 2 CFR 200.1, are not required to be posted to Lee County's website.)

- within three days of submission to HUD, a version of the performance report that omits personally identifiable information.

CDBG-DR Website Navigation and Accessibility

The website is navigable by all interested parties from the Lee County homepage and links to the disaster recovery website. All materials are published in a form accessible to persons with disabilities and LEP individuals. All websites and documents are translated in accordance with Lee County Limited English Proficiency Policy and Plan ([https://www.leegov.com/ada/Documents/Title-VI-Limited-English-Proficiency-\(LEP\)-Policy-Plan.pdf](https://www.leegov.com/ada/Documents/Title-VI-Limited-English-Proficiency-(LEP)-Policy-Plan.pdf)), and Lee County's Language Access Plan. The website can be translated to a variety of languages, including Spanish, using one-click translation at the top of each page.

The website is maintained in a manner than is accessible to persons with disabilities, in accordance with 24 CFR 8.6, and Lee County's ADA policies outlined here: <https://www.leegov.com/ada>.

These documents are made available on the County's official disaster recovery website, www.leegov.com/recovery to ensure the public knows how all funds are used and administered.

CDBG-DR Website Frequency of Updates

The CDBG-DR section of the recovery website is updated at least quarterly by the Office of Strategic Resources and Government Affairs or by the Lee County Community Engagement department in accordance with the requirements of the federal register and the Lee County Website Standards Guidebook.

Responsibility

The Office of Strategic Resources and Government Affairs is responsible for the coordination of updates to the CDBG-DR website recovery@leegov.com

Action Plan Comments

Lee County's CDBG-DR Action Plan and any substantial amendments will be made available for a thirty (30) day public comment period. The County will consider any comments or views received orally or in writing and include a summary of comments with the Action Plan and any substantial amendments.

Comments on the Action Plan and substantial amendments to the Action Plan, as well as other comments or citizen complaints, may be submitted as follows:

- In person at a public hearing
- Via email at: recovery@leegov.com
- Online at: www.leegov.com/recovery/cdbg-dr
- Mailed to:
Lee County Government County Administration
c/o Strategic Resources and Government Affairs
PO Box 398
Fort Myers, FL 33902

At the end of comment periods, all comments are reviewed, and a county response is incorporated into a response document. A revised Action Plan including the public comments and responses is posted on the County's CDBG-DR Recovery website, www.leegov.com/recovery.

Citizen Participation Plan Comments

Comments will be received on the citizen participation plan and amendments to the citizen participation plan for at least seven (7) days. Lee County will provide citizens with a reasonable opportunity to comment on the original citizen participation plan and on any substantial amendment to the citizen participation plan. The citizen participation plan will be made available on Lee County's CDBG-DR webpage, and in a format accessible to persons with disabilities, upon request.

Comments on the citizen participation plan and any substantial amendments, as well as other comments or citizen complaints, may be submitted as follows:

- In person at a public hearing
- Via email at: recovery@leegov.com
- Online at: www.leegov.com/recovery/cdbg-dr
- Mailed to:
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Public Notice

Lee County will take reasonable actions to ensure that affected citizens, especially those who are members of protected classes, vulnerable populations, and individuals from underserved communities, are notified of public meetings and public comment periods. Reasonable actions, include, but may not be limited to the following:

- electronic mailings,
- press releases,
- statements by public officials,
- media advertisements,
- public service announcements, and/or
- contacts with neighborhood organizations.

The CDBG-DR website will be used as the primary source of information related to CDBG-DR, public meetings and public comment periods. Notices posted on the website are accessible through any internet connection, including those at public libraries. All Lee County website are optimized for mobile viewing, allowing access via mobile phone to individuals that may not have a computer.

Public Hearings

The County holds at least two public hearings to gather input regarding the Action Plan. At least one public hearing must be held on the proposed action plan after it has published on its website to solicit public comment and before submittal of the action plan to HUD. Hearings will be convened in different locations within Lee County to ensure maximum accessibility for impacted citizens and affected local governments. Hearings will be held at times and locations convenient to potential and actual beneficiaries, with accommodation for person with disabilities and appropriate auxiliary aids and services to ensure effective communication, in accordance with 24 CFR 8, and Lee County's ADA policies outlined here: <https://www.leegov.com/ada>.

Citizens and stakeholders have reasonable and timely access to the public hearing(s). In public hearings, the County provides the opportunity for citizens to submit comments orally or in writing. The County treats written and oral comments equally and incorporates both in the response document submitted to HUD with the Action Plan and any substantial amendments.

Public hearings will be convened in-person. Each public hearing will ensure the presence of requested interpretation services or accommodations for persons with disabilities and limited English proficiency, as outlined below.

Individuals with Limited English Proficiency (LEP)

Lee County uses four factor analysis and safe harbor provisions to identify who may need language assistance, the ways in which that assistance may be provided, and how to notify persons with LEP that assistance is available. The complete analysis and safe harbor provisions are detailed in Lee County's Limited English Proficiency and Language Access Plans.

To request language interpretation or document translation at no charge to the requestor, interested parties can contact Joan LaGuardia, (239) 839-6038, Florida Relay Service 711, at least five (5) business days in advance of the hearing.

El Condado de Lee brindará servicios de traducción sin cargo a personas con el idioma limitado del inglés. (Lee County will provide translation services free of charge to people with limited English language skills.)

The Executive Summary of the Action Plan are translated into Spanish and Haitian Creole. Copies of these documents are posted on the County's CDBG-DR Recovery website, www.leegov.com/recovery/cdbg-dr, and print copies are available by request. Instructions for accessing and commenting on the plan are also translated into each of the preceding languages.

Persons with Disabilities

Lee County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the County's programs, services, and activities, including qualified sign language interpreters, documents translated into preferred digital or print formats, and other ways of making information and communications accessible to those who use accommodations for speech, hearing, or vision.

All in-person public meetings and hearings will be held in locations accessible to all persons with disabilities. Existing federal requirements provide that where physical accessibility is not achievable, the County will give priority to alternative methods of product or information delivery that offer programs and activities to qualified individuals with disabilities in the most integrated setting appropriate under HUD's implementing regulations for Section 504 of the Rehabilitation Act (See 24 CFR part 8, subpart C). All accommodations are made in accordance with Lee County's ADA policies outlined here: Lee County's ADA policies outlined here: <https://www.leegov.com/ada>.

Online materials will also be accessible for the visually impaired. Lee County provides online content in formats accessible to optical character readers (OCR) and screen readers. Print copies of Action Plans can be made available in large print format by request.

Anyone who requires an auxiliary aid or service for effective communication, a sign language interpreter and/or other appropriate accommodations or a modification of policies or procedures to participate in a County program, service or activity, should contact Joan LaGuardia at 239-533-2314, Florida Relay Service 711, or ADArequests@leegov.com, as soon as possible but no later than five (5) business days before the scheduled event or before the accommodation is needed.

Anti-Displacement

The County will follow HUD regulations and its local anti-displacement policies so that displacement is minimized and if displacement is necessary, persons displaced will be provided with the types and levels of assistance as required by

federal regulations. For CDBG-DR purposes, the County will revise relocation and anti-displacement policies to leverage (or conform with) waivers and alternative requirements as provided in the applicable Federal Register Notices.

Access to Records

The County will provide residents of the community, public agencies, and other interested parties with reasonable and timely access to information and records concerning documents related to CDBG-DR and to the use of the County's CDBG-DR funds.

Technical Assistance

The County shall provide technical assistance to individual citizens and citizen groups upon request. Focus should be placed on those groups and representatives of persons of low or moderate income impacted by Hurricane Ian. Technical assistance shall also be utilized to foster public understanding of CDBG-DR funding source and will be provided on request.

Technical assistance may include, but not necessarily be limited to:

- Interpreting the rules, regulations, procedures and/or requirements of the CDBG-DR funding source;
- Providing information and/or materials concerning the County's Action Plan and a substantial amendment;
- Assisting low- and moderate-income citizens impacted by Hurricane Ian to identify their needs, and to help ensure they are informed of the availability and status of the program.

The County 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.

Complaint and Appeal Procedures

Lee County strives to help meet the needs of all beneficiaries and subrecipients while following the applicable Federal, State and/or Lee County regulations and guidelines governing each program. It is the policy of Lee County to provide a clear and fair process for beneficiaries and subrecipients to file a complaint regarding their service or appeal a decision regarding their case.

Beneficiaries or subrecipients have the right to discuss their concerns regarding the eligibility determination, delivery of service, staff actions and/or perceived violation of their rights in a constructive manner.

1. When appropriate, the County encourages applicants or subrecipients to try to resolve their concerns or disputes directly with a staff person before engaging in a grievance process. If those efforts do not resolve the issue, they may engage the formal complaint procedure. Concerns that are sensitive in nature where the applicant or subrecipient is afraid to address the issue directly with staff person should go directly to the Program Manager.
2. Beneficiaries and subrecipients may express their concerns in writing to the email or mailing address below. Strategic Resources and Government Affairs staff will investigate the complaint and provide a written response to the beneficiary or subrecipient within 15 working days after receipt of the complaint.

The Lee Board of County Commissioners will hear complaints or grievances from the public regarding the development of the Action Plan as well as any substantial amendments to the Action Plan.

The public may submit complaints related to CDBG-DR funded activities through any of the following means:

- Via email at: recovery@leegov.com
- Online at: www.leegov.com/recovery/cdbg-dr

- Mailed to:
Lee County Government County Administration
c/o Strategic Resources and Government Affairs
PO Box 398
Fort Myers, FL 33902

The complaint will clearly state what the activity of program is, the nature of the complaint or grievance, and the name, address, and day and evening telephone numbers of the person filing the complaint. Upon receipt of a complaint, the County staff will prepare a written substantive, response to the complainant within 15 working days. If necessary, complaints or grievances will be heard in a timely fashion by the Lee County Manager.

The process for complaints regarding fraud, waste, or abuse of government funds can be found at www.leegov.com/recovery/cdbg-dr.

Stakeholder Consultation During the Plan Development

Lee County will consult, via meeting or email, with the following entities during the preparation of the CDBG-DR Action Plan:

- Affected local government municipalities,
- Indian Tribes and any state offices with an interest in projects being carried out through CDBG-DR funds,
- Non-governmental organizations,
- Public Housing Authorities,
- Local government and non-profit organizations that administer programs and projects funded through HUD (i.e. Continuum of Care, HOME, ESG, etc.)
- Organizations that advocate on behalf of members of protected classes, vulnerable populations, and underserved communities impacted by the disaster, and
- Local emergency management agencies that have primary responsibility for the administration of FEMA funds.

Consultations will include a brief overview of CDBG-DR funding and planning processes and gather input from stakeholders regarding key issues of local importance that may impact the planning and funding allocations of CDBG-DR funds.

The Final HUD-Approved Action Plan

Following HUD approval of the Action Plan, it will be posted on the County's CDBG-DR Recovery website, www.leegov.com/recovery/cdbg-dr. Paper copies of the Final Action Plan will also be made available upon request.

Performance Review

The County's Action Plan are entered into HUD's Disaster Recovery Grant Reporting (DRGR) system. The County submits a performance report in DRGR no later than thirty (30) days following the end of each quarter, beginning after the first full calendar quarter after grants award and continuing until all funds have been expended. The quarterly reports shall use the DRGR system and be posted on the County's website, www.leegov.com/recovery/cdbg-dr, within three days of submission to HUD, or in the event a performance report is rejected by HUD, publish the revised version, as approved by HUD, within three days of HUD approval.

Paper copies of reports are available upon request.

Action Plan Amendments:

A substantial amendment to the CDBG-DR Action Plan is defined as follows:

1. A change in program benefit or eligibility criteria,
2. The addition or deletion of an activity,

3. The allocation or reallocation of funds which exceeds or is expected to exceed 5 percent of the current total approved budget,
4. A material change occurs. A material change is a change in circumstances within Lee County that affects the information on which the Action Plan is based to the extent that the analysis or the priorities and goals of the Action Plan 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 anticipated beneficiaries; project or activity scope; significant demographic changes; new significant contributing factors or unmet needs in the jurisdiction, or
5. Upon HUD's written notification specifying a material change that requires the revision.

Substantial amendments are subject to the citizen participation process. Therefore, a public notice of the proposed substantial amendment will be issued and will allow for a 30-day public comment period. Notice of the amendments will be posted on the Lee County CDBG-DR website, which is accessible through any internet connection, including those at public libraries. Comments or views received orally or in writing will be considered in preparing the substantial amendment. A summary of the comments or views and Lee County's responses will be included with the final substantial amendment to the CDBG-DR Action Plan. For amendments considered to be non-substantial, the County notifies HUD but public comment is not required. Every amendment, substantial or not, is numbered sequentially and posted on the website.

Authority

No portion of this Citizen Participation Plan shall be construed to restrict the responsibility and authority of the elected officials of Lee County in the development, implementation and execution of any Community Development Block Grant – Disaster Recovery Program.

Citizen Participation Plan Contact

To connect with Lee County regarding CDBG-DR citizen participation efforts, please contact:

Email: Recovery@leegov.com

Lee County Office of Strategic Resources and Government Affairs