

CHAPTER IX: INVOLVING THE PUBLIC

OVERVIEW

Congress and HUD place a strong emphasis on citizen participation in the CDBG program. Likewise, Nevada's CDBG program places strong emphasis on involving the public during the development of an application for CDBG funding, as well as other planning activities. The public participation process is an integral component of developing a grant application. In order to be eligible for funding, CDBG program recipients are required to hold three public hearings explaining the CDBG application process and discussing project ideas. Additionally, the Nevada CDBG program requires that participants in the Community Development Block Grant Program develop or adopt a Citizen Participation Plan (CPP). A sample plan included at the end of this chapter can serve as a template if the city or county has not developed one.

FEDERAL LAWS

Section 104 (a) (2) of the Federal Housing and Community Development Act & regulations at 24 CFR 570.486 (a)(6): To enhance public accountability, the grantee must in a timely manner furnish citizens information about the amount of funds available for proposed community development and housing activities, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income.

The law and regulations also require CDBG recipients to provide citizens with reasonable access to records regarding the past use of CDBG funds and reasonable notice of, and an opportunity to comment on, the proposed and/or actual use of CDBG funds.

The Housing and Community Development Act requires that CDBG recipients' responsibilities are as follows:

- 1) Provide citizens with reasonable advance notice of and opportunity to comment on proposed activities in an application to the state.
- 2) For grants already made, the same opportunities must be provided for activities proposed to be added, deleted or substantially changed from the local government's application to the state.
- 3) 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.

Title 24: Housing and Urban Development, Section 570.486 defines Local Government Requirements as follows:

- (1) Provide for and encourage citizen participation, particularly by low and moderate income persons who reside in slum or blighted areas and areas in which CDBG funds are proposed to be used;
- (2) Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to the unit of local government's proposed and actual use of CDBG funds;
- (3) Furnish citizens information, including but not limited to:

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- (i) The amount of CDBG funds expected to be made available for the current fiscal year (including the grant and anticipated program income;
 - (ii) The range of activities that may be undertaken with the CDBG funds;
 - (iii) The estimated amount of the CDBG funds proposed to be used for activities that will meet the national objective of benefit to low and moderate income persons; and
 - (iv) The proposed CDBG activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under Section 570.488.
- (4) Provide technical assistance to groups representative of persons of low and moderate income that request assistance in developing proposals in accordance with the procedures developed by the state. Such assistance need not include providing funds to such groups;
- (5) Provide for a minimum of two public hearings (**Note:** Three public meetings are required for the Nevada CDBG public participation process), each at a different stage of the program, for the purpose of obtaining citizens' views and responding to proposals and questions. Together the hearings must cover community development and housing needs, development of proposed activities and a review of program performance. The public hearing to cover community development and housing needs must be held before submission of an application to the state. There must be reasonable notice of the hearings and they must be held at times and locations convenient to potential or actual beneficiaries, with accommodations for the handicapped. Public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can reasonably be expected to participate;
- (6) Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the state, and, for grants already made, activities which are proposed to be added, deleted or substantially changed from the unit of general local government's application to the state. Substantially changed means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the state.
- (7) Provide citizens the address, phone number, and times for submitting complaints and grievances, and provide timely written answers to written complaints and grievances, within 15 working days where practicable.

NOTE: Activities serving beneficiaries outside the jurisdiction of the unit of general local government. CDBG-funded activities may serve beneficiaries outside the jurisdiction of the unit of general local government that receives the grant, provided the unit of general local government determines that the activity is meeting its needs in accordance with section 106 (d)(2)(D) of the Act.

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GRANTEE RESPONSIBILITIES

I. KEEPING THE PUBLIC INFORMED

Keeping the public informed can generate enthusiasm about the community and long-term goals to revitalize a neighborhood, town or county. Public facility projects are especially visible and can impact many local residents. Therefore, it is important to inform the public well in advance regarding street closures, water shutoffs, any delays that can be expected, and the general status of the project. Procedures to keep the public informed need to be planned and initiated before construction begins and need to be continued throughout the project. It is also beneficial to inform the public about the benefits they will receive as a result of enhanced water and wastewater systems, for example.

For planning or public service grants, the benefits are not always obvious. However, it is important that the public also be informed about services performed for people who are homeless, for abused children, for seniors and others.

II. WORKING WITH THE MEDIA

Working with the media is an excellent way to keep the public informed about project progress. It is also desirable to mention that CDBG funds have helped finance the project. This makes others in the community aware of the type of projects CDBG can fund. It also lets U.S. Senators and Congress persons know what the program is accomplishing for their communities and constituents.

Establish a good working relationship with the media. Find out what deadlines and schedules the local newspaper or radio or television stations follow. Avoid asking for coverage right at the deadline. Try to schedule any special events or meetings around deadlines so the newspaper or other media has adequate time to incorporate news about the activity in the latest edition.

III. PRESS RELEASES

Prepare clear, concise press releases that provide background information for reporters. Reporters may be unfamiliar with the issues of concern to the grantee and often will not have time to do background research before the deadline. Useful background information about the Governor's Office of Economic Development (GOED) and the Community Development Block Grant (CDBG) Program for use by local media is included at the end of this chapter.

Releases should be kept to one page in length, whenever possible. Keep it short and simple. They should be typed, double-space, on one side only. Make sure the release includes the name and telephone number of a person who can be contacted for further information. A news release is rarely used as it is written. More often, a press release serves as a starting point for the media to develop its own story. It is a great help if they can call someone to ask additional questions to flesh out the story or to clarify key points. A sample format for preparing a press release is included at the end of the chapter.

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Also check with the local newspaper to see whether they accept photographs or if they want to take their own. If they accept digital photos, find out what kind of photo format they prefer. Some newspapers like to use photos that include an activity or an object; others may prefer photos of people. Regardless, a photograph can add interest to and help tell the story.

IV. PROJECT SIGNS

While it is a long-standing requirement for many federal funding programs to erect a sign on or near the project site that describes the purpose of the project and the various funding sources, it is not a requirement for CDBG projects. However, more publicity regarding the project helps local citizens feel involved and contributes to the feeling that something worthwhile is being accomplished. A sign helps to market the program and create a sense that things are changing for the better in the neighborhood or community.

V. SPECIAL EVENTS

Special events, such as a ground breaking or a ribbon cutting ceremony for a CDBG project, can be used to let people know what is happening and to generate enthusiasm. A special event can be a fun way for the whole town to give itself a pat on the back for a major accomplishment. However, special events require careful pre-planning beforehand and adequate lead time to make all the necessary arrangements. Samples of an invitation and brochure from a ribbon cutting ceremony are included at the end of this chapter.

The U.S. Conference of Mayors also promotes a “National Community Development Week” each April to highlight the CDBG program’s contribution to community betterment. Included as sponsors of the annual effort are the National Association of Counties, the National League of Cities, the National Association of Housing and Rehabilitation Officials, the National Community Development Association, and the National Council of State Community Development Agencies. The Community Development Week theme can be tied in with a local spring cleanup or beautification campaign, an effort that many communities already schedule each year. This is an opportunity to tap into a national special event and involve the greater community, including schools and students.

VI. OTHER PUBLIC INFORMATION TOOLS

1. **Brochures and Flyers:** Brochures or one-page fact sheets can be an excellent way to educate and inform people. Keep the information short and to the point. One advantage of brochures is that they can be targeted to specific households or neighborhoods by door-to-door distribution or mail. Brochures are also inexpensive to create. Many computer software programs have clip art that can be used when creating brochures and flyers.
2. **Newsletters:** Newsletters are another way to communicate with the public. However, a newsletter may be more time intensive to create. If the CDBG grant recipient already has a newsletter (hard copy or electronic), it is a valuable tool to use in communicating with the public about CDBG projects.

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3. **Posters:** Posters are a common method to use for publicizing local activities, special events, or public meetings. Posters should be neat, attractive, and not so large that they take up too much space on a bulletin board or storefront window. There are many options for placement, such as town halls, banks, grocery stores, welfare, offices, churches, senior centers, libraries, laundromats – wherever people walk slowly enough to read the message. Remember to ask permission to put them up; remember to take them down. Posters should only be displayed for a week or two. If posted for a longer period, they tend to be ignored.

DEALING WITH COMPLAINTS

No discussion of public relations is complete without covering the grant recipient's responsibility for dealing with complaints. Human nature makes it inevitable that at some time someone will be dissatisfied with some aspect of a project, whether it is a CDBG project or some other project.

The Federal Housing and Community Development Act states that "Any comment, suggestion, criticism, or complaint made by a citizen should be taken very seriously and deserves a prompt response." The federal statute that governs the CDBG program and all recipients of CDBG grant funds requires that "a timely written answer to written complaints and grievance" be provided by CDBG grantees" within 15 working days where practicable" [42 U.S.C Section 5304 (a)(3)(E)]. Telephoned or oral complaints also deserve a prompt response. The local government's response to any complaint must be documented.

As a rule of thumb, the more promptly local officials or the project manager can investigate the basis for a complaint and try to offer a reasonable solution, the better. If a citizen lodging a complaint feels they are being ignored, the greater the likelihood that the frustration level or anger will increase.

If the complaint is not dealt with at the local level, the normal procedure is to file the complaint with the Governor's Office of Economic Development: Rural Community & Economic Development/Block Grant Program, the Governor, HUD or a member of the congressional delegation. The Director of the Rural Community & Economic Development/Block Grant Program and CDBG staff members are available to advise the community regarding any Federal or State requirement that may be at question. In most cases, the final resolution of the complaint is the authority and responsibility of the local grant recipient, unless the complaint deals with State or Federal CDBG policies or requirements.

Records of all citizen comments, whether in the form of letters or written notes summarizing telephoned or oral comments, should be placed in the citizen participation file for the project, along with the city's/county's letter of reply or notes indicating how the grant recipient responded to the comment. Federal regulations require that any complaints, along with an assessment of the comment and a description of any action taken in response to the comment are included with the project close out information. Hopefully, the citizen participation file is filled with compliments rather than complaints.

CITIZEN PARTICIPATION PROCEDURE

The following summarizes the steps needed to develop an effective citizen participation process that complies with HUD and State requirements

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It is essential the city/county conducts planning activities that involve citizen input when determining potential project requests from the CDBG program. The local government is required to encourage citizen participation, particularly by low and moderate income persons who reside in slum or blighted areas and areas in which CDBG funds are proposed to be used. This process should establish the areas and identify the activities that residents feel are the most needed for their community.

Local governments are required to ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to proposed and actual use of CDBG funds. The city/county also must assist representatives of low/mod groups that request help in developing proposals.

When planning public meetings, local governments must provide reasonable accommodations, such as sign language or availability of major documents in a requested language. All public meetings must be accessible to the handicapped. The Public Notice for the meeting(s) must include a statement on non-discrimination and provide a TDD or Nevada number where individuals who are hearing impaired individuals can obtain information about the CDBG program.

Recommended Meetings:

First Public Meeting:

This is an informational meeting that must be properly noticed and comply with the Nevada Open Meeting Law, NRS 241 as well as other noticing requirements. This public meeting may be held in conjunction with a council or commission meeting. **Noticing of the first public meeting must be done two weeks prior to the meeting.**

Information to be covered in the first meeting is as follows:

- The amount of CDBG funds expected to be made available for the current fiscal year;
- The range of activities that may be undertaken with CDBG funds;
- The proposed CDBG activities that are likely to result in displacement of people and/or businesses and the local government's anti-displacement and relocation plans required under regulation 570.488.

During this meeting the presenter is responsible for the following:

- Presenting a summary of grant performance for all CDBG grants received since 1982 and ensuring that the summary is available for review by the public.
- Asking the public for additional project ideas for the upcoming program year;
- Offering assistance to those interested in submitting an application but not familiar with the CDBG application process;
- Asking for public input on past or potential projects;
- Supplying a contact name and contact information for submitting project ideas;
- Informing the public of the next meeting at which potential projects (with estimated funding amounts and beneficiaries) will be discussed.
- Disseminating any additional information the city/county government wishes to include.

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After the informational meeting and prior to the second public meeting, the local government will publish or post a notice describing:

- 1) the projects that are being considered potential CDBG funding requests;
- 2) the amount of funds that will be requested for each project;
- 3) the availability of a description of past performance;
- 4) where the potential project list and past performance description can be reviewed;
- 5) when and where the next public meeting is to be held, giving a two-week notice.

One copy of the minutes of the informational meeting (first page of minutes and section discussing the CDBG program **only**) and a copy of the advertised public notice or the posted notice must be sent with the application(s) to GOED. If a posted notice, locations where posted must be included on the notice. Sample notices are included at the back of the Application Handbook.

Second Public Meeting:

This meeting is held approximately one month after the first/informational meeting and is properly noticed, as noted at the end of the section on the first meeting procedures.

During this meeting the following items are discussed:

- Project concepts, estimated costs, and estimated beneficiaries are discussed;
- Public input is requested;
- Additional project ideas may be submitted;
- Notification of the next meeting at which potential project(t)s will be selected to move forward with application(s).
- Other relevant information pertaining to the CDBG program and potential projects.

One copy of the minutes of the second meeting (first page of minutes and section discussing the CDBG program **only**) and a copy of the advertised public notice or the posted notice must be sent with the application(s) to GOED. If a posted notice, locations where posted must be included on the notice.

Third Public Meeting:

The third public meeting is held approximately one month after the second information collection meeting. As with meetings #1 and #2, meeting #3 must be properly noticed, giving two-week notice.

At this meeting:

- the city council/county commission members address all comments received;
- recommendations are made for any changes to the proposed project;
- potential projects are prioritized;
- final selection of projects for application submittal is made.

One copy of the minutes of the third meeting (first page of minutes and section discussing the CDBG program **only**) and a copy of the advertised public notice or the posted notice must be sent with the application(s) to GOED. If a posted notice, locations where posted must be included on the notice.

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These minutes will reflect approval of the council/commission as to which applications are to move forward with applications and the prioritization or ranking of the projects.

After applications are completed, they are sent to GOED with the copies of the meeting notices (published or posted notices) and the minutes. **This evidence of citizen participation is required in order for applications to be considered for funding. Without this documentation the application cannot be accepted for review.**

Localities should be aware when an application is funded, it is their responsibility to ensure that the public has access to the state's Final Program Statement and Performance and Evaluation Reports (CAPER). This report provides performance results of each funded project. An electronic copy of the draft CAPER is sent to each city or county each year in August in order for the public to submit comments to be included in the report. After the public comment period, the report is submitted to the Department of Housing and Urban Development by the September 30th due date.

Another aspect of involving the public in CDBG activities relates to the responsibilities assumed by the city or county when it agrees to comply with certain federal and state laws when applications are submitted. Some laws require specific activities be conducted to demonstrate compliance while others simply require a signed assurance. All responsibilities are detailed in the grant agreement.

CITIZEN PARTICIPATION PLAN

Public Hearings are not the same as a Citizen Participation Plan. Public Hearings are simply a component of the Plan; hearings are the culmination of the Plan. Citizen Participation Plans should include:

- Detail of the public hearing requirements;
- Identification of the Citizen Participation Coordinator and her/his duties and responsibilities;
- The date the plan was adopted;
- A policy for providing technical assistance to the community so they can become knowledgeable about the CDBG program and contribute ideas to solving some of the community's needs;
- A policy for making available programmatic information to citizens during all phases of the CDBG project as well as records on past use of CDBG funds; a policy for citizens providing comments on the Citizen Participation Plan and amendments;
- A policy for providing citizens an opportunity to comment on performance reports for project activities;
- A policy for encouraging citizens to participate in an advisory role in the planning, implementation, and assessment of the project;
- Procedures for comments, objections, and complaints;
- Program income re-use plan, if applicable.

A sample of a recent Citizen Participation Plan is included at the end of this chapter.

SUMMARY

The need to keep the public informed and involved does not begin with a CDBG application and end with the completion of the project. An effective program for involving and informing local citizens can be vital to the success of any community project. As community members develop an awareness of the

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project, the issues involved, and the potential benefits, they develop a sense of involvement, and ownership. They are participating in the process. They also develop a better understanding of how their local officials and staff work on their behalf.