

**ADMINISTRATIVE CODE  
BOARD OF COUNTY COMMISSIONERS**

**CATEGORY:**  
Human Services

**CODE NUMBER:**  
AC 15-2

**TITLE:**  
Citizen Participation Plan for U.S. Department of Housing  
and Urban Development (HUD) Consolidated Plan

**ADOPTED:** 3/21/90

**AMENDED:**  
03/16/94, 04/19/95, 04/10/96,  
06/06/00, 01/30/01, 11/18/03  
4/25/06, 1/19/2010

**ORIGINATING DEPT.**  
Human Services

**PURPOSE/SCOPE:**

To meet HUD requirements for the Consolidated Plan for HUD entitlement programs, which requires a written Citizen Participation Plan that sets forth Lee County's policies and procedures for an effective citizen participation process.

**SCOPE OF CITIZEN PARTICIPATION:**

Lee County has the flexibility to choose the citizen participation process that best works for its low and moderate income residents who are the primary clients for the HUD programs. Citizens, non-profit organizations, and other interested parties will be afforded adequate opportunity to review and comment on the original citizen participation plan, on substantial amendments to the citizen participation plan, the development of the Consolidated Plan and Annual Action Plan, any substantial amendments to the Consolidated Plan or Annual Action Plan, and the Consolidated Annual Performance and Evaluation Report (CAPER). Lee County will make the development of the above items public. Citizens will be provided with reasonable and timely access to public meetings and hearings.

**CITIZEN ADVISORY COMMITTEE:**

The Community Action Agency/Neighborhood District Committee (CAA/NDC) shall serve as the advisory body to the Lee County BOCC and shall participate in the planning, performance evaluation, and public comment on the Community Services Block Grant Action Plan, the Consolidated Plan, Annual Action Plan and the CAPER. The committee comments shall be submitted to the BOCC, which may adopt, modify, or amend the plan(s).

**ENCOURAGEMENT OF CITIZEN PARTICIPATION:**

Lee County will encourage citizens to participate in the development of the Consolidated Plan, Annual Action Plan, any substantial amendments to the Consolidated Plan or Annual Action Plan, and the CAPER. Lee County will take reasonable action to encourage participation among all citizens, especially low and moderate income, minority and, non-English speaking persons, as well as persons with disabilities. Participation of residents of public and assisted housing will be encouraged through cooperation with public housing agencies.

**NOTICES, REQUESTS FOR INFORMATION, AND ACCESS TO RECORDS:**

Lee County will provide reasonable access to public meetings. Lee County will post timely notice of such meetings at the Lee County Administration Building and on Lee County public service

television or other media accessible to persons with disabilities including persons with visual impairments. In addition, Lee County will publish public notices of all official public hearings in a non-legal section of a newspaper of general circulation and on the Lee County website approximately 14 days before the scheduled hearing. Notices will be sent to organizations serving multi-cultural, homeless, disabled, youth, elderly, HIV/AIDS victims and their families, low-income advocates and other special needs organizations and individuals upon request. Printed and media notices will indicate the date, time, location, and topics to be discussed. Upon request, Lee County will supply written documents converted into alternative non-written formats.

All entitlement grant records will be available for review by citizens, public agencies, and other interested parties, during normal business hours at the Lee County Department of Human Services, which is accessible to persons with disabilities and easily reached by public and private modes of transportation. All Requests for Information by residents will be subject to applicable federal, state, and local laws regarding personal privacy and obligations of confidentiality. Printed copies and computer disk copies of the Consolidated Plan, Annual Action Plan and the CAPER will be available at the Lee County Department of Human Services.

**DEVELOPMENT OF THE CONSOLIDATED PLAN/ANNUAL ACTION PLAN:**

Lee County will hold two public hearings per year to obtain citizen's views and to respond to proposals and questions at two different stages of the program year. Together, the two public hearings will address housing and community development needs, development of proposed activities, and review of program performance. The second public hearing will be held before the proposed Consolidated Plan/Annual Action Plan is published for comment. Hearings will be held at times and locations convenient to Plan beneficiaries.

Lee County will notify the public by publishing non-legal advertisements in one or more local newspapers of general circulation and posting public notices regarding the development of the Consolidated Plan/Annual Action Plan and the holding of the two public hearings. The non-legal advertisements and posted notices will describe the amount of assistance Lee County expects to receive in grant funds and program income, the range of activities anticipated, the estimated amount benefiting low and moderate-income persons, Lee County's plans to minimize displacement/relocation of individuals affected by any anticipated community improvement projects, and the types of assistance Lee County will offer, or will require others to make available to any persons displaced or relocated.

Lee County will publish its proposed Consolidated Plan/Annual Action Plan so affected citizens will have sufficient opportunities to review and provide comment. A summary of the proposed plan or amendment will be published in one or more local newspapers of general circulation along with the locations of the complete plan. The Consolidated Plan/Annual Action Plan will be made available at the Lee County Department of Human Services and on the Lee County website, which is accessible through any internet connection, including those at public libraries. Lee County will provide a reasonable number of free copies to those requesting it (one per citizen or one per agency/business). Lee County will give all interested citizens a 30-day public review period. Lee County will consider any comments or views received in writing or orally, at public hearings, in preparing the final Consolidated Plan/Annual Action Plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final Consolidated Plan/Annual Action Plan.

**AMENDMENTS:**

Lee County shall amend its approved plan whenever one of the following decisions is made:

- (1) To make a change in its allocation priorities or a change in the method of distribution of funds;
- (2) To carry out an activity using funds from any program covered by the approved Consolidated Plan not previously described in the Annual Action Plan;
- (3) To change the purpose, scope, location, or beneficiaries of an activity.

Notice of the amendments will be posted on the Lee County website, which is accessible through any internet connection, including those at public libraries. The amendments will be signed by the Lee County official representative authorized to take such action, and Lee County shall notify HUD that the amendment has been made.

**SUBSTANTIAL AMENDMENTS:**

A substantial amendment to the Consolidated Plan/Annual Action Plan is defined as follows:

- (1) Any change in the use of CDBG funds from one eligible activity to another;
- (2) Cumulative transfers among projects which exceed or expected to exceed 10 percent of the current total approved budget.

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. Comments or views received 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 Consolidated Plan/Annual Action Plan. After completion of the public comment period, the substantial amendment will be signed by the official representative authorized to take such action. Lee County shall then notify HUD that the amendment has been made.

**CAPER:**

Lee County will provide citizens with reasonable notice and an opportunity to comment on the CAPER. Lee County will give citizens a 15-day public review period. Comments will be received at the Lee County Department of Human Services. Lee County will consider any comments or views received in writing or orally, in preparing the CAPER. A summary of these comments or views shall be attached to the CAPER.

**TECHNICAL ASSISTANCE:**

Groups representative of low and moderate income citizens may request technical assistance in developing funding proposals to strengthen community-based development organizations within the objectives of the Consolidated Plan. The Lee County Department of Human Services 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.

**PROVISION FOR NON-ENGLISH SPEAKING CITIZENS AND PERSONS WITH SPECIAL NEEDS:**

Upon public request and subject to the availability of Hispanic or other non-English general circulation newspapers, public notices will be published 14 calendar days prior to a public hearing

in local newspaper(s) read by non-English speaking populations. If the Lee County Department of Human Services staff has determined that a significant number of non-English speaking residents are expected at a public hearing or meeting, an interpreter and/or other appropriate provisions will be made. Persons needing this assistance will be asked to submit a request in writing to the Lee County Department of Human Services for these services at least five (5) working days in advance of the meeting/hearing.

**REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES:**

Lee County will make reasonable accommodations for persons with disabilities. All public meetings and hearings will be held in locations accessible to all persons with disabilities. Upon request a sign language interpreter and/or other appropriate provisions will be made. Persons needing this assistance will be asked to submit a request to the Lee County Department of Human Services for these services at least five (5) working days in advance of the meeting/hearing.

**ANTI-DISPLACEMENT:**

Lee 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.

**COMPLAINT AND APPEAL PROCEDURES:**

- (A) The Lee County Board of County Commissioners will hear complaints or grievances from citizens regarding the citizen participation plan, substantial amendments to the citizen participation plan, the development of the Consolidated Plan and Annual Action Plan, any substantial amendments to the Consolidated Plan or Annual Action Plan, and the CAPER.
- (B) Written complaints will be addressed to the Lee County Department of Human Services, 2440 Thompson Street, Fort Myers, FL 33901. 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 Lee County Department of Human Services will prepare a written substantive, response to the complainant within 15 calendar days, whenever practical. If necessary, complaints or grievances will be heard in a timely fashion by the Lee County Board of County Commissioners.