

Baldwin County Commission
Citizen Participation Plan
Community Development Block Grant – Disaster Recovery

June 2024

Baldwin County Commission
312 Courthouse Square
Bay Minette, Alabama 36507

Introduction

The Baldwin County Commission (Commission) will follow a detailed Citizen Participation Plan (“Plan”) consistent with 24 CFR 570.486 and in compliance with the following regulations and Federal Register Notices (FRN) for the Community Development Block Grant – Disaster Recovery (CDBG-DR) grants awarded to the State of Alabama in response to Hurricanes Sally and Zeta:

- Federal Register Notice Vol. 87, No. 23 (Feb. 3, 2022) and Vol. 87, No. 100 (May 24, 2022)
- 24 CFR 570.486

To permit a more streamlined process and 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, 24 CFR 570.486, 24 CFR 1003.604, 24 CFR 91.115(b) through (d), with respect to citizen participation requirements, are waived and replaced with alternative requirements contained in Federal Register Notices Vol. 87, No. 23 (Feb. 3, 2022) and Vol. 87, No. 100 (May 24, 2022).

The United States Department of Housing and Urban Development (HUD) encourages citizen participation in the development of all elements of the Commission’s Local Recovery Plan that is produced as part of the Commission’s administration of the federally-funded Community Development Block Grant – Disaster Recovery Program (CDBG-DR). This includes citizen participation in the development of the Commission’s Citizen Participation Plan for this program. The Commission likewise encourages 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, throughout the duration of the Commission’s CDBG-DR grants.

In developing this Citizen Participation Plan as well as any and all amendments, updates, and revisions hereto, such Plan *et al.* will be presented on the Commission’s public website for review and comment. The Citizen Participation Plan and any and all amendments will also be made available to citizens, citizen groups, public agencies, and other interested parties upon request. These Citizen Participation Plan materials as well as any and all amendments, updates, and revisions hereto, will also be made available in various formats and languages and shall be accessible to persons with disabilities and to persons of Limited English Proficiency, where practicable upon prior request made to the Commission.

Upon adoption of the Citizen Participation Plan, the Commission will be responsible for ensuring that the requirements outlined within this Plan are enforced throughout the duration of the Commission’s CDBG-DR grants.

Citizen Participation Plan Development and Amendments

Initial CPP

This CDBG-DR Citizen Participation Plan was created to comply with the requirements specified in the two FRNs for the CDBG-DR grant awarded to the State of Alabama in response to Hurricanes Sally and Zeta. As required by the ADECA Citizen Participation Plan, each local government receiving assistance from ADECA must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 and sets forth the jurisdiction’s policies and procedures for facilitating citizen participation.

Amendments to the CPP

Future amendments of this Plan for the Commission’s CDBG-DR Program will be undertaken, as warranted, in response to updated HUD requirements or as stipulated by ADECA.

Public Comment

The CDBG-DR Citizen Participation Plan, as well as any amendments to the Plan, will be presented for review and comment through posting on the Commission’s public website. The Commission will provide a period of at least fifteen (15) days to receive comments on the Plan or amendment and will consider all public comments received in the CDBG-DR Plan's finalization process. Following the public comment period, the Commission will consider adoption of the Citizen Participation Plan during a noticed public hearing. A notice of the adoption public hearing will be published in a newspaper of general circulation by the Commission at a minimum of seven (7) days and at a maximum of fifteen (15) days prior to the date of said public hearing.

Availability

The Commission will post the CDBG-DR Citizen Participation Plan, as well as any amendments to that Plan, on the Commission’s public website and will provide a reasonable number of copies to citizens upon request. All materials will be made available in a form accessible to persons with disabilities, upon request.

Accessibility

The Commission has followed the guidance provided in ADECA’s Language Access Plan to determine the need to undertake reasonable actions to facilitate the participation of persons with Limited English Proficiency (LEP). In accordance with ADECA’s guidance, a Four-Factor Analysis will be completed by the Commission prior to publishing the notice

for conducting a public hearing of the Commission. If the Four-Factor Analysis identifies a group of Limited English Proficient persons, the notices and citizen participation materials will be made accessible to the group(s) through the means identified in the Commission's Language Access Plan. Local officials will undertake all reasonable actions necessary to allow LEP persons to participate in the Plan(s) development process, as warranted. Such actions may include the provision of an interpreter and/or the provision of materials in the appropriate language or format for persons with Limited English Proficiency. The HUD *Reducing Barriers to Participation* resource will be utilized as a guide for engagement solutions as well.

The CDBG-DR Citizen Participation Plan and any amendments to the Plan may be made available in English and as needed, in Spanish. Other languages and other formats will be provided, upon request, to ensure accessibility to persons with disabilities or Limited English Proficiency, where practicable.

Persons with disabilities or special needs who may require special materials, services, or assistance with accessing program materials should call the Commission's Grants Administrator at (251) 937-0227 or by email at katrina.taylor@baldwincountyal.gov.

CDBG-DR Local Recovery Plan

Consultation

During preparation of the CDBG-DR Local Recovery Plan, in conformance with Local Recovery Planning Program guidelines, the Commission will consult with Indian tribes, county and local agencies and governments, Federal partners, nonprofit and nongovernmental organizations, the private sector, business owners and associations, and other stakeholders and affected parties in the surrounding geographic area, including organizations that advocate on behalf of members of protected classes, vulnerable populations, and underserved communities affected by the disaster.

The Commission shall encourage the participation of Countywide and regional institutions, Continuums of Care, and other organizations that are involved with or affected by the programs or activities covered by the CDBG-DR Local Recovery Plan in the process of developing and implementing the Plan. The Commission shall also encourage the participation of public and private organizations, including broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood-prone areas, public land or water resources, and emergency management agencies.

The Commission encourages all the County's citizens, especially low- and moderate-income persons, particularly those living in slum and blighted areas and in areas where CDBG-DR funds are proposed to be used and by residents of predominantly low- and moderate-income neighborhoods, minorities, non-English speaking persons, and persons

with disabilities, to participate in the development of the CDBG-DR Local Recovery Plan, any amendments to the CDBG-DR Local Recovery Plan, and performance reports.

Public Meetings

As required by 24 CFR 570.486(a)(6), the Commission will 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 Commission'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. The Commission will hold public meetings throughout the implementation of the CDBG-DR grant period of performance to provide citizens an opportunity to provide comment.

Additionally, the Commission will ensure that residents will be given reasonable and timely access to local meetings, consistent with accessibility and reasonable accommodation requirements in accordance with section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8, and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36, as applicable, as well as information and records relating to the Commission's proposed and actual use of CDBG-DR funds. Both virtual and in-person public hearings will be made accessible to Limited English Proficiency persons.

Public Hearings

As a hardest hit most impacted and distressed community (HHMID), the Commission will host at least two (2) public meetings in the County, noticed at least 14 days prior, for feedback and comments on the LRP, prior to its submission to ADECA. Consistent with 24 CFR 570.486(a)(3), to provide for and encourage citizen participation, the Commission will furnish citizens information as may be feasible, which may include but not be limited to:

- The amount of CDBG-DR funds expected to be made available for the current fiscal year (including the grant and anticipated program income);
- The range of activities that may be undertaken with the CDBG-DR funds;
- The estimated amount of the CDBG-DR funds proposed to be used for activities that will meet the national objective of benefit to low-and-moderate income persons; and
- The proposed CDBG-DR activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under 24 CFR 570.488.

Both virtual and in-person public hearings will be held at times and locations convenient to potential and actual beneficiaries, with accommodations for persons with disabilities and appropriate auxiliary aids and services to ensure effective communication.

Persons requesting oral or written translation services for any public hearing should contact the Commission's Grants Administrator at (251) 937-0227 or by email at katrina.taylor@baldwindountyal.gov. The Commission will ensure that it can accommodate the request for translation services prior to the public hearing being held. In cases where a significant number of non-English speaking residents will be reasonably expected to participate, the Commission will provide a translator for the LEP group – at both virtual and in-person public hearings. Persons with disabilities or special needs who may require special materials, services, or assistance with accessing virtual or in-person hearings should also contact the Commission's Grants Administrator at (251) 937-0227 or by email at katrina.taylor@baldwindountyal.gov.

Public Comments

The Commission will provide a 30-day comment period prior to submission of the initial CDBG-DR Local Recovery Plan to ADECA. The initial CDBG-DR Local Recovery Plan will be published on the Commission's public website and will afford citizens, affected local governments, and interested parties an opportunity to review and comment on the proposed Local Recovery Plan.

Any updates or changes to the CDBG-DR Local Recovery Plan in response to public comments will be clearly identified in the Local Recovery Plan. A summary of the public comments received regarding the Plan, and the Commission's response to each, will be included in the Plan's finalization process.

Adoption or Approval of LRP:

For HHMID communities, for the LRP to be adopted, the Commission must approve the plan through a majority vote held within a properly noticed public hearing. Noticed public hearings of the Commission are held on the first and third Tuesday of each month, at 10:00 a.m., at the Baldwin County Commission chambers in Bay Minette, or at the Fairhope Satellite Courthouse.

LRP Amendments

The CDBG-DR Local Recovery Plan will specify that the following criteria will constitute an amendment to the Plan:

- Changes a program benefit or eligibility criteria;
- Adds or deletes an activity;
- Proposes a reduction in the overall benefit requirement;
- Re-allocates funds from one budget allocation in this Plan to another such that the cumulative re-allocated amount is greater than ten (10) percent of the budget allocation.

Amendments to the adopted Local Recovery Plan will conform to the ADECA's criteria and will be initiated in response to updated local needs assessments. Criteria concerning amendments, as may become necessary, will be specified in the adopted LRP. All LRP amendments will include a chart or table that illustrates how all funds are budgeted and will be published on the Commission's public website. Each amendment will describe the changes within the context of the entire adopted LRP.

The current version of the adopted LRP will be viewable as a single document. At a minimum, each amendment will: (1) identify exactly what content is being added, deleted, or changed, (2) clearly illustrate where funds are coming from and where they are moving to, and (3) include a revised budget allocation table that reflects the entirety of all funds, as amended.

Public Comment

The Commission will provide a 30-day comment period, which will commence with a publicized public hearing, prior to submission of the Amendment to ADECA. Notice of the public hearing will be published in a newspaper of general circulation in the County a minimum of fourteen (14) days prior to the date of said public hearing. The Amendment will be published on the Commission's public website and will afford citizens, affected local governments, and interested parties an opportunity to review and comment on the proposed amendment.

Any updates or changes to the CDBG-DR Local Recovery Plan in response to public comments will be clearly identified in the Local Recovery Plan. A summary of the public comments received regarding the amendment, and the Commission's response to each, will be included in the amendment's finalization process.

Availability

The Commission will post the CDBG-DR Local Recovery Plan and any plan amendments to the Commission's public website and will provide a reasonable number of copies to citizens upon request. When an amendment is proposed, the current version of the Commission's CDBG-DR Local Recovery Plan, including all amendments, will be accessible for viewing as a single document on the Commission's public website.

Local Recovery Plan Implementation

During implementation of the CDBG-DR Local Recovery Plan the Commission shall encourage the participation of Countywide and regional institutions, Continuums of Care, and other organizations that are involved with or affected by the programs or activities covered by the CDBG-DR Local Recovery Plan. The Commission shall also encourage the participation of public and private organizations, including broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood-prone areas, public land or water resources, and emergency management agencies.

To encourage and maintain citizen participation, the Commission will hold public hearings and provide a reasonable opportunity for citizen comment and ongoing citizen access to information about the use of grant funds. Notices of public hearings will be published in a newspaper of general circulation in the County a minimum of fourteen (14) days prior to the date of said public hearings. Both virtual and in-person public hearings will be held at times and locations convenient to potential and actual beneficiaries, with accommodations for persons with disabilities and appropriate auxiliary aids and services to ensure effective communication.

Consistent with 24 CFR 570.486(a)(5), the Commission will provide for a minimum of two public hearings, each at a different stage of the program, for the purpose of obtaining residents' views and responding to proposals and questions. Together the hearings will cover community development and housing needs (including affirmatively furthering fair housing), development of proposed activities, and a review of program performance. The public hearings to cover community development and housing needs will be held before submission of an application to the State. There will be reasonable notice of the hearings and they will be held at times and accessible locations convenient to potential or actual beneficiaries, with accommodations for persons with disabilities. Public hearings will 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.

Accessibility

The Commission will ensure that all citizens have equal access to information about the CDBG-DR Local Recovery Plan programs, including persons with disabilities and Limited English Proficiency, and will post program information in the appropriate languages for the geographic area served by the Local Recovery Plan. The CDBG-DR Local Recovery Plan and any amendments to the Plan will be made available in English, and in Spanish as needed, on the Commission's website. Other languages and other formats will be provided, upon request, to ensure accessibility to persons with disabilities and Limited English Proficiency, where practicable.

During the term of the grant, the Commission will provide citizens, affected local governments, and other interested parties with reasonable and timely access to information and records related to the CDBG-DR Local Recovery Plan, any amendments to the Local Recovery Plan, and to the Commission's proposed and actual use of CDBG-DR funds during the preceding five (5) years.

Complaints

A complaint or a grievance is defined as a wrong that is perceived by a citizen to have occurred or been committed during the implementation of any of the disaster recovery programs, wherein the citizen pursues resolution of that perceived wrong by bringing a complaint to be addressed by the affected entities or interested parties. In situations wherein the Commission receives written comments and complaints, the Commission

shall provide a written response to those written comments and complaints. Such written response(s) will be provided within a reasonable time or otherwise when practicable.

As required per the allocation notices, the Commission will provide a timely written response to every citizen complaint the Commission receives. The response will be provided from the Commission within fifteen (15) working days of the Commission's receipt of the complaint. If a response from the Commission cannot be provided within fifteen (15) working days, then the Commission will document why additional time for the response is required. Complaints and grievances are to be stated in writing by the aggrieved party or their representative and are to be submitted to the Commission. Parties may contact the Commission's Grants Administrator on Monday through Friday between 8:00 a.m. and 5:00 p.m., at (251) 937-0227 or by email at BCCGrants@baldwincountyal.gov concerning resolution of complaints. Citizens may also submit complaints in writing to the Baldwin County Commission at:

312 Courthouse Square
Bay Minette, AL 36507

At any time, a citizen may directly contact the ADECA or HUD to submit comments and complaints concerning a local government's work pertaining to its CDBG-DR grant application, grant administration, and grant program implementation processes, or concerning the CDBG-DR Local Recovery Plan, a Local Recovery Plan amendment, or a performance report. However, citizens are encouraged to first resolve their comments and complaints at the local government level prior to initiating an attempt to involve the ADECA or HUD in their comment or complaint resolution process.

All such comments, complaints, and grievances submitted to the ADECA or to HUD shall be addressed in writing to the following designees:

ADECA:

Alabama Department of Economic and Community Affairs (ADECA)
Community and Economic Development Division
401 Adams Avenue, Room 500; Post Office Box 5690
Montgomery, Alabama 36103-5690

HUD:

United Commissions Department of Housing and Urban Development
Office of Community Planning and Development
The Plaza, 417 20th Street North, Suite 700
Birmingham, Alabama 35203

Records of the citizens' comments and complaints that have been received by the Commission concerning its CDBG-DR Program, and records of the subsequent actions that have been taken by the Commission in response to those comments and complaints, shall be maintained on file at the Commission's headquarters office, and shall be made available for public review and inspection upon request. All verbal complaints the Commission receives will be considered informal and not subject to the same resolution process described above. The Commission will attempt to resolve any such complaint(s) it receives.

Complaints alleging violation of fair housing laws will be directed to HUD for immediate review and can be submitted multiple ways – via email, phone, online, or U.S. Mail. To speak with a Fair Housing and Equal Opportunity (FH & EO) intake specialist, complainants are directed to call telephone number 1-800-669-9777. To speak with their local FHEO office (Region IV includes Alabama), complainants should call telephone number 1-800-440-8091.

Complaints regarding fraud, waste, or abuse of funds will be forwarded to the HUD OIG Fraud Hotline (at telephone number 1-800-347-3735 or at email address hotline@hudoig.gov).

Citizen Participation Requirements for Local Government Subrecipients

In consideration of the receipt of assistance from ADECA, the Commission must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 and sets forth the jurisdiction's policies and procedures for facilitating citizen participation. All unit of local government subrecipients receiving funds from the Commission may be required to have a written local citizen participation plan and to follow that plan during the planning and implementation phases of their CDBG-DR funded-project(s) and program(s). Additionally, the Commission may require subrecipients to complete a Four-Factor Analysis and, if necessary, develop a Language Access Plan for persons with Limited English Proficiency.

Technical Assistance

The Commission or its' CDBG-DR subrecipients may provide technical assistance to facilitate citizen participation where requested, including responding to technical assistance requests made by citizens. Upon receipt of requests, the level and type of technical assistance to be provided will be determined by the Commission and subrecipients, based on the specific need(s) of the community. Additionally, consistent with 24 CFR Section 570.486(a)(4), upon request, the Commission and CDBG-DR subrecipients will provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals (including proposed strategies and actions to affirmatively further fair housing) in accordance with the procedures developed by the State. Such assistance need not include providing funds to such groups.