

STATE OF LOUISIANA

CITIZEN PARTICIPATION PLAN

The State of Louisiana, in compliance with the requirements of 24 CFR, Part 91, et al., Consolidated Submissions for Community Planning and Development Programs, which sets forth the final rule providing for a consolidated plan and a single consolidated performance report for all Housing and Urban Development community planning and development formula grant programs, has established the following policies and procedures for citizen participation (referred to as the Citizen Participation Plan) and will abide by this Plan.

The Citizen Participation Plan will be distributed at the public hearing(s) on housing and community development needs in addition to being available on the Office of Community Development's (OCD) website. Citizens and units of general local government will be advised at this time of the opportunity to comment on the Citizen Participation Plan and on any substantial amendments to the Citizen Participation Plan. The State will consider any comments or views received in writing or expressed orally at the public hearing on the original Citizen Participation Plan or amended Citizen Participation Plan. For those unable to attend the public hearing(s), views and comments may be submitted to the address shown below.

The Citizen Participation Plan will be made accessible to persons with disabilities upon request by telephone or written request to the following address:

Office of Community Development
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095
Telephone (voice) – 225/342-7412
Fax – 225/342-1947
LA Relay Service

Encouragement of Citizen Participation

In order to facilitate citizen participation requirements and to maximize citizen interaction in the development of the consolidated plan, any substantial amendments to the consolidated plan, and the performance report, the State will take whatever actions are necessary to encourage participation by all citizens, especially the following: Those of low and moderate income, those living in slum and blighted areas and in areas where Community Development Block Grant (CDBG) funds are proposed to be used, those living in predominantly low- and moderate-income neighborhoods, non-English speaking persons, minorities, and those with disabilities. The State also encourages the participation of Statewide and regional institutions, Continuums of Care, and other public and private organizations that are involved with or affected by the programs or activities covered by the consolidated plan including but not limited to the following: Businesses, developers, non-profit and philanthropic organizations, community- and faith-based organizations, 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 assess the needs of and ensure meaningful access to participation by non-English speaking persons, the State maintains a Language Access Plan (LAP), which provides that, in the event a need for access to language services is identified, staff will contact the State's Language Access Coordinator, who will take appropriate action to ensure meaningful communication. The LAP is posted on the OCD website and is reviewed and updated on an annual basis to ensure continued responsiveness to community needs. In addition, the State is contracted with Tembua, Inc. through June 20, 2020, for written translation services on an as-needed basis. Further, as Spanish is the most prominent language among non-English speaking persons in the State at 1.69% of the total population, all published citizen participation advertisements will include a statement in Spanish indicating that materials are available in Spanish upon request.

See the section below entitled "Public Hearings" for a summary of efforts that will be taken to broaden public participation and/or outreach to minorities and non-English speaking persons, as well as persons with disabilities.

Public Hearings

To maximize citizen participation, public hearings may be held prior to the development of the Disaster Recovery Action Plans, and prior to the implementation of substantial amendments to the Disaster Recovery Action Plans. A public hearing will be held prior to the development of the Consolidated Plan or Annual Action Plans, and prior to the submittal of the Consolidated Annual Performance and Evaluation Report to the U.S. Department of Housing and Urban Development (HUD). As is allowed by federal regulations, the State may hold a public hearing for one or more purposes. For example, the State may combine the hearing on needs for the coming year's planning with the hearing on the previous year's performance.

At a minimum, the State will publish a notice of each public hearing in *The Advocate*, which is the State's legal journal; such notice will appear a minimum of 15 calendar days prior to the public hearing. A notice of such hearings may also appear in the *Louisiana Register*. The three State agencies involved in the consolidated planning process have compiled mail and email lists that include more than eight-hundred persons, local governing bodies, public, private, and non-profit agencies, and other interested parties statewide; written invitations to attend the public hearings and to submit comments will be mailed to these lists. Recipients of the written invitations will be requested to post and circulate the invitations to those in their communities who are of low and moderate income, those living in slum and blighted areas and in areas where Community Development Block Grant (CDBG) funds are proposed to be used, non-English speaking persons, minorities, and those with disabilities.

All public hearings will be held at a time and location convenient to potential and actual beneficiaries in a building that is accessible to persons with physical disabilities. Accommodations for non-English speaking persons and persons with other disabilities will be provided as necessary with a minimum notification of five working days to ensure a proper response to those needs. If the

State is notified that a significant number of non-English speaking persons plan to attend a public hearing, the State will make every effort to have an interpreter available at the hearing.

Development of the Consolidated Plan and Annual Action Plans

In 1994, the U.S. Department of Housing and Urban Development (HUD) published regulations requiring state agencies which administer certain HUD programs to incorporate their planning and application requirements into one master plan called the Consolidated Plan. The three state agencies participating in this consolidated planning process and the HUD funded program(s) administered by each agency include the Division of Administration/Office of Community Development (Small Cities Community Development Block Grant Program), the Louisiana Housing Corporation (HOME Investment Partnerships Program and the Emergency Solutions Grants Program), and the Department of Health and Hospitals, STD/HIV Program (Housing Opportunities for Persons with AIDS Program). The Consolidated Plan for the State of Louisiana outlines the State's overall housing and community development needs and a strategy for meeting those needs for five program years and includes a one-year Action Plan for federal funds received for the four aforementioned HUD programs. The Consolidated Annual Action Plan for the distribution of funds will be prepared and publicized for each of the subsequent four funding years of the Consolidated Plan's five-year period.

Prior to the preparation/publication of a Consolidated Plan or Annual Action Plan, at least one public hearing will be held for the purpose of receiving comments on housing and community development needs throughout the State.

At the public hearing on the Consolidated Plan or the Annual Action Plan, the State will make available to citizens, public agencies, and other interested parties the following:

1. The amount of assistance expected to be received, based on projected amounts provided by HUD;
2. The range of activities that can be undertaken including the estimated amount that will benefit persons of low and moderate income;
3. Plans to minimize displacement of persons and assist any persons displaced.
4. An anticipated time schedule for submission of the Consolidated Plan or Consolidated Annual Action Plan to the Department of Housing and Urban Development.
5. The State's Citizen Participation Plan.

The State will consider any comments or views received in writing or expressed orally at the public hearing in preparing the proposed Consolidated Plan or Annual Action Plan.

Following the public hearing, the State will prepare a proposed Consolidated Plan or Annual Action Plan. At a minimum, a summary which describes the contents and purpose of the Consolidated or

Annual Action Plan and a notice of availability of the proposed Plan for review and comment will be published in *The Advocate* in order to afford citizens, units of general local government, public agencies, and other interested parties a reasonable opportunity to examine its contents and to submit comments. A written notice of the availability of the proposed Plan and solicitation of comments will also be sent to the compiled mailing list of more than eight-hundred names. The recipients of the written notice of availability will be requested to post and circulate the notice to those in their communities who are of low and moderate income, those living in slum and blighted areas and in areas where Community Development Block Grant (CDBG) funds are proposed to be used, non-English speaking persons, minorities, and those with disabilities.

A limited number of proposed Plans will be available at no charge from the three State agencies involved. Copies of the proposed Plan will be available for review in the offices of the three participating state agencies and will also be located on their websites. The State will identify a deadline for the submittal of written comments on the proposed Plan; the period for the submittal of comments will be no less than thirty calendar days. Written comments may be submitted to the Office of Community Development, Post Office Box 94095, Baton Rouge, Louisiana 70804-9095. A summary of all comments received and the reasons why any comments were not incorporated into the Plan will be included in the final Consolidated Plan or Annual Action Plan.

Upon completion of the Consolidated Plan or Annual Action Plan, the State will make the Plan available to the public on each of the three agencies' websites and will submit the Plan to the U.S. Department of Housing and Urban Development for approval.

Amendments to the Consolidated Plan or Annual Action Plans

The State will amend the Consolidated Plan or Annual Action Plan whenever it makes one of the following decisions: To make a change in its allocation priorities or in the method of distribution of funds; to carry out an activity using funds from any program covered by the Plan (including program income) not previously described in the Plan; or to change the purpose, scope, location, or beneficiaries of an activity.

Only those amendments that meet the definition of a substantial amendment are subject to public notification procedures. Substantial amendments are defined as those that change the distribution of funds by eliminating or adding a program category or activity, excluding a previously defined geographical area, or involving a change of more than twenty-five percent of the allocation of funds in any one program category or activity.

Citizens and units of general local government will be provided with reasonable notice and an opportunity to comment on proposed substantial amendments to the Consolidated Plan or Annual Action Plan by way of a public notice in *The Advocate*. A summary of each proposed substantial amendment will be included in the public notice and in a written notification of the upcoming public notice which will be sent to the persons on the mailing list of the State agency administering the program(s) which is affected by the substantial amendment. The proposed substantial amendment may be reviewed in the office of the agency involved and on their website. Copies of the proposed substantial amendment may be obtained, upon request, from the agency. The State will identify a

deadline for the submittal of written comments on the proposed substantial amendment; that timeframe will allow no less than thirty calendar days. Written comments may be submitted to the Office of Community Development, Post Office Box 94095, Baton Rouge, Louisiana 70808-9095, or to the State agency administering the program(s) which is affected by the substantial amendment. A summary of all comments received and the reasons why any comments were not incorporated will be attached to the substantial amendment to the Consolidated Plan or Annual Action Plan.

Upon completion of an amendment or substantial amendment, the State will make the amendment available to the public on the website of the State agency administering the program(s) that is affected by the amendment and will notify the Department of Housing and Urban Development that an amendment has been made. The State will submit a copy of each amendment to the Department of Housing and Urban Development at the time of the amendment's implementation or at the end of the program year.

Waivers to Citizen Participation Consolidated Plan Requirements Due to Spread of COVID-19

In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. Additional regulatory waiver authority is provided in 24 CFR 91.600. In December 2019, a new coronavirus known as COVID-19 was first detected in Wuhan, People's Republic of China, causing outbreaks of the coronavirus disease that has now spread globally. In March 2020, the World Health Organization declared the coronavirus outbreak a pandemic and President Trump declared the outbreak a national emergency. *The Coronavirus Aid, Relief, and Economic Security Act* (CARES Act) makes available \$5 billion in supplemental CDBG funding for grants to prevent, prepare for, and respond to coronavirus (CDBG-CV grants). A memorandum dated April 9, 2020, from John Gibbs, Acting Assistant Secretary for HUD's Office of Community Planning and Development (CPD), provides that grantees may amend citizen participation plans to incorporate certain waivers that establish expedited procedures to draft, propose, or amend consolidated plans and annual action plans with respect to CDBG-CV grants and FY 2019 and 2020 grants. Specifically, the waivers authorize an accelerated public notice and comment period of five days; further, the five-day period for comments on consolidated plans and amended citizen participation plans may run concurrently. The following waivers to Consolidated Plan and Action Plan requirements for CDBG-CV grants and FY 2019 and 2020 grants have been authorized by HUD in order to expedite CDBG response to the coronavirus pandemic:

1. Citizen Participation Public Comment Period - Given the need to expedite actions to respond to COVID-19, HUD has waived 24 CFR 91.115(c)(2) and (i) in order to balance the need to respond quickly to the growing spread of COVID-19 with the statutory requirement to provide reasonable notice and opportunity for citizens to comment on new consolidated plans, annual action plans, and/or substantial amendments. The standard 30-day minimum notice and comment period is waived, provided that no less than 5 days are allowed for public comments on each consolidated plan, action plan, or substantial amendment. This waiver is available through the end of the State's 2020 program year.
2. Citizen Participation Reasonable Notice and Opportunity to Comment – In recognition that efforts to contain COVID-19 require limiting public gatherings, such as those often used to

obtain citizen participation, HUD further waives 24 CFR 91.115(c)(2) and (i) to allow grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances. This authority is in effect through the end of the State's 2020 program year.

Aside from the expedited 5-day public comment period, procedures for substantial amendments will remain the same. Citizens and units of general local government will be provided with notice and an opportunity to comment on proposed substantial amendments by way of a public notice in *The Advocate*. A summary of each proposed substantial amendment will be included in the public notice. The proposed substantial amendment may be reviewed on the OCD website. The State will identify a deadline for the submittal of written comments on the proposed substantial amendment; that timeframe will allow no less than five calendar days. Written comments may be submitted via email to Jeanine Braud at jeanine.braud@la.gov. A summary of all comments received and the reasons why any comments were not incorporated will be attached to the substantial amendment to the Consolidated Plan.

Performance Reports

The State must prepare a Consolidated Annual Performance and Evaluation Report (CAPER) covering the four participating programs to the Department of Housing and Urban Development within ninety days following the close of each program year. The State will provide an opportunity for citizens to comment on the CAPER by way of a public hearing. Copies of the CAPER will be available for review at the public hearing. A written notice of the availability of the CAPER and solicitation of comments will also be sent to the compiled mailing list of more than eight-hundred names. A copy of the CAPER will also be available for review in each office of the four agencies. The State will identify a deadline for the submittal of written comments on the CAPER; the period for the submittal of comments will be no less than fifteen calendar days. Written comments may be submitted to the Office of Community Development, Post Office Box 94095, Baton Rouge, Louisiana 70804-9095. A summary of all comments received will be included in the CAPER.

Citizen Participation Requirements for Local Governments Participating in the LCDBG Program

To ensure applicant and subrecipient compliance with Section 508 of the Housing and Community Development Act of 1974, as amended, the citizen participation requirements for units of general local governments applying for or receiving CDBG funds from the State are as follows:

Each applicant shall provide citizens with adequate opportunity to participate in the planning, implementation, and assessment of the CDBG program. The applicant shall provide adequate information to citizens, hold a minimum of one public hearing at the initial stage of the planning process to obtain views and proposals of citizens, and provide opportunity to comment on the applicant's previous community development performance.

All units of general local government that receive CDBG funds must have a written and adopted Citizen Participation Plan including the following:

1. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used;
2. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the State's proposed method of distribution, as required by regulations of the Secretary, and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended, and the unit of local government's proposed and actual use of CDBG funds;
3. Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
4. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodations for the disabled;
5. Provides for a timely written answer to written complaints and grievances, within fifteen working days where practicable;
6. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate;

The plan must be made available to the public at the beginning of the planning stage, i.e., the first public hearing. The plan must include procedures that meet the following requirements:

Scheduling and Providing Notices of Public Hearings - In order to provide adequate notice of all public hearings, a minimum of five calendar days notice shall be given. The hearing may be convened on the fifth day excluding the date the notice was published. The applicant must provide citizens with reasonable and timely access to all hearings. The location and time of these hearings must be scheduled in such a manner as to be convenient to potential or actual beneficiaries. Citizens must be made aware of where they may submit their views and proposals should they be unable to attend any public hearing. Where a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter must be present to accommodate the needs of the non-English speaking citizen and this must be so stated in the public notice. Additionally, all notices for public hearings shall state that accommodations for persons with disabilities will be provided.

A public hearing must be scheduled early in the planning process to ensure adequate public

participation and still have time to develop an application. Citizens, with particular emphasis on persons of low and moderate income, and those who are residents of slum and blighted areas, must be encouraged to submit their views and proposals regarding community development and housing needs.

Citizens must be provided with the following information at the public hearing prior to application submittal to the state, and these items must be included in the **first** public notice as items to be discussed at the hearing:

1. The amount of funds available for proposed community development and housing needs;
2. The range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income;
3. The plans of the applicant for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided to persons actually displaced as a result of such activities;
4. If applicable, the applicant must provide citizens with information regarding the applicant's performance in prior LCDBG programs funded by the State.

Written minutes of the hearing and an attendance roster must be kept for review by State officials.

Nothing in these requirements shall be construed to restrict the responsibility and authority of the applicant for the development of the application.

A **second** notice regarding the content of the application must be published after the first public hearing has been held but before the application is submitted. This notice must be published a minimum of seven calendar days prior to application submittal, and must inform citizens of the proposed objectives, proposed activities, the location of the proposed activities, and the amount of funds to be used for each activity. Citizens must be given the opportunity to submit comments on the proposed application. The notice must state the proposed submittal date of the application, and provide the location at which, and hours when, the application is available for review.

Applicants must submit a notarized proof of publication of each public notice with the application.

Technical Assistance - The applicant must provide technical assistance to facilitate citizen participation where requested, particularly to groups representative of persons of low to moderate income. The level and type of technical assistance shall be determined by the applicant/recipient based upon the specific need of the community's citizens.

Amendments - The recipient must involve citizens in amendments to the Community Development program. This shall be done by means of a public hearing prior to the submittal of

the request for a program amendment to the State.

Complaint Procedures - Each applicant/recipient must have written citizen and administrative complaint procedures. The written Citizen Participation Plan must provide citizens with information relative to these procedures or, at a minimum, provide citizens with the information relative to the location and hours at which they may obtain a copy of these written procedures.

All written citizen complaints which identify deficiencies relative to the applicant/recipient's community development program will merit careful and prompt consideration by the applicant/recipient. All good faith attempts will be made to satisfactorily resolve the complaints at the local level. Complaints must be filed with the Chief Elected Official who will investigate and review the complaint. A written response from the Chief Elected Official to the complainant will be made within fifteen working days, where practicable.

A copy will be forwarded to the Office of Community Development, Division of Administration. The complainant must be made aware that if she or he is not satisfied with the response, a written complaint may be filed with the Office of Community Development, Division of Administration.

All citizen complaints relative to Fair Housing/Equal Opportunity violations involving discrimination will be forwarded to the following address for disposition: Louisiana Department of Justice, Public Protection Division, Post Office Box 94095, Baton Rouge, Louisiana 70804-9095. The telephone numbers for that office are 1-800-273-5718 (voice) or 1-225-342-7412.

The Plan must also state that persons wishing to object to approval of an LCDBG application by the State may make such objection known to the Office of Community Development, Division of Administration in writing. The State will consider objections made only on the following grounds:

1. The applicant's description of needs and objectives is plainly inconsistent with available facts and data;
2. The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant; and
3. The application does not comply with the requirements set forth in the Consolidated Plan or Consolidated Annual Action Plan or other applicable laws.

Such objections should include identification of the requirements not met and, in the case of objections relative to item 1 on the previous page, supporting data.

Performance Hearings - Prior to close-out of the community development program, the recipient must have a public hearing to obtain citizen views and to respond to questions relative to the recipient's performance. This hearing shall be held after adequate notice at times and locations convenient to actual beneficiaries and with accommodations for the disabled and non-English speaking persons provided.

Documentation must be kept at the local level to support compliance with these requirements.

Availability to the Public

The State's Consolidated Plan, substantial amendments, the performance report, and the Disaster Recovery Action Plans will be available to the public, including the availability of materials in a form accessible to persons with disabilities, upon request. The documents will be available for review in the offices of the three participating state agencies. The Consolidated Plan or Annual Action Plan will also be located on their websites. The Disaster Recovery Action Plans will be located on the Office of Community Development's website.

Access to Records

The State will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the State's Consolidated Plan and the State's use of assistance under the programs covered by the Consolidated Plan during the preceding five years. All requests for such information should be directed to the appropriate agency administering each program.

Complaints

The State shall respond to complaints from citizens related to the Consolidated Plan or the Annual Action Plan, amendments, and performance report. Written complaints must be directed to the Office of Community Development who will further direct the complaint to the appropriate agency as necessary. The State will provide a timely, substantive written response to the complainant within fifteen working days, where practicable.

Disaster Recovery Action Plan

States were given several waivers relative to the Citizen Participation regulations such as the requirement for public hearings at the state and local level, consulting with all units of general local governments, etc. The State will employ innovative methods to communicate with its citizens and to solicit their views on the proposed uses of disaster recovery funds. These comments and the State's response to the comments will be made a part of the Action Plans and amendments to the Plans. All Plans and amendments will be published in four MSA newspapers as well as placed on the Office of Community Development's website for review and comments. The State will follow the procedures outlined in the section "Complaints" of the State's Citizen Participation Plan.

Revised April 17, 2020