mississippi development authority

MISSISSIPPI

CITIZEN PARTICIPATION

POLICY AND PROCEDURES MANUAL

COMMUNITY INCENTIVES DIVISION

JULY 2024

EQUAL HOUSING OPPORTUNITY

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INTRODUCTION

The State of Mississippi has developed and will follow a detailed **Citizen Participation Plan** in accordance with the requirements found in Section 104 (a)(2) and (a)(3) of Title I of the Housing and Community Development Act of 1974, as amended, 24 CFR Part 570.486 of the State CDBG Regulations, and the State Consolidated Plan Regulations at 24 CFR Part 91.115, which provides for, and encourages, Citizen Participation and which emphasizes participation by persons of low and moderate income, particularly residents of predominantly low and moderate income neighborhoods, slum or blighted areas, and areas in which the State of Mississippi proposes to use Federal funds.

In order to provide economic opportunities for low and low- moderate income persons, the State of Mississippi actively seeks to build partnerships in which those citizens most affected and participate in the development and implementation of the Federal programs administered by the State. This Citizen Participation Plan is intended to establish the policy and procedures for Citizen Participation in compliance with 24 CFR 91.115 and will:

- provide citizens with reasonable and timely access to local meetings, information, and records related to the Mississippi Development Authority's proposed and actual use of funds;

- provide for public hearings to obtain citizens' views and to respond to proposals and questions at all stages of the HUD Federally-funded programs, including at least the development of needs, review of proposed activities, and review of program performance;

- provide for timely written responses to written comments, complaints, and grievances;

- identify 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 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.

DEVELOPMENT OF THE CONSOLIDATED PLAN AND ONE-YEAR ACTION PLAN

Before the State of Mississippi adopts the Consolidated Plan and One-Year Action Plan, citizens, local units of government, public agencies (businesses, developers, community-based organizations, faith-based organizations), and other interested parties are given an opportunity to provide input on housing and community development needs and priorities as part of the preparation of the Consolidated Plan and One-Year Action Plan. Citizens will also have an opportunity to participate in the development of the Consolidated Plan and One-Year Action Plan, during the Public Hearings and through written comments.

At the Public Hearings, citizens receive information about the programs involved in the Plan, including the amount of assistance the State of Mississippi expects to receive and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low and moderate income and the plans to minimize displacement of persons and to assist any persons displaced, along with a proposed timeline.

The State of Mississippi will publish notices regarding the schedule of Public Hearings for the Consolidated Plan and Action Plan through statewide and regional newspapers of general circulation and other publications directed to, or reaching minorities, along with Community Incentives Division Instructions. MDA will publish a notice of the Public Hearing(s) not less than fourteen (14) days and no more than twenty (20) days prior to the date of the Public Hearing(s) in the legal or non-legal section of a newspaper of general circulation. Public Hearing announcements will also be published on the Mississippi Development Authority's (MDA) website: https://mississippi.org/community-resources/compliance-bureau/.

All Public Hearings will be held at times and locations accessible and convenient to potential and actual beneficiaries. The Mississippi Development Authority will make a translator available at all Public Hearings based upon individual(s) request or where a significant number of non-English speaking persons or interest groups notify MDA's Community Incentives Division Compliance Bureau at least three (3) business days prior to the Public Hearing and request appropriate translation service. MDA will make special arrangements for the attendance of persons with disabilities who notify MDA at least three (3) business days prior to the Public Hearings and identify and request the special accommodations needed. However, all Public Hearings will be held at accessible locations.

To afford the public and/or citizens the opportunity to examine and comment regarding the Draft Consolidated Plan/One Year Action Plan, the State of Mississippi will publish a notice in statewide and regional newspapers of general circulation and other publications directed to, or reaching minorities, and will utilize various social media outlets, along with Community Incentives Division Instructions. The State of Mississippi will establish a 30-day public review and comment period. The notice will encourage all interested parties to participate and provide their comments and input on the Draft Consolidated Plan/One Year Action Plan. All public comments must be submitted in writing to MDA. The Draft Consolidated Plan/One Year Action Plan will

also be published on the Mississippi Development Authority's website: https://mississippi.org/community-resources/compliance-bureau/.

Upon request, the Mississippi Development Authority will make available free copies of the Draft Consolidated Plan/One Year Action Plan. The comment section of the Plan(s) shall include said commentary and provide information regarding how the comment(s) was addressed or incorporated into the Plan(s). Following the 30-day comment period, the Mississippi Development Authority will consider any comments or views of citizens received in writing while preparing the final Consolidated Plan. A summary of these comments or views will be attached to the Consolidated Plan.

CONSOLIDATED PLAN AND ONE-YEAR ACTION PLAN AMENDMENTS

The State of Mississippi has defined Substantial Amendments to the Plan(s) as those proposed changes that require the following decisions:

- Addition or deletion of the established priorities of the Plan(s)
- Any change in the purpose or location of an identified project
- Any change in the scope of work of a project which will negatively impact the originally proposed results
- The allocation or re-allocation of more than 10%, unless provided for otherwise in the Plan
- Change in the planned beneficiaries

Those amendments which meet the definition of a Substantial Amendment are subject to public notification and public comment procedures. Citizens and Local Units of Government will be provided with reasonable notice and an opportunity to comment on proposed Substantial Amendments to the Plan(s). A notice and copy of the proposed Substantial Amendments will be available on the MDA website: https://mississippi.org/community-resources/compliance-bureau/. In the event that Substantial Amendments to the Plan(s) are found necessary, a notice will be published by the aforementioned same procedures for a 30-day comment period and Public Hearings will be held at locations and times accessible and convenient to citizens, Local Units of Government, public agencies, community-based organizations, faith-based organizations, and other interested parties.

PERFORMANCE REPORTS

The State of Mississippi will submit all required Performance Reports to HUD prior to the deadline dates and times. The availability of the Performance Reports for public comment will be published throughout statewide and regional newspapers of general circulation and other publications directed to, or reaching minorities, along with Community Incentives Division Instruction and will be made available on the MDA website at: https://mississippi.org/community-resources/compliance-bureau/. All comments received will be reviewed by MDA and a written response will be mailed to each citizen submitting a comment within 15 business days of receipt. A summary of the comments and responses will be included with the submitted Performance Reports.

AVAILABILITY TO THE PUBLIC

The Consolidated Plan, One-Year Action Plan, and other Performance Reports are made available to the public and can be obtained online at: https://mississippi.org/community-resources/compliance-bureau/. Copies may be obtained from the Community Incentives Division located in the Woolfolk State Building, 501 North West Street, Suite #501, Jackson, MS 39201. Public access includes the availability of materials in a form accessible to persons with disabilities, upon request. In addition, a translator will be made available for non-English speaking residents in accessing information, upon request.

ACCESS TO RECORDS

The Plan(s) provides for full and timely disclosure of program records and information consistent with applicable State and Federal laws regarding personal privacy and obligations of confidentiality. Documents relevant to the programs shall be made available at the Mississippi Development Authority's Community Incentives Division located in the Woolfolk State Building, 501 North West Street, Suite #501, Jackson, MS 39201, during regular office hours of 8:00 a.m. to 5:00 p.m., for citizen review upon a written public records request. Such documents include:

1. All mailings and promotional materials
2. Records of Public Hearings
3. All pertinent documents, including prior applications on hand, letters of approval, grant agreements, the Citizen Participation Plan, CAPERs, other Performance Reports required by HUD, and the proposed and approved application for the current year

4. Copies of the regulations and issuances governing the program(s)
5. Documents regarding other important program requirements, such as contracting procedures, environmental policies, fair housing and other equal opportunity requirements, and relocation provisions

COMPLAINTS

Any citizen desiring to file a complaint regarding the Consolidated Plan, One-Year Action Plan, Performance Reports, and any Amendments to these plans, may do so. The Mississippi Development Authority's Community Incentives Division will provide a written response to all complaints received in writing within fifteen (15) business days. A record of complaints received will include the nature of the complaint, referrals made, and the final disposition. If the complainant is unable to file a complaint due to a disability, alternative filing methods will be allowed. All complaints and responses will be maintained with the program records for at least five years. This record will be included with the final document(s) submitted to HUD.

If an interpreter/translator or any other accommodation is needed, please call 601.359.9322.

All correspondence should be addressed to:

FREDNIA PERKINS

MISSISSIPPI DEVELOPMENT AUTHORITY

COMMUNITY INCENTIVES DIVISION

POST OFFICE BOX 849

JACKSON, MISSISSIPPI 39205-0849

EMAIL:

CIDprocessing@mississippi.org AND fperkins@mississippi.org

CITIZEN PARTICIPATION REQUIREMENTS

LOCAL UNITS OF GOVERNMENT

Each Local Unit of Government seeking Federal funds from CID shall meet the following requirements as required by the State set forth at 24 CFR 91.115(e) of the Housing and Community Development Act of 1974. All Local Units of Government must meet all citizen participation requirements prior to submittal of an application for Federal funds. It will be the Local Unit of Government's responsibility to provide documentation to CID demonstrating these requirements have been met and have a written adopted *Citizen Participation Plan* that:

- Encourages *Citizen Participation* with particular emphasis on participation by persons of low and moderate income, who are residents of areas in which the HUD funds are proposed to be used, and in the case of a grantee described in Section 106(a) of the Act, provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;

- Provides citizens with reasonable and timely access to local meetings, information, and records relating to the written complaints and grievances;

- Provides for technical assistance to groups representing persons of low and moderate income who request assistance in developing proposals with the level and type of assistance to be determined;

- Provides for reasonable opportunities to obtain citizens' views, comments and responses to proposals, and questions at all stages of the program, including at least the development of needs, the review of proposed activities, and review of program performance. In order to comply with the *Citizen Participation* requirement, information must be posted on the applicant's/subgrantee's official website;

  If applicant/subgrantee does not have an official website, the information must be posted in public places in the jurisdiction with directions as to where the information may be inspected. In addition to the web posting or advertising, the public can also be made aware of grant information by public service announcements and bulletins posted at public places. All comments must be responded to, in a timely manner and maintained;

- Provides for a timely written answer to written complaints and grievances, within fifteen (15) business days; and

- Identifies how the needs of non-English speaking residents will be met where a significant number of non-English speaking residents can be reasonably expected to participate.

- Develops a plan for involving your citizens in the programming of CDBG funded activities.

- That plan must be written and adopted by your governing body and the public.

- It also must be up to date.

- The plan itself needs to describe how citizens can provide input into the program throughout its duration.

The provision and implementation of a *Citizen Participation Plan* may not be construed to restrict the responsibility or authority of the potential grantee for the development and execution of its community development program(s). All applicants/grantees must adopt a *Citizen Participation Plan* and provide documentation of compliance throughout the term of the grant agreement. The components of the *Citizen Participation Plan* and the kind of information necessary to meet the requirements are discussed in the following section.

Initial Public Hearing

- An **Initial Public Hearing** must be conducted in the proposed project area to inform the local citizens of the applicant's intention to apply for funds and to obtain local citizens' input. The Public Hearing will be held no less than **seven (7) days** prior to the 1st due date of an application submittal, at times and locations accessible and convenient to potential and actual beneficiaries.

- The applicant must publish a notice of the Initial Public Hearing not less than **fourteen (14) days and no more than twenty (20) days** prior to the date of the Public Hearing in the **legal or non-legal** section of a newspaper of general circulation. This notice must specify the **actual activities proposed** to be undertaken, should the project be funded. In addition to the newspaper publication, the applicants must make every effort and is encouraged to use additional methods of informing the public of the Public Hearing, especially those citizens residing in low to moderate income neighborhoods.

- During the Public Hearing, the applicant must furnish information to the citizens concerning the amount of funding available statewide for proposed community development activities, the types of eligible activities that may be undertaken, amount of CDBG funds expected to benefit low to moderate income persons, the proposed CDBG activities likely to result in displacement, and the applicant's plans to minimize displacement of persons and to assist displaced persons.

- The applicant must inform citizens that written comments will be accepted regarding the proposed use of funds and areas to be targeted for assistance and must provide a reasonable time period and location for submittal of written comments. Technical assistance must be provided to representatives of persons of low to moderate income as appropriate in developing program input.

- The applicant must ensure that local files contain documentary evidence that the Public Hearing was held, including the actual notice, original proof of publication of the notice, the attendance roster, and detailed minutes of the meeting. Copies of these documents must be submitted to the State with the application. The applicant must also retain the attendance roster and minutes of the meeting in the file for public review. All pertinent records, including written citizens' comments must be maintained and made available for review by the State at the primary office of the applicant. Should the applicant receive an on-site visit, this information must be available for review. The Chief Elected Official or Executive Director of the applicant must sign the written minutes of the Public Hearing.

- In determining the proposed project location and needs to be addressed by the proposed project, the applicant must consider both citizen input that was received during the public meeting and the written comments that were received within the designated time frame after the Public Hearing.

- The State encourages the establishment of a local task force composed of residents from the project area. In the event that local interest is not sufficient to establish a task force, the Subgrantee must still conduct a Public Hearing during the project's implementation.

- The Subgrantee must document its citizen participation process. Such documentation should describe the method used to obtain citizen input throughout its project and include records of all Public Hearings.

Second Public Hearing

- After notification of funding award, a **Second Public Hearing** must be conducted during the life of the project to provide a review of program performance. The Public Hearing should be held at times and locations accessible and convenient to potential and actual beneficiaries. **MDA recommends that all Second Public Hearings be held prior to 50% of project completion.**

- The same method of notifying the public of the Initial Public Hearing must be used for the Second Public Hearing. Subgrantees are encouraged to use additional methods to notify persons in the area where the project is on-going.

- Records of the meeting must be retained in the local files. These records must include a copy of the actual notices, the attendance roster, and a copy of the minutes of the Public Hearing that bear the signature of the Subgrantee's Chief Elected Official or Executive Director.

- MDA encourages the establishment of a local task force composed of residents from the project area. In the event that local interest is not sufficient to establish a task force, the Subgrantee must still conduct a Public Hearing during the project's implementation.

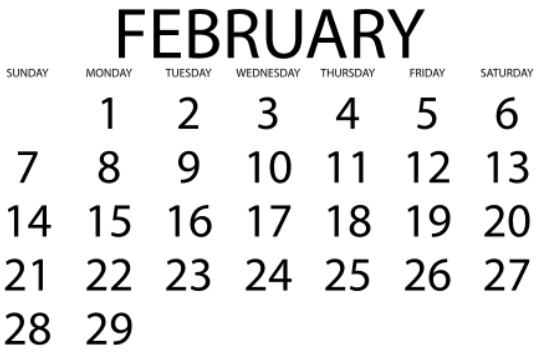
- The Subgrantee must document its citizen participation process. Such documentation should describe the method used to obtain citizen input throughout its project and include records of all Public Hearings.

CALCULATION OF TIME FOR PUBLIC HEARINGS

In calculating any period of publication required under a CDBG project, the first day of the advertisement **shall not** be counted in the calculation. *Reminder* no less than 14 and no more than 20-day time frame from the date of the notice.

Publication Example: Public Notice Advertisement runs on 2/1/2025
(2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15) = 14 Days
Public Hearing is held on 2/16/2025.

Publication Example: Public Notice Advertisement runs on 2/1/2025
(2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20) = 20 Days
Public Hearing on 2/21/2025 = 20 days



Applicants/Subgrantees **shall not** schedule hearings or bid openings on Sundays or legal holidays. Whenever a public comment period ends on a Saturday, Sunday, or legal holiday, grantees shall accept comments until the end of the next day that is not a Saturday, Sunday, or legal holiday.

SAMPLE CDBG INITIAL HEARING NOTICE

COMMUNITY DEVELOPMENT BLOCK GRANT
PUBLIC HEARING NOTICE
INITIAL HEARING

The **(City/Town/County)** of _____, Mississippi, is considering applying to the Mississippi Development Authority for a Small Cities Community Development Block Grant of up to $ _____for _____.

The State of Mississippi has been allocated approximately $_____ that will be made available to cities, towns, and counties on a competitive basis to undertake eligible community development activities. These funds must be used for one of the following purposes:

1. to benefit low- and moderate-income persons;

2. to aid in the prevention or elimination of slums or blight; or

3. to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs.

The activities for which these funds may be used are in the areas of public facilities and economic development. More specific details regarding eligible activities, program requirements, and the rating system will be provided at a public hearing which will be held at **(Place/Address)** on **(Date)** at **(Time)**. The purpose of this hearing will be to obtain citizen input into the development of the application.

The location for this hearing is accessible to persons with disability. All comments are welcome and must be submitted in writing. If a translator is needed for non-English speaking persons, please contact **(Name)** at **(Telephone Number)** least 3 days prior to the meeting in an effort to accommodate this request.

The **(City/Town/County)** of _____, Mississippi does not discriminate on the basis of disability in the admissions or access to or treatment or employment in its programs or activities.

The applicant should include any additional information as necessary.

EQUAL HOUSING OPPORTUNITY

SAMPLE CDBG SECOND PUBLIC HEARING NOTICE

COMMUNITY DEVELOPMENT BLOCK GRANT

PUBLIC HEARING NOTICE
IMPLEMENTATION HEARING

The **(City/Town/County)** of _____, Mississippi was recently the recipient of a grant from the Mississippi Development Authority, Community Incentives Division, through funding made available by the Community Development Block Grant (CDBG) Program. A public hearing will be held at **(Place/Address)** on **(Date)** at **(Time)**.

The purpose of this hearing is to provide citizens with information regarding progress of the activities undertaken through the CDBG Program and to receive citizen input concerning that progress.

The purpose of this hearing will be to inform citizens of the progress of the funded CDBG Project. All comments are welcome and must be submitted in writing. The location for this hearing is accessible to persons with disability. If a translator is needed for non-English speaking persons, please contact **(Name)** at **(Telephone Number)** at least 3 days prior to the meeting in an effort to accommodate this request.

The **(City/Town/County)** of _____, Mississippi does not discriminate on the basis of disability in the admissions or access to or treatment or employment in its programs or activities.

The Subgrantee should include any additional information as necessary.

Public Hearing Documentation

Copies of the notices must be included as part of the application along with an Affidavit of Publication from the newspaper.

Local Governments must document the notification and results of Public Hearings through the following:

- Copy of the Advertisement/Notice
- Minutes of Public Hearing
- List of Attendees/Sign-In Sheets

Information that should be made available at Public Hearings:

- Goals and Objectives of the CDBG program;
- The total amount of funds to be made available;
- Community Development and Housing needs to be addressed;
- Proposed Activities for the project and amount to be requested for the project;
- The proposed amount and actual use of funds to be used to benefit low-and low-moderate income people; and
- Whether any persons will be displaced because of the proposed activities.

Citizen Participation

Best Practices

Remember…

- ✓ Citizen Participation is about thoughtfully engaging the people who will directly benefit from the funds and building community support for projects.

- ✓ Citizen Participation is a process for encouraging citizens, including minorities and non-English speaking persons, as well as persons with disabilities, to participate in the development of the CDBG project(s).

Public Notice(s)

- ✓ Combine the public hearing date/time/location announcement with the announcement of the public comment period start and end dates.

- ✓ **Location of Public Notice Posting**: Newspaper (at a minimum), social media, listservs, etc. (Get Creative!)

- ✓ **Public Comment Period**: List out the start and end date of the comment period (remember, the last day counts). Do not write "within 30 days" (Be Specific!). If unsure if 30 full days are included, make it 32 days.

- ✓ **Public Hearing**: Offering a "hybrid" option, both in-person and virtual; consider the time of day and population served for times needed to participate meaningfully. (For example, a morning and evening option.)
    a) Accessibility – space accommodations, language needs
    b) Broad circulation for publication
    c) Contact person for questions/comments