

CITY OF ATLANTIC CITY NEW JERSEY

CITIZEN PARTICIPATION PLAN

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
HOME INVESTMENT PARTNERSHIP PROGRAM

Prepared for:

Atlantic City Division of Community
& Economic Development
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Community Development Block Grant Program

November 2011
Revised April 2020

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SECTION 1. INTRODUCTION

The City of Atlantic City has designed this community-wide Citizen Participation Plan to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) program. (HOME) This Plan is an essential element of the City of Atlantic City's present and future community development process and has been developed to comply with the regulations and requirements of Section 104(a) of the Housing and Community Development Act of 1974, as amended. The CDBG program is administered by the City of Atlantic City. This Plan supersedes all other Citizen Participation Plans which may have been adopted by the City of Atlantic City.

The primary goal of this Citizen Participation Plan is to provide all citizens of the community with adequate opportunity to participate in an advisory role in the planning, implementation, and assessment of the City of Atlantic City's CDBG program(s). The Plan sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen participation in the community development process. Special emphasis has been placed on encouraging participation by persons of low and moderate incomes, residents of blighted neighborhoods, and residents of areas where community development funds are utilized.

Citizens are encouraged to participate in all phases of the CDBG program(s) and will be provided full access to program information. However, final responsibility and authority for the development and implementation of CDBG program(s) will lie with the City of Atlantic City.

SECTION 2. SCOPE OF PARTICIPATION

The City of Atlantic City will make reasonable efforts to provide for citizen participation during the community development process and throughout the planning, implementation and assessment of all CDBG program(s) undertaken by the City of Atlantic City. Local officials will make every effort to involve citizens in all phases of the development, implementation and assessment of community development programs including, but not limited to, the following phases:

- a. identification and assessment of housing and community development needs; determination of CDBG project(s) and documentation; and the development of CDBG application(s);
- b. changes and/or amendments to approved CDBG projects; and, assessment of CDBG program performance.

All phases of the community development process will be conducted by local officials in an open manner. Citizens of the City of Atlantic City are encouraged to participate at all levels and will be given access to program information during each phase of any CDBG program as outlined herein.

SECTION 3. CITIZEN PARTICIPATION CONTACT PERSON

The Assistant Director of Community Development Block Grant (CDBG), has been designated Citizen Participation Coordinator by the Mayor of the City of Atlantic City to serve as the contact person for all matters concerning citizen participation activities. This person shall be responsible for overseeing citizen participation throughout the community development process and the implementation of all citizen participation activities and functions, except those which may be specifically delegated to other parties by this Plan.

The specific duties and responsibilities of the Citizen Participation Coordinator shall include, but not necessarily be limited to:

- a. disseminating information concerning proposed projects and the status of current project activities;
- b. coordinating various groups which may be participating in the community development process;
- c. receiving written comments;
- d. serving as a vehicle by which ideas, comments, and proposals from local residents may be transmitted to local officials and/or program staff; and,
- e. monitoring the citizen participation process and proposing such amendments to the Citizen Participation Plan as may be necessary.

The Citizen Participation Coordinator may be contacted at (609) 347-5330, during regular business hours. All questions concerning citizen participation in the community development process should be addressed to:

Attention: Citizen Participation Coordinator
Community Development Block Grant Office
510 City Hall Bacharach Boulevard, Atlantic City, NJ.

SECTION 4. TECHNICAL ASSISTANCE

The staff of the City of Atlantic City shall provide technical assistance to individual citizens and citizen groups, especially those groups representative of persons of low or moderate income, as may be required to adequately provide for citizen participation in the planning, implementation and assessment of CDBG program(s).

Such technical assistance is intended to increase citizen participation in the community development decision making process and to ensure that such participation is meaningful. Technical assistance shall also be utilized to foster public understanding of CDBG program requirements.

Technical assistance shall be provided on request and may include, but not necessarily be limited to:

- a. interpreting the CDBG program and its rules, regulations, procedures and/or requirements;
- b. providing information and/or materials concerning the CDBG
- c. program; and,
- d. assisting low- and moderate-income citizens, and residents of blighted neighborhoods to develop statements of views, identify their needs, and to develop activities and proposals for projects which, when implemented, will resolve those needs.

Technical assistance may be obtained by contacting the Mayor of the City of Atlantic City or the Citizen Participation Coordinator.

SECTION 5. PUBLIC HEARINGS

The Citizen Participation Plan establishes that the Public Hearing is the mechanism for involving citizens in the community development process, as it relates to the development of initial HUD applications, and potential changes and/or amendments to those applications. Citizen participation in the community development process will be conducted on a community-wide basis and will actively involve the views and proposals of all citizens, especially low- and moderate-income persons and residents of areas where CDBG activities are proposed or on-going.

Public hearings will be held during all phases of the community development process, as outlined herein, to allow citizens to voice opinions and offer proposals concerning the development and performance of CDBG programs. The public hearing notice must be published no less than two (2) weeks prior to the date of the public hearing. City officials will respond to questions and proposals from citizens at each public hearing. Any questions that citizens may have concerning a program will be answered and their

comments, suggestions, and/or proposals will be received. Citizens may also express comments and views concerning the community development process or any specific CDBG project to the City Council of Atlantic City at any regularly scheduled meeting.

The City of Atlantic City may review multiple HUD project funding request(s) at one hearing when more than one application is to be submitted during the same fiscal year. Each such hearing shall be held prior to the City Council of Atlantic City approval.

5.1 Public Hearing Times and Locations

All public hearings will be held at times and locations which will be accessible to all citizens, especially persons of low and moderate incomes, and residents of blighted neighborhoods and CDBG project areas. Public hearings will be scheduled for convenient times as determined by the City of Atlantic City. Public hearings may be held at any site which, in the opinion of the City of Atlantic City, provides adequate access for citizen participation.

Hearings will normally be held at the City Hall – Council Chambers • 2nd Floor, 1301 Bacharach Boulevard, Atlantic City, NJ 08401. This site is centrally located and generally accessible to all citizens. This building is also accessible to persons with disabilities. However, at the option of the City of Atlantic City, hearings may be held at an alternate location to be specified in the public hearing notice(s).

In accordance with the 2020 Coronavirus Aid, Relief and Economic Security Act (CARES Act), in emergency circumstances, in-person public hearings are not required. The grantee will make a good faith effort to provide an opportunity for the public to participate using whatever means are available, including electronic communications and virtual meetings. Grantees may meet public hearing requirements with virtual public hearings if: 1) national/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

5.2 Application Public Hearing - FIVE Year Consolidated Plan (5 YR CP) and Annual Action Plan (APP)

At least two (2) public hearings shall be held during the development of the Five Year Consolidate Plan and/or the Annual Action Plan, prior to the submission of an application to the Department of Housing and Urban Development for CDBG and HOME funding.

The primary purposes of the public hearings shall be to assess community needs and problems in an effort to determine the most critical needs to be addressed by the CDBG/HOME program; and also to present, for public comment and review, the proposed program activities which have been selected by the City of Atlantic City to resolve the

identified needs. The objective of citizen participation at this stage of the application process is to provide meaningful, community-wide citizen input into the decision-making process as the City assesses the needs of the community and considers priorities and options associated with the development and submission of a CDBG/HOME application.

The public hearing will be held during the initial stage of program development, to entertain proposals and comments from citizens concerning programs and services that address:

- a. community development and housing needs,
- b. the Community Development Block Grant and HOME Partnership Investment Act program, and
- c. the application process.

The City will provide Citizens with following information concerning the CDBG/HOME program at this public hearing. Such information shall include, but not necessarily be limited to:

- a. the goals and objectives of the CDBG/HOME program;
- b. the total amount of CDBG/HOME funds available;
- c. the role of citizens in program planning, implementation, and assessment;
- d. the range of activities which may be undertaken;
- e. the process to be followed in developing the CDBG/HOME application;
- f. the application timetable(s);
- g. the application rating process;
- h. the schedule of meetings and hearings;
- i. activities previously funded in the City of Atlantic City through the CDBG/HOME programs;
- j. an identification of projects which could result in the relocation of area residences or businesses; and
- k. the actions that would be undertaken if such relocation were necessary.

This hearing will normally serve to discuss and review the information appropriate for all applications submitted during that fiscal year by the City of Atlantic City to the Department of Housing & Urban Development.

At the second Public Hearing, citizens attending will be provided with information concerning the CDBG/HOME project(s) proposed that may include, but is not necessarily limited to the:

1. project application(s) to be submitted and the applicable CDBG/HOME fund;
2. specific project activities to be included;
3. location of the project activities;
4. approximate cost estimate for the proposed activities;
5. estimate of local match required;
6. impact of the project on low and moderate income persons; and
7. approximate application submittal date.

The objective of citizen participation during this stage of the application process is to inform citizens of the proposed project activities to be included in the CDBG/HOME application(s). The application(s) will be made available to interested parties for a public comment period of no less than 30 days after the published notice of the availability of a final draft of the application.

5.3 Assessment of Performance Public Hearings – Consolidated Annual Performance Report (CAPER)

Citizens of the City of Atlantic City will be provided with the opportunity to review and comment on program activities, program performance, and the actual use of CDBG/HOME funds during the implementation of a CDBG/HOME program.

Citizens will also be requested to comment on the performance of the City of Atlantic City in resolving identified community development and housing needs, and in achieving its community development goals and objectives. On-going community assessment of the effectiveness of the community development process is considered essential to the success of the CDBG/HOME program.

The comment period will begin with newspaper notification of the CAPER's availability. Comments shall be received 15 days prior to the submission of the CAPER, and any other required closeout documents to the Department of Housing and Urban Development for a CDBG project. This comment period will be used to ensure community-wide participation in the evaluation of the CDBG program.

5.4 Additional Hearings

Other public hearings may be held, as deemed necessary, by the City of Atlantic City in order to inform citizens of community development project(s) and activities, and to solicit citizen opinions and comments. All additional hearings shall comply with the requirements set forth in this Plan.

5.5 Limited English Proficiency Residents

The City of Atlantic City has followed the guidance provided in HUD's Regulations to determine the need to undertake reasonable actions to facilitate the participation of persons with Limited English Proficiency. Local officials will undertake all reasonable actions necessary to allow such persons to participate in the community development process. 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.

5.6 Public Hearing Notice

Notice of public hearings will be published in a local newspaper at least fourteen (14) days prior to the hearing date. The City of Atlantic City may waive hearing notice requirements in cases where unusual circumstances justify alternative means of notifying the general public. In such situations, shorter notice may be given, and public notices posted in public places may be used in place of a notice published in the newspaper. Each notice of a hearing shall include the time, date, place, and topics and procedures to be discussed. Notices for public hearings may be run or posted, separately or together, as may be deemed necessary by the Mayor of the City of Atlantic City.

5.7 Accessibility to Low- and Moderate-Income Persons

The public hearing procedures outlined herein are designed to promote participation by low- and moderate-income citizens, as well as residents of blighted neighborhoods and CDBG project areas in any public hearing(s).

Local officials may take additional steps to further promote participation by such groups, or to target program information to these persons should officials feel that such persons may otherwise be excluded or should additional action be deemed necessary.

Activities to promote additional participation may include: posting of notices in blighted neighborhoods and in places frequented by low- and moderate-income persons. The City may also hold public hearings in low- and moderate-income neighborhoods or areas of existing or proposed CDBG project activities.

5.8 Accessibility to Persons with Disabilities

The locations of all public hearings as described in this Plan shall be made accessible to persons with disabilities. The City of Atlantic City shall provide a sign language interpreter whenever the Citizen Participation Coordinator is notified in advance that one or more deaf persons will be in attendance.

The City of Atlantic City shall provide a qualified reader whenever the Citizen Participation Coordinator is notified in advance that one or more visually impaired persons will be in attendance.

Additionally, the City of Atlantic City shall provide reasonable accommodations whenever the Citizen Participation Coordinator is notified in advance that one or more persons with mobility or developmental disabilities will be in attendance.

SECTION 6. PROGRAM INFORMATION

Citizens will be provided full access to CDBG program information during all phases of a CDBG project. Local officials of the City of Atlantic City shall make reasonable effort to assure that CDBG program information is available to all citizens, especially those of low and moderate incomes and those residing in blighted or Limited English Proficiency neighborhoods and/or CDBG project areas.

To facilitate citizen access to CDBG program information, the Citizen Participation Coordinator will keep all documents related to a CDBG program on file in the:

**Community Development Block Grant Program
510 City Hall Bacharach Boulevard
Atlantic City**

Information from the City's project files shall be made available for examination and duplication, on request, during regular business hours. CDBG program information and materials, concerning specific CDBG projects will be available and distributed to the public at the regularly scheduled public hearings as outlined in this Plan. Furthermore, information concerning any CDBG project will be available at regularly scheduled council meetings where the program is discussed.

Materials to be made available shall include, but are not necessarily limited to: the Citizen Participation Plan; records of public hearing; mailings and promotional materials; prior CDBG program applications; letters of approval; grant agreements; the environmental review record; financial and procurement records; project design and construction specifications; labor standards materials; performance and evaluation reports; other reports required by HUD; proposed and approved CDBG program application(s) for the current year or project; written comments or complaints received concerning the community development program, and written responses from the City of Atlantic City ; and, copies of the applicable Federal and State rules, regulations, policies, requirements and procedures governing the CDBG program.

In no case shall the City of Atlantic City disclose any information concerning the financial status of any program participant(s) which may be required to document program eligibility or benefit. Furthermore, the City of Atlantic City shall not disclose any information which may, in the opinion of the Mayor, be deemed of a confidential nature.

SECTION 7. PROCEDURES FOR COMMENTS, OBJECTIONS AND COMPLAINTS

The public hearings scheduled, as described in this Citizen Participation Plan, are designed to facilitate public participation in all phases of the community development process.

Citizens are encouraged to submit their views and proposals on all aspects of a community development program at the public hearings. However, to ensure that citizens are given the opportunity to assess and comment on all aspects of the community development program on a continuous basis, citizens may, at any time, submit written comments or complaints to the City of Atlantic City.

Any citizen or citizen's group desiring to comment or object to any phase of the planning, development or approval of the application for CDBG funds, or to the implementation of any CDBG program, should submit such comments or objections in writing to the Citizen Participation Coordinator. Should, after a reasonable period, a party believe that his/her comment or complaint has not been properly addressed or considered by the Mayor, then the aggrieved may appeal his/her case to City Council.

The Citizen Participation Coordinator shall make every effort to provide written responses to citizen proposals or complaints within fifteen (15) working days of the receipt of such comments or complaints where practicable. Should the City of Atlantic City be unable to sufficiently resolve an objection or complaint, it may be forwarded by the aggrieved party to the Department of Housing and Urban Development (HUD).

Citizens may, at any time, contact the Mayor, City Council and/or HUD directly to register comments, objections or complaints concerning the City of Atlantic City's CDBG application and/or program(s). Citizens are encouraged, however, to attempt

to resolve any complaints at the City's Department of Community and Economic Development, as outlined above, prior to contacting the Mayor, City Council or HUD.

All comments or complaints submitted to the Mayor, City Council, and/or HUD shall be addressed in writing to:

City of Atlantic City
Office of the Mayor
1301 Bacharach Boulevard - Room 706 City Hall
Atlantic City, NJ 08401

Or: City of Atlantic City

City Council
Attn: City Council President
1301 Bacharach Boulevard Room 311 City Hall
Atlantic City, NJ 08401

Or:

U.S. Department of Housing and Urban Development
Attn: Community Planning and Development Division
Newark Field Office – Region II
Newark, NJ 07102-5260

Records of all comments, objections and/or complaints by citizens concerning the City of Atlantic City's CDBG program and subsequent action taken in response to those comments shall be maintained on file at the Department of Community and Economic Development, 505 City Hall Bacharach Boulevard, Atlantic City, NJ, and shall be made available for public inspection upon request.

SECTION 8. AMENDMENTS

8.1 Citizen Participation Plan

The City of Atlantic City may, from time to time, modify the provisions outlined herein through amendment to this Citizen Participation Plan. It shall be the policy of the City of Atlantic City to periodically review and discuss the effectiveness of this Citizen Participation Plan in allowing citizen participation in the community development process and in helping to meet the community development needs and goals identified by the citizens of the City of Atlantic City. To this end, the effectiveness of the Plan will be discussed at public hearings held in conjunction with the community development program as discussed in this Plan, and potential amendments to the Plan will be reviewed at this time.

Amendments to the Plan will be made as necessary. When changes are made to the Citizen Participation Plan, notice will be placed in one major daily newspaper of general circulation. The notice will contain information on where to obtain a copy of the amended Citizen Participation Plan. Following a thirty (30) day review and comment period, the change will become effective. All amendments shall be approved by resolution of the City of Atlantic City and shall be incorporated into this Plan.

8.2 Substantial Amendments

According to federal regulations (CFR.91.105), when a substantial change occurs in the Five-Year Consolidated Plan or the Annual Action Plan, citizens must be provided with reasonable notice and an opportunity to comment on any substantial amendments.

A. 5 Year Consolidated Plan

The City of Atlantic City will assure the opportunity for citizen participation during the implementation of any CDBG program(s) when changes to priorities, goals and/or objectives are under consideration by the City of Atlantic City. Citizen comments shall be obtained and considered in any amendments to the 5 Year Consolidated Plan which involves changes in priority, and addition to or deletion of goals and/or objectives.

B. Annual Action Plan

The City of Atlantic City shall amend its approved Annual Action whenever it makes one of the following decisions:

- To make a change in its allocation priorities;
- To make a change in the method of distribution of funds;
- To carry out an activity, using funds from any program covered by the Consolidated Plan (including program income), not previously described in the Annual Action Plan;

- A change in the scope or purpose of an activity so as to affect the persons benefiting by the project.

Under the CDBG Program, a substantial change is defined as an increase or decrease in funding for a particular activity, which is equal to:

- A 50% change in the project funded amount, if the project is funded at \$24,999 or less of the original allocation for the activity in a fiscal year
- A 30% change in the project funded amount if the project is funded at \$25,000 and above of the original allocation for the activity in a fiscal year.

The City will provide citizens with the opportunity to make comments on proposed substantial amendment(s) for thirty (30) days. All comments or views of citizens received in writing, and/or orally at public hearings, if any, will be considered by the City before implementing the proposed changes. *However, in accordance with the 2020 Coronavirus Aid, Relief and Economic Security Act (CARES Act), in emergency circumstances, expedited procedures must include at least (5) five days notice prior to the hearing and reasonable opportunity to comment of no less than (5) five days. The 5-day period can run concurrently for comments on the action plan amendment and amended citizen participation plans. This authority is in effect through the end of the 2020 program year*

A summary of these comments or views received by the Community Development Block Grant Office, and the determination of the acceptance or non-acceptance and reasons for the non-acceptance will be attached and made a part of the corresponding final document.

After an amendment is approved by City Council a copy shall be submitted to the U.S. Department of Housing and Urban Development with a transmittal letter signed by the Director of the Community and Economic Development Department or to the Mayor.

SECTION 9. AUTHORITY

No portion of this Citizen Participation Plan shall be construed to restrict the responsibility and authority of the elected officials of the City of Atlantic City in the development, implementation and execution of any Community Development Block Grant program.