



**OFFICE OF LONG-TERM RESILIENCY
HURRICANES HERMINE AND MATTHEW
CITIZEN PARTICIPATION PLAN**

Version 2.1
March 22, 2024

VERSION HISTORY

Version Number	Date	Summary of Changes
1.0		Original document published
2.0	1/14/2022	<p>Document reformatted for consistency with other program documents</p> <p>Added sections:</p> <ul style="list-style-type: none"> • Version History; • Version Policy; • Policy Change Control; • Table of Contents • Limited English Proficiency; • Accessibility for Persons with Disabilities; • Action Plan; • Amendments to the Action Plan; • Non-Substantial Amendments; • Public Notice and Public Comment Period; • Summary of Public Comments; • Fair Housing; • Anti-Fraud, Waste, and Abuse; • Public Records Requests
2.1	3/22/2024	<p>As of July 1, 2023, and per Florida HB 5, ch. 2023-173, L.O.F. the former Florida Department of Economic Opportunity has been renamed the Florida Department of Commerce, referred to as “FloridaCommerce.”</p> <p>To reflect this change, all references to the former Florida Department of Economic Opportunity (including “the Department” and “DEO”) have been updated to represent FloridaCommerce. Associated branding (including logos, fonts, and colors) has been updated throughout the document.”</p>

VERSION POLICY

Version history is tracked in the table above, with notes regarding version changes. The dates of each publication are also tracked in this table.

This manual will be updated as needed to incorporate changes based on information obtained from attending CDBG-DR and program-related training workshops, seminars, webinars, and other resources, including changes in federal and state laws, rules, regulations and program policies and procedures. In addition, information obtained at the training sessions and an overview of the training sessions will be provided to all staff in the Office of Long-Term Resiliency that did not attend the training as part of a continuous education program. Updated guidelines specific to each program will also be posted on the Office of Long-Term Resiliency webpage. Information about FloridaCommerce's Office of Long-Term Resiliency can be found at: www.floridajobs.org/CDBG-DR.

Substantive changes in this document that reflect a policy change will result in the issuance of a new version of the document. For example, a substantive policy change after the issuance of Version 1.0 would result in the issuance of Version 2.0, an increase in the primary version number. Non-substantive changes such as minor wording and editing or clarification of existing policy that do not affect interpretation or applicability of the policy will be included in minor version updates denoted by a sequential number increase behind the primary version number (i.e., Version 2.1, Version 2.2, etc.).

POLICY CHANGE CONTROL

Policy review and changes for the State of Florida Office of Long-Term Resiliency are considered through a change-control process. Policy clarifications, additions, or deletions are needed during the course of the program to more precisely define the rules by which the Program will operate. Program staff will document policy-change requests that will be tracked in the program files. Requests are compiled and brought before supervisory staff in a policy meeting. Subject matter experts working in a particular policy area or task area that will be affected by the policy decision may be invited to assist in policy evaluation, if necessary. Policy meetings will be held as frequently as is necessary to consider policy decisions critical to moving the Program forward in a timely manner. Policy decisions will be documented and will result in the revision of the document in question.

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Background

The primary goal of the Citizen Participation Plan is to provide citizens, especially low and moderate income citizens of the community where CDBG-DR funded activities will take place, an opportunity to participate in an advisory role in the planning, implementation, and assessment of the programs and projects. The State of Florida Action Plan for Disaster Recovery includes the Citizen Participation guidelines outlined below.

Time for Citizen Comment

Notice of public comment period for the original Action Plan was provided by publication on the Department of Commerce disaster recovery website, in addition to targeted State outreach to stakeholders. The State will provide notice and open the citizen comment period for the following time frames per action:

- Comment period for the original Action Plan will take place for 14 days after the publication of the Action Plan.
- Comment period for Substantial Amendments will take place for no less than 14 days after the publication of the Substantial Amendment.

In addition to posting on the official website, <http://floridajobs.org/news-center/public-notice>, FloridaCommerce will publish a notice of substantial amendment in the Florida Administrative Register (FAR). FloridaCommerce will incorporate and address citizen comments received during public comment periods.

Website

FloridaCommerce has a public website providing access to information and programs administered by the State. FloridaCommerce has a separate and distinct webpage on its website entitled “Disaster Recovery Programs” that includes information on disaster recovery activities assisted with CDBG-DR funds due to 2016 Hurricanes Hermine and Matthew. The creation and maintenance of the public website is one component of HUD’s certification that FloridaCommerce has proficient financial controls and procurement processes as required in the Register.

The Disaster Recovery Programs’ webpage will include links to action plans, action plan amendments, citizen participation requirements, and activity/program information for activities described in the action plan, including details of all contracts and ongoing procurement policies. It will also store every HUD Quarterly Performance Report (QPR), with information accounting for how funds are being used and managed.

Information pertaining to recovery from the 2016 Hurricanes Hermine and Matthew posted to the webpage includes, but is not limited to, program design and reporting, the citizen participation plan, procurement, executed CDBG-DR contracts, and their statuses. Program announcements and details of activities will also be posted on FloridaCommerce’s website on an ongoing basis along with program guidebooks and manuals in English and made available in other languages for limited English proficiency audiences, as applicable.

Consultation

Federal Register volume 81, Number 224 dated November 21, 2016, streamlines citizen participation requirements and does not mandate public hearings but does require providing a reasonable opportunity (at least 14 days) for citizen comment and ongoing citizen access to information about the use of grant

funds. FloridaCommerce consulted with local governments in the creation of the Action plan, and maintains the following requirements as outlined in the Plan:

Local Efforts

Counties and other units of local government eligible to receive funds must coordinate to consider the needs of all municipalities (and Federally Recognized Indian Tribes) within the incorporated as well as unincorporated area of the county (and reservations contiguous to the county). Eligible units of government should also consult with local housing providers regarding funding for affordable rental housing needs related to the storms. Applicants for funding must provide the Department with documentation that all parties were allowed an opportunity to discuss unmet needs and the best use of the funding.

Applicants are required to conduct at least one public hearing or meeting to receive comments from residents of the community. Applicants will be required to post a public notice in a newspaper of general circulation and to their website, that states the types of projects to be undertaken, the source and amount of funding available for the activities, a date by which public comments must be made, and who to contact for a copy of the proposed application (i.e., name or office and telephone number). This notice, which must provide for a 14-day comment period, must be published prior to the submission of their application. A compilation of the public comments received must be included as an appendix to the application.

Additionally, applicants are required to conduct outreach to vulnerable populations and are required to have at least one outreach session in an area or areas targeting different special needs populations throughout the County or municipality to ensure best efforts to maximize community outreach are achieved and documented. Since certain areas throughout the State have bilingual and multi-lingual populations, there should be at least a Spanish translation of all relevant documentation available for the public. It would be helpful, if applicable, to have a Spanish translator available during public meetings. This could also be applicable for disabled individuals that may be hearing-impaired or blind.

Applicants for funding must allow their citizens access to grant information pursuant to Florida's Government in the Sunshine Law as well as federal requirements. Records should be made available for public inspection during normal business hours. In addition, if possible, information should be posted to websites. Upon request, information must be provided in a format accessible to persons with disabilities. Retention of records must meet existing public record requirements.

Accessibility

Florida is committed to providing all citizens with equal access to information about the disaster recovery program, including persons with disabilities and Limited English Proficiency (LEP). Florida follows HUD's regulation, 24 CFR Part 1, "Nondiscrimination in Federally Assisted Programs of the Department of Housing and Urban Development—Effectuation of Title VI of the Civil Rights Act of 1964," which requires all recipients of federal financial assistance from HUD to provide meaningful access to LEP persons and persons with disabilities.

FloridaCommerce and its subrecipients will ensure that all citizens have equal access to information about the programs, including persons with disabilities and Limited English Proficiency (LEP), and will ensure that program information is available in the appropriate languages for the geographic area served by the jurisdiction.

To ensure meaningful access for individuals with disabilities or LEP, FloridaCommerce developed and implemented a Rebuild Florida Language Access and Accessibility Plan, which details how Florida will address these needs. The Language Access and Accessibility Plan is available on the Office of Long-Term Resiliency website at <http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative>.

Additional interpretive and translational services are available upon request.

Limited English Proficiency

Persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English may be entitled to language assistance with respect to a particular type of service, benefit or encounter. To address this need, FloridaCommerce developed and implemented a Rebuild Florida Language Access Plan, which details how Florida will address the needs of LEP individuals. This Language Access Plan is available in English and Spanish on the Office of Long-Term Resiliency website at <http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative>.

Outreach materials and citizen comments will also be translated into the appropriate language.

The State of Florida Action Plan for Disaster Recovery, any ensuing amendments, outreach materials, applications and related guidance materials will be published in English and Spanish. The languages selected were selected based on the entire eligible area of the CDBG-DR funds allocated for Hurricane Hermine and Matthew Disaster Recovery, and the proportion of LEP individuals. Recognizing there may be a need for individuals to have access to the document in additional languages, the Office of Long-Term Resiliency has contracted with an as needed translation service to provide personalized translations of the Action Plan and other program documents, upon request.

Additional interpretive and translational services are available upon request.

Accessibility for Persons with Disabilities

In accordance with 24 CFR 91.115(a)(3) and (f), this Citizen Participation Plan and other program documents including but not limited to the CDBG-DR Hurricane Hermine and Matthew Action Plan for Disaster Recovery and its amendments, will be provided in a form accessible to persons with disabilities upon request.

FloridaCommerce strives to provide all information posted to its website in forms that are accessible by screen-readers and other assistive technology.

Auxiliary aids and service are available upon request to Individuals with disabilities. All voice telephone numbers on this and all other FloridaCommerce documents may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

FloridaCommerce welcomes comments on how to improve accessibility for users with disabilities. Individuals who use assistive technology are encouraged to contact the Office of Long-Term Resiliency at CDBG-DR@deo.myflorida.com if the format of any material on the Office of Long-Term Resiliency Rebuild Florida website interferes with their ability to access the information.

Additional interpretive and translational services are available upon request.

Action Plan

The State of Florida Action Plan for Disaster Recovery for Hurricanes Hermine and Matthew and any following amendments, defines how the Office of Long-Term Resiliency will effectively use all available funding to support a data-driven recovery based on the calculation of unmet need across the state.

Before adopting the State of Florida Action Plan for Disaster Recovery, FloridaCommerce sought public input on program design issues including the amount of assistance Florida expected to receive, the range of activities that may be undertaken, the estimated amount of benefit expected for persons of low-to-moderate income and plans to mitigate displacement. A summary of outreach feedback is included in the State of Florida Action Plan approved by HUD. The final plan approved by HUD is posted to www.floridajobs.org/CDBG-DR.

Amendments to the Action Plan

Substantial Amendment

FloridaCommerce will engage citizens throughout the disaster recovery program to maximize the opportunity for input on proposed program changes that result in a substantial amendment. Program changes result in a substantial amendment when there is:

- a change in program benefit or eligibility criteria;
- the addition or deletion of an activity; or
- the allocation or reallocation of more than 10 percent of the original appropriation (approximately \$5.8 million).

Citizens will be provided with no less than 14 days to review and provide comments on proposed substantial changes. A summary of all comments received will be included in the final Substantial Amendment submitted to HUD for approval.

Non-Substantial Amendment

The Office of Long-Term Resiliency will notify HUD when it makes any plan amendment that is not substantial. HUD will be notified at least five (5) business days before the amendment becomes effective. HUD will acknowledge receipt of the notification of non-substantial amendments via email within five (5) business days.

FloridaCommerce will notify HUD, but is not required to undertake public comment, when it makes any plan amendment that is not substantial. HUD will be notified at least five business days before the amendment becomes effective.

Every amendment to the action plan (substantial and non-substantial) will be numbered and posted on the FloridaCommerce website.

Public Notice and Public Comment Period

Before the Action Plan for this grant or any substantial amendment to this grant is adopted, the Office of Long-Term Resiliency will publish the proposed plan or amendment on www.floridajobs.org/CDBG-DR, and will cross-reference with additional agency websites: <http://floridajobs.org/rebuildflorida> and <http://rebuildflorida.gov>.

Summary of Public Comments

A summary of public comments submitted on the draft Action Plan, as well as FloridaCommerce's response to each comment, are included in the formal submittal to HUD.

Fair Housing



Title VIII of the Civil Rights Act of 1968, as amended, makes discrimination based on race, color, religion, sex, handicap, familial status, or national origin illegal in connection with the sale or rental of most housing and any vacant land offered for residential construction or use.

The program is committed to affirmatively furthering fair housing through the established affirmative marketing policies summarized below. The goal is to ensure that eligible persons from all racial, ethnic, national origin, religious, familial status, the disabled, "special needs," gender groups, and populations

least likely to apply for assistance are given the opportunity to rehabilitate their rental property that sustained damages due to Hurricanes Hermine and Matthew and/or its after effects.

1. In accordance to the affirmative marketing policies and procedures, program participants will be informed about available opportunities and supporting requirements via counselors, printed and electronic materials, publications, direct contact, workshops/seminars, and through the placement of flyers and posters in public facilities.
2. Measures will be taken to make the program accessible to persons who are considered members of a protected class under the Fair Housing Act by holding informational meetings in buildings that are compliant with the Americans with Disabilities Act (ADA), providing sign language assistance when requested (with a three-day notice), and providing special assistance for those who are visually impaired when requested (also with a three-day notice).

Anti-Fraud, Waste, and Abuse

OLTR constituents, employees and contractors may report suspected fraud, waste, or abuse by contacting Constituent Management Services staff, submitting information via the Report Fraud, Waste or Abuse online form (<http://floridajobs.org/rebuildflorida/report>; (all contact information fields are optional to allow for anonymity) or by sending an e-mail to cdbq-dr_antifraudwasteabuse@Commerce.fl.gov.

All suspected cases of fraud will be taken seriously, and complaints will be reported to OLTR's Compliance and Reporting Manager and FloridaCommerce's Office of the Inspector General at OIG@Commerce.fl.gov. If FloridaCommerce's OIG determines that it is appropriate, it will coordinate its investigation with agencies such as the Florida Office of the Inspector General, the Florida Office of the Attorney General, or the Florida Department of Business and Professional Regulation.

All substantiated cases of fraud, waste, or abuse of government funds will be forwarded to the United States Department of Housing and Urban Development (HUD), Office of Inspector General (OIG) Fraud Hotline (phone: 1-800-347-3735 or email: hotline@hudoig.gov) and FloridaCommerce's HUD Community Planning and Development (CPD) Representative. *OLTR must provide a timely response within 15 working days of the receipt of a complaint, as stated in 84 FR 169.*

Office of Long-Term Resiliency's comprehensive Anti-Fraud Waste and Abuse Policy can be found [here](#).

Citizen Complaints

The State of Florida will handle citizen complaints received by the State, its subrecipients, vendors, and/or other program sources by conducting:

1. Investigations as necessary;
2. Resolution; or
3. Follow-up actions.

The goal of the State is to provide an opportunity to resolve complaints in a timely manner, usually within 15 business days as expected by HUD, if practicable, and to provide the right to participate in the process and appeal a decision when there is reason for an applicant to believe its application was not handled according to program policies. All applications, guidelines, and websites will include details on the right to file a complaint or appeal, and the process for filing a complaint or beginning an appeal.

Applicants are allowed to appeal program decisions related to one of the following activities:

1. A program eligibility determination;
2. A program assistance award calculation; and
3. A program decision concerning housing unit damage and the resulting program outcome.

Hurricanes Hermine and Matthew Citizen Participation Plan

Citizens may file a written complaint or appeal through the Disaster Recovery email at CDBG-DR@Commerce.fl.gov or submit by postal mail to the following address:

Attention: Chief, Bureau of Small Cities and Rural Communities

Florida Department of Commerce

107 East Madison Street

The Caldwell Building, MSC 420

Tallahassee, Florida 32399

If the complainant is not satisfied by the subrecipient determination or FloridaCommerce response, the complainant may file a written appeal by following the instructions issued in the letter of response. If at the conclusion of the appeals process the complainant has not been satisfied with the response, a formal complaint may then be addressed directly to the regional Department of Housing and Urban Development (HUD) at:

Department of Housing & Urban Development

Charles E. Bennett Federal Building

400 West Bay Street, Suite 1015

Jacksonville, FL 32202

The Florida Disaster Recovery Program operates in Accordance with the Federal Fair Housing Law (The Fair Housing Amendments Act of 1988). Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination: 1-800-669-9777 (Toll Free) 1-800-927-9275 (TTY) www.hud.gov/fairhousing.

Public Record Requests

Pursuant to Article 1, Section 24, Florida Constitution and Chapter 119, Florida Statutes, the Department of Commerce is subject to the Florida Public Records Law. Accordingly, unless an exemption exists, all records produced or received pursuant to law or in connection with the official business of the Department can be requested and provided for inspection. All Public Records requests will be processed in accordance with [FloridaCommerce Administrative Policy 1.06](#), Processing Public Records Requests.

A Public Records Request may be verbal or take any form (e.g., email, written correspondence, in-person). The Public Records Act does not require that requests be in writing, comply with a certain form or have any specific content. A public records request may come from a member of the media, the general public, an employee, or any other individual. FloridaCommerce cannot mandate receipt of the name of the requestor or purpose of the request in order to fulfill the Public Records Request.

A Public Record is defined as all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance, or in connection with the transaction of official business by any agency.

Public records include all things made or received in connection with FloridaCommerce business. All such materials, electronic and on paper, regardless of whether they are in draft or final form, are open to public inspection unless exempt or confidential.

The Public Record Coordinator is the person appointed by FloridaCommerce charged with the responsibility of maintaining the Office of Public Records, including processing and tracking public record requests. The Public Record Coordinator is responsible for overseeing FloridaCommerce's compliance with public record/open government requirements and maintains a complete record of all FloridaCommerce public record requests and corresponding disclosures. The Public Record Coordinator

also serves as the primary liaison between FloridaCommerce and the Office of Open Government in the Executive Office of the Governor.

The Office of Long-Term Resiliency's Constituent Services Manager will act as a Public Record Division Liaison, and is the primary contact for all public record requests regarding the Office of Long-Term Resiliency or the Rebuild Florida Program. The Office of Long-Term Resiliency's Public Record Division Liaison will coordinate with the respective managers of each program to determine (1) what is and what is not a responsive record; and (2) where to find all responsive records.

Procedures

Intake and Processing

1. When an Employee receives a Public Records Request:
 - A. All employees who receive a Public Records Request will immediately forward the request to the Public Records Coordinator (PRRequest@deo.myflorida.com) for acknowledgement and tracking.
 - B. Employees should then immediately notify their supervisor and Division Liaison regarding the request.
 - C. Any Employee receiving a Public Records Request will immediately coordinate with a supervisor and the Division's Public Records Liaison regarding questions pertaining to the request such as:(i) what is and what is not a responsive record; and (ii) where to find all responsive records.
 - D. Employees will diligently and expediently work with their Division Liaison to gather all responsive records to provide to the Public Records Coordinator, however collaboration with the Public Records Coordinator is expected throughout the process.
 - E. The Public Records Coordinator will remain, at all times, the point of contact between the requestor and FloridaCommerce.
2. When a Division Liaison receives a Public Records Request:
 - A. Division Liaisons will immediately forward the request to the Public Records Coordinator (PRRequest@Commerce.fl.gov) for acknowledgement and tracking.
 - B. Division Liaisons will then work with staff in their Division to expeditiously gather all responsive records to provide to the Public Records Coordinator.
 - C. The Public Records Coordinator will remain, at all times, the point of contact between the requestor and FloridaCommerce.
3. When the Public Records Coordinator receives a Public Records Request:
 - A. The Public Records Coordinator will communicate with the requestor to acknowledge receipt of the public record request by email, letter, or facsimile, as appropriate.
 - B. The Public Records Coordinator will then work with Division Liaisons to gather all responsive records to complete the request.
 - C. If the request is from a member of the media, the Public Records Coordinator will immediately forward the request to the Office of Communications and External Affairs (media@Commerce.fl.gov). The Office of Communications and External Affairs will acknowledge all media Public Records Requests. The Public Records Coordinator will be informed of all responses to media that include public records.
4. Estimates
 - A. The Public Records Coordinator will communicate in writing with the requestor to provide the actual cost and an estimate of the special service charge, if applicable.
 - B. Payment of the estimated costs is required prior to processing the records for production.
5. Review and Redaction

- A. Once the requested materials have been gathered by the Division, the Division will redact confidential and exempt information before releasing the records to the Public Records Coordinator for transmittal.
- B. The Division will specify and provide all citations for any redactions.
- C. The Liaison and/or Division employee will consult with OGC as necessary regarding redactions.
- D. Each Division is responsible for redacting records with redaction tape or electronically and, if necessary, must be prepared to assume the cost of paper copies used in the redaction process. Do not redact with a marker.

Production of Records to Requestor

4. Responses to Public Records Requests will be made within a reasonable time taking into account the extent and nature of the request.
5. Copies of the request, acknowledgment, response, invoice, records produced, or a record of what was produced, any related correspondences, and payments will be maintained by the Public Records Coordinator.
6. When the requestor requests in-person inspection of the records, and all necessary fees have been paid, the Public Records Coordinator and the Division Liaison, if necessary, must supervise the inspection of records to ensure confidential information is protected.

Public Record Requests for Email Correspondences

7. The Public Records Coordinator will review the request and consult with the requestor and Liaison as necessary, to determine possible search terms and time frames to obtain the information requested.
8. The Public Records Coordinator will provide the request for emails to IT with search terms and time frames.
9. Once emails have been retrieved by IT, an estimate will be transmitted by the Public Records Coordinator, if applicable, including the cost of retrieval and review of the emails for exempt or confidential information.
10. Upon retrieval and payment of necessary costs by requestor, the Public Records Coordinator will provide the emails to the Division Liaison for review and redaction (if required), and then provide all responsive documents to the requestor.