



CARES Act CDBG-CV1 Grants

Citizen Participation Guide



Public participation is a CDBG requirement. This guide includes detailed information on how to meet the federal requirements. Sample notices and handouts are located in the *Library Tab* within your ZoomGrants application.

Review ALL the materials with the local staff person responsible for public hearings and establish a timeline for completion. You cannot start on this aspect of your application too soon.

To apply for CDBG funds, a jurisdiction must show it has involved its citizens in the CDBG application process and complied with the specific federal citizen participation requirements outlined in 24 CFR 570.486. The purpose of these activities is to inform residents and decision-makers of the availability of CDBG funds and to provide an opportunity for community members to present potential projects and offer input on proposed projects.

✓ **Helpful Hint:** Plan for the required initial public hearing NOW! Decide the hearing date and then work backward to determine when and how the public announcement must be published to allow sufficient notice time and outreach.

If a jurisdiction intends to apply for more than one type of CDBG grant during the same year, contact CDBG staff to discuss how to coordinate these citizen participation and public hearing requirements.

The Minimum Citizen Participation Steps

1. **Assess Demographics.** Determine if it is reasonable to expect a significant number of non-English speaking residents to participate in the public hearing. Refer to the “Speak English Less Than Very Well” tables below. Advertise and conduct the public hearing in accordance with this assessment.
2. **Develop and Publish Notice.** Publish an official announcement of the hearing, providing reasonable advance notice, a **minimum of five days** before the hearing date. A sample public hearing notice with required language is provided on page 4 of this guide and in the *ZoomGrants Library Tab*.
3. **Conduct Hearing.** Conduct at least one public hearing prior to submission of the CDBG application. This hearing must be held at a convenient time and location to encourage citizen participation. At the hearing, distribute the CDBG-CV1 Overview and the Federal Citizen Participation Regulations, which are available on pages 6, 7, and 8 of this guide and in the *ZoomGrants Library Tab*.
4. **Adopt Grievance Procedure.** Adopt a grievance procedure for the use of CDBG funds. The grievance procedure must provide citizens the address, phone number, and times for submitting complaints and grievances, and provide timely written answers to written complaints and grievances, within 15 working days where practicable. A sample grievance procedure is provided on page 5 of this guide and in the *ZoomGrants Library Tab*.

5. **Document Citizen Participation.** Complete the CDBG application questions in the *Citizen Participation and Title VI Certification Tab* in ZoomGrants. Submit a copy of the required public hearing notice, documentation of outreach to non-English speaking residents (if applicable). Public hearing minutes must be maintained in the applicant's CDBG-CV files.

Citizen Participation Requirements Information

A. Assessment - Meeting the Needs of Non-English Speaking Residents

The federal citizen participation regulations state that "public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can reasonably be expected to participate."

The tables below identify CDBG non-entitlement jurisdictions in Washington State where over 10 percent of the population "Speak English Less Than Very Well" for Spanish spoken at home. **If your jurisdiction is listed below, the following additional accommodations and outreach are necessary to encourage participation from non-English speaking residents:**

- (i) the CDBG public hearing notice must state that an interpreter will be available (even without advance request).
- (ii) the notice must be advertised *in Spanish* using at least one of the following methods:
 - Published in a newspaper or official on-line source.
 - Announced on radio or television station.
 - Posted at location(s) frequented by non-English speaking residents.
- (iii) at the public hearing, provide Spanish versions of the required handouts, which are available in the *ZoomGrants Library Tab* and upon request.

Refer to the *Citizen Participation and Title VI Certification Tab* in the ZoomGrants application to document these additional public notice and public hearing efforts. Contact CDBG staff with questions.

**Washington State Non-Entitlement Local Governments
with Greater than 10 Percent of Population that "Speak English Less Than Very Well" (Spanish)**
Source: Table DP02 American Community Survey (2014-2018 5-yr estimate)

County Name	Percent Estimate	County Name	Percent Estimate
Adams County	26.6	Franklin County	22.8
Chelan County	10.3	Grant County	15.9
Douglas County	11.9	Yakima County	15.7

City/Town Name	Percent Estimate	City/Town Name	Percent Estimate	City/Town Name	Percent Estimate
Bingen city	18.6	Hatton town	21.7	Rock Island city	20.0
Brewster city	27.1	Mabton city	31.4	Royal City city	57.7
Bridgeport city	41.7	Mattawa city	55.1	South Bend city	10.4
Chelan city	16.8	Mesa city	50.5	Sunnyside city	27.4
Connell city	18.2	Mossyrock city	17.8	Tieton city	33.7
Everson city	15.5	Othello city	34.9	Toppenish city	30.1
Forks city	15.3	Pateros city	18.5	Union Gap city	18.9
George city	48.8	Prosser city	14.2	Wapato city	26.2
Grandview city	27.8	Quincy city	31.7	Warden city	28.7
Granger city	26.2	Raymond city	12.5	Winlock city	10.2
Harrah town	19.3				

Citizen Participation Requirements Information

B. What is a Public Hearing?

A public hearing is a meeting of a governmental body during which the public is invited to the council or board of county commissioners, who will primarily listen and receive public input. The comments received go into the public record. A public hearing may be held as part of a regularly scheduled public meeting, but do not assume a regular council or board meeting automatically meets the public hearing requirement. See MRSC [Open Public Meetings Act Basics](#).

C. Public Hearing Notice

When must the advance notice be made? – A legal notice must be published at least 5 days before the hearing date. The notice must meet the local public hearing notice requirements.

Where must the notice be made? – The hearing must be well advertised, generally in the official local paper. If it meets the local notice requirements, the hearing notice can be on an official on-line source. In addition, public notice can be made using community bulletin boards, local newsletters, billing statements, newspaper articles or door-or-door distribution. Residents within those areas in which CDBG funds are proposed to be used, especially the low- and moderate-income persons, should be encouraged to participate or provide comment.

What must the notice say? – A sample hearing notice is provided in the *ZoomGrants Library Tab*.

D. Public Hearing Logistics

What must the CDBG hearing cover? – The purpose of the hearing is to obtain citizens' views and respond to proposals and questions. The hearing must cover community development and housing needs as well as the availability of CDBG funds. This purpose is met by distributing the required CDBG handouts. Distributing additional materials describing the proposed project(s) is advisable.

Who must conduct the hearing? – The applicant city, town or county must conduct the hearing. Although some applications are developed by potential subrecipients such as community organizations or special districts, these organizations cannot conduct the hearing and have it meet CDBG requirements.

When must the hearing be held? – Prior to submission of the CDBG application-and within 18 months of the application submittal date.

Where must the hearing be held? – The location (in-person or virtual) hearings must be accessible to persons of disability. The location must also be convenient for persons likely impacted by the proposed project. This is particularly relevant for a county-proposed project that is not located near the county seat.

The hearings can be held via telephonic, electronic, internet, or other means of remote access. If conducting a virtual public hearing, include a way the public can access the application/proposal electronically, such as contacting applicant staff to have it sent by email or by mail.

MRSC discusses technology options and potential resources in its blog post: [Engaging in a Pixelated Public Square](#).

For telephonic, applicants need to be set-up for accommodating communication access to telephone service for people who are deaf, deaf-blind, hard of hearing and speech disabled. Washington State provides this service for free: <https://www.dshs.wa.gov/altsa/odhh/telecommunication-relay-services>.

✓ **NOTE:** If funded, an additional public hearing will be required towards the end of the project to review and receive comments on the project's performance.

SAMPLE PUBLIC HEARING NOTICE (FOR CDBG-CV1 GRANT ONLY)

Additional information can be added to these required clauses to meet specific local announcement needs and to encourage participation. Consider combining hearings for multiple CDBG applications/project where possible.

If the local government's assessment of demographic data shows there is a significant population of non-English speaking residents (see the Citizen Participation Guide), then select the applicable accommodation clause below and publicize this notice also in the alternative language.

1) Logistics Clause: (Where/When)	<p>NOTICE IS HEREBY GIVEN that a public hearing will be held by the (<i>city council/county board of commissioners</i>) in the (<i>council chambers/hearing room</i>), (<i>location</i>), on (<i>date and time</i>).</p> <p><u>If providing remote meeting access</u></p> <p>The hearing will be available via call in conference phone by dialing (phone number) entering (access code or pin #).</p>
2) Purpose Clause:	The purpose of the public hearing is to review community development and housing needs, inform citizens of the availability of funds and eligible uses of the state Community Development Block Grant (CDBG), and receive comments on proposed activities, particularly from lower income persons residing in the (<i>name of area</i>) area.
3) Funding Clause: (describing the availability of CDBG funds and eligible uses)	Up to \$(<i>enter amount of request</i>) may be available to the (<i>city/county</i>) to fund CDBG public services and local microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts . All CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria.
4) Comment clause:	An overview of the proposed activities will be available for review at the (<i>location – government office and/or agency</i>), (<i>time and date</i>) or (<i>webpage or document link</i>). Comments may also be submitted in writing to (<i>city/county</i>), (<i>time period</i>).
5) Accommodation Clause: (select the applicable option based on the assessment in your Citizen Participation Documentation form)	<p><u>Option A – for standard use</u></p> <p>The (<i>council chambers/hearing room</i>) is handicap accessible. Arrangements to reasonably accommodate special needs, including handicap accessibility or interpreter, will be made upon receiving 24-hour advance notice. Contact (<i>name</i>) at (<i>number, location</i>).</p> <p><u>Option B – use when significant number of non-English speaking residents</u></p> <p>A (<i>insert alternate language</i>) interpreter will be available. The (<i>council chambers/hearing room</i>) is handicap accessible. Additional arrangements to reasonably accommodate special needs will be made upon receiving 24-hour advance notice. Contact (<i>name</i>) at (<i>number, location</i>).</p> <p><u>If providing remote meeting access - Option A or B</u></p> <p><i>Access for the hearing impaired and others can be accommodated using Washington Relay Service at 1-800-833-6384 and at the below website: https://www.dshs.wa.gov/altsa/odhh/telecommunication-relay-services</i></p>

SAMPLE GRIEVANCE PROCEDURE

This sample grievance procedure is intended to serve as a guide and should be revised to reflect local circumstances and to incorporate any applicable state or local laws.

The Grievance Procedure can be the local government's complaint process if it meets the standards of the CDBG citizen participation regulations.

If a local grievance procedure has been accepted by the CDBG program staff for a prior CDBG project it can be submitted for a new project, unless that procedure's scope is clearly limited to the prior CDBG project and is not general for a new CDBG project.

An ADA Grievance Procedure does not meet this requirement.

1. Submit complaints in writing to the designated official (such as the county clerk/administrator/executive) for resolution. A record of the complaints and action taken will be maintained. A decision by the designated official will be rendered within 15 working days.
2. If the complaint cannot be resolved to your satisfaction by the designated official,
 - It will be forwarded to a committee appointed by the governing body. This committee's membership, its ground rules or procedures for hearing complaints, and how the committee can be contacted will be available to the public. The committee will be directed to hear such complaints in an objective, public manner, and after adequate public notice. A written decision will be made within 30 working days. Proceedings of the committee will be recorded and maintained.

OR

- The complaint will be heard and discussed by the governing, elected body at an open, public meeting. A written decision will be made within 30 working days. The decision of the governing body is final.
3. A record of action taken on each complaint will be maintained as a part of the records or minutes at each level of the grievance process.

Adopted this _____ day of _____, 202__.

(Signature of Chief Administrative Officer)

(Title)

Attest: _____

CARES Act Community Development Block Grant (CDBG-CV) Overview

What are CARES Act CDBG-CV funds?

The federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and the US Department of Housing & Urban Development (HUD) awarded \$38M in CDBG Coronavirus (CDBG-CV) funds to the state CDBG program at Commerce.

Who will receive state CDBG-CV funds?

Commerce CDBG-CV funds are being distributed in four programs to local jurisdictions and agencies as outlined below.

- **\$7M CDBG-CV1 Grants** - to rural CDBG nonentitlement city and county government consortiums for local public services; microenterprise assistance programs; and public health, emergency response, or temporary housing facilities.
- **\$15M CDBG-CV2 Grants** - to expand and extend CDBG-CV1 activities administered by urban CDBG entitlement and rural CDBG nonentitlement cities and counties, to address COVID-19 and financial need. \$10M is allocated to entitlement and \$5M is allocated to nonentitlement jurisdictions.
- **\$10.7M Hunger Relief Staffing & Services** - to address the increase in need and decrease in volunteers at food banks and nutrition programs, by staffing food banks through AmeriCorps, workforce development councils and other job placement organizations across the state.
- **\$3M COVID Prevent-Prepare-Respond (PPR) Grants** - for state, local and tribal activities that meet a public health need, focus on underserved communities, and address emerging priorities.



The state is to distribute CARES Act CDBG-CV funds for state and local activities that prevent, prepare for, and respond to the coronavirus.

-U.S. Department of Housing and Urban Development

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www.commerce.wa.gov/CDBG



We strengthen communities

What will CDBG-CV fund?

- Local public services such as health services, emergency payments (rent, mortgage, utilities), food bank operations, legal services, child care services, etc.
- Local microenterprise assistance programs
- Public health, emergency response, or temporary housing facilities

All CDBG-CV activities must respond to the coronavirus, and meet a CDBG low- and moderate-income (LMI) or urgent need national objective.

How do eligible cities, counties and service providers apply for CDBG-CV funds?

They submit an application describing proposed uses of funds and how federal requirements are met. Online applications and guidance materials will be announced as available at www.commerce.wa.gov/CDBG for each CDBG-CV fund.

What is the maximum grant amount?

Grant amounts depend on the specific CDBG-CV fund and are listed in application materials.

How do people or businesses impacted by COVID-19 access the assistance?

The state CDBG program funds local services and projects. The state CDBG program does not award direct grants for individuals or businesses. Contact your local government, [community action program](#), or [associate development organization](#) to learn if CDBG-funded assistance or other resources are available, and the eligibility criteria.

When do the funds begin and end?

Initial CDBG-CV funds may reimburse allowable costs for approved COVID-19 activities beginning March 27, 2020 (CARES Act authorization date). The funds must be expended in a timely manner to address immediate needs. The CDBG-CV contracts will establish the end date, which could extend to June 30, 2023.

How do I find more information?

Visit www.commerce.wa.gov/CDBG. Click on the CDBG-CV Funds site for application information and guidance materials. The website is updated regularly.

Federal Citizen Participation Requirements For Local Government Applicants to the State CDBG Program

Federal Regulations 24 CFR 570.486 (a)

- (a) *Citizen participation requirements of a unit of general local government.* Each unit of general local government shall meet the following requirements as required by the state at Sec. 91.115(e) of this title.
- (1) Provide for and encourage citizen participation, particularly by low and moderate income persons who reside in slum or blighted areas and areas in which CDBG funds are proposed to be used;
 - (2) Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to the unit of local government's proposed and actual use of CDBG funds;
 - (3) Furnish citizens information, including but not limited to:
 - (i) The amount of CDBG funds expected to be made available for the current fiscal year (including the grant and anticipated program income);
 - (ii) The range of activities that may be undertaken with the CDBG funds;
 - (iii) The estimated amount of the CDBG funds proposed to be used for activities that will meet the national objective of benefit to low and moderate income persons; and
 - (iv) The proposed CDBG activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under Sec. 570.488.
 - (4) Provide technical assistance to groups representative of persons of low and moderate income that request assistance in developing proposals in accordance with the procedures developed by the state. Such assistance need not include providing funds to such groups;
 - (5) Provide for a minimum of two public hearings, each at a different stage of the program, for the purpose of obtaining citizens' views and responding to proposals and questions. Together the hearings must cover community development and housing needs, development of proposed activities and a review of program performance. The public hearings to cover community development and housing needs must be held before submission of an application to the state. There must be reasonable notice of the hearings and they must be held at times and locations convenient to potential or actual beneficiaries, with accommodations for the handicapped. Public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can reasonably be expected to participate;
 - (6) Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the state and, for grants already made, activities which are proposed to be added, deleted or substantially changed from the unit of general local government's application to the state. *Substantially changed* means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the state.
 - (7) Provide citizens the address, phone number, and times for submitting complaints and grievances, and provide timely written answers to written complaints and grievances, within 15 working days where practicable.