

RESOLUTION NO. 1107-15

A RESOLUTION ESTABLISHING A COMMUNITY-WIDE CITIZEN PARTICIPATION PLAN FOR THE COMMUNITY BLOCK GRANT (CDBG), NEIGHBORHOOD STABILIZATION, AND OTHER FEDERAL PROGRAM PARTICIPATION BY THE CITY OF BESSEMER

WHEREAS, the City of Bessemer desires to establish a community-wide Citizen Participation Plan to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) program, the NSP program and other federal programs that the City may participate in; and

WHEREAS, the Citizen Participation Plan allows citizens to participate in an advisory role in the planning, implementation, and assessment of the City of Bessemer's CDBG program, attached hereto as Exhibit A; and

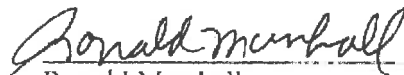
WHEREAS, special emphasis has been placed on encouraging participation by persons of low and moderate incomes, residents of blighted neighborhoods, and residents of areas where community development funds are utilized; and

WHEREAS, the City Council of the City of Bessemer determines that implementation of a Citizen Participation Plan serves a valid and sufficient public purpose in that it has for its objective the promotion of public health, safety, morals, security, prosperity, contentment, and the general welfare of the community and, as such, serves a public purpose.

NOW THEREFORE BE IT RESOLVED by the City Council, of the City of Bessemer, Alabama at a regularly scheduled meeting duly assembled, with a quorum being present:

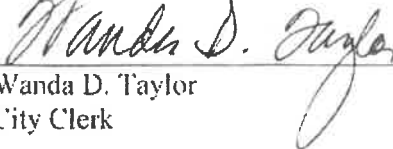
1. That the Mayor of the City of Bessemer shall be and hereby is authorized to execute and implement the Citizen Participation Plan that substantially conforms to the draft of the Plan attached hereto as Exhibit "A" and incorporated herein by reference.
2. That this resolution shall become effective immediately upon its adoption as required by law.

ADOPTED this the 15th day of September, 2015.




Ronald Marshall
President Pro-Tem, City Council

ATTEST



Wanda D. Taylor
City Clerk

APPROVED this the 15th day of September, 2015.



Kenneth E. Gulley
Mayor, City of Bessemer

SECTION 1. INTRODUCTION

The City of Bessemer has designed this community-wide Citizen Participation Plan to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) program, the NSP program and other federal programs that the City may participate in. This Plan is an essential element of the City of Bessemer's present and future community development process and has been developed to comply with the regulations and requirements of the CDBG program as administered by the Department of Housing and Urban Development (HUD) and the NSP program as administered by the Alabama Department of Economic and Community Affairs (ADECA). This Plan supersedes all other Citizen Participation Plans that may have been adopted by the City Council.

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 Bessemer'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 Mayor and the City Council.

SECTION 2. SCOPE OF PARTICIPATION

The City of Bessemer 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 Bessemer. 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. major changes and/or amendments to approved CDBG projects; and,
- c. 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 Bessemer are encouraged to

**CITY OF BESSEMER CITIZEN PARTICIPATION PLAN
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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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 Director of Economic and Community Development has been designated Citizen Participation Coordinator by the Mayor and will 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: disseminating information concerning proposed projects and the status of current project activities; coordinating various groups which may be participating in the community development process; receiving written comments; serving as a vehicle by which ideas, comments, and proposals from local residents may be transmitted to local officials and/or program staff; and, 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 (City Hall/205-424-4060) during regular business hours. All questions concerning citizen participation in the community development process should be addressed to the Citizen Participation Coordinator.

SECTION 4. TECHNICAL ASSISTANCE

The staff of the City of Bessemer 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: interpreting the CDBG program and its rules, regulations, procedures and/or requirements; providing information and/or materials concerning the CDBG program; and, 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 Bessemer or the Citizen Participation Coordinator.

SECTION 5. PUBLIC HEARINGS

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. Local 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 governing body at any regularly scheduled meeting.

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 Mayor, the City Council, or the Citizen Participation Coordinator. Public hearings may be held at any site that, in the opinion of the City of Bessemer, provides adequate access for citizen participation.

Hearings will normally be held at the City Hall. This site is centrally located and generally accessible to all citizens. This building is also accessible to persons with disabilities. Hearings may, however, at the option of the City of Bessemer, be held at an alternate location to be specified in the public hearing notice(s).

5.2 Application Public Hearing

At least one public hearing shall be held during any CDBG program fiscal year prior to the submission of an application for CDBG Action Plan or Consolidated Plan. The primary purposes of the public hearing shall be to assess community needs and problems in an effort to determine the most critical needs to be addressed by the CDBG program; and also to present for public comment and review the program activities which have been selected by the City of Bessemer to resolve the identified needs.

An application public hearing will be held during the initial stage of program development to discuss items regarding community development and housing needs, the CDBG program, and the application process. The objective of citizen participation at this stage is to provide meaningful, community-wide citizen input into the decision-making process during the assessment of community needs and the consideration of priorities and options associated with the development and submission of a CDBG application. Local officials will also entertain proposals and comments from citizens concerning community development activities at this hearing.

This hearing will normally serve to discuss and review the information appropriate for all applications submitted by the City of Bessemer during any fiscal year. Substantial changes in community development or housing needs in the community as determined by local officials may necessitate another hearing to fulfill the role of the first public hearing prior to the submission of other CDBG applications late in the fiscal year.

Citizens will be provided with information concerning the CDBG program at this public hearing. Such information shall include, but not necessarily be limited to: the goals and objectives of the CDBG program; the total amount of CDBG funds available; the role of citizens in program planning, implementation, and assessment; the range of activities which may be undertaken; the process to be followed in developing a CDBG application; the application timetable(s); the application rating process; the schedule of meetings and hearings; activities previously funded in the City of Bessemer through the CDBG program; and, an identification of projects which could result in the relocation of area residences or businesses; and the actions that would be undertaken if such relocation were necessary. Furthermore, the effectiveness of the Citizen Participation Plan in allowing citizen participation in the community development process and potential changes and/or amendments to the Plan will also be discussed at this meeting.

The City of Bessemer may, at the option of local officials, review multiple CDBG project applications 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, and in preparation for, the application's approval by the City Council.

A second objective of citizen participation during this stage is to inform citizens of the proposed project activities to be included in a CDBG application(s) and to solicit comments from citizens concerning these activities.

Citizens attending this hearing will be provided with information concerning the CDBG project(s) proposed including, but not necessarily limited to: the project application(s) to be submitted and the applicable CDBG fund; specific project activities to be included; the location of the project activities; the approximate cost estimate for the proposed activities; the estimate of local match required; the impact of the project on low and moderate income persons; and, the approximate application submittal date.

5.3 Amendment Public Hearings

The City of Bessemer will assure the opportunity for citizen participation during the implementation of any CDBG program(s) when changes to the program are under consideration by the City of Bessemer. Citizen participation shall be obtained and considered in any amendments to the CDBG program budget that involve changes of greater than 20%, by major line item category, between approved activity categories.

To ensure adequate opportunity for citizen participation during CDBG programs, the City of Bessemer shall hold a public hearing on all formal amendments that require HUD, ADECA or other federal agency approval. For "local" amendments and changes for which the HUD or ADECA approval is not required, input from citizens concerning changes or amendments will be received at regularly scheduled City Council meetings where such changes or amendments may be considered.

5.4 Assessment of Performance Public Hearings

Citizens of the City of Bessemer will be provided with the opportunity to comment on the performance of local officials, the City of Bessemer staff, consultants, engineers, and contractors, and the actual use of CDBG funds during the implementation of a CDBG program. Citizens will also be requested to assess the performance of the City of Bessemer 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 program.

5.5 Additional Hearings

Other public hearings may be held as deemed necessary by the City Council 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.

5.6 Limited English Proficiency Residents

The City of Bessemer has followed the guidance provided in the ADECA's Language Access Plan 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.

5.7 Public Hearing Notice

Notice of public hearings will be published in a local newspaper at least seven (7) days prior to the hearing date. The City of Bessemer 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.

5.8 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, and holding public hearings in low and moderate income neighborhoods or areas of existing or proposed CDBG project activities.

5.9 Accessibility to Persons with Disabilities

The locations of all public hearings as described herein shall be made accessible to persons with disabilities. The City of Bessemer 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 Bessemer 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 Bessemer 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 Bessemer 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 City Hall. Information from the 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 the ADECA and/or 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 Bessemer 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 Bessemer disclose any information concerning the financial status of any program participant(s) that may be required to document program eligibility or benefit. Furthermore, the City of Bessemer shall not disclose any information that 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 Bessemer

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 Mayor. 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 the City Council.

Local officials 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.

Citizens may, at any time, contact the ADECA and/or HUD directly to register comments, objections or complaints concerning the City of Bessemer's CDBG application(s) and/or program(s). Citizens are encouraged, however, to attempt to resolve any complaints at the local level as outlined above prior to contacting the ADECA or HUD.

All comments or complaints submitted to the ADECA or HUD shall be addressed in writing to:

Alabama Department of Economic and Community Affairs
Attn: CDBG Program
401 Adams Avenue, Suite 580
P O Box 5690
Montgomery, Alabama 36103-5690

Or:

U.S. Department of Housing and Urban Development
Attn: Community Planning and Development Division
Medical Forum Building
950 22nd Street North, Suite 900
Birmingham, Alabama 35203

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

SECTION 8. AMENDMENTS

The City of Bessemer 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 Bessemer 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 Bessemer. To this end, the effectiveness of the Plan will be discussed at public hearings held in conjunction with the community development program as discussed herein, and potential amendments to the Plan will be reviewed at this time.

