



# CITIZEN PARTICIPATION PLAN

Prepared by: City of Miami  
Department of Housing and Community Development  
14 NE 1<sup>st</sup> Avenue, Second floor  
Miami, FL 33132  
Ph: 305.416.2080  
Fax: 305.416.2090  
TDD/TYY (Florida Relay Service): 711  
Approved by City of Miami Commission: **5/2020**

*Note: All comments/views related to this Citizen Participation Plan can be e-mailed to [rtazoe@miamigov.com](mailto:rtazoe@miamigov.com) or sent via U.S. mail to 14 NE 1<sup>st</sup> Avenue, Second Floor, Miami, FL 33132. In order to confirm the authenticity of the comment, we ask that you please provide your full name and mailing address.*

## CONTENTS

1.1 Executive Summary	1
1.2 Public Hearings	2
1.2.1 Public Notice – Advertising of Public Hearings	4
1.2.2 Public Notice - Advertising of Comment Periods	4
1.2.3 Citizen Comments and Response to Inquiries	7
1.2.4 Public Access to Information	7
1.3 Technical Assistance	7
1.3.1.A. Informational and Training Session(s)	8
1.3.1.B. Technical Assistance to Interested Individuals/Groups	8
1.3.1.C. Language access for people with Limited English Proficiency (LEP)	8
1.4 Anti-Displacement and Relocation Assistance Plan	8
1.5 Citizen Participation Plan Process	8
1.5.1 Substantial Amendments to the Citizen Participation Plan	9
1.5.2 Non-Substantial Amendments to the Citizen Participation Plan	9
1.6 Consolidated Planning Process	9
1.6.1 Consultation towards the Development of a Five-Year Needs Assessment and Strategy	9
1.6.2 Development of the Five-Year Consolidated Plan and/or Annual Action Plan	10
1.6.3 Substantial Amendments to the Consolidated Plan and/or Annual Action Plan	10
1.6.4 Non-Substantial Amendments to the Consolidated Plan and/or Annual Action Plan	11
1.6.5 Consolidated Plan Schedule – At a Glance	11
1.6.6 Consolidated Plan/Action Plan – Disaster Response and Recovery	12
1.7 Annual Action Plan Process	12
1.7.1 Annual Action Plan Schedule – At a Glance	12
1.7.2 Consolidated Annual Performance and Evaluation Report (CAPER) - At a Glance	13
1.8 Housing Opportunities for Persons with AIDS Program	13
1.9 Affirmatively Furthering Fair Housing and the Assessment of Fair Housing (AFH)	13
1.9.1 AFH Schedule – At a Glance	14
1.9.2 Revisions to the AFH	14

*Note:*

*On July 16, 2015, the U.S. Department of Housing and Urban Development (HUD) published on the Federal Register the Affirmatively Furthering Fair Housing (AFFH) rule requiring local jurisdictions receiving more than \$500,000 a year in Community Development Block Grant (CDBG) funds to submit an Assessment of Fair Housing (AFH) 270 days before their program year that began on or after January 1, 2017, for which a Consolidated Plan was due. The City of Miami receives more than \$500,000 on a yearly basis.*

*On January 5, 2018, HUD published on the Federal Register a notice extending the deadline for submission of the AFH to the next AFH submission date that falls after October 31, 2020. The City is, therefore, not required to submit an AFH utilizing the OMB-approved version of the Assessment of Fair Housing Tool for Local Governments, but must comply with existing obligations to affirmatively furthering fair housing.*

*This Citizen Participation Plan includes actions and language related to the AFFH rule approved on July 16, 2015. Sections in this plan that refer to the Assessment of Fair Housing (AFH) are hereby placed under a temporary suspension until HUD restores the requirement set forth on the Affirmatively Furthering Fair Housing (AFFH) rule that local governments must submit an AFH along with the Consolidated Plan. Once the HUD requirement related to AFFH is reinstated, the sections of this plan that addresses the AFFH rule will also be reinstated.*

*The City will continue to conduct an Analysis of Impediments (AI) to fair housing choice. Please note, however, that the AI does not require public participation, it does not need to be submitted to HUD for review, it is not directly linked to the Consolidated Plan, and it does not need to be renewed.*

## 1.1 EXECUTIVE SUMMARY

The Citizen Participation Plan (CPP) provides a guide for City of Miami (City) residents to participate in planning, implementing, and assessing City programs funded by the U.S. Department of Housing and Urban Development (HUD) under the following federal entitlement grants: Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA), other HUD competitive or non-competitive grants, and any resulting program income. This plan meets the requirements of HUD as outlined in 24 CFR Part 91.100 and CFR Part 91.105. Once finalized, compliance with the final Citizen Participation Plan is overseen by the City of Miami's Department of Housing and Community Development (HCD).

This CPP focuses on:

- Increasing public participation;
- Encouraging a diverse representation of City residents, including minorities, non-English speaking individuals, and persons with disabilities, to advise the City while developing the five-year Consolidated Plan, annual Action Plans, the Assessment of Fair Housing (AFH), amendments or revisions to any of such plans, and the annual performance report (CAPER);
- Involving low- and moderate- income residents, especially those living in slum or blighted areas, in areas where the use of CDBG funds are proposed to be utilized, in targeted revitalization areas, and also residents of public and assisted housing developments;
- Receiving comments, views, or complaints from residents;
- Reducing public isolation from government.

The City is committed to seeking a balanced strategy that encourages citizen participation. City residents are encouraged to attend public hearings and provide comments to assist the City in identifying the most important housing and non-housing community development needs of low- and moderate- income persons. Opportunities for public comment shall be provided throughout the development of the five-year Consolidated Plan, annual Action Plans, Assessment of Fair Housing (AFH), amendments or revisions to such plans, and the CAPER.

City residents and organizations can submit comments and views regarding City programs in the following manner:

- Verbal comments may be made during scheduled public hearings, and
- Written comments may be submitted directly to HCD during the official comment period, by following the instructions provided on the Public Notice (refer to sub-section 1.2.2.)

The City considers all comments and views of City residents when preparing the final five-year strategic Consolidated Plan, annual Action Plans, Assessment of Fair Housing, and amendments to such plans. A summary of these comments and views and a brief summary of any comments and views not accepted, and the reasons therefore, shall be attached to the final version of the five-year strategic Consolidated Plan, annual Action Plans, or Assessment of Fair Housing. Responses to any questions and comments, will be provided to the submitter within 15 working days of receipt.

## 1.2 PUBLIC HEARINGS

The primary purpose of public hearings is to obtain public comments and views on local community needs. Public hearings shall be the primary setting to facilitate citizen participation and shall mainly address housing and community development needs. The public hearings shall be held at locations consistent with accessibility and reasonable accommodation requirements, at times and locations convenient to the general public. City residents are encouraged to verbally share their comments and views and, in general, to participate in this critical component of the City's overall planning process. There shall be at least two categories of public forums:

- a) Neighborhood-level public hearings;
- b) Public hearings held before City Commission and/or before the Housing and Commercial Loan Committee.

At least two neighborhood level public hearings *per fiscal year* shall be held at times and locations appropriate for City residents and within City limits. Because Miami is the largest metropolitan City in the EMSA, by law, it is designated as the administrator of HOPWA funds in Miami-Dade County; therefore, it shall hold a minimum of one additional hearing for the HOPWA community *per year* at a time and location appropriate for County residents.

Public hearings may be held during certain City Commission meetings to address housing and community development needs as well as to gather citizens' views regarding proposed funding allocations for social services, economic development, and other activities under the CDBG, ESG, HOME, and HOPWA programs. Public hearings also may be held during certain Housing and Commercial Loan Committee meetings to address matters specific to housing and commercial projects.

Table 1.2.A – Public Hearings

---

### Document

- Five-year Consolidated Plan/Annual Action Plan  
*At least 2 Public Hearings at 2 different periods/stages during the fiscal year and at least one separate hearing, dedicated to the HOPWA program*
    - Substantial Amendment(s) to the Five-year Consolidated Plan/Annual Action Plan  
*At least 1 Public Hearing*
  - Consolidated Annual Performance and Evaluation Report  
*At least 1 Public Hearing*
  - Assessment of Fair Housing (AFH)  
*At least 2 Public Hearings*
    - Revision(s) to the Assessment of Fair Housing (AFH)  
*At least 1 Public Hearing*
  - Citizen Participation Plan  
*At least 1 Public Hearing*
    - Substantial Amendment(s) to Citizen Participation Plan  
*At least 1 Public Hearing*
-

Public hearing locations shall be accessible to persons with physical disabilities. Anyone requiring special accommodations is encouraged to call the HCD three (3) business days prior to the scheduled public hearing. Non-English speaking residents are encouraged to inform the HCD of a need for a translator at least three (3) business days prior to the scheduled hearing(s) to allow arrangements to be made for an interpreter.

### **1.2.a Emergency Declaration**

Should a national, state of Florida, Miami-Dade County, or City of Miami emergency declaration makes travel to neighborhood-level public hearing site(s) difficult and/or unsafe neighborhood-level public hearings may be held as a Virtual Public Hearing (VPH) as authorized by HUD. All VPHs will be held on an ADA compliant web-based platform.

### **1.2.b COVID-19 Waivers**

The City will apply for the waiver flexibility afforded by HUD under a memorandum posted on April 1, 2020, "Availability of Waivers of Community Planning and Development (CPD) Grant Program and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19". Under this waiver, the following actions will take effect:

**a. Citizen Participation Public Comment Period for Consolidated Plan and Action Plan Amendments**

The 30-day Public Comment Period is waived for substantial amendments, provided that no less than **5 calendar days** are provided for public comments on each substantial amendment. The waiver is applicable through September 30, 2021, which is the end of the City's 2020 program year.

**b. Citizen Participation Reasonable Notice and Opportunity to Comment on Consolidated Plan and Action Plan Amendments**

Given the circumstances to contain COVID-19, public notices for any substantial amendment to Consolidated Plan will be reduced to **5 calendar days** prior to the public hearing date and the notice may be posted on HCD's website instead of one or more general circulation newspapers. Public Hearings shall conform with section 1.2.a "Emergency Declaration" actions as described above. The waiver is applicable through September 30, 2021, which is the end of the City's 2020 program year.

Comment periods shall be published as follows:

- the notice will be posted on the main web page of the HCD.
- in the event that the document or item requires a public hearing, the comment period shall end prior to the day of the public hearing;
- the notice shall include a brief summary of the item, the commencement and ending dates of the comment period, information on how to submit written comments, the item's purpose, the location of the item for public review, and if applicable, the date the proposed item will be presented to City Commission for approval;
- the notice may be drafted in the language(s) spoken by a representative section of the citizens impacted.

### **1.2.1 Public Notice – Advertising of Public Hearings**

Public Hearings allow citizens the opportunity to provide verbal comments and views on community needs. HUD considers two weeks advance public notice to be adequate. The City shall therefore provide public notice at least **14 calendar days**<sup>1</sup> prior to the public hearing dates. Public Notices shall be published as follows:

- in one or more general circulation newspapers;
- at least fourteen (14) calendar days prior to the public hearing dates;
- the notice may be drafted in the language(s) spoken by a representative section of the citizens impacted, as determined by the HCD;
- the notice shall include the place, date, time, and purpose of the hearing, how interested persons can access more information about the items to be discussed and how to submit written comments during the period preceding the public hearing;
- the notice shall include information on how to request special accommodations. All requests for special accommodations must be received, in writing, at least three (3) business days prior to the hearing;
- Additional forms of public notice may include postings of information on the HCD's Twitter/Facebook accounts and emailing the HCD's dedicated contact list. Also, as needed, the HCD may include the creation and issuance of flyers.

### **1.2.2 Public Notice - Advertising of Comment Periods**

Comment periods allow citizens the opportunity to provide written comments and views on community needs. The advertising of comment periods may be included in notices of public hearing. Comment periods shall be published as follows:

- shall be published, in advance, to meet the comment period criteria in accordance to table 1.2.2.A below;
- in one or more general circulation newspapers;
- in the event that the document or item requires a public hearing, the comment period shall end prior to the day of the public hearing;
- the notice shall include a brief summary of the item, the commencement and ending dates of the comment period, information on how to submit written comments, the item's purpose, the location of the item for public review, and if applicable, the date the proposed item will be presented to City Commission for approval;
- the notice may be drafted in the language(s) spoken by a representative section of the citizens impacted;
- the notice will be posted on the main web page of the HCD.

The City shall provide advanced public notice to allow City residents the opportunity to provide written comments on any of the following documents:

---

<sup>1</sup> If a comment period is also required, the public notice shall be advertised following the timeframe in Table 1.2.2.A.

**Table 1.2.2.A – Public Notice Comment Period Requirements (calendar days)**

Document	Comment Period
Proposed five-year Consolidated Plan and/or substantial amendments	30 days
Proposed annual Action Plan and/or substantial amendments	30 days
Proposed Consolidated Annual Performance and Evaluation Report	15 days
Proposed Assessment of Fair Housing (AFH) and/or revisions	30 days
Citizen Participation Plan (CPP) and/or substantial amendments	15 days

**Table 1.2.2.B – Public Hearing and Community Meeting Notice Summary**

Type of document	Public Community Meetings	Legal Notices	Other posted notices and/or material issued to public	Locations of Plan for public review
<b>Five-Year Consolidated Plan (CP) / Annual Action Plan (AP)</b>	<p>At least four public hearings</p> <p><u>STAGE I Public Hearings:</u> At least two Public hearings and at least another separate hearing, dedicated to the HOPWA program.</p> <p><u>STAGE II Public Hearing</u> Additional Public hearing held at a separate time during the program year.</p>	<p><u>STAGE I Public Hearing(s) Notice: Prior to drafting CP/AP</u> Published in local newspaper at least 14 days prior to the public hearing. This notice may include HOPWA-specific public hearing.</p> <p><u>STAGE I Additional Public Hearing for ALL CP/AP funding sources: Once draft CP/AP is available</u> Published in local newspaper at least 30 days prior to the public hearing (Commission meeting.) Citizens will have 30 days to review and comment on the CP/AP draft before it is approved by Commission for adoption and submission to HUD.</p> <p><u>STAGE II Public Hearing Notice:</u> Published in local newspaper at least 14 days prior to the public hearing to address status of current programs (May be combined with CAPER public hearing)</p>	<p>Press release issued on public hearing date(s)/time(s). Flyer created and issued to all District offices and mailed to public service agencies. Copy of flyer is e-mailed to master Department’s e-mail contact list.</p> <p>For CP, survey posted on website and issued at hearings asking for persons to select what they consider greatest needs.</p>	<p>Draft of the CP/AP shall be made available at City Hall, at the HCD front desk, and at the MAIN Miami-Dade County library <b>and/or available via email request.</b></p>
<b>Five-Year Consolidated Plan (CP) / Annual Action Plan (AP) Substantial Amendments</b>	<p>At least one Public Hearing.</p>	<p>Notice published in local newspaper at least 30 days prior to the public hearing (Commission meeting.) Citizens will have 30 days to review and comment on the substantial amendment item(s) before it is</p>	<p>Substantial amendment <i>notices</i> and meeting details shall be posted on the City’s website.</p>	<p>Substantial amendment item(s) shall be available in the Department’s main office during business hours <b>and/or</b></p>



Type of document	Public Community Meetings	Legal Notices	Other posted notices and/or material issued to public	Locations of Plan for public review
		presented to Commission for adoption and submission to HUD.		available via email request.
<b>Consolidated Annual Performance and Evaluation Report (CAPER)</b>	At least one Public Hearing.	Notice published in local newspaper at least 15 days prior to the public hearing. Citizens will have 15 days to review and comment on the CAPER draft before it is submitted to HUD.	Copy of ad will also be advertised on the Department's website.	A draft CAPER shall be available in the Department's main office during business hours and/or available via email request.
<b>Assessment of Fair Housing (AFH)</b>	At least two Public Hearings  <u>STAGE I Public Hearing: Prior to drafting AFH</u>  <u>STAGE II Public Hearing: After AFH draft is available</u>	<u>STAGE I Public Hearing(s) Notice:</u> Published local newspaper at least 14 days prior to the public hearing.  <u>STAGE II Public Hearing Notice:</u> Published in local newspaper at least 30 days prior to the public hearing (Commission meeting.) Citizens will have 30 days to review and comment on the AFH draft before it is approved by Commission for adoption and submission to HUD.	Press release issued on public hearing date(s)/time(s). Flyer will be created announcing public hearing information and posted on the City's website. Copy of flyer is e-mailed to master Department's e-mail contact list.	Draft of the AFH shall be made available at City Hall, at the HCD front desk, at the MAIN Miami-Dade County library and/or available via email request.
<b>Revisions to Assessment of Fair Housing (AFH)</b>	At least one Public Hearing.	Notice published in local newspaper at least 30 days prior to the public hearing (Commission meeting.) Citizens will have 30 days to review and comment on Revisions to the AFH or AI draft before it is presented to Commission for adoption and submission to HUD.	The amendment shall be posted and advertised on the City's website and/or available via email request.	Drafts of the Revisions to the AFH shall be available in the HCD's front desk. It will also be available via email request.
<b>Citizen Participation Plan (CPP) and / or Substantial Amendment(s)</b>	At least one Public Hearing.	Notice published in local newspaper at least 15 days prior to the public hearing (Commission meeting.) Citizens will have 15 days to review and comment on the Citizen Participation Plan before it is presented to Commission for adoption. Submission to HUD is optional.	The Plan and the public hearing shall be posted and advertised on the Department's website and/or available via email request.	A draft of the plan will be available in the Department's main office during business hours. It will also be available via email request.

Unless otherwise indicated, all Notices are published in The Miami Herald, the local newspaper of greatest circulation. The Department website is [www.miamigov.com/communitydevelopment](http://www.miamigov.com/communitydevelopment). The Department's office is located at 14 NE 1<sup>st</sup> Avenue, Second floor. City Hall is located at 3500 Pan American Drive, Miami, FL. The MAIN County library is located at 101 West Flagler Street in downtown Miami.

In the event of an Emergency Declaration, documents will at least be available via email request to [communitydevelopment@miamigov.com](mailto:communitydevelopment@miamigov.com) or as indicated in the public notice advertising the comment period.

### **1.2.3 Citizen Comments and Response to Inquiries**

Any comments or views (complaints) may be directed, in writing, to the City of Miami, Department of Housing and Community Development at 14 NE 1<sup>st</sup> Avenue, 2 Floor, Miami, FL 33132; Attn: Assistant Director, Contract Compliance & Policy/Program Development Division or to the Department's general e-mail address: [communitydevelopment@miamigov.com](mailto:communitydevelopment@miamigov.com), or as specifically indicated in the public notice advertising the comment period.

Any written inquiry received from a citizen related to the Consolidated Plan, annual Action Plan, Citizen Participation Plan, Assessment of Fair Housing (AFH), CAPER or any amendments to any of the mentioned plans shall receive a written response, if warranted, from the HCD within fifteen (15) working days from the date comments were received. A summary of the comments or complaints, and a summary of any comment or complaint not accepted and the reason, therefore, will be attached to the applicable document upon submission to HUD.

### **1.2.4 Public Access to Information**

The HCD shall provide citizens, public agencies, and all interested parties with reasonable and timely access to information and records. The following documentation shall be made accessible:

- Proposed and final Five-Year Consolidated Plans;
- Proposed and final annual Action Plans;
- Consolidated Annual Performance and Evaluation Report;
- Proposed and final Citizen Participation Plan;
- Proposed and final Assessment of Fair Housing (AFH);
- Any amendments to the above-mentioned documents.

All documents are available for review during normal business hours (8 a.m. to 5 p.m., Monday through Friday) at the HCD at 14 NE 1<sup>st</sup> Avenue, 2 Floor, Miami, FL 33132. The City may charge a fee for copies to recover the cost of reproducing the materials, in accordance to the public records fees outlined in City APM 4-11, as allowed by State of Florida Statutes on public records. The City may require an appointment to review records and may require a City employee to be present during the inspection of records. Audio recordings of public hearings may be obtained, for a fee, by calling the Office of the City Clerk at (305) 250-5360. A limited number of free copies of standard documents will be provided to the public within three working days of a request. These materials will be available in a form accessible to persons with disabilities, if requested.

Should a national, state of Florida, Miami-Dade County or City of Miami emergency declaration makes in-person review of any documentation mentioned in this section difficult and/or unsafe at HCD offices, HCD will provide the general public with an e-mail address where persons can request a digital copy at no cost.

## **1.3 TECHNICAL ASSISTANCE**

HCD staff shall provide technical assistance to City residents in an effort to enable them to adequately and intelligently participate in the planning process. HCD staff shall provide technical assistance to groups representing low- to moderate- income residents who request such assistance in developing proposals for

funding assistance under any of the programs covered by the Consolidated Plan. Technical assistance shall be provided as follows:

#### **1.3.1.A. Informational and Training Session(s)**

At least one training session shall be provided for interested persons, not-for-profit organizations and groups during an RFP cycle. The purpose of this session is to describe the allocation process and funding cycle, instruct attendees on how to develop complete and competitive applications for funding assistance and to answer questions or concerns those in attendance may have.

#### **1.3.1.B. Technical Assistance to Interested Individuals/Groups**

HCD staff is available throughout the year to answer inquiries from persons interested in submitting proposals for any HCD program subsidized through HUD formula grants.

#### **1.3.1.C. Language access for people with Limited English Proficiency (LEP)**

Because Miami is comprised of many immigrants and we are a “minority majority” City, the HCD followed HUD’s recommendation and conducted a preliminary LEP assessment in accordance to the final guidance issued to *Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, Fed. Register, Vol. 72, No. 13, Jan. 22, 2007*. Based on the City’s population, the HCD concluded that the existing language assistance measures are sufficient for the different types of programs or activities in which the HCD engages. The HCD has staff members who are fluent in Spanish and Creole and makes every attempt to translate materials for the public to both Spanish and Creole, as necessary and reasonably requested to allow non-English speaking residents the opportunity to participate in the different plans detailed in the CPP.

### **1.4 ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

The City shall attempt to minimize the involuntary and permanent displacement of residents as a result of federally assisted projects. The City’s federally funded programs are operated under a Residential Anti-Displacement and Relocation Assistance Plan (RARAP) as required by HUD. The types and levels of assistance the City will make available to displaced persons are contained in the City’s relocation plan. A copy of this plan is available for review upon request at the HCD.

The City shall provide relocation assistance to each low- to moderate- income household displaced by the demolition of housing or by the conversion of a low- to moderate- income dwelling to another use as a direct result of assisted activities. Relocation benefits consistent with HUD regulations shall be offered to those displaced.

### **1.5 CITIZEN PARTICIPATION PLAN PROCESS**

The Plan was drafted in accordance to 24 CFR 91.105 and shall be reviewed and updated on an as needed basis. Amendments to the Plan shall either be substantial or non-substantial (administrative) in nature and based on the type of amendment required, the process to incorporate such amendment may differ.

A draft of the Citizen Participation Plan will be available for public review in the HCD during regular business hours throughout the advertised 15-day comment period. A summary of the comments or views accepted and not accepted and the reasons for the latter, will be attached to the final version of the CPP.

Once approved by City Commission, copies of the final CPP shall be available upon request. The CPP can be made available in a format accessible to persons with disabilities upon request.

### **1.5.1 Substantial Amendments to the Citizen Participation Plan**

City residents will be provided with an opportunity to comment on substantial amendments to the Citizen Participation Plan. Substantial amendments shall be available for public review for a period of no less than 15 days prior to its adoption. Submission to HUD is optional. Please refer to sub-section 1.2.2 and table 1.2.2.A.

Substantial amendments to the Citizen Participation Plan are defined as:

- a) any reduction in citizen comment period for the Consolidated Plan/Annual Plan;
- b) any change that would restrict or lessen the possibilities of citizen participation as provided in the Plan.

### **1.5.2 Non-Substantial Amendments to the Citizen Participation Plan**

Changes required to comply with minimum HUD requirements shall not be considered substantial amendments, and therefore, will be incorporated administratively.

## **1.6 CONSOLIDATED PLANNING PROCESS**

### **1.6.1 Consultation towards the Development of a Five-Year Needs Assessment and Strategy**

Once every 5 years, the City works to develop a comprehensive Consolidated Plan which creates a cohesive strategy for the revitalization of City communities. As required by 24CFR91.100, the city consults with the following:

- public and private agencies that address housing, health, social service, victims services, employment, or education needs of the low-income individuals and families (including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families); homeless individuals and families, including homeless veterans; youth and/or other persons with special needs;
- community-based and regionally-based organizations that represent protected class members and organizations that enforce fair housing laws;
- the area's Continuum of Care (Miami-Dade Homeless Trust), in order to prepare the Consolidated Plan's homeless strategy and to elaborate on its ESG grant activities;
- business and civic leaders, developers, philanthropic organizations, community-based and faith-based organizations, and publicly funded institutions and systems of care that may discharge persons into homelessness;
- adjacent units of general local government, to the extent practicable;

- with state or local health and child welfare agencies to gather data on the addresses of the housing units in which children have suffered from lead poisoning (in preparation of the portion on lead-based paint hazards of the Consolidated Plan);
- the local Public Housing Authority (PHA) operating in the jurisdiction to gather information on public housing needs, planned programs activities, the AFH and proposed strategies/actions to affirmatively further fair housing; and
- the local government agency with metropolitan-wide planning and transportation responsibilities for problems that go beyond a single jurisdiction (Miami-Dade County).

### **1.6.2 Development of the Five-Year Consolidated Plan and/or Annual Action Plan**

Public hearings shall be held to encourage citizen participation in identifying community needs<sup>2</sup>. Once every five years, following public hearing(s), a draft of the five-year Consolidated Plan as well as a draft of the annual Action Plan shall be developed incorporating citizen comments and recommendations. City residents are encouraged to review these drafts and offer additional comments, views, and/or suggestions either verbally or in writing. Please refer to section 1.2.

#### 1.6.2.A - Consolidated Plan/Annual Action Plan Public Notice - Comment Period

The comment period for the Consolidated Plan/ annual Action Plan shall be in accordance to section 1.2. Following the ending of the public review and comment period, a final version of the Consolidated Plan/annual Action Plan shall be presented to City Commission for adoption. The final version of either plan shall be available for public review in accordance to section 1.2.

### **1.6.3 Substantial Amendments to the Consolidated Plan and/or Annual Action Plan**

Following the submission of the five-year Consolidated Plan, the City shall monitor the progress of each strategic objective in order to optimize the investment of resources in the community. Substantial amendments are subject to the citizen participation process. For a proposed change to be a substantial amendment, at least one of the following circumstances must be present:

- A change in the use of funds from one eligible project to another (i.e., from an economic development project to a housing development project);
- Addition of a project or strategy not previously described in the Consolidated Plan (or in the annual Action Plan);
- Elimination of a project or strategy previously described in the Consolidated Plan (or in the annual Action Plan);
- A change in the allocation of CDBG program funds that exceeds the greater of, 2.5% of the annual CDBG entitlement for the current program year; OR exceeds \$200,000;
- A change in the allocation of HOME program funds that exceeds the greater of; 5% of the annual HOME entitlement for the current program year; OR exceeds \$200,000;
- A change in the allocation of HOPWA program funds that exceeds the greater of; 2.5% of the annual HOPWA entitlement for the current program year; OR exceeds \$250,000;
- A change in the allocation of ESG entitlement funds that exceeds the greater of 10% of the annual ESG entitlement for the current program year; OR exceeds \$45,000;

---

<sup>2</sup> Neighborhood level public hearings shall be held on a yearly basis to draft the Five-Year Consolidated/annual Action Plan.

- A change in a project's purpose (i.e. an affordable rental housing project is modified to be a homeownership project).

All of the above mentioned actions require a public hearing and a comment period. Please refer to sections 1.2.1 and 1.2.2 for further details.

#### 1.6.3.A - Submission of Substantial Amendments to HUD

On a quarterly basis or as deemed appropriate by the City, the City shall submit to HUD a comprehensive report outlining substantial amendments incorporated into the Consolidated Plan through, in many instances, direct amendments to the City's annual Action Plan. Such report shall summarize the changes previously approved by the City Commission or the Housing and Commercial Loan Committee.

#### **1.6.4 Non-Substantial Amendments to the Consolidated Plan and/or Annual Action Plan**

Non-substantial amendments are not subject to the citizen participation process. The following changes shall NOT be considered substantial amendments:

- A change in scope, location, and/or beneficiaries of a project, when such change continues to address the needs of low-to-moderate income city residents, without modifying the project's purpose;
- A change of matrix code without changing the use of funds from one eligible activity to another (i.e., change from a public service matrix code to serve the elderly to a public service matrix code to serve the youth);
- A change in the City's allocation priorities or a change in the method of distribution of funds;
- Changes arising from urgent needs due to emergency or disaster situations;
- Allocation of program funds earmarked for down payment assistance to beneficiaries purchasing affordable housing.
- Updates to Consolidated Plan/annual Action Plan data, including but not limited to updates in income limits, HOME high/low market rents, fair market rents, census or other demographic data.

#### **1.6.5 Consolidated Plan Schedule – At a Glance**

The following is the consolidated planning schedule:

1. Meet with other City Departments to address community needs;
2. Consult with all parties, as defined in 24 CFR 91.100;
3. Advertise neighborhood level public hearing(s);
4. Stage I, Neighborhood level public hearing(s) take place;
5. Review citizens' comments and suggestions;
6. Request for Proposals (RFPs) are issued, if applicable;
7. HCD provides funding recommendations to City Commission;
8. Draft proposed five-year Consolidated Plan and annual Action Plan;

9. Advertise the comment period and public hearing for the proposed Consolidated Plan and annual Action Plan;
10. A summary of all citizen comments received during the comment period shall be compiled and attached to the Consolidated Plan and/or annual Action Plan, whenever appropriate;
11. Proposed Consolidated Plan and annual Action Plan drafts are presented to the City Commission (public hearing) for plan approval and approval of its submission to HUD;
12. Review additional citizens' comments and suggestions;
13. Final Consolidated Plan and annual Action Plan drafts are submitted to HUD;
14. Stage II, public hearing will be held at a separate time during the fiscal year, preferably prior to the submission of the CAPER to HUD. This hearing will address the status of current programs and previous year's program performance.

### **1.6.6 Consolidated Plan/Action Plan – Disaster Response and Recovery**

In case of a disaster, the Consolidated Plan/Action Plan contains a Disaster Response and Recovery narrative that details the uses and methods in which funds will be reallocated following the procedures prescribed in this Citizen Participation Plan. Approval by City Commission of the Consolidated Plan/Action Plan automatically approves the use of CPD funding whenever a disaster occurs. There will be no need for additional public advertisements nor comment periods.

## **1.7 ANNUAL ACTION PLAN PROCESS**

The annual Action Plan is developed in accordance with sub-sections 1.6.1 through 1.6.4. Note that sub-section 1.6.1 directly relates to the development of the Consolidated Plan; however, the neighborhood public hearings also apply to the development of the annual Action Plan.

### **1.7.1 Annual Action Plan Schedule – At a Glance**

The following is the annual Action Plan schedule:

1. Advertise neighborhood level public hearings;
2. Stage I public hearings take place;
3. Review citizens' comments and suggestions;
4. Request for Proposals (RFPs) are issued, if applicable;
5. HCD provides funding recommendations to City Commission;
6. Draft a proposed annual Action Plan;
7. Advertise the comment period and public hearing for the proposed annual Action Plan;
8. A summary of all citizen comments received during the comment period shall be compiled and attached to the Consolidated Plan and/or annual Action Plan, whenever appropriate;
9. Proposed annual Action Plan draft is presented to City Commission (public hearing) for plan approval and approval for its submission to HUD;
10. Review additional citizens' comments and suggestions;

11. Final Action Plan draft is submitted to HUD;
12. Stage II, public hearing will be held at a separate time during the fiscal year, preferably prior to the submission of the CAPER to HUD. This hearing will address the status of current programs and previous year's program performance.

### **1.7.2 Consolidated Annual Performance and Evaluation Report (CAPER) - At a Glance**

The Consolidated Annual Performance and Evaluation Report (CAPER) provides residents with information on the progress achieved by the city in meeting its Consolidated Plan/annual Action Plan objectives. The CAPER is submitted to HUD annually and it is due 90 days after the end of the program year.

1. Advertise the issuance of the CAPER draft, where this will be available, and the 15-day comment period in a newspaper of general circulation;
2. Public hearing takes place;
3. Review citizens' comments, and views;
4. Final CAPER is submitted to U.S. HUD.

## **1.8 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM**

The City receives and administers the Housing Opportunities for Persons with AIDS funds for all of Miami-Dade County. The City shall schedule at least one (1) neighborhood-level public hearing to solicit input and comments from residents of Miami-Dade County. These hearings shall be conducted according to section 1.2 and proper notice shall be provided in accordance to sub-section 1.2.4. Public comment shall be solicited and considered during the thirty day comment period as well as during the public hearing.

The City will provide at least one training for interested individuals, not-for-profit organizations and groups in Miami-Dade County relative to the planned use and utilization of HOPWA program funds in conjunction with the release of RFPs, if applicable. In addition, the HCD will provide technical assistance to interested parties throughout the year on an as-needed basis.

## **1.9 AFFIRMATIVELY FURTHERING FAIR HOUSING AND THE ASSESSMENT OF FAIR HOUSING (AFH)**

The City is tasked with affirmatively furthering fair housing. After the start of the public participation process in preparation for the filing of the AFH (every five years) and commencing in October 2020, the City will make HUD-provided data and any other supplemental information the City plans on incorporating into its AFH available to all interested parties by posting said data on its web site at [www.miamigov.com/communitydevelopment/pages/fair housing](http://www.miamigov.com/communitydevelopment/pages/fair%20housing). In addition, a public notice will be published in one or more newspapers of general circulation indicating the date and time the AFH-specific public hearing(s) will take place in an effort to gather comments prior to drafting the AFH.

Once an AFH is drafted, the City will publish another advertisement in one or more newspapers of general circulation advising the availability of a draft copy for review by the public, both on the HCD website and at public locations (physical copy) including: 1.) the Department's front desk at 14 NE 1<sup>st</sup> Avenue, Second Floor; 2.) City Hall at 3500 Pan American Drive, Miami, FL; and, 3.) the Main County library at 101 West



Flagler Street in downtown Miami as well as details on the 30-day comment period and how/where to submit comments in writing. In the same advertisement, the City will also indicate the date/time/location for a minimum of one public hearing to be held during the 30 (calendar) day comment period to receive (verbal) comments on the drafted AFH. A summary of these comments/views – including those not accepted and the reasons why – shall be attached to the final AFH as per 24 CFR 91.105.

### **1.9.1 AFH Schedule – At a Glance**

1. Consult with, and seek the input of, other public and private agencies that provide services and community-based and regionally-based organizations that represent protected class members and organizations that enforce fair housing laws including:
  - Local FHIPs/FHAPs;
  - any organizations that have relevant knowledge/data to provide meaningful feedback to the HCD on the AFH as specified in 24 CFR 91.100;
  - the local public housing agency, encouraging its participation in its AFH process by advising them of the AFH data and development, providing them with details on the public process, so that they can advise the residents of public housing and in order to obtain PHA input on addressing fair housing issues in the Public Housing and Housing Choice Voucher (HCV) programs;
  - All management companies the HCD deals with directly who oversee assisted housing developments within City limits.
2. The HCD will make HUD-provided data and any other supplemental information to be considered/ incorporated into the AFH available to the general public upon request;
3. Advertise the Stage I, AFH-specific public hearing;
4. Stage I, AFH-specific public hearing takes place. This occurs prior to drafting AFH;
5. Review citizen's comments and suggestions;
6. Draft the proposed AFH document;
7. Advertise the Stage II public hearings and the proposed AFH's comment period;
8. A summary of all citizen comments received (in writing or orally at/or prior to the public hearing) shall be compiled and attached to the AFH, whenever appropriate.
9. Proposed AFH draft is presented to City Commission (public hearing) for approval and approval of its submission to HUD;
10. Final AFH draft is submitted to HUD;

### **1.9.2 Revisions to the AFH**

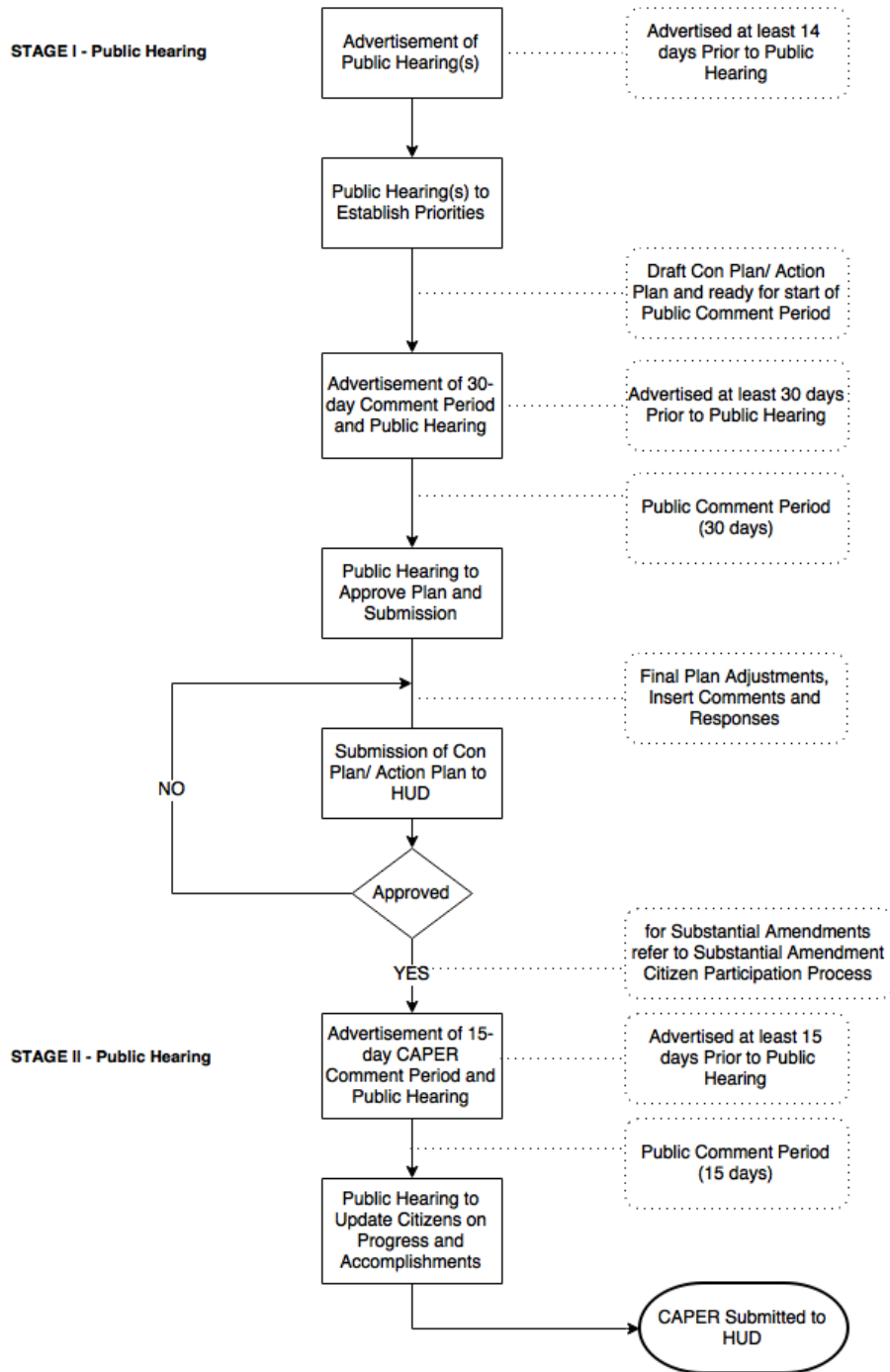
In accordance to 24 CFR 5.164, revisions to the AFH must follow the notice and comment process applicable to Consolidated Plan Substantial Amendments as noted in the CPP, meaning a 30-day comment period must be upheld prior to the submission of a revised AFH.

The minimum criteria for revising an AFH requires one of the following circumstances to be present:

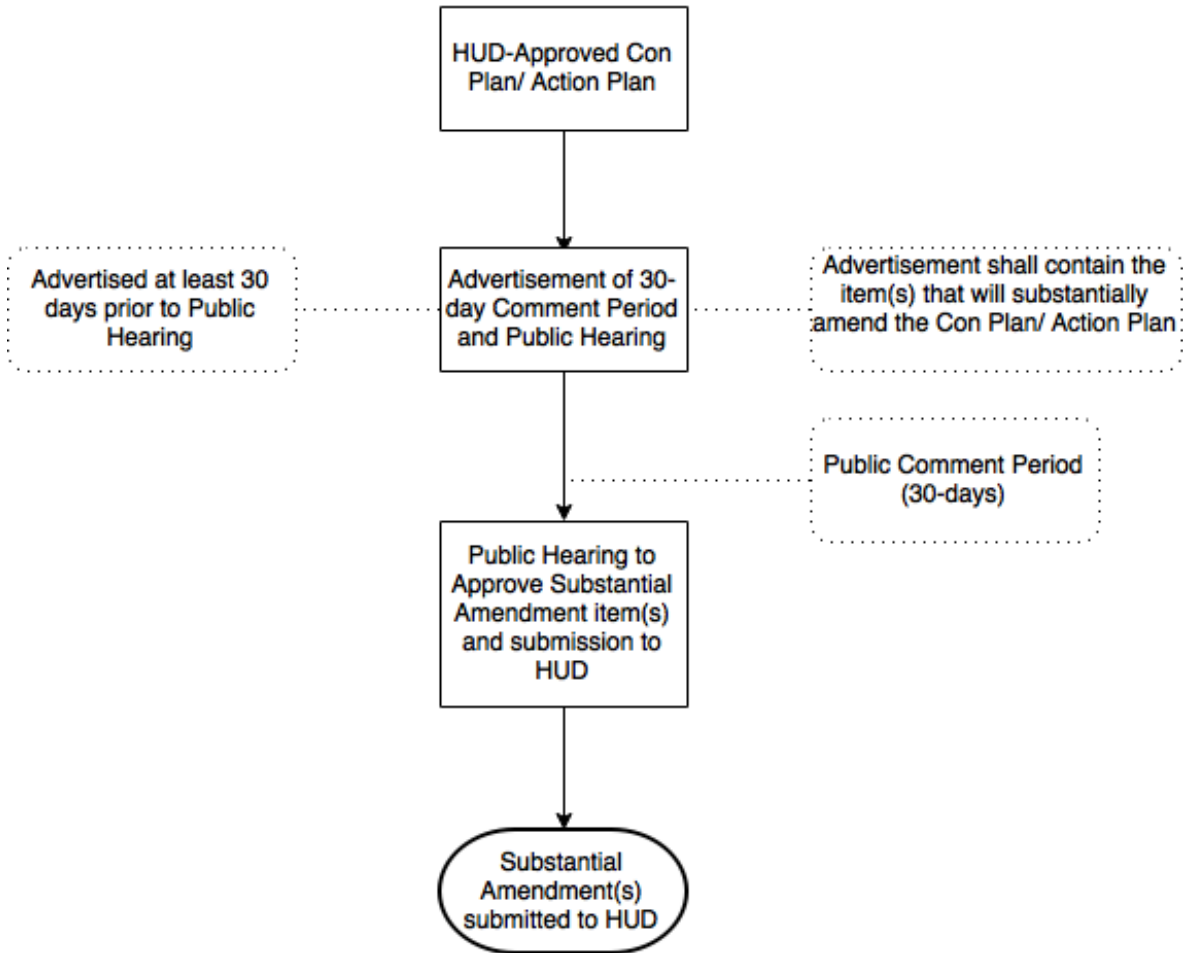
1. a material change occurs, meaning a change in circumstances in the jurisdiction which affects the information/data on which the original AFH was based to the extent that the analysis, contributing factors, priorities or goals no longer reflect actual circumstances (ex: presidentially declared disaster, civil rights findings/determinations/settlements, significant demographic changes). Unless the material change is due to a Presidential disaster which extends the response time to two years after the disaster is declared, all other material change revisions will be submitted within 12 months of their onset unless HUD provides a later date.
2. HUD issues a written notification specifying a material change that requires revision. In the event of a material change as noted above, the revision does not require the submission of an entirely new AFH but can focus on the material change and needed adjustments/updates to the standing analyses, assessment, priorities or goals. In the written notification, HUD will specify a date (deadline) by which the HCD must submit the revision of the AFH to HUD after considering the variables of the material change. If the HCD feels that the requested revision is not required, the HCD must provide those reasons in writing on or before 30 calendar days following the date of HUD's original notification. In this case, HUD will respond on or before 30 calendar days following that correspondence as to whether it agrees or disagrees with the HCD.

Upon completion, any revision to the AFH MUST be made public at HCD's main office location and submitted to HUD.

**Consolidated Plan / Action Plan and CAPER  
Citizen Participation Process**



**Consolidated Plan / Action Plan  
Substantial Amendment(s)  
Citizen Participation Process**



**Assessment of Fair Housing (AFH)  
and Revisions to AFH  
Citizen Participation Process**

**STAGE I: Public Hearing**

Advertisement of  
Public Hearing

Advertised at least 14  
days prior to Public  
Hearing

Public Hearing to  
gather citizen's  
opinions prior to  
drafting AFH

Draft AFH and ready for  
start of Public Comment  
Period

**STAGE II: Public Hearing**

Advertisement of 30-  
day Comment Period  
and Public Hearing

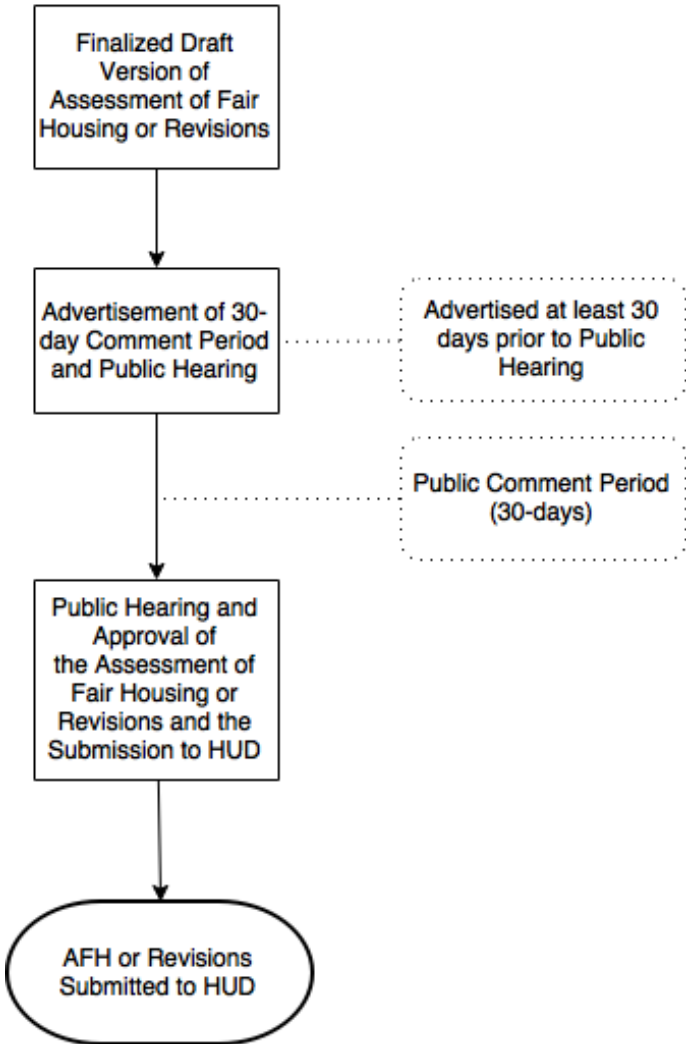
Advertised at least 30  
days prior to Public  
Hearing

Public Comment Period  
(30-days)

Public Hearing and  
Approval of  
the Assessment of  
Fair Housing or  
Revisions and the  
Submission to HUD

AFH or Revisions  
Submitted to HUD

**Assessment of Fair Housing (AFH)  
and Revisions to AFH  
Citizen Participation Process**



The City of Miami and its Department of Housing and Community Development affirmatively furthers fair housing and in accordance to federal, state and local (Miami-Dade County) laws, does not discriminate against any person due to: Marital Status, Religion, Sexual Orientation, Race, Pregnancy, Source of income, Victim(s) of domestic violence, HIV status, National Origin, Familial Status, Ancestry, Color, Sex, Age, Disability and/or Gender Identity or Expression.

To request a copy of this document in a format other than presented please contact:

City of Miami  
Department of Housing and Community Development  
14 NE 1<sup>st</sup> Avenue, 2 Floor,  
Miami, FL 33132  
Phone: 305.416.2080  
Fax: 305.416.2090  
TDD: 711  
[rtazoe@miamigov.com](mailto:rtazoe@miamigov.com)

