

CITY OF MIRAMAR
2015 Citizen Participation Plan



CARES ACT AMENDMENT

**AMENDED PURSUANT TO THE FLEXIBILITIES PROVIDED BY
THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT (CARES ACT)**

Amended June 3, 2020

Submitted To:

U.S. Department of Housing and Urban Development, Miami Field Office

Prepared By:

The City of Miramar Community Development Department
Community Redevelopment Associates of Florida, Inc.

Section I – Introduction:

The City of Miramar is an Entitlement Recipient of Federal funds from the United States Department of Housing and Urban Development (HUD). The goal of HUD community planning and development programs is to develop viable urban communities by providing decent housing and a suitable living environment, and to expand economic opportunities principally for low and moderate income individuals and families. To meet this goal, HUD requires Entitlement Recipients to prepare a Consolidated Plan, which is a five (5) year strategy with incremental one-year action plans, whereby a community establishes a unified vision for community development actions. The Consolidated Plan provides the City of Miramar an opportunity to strengthen partnerships among various levels of government and private for-profit and not-for-profit organizations to shape an effective, coordinated, neighborhood and community development strategy.

The Consolidated Plan serves several functions including:

- A long and short-term planning document for the City of Miramar, which builds on a participatory process at the grassroots level;
- An application for Federal funds;
- A strategy to be followed in carrying out HUD programs; and
- An annual action plan that provides a basis for assessing and monitoring program performance.

The following Programs are governed by, and administered under the Consolidated Plan: The Community Development Block Grant (CDBG) Program, the Home Investments Partnership (HOME) Program, the Emergency Shelter Grant (ESG) Program, the Housing Opportunities for Persons with AIDS (HOPWA) Program, and the Community Development Block Grant -Coronavirus Program (CDBG-CV.) CDBG Entitlement Recipients may also apply for and receive Section 108 Guaranteed Loan Funds.

Although the City of Miramar currently qualifies for funding only under the CDBG Program, the City's Consolidated Plan and Citizen Participation Plan are intended to cover all eligible programs listed above, should the City qualify for those programs in the future.

The staff of the Community Development Department of the City of Miramar is responsible for the planning, preparation and submission of the Consolidated Plan for Federal funds, as well as the incremental action plans, and necessary amendments thereto. The Citizen Participation Plan has been developed in compliance with Federal regulations 24 CFR Part 91 Subpart B, Citizen Participation and Consultation.

Section II – Purpose of the Citizen Participation Plan:

As a recipient of Federal funds, the City of Miramar is required to adopt and implement a Citizen Participation Plan that sets forth the City's policies and procedures for citizen participation in developing the Consolidated Plan and incremental action plans, any substantial amendments to such plans, and for developing the Consolidated Annual Performance Report.

It is the City's goal to ensure effective citizen involvement in an advisory role in the planning, implementation, and assessment of the programs covered by the Consolidated Plan. The City of Miramar encourages citizen involvement with particular emphasis on participation by low and moderate income persons, particularly those residents living in blighted areas and/or areas targeted for CDBG assistance. In addition, the City of Miramar hopes to increase governmental responsiveness through the provision of information and technical assistance to all citizens interested in community development and related programs.

All aspects of the citizen participation process shall be conducted in an open manner, with freedom of access for all interested persons. Citizens will be provided with timely access to community meetings, public hearings, grant documents, copies of the Consolidated Plan and all One-Year Action Plans, and the Consolidated Annual Performance Report, in accordance with the Federal regulations at 24 CFR Part 91.

Prior to adoption of a Consolidated Plan and/or One-Year Action Plan, the City of Miramar will make information available to residents, public agencies, and other interested parties, in a manner that describes the amount of Federal assistance that the City is expected to receive (including entitlement grants and program income), and the range of activities that may be undertaken, including the estimated amount that will benefit low and moderate income persons.

The City of Miramar encourages the participation of all of its citizens, including minorities and non-English speaking persons, as well as persons with disabilities. The City will take appropriate actions to encourage such participation at all stages of the Consolidated Planning process. This may include, but is not limited to, publication of materials, notices, or other records in an additional language (if determined necessary by the City of Miramar). Further, the City will ensure that hearing, sight, and mobility impaired persons have full and timely access.

Section III – The Consolidated Plan Consultation Process:

The consultation process will include, but is not limited to the following:

1) Public Hearings:

Every year, the City of Miramar shall hold at least two (2) public hearings on the Consolidated Plan and/or One-Year Action Plan, and any amendments thereto. The purpose of these hearings is to ascertain community needs, obtain citizen input, and to respond to proposals and questions. One of the two public hearings will be held prior to developing the draft of the Consolidated Plan (Pre-Development Public Hearing), and shall include a discussion of past program performance. A subsequent public hearing will be held after a draft of the Consolidated Plan has been developed and made available for public comment (Pre-Adoption Public Hearing). Additionally, the Plan will be published for citizen comment, prior to adoption by the City of Miramar, in the manner prescribed in this plan.

a) Location:

These public hearings will be held at times and places which are convenient to potential and actual beneficiaries, and which can accommodate persons with disabilities. It is contemplated that meetings and/or hearings will be held in the City Commission Chambers, City Hall, 2300 Civic Center Way or the Civic Center, 6920 SW 35 Street, whichever location is most appropriate. Non-English speaking residents will be accommodated with translation services if a significant number (greater than 50%) of the participants are expected to attend.

b) Hearing Notices:

Notice of all Public Hearings will be published at least seven (7) days prior to the hearing, in a non-legal section (i.e. display advertisement) of at least one newspaper(s) of general circulation. If deemed necessary by the City of Miramar, the hearing notice may also be published in a non-English newspaper. When appropriate, the City may send hearing notices to interested parties, including but not limited to residents of low and moderate income areas, and organizations representing neighborhoods, homeowners and local businesses.

2) Community Meetings:

In addition to the two (2) public hearings to be held on the Consolidated Plan and/or One-Year Action Plan (one at the pre-development state and one after the plan is drafted, but prior to adoption), the City of Miramar may desire to hold additional public meetings or town forums to discuss the Consolidated Plan contents, goals and objectives, and program performance. Such meetings are at the discretion of the City of Miramar. Notices of community meetings will be provided through host organizations representing neighborhoods, homeowners or local businesses or through publication of notices in general circulation newspapers, whichever is most appropriate.

3) Inter-Jurisdictional and Inter-Agency Consultation:

a) Housing and Social Service Agencies

When preparing the Consolidated Plan, the City of Miramar shall consult with other public and private agencies that provide health services, assisted housing, and social services including those focusing on services to children, elderly persons, persons with disabilities, and other special needs populations.

b) Local Governments:

When preparing the description of the non-housing community development needs, the City of Miramar will notify adjacent local governments, to the extent practical, and will submit a copy of the draft of the Consolidated Plan to Broward County Community Development Division and the neighboring cities of Hollywood and Pembroke Pines, for review and comment.

The City of Miramar will also consult with local government agencies with metropolitan-wide planning responsibilities, particularly for problems and solutions that go beyond a single jurisdiction.

c) Housing Authorities and Public/Assisted Housing Residents:

Currently, there is no public housing and public assisted housing units located within the City of Miramar. However, the City of Miramar will consult with the Broward County and City of Hollywood public housing agencies, which participate in the Comprehensive Grant Program, concerning consideration of public housing needs and planned activities while developing the Consolidated Plan.

The Broward County and City of Hollywood housing authorities will be provided with information about the City's proposed use of CDBG funds that may affect the residents of any public or assisted housing development, so that the information can be shared with interested residents at the annual public hearing held on the Comprehensive Grant Program.

If and when any public and assisted housing development locates within the City of Miramar the City will encourage the participation of residents of public and assisted housing developments, along with other low and moderate income residents of targeted revitalization areas in which the housing developments are located.

d) Housing Opportunities for Persons With AIDS (HOPWA):

Broward County, as the largest local government entity, is required to prepare the Housing Opportunities for Persons With AIDS (HOPWA) Grant application, and must develop a metropolitan-wide strategy for addressing the needs of affected and infected persons and their families living throughout the entire County. To the extent practical, the City of Miramar will collaborate with the County in this process.

e) Lead-Based Paint:

When preparing the portion of the Plan concerning lead-based paint hazards, the City of Miramar will consult with applicable State or local health and child welfare agencies and examine existing data related to lead-based paint hazards and poisonings, including health department data on the number and location of housing units in which children have been identified as lead poisoned.

4) Oral Interviews and Written Comments:

Input will also be gathered by interviews with the Mayor and City Commission, the City Manager, Department Directors and applicable City Staff, service providers, community leaders, persons attending the various public meetings and hearings, and written comments from citizens and interested groups received throughout the planning process.

Section IV – Citizen Review and Comment on the Plan:

In order to encourage citizen participation in all phases of the development of the Plan, the following actions will be taken:

1) Publication of the Plan:

Prior to adoption of the Consolidated Plan and/or the One-Year Action Plan, the City of Miramar will make available a draft copy of the plan to the public, which will include the amount of Federal assistance (including grant funds and projected program income) that the City expects to receive, and the range of activities to be undertaken, including the amount that will benefit low and moderate income persons.

A copy of the draft plan will be made available for review at the Office of the City Clerk, located at the Miramar City Hall, 2300 Civic Center Way, for a 30-day period, prior to adoption by the City Commission. A reasonable number of copies will be made available, at no charge, at the Community & Economic Development Department located at 2300 Civic Center Way, 2nd Floor. The draft plan will also be posted on the City of Miramar's website (www.ci.miramar.fl.us) for review and comment through the use of the Internet.

Additionally, a summary of the Plan will be published as a display ad in a newspaper of general circulation in a manner that will afford citizens the opportunity to provide written comments for the 30-day period prior to adoption. This summary will describe the contents and purpose of the Plan. Persons needing special assistance in examining these documents should notify the Community & Economic Development Department at (954) 602-3265.

2) **Citizen Comments on the Plan:**

The City of Miramar encourages citizens to be involved at all stages of the Consolidated Plan, particularly at the pre-development hearing, and the final public hearing held by the City Commission prior to adoption of the Plan.

The City of Miramar will consider any citizen comments received in writing or orally at public meetings or public hearings, when preparing the Consolidated Plan. A summary of these views, and a summary of any views or comments not accepted and the reasons therefore, shall be attached to the Consolidated Plan.

Section V – Adoption of the Consolidated Plan:

Following the citizen participation and consultation process outlined in this Citizen Participation Plan, the Consolidated Plan will be adopted by a formal resolution of the Miramar City Commission. Copies of the adopted plan and authorizing resolution will be made available to interested residents and citizens at the Office of the City Clerk, located in City Hall and the Community & Economic Development Department.

Section VI – Submission of Plans/Program Start Date:

The City of Miramar has selected October 1st as the start date for the Federal programs covered under the Consolidated Plan. Thus, October 1st through September 30th will be the designated Program Year for all Federal grants received from HUD. Based on this start date, the Consolidated Plan and/or One-Year Action Plan, will be submitted to the U.S. Department HUD on or before August 16th of each year, consistent with the HUD regulations at 24 CFR 91.15, which requires that the City's Plan be submitted 45 days in advance of the start of the Program Year.

Section VII – Amendments to the Consolidated Plan:

The City of Miramar will provide citizens with a reasonable opportunity to comment on substantial amendments to the Consolidated Plan, as follows:

1) Publication:

A summary of any proposed substantial amendment to the Consolidated Plan will be published in a newspaper of general circulation in a manner that will afford citizens the opportunity to provide written comments for a 30-day period prior to adoption. Copies of the proposed amendment will be made available for review at the Office of the City Clerk, located in City Hall and in the Community & Economic Development Department at the City Hall Annex, and posted on the City of Miramar's website.

2) COVID-19 RESPONSE/PUBLIC HEALTH EMERGENCIES

A. Citizen Participation Public Comment Period for Consolidated Plan Amendment

The Coronavirus Aid, Relief and Economic Security Act (CARES Act) provides CDBG grantees with flexibilities that make it easier for grantees to utilize CDBG-CV grants. The CARES Act permits HUD to waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary of HUD administers in connection with the CDBG-CV funds, FY 2019 and FY 2020 CDBG funds, upon a finding by the Secretary that any such waivers or alternative requirements are necessary to expedite or facilitate use of such amounts to prevent, prepare for, and respond to coronavirus.

1. Given the need to expedite actions to respond to COVID-19, HUD waives 24 CFR 91.105 (c)(2) and (k), 91.115(c) (2) and (i) as specified below in order to balance the need to respond quickly to the growing spread and effects of COVID-19 with the statutory requirement to provide reasonable notice and opportunity for citizens to comment on substantial amendments concerning the proposed uses of CDBG, HOME, HTF, HOPWA, or ESG funds.
2. As a result, HUD has waived the 30-day minimum for the required public comment period for substantial amendments.
3. ***The City of Miramar therefore amends its Citizen Participation Plan providing no less than a 5-day public comment period for substantial amendments related to its COVID-19 response.***

B. Citizen Participation Reasonable Notice and Opportunity to Comment

1. The regulations at 24 CFR 91.105 set forth the citizen participation plan requirements for recipients. For substantial amendments to the consolidated plan, the regulations require the recipient to follow its citizens participation plan to provide reasonable notice and opportunity to comment. The citizen participation plan must state reasonable notice and opportunity will be given.
2. Therefore, HUD waives 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i), and 24 CFR 91.401 to allow grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances.

B. Citizen Participation Reasonable Notice and Opportunity to Comment Cont.

3. *The City of Miramar, following the guidance and flexibilities provided by the CARES Act amends its Citizens Participation Plans as follows:*

- a. In-person public hearings are not required. Virtual public hearings will be held if national/local health authorities recommend social distancing and limiting public gatherings for public health reasons.
- b. The City of Miramar has determined that virtual hearings provide reasonable notification and access for citizens in accordance with its plan certifications, provide for timely responses from local officials to all citizen questions and issues and public access to all questions and responses. All virtual public hearings will be noticed in the same manner as in-person hearings.
- c. A Public Notice will be published in a newspaper of general circulation in accordance with the notification procedures previously outlined in this plan.
- d. All documents related to any substantial amendment proposed in relation to its COVID-19 response will be available for download and review via its website at www.miramarfl.gov as well at Community Redevelopment Associates (CRA) website at <https://www.crafla.com>.
- e. Documents are also available by email request at NCasado@crafla.org.
- f. Comments may be provided by calling CRA at (954) 431-7866 ext 111, 954-431-7866 ext 122 or the City of Miramar at (954) - 602-3265.

3) Criteria for Substantial Amendments to the Plan:

The City of Miramar shall amend its Consolidated Plan whenever it makes one of the following determinations:

- a) To make a change in its priorities;
- b) To change the method of distributing funds;
- c) To carry out an activity not previously described in the One-Year Action Plan (i.e. add a new activity);
- d) To delete an activity that was previously described in the One-Year Action Plan;
- e) To change the purpose, scope, location or number and types of persons benefiting from an activity; and
- f) To increase or decrease the budget of any individual project or activity by 25%.

1. Citizen Comments to be Considered:

The City of Miramar will consider any comments received in writing or orally at public hearings (if applicable), in preparing the Substantial Amendment to the Consolidated Plan. A summary of these views, and a summary of any views or comments not accepted and the reasons therefore, shall be attached to the substantial amendment.

2. Adoption and Submission to HUD:

All substantial amendments to the Consolidated Plan will be adopted by formal resolution by the Miramar City Commission. Any person requiring auxiliary aids and services at this City Commission meeting may contact the City Clerk's Office (954) 602-3011 at least 48 hours prior to the meeting.

Upon adoption, the City of Miramar will make the amendment public and must notify HUD that an amendment has been made. Copies of such amendment(s) will be retained on file in the Community & Economic Development Department located in the City Hall Annex.

Section VIII – Availability and Dissemination of Program Records/Documents:

The City of Miramar will provide for full public access to program information and will take affirmative efforts to make information available to citizens, especially to low and moderate income persons, or residents of targeted revitalization areas.

The City of Miramar will provide for full and timely disclosure of all program records and information consistent with applicable Federal, State, and local laws regarding personal privacy and obligations of confidentiality.

Documents relevant to the program will be made available for review upon request during normal business hours, at the Community & Economic Development Department located in the City Hall Annex. In accordance with the State Statutes governing public records, a reasonable notice period must be provided to the City. A reasonable and customary fee may be charged, in order to fulfill copying requests of an extensive nature.

A reasonable number of copies of the Consolidated Plan, One-Year Action Plan, and the Consolidated Annual Grant Report will be made available at no charge to those interested citizens and/or organizations. Additionally, a summary of the Consolidated Plan and/or One-Year Action Plan will also be advertised prior to its adoption by the City Commission, thus allowing for citizen comments directly to the elected officials.

Persons needing special assistance in examining program documents should notify the Community Development Department at (954) 602-3265 or the Office of the City Clerk at (954) 602-3011

Section IX – Technical Assistance:

The City of Miramar will assist citizens, as necessary, so that they may adequately participate in the planning, implementation and assessment of the Programs covered by the Plan and any Amendments thereto, as well as preparation of the Consolidated Annual Performance Report.

The City of Miramar will also provide reasonable technical assistance to groups, representative of low and moderate income persons that request assistance in developing proposals for funding assistance under any of the programs covered by the Plan, in a manner determined by the Community Development Department to be reasonable and appropriate.

Citizens desiring technical assistance should contact the Community Development Department at (954) 602-3265, sufficiently in advance of the date that the service is needed, e.g. one week in advance of a meeting or public hearing, if audio visual or slide presentation equipment is needed. Persons requiring assistance in developing written proposals or responses to Request for Proposals (RFP) are encouraged to contact the Community & Economic Development Department well in advance, e.g. 30 days prior to the applicable deadline.

Section X – Administration of Grant Program(s):

The staff of the Community Development Department of the City of Miramar is responsible for the planning, preparation and submission of a Consolidated Plan for Federal funds and all necessary amendments to the Consolidated Plan, the One-Year Action Plan, and the Consolidated Annual Performance Report.

The City administration shall determine the annual costs necessary to apply for, administer, and monitor the Community Development Block Grant (CDBG) Program, not to exceed 20% of the annual entitlement allocation including projected program income, if applicable, for the CDBG program. The City will comply with other such applicable administrative caps as may be imposed by the Federal government, on other related HUD program grants.

Section XI – Assessing Annual Performance:

Evaluating program performance against previously established milestones is an important part of administering Federal grant programs. In order to ensure programmatic compliance and fiscal integrity, the City of Miramar will take the following actions:

1) Monitor Program Progress:

The City's Consolidated Plan will describe the standards and procedures that the City of Miramar will utilize to monitor activities carried out in furtherance of the Consolidated Plan, and will use such standards to ensure long-term compliance with the requirements of the program(s) involved. It is anticipated that the Community Development Department will oversee such monitoring and evaluation.

2) Consolidated Annual Performance Report:

HUD requires that each jurisdiction that has an approved Consolidated Plan, annually review and report to the U.S. Department of HUD on the progress it has made in carrying out its Five-Year Strategic Plan and One-Year Action Plan, in a form prescribed by HUD. This report will be submitted to HUD within 90 days after the close of the program year.

The Consolidated Annual Performance Report must include a description of the resources made available, the investment of available resources, the geographic distribution and location of investments, the families and persons assisted, including racial and ethnic status of persons assisted, actions taken to affirmatively further fair housing, and other actions indicated in the Five-Year Strategic Plan and the One-Year Action Plan.

The report shall also include an evaluation of the City's progress in meeting its specific objective of providing affordable housing, including the number and type of families served. Once the Consolidated Annual Performance Report has been drafted, the City of Miramar will advertise its availability in a newspaper of general circulation, and will afford citizens a 15-day review/comment period. Copies of the Consolidated Annual Performance Report will be available to the public at the Office of the City Clerk, located in City Hall and in the Community Development Department at the City Hall Annex, and posted on the City of Miramar's website.

Citizens are encouraged to participate in the development of the Consolidated Annual Performance Report. A summary of the written comments received will be appended to the Consolidated Annual Performance Report when submitted to HUD.

Section XII – Anti-Displacement and Relocation Plan:

The City of Miramar, as a part of its Consolidated Plan, will prepare and publish an Anti-Displacement and Relocation Plan (ADRP) which describes those actions that the City will take to minimize displacement of its residents and businesses in carrying out the Plan. The ADRP will also prescribe the type and amount of benefits that will be made available if such displacement and relocation occurs.

It is the City's goal to minimize all such displacement when developing its long-term and short-term goals and objectives and annual priorities for the use of the Federal funds.

Section XIII – Response to Citizen Complaints:

Any citizen may file a complaint with the Community Development Department at (954) 602-3265, concerning the Consolidated Plan, the One-Year Action Plan, Consolidated Annual Performance Report, and/or general performance of the programs covered under such plan or report.

When written complaints are received, the Community Development Department will provide a substantive written response within 15 working days, when possible.

Citizen comments and proposals submitted in response to the 30-day public comment period for the Consolidated Plan and/or One-Year will be given consideration, and the plan may be modified, if deemed necessary by the City Commission. A summary of all comments received will be appended to the plan.

Section XIV – Compliance with Sunshine Law Requirements:

All meetings of any board or commission of a municipal corporation at which official acts are to be taken are declared public meetings and open to the public at all times, and no rule or resolution or formal action shall be considered binding except as may be taken at such meeting.

The "Open Meeting Law" applies to all boards and committees, whether advisory or not. Any meeting at which two appointed or elected public officials from any board or committee discuss items, on which they may foresee having to vote, must be public.

A public body must avoid secret meetings, or gatherings from which the public and the press are excluded, such as a meeting preceding an official meeting, even though ostensibly for social purposes. No votes may be taken by secret ballot, and minutes must be taken of every meeting.

Sanctions or penalties for non-compliance are:

- a) Members of the public body may be guilty of a second-degree misdemeanor, which carries penalties of imprisonment not to exceed 60 days and a fine not to exceed \$500 or both.
- b) Actions of the body taken outside of a public meeting may be declared null and void.

Section XV – Conflicts of Interest:

The City of Miramar will comply with all Federal regulations governing conflicts of interest, as specifically outlined in 24 CFR 570.611, as may be amended from time to time.