

Citizen Participation Plan

Background

The City of New York (“the City”) receives several grants from the U.S. Department of Housing and Urban Development (HUD) that flow through the Community Development Block Grant (CDBG) program or the federal Community Development Fund, including:

1. **CDBG Entitlement** funding authorized under Title I of the Housing and Community Development Act of 1974, as amended, and as appropriated by the federal government on an annual basis;
2. **CDBG-Disaster Recovery (CDBG-DR)** funding appropriated following various Presidentially-declared disasters;
3. **CDBG-National Disaster Resilience (CDBG-NDR)** competition funding appropriated following Hurricane Sandy;
4. **Pathways to Removing Obstacles to Housing (PRO Housing)** funding authorized under the Consolidated Appropriations Act, 2023 (Public Law 117-328, approved December 29, 2022); and
5. **Community Project Funding (CPF)**, also known as Congressionally Directed Spending, which are federal awards selected through a Congressional application process. HUD administers these grants but is not involved in the award process.

The NYC Mayor’s Office of Management and Budget (OMB) administers the first four funding streams on behalf of the City and facilitates the environmental review process for CPF grants awarded to City agencies or affiliated cultural organizations. This Citizen Participation Plan (CPP) describes the citizen participation process that will be followed for the City’s **CDBG-DR Hurricane Ida** grant in accordance with the applicable regulations.

The City of New York maintains a comprehensive website regarding all disaster recovery activities assisted with these funds. The City posts all Action Plans, amendments, environmental review records, etc. on the City’s CDBG-DR website, www.nyc.gov/cdbgdrr, to provide citizens an opportunity to read and submit comments on relevant materials. This website is also featured prominently on, and is easily navigable from, the City’s Recovery homepage, www.nyc.gov/recovery.

Public Hearings

For the City’s initial Action Plan submission, the City held one public hearing to obtain the views of residents and other impacted parties. Public hearings will not be required for substantial amendments. However, the City will consider scheduling public hearings for amendments on an as-needed basis.

Citizens and stakeholders will have reasonable and timely access to the public hearing(s), which will be held in spaces accessible to those with disabilities. In public hearings, the City provides the opportunity for citizens to submit comments orally. The City treats written and

oral comments equally and incorporates both in the Responses to Public Comment document submitted to HUD with substantial amendments.

Action Plan Amendments

The City recognizes that recovery needs will change over time, particularly as the impacts of climate change continue to be revealed and understood. Thus, the City will amend the Action Plan as often as necessary to best address our long-term recovery needs and goals. However, an amendment may not be triggered if a proposed change is consistent with the descriptions provided in this plan.

Amendments may be classified as Substantial or Non-Substantial (aka a “Minor” or “Technical Amendment”). The criteria and process for each are described in the following section.

Regardless of the level of the amendment, the City will ensure the following are posted on the City’s CDBG-DR website:

- Each amendment to the Action Plan;
- A summary description of each Action Plan amendment including:
 - What content is being added, deleted, or changed;
 - A clear illustration of where funds are coming from and moving to; and
 - A revised budget table that reflects the entirety of the City’s CDBG-DR grant.
- The current version of the entire Action Plan as a single document, incorporating all previous amendments.

All amendments will be numbered sequentially and posted to the website in one final plan.

Substantial Amendment

The City has determined that a substantial amendment will be required when the following occurs:

- When a program newly identifies or changes the eligibility criteria or benefits offered;
- When the City identifies a new or eliminates an existing category of unmet need;
- The creation of a new program or the deletion of an existing program; and
- The allocation or reallocation of the greater of \$10 million or a reallocation that constitutes a change of 15% or greater of a program budget.

The City will continue to monitor the data related to PTC Ida’s impact and will update its Needs Assessment as necessary. At a minimum, the City will review this data and consider updates each time the City prepares a substantial amendment that entails reallocating funds from one program to another.

When proposing a substantial amendment, the City will follow this CPP. At a minimum, the City will publish a public notice announcing the plan’s release, the timeframe of the associated 30-day public comment period, and instructions for submitting comments on the Plan. The notice will be published in the media outlets identified in the CPP, translated into the languages described in the Individuals with Limited English Proficiency (LEP) section, emailed to the

Consolidated Plan mailing list, published in the *City Record*, and posted on the City's CDBG-DR website.

Proposed substantial amendments and translated Executive Summaries will be published on the CDBG-DR website for the duration of the amendment's 30-day public comment period. Additionally, the City will identify and consider barriers that may limit or prohibit equal participation by and engagement with underserved communities and individuals.

At the end of the comment period, all comments shall be reviewed and City responses will be incorporated into the Action Plan. The final Ida Action Plan, containing a summary of the comments and the City's responses, will be submitted to HUD and posted on the City's CDBG-DR website.

Non-Substantial Amendment

A non-substantial amendment, which may also be referred to as a Technical or Minor Amendment, will generally incorporate technical and budgetary corrections and clarifications that do not meet the substantial amendment criteria. Such amendments do not require a comment period. The City will notify HUD five (5) business days before the change is effective.

Public Comments

Comments on substantial amendments to the Action Plan, environmental reviews, the Citizen Participation Plan, as well as other comments or citizen complaints, may be submitted as follows:

- Electronically via email to CDBGcomments@omb.nyc.gov.
- Written comments may be mailed to: Community Development Unit, Office of Management and Budget, 255 Greenwich Street, 8th Floor, New York, NY 10007.
- By leaving a message at (212) 788-8283.

Public Notices and Provisions for Individuals with Limited English Proficiency (LEP)

The executive summary of the Plan and public notices will be translated into Arabic, Bengali, Chinese (simplified), French, Haitian Creole, Korean, Polish, Russian, Spanish, and Urdu in accordance with Local Law 30. Copies of these documents are posted on the City's CDBG-DR website and print copies are available by request. Instructions for accessing and commenting on the plan are also translated into each of the preceding languages.

Public notices announcing public comment period dates and hearing locations associated with Action Plan substantial amendments will be published in several newspapers, including *El Diario* (Spanish), *Russkaya Reklama* (Russian), *Sing Tao Daily* (Chinese), and *Korea Times* (Korean) based on LEP data from the impacted areas collected by the City. Interpretation services are available for hearings by request five days in advance of a hearing.

Please note that HUD does not require public notices associated with environmental reviews to be published in newspapers. Instead, the City will publish such notices in the *City Record*,

have notices translated into the languages identified above, and post notices on the City's CDBG-DR website. Environmental notices will also be distributed to the Consolidated Plan Mailing List, or otherwise sent to Federal, State, and local public agencies, organizations, and, where not otherwise covered, individuals known to be interested in the proposed action. The notices will identify the comment periods for each notice and the instructions for reviewing Environmental Review Records, when applicable.

Most Impacted and Distressed Areas (MID Areas)

In addition to the Spanish-, Russian-, Chinese-, and Korean-language newspapers listed previously, the public notices announcing substantial amendments to the Action Plan and any public hearings will be published in five newspapers in the four MID Areas: the Bronx Times Reporter, the Brooklyn Daily Eagle, the Queens Chronicle and Gazette, and the Staten Island Advance. Due to Queens experiencing damage to the greatest number of buildings, as well as most of the tragic deaths during the storm, two newspapers in the borough were selected.

Persons with Disabilities

Print or electronic copies of Action Plans are available in large print format (18pt font size) by request. The online materials will also be accessible for the visually impaired.

Performance Reports

The City must submit Quarterly Performance Reports (QPR) no later than thirty (30) days following the end of each quarter, beginning after the first full calendar quarter after grant award and continuing until all funds have been expended and accomplishments achieved. The City prepares and submit QPRs using HUD's Disaster Recovery Grant Reporting (DRGR) and must post reports on the City's website within three days of submission.

Response to Citizen Complaints

Complaints

Complaints may fall into two categories:

- **Formal complaints:** Formal complaints are written statements of grievance about a specific, addressable issue and may include faxes, handwritten notes, and comments submitted to the agency administering the applicable program(s) or to CDBGcomments@omb.nyc.gov.

The City and all CDBG-DR partners operating programs that provide direct services or benefits shall ensure that a grievance process is in place prior to a program commencing. The process must stipulate how client grievances shall be resolved, and at the minimum contain the following elements:

- How the grievance shall be documented;
- Who (name and position title) shall be authorized to review and respond to the grievance;
- An appeal process if the complainant is not satisfied with first level response;
- Timeline for complaint resolution; and

- Tracking of complaints (how status and results shall be documented and reported).

Investigation results shall be maintained on file by each agency responsible for implementing a program. The City (and its designated subrecipients) shall make every effort to respond to formal complaints within fifteen (15) working days of receipt. If this is not possible, the City (or subrecipient) must document why additional time was needed. The City will track complaints by category through the resolution process.

- **Informal complaints:** Informal complaints are verbal complaints or written complaints that are too general in nature to act upon. The City (and its designated subrecipients) will attempt to resolve informal complaints; however, they are not subject to the written response process described above.

The City notes the following additional routes for submitting complaints:

- Complaints alleging violation of fair housing laws will be directed to HUD for immediate review. Members of the public can file a complaint directly with the HUD Region II Fair Housing and Equal Opportunity Office by emailing ComplaintsOffice02@hud.gov or by calling (800) 496-4294 or TTY (212) 264-0927.
- The City will forward all complaints regarding fraud, waste, or abuse of funds to the HUD Office of the Inspector General (OIG) Fraud Hotline (phone: (800) 347-3735 or email: hotline@hudoig.gov). The City's procedures for identifying and addressing waste, fraud, and mismanagement will also be available for review on the CDBG-DR website.

All program applications, regardless of the language in which they are printed, will include information about the right and process to file a formal complaint.

The City will investigate and respond to all complaints thoroughly, sensitively, and fairly.

Appeals

An appeal is a written request to reverse or revise a decision affecting eligibility for a CDBG-DR-funded program. Each program providing direct assistance to the public will develop and implement policies and procedures for a formal appeals process including the timeline for considering and responding to the appeal, contact information for submitting appeals, and criteria on which appeals will be considered.

Applicants may appeal decisions related to the following:

- determinations of eligibility for assistance based on income, maintenance of flood insurance, etc.;
- award amount; and
- determinations of necessary and reasonable costs.

Applicants may not appeal decisions based on overall program eligibility criteria. As an example, an applicant may appeal a decision of ineligibility by providing additional

information to document the property owner properly maintained flood insurance on the subject property. The applicant may not appeal a decision of ineligibility by requesting to be exempted from flood insurance requirements.

The City will consider and respond to all appeals thoroughly, sensitively, and fairly.