

Citizen Participation Plan

Background

The City of New York is the recipient of a Community Development Block Grant-Disaster Recovery Grant (CDBG-DR) to support long-term recovery efforts following Hurricane Ida. The allocation was announced in the Allocations for Community Development Block Grant Disaster Recovery (CDBG-DR) and Implementation of the CDBG-DR Consolidated Waivers and Alternative Requirements Federal Register Notice (Vol. 87, No. 100, 5/24/2022, [87 FR 31636](#)) with funds made available through the Disaster Relief Supplemental Appropriations Act, 2022 ([Public Law 117-43](#)).

A requirement of this program is the adoption of a Citizen Participation Plan. The following describes the citizen participation process in accordance with the applicable regulations.

Public Hearings

For the City's initial Action Plan submission, the City must also hold at least 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 have reasonable and timely access to the public hearing(s). 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.

Public Notice and Comment Period

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

Comments on substantial amendments to the Action 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: Office of Management and Budget, 255 Greenwich Street, 8th Floor, New York, NY 10007.
- By telephone by contacting 311, New York City's main source of government information and nonemergency services. Dial 311 within New York City or (212)-NEW-YORK (212-639-9675) from outside New York City.

At the end of comment periods, all comments are reviewed and a City response is incorporated into the City's Responses to Public Comments document. A summary of the comments and the City's responses are submitted to HUD with the Action Plan. A revised

Action Plan including the public comments and responses is posted on the City's CDBG-DR website.

Individuals with Limited English Proficiency (LEP)

The Executive Summary of the Plan and Public Notices are 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.

The Public Notices announcing public comment period dates and hearing locations are published in 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.

LEP individuals have the option of submitting their comment orally through 311 in their preferred language. The City's 311 service has the capacity to accept comments in multiple languages, and this service is available throughout the entire comment period.

Most Impacted and Distressed Areas (MID Areas)

In addition to the Spanish-, Russian-, Chinese-, and Korean-language newspapers listed above, the Public Notices are published in five newspapers in the four MID Areas: the Bronx Times Reporter, the Staten Island Advance, the Queens Chronicle and Gazette, and the Brooklyn Daily Eagle. 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. For more information on how people with disabilities can access and comment on the Action Plan, dial 311 or, using a TTY or Text Telephone, (212) 504-4115.

The Final HUD-Approved Action Plan

Following HUD approval of the Action Plan, it will be posted on the City's CDBG-DR website. Copies of the Final Action Plan will also be made available upon request.

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, emailed comments, handwritten notes, and comments submitted through the City's CDBG-DR website.

The City and all CDBG-DR partners 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.

Performance Review

The requirements for submission of an Annual Performance Evaluation Report are waived for the CDBG-DR program. As an alternative, the City's Action Plan is entered into HUD's Disaster Recovery Grant Reporting (DRGR) system. The City must submit Quarterly Performance Reports 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 quarterly reports shall use the DRGR system and be posted on the City's website within three days of submission.

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 Amendment" or "Technical Amendment"). The criteria and process for each is described below.

Regardless of the level of the amendment, in order to further the public's understanding of the City's Action Plan, 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, consolidated 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 to its Action Plan.

When proposing a substantial amendment, the City will follow its Citizen Participation Plan (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 CPP, emailed to the Consolidated Plan mailing list, 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 described previously. Such amendments do not require a comment period. The City will notify HUD five (5) business days before the change is effective.