

COMMONWEALTH OF KENTUCKY
Department for Local Government

CITIZEN PARTICIPATION PLAN
COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY
(CDBG-DR)

The Commonwealth of Kentucky has adopted a citizen participation plan to set forth the policies and procedures that will be used to solicit citizen's input for the planning, implementation, and assessment of the Commonwealth's CDBG-DR recovery program(s). The policies are designed to maximize the opportunity for citizen involvement in the community development process. The Commonwealth of Kentucky will also encourage the participation of all Kentuckians, with emphasis on low- and moderate-income individuals, and access by non-English speaking or those requiring special options due to disabilities, and in CDBG-DR targeted communities.

Kentucky has developed a specific Citizen Participation Plan to meet the requirements of the CDBG Disaster Recovery (CDBG-DR) funding for the FEMA designated disasters 4595 and 4630, involving Severe Storms, Flooding, Landslides, Mudslides, Straight-line Winds, and Tornados. This plan has also been developed to comply with the requirements outline in 24 CFR Part 91.115. The Plan reflects alternative requirements as specified by the U.S. Department of Housing and Urban Development (HUD) Federal Register (FR-6326-N-0) and notice of specific waivers. The Commonwealth will ensure that any local governments who receive funds will have a citizen participation plan that meets the CDBG-DR regulations and takes into the consideration the waivers and alternatives made available under CDBG-DR funding.

The Kentucky Citizen Participation Plan for CDBG-DR Recovery will be placed on the official website of the Department for Local Government at https://kydlgweb.ky.gov/FederalGrants/16_DRP.cfm

In order to facilitate citizen participation requirements and to maximize citizen interaction in the development of the Kentucky Disaster Recovery Action Plan for FEMA Disasters 4595 and 4630, substantial amendments to the Action Plan and the quarterly performance reports, the Commonwealth has laid out targeted actions to encourage participation and allow equal access to information about programs by all citizens, especially those of low and moderate income, those living in slum and blighted areas and in areas where Community Development Block Grant Disaster Recovery (CDBG-DR) funds are proposed to be used, non- English speaking persons, minorities, and those with disabilities. The Commonwealth also encourages the participation of Commonwealth wide and regional institutions and other organizations (including businesses, developers, and community and faith-based organizations) that are involved with or affected by the programs or activities covered by the Action Plan.

Public Notices and Comment Period

While the citizen participation waivers provided by HUD permit a more streamlined public process, the Commonwealth Citizen Participation Plan will ensure that there is reasonable and timely access for public notice, appraisal, examination, and comment on the activities proposed for the use of CDBG-DR grant funds. The Commonwealth has and will continue to coordinate outreach meeting with Commonwealth entities, local governments, non-profits, private sector and involved associations. The Commonwealth will also invite public comment to the Kentucky Disaster Recovery Action Plan and Substantial Amendments for a minimum thirty (30) days, posted prominently and accessed on the Department for Local Government's official website. The Commonwealth will use means such as press releases, posting notices on the Governor's website and links on other agency websites as appropriate, to maximize access of program information to the impacted citizens and businesses.

Per the Federal Register's approach for CDBG-DR, at least one public hearing is required during the 30-day comment period. The process below will be followed for a public hearing regarding use of the CDBG-DR funds or a substantial amendment.

All public hearings will be held at a time and accessible location convenient to potential and actual beneficiaries, and with accommodations for persons with disabilities or limited English proficiency (LEP). Both in-person and virtual hosted hearings will be promoted for at least ten (10) days prior to the hearing.

Kentucky Disaster Recovery Action Plan

The Commonwealth will prominently post a notice and the proposed Disaster Recovery Action Plan ("Action Plan") on the official website of the Department for Local Government. The Action Plan includes the following:

1. The amount of assistance expected to be received, based on projected amounts provided by HUD;
2. The range of activities that can be undertaken including the estimated amount that will benefit persons of low and moderate income;
3. Plans to minimize displacement of persons and assist any persons displaced;
4. An anticipated time schedule for submission of the Action Plan to the Department of Housing and Urban Development; and
5. Incorporation of and response to public comments received during the public comment period.

The Action Plan (as proposed and then when approved) will be made available in English and Spanish for public review at https://kydlqweb.ky.gov/FederalGrants/16_DRP.cfm

For those that otherwise cannot obtain a copy of the Action Plan, DLG will make copies available upon request at the Department for Local Government:

Mail to: Kentucky Department for Local Government
Office of Federal Grants –Disaster Recovery
100 Airport Road, 3rd Floor
Frankfort, KY 40601

Email to: DLG.DR@ky.gov

The Commonwealth will consider any comments or views received in writing or via email on the proposed Disaster Recovery Action Plan. The Commonwealth will identify a deadline for the submittal of written comments on the proposed Plan; the period for the submittal of comments will be no less than thirty (30) days. Written comments may be submitted to the Department for Local Government. A summary of all comments received, and responses will be included in the final Action Plan.

Substantial Amendments to the Action Plan

Substantial amendments to the CDBG-DR action plan will require at least thirty (30) days for public notice and comment period. The Commonwealth has defined Substantial Amendments to the Action Plan as those proposed changes that require the following decisions:

Minor budgetary revisions to the Consolidated Plan, which are defined as changes that do not exceed 10% of the original budget amount or \$5,000,000 whichever is greater, will not constitute a substantial amendment and will be made without a public hearing or notification. However, changes to existing distribution methods or program guidelines as stated in the plan document, new program initiatives or budgetary changes greater than 10% of the original budget amount or \$5,000,000 will be considered a substantial amendment and will be required to go through a formal amendment process

1. Addition or deletion of any allowable activity described in the approved application
2. Change in the planned beneficiaries or overall benefit requirement
3. Change in program benefit or eligibility criteria
4. The allocation or re-allocation of more than \$5,000,000

Those amendments which meet the definition of a Substantial Amendment are subject to public notification and public comment procedures. Citizens and units of local government will be provided with reasonable notice and an opportunity to comment on proposed Substantial Amendments to the Action Plan. A notice and copy of the proposed Substantial Amendment will be posted on Kentucky Department for Local Government's official website. Copies will be provided upon request at DLG, if otherwise not accessible for review by any residents. Citizens will be provided with no less than thirty (30) days to review and comment on the proposed substantial amendment. Written comments may be submitted to the Department for Local Government at email: DLG.DR@ky.gov or Mail to: Department for Local Government Attn: Office of Federal Grants 100 Airport Road 3rd

Floor Frankfort, KY 40601. A summary of all comments received responses will be included in the Substantial Amendment that is submitted to HUD for approval and posted to DLG's official website.

Non-substantial Amendments are amendments that do not meet the threshold for a substantial amendment and do not require a public comment period. Non-substantial amendments to the Action Plan will be posted on DLG's official website after notification is sent to HUD and the amendment becomes effective. Every Amendment to the Action Plan (substantial and non-substantial) will be numbered sequentially and posted on the website.

Performance Reports

The Commonwealth must submit a Quarterly Performance Report (QPR) through HUD's Disaster Recovery Grant Reporting (DRGR) system no later than thirty (30) days following the end of each calendar quarter for both FEMA disasters 4595 and 4630. Each QPR will be posted on DLG's official website for public review and comment. The Commonwealth first QPR is due after the first full calendar quarter after the grant award. QPR's will be posted on a quarterly basis until all funds have been expended and all expenditures have been reported.

Each QPR will include information about the uses of funds in activities identified in the Action Plan as entered in the DRGR reporting system. This includes, but is not limited to: project name, activity, location, and national objective; funds budgeted, obligated, drawn down, and expended; the funding source and total amount of any non-CDBG-DR funds to be expended on each activity; beginning and actual completion dates of completed activities; achieved performance outcomes such as number of housing units complete or number of low and moderate income persons benefiting; and the race and ethnicity of persons assisted under direct-benefit activities. The Commonwealth must also record the amount of funding expended for each contract associated with program identified in the Action Plan. Efforts made by the Commonwealth to affirmatively further fair housing will also be included in the QPR.

During the term of the grant, the grantee will provide citizens, affected local governments, and other interested parties with reasonable and timely access to information and records relating to the approved program and to the grantee's use of grant funds as well as contracts procured with CDBG-DR funding. This information shall be posted on the grantee's official website DLG.DR@ky.gov and provided on request.

Access to Records

To ensure Limited English Proficiency (LEP) individuals and persons with disabilities have prior notice and access to the public hearings, DLG will take the following actions:

1. Include a Commonwealth statement in public hearing notices indicating that participants may request language interpretation to assist in their participation, via email or phone.
2. Include a Commonwealth statement in notices of public hearings that location of the meetings is accessible to person with physical disabilities.
3. Include a Commonwealth statement in public hearing notices that attendees can request reasonable accommodations from DLG to participate in the public meetings.

Complaints

For complaints from citizens related to the Consolidated Plan, any amendments to the Plan, or the Performance Report, the Commonwealth will address written complaints within fifteen (15) working days where practicable. Written complaints should be submitted via email to DLG.DR@ky.gov or mailed to:

Name: Office of Federal Grant-Disaster Team
Address: Kentucky Department for Local Government
100 Airport Road, 3rd Floor
Frankfort, KY 40601
Email: DLG.DR@ky.gov

The Commonwealth will require that its Subrecipients follow a Citizen Complaint procedure reflective of the goals of the Citizen Participation Plan. A copy and/or summary of the citizen complaints received by subrecipients will be forwarded to the Department for Local Government. The complainant must be made aware by the subrecipient that if she or he is not satisfied with the response, a written complaint may be filed with the Department for Local Government.

All citizen complaints relative to Fair Housing/Equal Opportunity violations involving discrimination will be forwarded to the Department of Law and Public Safety, Office of the Attorney General, Division on Civil Rights. To file a fair housing complaint in Kentucky, please contact:

Name: Kentucky Commission on Human Rights
Address: 332 W. Broadway, Suite 1400, Louisville, Kentucky 40202
Main Line: (502) 595-4024
Main Fax: (502) 696-5230
Email: kchr.mail@ky.gov

Complaints regarding accessibility can be reported to the Commonwealth 504 Coordinator. Plan publication efforts must meet the effective communications requirements of 24 CFR 8.6 and other fair housing and civil rights requirements, such as

the effective communication requirements under the Americans with Disabilities Act.

Complaints regarding fraud, waste, or abuse of government funds will be forward to the HUD OIG Fraud Hotline (phone: 1-800-347-3735, for Federal Relay 1-800-877-8339 or email: hotline@hudoig.gov)

Citizen Participation Requirements for Local Governments Participating in CDBG-DR Programs

To ensure that local governments comply with citizen participation requirements in 24 CFR 570.486, the Commonwealth must describe those requirements in its own citizen participation plan. To further advance public participation in the CDBG-DR programs, the Commonwealth is also setting out requirements for subrecipients funded directly by the Commonwealth.

Local Governments:

All units of local government which receive CDBG-DR funds must have a written and adopted Citizen Participation Plan that includes the following:

1. Provide for and encourage citizen participation, particularly by low- and moderate-income persons who reside in slum or blighted areas and areas in which CDBG-DR funds are proposed to be used;
2. Ensure that residents will be given reasonable and timely access to local meetings, consistent with accessibility and reasonable accommodation requirements in accordance with section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8, and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36, as applicable, as well as information and records relating to the unit of local government's proposed and actual use of CDBG funds;
3. Furnish citizens information, including but not limited to:
 - a. The amount of CDBG-DR funds expected to be made available for the current fiscal year (including the grant and anticipated program income);
 - b. The range of activities that may be undertaken with the CDBG funds;
 - c. The estimated amount of the CDBG funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate-income persons; and
 - d. The proposed CDBG activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under § 570.488.

4. Provide technical assistance to groups that are representative of persons of low- and moderate-income that request assistance in developing proposals (including proposed strategies and actions to affirmatively further fair housing) in accordance with the procedures developed by the Commonwealth. Such assistance need not include providing funds to such groups;
5. Provide for a minimum of two public hearings, each at a different stage of the program, for the purpose of obtaining residents' views and responding to proposals and questions. Together the hearings must cover community development and housing needs (including affirmatively furthering fair housing), development of proposed activities, and a review of program performance. The public hearings to cover community development and housing needs must be held before submission of an application to the Commonwealth. There must be reasonable notice of the hearings and they must be held at times and accessible locations convenient to potential or actual beneficiaries, with accommodations for persons with disabilities. Public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can reasonably be expected to participate.
6. Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the Commonwealth and, for grants already made, activities which are proposed to be added, deleted or substantially changed from the unit of general local government's application to the Commonwealth . Substantially changed means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the Commonwealth.
7. Provide citizens the address, phone number, and times for submitting complaints and grievances, and provide timely written answers to written complaints and grievances, within 15 working days where practicable.

Documentation must be maintained at the local level to support compliance with these requirements.