



**2020 SUBSTANTIAL AMENDMENT #2 TO  
THE CITIZEN PARTICIPATION PLAN FOR  
THE COMMUNITY DEVELOPMENT BLOCK GRANT  
ENTITLEMENT PROGRAM TO UPDATE PUBLIC OUTREACH AND  
CITIZENS PARTICIPATION DURING FEDERALLY DESIGNATED  
NATURAL DISASTERS/EMERGENCIES OF THE CITY OF BILOXI**

**SUBSTANTIAL AMENDMENT #2**

Council Adoption May 19, 2020

Resolution No. 284-20

Replaces previously amended Citizen Participation Plans Adopted

January 28, 2020 Resolution No. 67-20

August 6, 2013 Resolution No. 431-13 and

December 13, 2005 Resolution No. 629-05

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**BILOXI CITIZEN PARTICIPATION PLAN**  
**May 19, 2020 Substantial Amendment**  
**to Update Public Outreach and Address Citizen Participation During**  
**Federally Designated Natural Disasters/Emergencies**

**Overview**

The Biloxi Citizen Participation Plan is prepared and adopted to satisfy the U.S. Department of Housing and Urban Development (HUD) requirements of the rules governing citizen participation into the Five-Year Consolidated Plan and Assessment of Fair Housing/Analysis of Impediments to Fair Housing Choice as stated in 24 CFR 91 and as required by federal regulations at 24 CFR 570.

This Citizen Participation Plan provides for and encourages citizen participation in the development of Biloxi's Five-Year Consolidated Plan, Annual Action Plan, Substantial Amendments, Consolidated Annual Performance Evaluation Report and Assessment of Fair Housing/Analysis of Impediments to Fair Housing Choice.

Generally, the Biloxi Citizen Participation Plan (CPP) is available for public review in the Federal Programs Division Office located in the Engineering Department during regular office hours; on the City's website at Biloxi.ms.us; and at Biloxi's four public library branches, the City's designated depositories for documents developed as a component of its HUD-funded programs. However, during times of federally-designated natural disasters/emergencies, the CPP will be available for public review on the City's website and at other public locations as may be specified.

This substantially amended Citizen Participation Plan replaces and supersedes the Citizen Participation Plan amended and adopted by the City Council of the City of Biloxi by Resolution 67-20 on January 28, 2020; Resolution 431-13 on August 6, 2013; Resolution Number 629-05 on December 13, 2005; and any other Citizen Participation Plans heretofore adopted by the City of Biloxi.

**Purpose**

The purpose of the Citizen Participation Plan is to develop an effective citizen participation process that affords maximum opportunity for residents and/or groups to participate in planning, implementing and assessing local use of Community Development Block Grant (CDBG) Entitlement Program funds and to participate in developing, implementing and revising Biloxi's Assessment of Fair Housing/Analysis of Impediments to Fair Housing Choice (AFH/AI).

**Public Input and Outreach**

In addition to inviting input from all Biloxi residents into the City's CDBG Entitlement Program and AFH/AI, the following people and/or known groups will be encouraged by the City to participate:

- minorities;
- non-English speaking persons;

- persons with mobility, visual or hearing impairments;
- the elderly;
- the physically handicapped;
- persons with HIV/AIDS and their families;
- homeless persons;
- residents of public housing and other assisted housing;
- public and private agencies that provide assisted housing;
- health services;
- social services;
- businesses;
- faith-based organizations;
- community-based organizations;
- other public and/or nonprofit agencies;
- Continuums of Care;
- philanthropic organizations;
- developers; and
- other interested persons or groups.

In compliance with recent revisions to 24 CFR 91, the City also encourages participation of residents of locally designated revitalization areas and/or locally- or state-designated slum and blighted areas in the process as part of its outreach process.

The City will consult directly with public and private agencies that provide assisted housing, health services, and social services, including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons. And, in compliance with revisions to 24 CFR 91, the City will consult with community-based and regional organizations that represent protected class members and that enforce fair housing laws.

The City also will include consultation with regional government agencies in addition to adjacent units of general local government and local government agencies. This includes local government agencies with metropolitan-wide planning and transportation responsibilities, particularly for problems and solutions that go beyond a single jurisdiction.

Commencing with the Five-Year Consolidated Plan submitted on or after January 1, 2018, the City also will consult with the following, in compliance with 24 CFR 91.100:

- Broadband internet service providers;
- organizations engaged in narrowing the digital divide;
- agencies whose primary responsibilities include the management of flood prone areas, public land or water resources; and
- emergency management agencies.

In an effort to encourage participation and feedback during each program year, the City will send written notifications regarding the Consolidated Plan, Action Plan, proposed Substantial Amendments to either plan, the Consolidated Annual Performance Evaluation Report and the AFH/AI or revision via email to

the residents and groups identified in the Citizen Participation Plan Public Input and Outreach section. Additionally, the City will provide information regarding activities and related developments to surrounding communities, including Harrison County, the City of D'Iberville, the City of Gulfport and the City of Ocean Springs.

Revisions to regulations at 24 CFR 91.105 also require the City to encourage, in conjunction with public housing agency consultations, participation of residents of public and assisted housing developments, including any resident advisory boards, resident councils, and resident management corporations, in the process of developing and implementing the Consolidated Plan and AFH/AI. The City will make an effort to provide information to the public housing agency about the Consolidated Plan and AFH/AI activities related to the City's developments so that the public housing agency can make this information available at the annual public hearing(s) required for the Public Housing Agency Plan.

### **Diverse Public Participation**

This Citizen Participation Plan provides for and encourages citizen participation by offering individual citizens, citizens groups, public agencies, nonprofit entities, businesses and other interested parties access through all aspects of the planning, development and implementation process.

Because Biloxi is a culturally diverse community with a significant non-English speaking population, information about public hearings and the availability of information relating to the City's CDBG Entitlement Program is provided in Vietnamese and Spanish, as well as in English, to known local agencies that provide services to Biloxi's non-English speaking residents in an effort to make the citizen participation process accessible to all residents.

### **The CDBG Five-Year Consolidated Plan and One-Year Action Plan**

The Consolidated Plan combines the planning, application and reporting requirements for the following HUD-funded programs:

- Community Development Block Grant (CDBG);
- Home Investment Partnership (HOME);
- Housing Opportunities for People with Aids (HOPWA); and
- Emergency Shelter Grants (ESG).

It is important to note that Biloxi is an "entitlement city" only under the terms of the Community Development Block Grant Program. Biloxi is not a "formula entitlement" city under the terms of the HOME, HOPWA or ESG formula programs and, therefore, does not receive annual allocations of funding for these programs. HOME and ESG funds are awarded through a competitive application process administered by the Mississippi HOME Corp. HOPWA funds are provided to the State of Mississippi under a formula entitlement and the State provides direct assistance to persons with HIV/AIDS.

The City of Biloxi's Consolidated Plan addresses a five-year period and serves as the City's application to HUD for its CDBG Entitlement Program grants. Each year, excluding the year in which a new Five-Year Consolidated Plan is due, the City prepares and submits a One-Year Action Plan as a component of the Consolidated Plan to identify information regarding its annual entitlement allocation and projected program income and to plan HUD-eligible activities to be funded during that program year. CDBG funds

must principally benefit low- to moderate-income residents by meeting their housing and nonhousing community development needs. The City of Biloxi's CDBG Entitlement Program Year runs October 1 – September 30 to coordinate with the City's budget.

Among the purposes of the Consolidated Plan are:

- To enable the community to view HUD programs not as isolated tools to solve narrow functional problems, but rather as an invitation to embrace a comprehensive vision of housing and community development;
- To include in a comprehensive vision affordable housing, adequate infrastructure, fair housing, environmental protection, enhancement of civic design and vigorous economic growth coordinated with human development;
- To enable the community to apply this comprehensive approach to helping the homeless in a continuum of care, a comprehensive system for transitioning individuals and families from homelessness to permanent housing;
- To reduce the amount of unnecessary paperwork and enable HUD to work creatively with local governments to provide a forum for planning an integrated approach;
- To improve program accountability and support results-oriented management by establishing clear priority needs and goals by providing more timely and readable information on needs, goals and proposed projects to citizens and by providing measurable indicators of progress and reporting on progress against these measures;
- To facilitate “bottom up” planning by creating a planning process that renews commitment and encourages citizen involvement;
- To ensure that the needs and resources of public housing authorities are included in a comprehensive planning effort to revitalize distressed neighborhoods and help low-income residents;
- To integrate efforts to identify and coordinate elimination of impediments to fair housing.

## **Public Hearings**

During each One-Year CDBG Action Plan Program cycle, at least three public hearings will be conducted by the City at different stages of the program year as part of the citizen participation process; at least four public hearings will be conducted during the program year in which the Five-Year CDBG Consolidated Plan is developed. A public hearing also shall be conducted to obtain citizen input prior to approval of a substantial amendment to the Consolidated Plan and/or Action Plan. Together, the hearings will provide residents with opportunities to address housing and community development needs; comment on development of proposed activities; and review program performance.

### CDBG PH Stage 1

The City will hold a public hearing during the **initial planning and development stages** of each Consolidated Plan and/or Action Plan. The hearing will be held prior to the submittal of the plan to HUD to obtain public input about community development, housing and supportive service needs of the community. Input provided at the hearing will be used to help identify priority needs.

### CDBG PH Stage 2

During the program year in which the Consolidated Plan primarily is developed, a second public hearing will be conducted during the **development stage** to provide residents another opportunity to provide input about community development, housing and supportive service needs and to help identify the high-priority needs of the community.

#### 30-Day Comment Period and CDBG PH Stage 3

Following publication of a notice that a **public review draft** of the pertinent plan is available and at what specific locations, the City will identify a 30-day comment period for residents' submittal of written comments regarding the draft; this shall be in addition to another public hearing during which residents shall have the opportunity to provide oral and written comments.

#### CDBG PH Stage 4

During the **implementation stage** of each program year, the City will conduct a public hearing as part of its annual review and evaluation of program performance and progress made toward implementing CDBG budgeted activities in the pertinent plan. In addition to this public hearing, residents will be given a 30-day comment period to submit written comments regarding the public review draft of the Consolidated Annual Performance Evaluation Report (CAPER) prior to its submission to HUD.

#### AFH/AI PH

At least one public hearing will be held before a proposed AFH/AI to Fair Housing Choice is published for comment, in order to obtain the views of the community on fair housing data assessment/analysis and affirmatively furthering fair housing in the City's housing and community development programs.

Comments received at the public hearings and during 30-day comment periods shall be considered by the City of Biloxi in preparing the Consolidated Plan, Action Plan, Substantial Amendment to either plan, the CAPER, the AFH/AI and revision to the AFH/AI. Each plan, substantial amendment and report shall include a summary of citizen comments and a written explanation of why the comments were accepted or why the comments were not accepted.

### **Rules Governing Public Hearings**

The following rules shall be adhered to in the City's CDBG public hearing process:

- To encourage attendance at CDBG public hearings, residents will be given at least fourteen (14) days' notice through publication of a "Notice of Public Hearing" in the nonlegal section of a newspaper having general circulation in the City. Public hearings will be conducted at City Hall or in the Auditorium of the Community Development Department; both City buildings are accessible to the disabled and elderly and conveniently accessible to all citizens. If neither City Hall nor the Auditorium of the Community Development Department is available, the public hearing may be conducted at an alternate location that is accessible to the disabled and elderly.
- Notices will provide public hearing information in English, Spanish and Vietnamese and will be:

- posted in the lobby of City Hall and the Community Development Department; the Biloxi branches of the public library; and the administrative office of the Biloxi Housing Authority;
  - distributed to known local nonprofit agencies that provide assistance to Biloxi's non-English speaking residents; and
  - posted on the City's website in English, with translations in Spanish and Vietnamese available.
- Generally, hearings will be conducted on weekdays after 5:00 p.m. to afford maximum opportunity for attendance. During development of the Five-Year Consolidated Plan, however, one of the three public hearings may be scheduled between the hours of 8 a.m. and 5 p.m. to allow a wider range of residents and other stakeholders to participate.
  - Public hearing notices will emphasize and encourage participation by low-, very low- and extremely low-income residents and will include the purpose/summary of the pertinent plan, amendment or report, including identification of where and how CDBG resources will be spent; the total amount of CDBG resources available; and the range of activities to be funded.
  - Public hearing notices shall include a list of the locations where copies of the public review draft of the plan or report, if applicable to the public hearing stage, may be examined.
  - At the public hearing, the City will provide information orally and in written documents. Translation services will be provided to non-English speaking citizens if requested at least three (3) working days prior to the hearing by contacting the Federal Programs Division so that arrangements can be made.
  - The City will make every effort to accommodate individuals who wish to participate in the public hearing, but who may be hindered by disabilities, if the citizen contacts the Federal Programs Division at least three (3) working days prior to the hearing so that arrangements may be made.
  - Citizens will be encouraged to provide comments orally and/or in writing and the City will consider input submitted at the hearing and throughout all stages of the Consolidated Plan and Action Plan or AFH/AI development processes.

### **Opportunities for Citizen Access to and Review of Information and Input**

The City of Biloxi's Citizen Participation Plan is designed to encourage full and open access to information relative to the Five-Year Consolidated Plan, the One-Year Action Plan, Substantial Amendments, and the AFH/AI during the planning, development and implementation process as well as information about development and availability of the Consolidated Annual Performance Evaluation Report (CAPER). It encourages participation by low-, very low-, and extremely low-income persons, particularly those living in slum and blighted areas, designated revitalization areas and in publicly assisted housing.

In compliance with federal rules and regulations, the following articles and parts of the Federal Code of Regulations, the United States Code, and executive orders are available for public review at the Biloxi Federal Programs Division Office, located in the Engineering Department, during regular office hours:

- Contracting procedures, CFR Title 2, Subtitle A, Chapter 11, Part 200 (formerly OMB Circular A-102)
- Environmental policies, 16 USC 470, Executive Order 11593
- Fair housing requirements, 24 CFR 570.601
- Other equal opportunity requirements, 24 CFR Part 130 and 41 CFR Chapter 60
- Relocation provisions, 24 CFR Part 42 and 570.602(a)
- A-95 review process, 24 CFR 570.310

Biloxi's policy to minimize displacement of persons and to assist any persons displaced, specifying the types and levels of assistance the City will make available (or require others to make available) to persons displaced, also is available for public review at the Biloxi Federal Programs Division Office in the Engineering Department.

Prior to adoption and implementation of the Biloxi Consolidated Plan, the One-Year Action Plan and Substantial Amendments to either document, residents will be given opportunity to review information regarding specific projects, the range of projects, and the amount of funds available, including the amount to benefit low-, very low- and extremely low-income residents and to submit comments on programs and performance prior to submission of each document to HUD. A summary of the Plan or Report will be posted as a part of Public Hearing Notices and Notices of Information Availability on the City's website.

The Consolidated Plan, Action Plan, Substantial Amendments and AFH/AI shall include a summary of citizen input. Residents and other interested parties will have access to records relative to the planning, development and implementation of the Consolidated Plan and/or use of CDBG funds for the preceding five years.

"Opportunity" for public access, review and input shall be provided as follows:

- Before the City adopts a Consolidated Plan, an Action Plan, or a Substantial Amendment to either document, information that includes the amount of assistance the City expects to receive and the range of activities that may be undertaken, including the estimated amount that will benefit low- to moderate-income persons, will be made available to citizens. This information will be provided at public hearings orally and as a printed Fact Sheet.

The City will post a 'Notice of Availability of City's Draft of the Consolidated Plan,' "Notice of Availability of City's Draft Action Plan," "Notice of Availability of Proposed Substantial Amendment," or "Notice of Availability of Proposed AFH/AI," whichever is appropriate, on the City's website and will allow for at least a 30-day comment period prior to HUD submission.

- The City will post notices regarding the availability of the draft Consolidated Plan, draft Action Plan, information about proposed Substantial Amendments, and the availability of the draft AFH/AI and revisions in the lobby of City Hall and the Community Development Department; in Biloxi's four branches of the public library; and the administrative office of



the Biloxi Housing Authority, as well as provide notices to known local nonprofit agencies that provide assistance to Biloxi's non-English speaking citizens. Information in the notices will be provided in English, Spanish and Vietnamese. The notices also will be posted on the City's website in English, with translations in Spanish and Vietnamese available.

- In addition to posting notices of the availability of the draft Consolidated Plan, Action Plan, Substantial Amendments, and the AFH/AI and revisions at the administrative office of the Biloxi Housing Authority, the City will consult with the Biloxi Housing Authority regarding housing needs, planned Comprehensive Grant Program activities, affirmatively further fair housing activities and amendments to its Citizen Participation Plan.
- Before the City approves and submits a CAPER, information regarding annual program performance shall be made available to the public for review and comment.
- The City will post a "Notice of Availability of the CAPER" on the City's website and will allow for at least a 15-day comment period prior to HUD submission.
- Public review copies of the CAPER shall be made available in the lobby of City Hall and the Community Development Department; in Biloxi's four public library branches; and the administrative office of the Biloxi Housing Authority as well as posted on the City's website.
- In addition to posted notices, information about the Consolidated Plan, Action Plan, and Substantial Amendments, the AFH/AI and revisions, as well as the availability of the CAPER, will be posted in English on the City of Biloxi's website, with translations in Spanish and Vietnamese available.
- Biloxi's four public library branches are the City of Biloxi's designated depository; the Citizen Participation Plan, Consolidated Plan, Action Plan, Substantial Amendments, CAPER and AFH/AI and revisions shall be made available for public review at these conveniently located, handicap-accessible facilities, in addition to being available at City Hall, in the Community Development Department and on the City's website.

### **Criteria for a Substantial Amendment**

HUD rules governing the Consolidated Plan and Action Plan require that the City of Biloxi identify the criteria it will use in determining what constitutes a Substantial Amendment to the plans. Substantial Amendments are subject to the requirements set out in this Citizen Participation Plan.

A Substantial Amendment shall exist, and the approved Consolidated Plan and Action Plan shall be substantially amended, whenever the City of Biloxi makes one of the following decisions to:

- Make a change in its allocation priorities or a change in the method of distribution of funds that equals or exceeds 40% of the program year's adopted CDBG budget, including program income;

- Use any funds from any program source covered by the Plan (including program income) to carry out an activity not previously identified in the Plan; C
- Change the purpose, scope, location or beneficiaries of an activity; or
- Change the use of CDBG funds from one activity to another, where the reallocation of funds from one approved activity to another approved activity equals or exceeds 40% of the adopted CDBG budget, including program income.

Changes in the use of CDBG funds from one eligible activity to another, and budget increases or decreases, by themselves, do not constitute a Substantial Amendment.

### **Process to Provide Access to Substantial Amendments**

The City of Biloxi shall notify the public about a proposed Substantial Amendment to the Consolidated Plan and/or Action Plan by posting a “Notice of Substantial Amendment to the Consolidated Plan and/or Action Plan” on the City’s website and will allow for at least a 30-day comment period prior to HUD submission. The “Notice of Substantial Amendment” shall explain the reason for the amendment.

The City shall conduct at least one public hearing, held in compliance with the requirements of this CPP, during which information will be provided about the proposed Substantial Amendment and residents will be given an opportunity to comment orally and in writing.

The City will post notices regarding a proposed Substantial Amendment to either document in the lobby of City Hall and the Community Development Department; in Biloxi’s four branches of the public library; and the administrative office of the Biloxi Housing Authority, as well as provide notices to known local nonprofit agencies that provide assistance to Biloxi’s non-English speaking citizens. Information in the notices will be provided in English, Spanish and Vietnamese. The notices also will be posted on the City’s website in English, with translations in Spanish and Vietnamese available.

Comments received at the public hearing(s) and during a 30-day comment period shall be considered by the City of Biloxi in preparing the Substantial Amendment to the Plan. The Substantial Amendment shall include a summary of citizen comments.

### **Process to Provide Access to CAPERs**

The City of Biloxi shall notify the public about availability of the Consolidated Annual Performance Evaluation Report (CAPER) each year and shall provide residents with opportunity to comment on the draft report by posting a “**Notice of CAPER Public Hearing**” and “**Notice of CAPER Public Review Draft Availability**” on the City’s website, which provide information about the public hearing; identifies where the draft report is available for review; and establishes at least a 15-day written comment period prior to HUD submission.

The City will post notices regarding the CAPER public hearing and location of public review copies of the draft CAPER shall be made available in the lobby of City Hall and the Community Development Department; in Biloxi’s four public library branches; and in the administrative office of the Biloxi Housing Authority as well as posted on the City’s website.

Notices regarding the public hearing and availability of the public review draft of the CAPER will be provided to known, local nonprofit agencies that provide assistance to non-English speaking citizens. Information in the notices will be provided in English, Spanish and Vietnamese. The notices also will be posted on the City's website in English, with translations in Spanish and Vietnamese available.

### **Access to Records and Technical Assistance**

The City will provide general information, specific information or technical assistance regarding its Consolidated Plan, Action Plan, Substantial Amendment, AFH/AI and revisions and/or CAPER to any resident, citizen group or organization requesting such information or assistance for the purpose of participating in the development, implementation or evaluation of the City's CDBG Entitlement Program and fair housing program. Requests for such information or technical assistance shall be made in writing and addressed to: Biloxi Engineering Department Director, P.O. Box 429 Biloxi, MS 39533.

### **Public Access to CDBG Entitlement Program Information and Development of HUD-Required Documents during Federally-Designated Natural Disasters/Emergencies**

The 2020 COVID-19 federally-declared health emergency has increased awareness of the necessity to balance the need to protect public health and safety while ensuring citizen participation into development and implementation of federally-funded programs such as the CDBG Entitlement Program. As such, HUD is allowing waivers of certain citizen participation federal requirements, policies and procedures. The City will consider and apply to HUD for such waivers as it determines to be in the best interest of the City and its residents.

In the absence of federal waivers during federally-designated natural disasters/emergencies that impact the City of Biloxi, the City of Biloxi will make every effort to comply with HUD's regulations, policies and guidelines and with this CPP regarding citizen participation during the development and implementation of Biloxi's CDBG Entitlement Program and A.I. The City may temporarily suspend full compliance with public outreach, information access and public hearing formats to protect and preserve the public health and safety. CDBG information access via the City's website and/or podcasts, telephone conferences and similar non-live formats may replace live public hearings and meetings; the need for such alternate measures will be fully documented.

With closure of libraries and/or City facilities in response to a declared disaster/emergency, the City will attempt to expand availability of public review documents and information beyond the City's website by exploring alternate review sites and/or mailing document summaries upon request for same. The need for such alternate measures will be fully documented.

### **Updating Public Outreach Efforts to Expand Access**

In an effort to expand outreach to residents and other stakeholders regarding its CDBG Entitlement Program, the City of Biloxi is replacing its CPP requirement for publication of notices in a "newspaper having general circulation in the City" with more effective and cost-efficient email blasts, direct mailings and public facility postings in addition to website postings.

Over the last ten years, the number of subscribers to local print newspapers with general circulation in Biloxi has substantially decreased as residents increasingly rely on the Internet as a more efficient and effective mode of communication and source of information. Newspaper publication costs increase while the quality and timeliness of information decrease.

By using a combination of email blasts, public facility postings and mailing of monthly newsletters to each Biloxi household, the City will increase the number of residents aware of and participating in the CDBG Entitlement Program planning, development and implementation processes.

### **Complaints**

The City of Biloxi shall provide a written response to any resident submitting a written complaint concerning the City's Consolidated Plan, Action Plan, Substantial Amendment, AFH/AI and revisions or CAPER, within fifteen (15) working days of receipt of said complaint. Written complaints shall be addressed to: Biloxi Engineering Department Director, P.O. Box 429 Biloxi, MS 39533.