

Lee County Board Of County Commissioners

Blue Sheet No. 20060469

April 5, 1006

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE:

Approve amendments to Administrative Code 15-1, Community Action Agency/Neighborhood District Committee and Administrative Code 15-2, Citizen Participation Plan for the U.S. Department of Housing and Urban Development (HUD) Consolidated Plan. Sign the HUD transmittal letter. Adopt resolution relating to the amendments to Administrative Codes 15-1 and 15-2.

2. WHAT ACTION ACCOMPLISHES:

Adds the HUD Emergency Shelter Grant (ESG) entitlement to the scope of the Lee County HUD Citizen Participation Plan and the scope of the Community Action Agency Neighborhood District Committee; minor changes are needed to coordinate the language describing the scope of the Community Action Agency Neighborhood District Committees with description of that committee in the Lee County HUD Citizen Participation Plan.

3. MANAGEMENT RECOMMENDATION:

Add the new HUD ESG entitlement program to the scope of the Community Action Agency Neighborhood District Committees and the Lee County HUD Citizen Participation Plan; coordinate the language describing the scope of the Community Action Agency Neighborhood District Committees and the Lee County HUD Citizen Participation Plan.

4. Departmental Category: 5

C5A

5. Meeting Date: 04-25-2006

6. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

7. Requirement/Purpose: (specify)

- Statute
- Ordinance
- Admin. Code
- Other
- Ordinance 94-04

8. Request Initiated:

Commissioner N/A  
 Department Human Services  
 Division N/A  
 By: Karen B. Hawes

9. Background:

The Lee County HUD Citizen Participation Plan is required by HUD to participate in the HUD CDBG, HOME and ESG Entitlements. This Plan is detailed in County Administrative Code AC 15-2. One of the citizen participation elements of the Lee County HUD Citizen Participation Plan is the action of the Community Action Agency/Neighborhood District Committee. The Community Action Agency/Neighborhood District Committee was reconfigured in January of 2001 from a predecessor committee and is covered by Administrative Code AC 15-1.

Attachments:

- Administrative Code 15-1 Community Action Agency/ Neighborhood District Committee
- Administrative Code 15-2 Citizen Participation Plan for the U.S. Department of Housing and Urban Development (HUD) Consolidated Plan Resolution
- Transmittal Letter
- Advertisement

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>[Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i>	<i>[Signature]</i> RK 4/13	<i>[Signature]</i> 4/13/06	<i>[Signature]</i> 4/13/06	<i>[Signature]</i> 4/13/06	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

REC'D  
 by CO. ATTY.  
 4/13/06  
 1230 PM  
 CO. ATTY.  
 FORWARDED TO:  
 Adm. A  
 4-13-06

RECEIVED BY  
 COUNTY ADMIN:  
 4-13-06  
 2:30  
 COUNTY ADMIN  
 FORWARDED TO:

Bob Janes  
District One

April 25, 2006

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Tammy Hall  
District Four

John E. Albion  
District Five

Donald D. Stilwell  
County Manager

David M. Owen  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

Ms. Virginia Vich, CPD Representative  
U.S. Department of Housing and Urban Development  
Florida State Office, Brickell Plaza Federal Building  
909 S.E. First Avenue, Suite 500  
Miami, FL 33131-3028

**SUBJECT: Amendment to the Lee County Citizen Participation Plan**

Dear Ms. Vich:

Please find enclosed for your review and processing the following Lee County Board of County Commissioners amendment. The amendment makes a minor change in wording of the HUD Citizen Participation Plan and a related Lee County Administrative Code (AC 15-1).

One of the elements in the Lee County HUD Citizen Participation Plan is the action of the *Community Action Agency/Neighborhood District Committee (CAA/NDC)* authorized under Lee County Administrative Code AC 15-1. The revised task of that committee as detailed in Code AC 15-1 and repeated in the Lee County HUD Citizen Participation Plan is as follows:

**COMMITTEE OBJECTIVE:**

The Committee shall serve as the advisory body to the Lee County BOCC and shall participate in the planning, **performance** evaluation, and **public comment** on the Community Services Block Grant Action Plan, the **HUD** Consolidated Plan, the **HUD** Annual Action Plan **the HUD Annual Performance Plan** and **the** Neighborhood District program funding. The committee **comments** shall be submitted to the BOCC, which may adopt, modify, or amend **the plan.**"

Thank you for your assistance. Please contact Richard Faris, Senior Planner, Department of Human Services at (239) 533-7930 if you have any questions on this matter.

Sincerely,

Tammara A. Hall, Chairwoman  
Lee County Board of County Commissioners

Enclosures: Advertisement  
Administrative Code 15-2

C: Karen B. Hawes, Director, Department of Human Services  
Barbara Hollis, Fiscal Manager, Department of Human Services  
Roger Mercado, Program Manager, Department of Human Services

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P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 335-2111

Internet address <http://www.lee-county.com>

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**NEWS-PRESS**

*Published every morning - Daily and Sunday*

*Fort Myers, Florida*

**Affidavit of Publication**

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared **Kathy Allebach** who on oath says that he/she is the **Legal Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a **Display** in the matter of **Public Notice** in the court was published in said newspaper in the issues of

**March 13, 2006**

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has never paid nor promised any person, firm or corporation any amount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

12th day of March 2006 by

**Kathy Allebach**

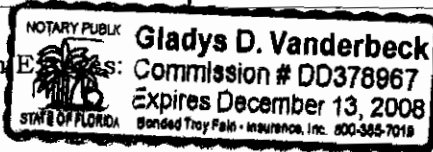
personally known to me or who has produced


as identification, and who did or did not take an oath.

Notary Public

Print Name


My commission Expires





**LEE COUNTY**  
SOUTHWEST FLORIDA

**PUBLIC NOTICE**  
Of  
**Proposed HUD Consolidated Plan  
Amendments  
For Lee County, Florida**



In HUD FY 2005, Transfer \$33,334 from CDBG Homeless Set Aside (#05.08.B) (Lee Co.CDBG YR 16) to new project Homeless Services Project (#05.09.BA)

In HUD FY 2004, Transfer \$9,000 from Fort Myers Beach Housing Rehabilitation (Project 04.25.B) (CDBG YR 15) to Fort Myers Beach Public Services (Project 04.24.B)

In HUD FY 2004, Transfer \$1,000 from Fort Myers Beach Housing Rehabilitation (Project 04.25.B) (CDBG YR 15) to CDBG Project Administration (Project 04.01.B)

In HUD FY 2002, Transfer \$4,426 from Charleston Park Neighborhood Improvements (Project 02.11.B) (CDBG YR 13) to Charleston Park Concentrated Code Enforcement (Project 02.40.BA)

In HUD FY 2001, Transfer \$1,190 from Charleston Park Neighborhood Improvements (Project 01.13.B) (CDBG YR 12) to Charleston Park Concentrated Code Enforcement (Project 01.40.BA)

The Lee County Citizen Participation Plan for the U.S. Housing and Urban Development Department (HUD) Consolidated Plan (Lee County Administrative Code AC15-2) is amended to include the Emergency Shelter Grant Program (ESG).

The Lee County Citizen Participation Plan noted above includes a description of the Lee County Community Action Agency Neighborhood District Committee. There is a minor modification to amend the description of the committee duties to the following: participate in the planning, performance evaluation, and public comment phases of the (HUD) Consolidated Plan, substantial amendments, and the annual performance report. The complete Citizen Participation Plan in its existing and amended form is available for review at the Lee County Department of Human Services at the address noted below.

During the review period, March 13, 2006 through April 11, 2006, written comments will be received at Lee County Department of Human Services located at 2440 Thompson Street, Fort Myers, Florida 33901. Comments will be reviewed for final determination of the amendments and will be attached with submitted documentation.

**ADMINISTRATIVE CODE  
BOARD OF COUNTY COMMISSIONERS**

<b><u>CATEGORY:</u></b> Human Services	<b><u>CODE NUMBER:</u></b> AC 15-1
<b><u>TITLE:</u></b>  Lee County Community Action Agency/ Neighborhood District Committee Policies and Procedures (CAA/NDC).	<b><u>ADOPTED:</u></b> 10/18/89
	<b><u>AMENDED:</u></b> 3/21/90; 3/16/94; 3/8/95; 4/10/96; 2/3/98; 1/1/99; 1/30/01; 11/26/02 4/25/06
	<b><u>ORIGINATING DEPARTMENT:</u></b> Human Services

**PURPOSE/SCOPE:**

The purpose is to satisfy the tri-partite Board requirements of the Florida Department of Community Affairs (DCA) State Community Service Block Grant (CSBG) Program and to meet the requirements of the U.S. Department of Housing and Urban Development's Consolidated Plan, Community Development Block Grant (CDBG) Entitlement Program, HOME Investment Partnerships Program, (HOME), Emergency Shelter Grant Program (ESG) and the County Neighborhood District (ND) Program, by creating a citizens advisory committee. ~~which shall submit recommendations to the Board of County Commissioner (BOCC), regarding County Neighborhood District(s), the Consolidated Plan and State CSBG funds.~~ The citizens advisory committee is called the Community Action Agency/Neighborhood District Committee (CAA/NDC) or the Committee.

**POLICY:**

1. **COMMITTEE OBJECTIVE:**

The Committee shall serve as the advisory body to the Lee County BOCC and shall participate in the planning, development, performance evaluation, and ~~submittal of recommendations~~ **public comment** on the Community Services Block Grant Action Plan, the HUD Consolidated Plan, Homeless Continuum of Care, Supportive Housing Activities and the HUD Annual Action Plan for each of the above programs, ~~the HUD Annual Performance Plan and the Neighborhood District program funding.~~ The committee recommendation comments shall be submitted to the BOCC, which may adopt, modify, or amend ~~it~~ **the plan.**

2. **MEMBERSHIP:**

A. The Committee shall be composed of eleven (11) voting Members. The composition of the Committee must consist of the following Members: 4 Members of the Committee must be elected public officials, currently holding office or their designated representatives; 3 members of the Committee must be members of business, industry, labor, religious, welfare, education, health, law enforcement, or other major groups and interests in the community; 4 members of the Committee shall be representatives of the low-income persons in the targeted service areas. The Chairpersons of the Local Neighborhood Districts (LNDC) (15-5) selected democratically by a majority vote of the Local Neighborhood District Committee will compose this third of the Committee. The LNDC is a representative group of residents in the identified targeted

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**ADMINISTRATIVE CODE # AC 15-1**

**Continued**

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neighborhoods. All committee members shall be appointed by the BOCC. Letters signed by the County's chief elected official, reaffirming the BOCC appointment, shall be required annually regardless of the number of years the terms run.

- B. Six (6) of the members shall serve for a period of two (2) years from appointment and five (5) members shall serve for one (1) year from appointment.
- C. Representation from the identified categories identified in subsection A above, at least two members of the committee shall be advocates for persons with disabilities to provide input and assistance in plan development.
- D. Appointments shall be made in a non-discriminatory manner, consistent with the requirements of Federal, State and local non-discriminatory laws. The BOCC shall strive for geographic, ethnic, and income diversity in Committee appointments.
- E. Members shall serve without compensation.
- F. A member who is absent from two (2) consecutive meetings within a twelve (12) month period without having been excused by the Chairperson is deemed to have resigned. Vacancies in the membership of the Committee shall be filled in the same manner provided for in the original appointments.
- G. Low-income individuals, community organizations and religious organizations may petition the BOCC for adequate representation on the CAA/NDC if they feel inadequately represented.

3. **OFFICERS:**

To provide guidance and leadership for the Committee, a Chairperson, Vice-Chairperson, and Secretary shall be elected by the Committee. The terms of office shall be one (1) year.

A. **Chairperson**

The Chairperson shall chair all Committee meetings. The Chairperson shall work closely with Department of Human Services' staff to coordinate the meeting agenda. The Chairperson shall sign minutes upon approval by the Committee.

B. **Vice-Chairperson**

In the absence of the Chairperson, the Vice-Chairperson shall chair Committee meetings and assume other duties as designated by the Chairperson.

**C. Secretary**

In the absence of the Chairperson and Vice Chairperson, the Secretary shall chair the meeting. The Secretary shall ensure that the minutes are properly recorded and shall sign them along with the Chairperson upon approval by the Committee Members.

If a vacancy exists in any of the above offices, the committee members shall elect a new officer by the affirmative vote of a majority of the members present at a meeting of the Committee to fill the incomplete term of the vacated office.

**4. SUBCOMMITTEES:**

**A. Creation**

The committee members shall create, from time to time, such subcommittees as shall be necessary or desirable to carry out the functions, purposes and objectives of the Committee. Any such subcommittee shall be subordinate to the Committee.

**B. Dissolution**

Any such subcommittee may be dissolved by the affirmative vote of a majority of the Committee Members.

**C. Members**

The Members of such subcommittees shall be elected by the committee members for such term and shall have qualifications as the committee members determine.

**D. Removal**

The committee members may remove any subcommittee member with or without cause by the affirmative vote of a majority of committee members present and voting at any meeting of the Committee.

**5. MEETINGS**

**A. Regular Meetings**

The Committee shall generally meet quarterly at a mutually convenient location. Periodically, the Committee may meet more often if the need arises. All meetings shall be open to the public and shall be publicly noticed which includes sending notices to the media.

**B. Quorum**

A Quorum for the Committee Meeting shall consist of a majority of members. A workshop meeting on a topic, or several topics, may be held without a quorum, but no official action can be taken.

**C. Voting at Meetings**

A simple majority of votes is necessary for adoption. All members must abide by (Paragraph 6) the Financial Disclosure statement and (Paragraph 9) the Sunshine

Law.

6. **FINANCIAL DISCLOSURE:**

Committee members shall comply with the financial disclosure requirements of laws of the State of Florida.

**No member of the Committee shall have any financial interest or conflict of interest in the outcome of any matter coming before such Member in his official capacity. Any member shall disclose on the record the existence of an interest and shall disqualify himself from voting or taking action on any such matters presented to the Committee.**

7. **REMOVAL:**

The BOCC may remove any member, with or without cause, and fill any vacancies created by such removal.

8. **GRIEVANCES:**

The Committee shall hear complaints from the public, and shall serve as an appeals board for any person who has a grievance regarding the programs under the jurisdiction of the Committee.

9. **SUNSHINE LAW:**

Committee members will adhere to the requirements under the Public Records Laws, and the *Sunshine Law*, Chapters 119 and 286 of the Florida Statutes, respectively.

10. **ORDER OF BUSINESS:**

Roberts Rules of Order shall govern the proceedings of all meetings.

11. **STAFF SUPPORT:**

Staff support shall be provided by the Lee County Department of Human Services. Staff shall be a liaison between the Committee and the BOCC. Staff is responsible for advertising or posting notice for official committee meetings. Staff shall attend committee meetings, prepare Minutes and shall ensure that minutes are filed with the Public Resources Office and other offices prescribed by County Administrative Code AC-2-3.

12. **SEVERABILITY:**

If any section, sentence, clause, or phrase of this Administrative Code is held to be invalid or unconstitutional by any court of competent jurisdiction, the said holding shall in no way affect the validity of the remaining portions of this Administrative Code.

13. **AMENDMENTS:**

This Administrative Code may be amended at any duly constituted meeting of the BOCC by an affirmative vote of a majority of the Board Members present. In order to be effective, any amendment approved hereby must be in writing and incorporated into this Administrative Code.

**ADMINISTRATIVE CODE  
BOARD OF COUNTY COMMISSIONERS**

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The purpose is to satisfy the tri-partite Board requirements of the Florida Department of Community Affairs (DCA) State Community Service Block Grant (CSBG) Program and to meet the requirements of the U.S. Department of Housing and Urban Development's Consolidated Plan, Community Development Block Grant (CDBG) Entitlement Program, HOME Investment Partnerships Program, (HOME), Emergency Shelter Grant Program (ESG) and the County Neighborhood District (ND) Program, by creating a citizens advisory committee. The citizens advisory committee is called the Community Action Agency/Neighborhood District Committee (CAA/NDC) or the Committee.

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**ADMINISTRATIVE CODE # AC 15-1**

**Continued**

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the BOCC appointment, shall be required annually regardless of the number of years the terms run.

- B. Six (6) of the members shall serve for a period of two (2) years from appointment and five (5) members shall serve for one (1) year from appointment.
- C. Representation from the identified categories identified in subsection A above, at least two members of the committee shall be advocates for persons with disabilities to provide input and assistance in plan development.
- D. Appointments shall be made in a non-discriminatory manner, consistent with the requirements of Federal, State and local non-discriminatory laws. The BOCC shall strive for geographic, ethnic, and income diversity in Committee appointments.
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- F. A member who is absent from two (2) consecutive meetings within a twelve (12) month period without having been excused by the Chairperson is deemed to have resigned. Vacancies in the membership of the Committee shall be filled in the same manner provided for in the original appointments.
- G. Low-income individuals, community organizations and religious organizations may petition the BOCC for adequate representation on the CAA/NDC if they feel inadequately represented.

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B. **Vice-Chairperson**

In the absence of the Chairperson, the Vice-Chairperson shall chair Committee meetings and assume other duties as designated by the Chairperson.

C. **Secretary**

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**ADMINISTRATIVE CODE # AC 15-1****Continued**

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In the absence of the Chairperson and Vice Chairperson, the Secretary shall chair the meeting. The Secretary shall ensure that the minutes are properly recorded and shall sign them along with the Chairperson upon approval by the Committee Members.

If a vacancy exists in any of the above offices, the committee members shall elect a new officer by the affirmative vote of a majority of the members present at a meeting of the Committee to fill the incomplete term of the vacated office.

4. **SUBCOMMITTEES:**

A. **Creation**

The committee members shall create, from time to time, such subcommittees as shall be necessary or desirable to carry out the functions, purposes and objectives of the Committee. Any such subcommittee shall be subordinate to the Committee.

B. **Dissolution**

Any such subcommittee may be dissolved by the affirmative vote of a majority of the Committee Members.

C. **Members**

The Members of such subcommittees shall be elected by the committee members for such term and shall have qualifications as the committee members determine.

D. **Removal**

The committee members may remove any subcommittee member with or without cause by the affirmative vote of a majority of committee members present and voting at any meeting of the Committee.

5. **MEETINGS**

A. **Regular Meetings**

The Committee shall generally meet quarterly at a mutually convenient location. Periodically, the Committee may meet more often if the need arises. All meetings shall be open to the public and shall be publicly noticed which includes sending notices to the media.

B. **Quorum**

A Quorum for the Committee Meeting shall consist of a majority of members. A workshop meeting on a topic, or several topics, may be held without a quorum, but no official action can be taken.

C. **Voting at Meetings**

A simple majority of votes is necessary for adoption. All members must abide by (Paragraph 6) the Financial Disclosure statement and (Paragraph 9) the Sunshine Law.

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**ADMINISTRATIVE CODE # AC 15-1**

**Continued**

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6. **FINANCIAL DISCLOSURE:**

Committee members shall comply with the financial disclosure requirements of laws of the State of Florida.

**No member of the Committee shall have any financial interest or conflict of interest in the outcome of any matter coming before such Member in his official capacity. Any member shall disclose on the record the existence of an interest and shall disqualify himself from voting or taking action on any such matters presented to the Committee.**

7. **REMOVAL:**

The BOCC may remove any member, with or without cause, and fill any vacancies created by such removal.

8. **GRIEVANCES:**

The Committee shall hear complaints from the public, and shall serve as an appeals board for any person who has a grievance regarding the programs under the jurisdiction of the Committee.

9. **SUNSHINE LAW:**

Committee members will adhere to the requirements under the Public Records Laws, and the *Sunshine Law*, Chapters 119 and 286 of the Florida Statutes, respectively.

10. **ORDER OF BUSINESS:**

Roberts Rules of Order shall govern the proceedings of all meetings.

11. **STAFF SUPPORT:**

Staff support shall be provided by the Lee County Department of Human Services. Staff shall be a liaison between the Committee and the BOCC. Staff is responsible for advertising or posting notice for official committee meetings. Staff shall attend committee meetings, prepare Minutes and shall ensure that minutes are filed with the Public Resources Office and other offices prescribed by County Administrative Code AC-2-3.

12. **SEVERABILITY:**

If any section, sentence, clause, or phrase of this Administrative Code is held to be invalid or unconstitutional by any court of competent jurisdiction, the said holding shall in no way affect the validity of the remaining portions of this Administrative Code.

13. **AMENDMENTS:**

This Administrative Code may be amended at any duly constituted meeting of the BOCC by an affirmative vote of a majority of the Board Members present. In order to be effective, any amendment approved hereby must be in writing and incorporated into this Administrative Code.

**ADMINISTRATIVE CODE  
BOARD OF COUNTY COMMISSIONERS**

**CATEGORY:**  
Human Services

**CODE NUMBER:**  
AC 15-2

**TITLE:**  
Citizen Participation Plan for U.S. Department of Housing and Urban Development (HUD) Consolidated Plan

**ADOPTED:** 3/21/90

**AMENDED:**  
03/16/94, 04/19/95, 04/10/96,  
06/06/00, 01/30/01, 11/18/03  
4/25/06

**ORIGINATING DEPT.**  
Human Services

**PURPOSE/SCOPE:**

The purpose is to meet the U.S. Housing and Urban Development (HUD) requirements for community planning and development program entitlement grant funds; **the Consolidated Plan for HUD entitlement programs**, which requires a written Citizen Participation Plan that sets forth the County's policies and procedures for an effective citizen participation process.

**SCOPE OF CITIZEN PARTICIPATION:**

The County has the flexibility to choose the citizen participation process that best works for its low and moderate income residents who are the primary clients for the HUD programs. Citizens, non-profit organizations, and other interested parties will be afforded adequate opportunity to review and comment on the original citizen participation plan, on substantial amendments to the citizen participation plan, the development of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the annual performance report. The County will make the development of the above items public. Citizens will be provided with reasonable and timely access to public meetings and hearings.

**CITIZEN ADVISORY COMMITTEE:**

~~The Lee County Board of County Commissioners has approved a citizen's advisory committee, the Community Action Agency/Neighborhood District Committee (CAA/NDC) (AC 15-1), to submit recommendations on the Consolidated Plan, plan amendments, and the annual performance report. The Board of County Commissioners will review the CAA/NDC's recommendations, and will adopt, modify, and/or amend the Consolidated Plan, substantial amendment or performance report prior to submitting to HUD for final approval. County staff from the Department of Human Services will provide technical assistance and support to the CAA/NDC.~~

**The Committee shall serve as the advisory body to the Lee County BOCC and shall participate in the planning, performance evaluation, and public comment on the Community Services Block Grant Action Plan, the HUD Consolidated Plan, the HUD Annual Action Plan the HUD Annual Performance Plan and the Neighborhood District program funding. The committee comments shall be submitted to the BOCC, which may adopt, modify, or amend the plan.**

**ENCOURAGEMENT OF CITIZEN PARTICIPATION:**

Lee County will encourage citizens to participate in the development, of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the annual performance report. Lee County will take reasonable action to encourage participation among all citizens, especially low and moderate income, minority and, non-English speaking persons, as well as persons with disabilities. Participation of residents of public and assisted housing will be encouraged through cooperation with public housing agencies.

**DEVELOPMENT OF THE CONSOLIDATED PLAN:**

Lee County will hold two public hearings per year to obtain citizen's views and to respond to proposals and questions at two different stages of the program year. Together, the two public hearings will address housing and community development needs, development of proposed activities, and review of program performance. The second public hearing will be held before the proposed Consolidated Plan is published for comment. Hearings will be held at times and locations convenient to Plan beneficiaries.

Lee County will notify the public by publishing non-legal advertisements in local newspapers, and posting public notices regarding the development of the Consolidated Plan and the holding of the two public hearings. The non-legal advertisements and posted notices will describe the amount of assistance Lee County expects to receive in grant funds and program income, the range of activities anticipated, the estimated amount benefiting low and moderate-income persons, the County's plans to minimize displacement/relocation of individuals affected by any anticipated community improvement projects, and the types of assistance Lee County will offer, or will require others to make available to any persons displaced or relocated.

Lee County will publish its proposed Consolidated Plan so affected citizens will have sufficient opportunities to review and provide comment. A summary of the proposed plan or amendment will be published in one or more local newspapers of general circulation along with the locations of the complete plan. The County will make copies of the Consolidated Plan available at designated libraries and government offices. Lee County will provide a reasonable number of free copies to those requesting it. The County will give all interested citizens a 30-day public review period. Lee County will consider any comments or views received in writing or orally, at public hearings, in preparing the final consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final consolidated plan.

**NOTICES, REQUESTS FOR INFORMATION, AND ACCESS TO RECORDS:**

Lee County will provide reasonable access to public meetings. Lee County will post timely notice of such meetings at the Lee County Administration Building and on the County public service television or other media accessible to persons with disabilities including persons with visual impairments. In addition, Lee County will publish public notices of all official public hearings in a non-legal section of a newspaper of general circulation approximately 14 days before the scheduled hearing. Notices will be sent to multi-cultural, homeless, disabled, youth, elderly, HIV/AIDS victims and their families, low-income advocates and other special needs organizations and individuals upon request. Printed and media notices will indicate the date, time, location, and topics to be discussed. Upon request, the County will supply written

documents converted into alternative non-written formats.

The Citizen Participation Plan, Consolidated Plan and entitlement grant records will be available for review by citizens, public agencies, and other interested parties, during normal business hours at the Department of Human Services, which is accessible to persons with disabilities and easily reached by public and private modes of transportation. All Requests for Information by residents will be subject to applicable federal, state, and local laws regarding personal privacy and obligations of confidentiality. Printed copies and computer disk copies of the Consolidated Plan, as well as the annual performance report, will be available at the Department of Human Services and at designated libraries.

**SUBSTANTIAL AMENDMENTS:**

Whenever the County determines not to carry out an activity as previously described in the Consolidated Plan, or decides to substantially change the purpose, scope, location, or beneficiaries of an activity, the County will provide citizens with reasonable notice and an opportunity to comment on each proposed change. The County will give citizens a 30-day public review period. Comments will be received at the Lee County Department of Human Services. Lee County will consider any comments or views received in writing or orally, in preparing the final consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final substantial amendment of the consolidated plan

A substantial amendment to the Consolidated Plan is defined as:

- (1) A change in the eligible activity of an approved Project or the transfer of funds to another approved Project or new Project with different eligible activities. (Typical eligible activities include public facilities, housing rehabilitation, new construction, and homelessness prevention and are listed at 24 CFR 570 Subpart C for CDBG, 24 CFR 92.205 for HOME, and 24 CFR 576 for ESG).
- (2) A change in the national objective of an approved Project. (i.e. a change from aid in the prevention of slums or blight to one of benefiting low and moderate income persons).
- (3) A change is made to decrease the number of Project beneficiaries by 50% or more.
- (4) A change is made to change the budget of a Project by 50% or more.
- (5) An amendment will not be deemed Substantial under (1), (2), (3), or (4) above if the amendment is for under \$5,000.00 or affects 5 or fewer applicable beneficiaries. (Although not Substantial, such amendments will be entered in HUD IDIS electronic database and the HUD Field Office will be notified).

The above applies to both the CDBG, ESG, and HOME Programs, except that the HOME Program amendments may be submitted to the Board of County Commissioners and HUD on an annual basis.

The above does not limit interim actions on agreements between Lee County and subrecipients except that any such actions which lead to a change described in items (1) through (5) above will subsequently be processed in conformance with the review and comment requirements of this section.

**PERFORMANCE REPORTS:**

The County will provide citizens with reasonable notice and an opportunity to comment on performance reports. The County will give citizens a 15-day public review period. Comments will be received at the Lee County Department of Human Services and Lee County Public Resources offices. Lee County will consider any comments or views received in writing or orally, in preparing the performance report. A summary of these comments or views shall be attached to the final performance report.

**TECHNICAL ASSISTANCE:**

Groups representative of low and moderate income citizens may request technical assistance in developing funding proposals to strengthen community-based development organizations within the objectives of the Consolidated Plan. The Department of Human Services will supply reasonable assistance in the form of staff presentations, informational handouts, research of a specific issue, or other short-term efforts. This staff assistance does not include the provision of funds to the requestor groups.

**PROVISION FOR NON-ENGLISH SPEAKING CITIZENS AND PERSONS WITH SPECIAL NEEDS:**

Upon public request and subject to the availability of Hispanic or other non-English general circulation newspapers, public notices will be published 14 calendar days prior to a public hearing in local newspaper(s) read by non-English speaking populations. If the Department of Human Services staff has determined that a significant number of non-English speaking residents are expected at a public hearing or meeting, an interpreter and/or other appropriate provisions will be made. Persons needing this assistance will be asked to submit a request in writing to the Department of Human Services for these services at least five (5) working days in advance of the meeting/hearing.

**REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES:**

Lee County will make reasonable accommodations for persons with disabilities. All public meetings and hearings will be held in locations accessible to all persons with disabilities. Upon request a sign language interpreter and/or other appropriate provisions will be made. Persons needing this assistance will be asked to submit a request to the Department of Human Services for these services at least five (5) working days in advance of the meeting/hearing.

**ANTI-DISPLACEMENT**

Lee County will follow HUD regulations and its local anti-displacement policies so that displacement is minimized and if displacement is necessary, persons displaced will be provided with the types and levels of assistance as required by federal regulations.

**COMPLAINT AND APPEAL PROCEDURES:**

- (A) The Lee County Board of County Commissioners will hear complaints or grievances from citizens regarding the Consolidated Plan.
- (B) Written complaints will be addressed to the Department of Human Services, P.O. Box 398, Fort Myers, FL 33902. The complaint will clearly state what the activity of program is, the nature of the complaint or grievance, and the name, address, and day and evening telephone numbers of the person filing the complaint. Upon receipt of a complaint, the Department of Human Services will prepare a written substantive, response to the complainant within 15

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**ADMINISTRATIVE CODE  
BOARD OF COUNTY COMMISSIONERS**

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**CATEGORY:**  
Human Services

**CODE NUMBER:**  
AC 15-2

**TITLE:**  
Citizen Participation Plan for U.S. Department of Housing  
and Urban Development (HUD) Consolidated Plan

**ADOPTED:** 3/21/90

**AMENDED:**  
03/16/94, 04/19/95,04/10/96,  
06/06/00, 01/30/01, 11/18/03  
4/25/06

**ORIGINATING DEPT.**  
Human Services

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**PURPOSE/SCOPE:**

The purpose is to meet the U.S. Housing and Urban Development (HUD requirements for the **Consolidated Plan for HUD entitlement programs**, which requires a written Citizen Participation Plan that sets forth the County's policies and procedures for an effective citizen participation process.

**SCOPE OF CITIZEN PARTICIPATION:**

The County has the flexibility to choose the citizen participation process that best works for its low and moderate income residents who are the primary clients for the HUD programs. Citizens, non-profit organizations, and other interested parties will be afforded adequate opportunity to review and comment on the original citizen participation plan, on substantial amendments to the citizen participation plan, the development of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the annual performance report. The County will make the development of the above items public. Citizens will be provided with reasonable and timely access to public meetings and hearings.

**CITIZEN ADVISORY COMMITTEE:**

The Committee shall serve as the advisory body to the Lee County BOCC and shall participate in the planning, performance evaluation, and public comment on the Community Services Block Grant Action Plan, the HUD Consolidated Plan, the HUD Annual Action Plan the HUD Annual Performance Plan and the Neighborhood District program funding. The committee comments shall be submitted to the BOCC, which may adopt, modify, or amend the plan.

**ENCOURAGEMENT OF CITIZEN PARTICIPATION:**

Lee County will encourage citizens to participate in the development, of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the annual performance report. Lee County will take reasonable action to encourage participation among all citizens, especially low and moderate income, minority and, non-English speaking persons, as well as persons with disabilities. Participation of residents of public and assisted housing will be encouraged through cooperation with public housing agencies.

**DEVELOPMENT OF THE CONSOLIDATED PLAN:**

Lee County will hold two public hearings per year to obtain citizen's views and to respond to proposals and questions at two different stages of the program year. Together, the two public hearings will address housing and community development needs, development of proposed activities, and review of program performance. The second public hearing will be held before the proposed Consolidated Plan is published for comment. Hearings will be held at times and locations convenient to Plan beneficiaries.

Lee County will notify the public by publishing non-legal advertisements in local newspapers, and posting public notices regarding the development of the Consolidated Plan and the holding of the two public hearings. The non-legal advertisements and posted notices will describe the amount of assistance Lee County expects to receive in grant funds and program income, the range of activities anticipated, the estimated amount benefiting low and moderate-income persons, the County's plans to minimize displacement/relocation of individuals affected by any anticipated community improvement projects, and the types of assistance Lee County will offer, or will require others to make available to any persons displaced or relocated.

Lee County will publish its proposed Consolidated Plan so affected citizens will have sufficient opportunities to review and provide comment. A summary of the proposed plan or amendment will be published in one or more local newspapers of general circulation along with the locations of the complete plan. The County will make copies of the Consolidated Plan available at designated libraries and government offices. Lee County will provide a reasonable number of free copies to those requesting it. The County will give all interested citizens a 30-day public review period. Lee County will consider any comments or views received in writing or orally, at public hearings, in preparing the final consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final consolidated plan.

**NOTICES, REQUESTS FOR INFORMATION, AND ACCESS TO RECORDS:**

Lee County will provide reasonable access to public meetings. Lee County will post timely notice of such meetings at the Lee County Administration Building and on the County public service television or other media accessible to persons with disabilities including persons with visual impairments. In addition, Lee County will publish public notices of all official public hearings in a non-legal section of a newspaper of general circulation approximately 14 days before the scheduled hearing. Notices will be sent to multi-cultural, homeless, disabled, youth, elderly, HIV/AIDS victims and their families, low-income advocates and other special needs organizations and individuals upon request. Printed and media notices will indicate the date, time, location, and topics to be discussed. Upon request, the County will supply written

documents converted into alternative non-written formats.

The Citizen Participation Plan, Consolidated Plan and entitlement grant records will be available for review by citizens, public agencies, and other interested parties, during normal business hours at the Department of Human Services, which is accessible to persons with disabilities and easily reached by public and private modes of transportation. All Requests for Information by residents will be subject to applicable federal, state, and local laws regarding personal privacy and obligations of confidentiality. Printed copies and computer disk copies of the Consolidated Plan, as well as the annual performance report, will be available at the Department of Human Services and at designated libraries.

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**LEE COUNTY RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS RELATING TO AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE AS ADOPTED BY LEE COUNTY ORDINANCE NO. 97-23; PROVIDING FOR APPROVAL OF CERTAIN AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners is the governing body in and for Lee County, a political subdivision of the State of Florida; and,

**WHEREAS**, the Board of County Commissioners has previously enacted Lee County Ordinance No. 96-01, creating a charter form of government for Lee County pursuant to Section 125.80 and ff., Florida Statutes, and which was approved and ratified by the Electorate of Lee County on November 5, 1996; and,

**WHEREAS**, the Board of County Commissioners has previously enacted Lee County Ordinance No. 97-23, which adopted the Lee County Administrative Code pursuant to Section 2.2.E. of Ordinance No. 96-01, the Lee County Charter; and,

**WHEREAS**, Lee County Ordinance No. 97-23 at Section III allows and provides for amendments to the Lee County Administrative Code to be made by Resolution of the Board of County Commissioners at a regularly scheduled Board of County Commissioners' meeting; and,

**WHEREAS**, certain amendments to the Lee County Administrative Code are now being proposed, and the Board of County Commissioners finds that such proposed amendments are acceptable, serve a public purpose and are consistent with the terms and conditions of Lee County Ordinance No. 96-01, the Lee County Charter.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THAT:**

1. The above preamble is hereby accepted and approved as being true and accurate, and is adopted and incorporated herein as if set out further at length.
2. The proposed amendment(s) to the Lee County Administrative Code 15-1, 15-2 (attached hereto as Exhibit A), is (are) approved, and are hereby directed to be incorporated into the Lee County Administrative Code as indicated in the amendment(s).
3. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of this Resolution, the powers herein provided for. If any of the provisions of this Resolution shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other remaining provisions of this Resolution. It is hereby declared to be the Board's legislative intent that this Resolution would have been adopted had such an unconstitutional provision not been included herein.
4. This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and, being put to a vote, the vote was as follows:

ROBERT P. JANES \_\_\_\_\_  
DOUGLAS ST. CERNY \_\_\_\_\_  
RAY JUDAH \_\_\_\_\_  
TAMMARA HALL \_\_\_\_\_  
JOHN E. ALBION \_\_\_\_\_

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**ATTEST:**  
**CHARLIE GREEN, CLERK**

**BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairwoman

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Office of the County Attorney