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**FLORIDA DEPARTMENT *of*  
ECONOMIC OPPORTUNITY**

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**OFFICE OF LONG-TERM RESILIENCY  
CDBG-MITIGATION  
CITIZEN PARTICIPATION PLAN**

Version #2.3  
October 28, 2021

# VERSION HISTORY

Version Number	Date	Summary of Changes
2.3	10/28/2021	<p>Updated “Public Notice and Public comment Period” with additional information on efforts to notify citizens and stakeholders of Action Plan Amendments, public comment periods, and public hearings.</p> <p>Update “Public Comment” section for clarity and consistency with other Citizen Participation Plans.</p> <p>Updated “Accessibility” section by separating information on Accessibility for individuals with Limited English Proficiency and individuals with disabilities, into two sections. Added information on efforts DEO makes to ensure meaningful access to LEP and disabled individuals in compliance with the requirements at 24 CFR 91.115.</p> <p>Updated “Public Outreach” by adding the sections “Outreach Plan” and “LEP Outreach”</p> <p>Updated “Webinar” to include information on additional webinar held by DEO.</p> <p>Updated Citizens Complaints and Inquiries to specify that written responses will be provided within 15 working days to all complaints.</p> <p>Updated Anti-Fraud Waste, and Abuse (AFWA) section with information from DEO’s updated AFWA policy</p> <p>Made formatting changes throughout the document.</p>

In August 2021 the Office of Long-Term Resiliency’s Version history policy was updated to ensure changes to program documents are recorded and noted in the applicable version history table. Due to this change, gaps in version history prior to August 2021 are present.

## VERSION POLICY

Version history is tracked in the table above, with notes regarding version changes. The dates of each publication are also tracked in this table.

This manual will be updated as needed to incorporate changes based on information obtained from attending CDBG-DR and program-related training workshops, seminars, webinars, and other resources, including changes in federal and state laws, rules, regulations and program policies and procedures. In addition, information obtained at the training sessions and an overview of the training sessions will be provided to all staff in the Office of Long-Term Resiliency that did not attend the training as part of a continuous education program. Updated guidelines specific to each program will also be posted on the Office of Long-Term Resiliency webpage. Information about DEO's Office of Long-Term Resiliency can be found at: [www.floridajobs.org/CDBG-DR](http://www.floridajobs.org/CDBG-DR).

Substantive changes in this document that reflect a policy change will result in the issuance of a new version of the document. For example, a substantive policy change after the issuance of Version 1.0 would result in the issuance of Version 2.0, an increase in the primary version number. Non-substantive changes such as minor wording and editing or clarification of existing policy that do not affect interpretation or applicability of the policy will be included in minor version updates denoted by a sequential number increase behind the primary version number (i.e., Version 2.1, Version 2.2, etc.).

## POLICY CHANGE CONTROL

Policy review and changes for the State of Florida Office of Long-Term Resiliency are considered through a change-control process. Policy clarifications, additions, or deletions are needed during the course of the program to more precisely define the rules by which the Program will operate. Program staff will document policy-change requests that will be tracked in the program files. Requests are compiled and brought before supervisory staff in a policy meeting. Subject matter experts working in a particular policy area or task area that will be affected by the policy decision may be invited to assist in policy evaluation, if necessary. Policy meetings will be held as frequently as is necessary to consider policy decisions critical to moving the Program forward in a timely manner. Policy decisions will be documented and will result in the revision of the document in question.

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## INTRODUCTION

The U.S. Department of Housing and Urban Development (HUD) announced that \$633 million in first-of-its-kind funding would be available to the state of Florida for disaster mitigation projects in areas impacted by presidentially declared disasters in 2016 and 2017. These funds are available through HUD's newly created Community Development Block Grant - Mitigation and will be used to fund disaster mitigation programs to better protect Florida from future disasters.

Community Development Block Grant Mitigation (CDBG-MIT) funds represent a unique and significant opportunity for the state of Florida, in the areas most impacted by recent disasters, to carry out strategic and high-impact activities to minimize or eliminate risks and reduce losses from future disasters. In addition to mitigating disaster risks, the funds provide an opportunity to improve state and local planning protocols and procedures.

Florida's focus is to support data-informed investments through high-impact projects that will reduce risks attributable to natural disasters, with particular attention to repetitive losses of property and critical infrastructure. The state also supports the adoption of policies that reflect local and regional priorities that will have long-lasting effects on community risk reduction, to include the reduction of risk to community lifelines such as Safety and Security and Communications.

Florida values citizen and stakeholder engagement. Florida has developed a Citizen Participation Plan in compliance with Federal Register Notice, Volume 83, No. 28 published Friday, February 9, 2018 and HUD Federal Register Notice, Volume 85, No. 17 published Monday, January 27, 2020, § 24 CFR 91.115 and applicable HUD requirements to set forth the policies and procedures applicable to citizen participation. This plan is intended to maximize the opportunity for citizen involvement in the planning and development of the Rebuild Florida mitigation program.

The primary goal of the Citizen Participation Plan is to provide Floridians with definitive opportunities to involve themselves in the recovery process as it pertains to CDBG-MIT funds.

## ACTION PLAN

The Florida Department of Economic Opportunity (DEO) led the state's efforts in creating the federally required State Action Plan that provides a high-level strategy for how the funding will be used to address eligible communities' disaster mitigation needs. The State Action Plan was developed in partnership with state agencies working on resiliency efforts, as well as with input from local communities and stakeholders to determine Florida's most critical disaster mitigation needs.

The State of Florida Action Plan for Mitigation (Action Plan), and any following amendments, define how the Office of Long-Term Resiliency (OLTR) will effectively use all available funding to carry out strategic and high-impact activities to mitigate disaster risks and reduce future losses. The Action Plan describes Florida's proposed allocation by activity and lays out program designs and guidelines for each area of assistance. The plan also identifies the beginning and end dates for each mitigation activity, performance and expenditure schedule.

As part of the development of the Action Plan, DEO hosted a series of regional public workshops across Florida to seek feedback and input for the use of CDBG-MIT funds.

On February 3, 2020, DEO submitted to HUD the state's action plan for \$633 million in funding for mitigation activities in Florida communities that experienced major declared disaster events during 2016 and 2017.

The final plan approved by HUD is posted to: <http://www.floridajobs.org/rebuildflorida/mitigation>

## AMENDMENTS TO ACTION PLAN

### Substantial Amendment

As additional information and funding becomes available through the grant administration process, amendments to this Action Plan are expected. Prior to adopting any substantial amendment to this Action Plan, OLTR will publish the proposed plan or amendment on the official website and will afford citizens, affected local governments, and other interested parties a reasonable opportunity to examine the plan or amendment's contents. At a minimum, the following modifications will constitute a substantial amendment:

- The addition of a CDBG-MIT Covered Project
- a change in program benefit or eligibility criteria;
- the addition or deletion of an activity; or
- the allocation or reallocation of more than 25 percent of the total current allocation(s) from HUD.

Citizens will be provided 30 days to review and provide comments on proposed substantial changes. A summary of all comments received will be included in the final Substantial Amendment submitted to HUD for approval. A summary of all comments received will be included in the final substantial amendment submitted to HUD for approval. Final substantial amendments approved by HUD will be posted to RebuildFlorida.gov.

### Non-substantial Amendment

OLTR will notify HUD when it makes any plan amendment that is not substantial. HUD will be notified at least five (5) business days before the amendment becomes effective. HUD will acknowledge receipt of the notification of non-substantial amendments via email within five (5) business days.

Every amendment, substantial or non-substantial, shall be numbered sequentially and posted on the DEO website, not in replacement of, but in addition to, all previous versions of the plan.

## PUBLIC NOTICE AND PUBLIC COMMENT PERIOD

Before OLTR adopts the Action Plan for this grant or any substantial amendment to this grant, OLTR will publish the proposed plan or amendment on <http://www.floridajobs.org/rebuildflorida/mitigation>.

### Notice of Substantial Amendments

- *Constant Contact* email will be sent to stakeholders in relevant impacted areas to encourage community participation.
  - Email will be sent on first day of the public comment period providing dates and instructions for comment submission.
  - Reminder email will be sent 7 days before the close of the public comment period.

### Notice of Public Hearings

- Notice of a public comment period will be provided 7 days before publication on <http://www.floridajobs.org/rebuildflorida/mitigation>.
- *Constant Contact* email will be sent to stakeholders in relevant impacted areas to encourage community participation.
- Outbound phone calls will be made to Long Term Recovery Organizations and community stakeholders in impacted regions, to encourage event participation
- Postings will be made in local newspapers in all relevant languages at least 1 week in advance of the hearing.
- LEP Consideration- Inclusion of content in relevant languages will be provided. Additional translation services are able to be provided, upon request.

## Public Comment

- Florida's citizen public comment period is open for the following timeframes:
  - Public comment period for the original Action Plan was open for 45 days from the publication of the Action Plan to RebuildFlorida.gov.
  - Public comment period for Substantial Amendments will remain open for 30 days from the publication of the Substantial Amendment to RebuildFlorida.gov.

The Office of Long-Term Resiliency will take comments via USPS mail, fax, email, or through the main website:

Attention: Rebuild Florida Constituent Services

Florida Department of Economic Opportunity

Division of Community Development

107 East Madison Street Caldwell Building, MSC 400

Tallahassee, FL 32399

E-mail: [cdbg-mit@deo.myflorida.com](mailto:cdbg-mit@deo.myflorida.com)

Website: [www.floridajobs.org/Mitigation](http://www.floridajobs.org/Mitigation)



## CONSIDERATION OF PUBLIC COMMENTS

OLTR will consider all written comments regarding the Action Plan or any substantial amendment. A summary of the comments received on the draft Action Plan, as well as DEO's response to each comment, are included in the appendix section of the Action Plan.

All comments and responses will be submitted to HUD with the Action Plan or substantial amendment.

## ACCESSIBILITY

The state of Florida is committed to providing all citizens with equal access to information about the CDBG-Mitigation program, including persons with disabilities and Limited English Proficiency (LEP). Florida follows HUD's regulation, 24 CFR Part 1, "Nondiscrimination in Federally Assisted Programs of the Department of Housing and Urban Development—Effectuation of Title VI of the Civil Rights Act of 1964," which requires all recipients of federal financial assistance from HUD to provide meaningful access to LEP persons and persons with disabilities.

The Office of Long-Term Resiliency will ensure that all citizens have equal access to information about the programs, including persons with disabilities and Limited English Proficiency (LEP), and will ensure that program information is available in the appropriate languages for the geographic area served by the jurisdiction.

To ensure meaningful access for individuals with disabilities or LEP, DEO developed and implemented a Rebuild Florida Language Access and Accessibility Plan, which details how Florida will address these needs. The Language Access and Accessibility Plan is available on the Office of Long-Term Resiliency website at <http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative>.

Additional interpretive and translational services are available upon request.

### Limited English Proficiency

Persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English may be entitled to language assistance with respect to a particular type of service, benefit or encounter. To address this need, DEO developed and implemented an Office of Long-Term Resiliency Language Access Plan, which details how Florida will address the needs of LEP individuals. This Language Access Plan is available in English, Spanish, and Haitian Creole on the Office of Long-Term Resiliency website at <http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative>.

Translators will be present when a significant number of non-English speaking residents can be reasonably expected to participate in public hearings or open comment periods. DEO brings to each public hearing, printed copies of the presentation translated into the languages determined for the affected area, to be given at the hearing. In addition to these copies, copies translated into other languages can be provided, if requested. Requests for translation of a public hearing presentation can be sent to [cdbg-dr@deo.myflorida.com](mailto:cdbg-dr@deo.myflorida.com).

Outreach materials and citizen comments will also be translated into the appropriate language.

The Action Plan, any ensuing amendments, outreach materials, the application and related guidance materials will be published in English, Spanish, and Haitian Creole. The languages selected were selected based on the entire eligible area of the CDBG-MIT funds allocated and the proportion of LEP individuals. Subrecipients of the CDBG-MIT program are also required to translate or offer translation of public notices and program documentation. Recognizing there may be a need for individuals to have access to the document in additional languages the OLTR

will contract with an as needed translation service to provide personalized translations of the Action Plan and other program documents, upon request.

Additional interpretive and translational services are available upon request.

DEO has also posted an Interpretive and Translation Services Notice on RebuildFlorida.gov and [www.floridajobs.org/CDBG-DR](http://www.floridajobs.org/CDBG-DR) informing individuals that free interpretation services are available upon request in at least 15 different languages. OLTR will ensure that program information is available in the appropriate languages for the geographic area served by the jurisdiction.

Additional interpretive and translational services are available upon request.

## Accessibility for Persons with Disabilities

In accordance with 24 CFR 91.115(a)(3) and (f), this Citizen Participation Plan and other program documents including but not limited to the CDBG-Mitigation Action Plan and its amendments, will be provided in a form accessible to persons with disabilities, upon request.

DEO strives to provide all information posted to its website in forms that are accessible by screen-readers and other assistive technology.

Auxiliary aids and service are available upon request to Individuals with disabilities. All voice telephone numbers on this and all other DEO documents may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

DEO has posted additional accessibility information on the Accessibility page of RebuildFlorida.gov at <https://floridajobs.org/rebuildflorida/accessibility>. This page links to the [Language Access and Accessibility Plan](#) and contains information on the availability of TDD/TTY services for individuals who are in need of relay services, and the availability of additional translation services upon request.

DEO welcomes comments on how to improve accessibility for users with disabilities. Individuals who use assistive technology are encouraged to contact the Office of Long-Term Resiliency at [CDBG-DR@deo.myflorida.com](mailto:CDBG-DR@deo.myflorida.com) if the format of any material on the Office of Long-Term Resiliency Rebuild Florida website interferes with their ability to access the information.

Additional interpretive and translational services are available upon request.

## Sign Language Interpretation Service

Sign language interpretation services can be provided at public hearings for individuals who require interpretation, if advance notice is provided. Individuals in need of such services should notify DEO via email at [cdbg-dr@deo.myflorida.com](mailto:cdbg-dr@deo.myflorida.com).

## PUBLIC OUTREACH

DEO, alongside other state agencies and local communities, has sought to engage with and seek input from local, state and federal partners on their disaster mitigation needs and priorities. DEO held statewide webinars, multiple regional workshops and sought input from community partners statewide through a survey to gather feedback from Florida communities on their mitigation priorities. This input was used to determine how to distribute the federal funds to help better protect Florida's communities from future disasters.

## Outreach Plan

The following strategies were utilized during program launch as well as open application periods for CDBG-Mitigation programs. These strategies will be utilized, as appropriate, in future outreach campaigns.

- Outbound phone calls to OLTR's, community stakeholders, and partners and community partner meetings in-person in the affected areas to promote program participation.
- Community Workshops were held as part of the development of the CDBG-Mitigation Action Plan and the Substantial Amendment allocating the second award of CDBG-MIT funding. This series of regional public workshops were held to seek feedback and input on the use of CDBG-MIT funds.
- Public Webinars were hosted by DEO to provide an opportunity for information and feedback. The webinar recordings, along with the slides and transcripts, are posted on the Mitigation webpage at [floridajobs.org/mitigation](http://floridajobs.org/mitigation).

## LEP Outreach

Program documents will be available in English, Spanish, and Creole. The languages provided were determined based on a review of primary languages spoken in each of the counties and zip codes affected by the 2016, 2017, and 2018 disasters.

## Subrecipient Citizen Participation and Applications for Assistance

Local governments are responsible for notifying citizens of planned or proposed mitigation activities and for obtaining citizen input in accordance with their Citizen Participation Plan. All subrecipient programs must meet the LMI requirement as defined by the U.S. Department of Housing and Urban Development in Federal Register 84 Vol. 169.

## Webinar

To provide more information on the state's new mitigation program, DEO hosted a statewide webinar on Wednesday, October 16, 2019. There were 145 participants. An additional webinar was held on April 26, 2021 following the second allocation of CDBG-MIT funding received by DEO. The purpose of these live webinars was to provide an orientation and education regarding the Action Plan planning and implementation process for CDBG-MIT professional partners, to set the stage for upcoming visits to communities, and to gather input and feedback on the use of CDBG-MIT funds. These webinars and their transcripts are available on the Mitigation webpage at <http://www.floridajobs.org/rebuildflorida/mitigation>.

DEO will continue to hold webinars in response to participant feedback to promote an open line of communication with stakeholders. Future webinars will be posted to the Disaster Recovery Webpage along with transcripts.

## Community Stakeholder Survey

Prior to the publication of the Federal Register, DEO developed a survey to capture feedback from communities that were in the HUD-identified MIDs and to allow for additional input from communities that were not able to attend stakeholder meetings. The survey opened on May 31, 2019 in an effort to gather feedback from Florida communities impacted by recent hurricanes on their mitigation priorities in anticipation of the need for information to develop the Action Plan. The survey closed November 30, 2019. The survey gathered feedback and input from Florida communities regarding their mitigation needs and priorities. In addition, survey respondents

were asked to rank various mitigation program needs based on risks, hazards and threats. They were also given an opportunity to suggest additional program ideas.

The cumulative results from the initial outreach survey follow:

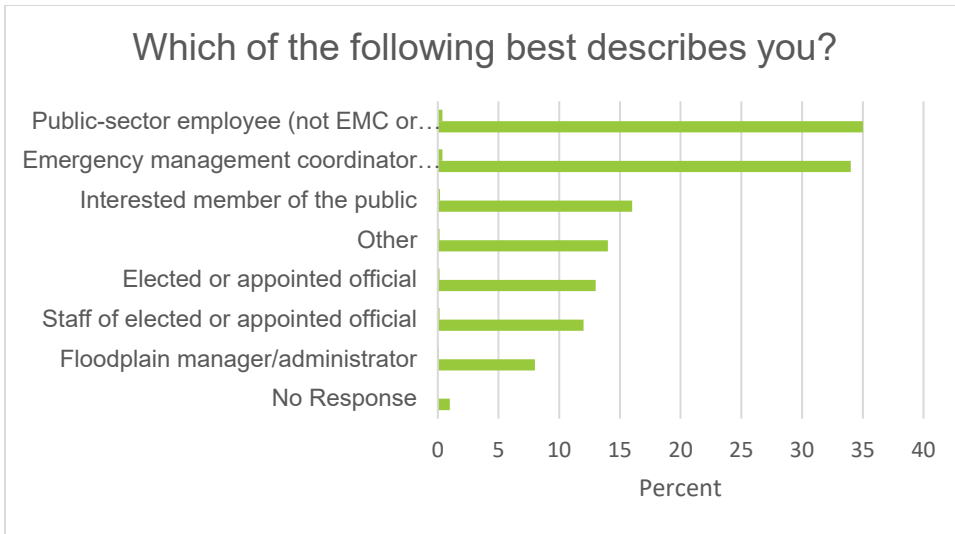


FIGURE 1: COMMUNITY STAKEHOLDER SURVEY: SURVEY DEMOGRAPHIC

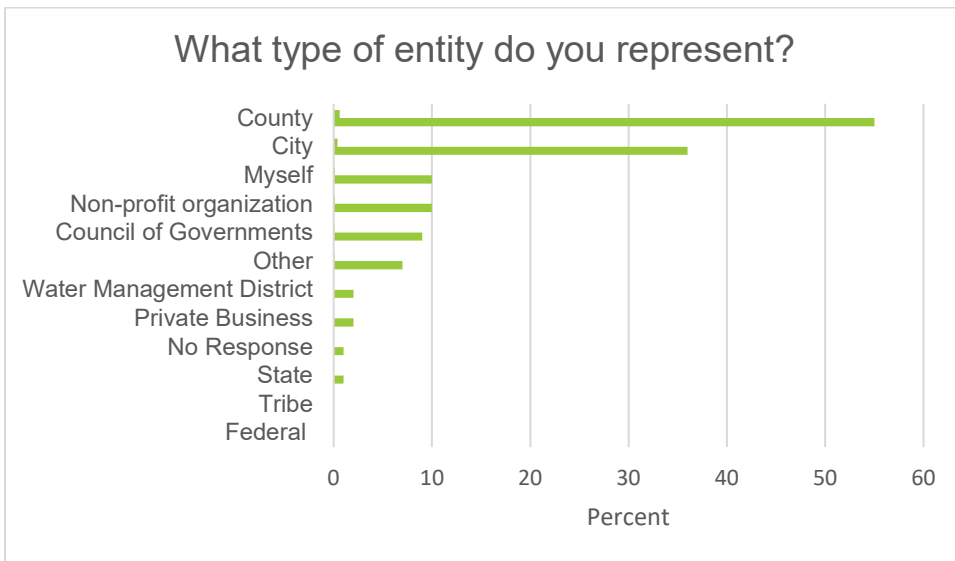


FIGURE 2: COMMUNITY STAKEHOLDER SURVEY: ENTITY REPRESENTATION

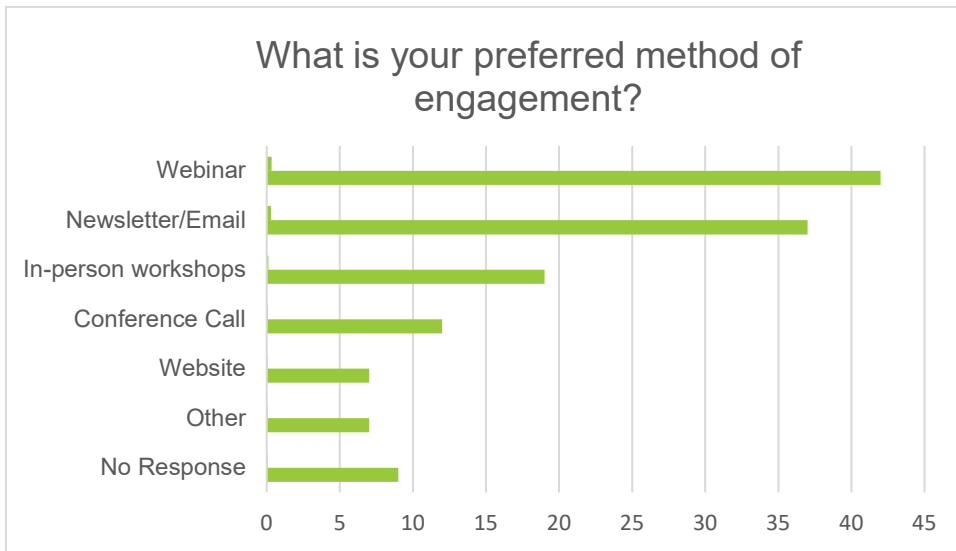


FIGURE 3 : COMMUNITY STAKEHOLDER SURVEY: PREFERRED METHOD OF ENGAGEMENT

As displayed in preceding tables of the 133 survey respondents, most are those who described themselves as public-sector employees (26.3%). The second most common type of respondents were Emergency Management Coordinators at 25.5%. Most of the respondents represented their counties (41%); cities were the second-most represented (27%). The preferred method of communication is webinar (32%) followed closely by newsletter or email (28%).

These preliminary statistics were considered with the recognition that certain groups were underrepresented and will be specifically sought after in future survey efforts. During the public comment period DEO endeavored to incorporate feedback, particularly from those who were not reached during initial engagement efforts.

## Community Workshops

DEO, in partnership with MID communities, conducted regional workshops across the state to provide resources for long-term mitigation to local governments, businesses and other organizations. Seven regional workshops were held prior to the Action Plan’s 45-day public comment period. CDBG-MIT information was presented to community members and an opportunity was provided to ask questions about the program and application processes. In addition to providing outreach to communities, these meetings provided DEO with an opportunity to focus on regionally-specific issues and challenges.

Times and locations of these workshops are shown below and the presentation slides are available at the following link: [http://www.floridajobs.org/docs/default-source/office-of-disaster-recovery/cdbg-mitigation/mitigation-public-workshops-powerpoint.pdf?sfvrsn=d7d041b0\\_2](http://www.floridajobs.org/docs/default-source/office-of-disaster-recovery/cdbg-mitigation/mitigation-public-workshops-powerpoint.pdf?sfvrsn=d7d041b0_2)

### DUVAL COUNTY

**Date:** Tuesday, October 29, 2019

**Time:** 5:00 p.m.

**Location:** University of North Florida  
Adam W. Herbert University Center  
Board of Trustees Room  
12000 Alumni Drive  
Jacksonville, FL 32224

### BREVARD COUNTY

**Date:** Wednesday, October 30, 2019

**Time:** 2:00 p.m.

**Location:** Brevard County Government Center  
County Commission Chambers  
2725 Judge Fran Jamieson Way, Bldg. C, First Floor  
Viera, FL 32940

### PINELLAS COUNTY

**Date:** Thursday, October 31, 2019

**Time:** 9:30 a.m.  
**Location:** Tampa Bay Regional Planning Council  
4000 Gateway Centre Blvd., STE 100  
Pinellas Park, FL 33782

**LEE COUNTY**

**Date:** Monday, November 4, 2019  
**Time:** 3:00 p.m.  
**Location:** North Fort Myers Public Library, Meeting Room AB  
2001 N. Tamiami Trail  
North Fort Myers, FL 33903

**MIAMI-DADE COUNTY**

**Date:** Tuesday, November 5, 2019  
**Time:** 2:00 p.m.  
**Location:** Town of Cutler Bay  
Council Chambers

10720 Caribbean Boulevard Suite 115  
Cutler Bay, Florida, 33189

**PALM BEACH COUNTY**

**Date:** Wednesday, November 6, 2019  
**Time:** 1:00 p.m.  
**Location:** South Florida Water Management District  
3301 Gun Club Road, B-1  
West Palm Beach, FL 3340

**MONROE COUNTY**

**Date:** Thursday, November 7, 2019  
**Time:** 2:00 p.m.  
**Location:** City of Marathon  
Council Chambers  
9805 Overseas Highway  
Marathon, Florida 33050

During the regional workshops, DEO staff responded to each comment and question as thoroughly as possible. Participants were provided information on how to remain in contact with the Mitigation Team to ensure open lines of communication between state and local partners throughout each phase of the program. Overall, concerns were outlined regarding a wide range of topics including, but not limited to, climate change considerations, hardening of establishments, subrecipient eligibility and composition of the Citizen Advisory Committee. DEO has recorded and considered all observations from these meetings in the Mitigation Action Plan available on the Mitigation website.

## CITIZEN ADVISORY COMMITTEE

Per the federal register guidance in Federal Register Vol. 84 No. 169, the CDBG-MIT program will establish a committee of statewide representatives who will provide a forum for public participation and increased transparency in the implementation of CDBG-MIT programs. The committee will meet at least twice annually and will serve as a liaison between the state and local communities regarding all mitigation activities and will serve as an on-going public forum resource. Information regarding the selection process for committee members will be made available on the DEO website when the committee is activated.

The purpose of the Citizen Advisory Committee is to represent the regions of Florida and act in an auxiliary capacity to the CDBG-MIT Program. In this position, the Committee shall review, comment and/or make recommendations to the Program regarding mitigation activities.

## ADDITIONAL OUTREACH

In addition to the outreach described above, further outreach and communication with community members has included press releases, email campaigns and outbound phone call campaigns to stakeholders. DEO also sent out emails with Federal Register content summaries and other information. Staff plans to facilitate the following outreach opportunities:

- Application Workshop for Subgrantees;
- Citizen Advisory Committee Trainings;
- Governor’s Hurricane Conference;

- Newsletters; and
- Press Releases

DEO will continue to conduct outreach with communities in partnership with other organizations throughout the implementation of the CDBG-MIT grant to ensure that all stakeholders are aware of the opportunities that exist and have an opportunity to provide feedback along the way.

## PUBLIC WEBPAGE

OLTR will maintain a comprehensive mitigation webpage, linked to the existing Disaster Recovery website, that provides information accounting for how all grant funds are used and managed/administered. OLTR will make the following items available on this Mitigation website, <http://www.floridajobs.org/rebuildflorida/mitigation>: (1) the Action Plan (including all amendments); (2) each Quarterly Performance Report (QPR) as created using the Disaster Recovery Grant Reporting (DRGR) system; (3) procurement policies and procedures; (4) executed CDBG-MIT contracts; and (5) status of services or goods currently being procured by OLTR (e.g., phase of the procurement, requirements for proposals, etc.). In addition to the specific items listed above, OLTR will post information regarding all mitigation activities assisted with these funds. This webpage will be updated at intervals of one month or sooner.

## PERFORMANCE REPORTING

In accordance to HUD requirements, Florida will submit a QPR through the HUD DRGR- system no later than 30 days following the end of each calendar quarter. Three days before submission to HUD, Florida will post each QPR for public review and comment on <http://www.floridajobs.org/rebuildflorida/mitigation>. Program QPRs will be posted on a quarterly basis until all funds have been expended and all expenditures have been reported.

## TECHNICAL ASSISTANCE

Upon request, limited technical assistance will be provided by Rebuild Florida CDBG-MIT program staff. Requests should be made within the time parameters specified by the applicable program's guidelines. DEO may contract with a Technical Assistance Provider(s) should demand for technical assistance warrant.

## CITIZEN COMPLAINTS AND INQUIRIES

All complaints and inquiries that are submitted to DEO will be addressed through OLTR's Constituent Management Services staff. Complaints are any verbal or written statement of grievance — including phone calls, emails, faxes, or letters — that are received by the state, its contractor, and/or other program sources. Inquiries are requests for information or assistance. All complaints and inquiries that are received will be reviewed by the Constituent Management Services staff for:

1. Conducting investigations, as necessary;
2. Finding a resolution; or
3. Conducting follow-up actions.

Every complaint and inquiry will be included in a tracking system. Constituent Management Services staff will maintain electronic files that include:

- Name of the complainant and contact information;

- Date the complaint was received;
- Description of the complaint;
- Name of each person contacted in relation to the complaint;
- A summary of the result and the date of the response to complainant; and
- Explanation of the resolution of the file.

The state will provide a written response to all complaints within 15 working days of receipt of the complaint via email or U.S. mail. Following the initial response, the state will make every effort to provide a resolution to complaints within the 15-working day period. If a resolution cannot be reached within the 15-working day period, the complainant will receive a status update on the issue(s) and, if possible, a timeframe for when a resolution can be reached. Constituent Management Services Lead will monitor response times to ensure compliance and will adjust timeframes for additional responses as needed.

The aim of the state will be to always attempt to resolve complaints in a manner that is both sensitive to the complainant's concerns and appropriately addresses their needs, while complying with Program requirements as well as state and federal regulations.

Complaints and inquiries can be submitted directly to DEO in either of the following ways:

1. Via U.S. mail to:

Attention: Constituent Management Services  
Florida Department of Economic Opportunity  
Division of Community Development  
107 East Madison Street Caldwell Building, MSC 400  
Tallahassee, Florida 32399

2. Contacting Constituent Management Services (CMS) staff directly:

Via email: [CMS@deo.myflorida.com](mailto:CMS@deo.myflorida.com)

Via Phone: (850)717-8474

## FAIR HOUSING



Title VIII of the Civil Rights Act of 1968, as amended, makes discrimination based on race, color, religion, sex, handicap, familial status, or national origin illegal in connection with the sale or rental of most housing and any vacant land offered for residential construction or use.

DEO is directed by the affirmatively Furthering Fair Housing (AFFH) rule to provide opportunities for community participation, consultation and coordination. The purpose of this mandate is to solicit the views and recommendations of community members that live in the area that will be affected by a federal action. DEO is committed to considering and implementing those views and recommendations into decisions and outcomes as much as possible. All subrecipients of MIT funding must consider whether federally funded projects and activities will impact housing. Any project that will impact housing will require subrecipients to provide outreach to the affected population, including those who have been historically excluded from decision-making processes and racial and ethnic minorities, Limited English Proficient (LEP) persons, and persons with disabilities.



## Fair Housing Complaints

Persons alleging a violation of fair housing laws will be referred to DEO's local contact and process to file a complaint. DEO will retain a log and record all fair housing inquiries, allegations, complaints and referrals. In addition, DEO will report suspected non-compliance to HUD. The contact for Fair Housing Complaints is:

FairHousing@deo.myflorida.com

## APPEALS

All applications, guidelines and websites will include details on the right to file a complaint or appeal, and the process for filing a complaint or beginning an appeal.

### Appeals Process

#### Formal Appeal/Notice of Administrative Appeals Rights

Any person whose substantial interests are affected by DEO's determination has the opportunity for an administrative hearing pursuant to section 120.569, Florida Statutes. For the required contents of a petition challenging agency action, refer to rules 28-106.104(2), 28-106.20(2), and 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either sections 120.569 and 120.57(1), Florida Statutes, or sections 120.569 and 120.57(2), Florida Statutes. Pursuant to section 120.573, Florida Statutes, and Chapter 28-106, Part IV, Florida Administrative Code, mediation is available to settle administrative disputes. Any petition must be filed with the Agency Clerk within 30 calendar days of receipt of DEO's determination.

Any petition must be filed with the Agency Clerk within 30 calendar days of receipt of this determination. A petition is filed when it is received by:

Agency Clerk Department of Economic Opportunity

Office of the General Counsel 107 East Madison Street, MSC 110

Tallahassee, Florida 32399-4128

Fax: (850) 921-3230

Email: Agency.Clerk@deo.myflorida.com

## UNIFORM RELOCATION ACT (URA) APPEALS

Applicants may appeal in any case in which they believe that the Program has failed to properly consider the entity's application for assistance. The applicant must appeal Program decisions within 30 days of receiving a written determination from the Program outlining the program's decision related to applicant eligibility for benefits or amount of benefits. The URA appeals process will be governed by DEO's administrative appeals process.

## ANTI-FRAUD, WASTE, AND ABUSE

Rebuild Florida constituents, employees and contractors may report suspected fraud, waste, or abuse by contacting Constituent Management Services staff, submitting information via the Report Fraud, Waste or Abuse online form

(<http://floridajobs.org/rebuildflorida/report>; (all contact information fields are optional to allow for anonymity) or by sending an e-mail to [cdbg-dr\\_antifraudwasteabuse@deo.myflorida.com](mailto:cdbg-dr_antifraudwasteabuse@deo.myflorida.com).

All suspected cases of fraud will be taken seriously, and complaints will be reported to OLTR's Compliance and Reporting Manager and DEO's Office of the Inspector General at [OIG@deo.myflorida.com](mailto:OIG@deo.myflorida.com). If DEO's OIG determines that it is appropriate, it will coordinate its investigation with agencies such as the Florida Office of the Inspector General, the Florida Office of the Attorney General, or the Florida Department of Business and Professional Regulation.

All substantiated cases of fraud, waste, or abuse of government funds will be forwarded to the United States Department of Housing and Urban Development (HUD), Office of Inspector General (OIG) Fraud Hotline (phone: 1-800-347-3735 or email: [hotline@hudoig.gov](mailto:hotline@hudoig.gov)) and DEO's HUD Community Planning and Development (CPD) Representative. *OLTR must provide a timely response within 15 working days of the receipt of a complaint, as stated in 84 FR 169.*

**Office of Long-Term Resiliency's comprehensive Anti-Fraud Waste and Abuse Policy can be found [here](#).**

## ACCESS TO RECORDS

Pursuant to Article 1, Section 24, Florida Constitution and Chapter 119, Florida Statutes, the Department of Economic Opportunity is subject to the Florida Public Records Law. Accordingly, unless an exemption exists, all records produced or received pursuant to law or in connection with the official business of the Department can be requested and provided for inspection. All Public Records requests will be processed in accordance with DEO Administrative Policy 1.06, Processing Public Records Requests.

A Public Records Request may be verbal or take any form (e.g., email, written correspondence, in-person). The Public Records Act does not require that requests be in writing, comply with a certain form or have any specific content. A public records request may come from a member of the media, the general public, an employee, or any other individual. DEO cannot mandate receipt of the name of the requestor or purpose of the request in order to fulfill the Public Records Request.

A Public Record is defined as all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance, or in connection with the transaction of official business by any agency.

Public records include all things made or received in connection with DEO business. All such materials, electronic and on paper, regardless of whether they are in draft or final form, are open to public inspection unless exempt or confidential.

A revision to Chapter 119 went into effect on July 1, 2020 per Senate Bill 966 from the 2020 Florida State Legislature regular session that directly effects the Department of Economic Opportunity and its disaster recovery programs.

As a general matter, all Program related information is subject to Florida's public records laws, which may be viewed by anyone upon request. There are limited exemptions to Florida's public record laws. The following list of exemptions are applicable to the Rebuild Florida Program:

- Social security numbers; and/or
- Bank account numbers; and/or
- Documentation related to ongoing litigation and legal negotiations; and/or
- Limited proprietary information; and/or

- Certain persons in qualifying categories, E.G. active or former sworn or civilian law enforcement personnel; current or former firefighters certified in compliance with s.633.408; current or former justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors.

Senate Bill 966 retained the above exemptions, and expanded exemptions to include the following “Other Personal Information” relative to information held by the Department of Economic Opportunity, et al:

- Medical history records and information related to health; and/or
- Information related to property insurance; and/or
- Property photographs

The above items, personal identifying information (information that can be used to distinguish or trace an individual’s identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual), are considered confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution per Senate Bill 966.

To read Senate Bill 966 in its entirety, go to: <https://www.flsenate.gov/Session/Bill/2020/966/BillText/er/PDF>

As agents of DEO, all subcontractors and employees are subject to Florida Public Record laws. All project documents and communications, even in draft form, are considered public records including, but not limited to, policies, training material, letters, emails, memos and texts. Any document or communication related to the project, that are not exempt, is a public record.

The Public Records Coordinator is the person appointed by DEO charged with the responsibility of maintaining the Office of Public Records, including processing and tracking public record requests. The Public Records Coordinator is responsible for overseeing DEO’s compliance with public record/open government requirements and maintains a complete record of all DEO public record requests and corresponding disclosures. The Public Records Coordinator also serves as the primary liaison between DEO and the Office of Open Government in the Executive Office of the Governor.

The Office of Long-Term Resiliency’s Constituent Services Management Lead will act as a Public Record Division Liaison and is the primary contact for all public record requests regarding the Office of Long-Term Resiliency/Rebuild Florida Program. The Office of Long-Term Resiliency’s Public Record Division Liaison will coordinate with the respective managers of each program to determine (1) what is and what is not a responsive record; and (2) where to find all responsive records.

## Public Records Request Procedure

The Office of Long-Term Resiliency’s internal process for Public Records Requests is detailed in the Hurricane Michael Policy Manual located on the Rebuild Florida website.