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**FLORIDA DEPARTMENT *of*  
ECONOMIC OPPORTUNITY**

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**OFFICE OF LONG-TERM RESILIENCY  
HURRICANE SALLY**

**CITIZEN PARTICIPATION PLAN**

Version 1.0

November 7, 2022

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# VERSION HISTORY

Version Number	Date	Summary of Changes
1.0	11/7/2022	Original Version

## 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.

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.

# Table of Contents

1.0 Introduction.....	1
2.0 Action Plan.....	2
2.1 Amendments to Action Plan.....	2
2.1.1 Substantial Amendment.....	2
2.1.2 Non-Substantial Amendment.....	2
2.2 Public Participation.....	3
2.2.1 Public Hearing.....	3
2.2.2 Public Comment.....	4
3.0 Public Outreach.....	6
3.1 Outreach Plan.....	6
3.2 Local Efforts.....	6
3.3 LEP Outreach.....	7
3.4 Hurricane Sally Community Stakeholder Survey.....	7
4.0 Accessibility.....	10
4.1 Limited English Proficiency.....	10
4.2 Accessibility for Persons with Disabilities.....	11
4.2.1 Sign Language Interpretation Service.....	11
5.0 Public Webpage.....	12
6.0 Performance Reporting.....	12
7.0 Technical Assistance.....	12
8.0 Citizen Complaints and Inquiries.....	13
9.0 Appeals.....	15
9.1 Citizens Appeals Process.....	15
9.2 DEO Notice of Administrative Appeals Rights.....	16
9.2.1 DEO URA Appeals.....	16
10.0 Fair Housing.....	18
10.1 Suggested Activities for Landlords, Managers, Agents, and the General Public.....	19
10.2 Fair Housing Complaints.....	19
11.0 Anti-Fraud, Waste, and Abuse.....	20
12.0 Public Record Requests.....	21
12.1 Public Records Request Procedure.....	22
12.1.1 Intake and Processing.....	22
12.1.2 Production of Records to Requestor.....	23

12.1.3 Public Record Requests for Email Correspondences ..... 23

13.0 Additional Outreach ..... 24

# 1.0 Introduction

On September 16, 2020, Hurricane Sally made landfall as a Category 2 hurricane in Gulf Shores, Alabama, west of Pensacola, Florida. Due to the storm’s asymmetrical structure, the Florida Panhandle suffered the brunt of the storm. The Florida Department of Economic Opportunity (The Department) is committed to helping Florida’s communities recover from the devastating impacts of Hurricane Sally. The Department is the governor-designated state authority responsible for administering all U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) funding awarded to the state.

Florida values citizen and stakeholder engagement. Florida has developed this Citizen Participation Plan (the “Plan”) in compliance with [Federal Register Notice, Volume 87, No. 23 published Thursday, February 3, 2022](#), and other 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 Hurricane Sally CDBG-DR funded recovery programs. The primary goal of this Plan is to provide Floridians with definitive opportunities to involve themselves in the recovery process as it pertains to CDBG-DR funds.

FR Vol. 87, No. 23 states that, “To permit a more streamlined process and ensure disaster recovery grants are awarded in a timely manner, provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24 CFR 570.486, 24 CFR 1003.604, 24 CFR 91.105(b) through (d), and 24 CFR 91.115(b) through (d), with respect to citizen participation requirements, are waived and replaced by the alternative requirements in this section. The streamlined requirements require the grantee to include public hearings on the proposed action plan and provide a reasonable opportunity (at least 30 days) for citizen comment.” Citizen Participation requirements are outlined in section III.D. Citizen Participation of [FR Vol. 87, No. 23 \(p. 6383\)](#).

In order to facilitate citizen involvement, Florida has laid out target actions to encourage citizen participation and allow equal access to information about the programs. The Department intends to focus outreach efforts to facilitate participation from individuals of low-and moderate-income (LMI), those living in slums and blighted areas, those living in MID areas, LEP persons and other disadvantaged populations. The Department’s [Action Plan](#) for Disaster Recovery has been published in English and Spanish.

The most current version of the Office of Long-Term Resiliency (OLTR) Citizen Participation Plan for Hurricane Sally will be placed in the Hurricane Sally Section of the OLTR website at <https://FloridaJobs.org/CDBG-DR/Hurricane-Sally>.

## 2.0 Action Plan

The State of Florida Action Plan for Hurricane Sally (Action Plan), and any following amendments, define how OLTR will effectively use all available funding to support a data driven recovery, based on the calculation of unmet need across the state. The Action Plan describes Florida’s proposed allocation by activity and lays out program designs for each area of assistance. In addition, the Action Plan also identifies the projected timelines for each disaster recovery activity, their performance, and the expenditure schedule.

Before adopting the Action Plan, the Department sought public input on program design issues including the amount of assistance Florida expected to receive, the range of activities that may be undertaken, the estimated amount of benefit expected for LMI persons, and plans to mitigate displacement. A summary of outreach feedback is included in the Action Plan approved by HUD.

On August 12, 2022, the Department announced that the State's Action Plan for \$187,383,000 in CDBG-DR funding for long-term recovery efforts for Hurricane Sally-impacted communities had been approved by HUD.

The Action Plan, as approved by HUD, is posted to <https://FloridaJobs.org/CDBG-DR/Hurricane-Sally>.

### 2.1 Amendments to Action Plan

Over time, recovery needs will change. Thus, the Department will amend the disaster recovery Action Plan as often as necessary to best address our long-term recovery needs and goals. This plan describes proposed programs and activities. As programs and activities develop overtime, an amendment may not be triggered, if the program or activity is consistent with the descriptions provided in this plan

All amendments will be noted in the consolidated Action Plan by an Amendment chart in the Amendment section at the beginning of the document. This chart will note the previous page number, current page number, section the change is in, and a description of the changes made as well as the reason for the change. All amendments will be numbered sequentially and posted to the Department’s website into one final, consolidated plan as well as individually at [www.FloridaJobs.org/CDBG-DR/Hurricane-Sally](http://www.FloridaJobs.org/CDBG-DR/Hurricane-Sally).

#### 2.1.1 Substantial Amendment

A change to this Action Plan is considered to be a substantial amendment if it meets the following criteria:

- A change in program benefit or eligibility criteria;
- The addition or deletion of an activity;
- A proposed reduction in the overall benefit requirement; or
- The allocation or reallocation of more than 25 percent of the total allocation from HUD.

When the Department pursues the substantial amendment process, the amendment will be posted at [www.FloridaJobs.org/CDBG-DR/Hurricane-Sally](http://www.FloridaJobs.org/CDBG-DR/Hurricane-Sally) for a 30-day public comment period. The amendment will be posted in adherence with ADA and LEP requirements. The Department will review and respond to all public comments received and submit to HUD for approval.

#### 2.1.2 Non-Substantial Amendment

A non-substantial amendment is an amendment to the plan that includes technical corrections and clarifications and budget changes that do not meet the monetary threshold for substantial amendments to the plan and does not require posting for public comment. The Department will notify HUD five (5) business days before the change is effective.

## 2.2 Public Participation

The Department is committed to helping Florida's communities recover from the devastating impacts of Hurricane Sally and provided Floridians with definitive opportunities to involve themselves in the Action Plan development process for the use of CDBG-DR funds. Florida values citizen and stakeholder engagement, and to facilitate citizen involvement, the Department laid out targeted actions to encourage citizen participation and allow equal access to information about the program. The Department focused outreach efforts to facilitate participation from LMI individuals, those living in areas identified for recovery, non-English speaking persons, and other disadvantaged populations.

This focused outreach included a survey, which was sent to stakeholders and community leaders to assist in determining the unmet needs in the affected areas, as well as phone calls that were made to community leaders to ensure they were aware of the community stakeholder survey and to request feedback regarding unmet needs in their local communities.

In addition, the Department held virtual public hearings on May 24, 2022, and June 3, 2022, to give participants a brief overview of the program and to provide them with the opportunity to participate in a question-and-answer session about the program and the application process. The Department published a notice for the virtual public hearing and for the 30-day public comment period in both English and Spanish in three significant newspapers across the affected area; the Pensacola News Journal, the Northwest Florida Daily News, and the Panama City News-Herald.

### 2.2.1 Public Hearing

Federal Register [Vol. 87, No. 23 \(p. 6384\)](#) required that the Department convene at least one public hearing on the proposed Action Plan after it is published on the Department's website at [www.FloridaJobs.org/CDBG-DR](http://www.FloridaJobs.org/CDBG-DR) to solicit public comments and before submittal of the Action Plan to HUD.

Seeking input from stakeholders and communities around the state is a very important part of the planning process. The Department used a variety of methods to understand unmet needs and solicit feedback on how to craft programs that will meet the needs of communities as quickly as possible. In addition to gaining feedback, this helped local stakeholders understand what to expect from CDBG-DR funding and allowed them to play a key role in shaping the outcomes of this Action Plan.

#### 2.2.1.1 Virtual Public Hearing

In accordance with HUD guidance provided in Federal Register Vol. 87, No. 23 (p. 6384), grantees may convene public hearings virtually and/or in person. Virtual public hearings may be used during the public comment period required for any substantial amendments of the Plan. In accordance with the guidance provided in Federal Register Vol. 87, No. 23 (p. 6384), the Department's procedures for virtual hearings are as follows:

- The Department will provide at least seven days' notice for any virtual public hearings, as practical.
- The Department will post a public notice announcement on the Department's website at: [www.FloridaJobs.org/CDBG-DR/Hurricane-Sally](http://www.FloridaJobs.org/CDBG-DR/Hurricane-Sally).
- The Department will email the public notice announcement to the list of community members who have expressed interest in the program. The signup form for this list is publicly accessible on the Department's website at: [www.FloridaJobs.org/RebuildFlorida/Rebuild-Florida-newsletters](http://www.FloridaJobs.org/RebuildFlorida/Rebuild-Florida-newsletters).
- A registration link and instructions will be provided in all public notices for virtual public hearings.
- Hearings will be held at times convenient to potential and actual beneficiaries with accommodation for persons with disabilities and appropriate auxiliary aids and services to ensure effective communication.
- During all virtual public hearings, the Department will provide participants an opportunity to ask questions in real time, with answers coming directly from the grantee representatives to all attendees.



- Transcripts for all virtual hearings will be translated into Spanish and will be made available on the Department’s public website. Transcripts will be made available in other languages upon request at [www.FloridaJobs.org/CDBG-DR/Hurricane-Sally](http://www.FloridaJobs.org/CDBG-DR/Hurricane-Sally).
- All virtual public hearings will be recorded and a link to the recording will be published to the website. Subtitles will be included at [www.FloridaJobs.org/CDBG-DR/Hurricane-Sally](http://www.FloridaJobs.org/CDBG-DR/Hurricane-Sally).
- Auxiliary aids and service are available upon request to Individuals with disabilities. All voice telephone numbers on this and all other Department documents may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.
- All questions submitted during virtual public hearings will be collected and summarized along with responses and posted with the accompanying public hearing link on the website at [www.FloridaJobs.org/CDBG-DR/Hurricane-Sally](http://www.FloridaJobs.org/CDBG-DR/Hurricane-Sally).

The Department held public virtual hearings on May 24, 2022, and June 3, 2022, during the public comment period. The purpose of these virtual public hearings was to give participants a brief overview of the program and to provide them with the opportunity to ask to participate in a question-and-answer session about the program and the application process. In addition to serving as an outreach platform, this meeting provided the Department with an opportunity to focus on regionally specific issues and challenges. In the interest of having greater participation from the public, the Department published a notice of the virtual public hearing in three significant newspapers across the affected area in both English and Spanish prior to the public hearing date.

### **2.2.1.2 Notice of Public Hearings**

Notice of a public hearing will be provided on [www.RebuildFlorida.gov](http://www.RebuildFlorida.gov) 7 days prior to the hearing.

- Email communication 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 generated in local newspapers in all relevant languages at least one week in advance of the hearing.
- For Limited English Proficiency (LEP) consideration, content will be provided in the languages deemed appropriate for the impacted area. Additional translation services are available upon request.

## **2.2.2 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 30 days from the date publication of the Action Plan on May 6, 2022 to [www.FloridaJobs.org/CDBG-DR/Hurricane-Sally](http://www.FloridaJobs.org/CDBG-DR/Hurricane-Sally).
- Public comment period for Substantial Amendments will remain open for 30 days from the publication of a Substantial Amendment to [www.FloridaJobs.org/CDBG-DR/Hurricane-Sally](http://www.FloridaJobs.org/CDBG-DR/Hurricane-Sally).

OLTR will accept comments via USPS mail, e-mail, or phone at:

Attention: Rebuild Florida Constituent Services  
Florida Department of Economic Opportunity  
Disaster Recovery Programs  
107 East Madison Street  
The Caldwell Building, MSC 420  
Tallahassee, FL 32399-2100

[CDBG-DR@DEO.MyFlorida.com](mailto:CDBG-DR@DEO.MyFlorida.com)

(850)717-8432

### **2.2.2.1 Notice of Public Comment Period**

Before the Department adopts the Action Plan for this grant or any substantial amendment to this grant, OLTR will publish the proposed Action Plan or amendment for a 30-day public comment period at <https://FloridaJobs.org/CDBG-DR/Hurricane-Sally>.

- Email communications 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 seven days before the close of the public comment period.
- Public comment periods for housing-related amendments will be noted in the weekly social media content for the Department’s Twitter and Facebook pages in the week the public comment period begins and will continue through the end of the public comment period.
- LEP Consideration- Social media posts will provide reasonable access to Spanish speaking individuals. (Posts will be available in Spanish or infographics will be included with verbiage on how to access info in other languages.) Additional translation services are able to be provided, upon request.

### **2.2.2.2 Consideration of Public Comments**

OLTR will consider all oral and written comments regarding the Action Plan or any substantial amendment. A summary of the comments received on the draft Action Plan, as well as the Department’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.

## 3.0 Public Outreach

The Department is committed to building a foundation for effective outreach throughout the program to all affected eligible Florida homeowners, with targeted efforts to reach those who are elderly, disabled, LMI, families with children under 18 years of age and/or minorities. This outreach includes establishing and preparing a network of stakeholders, including elected officials, non-profits, faith-based organization, civic associations, and media outlets, to ensure well-coordinated and effective outreach. Subrecipients are encouraged to develop an outreach plan utilizing the following outreach strategies developed by the Department.

### 3.1 Outreach Plan

During the Action Plan development outreach, including outbound phone calls and newspaper ads in Spanish and English across the affected areas, was completed. These and additional strategies, such as the ones listed below, may be utilized, as appropriate, during open application periods for Hurricane Sally programs, and 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.
- Email communication to be sent to stakeholders in relevant impacted areas to encourage community participation.
- Mailers
  - For LEP consideration, the mailers should include verbiage for LEP access.
- Paid Media Buys
  - Social Media Ads
    - For LEP consideration, ad buys should be posted in relevant languages.
  - Radio Ads
    - For LEP Consideration, ad buys should be acquired in relevant languages.
  - TV ads
    - For Accessibility Consideration, Teletypewriter (TTY) Line should be included for hearing-impaired individuals.
  - Newspaper Ads
    - For LEP Consideration, ads should be placed in relevant languages.
    - For accessibility consideration, ads should be placed in hard-to-reach areas to reach underserved, rural, and Low to Moderate Income (LMI) populations.
- Other (Bus stations, billboards, posting in local businesses, canvassing)
  - For LEP Consideration, postings should be created in relevant languages where applicable (specifically targeted flyers for bus stations and billboards in relevant languages).

### 3.2 Local Efforts

Counties and other general units of local government (UGLG) eligible to receive Hurricane Sally CDBG-DR funds must coordinate to consider the needs of all municipalities (and Federally Recognized Indian Tribes) within the incorporated as well as unincorporated area of the county (and reservations contiguous to the county). Eligible units of government should also consult with local housing providers regarding funding for affordable rental housing needs related to the storms. Applicants for funding must provide the Department with documentation that all parties were allowed an opportunity to discuss unmet needs and the best use of the funding.

Additionally, applicants are required to conduct outreach to vulnerable populations and are required to have at least one outreach session in an area or areas targeting different special needs populations throughout the county or municipality to ensure best efforts to maximize community outreach are achieved and documented. Since certain areas throughout the State have bilingual and multi-lingual populations, there should be at least a Spanish translation of all relevant documentation available for the public. It would be helpful, if applicable, to have a Spanish translator available during public meetings. This could also be applicable for disabled individuals that may be hearing-impaired or blind.

Applicants for funding must allow their citizens access to grant information pursuant to Florida’s Government in the Sunshine Law as well as federal requirements. Records should be made available for public inspection during normal business hours. In addition, if possible, information should be posted to websites. Upon request, information must be provided in a format accessible to persons with disabilities. Retention of records must meet existing public record requirements.

### 3.3 LEP Outreach

Messaging will be provided to primary audiences in English and Spanish. The following language split is based on a review of primary languages spoken in the counties Most Impacted and Distressed (MID) by Hurricane Sally and served by Rebuild Florida.

County	English	Spanish
Escambia	93%	3.3%
Santa Rosa	94%	3.2%
Okaloosa	88%	6.5%
Walton	91%	4.8%
Bay	93%	3.9%

The Department will use targeted language and specific outreach to LEP individuals in the above communities during outreach campaigns. This may include advertisements in newspapers, radio, and television stations. For the development of the Action Plan, the Department ran ads in both English and Spanish in three significant newspapers across the affected areas.

### 3.4 Hurricane Sally Community Stakeholder Survey

The unmet need assessment summarizes Hurricane Sally impacts and the remaining recovery need for housing, infrastructure, and economic development by compiling, analyzing, and interpreting more than 20 state and federal government data sources. The Department developed a survey to capture feedback from communities within the HUD and State identified MID areas and to allow for additional input from communities. In addition, phone interviews were conducted with stakeholders to provide them with information on the Hurricane Sally Action Plan, invite them to complete the community stakeholder survey, and to request feedback regarding their lingering unmet needs follow Hurricane Sally’s impact.

Furthermore, survey respondents were asked to rank from most important to least important the various program ideas that were listed in the stakeholder survey. They were also given an opportunity to rank additional mitigation activities if further, limited funding would become available. The survey was launched on March 16, 2022, and respondents were requested to provide initial feedback by March 23, 2022; the survey remained open through the initial development phase of the Plan. The community stakeholder survey results from the eleven respondents are displayed in Figure 1, Figure 2, and Figure 3.

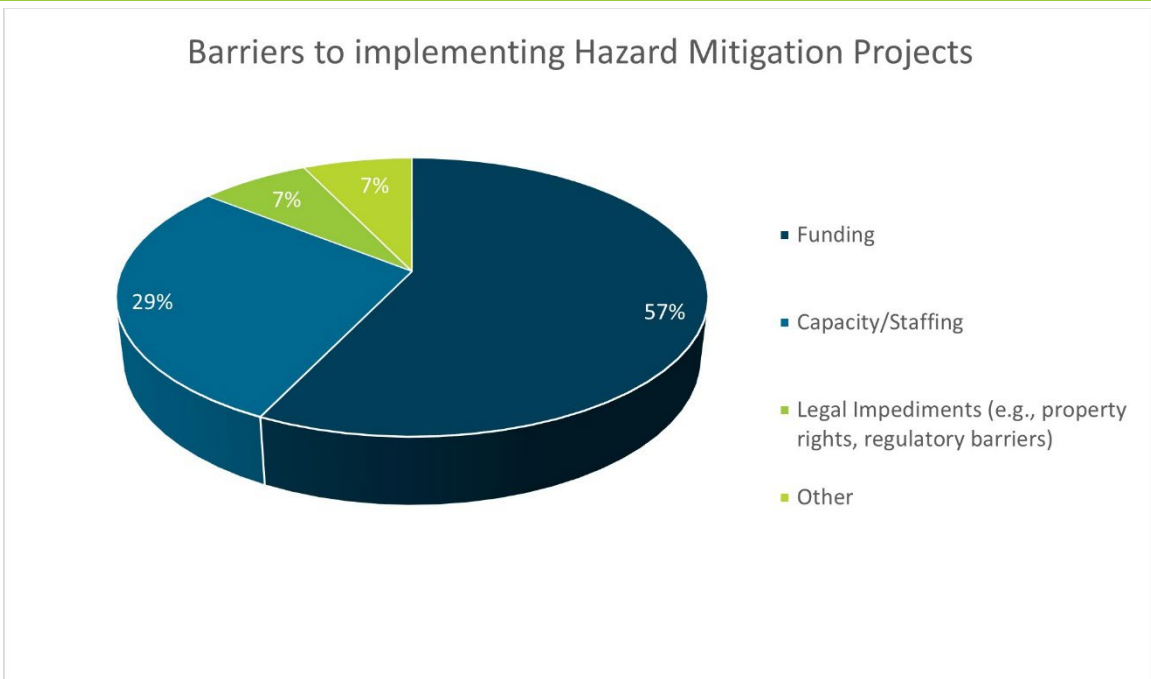


Figure 1: Barriers to Implementing Hazard Mitigation Projects

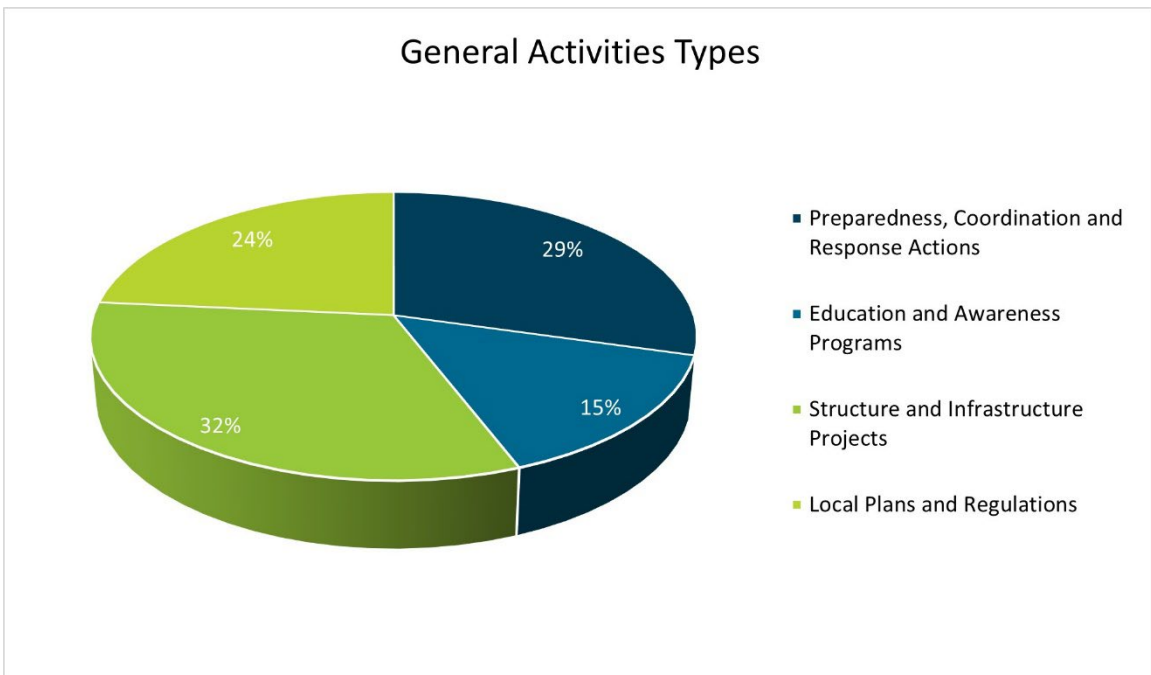


Figure 2: General Activity Types

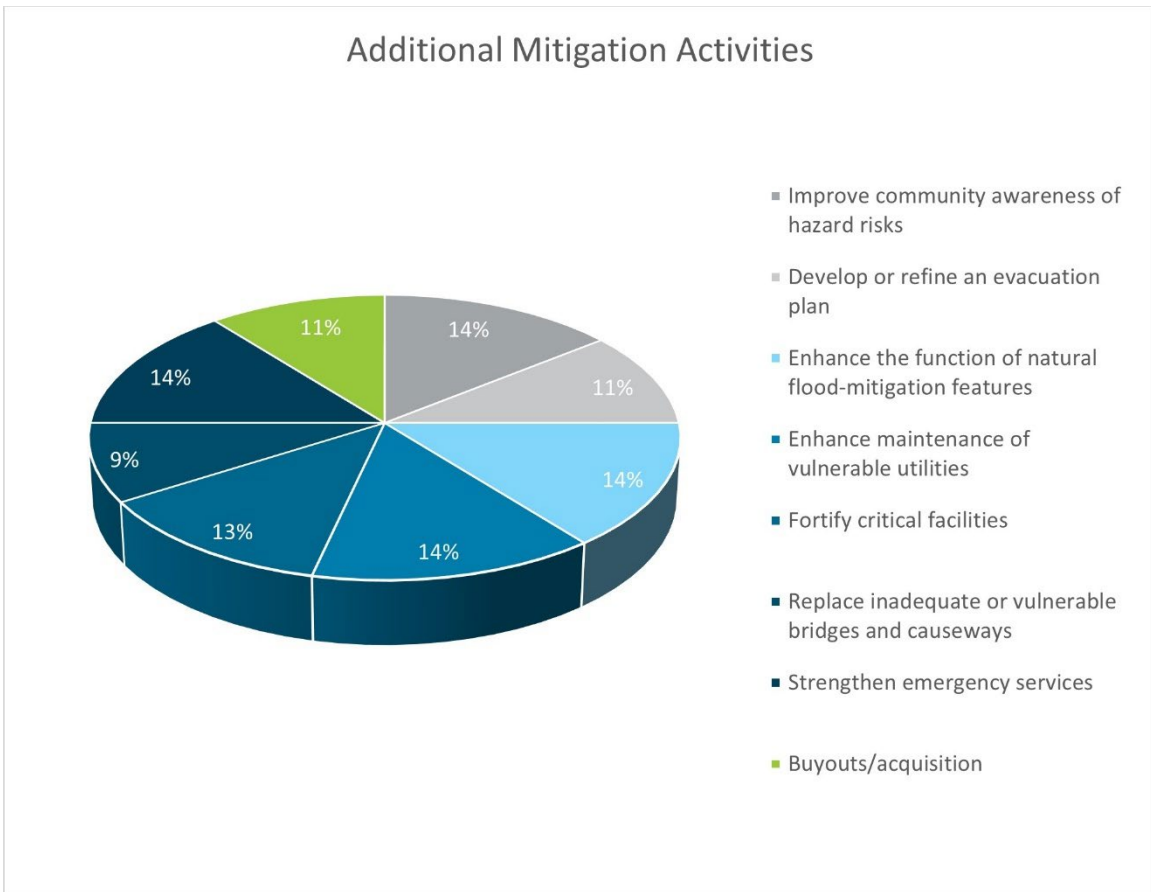


Figure 3: Additional Mitigation Activities

## 4.0 Accessibility

Florida is committed to providing all citizens with equal access to information about the disaster recovery 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.

OLTR will ensure that all citizens have equal access to information about the programs, including persons with disabilities and LEP, and will ensure that program information is available in the appropriate languages for the geographic area served by the jurisdiction and in forms accessible to persons with disabilities.

To ensure meaningful access for individuals with disabilities or LEP, the Department 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 OLTR website at <http://www.FloridaJobs.org/CDBG-DR>.

Additional interpretive and translational services are available upon request.

### 4.1 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 in need of language assistance with respect to a particular type of service, benefit, or encounter. To address this need, the Department developed and implemented a Rebuild Florida Language Access Plan, which details how Florida will address the needs of LEP individuals. This Language Access Plan is available in English and Spanish on the Office of Long-Term Resiliency website at <https://FloridaJobs.org/CDBG-DR>.

Subrecipients are encouraged to develop policies for accessibility that meet the requirements for LEP and accessibility outlined in [FR Vol. 87, No. 23 \(p. 6384\)](#) and are advised to use the following guidance in the development of such policies.

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. The Department brings to each in-person public hearing, printed, Spanish copies of the presentation to be available to LEP attendees who require such accommodation. In addition to these copies, copies translated into other languages can be provided, upon request. To accommodate LEP persons during virtual public hearings, English and Spanish copies of both the public hearing transcript and the slide deck are posted to the website at the time of the hearing. Requests for translation of a public hearing presentation into additional languages 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. Translation into additional languages can be provided, upon request.

The Department will publish the Action Plan, any subsequent amendments, outreach materials, and related guidance materials in English and Spanish. Subrecipients should make all applications available in English and Spanish upon request. When a significant amount of LEP applicants are expected to apply, these outreach materials should be made available in Spanish. The languages selected were chosen based on the entire eligible area of the CDBG-DR funds and a natural break in the numbers of LEP individuals. 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. Public places utilized by subrecipients that work directly in programs available to private individuals will carry signage detailing the availability of specialized translation services.

The Department has also posted an Interpretive and Translation Services Notice on [www.RebuildFlorida.gov](http://www.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. The Department and its subrecipients will ensure that program information is available in the appropriate languages for the geographic area served by the jurisdiction.

The Department will make additional interpretive and translational services available upon request. Subrecipients will make appropriate interpretive and translational services available upon request.

## 4.2 Accessibility for Persons with Disabilities

In accordance with 24 CFR 91.115(a)(3) and (f), this Plan and other program documents, including but not limited to the CDBG-DR 2022 State of Florida Action Plan for Disaster Recovery (Hurricane Sally), and its amendments, will be provided in a form accessible to persons with disabilities upon request.

The Department 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 documents of the Department may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

The Department has posted additional accessibility information on the Accessibility page of [www.RebuildFlorida.gov](http://www.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.

The Department welcomes comments on how to improve accessibility for users with disabilities. Individuals who use assistive technology are encouraged to contact OLTR at [CDBG-DR@DEO.MyFlorida.com](mailto:CDBG-DR@DEO.MyFlorida.com) if the format of any material on the OLTR website interferes with their ability to access the information.

Upon request, the Department will provide additional assistance to individuals with disability who require program documents in a form not already made accessible (i.e. braille documents, etc.) The Department acknowledges that persons with disabilities may have special needs and will make every effort to accommodate those needs as they arise.

### 4.2.1 Sign Language Interpretation Service

When communicating with hearing-impaired applicants, the Department and its subrecipients will provide support. Subrecipients should make reasonable efforts to ensure public facilities utilized for program operations provide applicants with designated technical equipment (e.g. Video Remote Interpreting (VRI), laptop, USB camera, speakers) or an interpreter, to accommodate hearing-impaired applicants, as practical.

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 the Department via email at [CDBG-DR@DEO.MyFlorida.com](mailto:CDBG-DR@DEO.MyFlorida.com), their UGLG, or applicable program administrator.



## 5.0 Public Webpage

The Department will maintain a public website that provides information accounting for how all grant funds are used, managed, and administered, including links to all disaster recovery action plans, action plan amendments, program policies and procedures, performance reports, citizen participation requirements, and activity and program information described in this plan, and details of all contracts and ongoing procurement processes.

These items are made available through [www.FloridaJobs.org/CDBG-DR/Hurricane-Sally](http://www.FloridaJobs.org/CDBG-DR/Hurricane-Sally). Specifically, the Department will make the following items available: the Action Plan created using DRGR (including all amendments); each QPR (as created using the DRGR system); citizen participation plan; procurement policies and procedures; all executed contracts that will be paid with CDBG-DR funds as defined in 2 CFR 200.22 (including subrecipients' contracts); and a summary including the description and status of services or goods currently being procured by the grantee or the subrecipient (e.g., phase of the procurement, requirements for proposals, etc.). Contracts and procurement actions that do not exceed the micro-purchase threshold, as defined in 2 CFR 200.67, are not required to be posted to a grantee's website.

In addition, the Department will maintain a comprehensive website regarding all disaster recovery activities assisted with these funds.

The website will be updated in a timely manner to reflect the most up-to date information about the use of funds and any changes in policies and procedures, as necessary. At a minimum, updates will be made monthly.

## 6.0 Performance Reporting

In accordance with HUD requirements, the Department will submit a QPR through the HUD DRGR system no later than 30 days following the end of each calendar quarter. Within 3 days of submission to HUD, the Department will post each QPR on <https://FloridaJobs.org/CDBG-DR/Hurricane-Sally>. Program QPR's will be posted on a quarterly basis until all funds have been expended and all expenditures have been reported.

## 7.0 Technical Assistance

Technical assistance will be provided to subrecipients by Department staff. Requests should be made in a timely manner and within the time parameters of the appropriate program design. The Department may contract with a Technical Assistance Provider(s) should sufficient demand for technical assistance warrant.

## 8.0 Citizen Complaints and Inquiries

All complaints and inquiries from applicants should be directed to the applicable UGLG or program administrator. Subrecipients are required to maintain records of all citizen inquiries and complaints and correspondence responding to inquiries and complaints. If a subrecipient doesn't resolve a complaint to the satisfaction of an applicant, the applicant may contact the Department to be addressed by OLTR's Constituent Management Services (CMS) staff. Subrecipients are highly advised to develop and implement guidelines and procedures similar to those listed below.

Complaints are any verbal or written statement of grievance — including phone calls, emails, faxes, or letters — that are received by the Department, its subrecipients, and/or other program sources. Inquiries are requests for information or assistance. All complaints and inquiries that are received will be reviewed by the subrecipient (or the Department's CMS staff, as applicable) for:

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

Every complaint and inquiry will be included in a tracking system. The subrecipient (or the Department's CMS staff, as applicable) 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
- An explanation of the resolution of the file.

The subrecipient (or the Department's CMS staff, as applicable) will provide a written response to all complaints within 15 working days of receipt of the complaint. Following the initial response, the subrecipient (or the Department's CMS staff, as applicable) 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. The subrecipient (or the Department's CMS staff, as applicable) will monitor response times to ensure compliance and will adjust timeframes for additional responses as needed.

Complaints and inquiries can be submitted in any of the following ways:

- Directly to the applicable subrecipient, UGLG, or program administrator via a method identified in the subrecipient's policies and procedures.
- Directly to the Department:
  - Via the Department's website by visiting the Rebuild Program website to complete an online complaint form at: <http://FloridaJobs.org/RebuildFlorida/Rebuild-Florida-Homeowner-Complaint-Form>
  - Via U.S. mail to:

Attention: Constituent Services Management  
Florida Department of Economic Opportunity  
Division of Community Development  
107 East Madison Street

Caldwell Building, MSC 420

Tallahassee, Florida 32399

- Via email to: [CDBG-DR@DEO.MyFlorida.com](mailto:CDBG-DR@DEO.MyFlorida.com).
- Contacting Constituent Management Services (CMS) staff directly. CMS e-mail addresses and phone numbers are listed on the OLTR's main website ([www.FloridaJobs.org/CDBG-DR](http://www.FloridaJobs.org/CDBG-DR)).

## 9.0 Appeals

### 9.1 Citizens Appeals Process

Throughout the process, decisions will be made on an application and/or project to be delivered. The decisions are made based on statutes, codes of federal regulation, local administrative code, and state and local guidelines as they are interpreted by the Program. This policy guides the process for an applicant or contractor requesting an appeal of decisions made by the program.

Applicants have a right to participate in the process. Subrecipients should include an appeals process to provide applicants with a mechanism for requesting further review on program decisions and to submit an appeal. At the time the applicant is notified of their eligibility in their award letter, the subrecipient will include information on the appeals process to provide the applicant the option to appeal should they believe that a mistake has been made regarding their file.

Applicants should direct all appeals to the applicable UGLG or program administrator. If a subrecipient doesn't resolve an appeal to the satisfaction of an applicant, the applicant may contact the Department to be addressed by OLTR's Constituent Management Services (CMS) staff. If the applicant is dissatisfied with the final decision, the applicant has the ability to appeal with the Florida Division of Administrative Hearings (DOAH).

Subrecipients are advised to develop an appeals process that is compliant with the appeals process, as outlined below

Subrecipients must include in their appeals processes and policies and procedures a process by which applicants may submit an appeal in the following cases, at a minimum:

- Eligibility Determination;
- Scope of Work; or
- Construction Quality

A party requesting an appeal must file a written request with the subrecipient no later than 30 calendar days after the date the action to be reconsidered has occurred or when notice has been provided. The subrecipient must provide a U.S. Mail and an email address to handle only these types of requests. The subrecipient should develop policies describing what information the written request must include.

Subrecipients must respond to requests for appeals in a timely manner. Subrecipients will respond in writing to the request no later than 30 working days after the date of receipt of the request. Subrecipients must develop policies and procedures describing their appeal hearing process. Subrecipients should conduct appeals hearings 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. Subrecipients will also be responsible for follow-up on construction quality complaints. Construction quality appeals will be verified by inspection and monitored by the Department.

Subrecipients are required to maintain records of all appeals or complaints and records of all relevant correspondence. Information about the complainant's rights and how to file a complaint or appeal in regard to the quality of work should be printed on all subrecipient program applications and/or guidelines.

If an applicant is not satisfied with the UGLG or program administrator appeal decision, they may file an appeal directly to the Department via email to [CDBG-DRAppeals@deo.myflorida.com](mailto:CDBG-DRAppeals@deo.myflorida.com) or by postal mail to the following address:

Attention: Office of Long-Term Resiliency, Appeals Team  
Florida Department of Economic Opportunity

Division of Community Development  
107 East Madison Street,  
Caldwell Building, MSC 420  
Tallahassee, Florida 32399

## 9.2 DEO Notice of Administrative Appeals Rights

Any person whose substantial interests are affected by the Department’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 the Department’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](mailto:Agency.Clerk@DEO.MyFlorida.com)

### 9.2.1 DEO URA Appeals

Applicants may appeal any case in which he or she believes that the Department has failed to properly consider his or her application for assistance. This includes, but is not limited to, the applicant’s eligibility for, or the amount of, a payment required for relocation assistance. The applicant must appeal within 60 days of receiving a written determination from the program outlining the program’s decision related to his or her eligibility for benefits or amount of benefits

Households have the right to appeal the following agency determinations:

- Eligibility for URA assistance, including the requirement to relocate
- Amount of relocation or other related expense payments
- Timeframe to exercise rights and entitlements of URA, including relocation timeframes

Households are encouraged to include any statement of fact or other material which they feel has a bearing on the appeal. Agency representatives may assist households in their appeal submission.

Appeals must be submitted within 60 days of the date the person receives notification of the Department’s decision regarding his or her claim and must be directed to the Department in writing to the following postal address:

ATTN: URA APPEALS  
Florida Department of Economic Opportunity

Division of Community Development

107 East Madison Street

The Caldwell Building, MSC 420

Tallahassee, Florida 32399

OLTR's Uniform Relocation Assistance Guide and Residential Anti-Displacement and Relocation Assistance plan can be found [here](#).

Applicants who disagree with a displaced-person determination or the amount of relocation assistance received can file a written appeal with the subrecipient. If the appeal is not resolved with the subrecipient, the appealing individual may submit a written request to the Department to review the determination. If the appeal is not resolved with the state, the appealing individual may submit a written request for HUD to review the determination. If full relief is not granted, the individual must be advised, by the subrecipient or the Department, as appropriate, of his or her right to seek judicial review.

## 10.0 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.**

The Department and its subrecipients will develop policies and procedures for compliance with Affirmatively Furthering Fair Housing (AFFH) requirements during the implementation of its programs. Such policies and procedures will involve the Affirmatively Furthering Fair Housing (AFFH) review that will include an assessment of any proposed project area's demography, socio-economic characteristics, environmental hazards or concerns, and other factors material to the AFFH determination. Applications should show that housing projects are likely to lessen area racial, ethnic, and low-income concentrations and/or promote affordable housing in low-poverty, non-minority areas in response to natural hazard-related impacts. The findings of this review will be used to inform the selection of projects for funding, in accordance with the Federal Register Notice requirements and the grantee's certification to AFFH. The state will remain highly agile throughout the planning and implementation phases of each program to ensure the process and program design is consistent with HUD's direction to AFFH. All subrecipients will certify that they will affirmatively further fair housing in their subrecipient grant agreements.

The Department is committed to affirmatively furthering fair housing through the established affirmative marketing policies summarized below. The goal is to ensure that eligible persons from all racial, ethnic, national origin, religious, familial status, the disabled, "special needs," gender groups, and populations least likely to apply for assistance are given the opportunity to rehabilitate their rental property that sustained damages due to Hurricane Sally and/or its aftereffects. Subrecipients will ensure compliance with the AFFH polices below.

1. In accordance with the affirmative marketing policies and procedures, subrecipients will inform program participants about available opportunities and supporting requirements via counselors, printed and electronic materials, publications, direct contact, workshops/seminars, and/or through the placement of flyers and posters in public facilities.
1. Recipients of funding through the Subrecipient Housing Repair and Replacement Program (HRRP) should conduct marketing through widely available media outlets. Efforts should be taken to affirmatively market the subrecipient's housing program as follows:
  - A. Advertise with media outlets, which provides unique access for persons who are considered members of a protected class under the Fair Housing Act.
  - B. Reach out to public or non-profit organizations under the Fair Housing Act.
  - C. Conduct other form of outreach tailored to reaching the eligible population, including door to door outreach if necessary.
2. Applications and forms should be offered in English and Spanish. In addition, every effort should be made to assist LEP potential applicants in the application process.
3. Measures should be taken to make the program accessible to persons who are considered members of a protected class under the Fair Housing Act by holding informational meetings in buildings that are compliant with the Americans with Disabilities Act (ADA), providing sign language assistance when requested (with a three-day notice), and providing special assistance for those who are visually impaired when requested (also with a three-day notice).
4. All marketing measures used, including copies of all advertisements and announcements, should be documented and retained and made available to the public upon request.
5. Subrecipient HRRP will use the Fair Housing logo in program advertising, post Fair Housing posters and related information, and, in general, inform the public of its rights under Fair Housing regulations.

## 10.1 Suggested Activities for Landlords, Managers, Agents, and the General Public

The Department and its subrecipients are committed to affirmatively furthering fair housing through the following suggested information-based activities for landlords, managers, agents, and the general public:

1. Information Outreach: Requesting landlords to post or provide Fair Housing Notices.
2. Information for the General Public: Topics include overview of the Fair Housing laws, (classes, illegal acts, and penalties) rights and responsibilities in buying and selling homes, tenant selection criteria, family issues (e.g., occupancy standards, safety), and renting to the disabled, etc. See 24 CFR.50, 100.65, 100.80.
3. Information for Rental Managers, Agents, and Landlords: Topics include overview of the Fair Housing laws, (classes, illegal acts, and penalties) tenant selection criteria, family issues (e.g., occupancy standards, safety), renting to the disabled, record keeping, advertising, and evictions.

## 10.2 Fair Housing Complaints

The Department is committed to affirmatively furthering fair housing by ensuring that eligible persons from protected classes under federal fair housing and nondiscrimination laws, and persons from historically distressed and underserved communities, are provided with the opportunity to apply for assistance to rehabilitate their property that sustained damage due to Hurricane Sally and its aftereffects.

The Florida Disaster Recovery Program operates in accordance with The Fair Housing Amendments Act of 1988. Anyone who feels that he or she has been discriminated against may file a complaint of housing discrimination: 1-800-669-9777 (Toll Free) or [www.HUD.gov/fairhousing](http://www.HUD.gov/fairhousing).

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



## 11.0 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 .

All suspected cases of fraud will be taken seriously, and complaints will be reported to OLTR's Compliance and Reporting Manager and the Department's Office of the Inspector General (OIG) at [OIG@DEO.MyFlorida.com](mailto:OIG@DEO.MyFlorida.com). If the Department'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 HUD, OIG Fraud Hotline (phone: 1-800-347-3735 or email: [hotline@HUDOIG.gov](mailto:hotline@HUDOIG.gov)) and the Department'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.

**OLTR's comprehensive Anti-Fraud Waste and Abuse Policy can be found [here](#).**

## 12.0 Public Record Requests

Pursuant to Article 1, Section 24, Florida Constitution and Chapter 119, Florida Statutes, the Department 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 the Department 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. The Department 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 the Department's 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 affects the Department, 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, et al:

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

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 an agent of the Department and 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 Record Coordinator is the person appointed by the Department 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 the Department's compliance with public record/open government requirements and maintains a complete record of all the Department's public record requests and corresponding disclosures. The Public Records Coordinator also serves as the primary liaison between the Department and the Office of Open Government in the Executive Office of the Governor.

The OLTR'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 OLTR/Rebuild Florida Program. The OLTR'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.

## 12.1 Public Records Request Procedure

### 12.1.1 Intake and Processing

1. When an employee receives a Public Records Request:
  - A. All employees who receive a Public Records Request will immediately forward the request to the Public Records Coordinator ([PRRequest@DEO.MyFlorida.com](mailto:PRRequest@DEO.MyFlorida.com)) for acknowledgement and tracking.
  - B. Employees should then immediately notify their supervisor and Division Liaison regarding the request.
  - C. Any Employee receiving a Public Records Request will immediately coordinate with a supervisor and the Division's Public Records Liaison regarding questions pertaining to the request such as: (i) what is and what is not a responsive record; and (ii) where to find all responsive records.
  - D. Employees will diligently and expediently work with their Division Liaison to gather all responsive records to provide to the Public Records Coordinator, however collaboration with the Public Records Coordinator is expected throughout the process.
  - E. The Public Records Coordinator will remain, at all times, the point of contact between the requestor and the Department.
2. When a Division Liaison receives a Public Records Request:
  - A. Division Liaisons will immediately forward the request to the Public Records Coordinator ([PRRequest@DEO.MyFlorida.com](mailto:PRRequest@DEO.MyFlorida.com)) for acknowledgement and tracking.
  - B. Division Liaisons will then work with staff in their division to expeditiously gather all responsive records to provide to the Public Records Coordinator.
  - C. The Public Records Coordinator will remain, at all times, the point of contact between the requestor and the Department.
3. When the Public Records Coordinator receives a Public Records Request:
  - A. The Public Records Coordinator will communicate with the requestor to acknowledge receipt of the public record request by email, letter, or facsimile, as appropriate.
  - B. The Public Records Coordinator will then work with Division Liaisons to gather all responsive records to complete the request.
  - C. If the request is from a member of the media, the Public Records Coordinator will immediately forward the request to the Office of Communications and External Affairs

([media@DEO.MyFlorida.com](mailto:media@DEO.MyFlorida.com)). The Office of Communications and External Affairs will acknowledge all media Public Records Requests. The Public Records Coordinator will be informed of all responses to media that include public records.

4. Estimates
  - A. The Public Records Coordinator will communicate in writing with the requestor to provide the actual cost and an estimate of the special service charge, if applicable.
  - B. Payment of the estimated costs is required prior to processing the records for production.
5. Review and Redaction
  - A. Once the requested materials have been gathered by the Division, the Division will redact confidential and exempt information before releasing the records to the Public Records Coordinator for transmittal.
  - B. The Division will specify and provide all citations for any redactions.
  - C. The Liaison and/or Division employee will consult with OGC as necessary regarding redactions.
  - D. Each Division is responsible for redacting records with redaction tape or electronically and, if necessary, must be prepared to assume the cost of paper copies used in the redaction process. Do not redact with a marker.

### 12.1.2 Production of Records to Requestor

1. Responses to Public Records Requests will be made within a reasonable time taking into account the extent and nature of the request.
2. Copies of the request, acknowledgment, response, invoice, records produced, or a record of what was produced, any related correspondences, and payments will be maintained by the Public Records Coordinator.
3. When the requestor requests in-person inspection of the records, and all necessary fees have been paid, the Public Records Coordinator and the Division Liaison, if necessary, must supervise the inspection of records to ensure confidential information is protected.

### 12.1.3 Public Record Requests for Email Correspondences

1. The Public Records Coordinator will review the request and consult with the requestor and Liaison as necessary, to determine possible search terms and time frames to obtain the information requested.
2. The Public Records Coordinator will provide the request for emails to IT with search terms and time frames.
3. Once emails have been retrieved by IT, an estimate will be transmitted by the Public Records Coordinator, if applicable, including the cost of retrieval and review of the emails for exempt or confidential information.

Upon retrieval and payment of necessary costs by requestor, the Public Records Coordinator will provide the emails to the Division Liaison for review and redaction (if required), and then provide all responsive documents to the requestor.

## 13.0 Additional Outreach

The Department and its subrecipients will continue to conduct outreach with communities throughout the implementation of the Action Plan to ensure that all stakeholders are aware of the opportunities that exist and can provide feedback along the way. Subrecipients are encouraged to develop and maintain an official outreach plan to keep the general public apprised of outreach efforts. The Rebuild Florida Outreach and Communications Plan for Hurricane Sally recovery efforts will be made available on the [Hurricane Sally website](#).