

# NCDEQ-DWI: CDBG-Infrastructure Program

## APPENDIX B – PUBLIC HEARINGS

Units of General Local Governments (UGLGs) applying for CDBG-Infrastructure (CDBG-I) funding must first hold a public hearing to discuss the CDBG program, funding availability, and the project that the local government wishes to pursue (Project description and purpose - must match grant application and include all streets with proposed improvements and any alternative streets if time and budget allows) and how the project meets community and housing needs of the UGLG.

These requirements are federal requirements, under requirements for citizen participation found in Section 104(a)(2) and (a) (3) of Title I of the Housing and Community Development Act of 1974, as amended, 24 CFR Part 570.486 (State CDBG Program regulations), and 24 CFR Part 91 (State Consolidated Plan regulations). These rules and regulations outline what must be covered in the hearings, as well as how to notice the public hearing.

It is strongly encouraged for UGLGs pursuing CDBG-I funds to have an informal public meeting to garner community support for proposed projects and to determine the greatest community and housing needs. Once the informal public meeting has been held, then the formal, noticed public hearing should be held, with meeting minutes documented, and adopted before submitting the application to the State of North Carolina for funding consideration.

### Public Hearing Notice

The CDBG-I Program only requires one public hearing prior to the submission of a funding application. The public hearing must be advertised in a prominent section of a local newspaper of general circulation. **The notice must not be placed in the section of the newspaper reserved for legal notices. The notice of advertisement of the public hearing must occur at least ten (10) days prior to the public hearing (not including the day of the hearing) but no more than twenty-five (25) days prior to the public hearing.**

In addition, public hearings must be conducted in a manner to meet the needs of non-English speaking resident where a significant number of non-English speaking residents can reasonably be expected to participate.

Templates for the advertisement of public hearings are available on the CDBG-Infrastructure website at <https://deq.nc.gov/about/divisions/water-infrastructure/i-need-funding/application-forms-and-additional-resources#cdbg-i-additional-forms>

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## Public Hearing Content

The public hearing **must** cover **all** the following items:

1. The amount of funding available for the fiscal year and for the grant round. North Carolina receives approximately \$XX million annually from the U.S. Department of Housing and Urban Development. It is expected that the State of North Carolina CDBG-Infrastructure Program will have allocated to it \$XX million dollars. The available funds are allocated in one grant application round in September (or another month identified by CDBG-I Unit).
2. The type of activities that can be funded with CDBG funds in North Carolina is water and sewer infrastructure, neighborhood revitalization, economic development, and COVID-19 related projects.
3. A total of 100 percent of the CDBG funding will be used to benefit low-to-moderate income people. A discussion should focus on the proposed activity(s) including a description of the project area, the number of individuals and/or households to be assisted and the critical need of the project and how the proposed project meets the UGLG's community and housing needs.
4. A discussion of the performance of the unit of general local government in previous CDBG grant funded projects. This review includes any grants made for housing or economic development under the N.C. Department of Commerce. Citizens in attendance at the public hearing must be given the opportunity to comment on proposed activities in a grant application to the State of North Carolina
5. The unit of general local government must provide the citizens with the address, telephone number and dates for submitting complaints and/or grievances; and provide timely written answers to written complaints and/or grievances within 15 business days where practicable.
6. The unit of general local government must discuss the general displacement and relocation policy for CDBG grant funding regarding ensuring and certifying compliance with said policy. The State of North Carolina will require that each unit of general local government receiving CDBG grant funding certify that they will comply with the requirements of this policy. It is equally important that if no displacement and relocation will occur because of the proposed CDBG grant activity, then the unit of general local government must confirm that during the public hearing.

Finally, the minutes of the public hearing must clearly demonstrate that all of the requirements as cited herein occurred and were discussed. **If the minutes do not clearly reflect compliance with all of these requirements, all proposed projects or activities will be deemed incomplete and therefore not eligible for CDBG grant funding.**

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**All of the above-mentioned items must be included in the hearings and documented in the meeting minutes. If any of these items are not submitted, the application will be considered incomplete.**

A public hearing script template is available on the CDBG-Infrastructure website at <https://deq.nc.gov/about/divisions/water-infrastructure/i-need-funding/application-forms-and-additional-resources#cdbg-i-additional-forms>.

**If the public hearing script template is used, all requirements information should be covered at the public hearing and in the minutes.**

### Time Period for Public Hearing and Grant Application

The public hearing(s) must be held within the same calendar year of application deadline, and the hearing(s) shall cover items one through six above. When resubmitting an application, a new public hearing must be held **if the original public hearing is outside the same calendar year as the resubmitted application due date.** If you have not covered one or more of the items listed above, you must have one more public hearing to cover those items. Submit the **certified** public hearing minutes for all hearings in the application. **If awarded a grant, a copy of the adopted public hearing minutes will be required as a funding condition.**

### Required Information to be Submitted

Under the Federal Compliance Documents (Tab 8) of the CDBG-I application insert the following:

- Certified minutes of the public hearing (*if awarded, adopted minutes will be required*); and
- An affidavit of public hearing notification and publication and a copy of the advertised notice of public hearing; OR
- A tear sheet from the newspaper showing the advertisement for public public/meeting and the date of the notice, as well as an enlargement of the advertisement.

If the applicant has held two public hearings, we will need the following documents:

- Certified meeting/hearing minutes from both public hearings (*if awarded, adopted minutes will be required*); and
- Two affidavits of publication for both public hearings and a copy of each advertised notice of public hearing; OR
- Two tear sheets from the newspaper showing the advertisement for public hearing/minute and the date of the notices, as well as an enlargement of the advertisements.