



**North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements**

Units of General Local Governments (UGLGs) applying for CDBG-Infrastructure (CDBG-I) funding **must hold at least one** public hearing to discuss the CDBG program, funding availability, and the project that the local government wishes to pursue (project description **with major components 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, **but not required**, 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 certified**, before submitting the application to the State of North Carolina for funding consideration.

Contents

1.0	Public Hearing Notice.....	2
1.1	Public Hearing Content	2
1.2	Time Period for Public Hearing and Funding Application	3
1.3	Required Information to be Submitted with Application	4
1.4	Public Hearing Notice – English.....	5
1.5	Public Hearing Notice – Spanish.....	7
1.6	Public Hearing Script.....	9
1.7	Template for Public Hearing Meeting Minutes	13



North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements

1.0 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 in this appendix.

1.1 Public Hearing Content

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

1. The amount of **approximate** 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 typically in one grant application round in the **Fall (last business day in September - deadline announced identified by the Division)**.
 - a. **A spring round of applications will occur only if there are remaining funds after the Fall funding round applications have been awarded by the State Water Infrastructure Authority. An announcement will be made if this occurs.**
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 **urgent need** 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.



**North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements**

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 the requirements as cited herein occurred and were discussed.

- **If the minutes do not clearly reflect compliance with all these requirements, all proposed projects or activities will be deemed incomplete and therefore not eligible for CDBG grant funding.**

All 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 in this appendix.

- If the public hearing script template is not used, all requirements information should be covered at the public hearing and in the minutes.

1.2 Time Period for Public Hearing and Funding 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 in section 1.1.**

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



**North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: **CDBG-I Application Public Hearing Requirements****

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.

1.3 Required Information to be Submitted with Application

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 (**though not required**), 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.



North Carolina Department of Environmental Quality
 CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements

1.4 Public Hearing Notice – English

NOTICE OF PUBLIC HEARING

RELATIVE TO APPLICATION

BY _____

FOR FUNDING UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED

Notice is hereby given that the _____ will conduct a public hearing on _____ at _____ AM/PM, or as soon thereafter as the agenda will allow, at the _____ relative to the intention of the _____ to apply for FY#### CDBG funding under Title I of the Housing and Community Development Act.

_____ intends to apply for a grant of approximately _____ in CDBG Infrastructure funds to _____ (project description - *must match grant application and include all major components of the project, streets with proposed improvements and any alternative streets if time and budget allows*).

The following is a tentative list of proposed activities and an estimated budget. The final application will be reviewed at the public hearing.

Infrastructure Improvements	\$ _____
Grant Administration Estimated Budget	\$ _____

The proposed project will provide benefits to _____, _____% of whom are low and moderate income individuals based on _____ (surveys or statistics) performed by _____ (use if surveyed). No individuals will be displaced, nor will any require temporary relocation assistance as a result of the proposed project (this phrase may or may not be true for your particular project).

Citizens will be given the opportunity to provide oral and written comment on the **town/city/county's** past and proposed use of CDBG funds at the public hearing. All interested citizens are encouraged to attend.

If additional information is needed, please contact the _____ at _____. Formal written complaints or comments concerning the application process that are submitted to the _____ prior to or following the public hearing will be responded to within fifteen (15) working days by _____. A copy of the completed project application will be available for public review after DATE, at the **(location)** _____.



North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements

Persons with disabilities or who otherwise need assistance should contact _____, at _____ or _____ (email address) (TDD # _____ or Relay North Carolina _____) by _____. Accommodations will be made for all who request assistance with participating in the public hearing.

This information is available in Spanish or any other language upon request. Please contact _____, at _____, or at the _____ for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con _____, al _____ (phone number) o en _____ (location), de alojamiento para esta solicitud.





1.5 Public Hearing Notice – Spanish

Notificacion de Audiencia Publica

Aplicacion de _____

Para recibir fondos bajo el Acta de 1974, modificada de Vivienda y Desarrollo de la Comunidad THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED

Notificación es dada aquí para anunciar que el (Town/City/County) _____ llevara a cabo una audiencia pública el (date)_____ a (time) _____ (AM/PM), o tan pronto después de esta si la agenda lo permite en (location)_____ relacionada con la intención de (Town/City/County)_____ para aplicar por fondos FY_____ CDBG bajo el título I del Acta de Vivienda y Desarrollo de la Comunidad.

(Town/City/County) _____ tiene la intención de enviar una aplicación para un subsidio de aproximadamente \$_____ en fondos de Infraestructura en CDBG para _____ (Project description - must match grant application and include all streets with proposed improvements and any alternative streets if time and budget allows).

La siguiente es la lista tentativa de actividades propuestas y el presupuesto estimado. La aplicación de la aplicación final será revisada en la audiencia pública:

Mejora de acueducto o alcantarillado (Water or Sewer Improvements) \$_____

Administración del Subsidio Presupuesto estimado \$_____

El Proyecto propuesto beneficiara a _____, _____% quienes son individuos con bajo y muy bajo ingreso basado en _____(encuestas o estadísticas /surveys or statistics) encuestas realizadas por _____ (use if surveyed). Ningún individuo será desplazado o requerirá asistencia de reubicación temporal como resultado del Proyecto propuesto. (this phrase may or may not be true for your particular project).

Los ciudadanos tendrán la oportunidad de dar sus comentarios por escrito o verbal sobre el uso de fondos de CDBG en proyectos anteriores o el proyecto propuesto durante la audiencia pública. Todos los ciudadanos interesados están invitados a asistir.

Si necesita información adicional, por favor contacte a (contact name) _____ en (location, phone number) _____. Quejas formales por escrito o comentarios relacionados con el proceso de la aplicación enviados a (Town/City/County) _____ anterior o después de la audiencia pública serán respondidos dentro de diez días hábiles por (Town/City/County)



**North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements**

contact) _____ . Una copia complete de la aplicación estará disponible para
revisión del publicó después de Septiembre 29, 20##, en
(location)_____.

Personas con discapacidades o personas que necesiten asistencia deben contactar (contact
name)_____, a (phone number)_____ o
_____ (email address, TDD # _____ or Relay North Carolina
_____) antes de la fecha (date)_____. Acomodaciones
razonables serán concedidas para todas aquellos que requieren asistencia para participar en la
audiencia pública.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por
favor, póngase en contacto con _____, al _____(phone number)
o en _____(location), de alojamiento para esta solicitud.

This information is available in Spanish or any other language upon request. Please contact
_____, at _____, or at the _____ for
accommodations for this request.





1.6 Public Hearing Script

Date

Town /City/County

This public hearing on _____ (*Date*), will provide an explanation and description of the _____ (*Fiscal Year*) North Carolina Department of Environmental Quality (DEQ) Community Development Block – Infrastructure Grant (CDBG-I).

We are present to discuss the purpose of the public hearing for the Town/City/County's CDBG-I funding application. The purpose of the public hearing is to obtain citizen's views and to allow response from the public to funding proposals and answer any questions posed by citizens.

This public hearing will cover the Town/City/County's community development needs, development of the proposed activities, and a review of program compliance before the submission of the Town /City/County's CDBG-I funding application to the state of the North Carolina.

The Town /City/County proposes to request funding from NCDEQ'S CDBG-I program for _____ (*Project Name*). The proposed project will meet the following community and housing needs of Town/City/County by _____.

The purpose of the CDBG-I grant program is to improve the quality of life for low to moderate income people by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.

- To benefit a residential area where at least 51% of the beneficiaries are low to moderate income as defined by the United States Department of Housing and Urban Development.
- To perform eligible activities.
- To minimize displacement, and
- Provide displacement assistance as necessary.

For the fiscal year of _____ the CDBG-I funding available is expected to be **approximately** _____ (amount). The maximum available grant is **\$3.0 million** over a 3-year period. Applications for funding will be received _____ (application deadline).

The CDBG program can fund a wide variety of community development activities. The State of North Carolina has chosen to fund several activities: water and sewer infrastructure,



**North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements**

neighborhood revitalization, **urgent need**, and economic development projects that lead to job creation or retention.

The infrastructure program, or CDBG-I program can fund a range of water and sewer infrastructure activities, including, but not limited to the, following:

Water:

- Projects that resolve water loss in distribution systems.
- Projects that extend public water to areas with contaminated wells.
- Projects that extend water lines to areas with dry wells.
- Projects that assist with low water pressure in public water systems.
- Projects that regionalize two or more water systems.
- Project that rehabilitate or replace a water treatment plant.

Wastewater:

- Projects that resolve inflow and infiltration to collection systems and surcharges from pumps stations and manholes.
- Projects that extent public sewer to areas with failed septic tanks.
- Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The Town/City/County is seeking an amount in CDBG-I funds not to exceed _____ (amount) for _____ (*project name*). The purpose of the Town /City/County’s request is to (*Project description with major components and purpose - must match grant application and include all streets with proposed improvements and any alternative streets if time and budget allows. Use approximately for Linear Feet*). _____

The project proposed by the Town/City/County was identified in _____ (Capital Improvement Plan/Asset Management Plan) _____ (Year). Informal community meetings were held in the project area to inform citizens of the potential project and get feedback from the residents.

A total of 100% of the CDBG- I funding will be used to benefit Low to Moderate Income (LMI) people. The project area in the Town/City/County has been determined to have a _____ (*area-wide/Income survey area*) of _____%. The project area includes _____ (*Project location and boundaries*).



North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements

The range of activities covered by the CDBG-I funds for the _____
(Name of Project) includes:

- Construction.
- Environmental Review
- Engineering Design
- Construction Administration and observation.
- Legal activities.
- Surveying.
- Grant Administration.

If Town /City/County is awarded a CDBG-I grant, the Town/City/County is required to adhere to **program's** procurement requirements and other federal regulations which include:

- **Completion/Submittal of Environmental Review**
- American with Disabilities Act/Section 504 **Self-Survey**
- Davis-Bacon & Related Labor Acts
- Adoption/Submittal of a Citizen's Participation Plan
- Adoption/Submittal of an Equal Opportunity Plan
- **Adoption / Submittal of the Program's Procurement Policy**
- Adoption/Submittal of a Fair Housing Plan (**Affirmatively Furthering Fair Housing**)
- Adoption/Submittal of a Language Access Plan
- Adoption/Submittal of a Relocation Assistance Plan
- Adoption/Submittal of a Section 3 Plan
- Excess Force Provision
- **Acquisition, Demolition and Uniform Relocation Act**
- **Build America, Buy America**

The State of North Carolina requires that the if the Town/City/County receives CDBG grant funding that the Town/City/County will certify that they will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs, if necessary. If no displacement and relocation will occur because of the proposed CDBG grant activity, then the Town/City/County confirms that during this public hearing.

In the past, the Town/City/County has applied for and received for the following completed CDBG project:

- List Name of Projects and Outcomes/outputs of the projects:



North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements

The Town/City/County will submit its CDBG-I **funding** application for the _____ (*Project Name*) on _____ (*Application deadline*).

The CDBG-I application will be available for review during normal business hours at _____ (*Address*). Additional information is available from _____ (*Town/City/County's contact information*).

Should you have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within fifteen (15) business days or by _____ (*Date*) and a written response to the written complaints and/or grievances will be sent by the Town/City/County within fifteen (15) business days, where practicable.

We open the floor for comments and questions about the CDBG program, and about the proposed project.



1.7 Template for Public Hearing Meeting Minutes

Date

Town /City/County

The Board of Commissioners for the Town /City/County of _____ held a public hearing on _____ (Date), for providing explanation and description of the _____ (Fiscal Year) North Carolina Department of Environmental Quality (DEQ) Community Development Block – Infrastructure Grant (CDBG-I). Members present were _____ (Name of Members).

_____ (Name) of _____ (Title and Company) was present to discuss the purpose of the public hearing for the Town /City/County of _____'s CDBG-I funding application. _____ (Name) stated that the purpose of the public hearing was to obtain citizen’s views and to respond to funding proposals and answer any questions posed by citizens. _____ (Name) also stated that the public hearing must cover the Town/City/County’s community development needs, development of the proposed activities, and a review of program compliance before the submission of the Town /City/County’s CDBG-I funding application to the state of the North Carolina.

The Town /City/County proposes requesting funding from NCDEQ’S CDBG-I program for _____ (Project Name). The proposed project will meet the following community and housing needs of Town/City/County by _____.

The purpose of the CDBG-I grant program is to improve the quality of life for low to moderate income people by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.

- To benefit a residential area where at least 51% of the beneficiaries are low to moderate income as defined by the United States Department of Housing and Urban Development.
- To perform eligible activities.
- To minimize displacement, and
- Provide displacement assistance as necessary.

For the fiscal year of _____ the CDBG-I funding available is expected to be **approximately** _____ (amount), and each the maximum available grant **\$3.0 million** over a 3-year period. Applications for funding are received _____ (application deadline).



**North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements**

The CDBG program can fund a wide variety of community development activities. The State of North Carolina has chosen to fund several activities: water and sewer infrastructure, neighborhood revitalization, **urgent need**, and economic development projects that lead to job creation or retention. The infrastructure program, or CDBG-I program can fund a range of water and sewer infrastructure and economic development activities, including, but not limited to the, following:

Water:

- Projects that resolve water loss in distribution systems.
- Projects that extend public water to areas with contaminated wells.
- Projects that extend water lines to areas with dry wells.
- Projects that assist with low water pressure in public water systems.
- Projects that regionalize two or more water systems.
- Project that rehabilitate or replace a water treatment plant.

Wastewater:

- Projects that resolve inflow and infiltration to collection systems and surcharges from pumps stations and manholes.
- Projects that extent public sewer to areas with failed septic tanks.
- Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The Town/City/County is seeking an amount in CDBG-I funds not to exceed _____ (amount) for _____ (project name). The purpose of the Town /City/County’s request is to

_____ (Project description and purpose - must match grant application and include all **major components**, streets with proposed improvements and any alternative streets if time and budget allows).

The project proposed by the Town/City/County of _____ was identified in _____ (Capital Improvement Plan/Asset Management Plan)____ (Year). Informal community meetings were held in the project area to inform citizens of the potential project and get feedback from the residents.



North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements

A total of 100% of the CDBG- I funding will be used to benefit Low to Moderate Income (LMI) people. The project area in the Town/City/County of _____ has been determined to have a _____ *(area-wide/Income survey area)* of _____%. The project area includes

(Project location and boundaries).

The range of activities covered by the CDBG-I funds for the _____ (Name of Project) includes:

- Construction.
- Environmental Review
- Engineering Design
- Construction Administration and Observation
- Legal Activities
- Surveying
- Grant Administration

If Town /City/County is awarded a CDBG-I grant, the Town/City/County is required to adhere to **program's** procurement requirements and other federal regulations which include:

- **Completion/Submittal of Environmental Review**
- American with Disabilities Act/Section 504 **Self-Survey**
- Davis-Bacon & Related Labor Acts
- Adoption/Submittal of a Citizen's Participation Plan
- Adoption/Submittal of an Equal Opportunity Plan
- **Adoption / Submittal of the Program's Procurement Policy**
- Adoption/Submittal of a Fair Housing Plan **(Affirmatively Furthering Fair Housing)**
- Adoption/Submittal of a Language Access Plan
- Adoption/Submittal of a Relocation Assistance Plan
- Adoption/Submittal of a Section 3 Plan
- Excess Force Provision
- **Acquisition, Demolition and Uniform Relocation Act**
- **Build America, Buy America**

The State of North Carolina requires that the if the Town/City/County of _____ receives CDBG grant funding that the Town/City/County will certify that they will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to



**North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements**

the project activities. CDBG funds can be used for those costs, if necessary. If no displacement and relocation will occur as a result of the proposed CDBG grant activity, then the Town/City/County of _____ confirms that during this public hearing.

In the past, the Town/City/County has applied for and received for the following completed CDBG project:

- List Name of Projects:

The Town/City/County will submit its CDBG-I application for the

(Project Name) on _____ (Application deadline). The CDBG-I application will be available for review during normal business hours at _____ (Address). Additional information is available from _____



**North Carolina Department of Environmental Quality
CDBG-Infrastructure (CDBG-I) Program
Appendix B: CDBG-I Application Public Hearing Requirements**

(Town/City/County's contact information). Should you have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within fifteen (15) business days or by _____ (Date) and a written to the written complaints and/or grievances will be sent by the Town/City/County within fifteen (15) business days, where practicable.

Motion was made by

(Members) to close the public hearing.

Motion was made by

(Members) to adjourn the meeting.

(Date)

Mayor/Board Member

Town/City/County Clerk