

MEMORANDUM

Agenda Item No. 5(N)

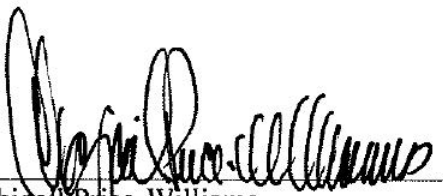
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: May 5, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution amending, after a public hearing, the Citizen Participation Plan within the 2013-2017 Consolidated Plan, as extended through fiscal year 2019, eliminating the requirement that the County consult with the Model City Community Advisory Committee on matters relating to the County's Consolidated Plan for Community Development Block Grant, Home Investment Partnerships, and Emergency Solutions Grant funding; and authorizing the County Mayor to provide an alternative citizen participation process in the Model City Neighborhood Revitalization Strategy Area and, when applicable, in the West Little River Neighborhood Revitalization Strategy Area as set forth herein

The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Prime Sponsor Chairwoman Audrey M. Edmonson.


Abigail Price-Williams
County Attorney

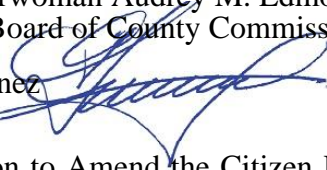
APW/smm

Memorandum



Date: May 5, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Recommendation to Amend the Citizen Participation Plan Within the 2013-2017 Consolidated Plan, as Extended through 2019, Eliminating the Requirement that the County Consult with the Model City Community Advisory Committee

Recommendation

It is recommended that the Board of County Commissioners (Board) amend the Citizen Participation Plan within the Fiscal Year (FY) 2013-2017 Consolidated Plan, as extended through FY 2019 (Consolidated Plan), to no longer require the County, through the Public Housing and Community Development Department (PHCD), to consult with Model City Community Advisory Committee (MC CAC), to no longer require consultation with the West Little River Community Advisory Committee (West Little River CAC) if that CAC is unable to meet the minimum number of members to conduct its business, and to authorize the County Mayor or the County Mayor's designee to provide an alternative citizen participation process in the Model City Neighborhood Revitalization Strategy Area (NRSA) and, as applicable, in the West Little River NRSA.

Scope

This item recommends amending the Citizen Participation Plan within the Consolidated Plan for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) program funding to eliminate the requirement that the County consult with the MC CAC on matters relating to the Consolidated Plan or the Model City NRSA and to establish an alternative citizen participation process. This item authorizes the County Mayor or County Mayor's designee to use that same alternative citizen participation process for the West Little River NRSA if the West Little River CAC is unable to meet the minimum number of members to conduct its business. The Model City NRSA is located in Districts 2 and 3, represented by Commissioner Jean Monestime and Chairwoman Audrey M. Edmonson. West Little River NRSA is located in District 2, represented by Commissioner Jean Monestime.

Fiscal Impact/Funding Source

The implementation of this item will not have a fiscal impact on the County's General Fund, as the services to be provided will not result in additional staffing needs.

Track Record/Monitor

Michael Liu, Director, PHCD, will monitor.

Background

The Code of Federal Regulations at 24 CFR part 91.105 requires local governments to adopt a citizen participation plan that sets forth the policies and procedures for citizen participation in the development, amending and updating of the County's consolidated plan for CDBG, HOME, and ESG program funding. The consolidated plan is updated every five years. The County's FY 2013-2017 Consolidated Plan has been extended by the United States Department of Housing and Urban Development through FY 2019. The citizen participation plan must provide for and encourage citizens to participate in the development of the consolidated plan, any substantial amendments to the consolidated plan, and the performance report. These requirements are designed especially to encourage participation by low- and moderate-income persons, particularly those living in areas designated by the jurisdiction as a revitalization area or in slum and blighted areas and in areas where community development funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods as defined by the jurisdiction.

Among other requirements for citizen participation, the plan must ensure that the following requirements are met:

- 1) The grantee must hold at least two public hearings a year to obtain citizen's views and to respond to proposals and questions. The public hearings should be conducted at a minimum of two different stages of the program year.
- 2) One of the public hearings should be held during the development of the plan. This can count as one of the two required public hearings.
- 3) The proposed consolidated plan must be published in a manner that affords residents, public agencies, and other interested parties a reasonable opportunity to examine its contents and to submit comments. This requirement may be met by publishing a summary of the proposed plan in one or more newspapers of general circulation and making copies available on the Internet, on the County's website, in libraries, government offices, and public places.
- 4) There must be at least a 30-day period for citizen review and comment on the proposed consolidated plan.
- 5) Public comments must be given consideration. A summary of the comments or views, and a summary of any comments or views not accepted and the reasons why, shall be attached to the consolidated plan or any substantial amendment to the consolidated plan.

The current Citizen Participation Plan requires that the County, through PHCD, obtain input from residents and stakeholders within the County's NRSAs through Community Advisory Committees (CACs) located within each NRSA. Most of the CACs perform a dual function, providing community input relating to the consolidated plan for CDBG, HOME and ESG funding, and also serving an integral part of the tripartite board required for Community Services Block Grant (CSBG) funding, administered through the Community Action and

Human Services Department (CAHSD). These dual-function CACs are aided in their mission by CAHSD. However, only two CACs have the singular function to the County of providing input relating to the consolidated plan for CDBG, HOME and ESG funding, and those CACs areas, the West Little River CAC and the MC CAC.

The Miami-Dade Commission on Ethics and Public Trust (Ethics Commission) issued a report dated October 24, 2019, included as Exhibit 1, revealing several potential ethical transgressions by two MC CAC members and making findings as to whether those members violated the County Conflict of Interest and Code of Ethics ordinance (Ethics Code). Although the Ethics Commission did not find that the members violated the Ethics Code, their findings revealed several ethical concerns relating to two CAC members. The Ethics Commission concluded the two members' actions "create an appearance of impropriety suggesting at best, a lack of understanding of the ethical rules and regulations applicable to County board members, or at worst, a blatant disregard of County policies/guidelines." Accordingly, the Ethics Commission recommended that the County consider removing MC CAC members from participation on the MC CAC in accordance with the guidelines proscribed in the Citizen Participation Plan.

The report further recommended "that the County strongly consider: whether the MC CAC is serving the purpose for which it was created; whether the MC CAC is serving current community needs as it cannot take action or make any recommendation due to its lack of quorum; whether there is any other board, either public or private, which would better serve the function of MC CAC; and whether the MC CAC is meeting performance measures developed to determine its effectiveness in achieving its stated goal." The MC CAC has not followed the rules outlined in the Citizen Participation Plan, even after multiple attempts by PHCD staff to provide training and education.

The federal regulations do not require the County to obtain citizen input through advisory organizations such as MC CAC. Accordingly, PHCD recommends that in lieu of consulting with the MC CAC as the County's means of obtaining community input within the Model City NRSA, the Citizen Participation Plan should be amended to allow PHCD staff to conduct regular meetings that are open to the public and local businesses and organizations in the Model City NRSA. PHCD believes this process will be a more meaningful and effective means of fostering community participation as required by the federal regulations.

Upon the adoption of the Citizen Participation Plan, PHCD will conduct publicly noticed quarterly meetings, which will be advertised in advance on the County calendar and in a newspaper of general circulation. PHCD will further notify the list of housing and community development agencies, recent applicants and interested parties prior to meetings. Providing outreach meetings four times per year will meet the federal requirements for community participation.

During the implementation of this new outreach process the County will evaluate the success by gauging the community's level of active participation and interest to determine if an alternative should be considered that includes but is not limited to development of other advisory groups. PHCD will work with the community and the BCC to make any updates or

changes as may be necessary to get the best yield for the County's engagement as it relates to the Consolidated Planning process.

While West Little River CAC has been functioning, the amendments to the Citizen Participation Plan allow PHCD to utilize the same citizen input procedure that is proposed for the Model City NRSA in the event that the West Little River CAC is unable to get the minimum number of members to conduct the business of the CAC.

On December 20, 2019, prior to submission of this item, PHCD provided notice of the proposed substantial amendment to the Citizen Participation Plan within the 2013-2017 Consolidated Plan in newspapers of general circulation, and posted the proposed amendment to the Department website. The Department did not receive public comments on the amendment to the Citizen Participation Plan during the thirty (30) day comment period that began on December 21, 2019, and ended on January 21, 2020. Any comments that are received by the Department prior to the May 5, 2020 Board meeting will be forwarded to the Office of Commission Auditor.

Attachments

A handwritten signature in blue ink, appearing to read "M. Kemp", is written over a horizontal line.

Maurice L. Kemp, Deputy Mayor



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: May 5, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(N)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(N)
5-5-20

RESOLUTION NO. _____

RESOLUTION AMENDING, AFTER A PUBLIC HEARING, THE CITIZEN PARTICIPATION PLAN WITHIN THE 2013-2017 CONSOLIDATED PLAN, AS EXTENDED THROUGH FISCAL YEAR 2019, ELIMINATING THE REQUIREMENT THAT THE COUNTY CONSULT WITH THE MODEL CITY COMMUNITY ADVISORY COMMITTEE ON MATTERS RELATING TO THE COUNTY'S CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS, AND EMERGENCY SOLUTIONS GRANT FUNDING; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO PROVIDE AN ALTERNATIVE CITIZEN PARTICIPATION PROCESS IN THE MODEL CITY NEIGHBORHOOD REVITALIZATION STRATEGY AREA AND, WHEN APPLICABLE, IN THE WEST LITTLE RIVER NEIGHBORHOOD REVITALIZATION STRATEGY AREA AS SET FORTH HEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board ratifies and adopts the matters set forth in the accompanying justification memorandum as fully set forth herein.

Section 2. This Board, after a public hearing, adopts amendments to the Citizen Participation Plan within the 2013-2017 Consolidated Plan, as extended through fiscal year 2019, eliminating the requirement that the County consult with the Model City Community Advisory Committee on matters related to the consolidated plan for Community Development Block Grant, Home Investment Partnerships, and Emergency Solutions Grant funding and the Model City

Neighborhood Revitalization Strategy Area. This Board authorizes the County Mayor or the County Mayor's use the alternative citizen participation process set forth in the amended Citizen Participation Plan, attached hereto as Exhibit 2, in the Model City Neighborhood Revitalization Strategy Area and in the West Little River Neighborhood Revitalization Strategy Area in the event that the West Little River Community Advisory Committee is unable to meet get the minimum number of members to conduct the business of Community Advisory Committee.

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

Audrey M. Edmonson, Chairwoman

Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.

Jose "Pepe" Diaz

Eileen Higgins

Joe A. Martinez

Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman

Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of May, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Brenda Kuhns Neuman



MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

19 West Flagler Street, Suite 820 · Miami, Florida 33130
Phone: (305) 579-2594 · Facsimile: (305) 579-0273
Website: ethics.miamidade.gov

REPORT ON INQUIRY

TO: FILE - PI 18-38

FROM: Jose J. Arrojo, Executive Director *[Signature]*
Michael P. Murawski, Advocate *[Signature]*
Radia Turay, Staff Attorney *[Signature]*

SUBJECT: PI 18-38 (In re: Roy Hardemon and Dr. Mae Christian)

DATE: October 24, 2019

Introduction:

The Miami-Dade Commission on Ethics and Public Trust (COE) conducted an inquiry into allegations that former State Representative Roy Hardemon (Hardemon) violated Section 2-11.38 of the Miami-Dade Code. Additionally, the inquiry examined allegations that Hardemon and Dr. Mae Christian (Christian), violated Sections 2-11.1(m)(2), (v), and (g) of the County Ethics Code.

Background and Investigation:

Information was received from the Office of the Inspector General (OIG) regarding a conflict of interest allegation against Hardemon. It was alleged that Hardemon simultaneously served on two County boards, the Model City Community Advisory Committee (MC CAC) and the Model City Advisory Board Community Development Corporation (CDC).

Our inquiry revealed that Hardemon and Christian serve on the MC CAC, which is under the auspices of the County's Public Housing and Community Development Department (PHCD).

A COE investigator spoke to Mr. James McCall (McCall), a principal planner at PHCD. McCall explained that the Community Advisory Committees (CACs) are required by the County's Citizen Participation Plan (CPP), which is itself required by the Federal Department of Housing and Urban Development (HUD), pursuant to federal statutes. The existence of these CACs is a predicate to the County being able to apply for and receive Community Development Block Grant (CDBG) funds.¹

¹ The Department of Public Housing and Community Development (PHCD) administers Federal and State funding that supports the development of viable urban neighborhoods in Miami-Dade County. The main sources of funding utilized to

The CACs advise County staff on priorities in the neighborhoods that they cover and may request that a certain project or organization be funded, through resolutions that the whole committee votes on.² This process is mandated by federal statutes.³

Hardemon also serves as a board member of the Model City Advisory Board Community Development Corporation (CDC), which is a private, non-profit organization incorporated by Christian in 2015. (This organization is not to be confused with the MC CAC.)

The COE contacted and interviewed Christian. She explained that she incorporated the CDC in 2015, with the goal of using the non-profit to develop the Model City neighborhood. She indicated that she pays the annual fee in Sunbiz to keep the registration for the non-profit current. She stated that she listed

meet these needs are the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) and Emergency Solutions Grant (ESG). The Department of Housing and Urban Development (HUD) regulates and governs the CDBG, Home and ESG programs. The regulations specify that an entitlement area (an area which receives a direct allocation from HUD to address high priority needs in low to moderate income communities) must adopt a citizen participation plan, which establishes policies and procedures for citizen participation. The methods used by Miami-Dade County PHCD incorporates citizen participation in the development of the Consolidated Plan which provides for the most basic and appropriate level of citizen participation, the details of which are contained in the Miami-Dade County Citizen's Participation Plan (CPP). *See* CPP, Pg. 5-8. The CPP states that central to the Consolidated Plan is the establishment of two citizen participation structures, one the neighborhood level; and one a county-wide level. The neighborhood structure exists in the form of a Community Advisory Committee (CAC). *See* CPP, Pgs. 19-20. Each CAC will be identified by the name of its Target Area; i.e Model City CAC.

² The CPP provides objectives of PHCD CACs, which include the following: support the mission of PHCD; conduct Target Area meetings; involve all persons who have an interest in the Target Area; make people aware of Target Area conditions and encourage the improvements of those conditions; identify problems and issues in the Target Areas; identify alternative projects; facilitate two-way communication with government representatives and Target Area residents; recommend priorities within the purview of the Department (PHCD); provide an opportunity for the discussion of Target Area problems and related issues; and review the progress of Target Area activities. *See* CPP at Pgs. 26-27. Further, the CPP states that CAC should "make every effort to address and resolve Target Area concerns within the Target Area prior to being referred to the departmental level (i.e. PHCD). Only matters approved by the majority vote of the [CAC] members present can be referred to any other level." *See* CPP at Pg. 28.

³ *See also:* 42 USC 5304, SEC. 508. CITIZEN PARTICIPATION PLAN. Grants. Section 104(a) of the Housing and Community Development Act of 1974 is amended by adding at the end thereof the following: "(3) A grant under section 106 may be made only if the grantee certifies that it is following a detailed citizen participation plan which— (A) provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which section 106 funds are proposed to be used, and in the case of a grantee described in section 106(a), provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction; (B) provides citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed use of funds, as required by regulations of the Secretary, and relating to the actual use of funds under this title; (C) provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee; (D) provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped; (E) provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and (F) identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

Hardemon as a member of the CDC's board, but claimed that he was never actively involved with the non-profit.

The COE also interviewed Hardemon. He was aware that he is listed as a board member of the CDC. He explained that the plan was for the CDC to secure grant money or government allocations for the purpose of developing the "Poinciana Industrial Park Intermodal Logistics Center" (Poinciana Intermodal Center) on County owned land, in order to provide jobs in the community.⁴ He was however under the mistaken assumption that the CDC was set up as the non-profit arm of the MC CAC and stated that the two organizations (MC CAC and the CDC) were virtually the same entities.

We interviewed Ms. Theresa Fiano, a manager at the County's PHCD. She clarified that none of the County's CAC's have a non-profit arm. The CDC is not a County entity.

During our inquiry of the initial allegation, we discovered that on January 17, 2018, Christian made a presentation at a purported MC CAC "meeting," on behalf of the CDC, the non-profit entity which she incorporated and currently serves as its President. During her presentation, she requested that 25 million dollars in funding be awarded to the CDC for the economic development of the Poinciana Intermodal Center.

On or around January 29, 2018, a document titled "Resolution MAC#01172018-1," signed by Christian, Hardemon, and other individuals, was delivered to PHCD employee, McCall. The document stated that the MC CAC recommended that Miami-Dade set aside 25 million dollars for the Poinciana Intermodal Center; the same initiative for which Christian's non-profit was seeking funding.

Relevant ordinances:

Sec. 2-11.38 of the Miami-Dade Code states: No person shall serve on more than two (2) County boards simultaneously, unless the Commission has by unanimous vote approved the appointment after being advised of all other County board(s) upon which the person sits, provided, however, a person serving on any one of the following boards shall not serve on any other County board simultaneously except as provided by ordinance: Community Council; Community Zoning Appeals Board; Planning Advisory Board; Citizens' Independent Transportation Trust; Housing Finance Authority; Independent Review Panel; Industrial Development Authority; Health Facilities Authority; Educational Facilities Authority; Commission on Ethics and Public Trust; Environmental Quality Control Board; The Children's Trust; and the Public Health Trust.

⁴ Hardemon, while serving in the state legislature, secured a \$2 million appropriation for the Poinciana Intermodal Center. While not the subject of this memorandum, Christian during her sworn statement to a COE investigator, was shown the budget she presented to PHCD, in an effort to obtain the \$2 million allocated by the legislature to the Model City Advisory Board Community Development Corporation. The budget included \$42,000 in travel-related expenses. Christian offered different explanations for the \$42,000 that is budgeted for an August 2018 trip to Nigeria. On the one hand, she insisted the trip that she took to Nigeria in August of 2018 was meant to benefit the community, because she met with fabric producers there. She also said reimbursement for that past trip would make future trips to other places possible. She did not deny that the budget item for that trip was to reimburse her personally. Christian explained that "the accountant" prepared the budget. When asked if she was referring to Anis Blemur, she said she would not talk about the accountant. (Mr. Blemur was sent to federal prison in July 2019, about a month after the budget was prepared.)

Notwithstanding the foregoing, a person is prohibited from serving on a County board where such service would violate federal or state law, the Miami-Dade County Home Rule Charter or county ordinance

Sec. 2-11-1 (g) of the Ethics Code. *Exploitation of official position prohibited.* No person included in the terms defined in subsection (b)(1) through (6) and (b)(13) shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.

Sec. 2-11.1 (m) of the Ethics Code. *Certain appearances and payment prohibited.* (2) No person included in the terms defined in subsections (b)(2), (3) and (4) [autonomous personnel, quasi-judicial personnel, and advisory personnel] shall appear before the County board or agency on which he or she serves, either directly or through an associate, and make a presentation on behalf of a third person with respect to any license, contract, certificate, ruling, decision, opinion, rate schedule, franchise, or other benefit sought by the third person. Nor shall such person receive compensation, directly or indirectly or in any form, for services rendered to a third party, who has applied for or is seeking some benefit from the County board or agency on which such person serves, in connection with the particular benefit by the third party. Nor shall such person appear in any court or before any administrative tribunal as counsel or legal advisor to a third party who seeks legal relief from the County board or agency on which such person serves through the suit in question. However, this section shall not prohibit an architect serving without compensation on the Miami-Dade County Board of Energy Regulation or on any architectural Board, whose sole function is to pass on the aesthetics of plans submitted, from submitting plans on behalf of a client so long as such member makes known his or her representation of the applicant and disqualifies himself or herself from speaking or voting or otherwise participating on such application.

Sec. 2-11(v) of the Ethics Code. *Voting conflicts associated with advisory and quasi-judicial boards.* No [advisory personnel] shall vote on any matter presented to an advisory board or quasi-judicial board on which the person sits if the board member will be directly affected by the action of the board on which the member serves, and the board members has any of the following relationships with any of the persons or entities appearing before the board: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary; or (ii) stockholder, bondholder, debtor or creditor.”

Legal Analysis:

A) Allegation that Hardemon violated Section 2-11.38 of the Miami-Dade Code

Our inquiry revealed that Hardemon serves as a board member of both the Model City Community Advisory Committee (MC CAC), which falls under the auspices of the County’s Public Housing and Community Development Department (PHCD), and he serves as a board member of the Model City

Advisory Board Community Development Corporation (CDC), which is a private, non-profit organization incorporated by Christian in 2015.⁵

Section 2-11.38 of the Miami-Dade Code provides that “No person shall serve on more than two (2) County boards simultaneously, unless the Commission has by unanimous vote approved the appointment after being advised of all other County board(s) upon which the person sits....”

Section 2-11.36.1 of the Miami-Dade Code however, provides a definition of what is considered a County “board.” It provides that: “The term “board” is defined to include every agency, authority, advisory board, regulatory board, quasi-judicial board, semi-autonomous instrumentality, committee, task force or any other citizens' group created and funded in whole or in part by the Board of County Commissioners.”

As noted above, the CDC is a private, non-profit organization that was created by Christian in 2015. It was not created or funded in whole or in part by the Board of County Commissioners (BCC), as required by Section 2-11.36.1 of the Miami-Dade Code, so it is not a “County board”.

During the COE’s interview with Theresa Fiano, a manager at the County’s PHCD, she clarified that none of the County’s CAC’s have a non-profit arm. The CDC is not part of the MC CAC.

Therefore, there is no violation by Hardemon of Section 2-11.38 of the Miami-Dade Code by simultaneously serving on more than two County boards since the CDC is not a County board.

B) Allegation that Christian violated Section 2-11.1(m)(2) of the Ethics Code

As noted above, during our inquiry of the initial allegation, we discovered that at the MC CAC meeting on January 17th, 2018, Christian made a presentation in which she requested that 25 million dollars in funding be awarded to the CDC (the private, non-profit entity she created).

The COE spoke to McCall, the principal planner at PHCD.⁶ He stated that there were approximately fifty (50) attendees at the MC CAC meeting on January 17th, 2018.

McCall explained that the purpose of the meeting was to allow “MUST” presentations for the 2018 Request for Applications for the Community Development Block Grant Home Investment Partnerships Program, and Emergency Solutions Grant programs.⁷ A total of 39 “MUST” presentations were delivered during the meeting.

⁵ The same analysis applies to Christian.

⁶ The minutes of the Model City CAC meeting on January 17th, 2018, note that he was one of two County staff members that were present during the meeting in question.

⁷ The Miami-Dade County Community Development Block Grant Application states that entities that apply for the Miami-Dade County CDBG Request for Application FY 2018 are required to make a 2-4-minute presentation in the community/area in which the proposed project is located herein referred to as a “MUST” presentation. If the activity will *serve a NRSA*, the applicant must make a MUST presentation before the Community Advisory Committee (CAC) of the respective NRSA. If the activity will *serve an Eligible Block Group*, the applicant must make a presentation at the Countywide MUST presentation meeting.

He stated that Christian was one of the individuals that made a “MUST” presentation at the meeting in question. She made a presentation on behalf of the CDC, an entity which she founded, serves as the registered agent, and is also listed as the President of the organization. He indicated that during her presentation, Christian requested that 25 million dollars in funding be awarded to the CDC for its development of the Poinciana Intermodal Center.

During the COE’s interview of Christian, she explained that she was elected to the MC CAC ten to fifteen years ago. She has been on the board ever since then. She did not deny making a presentation before the MC CAC on behalf of the CDC. She also stated that she prepared all of the materials that she used in the presentation before the MC CAC herself.

The Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1(m)(2) states:

...No person included in the terms defined in subsections (b)(2), (3) and (4) [autonomous personnel, quasi-judicial personnel, and advisory personnel] *shall appear before the County board or agency on which he or she serves, either directly or through an associate, and make a presentation on behalf of a third person with respect to any license, contract, certificate, ruling, decision, opinion, rate schedule, franchise, or other benefit sought by the third person.* (Emphasis added)

Christian is a board member of the County’s MC CAC *and* she made a presentation at a meeting of that County board on which she serves, seeking a benefit on behalf of the CDC—an organization that she not only created, but also served as registered agent and president. This may at first glance appear to be a clear violation of Section 2-11.1(m)(2) of the Ethics Code, however, McCall, who was at the meeting, noted that Christian was the *only* member of the MC CAC present at the meeting in question.⁸ McCall indicated during his interview with our office that since there were no other MC CAC board members present, Christian made her presentation, on behalf of her CDC, to the people in the community that were at the meeting.

While this course of conduct by Christian is worrisome, it does not rise to the level of probable cause necessary to justify the filing of an ethics complaint against her for a violation of 2-11(m)(2) of the Ethics Code, because the evidence indicates that she basically appeared and made a presentation before a group of citizens, none of whom served on the MC CAC, at what was purported to be a MC CAC “board meeting.”⁹ In essence, there was no MC CAC board meeting on January 17, 2018, because there

⁸ The Miami-Dade Citizen Participation Plan (CPP) proscribes that each PHCD CAC will consist of thirteen (13) elected representatives from the designated county target areas. *See* CPP at Pg. 22. At the time of the January 17th, 2018 meeting, there were only two individuals on the board of the Model City CAC, Christian and Hardemon. Christian explained during her interview at the COE, that the other members of the CAC passed away and had not being replaced as required by the CPP.

⁹ The CPP which proscribes the guidelines which the CAC’s must follow, indicates that quorum is required for any meeting of a PHCD CAC. It goes on to describe quorum as “fifty percent (50%) plus one of the current members.” *See* CPP, Pg. 26. Further, Florida law dictates the in order for there to be a “meeting” of a state or local board, there should be a gathering of at least two or more members of the same board to discuss some matter which will foreseeably come before that board for action. *Town of Palm Beach v. Gradison*, 296 So. 2d 474, 477 (Fla. 1974); *Sarasota Citizens for Responsible Government*

was only one MC CAC board member present, Christian. There was no quorum, therefore, no official MC CAC business could have taken place.

Consequently, notwithstanding her questionable conduct, there is no probable cause to believe that Christian violated Section 2-11.1(m)(2) of the Ethics Code, by appearing before the County board or agency on which she serves, as it appears that her presentation was made before a group or citizens, at a gathering at which no other MC CAC board members were present.¹⁰

C) Allegation that Christian and Hardemon violated Section 2-11.1(v) of the County Ethics Code

During our inquiry we also discovered that the MC CAC presented a document that was titled "Resolution MAC#01172018-1" to the County's PHCD. The document was signed by Hardemon, Christian, Gerald Reed, Jr., and LaVerne Holiday.¹¹

The document states that the MC CAC, "recommends that Miami-Dade County set aside 25 million dollars for the Poinciana Intermodal Center." The document further states that the MC CAC "recommends that the funds come from CDBG and recaptured dollars."

In our interview with McCall, Principal Planner at PHCD, he explained that MC CAC can pass a resolution urging the PHCD to allocate funds to specific projects. The CPP however indicates that "provided a quorum is present, a simple majority of those voting will be sufficient to take action on those issues that are in support of the missions of the Department of Public Housing and Community Development. See CPP at Pg. 26.

Further, Section (v) of the CPP, titled "Restriction on advisory committee members" specifically states that "[n]o Advisory Committee member shall have the authority to change actions as voted upon by the advisory Committee as a whole; all recommendations submitted will reflect the vote of the majority. No Advisory Committee member may represent themselves as a spokesperson for the Public Housing and Community Development Advisory Committee on ideas, issues or proposals, unless it has been pre-approved and authorized by the Advisory Committee as a whole...." See CPP at Pg. 28.

While this Resolution was purportedly signed by four MC CAC members, it originated at the "meeting" of January 17th, 2018. As is noted above, there was only one MC CAC member present at the meeting, Christian; so, no quorum; no board action could have taken place; and no resolutions could have been passed.

v. City of Sarasota, 48 So. 3d 755, 764 (Fla.2010); *City of Miami Beach v. Berns*, 245 So. 2d 38 (Fla. 1971); and *Board of Public Instruction of Broward County v. Doran*, 224 So. 2d 693 (Fla. 1969).

¹⁰ Probable Cause exists where there are reasonably trustworthy facts and circumstances for the Commission on Ethics and Public Trust (COE) to conclude that Respondent should be charged with violating Section 2-11.1(m)(2) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance.

¹¹ The CAC however, has only two official members, Christian and Hardemon. We were informed that members of the community sometimes vote on committee resolutions. This practice is clearly in violation of the CPP, which specifically states that "participation at Community Advisory Committee meetings, *excluding voting*, will be open to all interested persons." See CPP at Pg. 26 (emphasis added).

Further, in spite of the representation made in the Resolution, the MC CAC never voted to pass the resolution at any of its purported meetings as required by the CPP. Christian in her interview with the COE specifically stated that while she did make a presentation before the MC CAC on behalf of her private, non-profit CDC, she did not vote on the issue of urging funding for the Model City CDC, because she sits on its board.¹²

McCall simply stated that the document titled Resolution MAC#01172018-1, was delivered to him, on or about January 29, 2018.¹³

Section (v) of the Ethics Code, states that:

“no [advisory personnel] shall vote on any matter presented to an advisory board or quasi-judicial board on which the person sits if the board member will be directly affected by the action of the board on which the member serves, and the board members has any of the following relationships with any of the persons or entities appearing before the board: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary; or (ii) stockholder, bondholder, debtor or creditor.”

Once again, Christian’s and Hardemon’s attempted MC CAC resolution supporting the funding of a CDC project appears to violate the Ethics Code. However, to restate, the MC CAC never officially met since there was no quorum, nor did its members “vote” to pass this resolution at any duly noticed meeting. The evidence shows that a document titled Resolution MAC#01172018-1 was simply delivered to County employee, McCall on or about January 29, 2018.

Based on the plain wording of the Ethics Code, in order for there to be a violation of Section(v), the advisory board member had to, at the very least, vote on a matter that was presented to the board on which he or she sits. Consequently, there is no probable cause to believe that Christian and Hardemon violated Section 2-11.1(v) of the Ethics Code, because there was no meeting at which a vote was taken on the purported resolution, by the MC CAC, the advisory board or quasi-judicial board on which they sit.

D) Allegation that Christian and Hardemon violated Section 2-11.1(g) of the County Ethics Code

As noted above, on January 17, 2018, Christian made a presentation at a purported MC CAC “meeting,” on behalf of her private, non-profit entity, the Model City CDC, an entity which she incorporated and for which she currently serves as President and Hardemon serves as Vice President.

¹² The CPP states that any PHCD CAC member who holds a board position or is employed by any agency receiving funds from PHCD, must recuse him/herself and physically leave the room while any discussion arises that involves funding decisions related to that agency or any discussion about that agency in general. See CPP at Pg 28.

¹³ McCall stated that the resolution was not delivered by Hardemon or Christian.

During her “presentation”, she requested that 25 million dollars in funding be awarded to the CDC for the development of the Poinciana Intermodal Center.¹⁴

On or around January 29, 2018, McCall, received a document titled “Resolution MAC#01172018-1,” signed by Christian, Hardemon, and other individuals, which stated that the MC CAC recommended that Miami-Dade County set aside 25 million dollars for the very same Poinciana Intermodal Center for which Christian’s non-profit was attempting to seek funding.

On July 11, 2019, Hardemon gave a sworn statement to the COE. He said he signed resolutions that were put in front of him, including the one recommending that the Model City CDC be funded. He said he did not know if the MC CAC had voted on the resolution or not because he had not attended the meeting during which the MUST presentations were made.

On September 24, 2019, Christian gave a sworn statement to the COE. She acknowledged that she made a “MUST” presentation at a community meeting on January 17, 2018. Initially she said this was at a meeting of the Model City Community Advisory Committee and that she had not voted on the presentations because she herself had made one. She recognized the latter situation as a conflict of interest. She was unable to explain why she signed the resolution urging funding for the Poinciana Intermodal Center several days later when the matter had not been voted on by the MC CAC. When presented with the resolution (which clearly says that it is a resolution of the MC CAC), Christian said her “MUST” presentation was just at a community meeting, not a meeting of the MC CAC. She also denied that the resolution urging funding of the Poinciana Intermodal Center and a separate one urging funding of peddler’s licenses had anything to do with the MC CAC, though one of the other “MUST” presentations was for the peddler’s licensing project. She said the resolutions were just meant for the County.

The Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Section (g) of the Ethics Code, titled *Exploitation of official position prohibited*, states:

No person [including advisory board members] shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.

Arguably, Christian’s and Hardemon’s signing of the purported resolution, in their official capacity as MC CAC board members, was an attempt to secure privileges for themselves since they recommended funding for a project to be undertaken by a private non-profit on which they serve as officers. This could be perceived as exploitation of their official position. However, we considered a number of issues regarding this matter:

¹⁴ As noted above, Christian admitted during her interview that she created/incorporated the Model City CDC in 2015. She paid the annual fee in Sunbiz to keep the registration for the CDC current. She was listed as the registered agent for the non-profit in Sunbiz until August 2019. She was also listed as the President of the organization. Hardemon was the only other member of the CDC board until August 2019.

First, although the document is titled a “resolution”, but it may not be considered an *official action* of the MC CAC as there was no quorum at the January 17th, 2018 meeting. As previously noted, the CPP proscribes that all PHCD CACs will consist of thirteen (13) elected representatives from the designated County target areas.¹⁵ It also states that “provided a quorum is present, a simple majority of those voting will be sufficient to take *action* on those issues that are in support of the missions of the Department of Public Housing and Community Development.”¹⁶ It describes quorum as “fifty percent (50%) plus one of the current members.”¹⁷ There was only one MC CAC member present at the meeting, Christian, so there was no quorum and no board action could have taken place.

Second, despite the representation made in the Resolution, the MC CAC never voted to pass the resolution at any of its purported meetings as required by the CPP. The evidence shows that County staff, McCall, received a document titled “Resolution MAC#01172018-1,” on or about January 29, 2018. Section (v) of the CPP, specifically states that “...all recommendations submitted will reflect the vote of the majority. No Advisory Committee member may represent themselves as a spokesperson for the Public Housing and Community Development Advisory Committee on ideas, issues or proposals, unless it has been pre-approved and authorized by the Advisory Committee as a whole....” See CPP at Pg. 28. This document was never voted on, pre-approved, or authorized, by the MC CAC, so it cannot be considered an official “recommendation” of the MC CAC.

Third, all the meetings of the MC CAC must comply with the Sunshine law, Fla. Stat 286.011. The Sunshine Law states that no formal action of a public board shall be binding unless it is taken at a meeting that is open to the public. This purported resolution was never voted on, at a public meeting, so it will not be considered binding under the Sunshine Law.

Consequently, based on our review of all the evidence in this case, the actions of Christian and Hardemon, do not rise to the level of probable cause necessary to justify the filing of an ethics complaint against them, as it appears that the purported resolution is not an “*official action/recommendation*.”¹⁸ From a practical standpoint, the resolution was the equivalent of a piece of paper with no recognizable legal effect.

Conclusion:

This inquiry revealed several potential “ethical” transgressions by the two board members of the MC CAC, Christian and Hardemon. While their conduct may not rise to the level of probable cause necessary to justify the filing of an ethics complaint, as discussed above, their actions create an appearance of impropriety suggesting at best, a lack of understanding of the ethical rules and regulations applicable to County board members, or at worst, a blatant disregard of County policies/guidelines.

¹⁵ See CPP at Pg. 21.

¹⁶ See CPP at Pg. 26.

¹⁷ See CPP at Pg. 26.

¹⁸ In our interview with Ms. Fiano, a manager at PHCD, she equated the document in question to more of a “wish list”.

Additionally, the preparation of Resolution MAC#01172018-1 outside of a duly noticed Sunshine meeting and its submission to the County as a purported resolution of the MC CAC may implicate statutory provisions that should be reviewed by other authorities with jurisdiction to review possible violations of State law.¹⁹

Other Findings and Recommendations:

Consequently, we respectfully make the recommendations:

- 1) Based upon the totality of events and findings identified herein, the COE recommends that the PHCD consider removing Christian and Hardemon from participation on the board of the MC CAC, in accordance with the guidelines proscribed in the CPP. The actions of Christian and Hardemon, as detailed in this report, appear to be clear violations of Section (V) of the CPP, titled Restriction on Advisory Committee Members, and Section (W) of the CPP, titled Conflict of Interest, which, pursuant to the CPP guidelines, constitutes grounds for their respective recall or removal from the board of the MC CAC.
- 2) Our investigation revealed that the MC CAC is basically defunct and has been in this state for several years. While the CPP states that each PHCD CAC will consist of thirteen (13) elected representatives from the designated county target areas, there are only two individuals on the board of the MC CAC, Christian and Hardemon.²⁰ The CPP also states that “provided a quorum is present, a simple majority of those voting will be sufficient to take *action* on those issues that are in support of the missions of the Department of Public Housing and Community Development.”²¹ It appears that the MC CAC has not been able to meet quorum requirements, so no board action/recommendation could have taken place for the past several years.

We defer to other agencies as to whether the non-functional state of the MC CAC complies with the requirements of federal statutes requiring citizen participation plans as a prerequisite to obtaining CDBG monies.²²

- 3) The COE recommends that the County strongly consider: whether the MC CAC is serving the purpose for which it was created; whether the MC CAC is serving current community needs as it cannot take any action or make any recommendation due to its lack of quorum; whether there is any other board, either public or private, which would better serve the function of the MC CAC; and

¹⁹ Section 838.022, F.S. states: “Official Misconduct making it a felony for a public servant or public contractor, to knowingly and intentionally obtain a benefit for any person or to cause unlawful harm to another, by falsifying, or causing another person to falsify, any official record or official document or altering any official record or official document, except as authorized by law or contract, or causing another person to perform such an act. Whether County board members are “public servants” under that section is beyond the scope of this report.

²⁰ Christian explained during her interview at the COE, that the other members of the CAC passed away and had not being replaced as required by the CPP.

²¹ See CPP at Pg. 26.

²² A copy of this report will be forwarded to the OIG and the Federal Department of Housing and Urban Development OIG.

whether the MC CAC is meeting performance measures developed to determine its effectiveness in achieving its stated goal.^{23 24}

- 4) This investigation has revealed a variety of transgressions by the current members of the MC CAC board. Thus, the COE makes the following additional recommendations regarding all PHCD CAC's, the adoption of which, the COE believes, should going forward decrease the likelihood of this type of conduct reoccurring:
- a) Immediately require mandatory training for all PHCD CAC members on the: County Ethics Code; PHCD CAC policies and guidelines; and applicable state and federal laws, which must include training on the Sunshine Law and Public Records law;
 - b) Institute more supervision/oversight of PHCD CAC by the County, including more involvement/oversight of PHCD CAC and PHCD CAC meetings by the County Attorney's Office; and
 - c) Consult with the County Attorney's Office or the OIG regarding reporting obligations to Department of Housing and Urban Development (HUD) for resulting from potential non-compliance with required Citizen Participation Plan activities.

²³ See Section 2-11.40, Miami-Dade Code, titled "Sunset" review of boards.

²⁴ In accords with COE policy, the proposed findings and recommendations contained in this report were presented to the Director of the PHCD. It is contemplated that the PHCD may initiate actions to disband the MC CAC and expand the jurisdiction of other functioning CACs so as to be in clear compliance with the requirements of the CPP and corresponding federal statutes. The COE acknowledges the Director's access to COE staff. A copy of this report will be forwarded to PHCD.



**CITIZEN PARTICIPATION PLAN
FOR THE CONSOLIDATED PLANNING PROCESS
AND
CITIZEN PARTICIPATION GUIDELINES
FOR
PUBLIC HOUSING AND
COMMUNITY DEVELOPMENT DEPARTMENT
AND
COMMUNITY ACTION AND HUMAN SERVICES
DEPARTMENT**

"Delivering Excellence Every Day"

Revised: ~~June 2012~~ December 2019
Prior Revision: ~~December 2009~~ June 2012

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CITIZEN PARTICIPATION PLAN FOR THE CONSOLIDATED PLANNING PROCESS

Introduction

The US Department of Housing and Urban Development requires that the Five Year Consolidated Plan for each entitlement agency adopt a Citizen's Participation Plan. This Citizen Participation Plan has been adopted by Miami-Dade County and is in conformance with the provisions of Federal Regulations.

Required by HUD regulation and Public Law 100-242, the Citizen's Participation Plan outlines the methods used in the development, from a public input process, of the Five Year Consolidated Plan, Annual Action Plans, the CAPER and Substantial Amendments inclusive of strategies employed by Miami-Dade County that provides for maximum citizen participation in the development of these plans.

Overview of Department Of Public Housing and Community Development

The Department of Public Housing and Community Development (PHCD) administers Federal and State funding that supports the development of viable urban neighborhoods in Miami-Dade County. Such support is characterized as decent housing, expansion of economic opportunities, public service, capital improvements and the preservation of historic properties. The main sources of funding utilized to meet these needs are the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) and Emergency Solutions Grant (ESG). These programs are established to help low- and moderate-income persons, particularly those living in slum and blighted areas. The U.S. Department of Housing and Urban Development (HUD) regulates and governs the CDBG, HOME and ESG programs. The regulations specify that an entitlement area (an area which receives a direct allocation from the U.S. HUD to address high priority needs in low to moderate income communities) must adopt a citizen participation plan, which establishes policies and procedures for citizen participation. The following are the entitlement areas of Miami-Dade County: City of Miami, City of Miami Gardens, City of Miami Beach, City of North Miami, City of Hialeah, City of Homestead, Florida City and Miami-Dade County.

The methods used by Miami-Dade County Public Housing and Community Development Department incorporates citizen participation in the development of the Consolidated Plan which provides for the most basic and appropriate level of citizen participation. It is the intent of the County to provide for the maximum level of citizen participation in order to gather the most meaningful, thorough and effective input from its citizens. Citizen participation is broad due to the types of areas the County covers, which includes urban, rural and agricultural. At the same time, the process makes sure that the low and moderate income, disabled, elderly and other special populations are involved in the total input process. The diversity of this County is illustrated by the wealthy enclaves to agricultural communities in south Miami-Dade, including a population **that** includes speakers of English, Spanish and Creole as a primary language.

The citizen participation/input process consists of the following summary of steps which maximizes the citizen's participation in the development of the Five Year Consolidated Plan, the Annual Action Plan, the CAPER for Miami-Dade County, as well as the substantial amendments for either document. Details of each of these steps follow in the sections of this Citizen's Participation Plan.

Citizen participation requirements shall not be construed to restrict the responsibility or authority of the County for the development and execution of its entitlement program activities. The Board of County Commissioners remains the sole approving authority for the Plan and any amendments.

Applicability and Adoption of the Citizen Participation Plan

Pursuant to 24 CFR Part 91, Consolidated Submissions for Community Planning and Development Programs, the jurisdiction is required to certify that it has developed and is acting in compliance with a Citizen Participation Plan that sets forth the jurisdiction's policies and procedures for citizen participation. The plan must include the following topic areas:

1. **CITIZEN PARTICIPATION:** Provide for and encourage citizen participation, with particular emphasis on participation by persons of low and moderate-income. Of particular importance are those residents living in slum and blighted areas and where Federal funds are proposed to be used. Encourage the participation of all residents, including minorities, non-English speaking persons and persons with disabilities;
2. **CITIZEN COMMENTS:** Provide citizens with a reasonable opportunity to examine the proposed Consolidated Plan, Annual Action Plans and Consolidated Annual Performance and Evaluation Reports (CAPER) and Substantial Amendments. Provide a mechanism to submit written and oral comments and to provide for the consideration of these comments. Provide for a system of responding to citizen complaints;
3. **SUBSTANTIAL AMENDMENTS:** Provide for specification of criteria that Miami-Dade County will use to determine what constitutes a substantial change in the Miami-Dade County's planned or actual activities. This process will include a procedure for notification of the public and receipt of comments;
4. **PUBLIC HEARINGS:** Provide public hearings to obtain citizen views on housing and community development needs, at times and locations that are convenient to potential and actual beneficiaries. Allow for citizens to respond to proposals relative to the selection of funded activities. Respond to questions at all stages of the community development program, including the development of needs, the review of proposed activities and the review of past program performance;
5. **REASONABLE AND TIMELY ACCESS:** Provide citizens with reasonable and timely access to local meetings, information and records related to Miami-Dade County's proposed and actual use of funds at times and locations convenient to potential or actual beneficiaries including;
 - Annual Action Plans
 - Consolidated Annual Performance and Evaluation Reports (CAPERs)
 - Five Year Consolidated Plan
 - Substantial Amendments to the plan

Accommodations for persons with disabilities and groups of non-English speaking persons will be made upon notification to the County within a reasonable time frame.

6. **INFORMATION PROVIDED:** Provide information to citizens, public agencies and other interested parties that include the amount of Federal Assistance available to the Miami-Dade

County and the activities that may be undertaken. The information will include the estimated amount of funds that will benefit persons of low and moderate-income as well as plans to minimize displacement (even if no displacement is expected to occur);

7. **TECHNICAL ASSISTANCE:** Provide technical assistance to group representatives of persons of low- and moderate-incomes that request such assistance;
8. **PUBLIC HOUSING AUTHORITIES:** Provide for consultation between Miami-Dade County and any public housing authorities in order to encourage participation by residents of public and assisted housing developments in the process and implementation of the Consolidated Plan. Provide information to these agencies about Consolidated Plan activities, so this information can be used in the planning process;
9. **NON-ENGLISH SPEAKING RESIDENT NEEDS:** Identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate;
10. **PERSONS WITH DISABILITIES:** Provide accommodations for access to public hearing sites and public meetings for persons with disabilities;
11. **COMPLAINT RESOLUTION:** Provide for timely written answers to written complaints and grievances.

Encouragement of Citizen Participation

- Citizens will have the opportunity to participate in the development of the Consolidated Plan, the Annual Action Plan, any Substantial Amendments to the Consolidated Plan, and the Consolidated Annual Performance Evaluation Report.
- The main focus of the Miami-Dade Public Housing and Community Development and Community Action and Human Services Department Citizen Participation Plan is to encourage all citizens to participate in each of the above-defined activities. The Citizen Participation Plan is designed especially to encourage participation by low-and moderate-income persons, particularly those living in slum and blighted areas and in areas where Community Development Block Grant funds are proposed to be used and by residents of predominantly low- and moderate-income neighborhoods, as defined by the jurisdiction. Overall, these departments make every effort to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.
- Additionally, the County works with public housing authorities to encourage the participation of residents of public and assisted housing developments, along with other low income residents of neighborhood revitalization strategy areas and eligible block groups to participate in the process of developing and implementing the consolidated plan

This Citizen Participation Plan is divided into five sections with each one addressing a separate report or document required by HUD. Each section will address the goals, requirements and procedures for each of the documents. The five sections are:

- Citizen Participation Plan
- Five Year Consolidated Plan
- Annual Action Plan
- Comprehensive Annual Performance and Evaluation Report

- Substantial Amendments

**PART I –
PUBLIC HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT CITIZEN
PARTICIPATION PLAN FOR THE DEVELOPMENT OF CONSOLIDATED PLANS/ ANNUAL
ACTION PLANS, CAPER’S AND SUBSTANTIAL AMENDMENTS**

A - Citizen Participation Plan

Citizen Participation Plan Update:

Under the auspices of the Miami-Dade County Board of County Commissioners, the Public Housing and Community Development Department shall update the Citizen Participation Plan upon receipt of input from the public and any advisory bodies. This update can be included in conjunction with the Five Year Miami-Dade County Consolidated Plan submission to HUD.

Update Process:

1. Submit revisions to the Citizen Participation Plan to the public and any advisory bodies for their input/recommendations.
2. Submit the revised Citizen Participation Plan to the Miami-Dade County Board of County Commissioners in conjunction with submitting the approved plan as part of the Five Year Miami-Dade County Consolidated Plan to U.S. HUD.

Citizen Comment on the Citizen Participation Plan -and Amendments:

Citizen comments at all public meetings/hearings will be solicited.

1. A summary of citizen comments received in writing, or orally at public meetings, will accompany all submissions to HUD. Advertising and conducting public hearings will be the responsibility of the Public Housing and Community Development Department.
2. Where a significant number of non-English speaking residents can be reasonably expected to participate, a method of communication will be provided for non-English speaking residents as well as accommodations for persons with disabilities, upon forty-eight (48) weekday hour notification to the Miami-Dade County Public Housing and Community Development Department.
3. When possible, citizen surveys can be included at appropriate public meetings and with agencies involved with providing services. Bi-lingual surveys (or tri-lingual if necessary) will be available where it is anticipated that a significant number of non-English speaking residents will attend.
4. Written comments should be addressed to the office of:

Miami-Dade County
Public Housing and Community Development Director
701 NW 1st Court,
14th Floor
Miami, Florida 33136
(786) 469-4100
5. The County shall respond to any written responses or comments from citizens within fifteen (15) working days, where practicable.

B - Five Year Consolidated Plan

Consolidated Plan Preparation and Update: To obtain input from public and private agencies, as well as State and/or local health and welfare agencies that assist in housing, health, economic development, social services and child care agencies to low to moderate-income residents Miami-Dade County will:

1. Consult with interested area social/health service/housing providers throughout the County who assist with housing, health, economic development, social services and child care agencies to low to moderate-income residents.
2. Conduct two (2) neighborhood meetings/workshops for the purpose of citizen input on community needs. The meetings will be held in areas/locations that are accessible to low and moderate-income residents and beneficiaries of the funds. These meetings will be noticed on the County Website and through various other means such as e-mail lists, through established neighborhood groups, flyers at local facilities and through Commissioners' Offices, if possible. The first meeting/workshop will be held at the beginning of the development of the Consolidated Plan, with a purpose to gather input from the community. The second community meeting/workshop will be held prior to the completion of the Consolidated Plan draft, to report results found as of that date, to convey the input from the first public meeting and any other pertinent information.
3. A summary of citizen comments received in writing, or orally at public meetings, will accompany all submissions to HUD. The advertising and conducting of public hearings will be the responsibility of the Public Housing and Community Development Department.
4. Comments regarding the plan can be directed in writing, by phone or fax and will be addressed to:

Miami-Dade County
Public Housing and Community Development Director
701 NW 1st Court,
14th Floor
Miami, Florida 33136
(786) 469-4100

5. Advertisement of the these two neighborhood public meetings or workshops to solicit input for the preparation of the Consolidated Plan can be in a newspaper of general circulation prior to the scheduled meeting/workshop. The advertisement will include:
 - the purpose of the meeting/workshop;
 - date;
 - time; and
 - location
6. Regarding the Draft of the Consolidated Plan, copies will be available for public review and comment at sites of public access such as government buildings, libraries, etc., as well as on the County's website.
7. There will be two Public Hearings to obtain citizens' views and to respond to proposals and questions. Both hearings will be held before the Miami-Dade Board of County Commissioners (BCC) or a committee of the Board.

8. A public notice summarizing the action to be taken at each public hearing will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons, at least 15-days prior to the hearing. Notices will also be e-mailed to currently listed persons of interest, posted at public buildings and meeting areas, on the County Website and calendar of events or at meetings and through community groups of interest.
9. These hearings will address housing and community development needs, development of proposed activities and review of program performance. The hearings will be held in a public facility that is easily accessible to the public, including persons with disabilities. The place, date and time of these hearings will be determined by the County Mayor in consultation with the Chairperson of the Board of County Commissioners, (BCC), Chairperson of the Economic Development and Social Services Committee (EDSS) or applicable committee/or individual as determined by the BCC Chairperson.
10. The first public hearing will be held at the Economic Development and Social Services Committee, a committee of the full Board of County Commissioners. This public hearing will provide the community with the opportunity to comment on the activities being considered for funding, prior to the preparation of the Annual Action Plan. The views of citizens on housing and community development needs, including priority non-housing community development needs, will be considered.
11. The second public hearing, at which the funding recommendations for the activities considered at the first public hearing, will be held to adopt the Consolidated Plan and the Annual Action Plan. The Board of County Commissioners or a Committee of the Board will, during this public hearing, consider the comments or views of citizens received orally, or in writing, in adopting the final consolidated plan.
12. At the time of submission of the Consolidated Plan to the County Commission agenda coordinator, a public announcement summarizing the Consolidated Plan and the availability of copies for public viewing, will be placed in a newspaper of general circulation, and in newspapers representing significant minorities and non-English speaking persons. Copies of the Consolidated Plan will be distributed to regional public libraries, other public facilities such as the South Governmental Center, and other County facilities. Copies of the Plan will be available at the Public Housing and Community Development Department during regular business hours. This public announcement will allow for a 30-day comment period as per U.S. HUD regulations for citizens to respond to the proposed plan before it is adopted by the Board of County Commissioners.
13. The public hearing may be held at any time during the public comment period by the BCC or appropriate committee. A summary of the comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final consolidated plan.
14. The public hearings/meetings will be held at sites that are accessible to low and moderate income persons, persons with disabilities, the elderly and other special populations. These public hearings will be for the presentation of the Draft Consolidated Plan and the last public hearing will be for the adoption of the Plan and will obtain citizens views and responds to proposals and questions.

15. Where a significant number of non-English speaking residents can be reasonably expected to participate, a method of communication will be provided for non-English speaking residents and accommodations will be provided for persons with disabilities, upon forty-eight (48) weekday hour's notification to the Miami-Dade County Housing and Community Development Department.
16. Response to inquiries, comments and complaints that are received will be answered by the Public Housing and Community Development Department within fifteen (15) working days, where practicable.

C - Substantial Amendments To The Five Year Consolidated Plan:

Criteria for Amendment(s) to Five Year Consolidated Plan:

Amendment to Five Year Consolidated Plan: The County may from time to time find it necessary to amend its Consolidated Plan. The following will define what constitutes and does not constitute a substantial amendment to the Consolidated Plan:

Definitions:

A substantial change is any change in purpose, scope and/or beneficiaries of an activity, which actually and/or materially affects one or more of the preceding in the manner stated below:

- An activity assumes a new purpose.
- The scope of activity is increased by 50% or more.
- The minimum change in the cost of an activity is \$125,000 or more, or
- An activity's services are redirected outside of the previously agreed upon Neighborhood Revitalization Strategy Area.

Amendments to the Plan that do not meet any of these four (4) threshold criteria shall be deemed non-substantial and may be approved administratively by the Department and shall not require approval by the Board of County Commissioners.

Substantial Amendments, which affect Neighborhood Revitalization Strategy Areas, will be submitted to the respective Committees for their review and comment prior to action by the full Board of County Commissioners in order to provide citizens with a reasonable opportunity to comment on any substantial amendments to the Plan.

At the time of submission of Substantial Amendments to the Consolidated Plan to the County Commission agenda coordinator, a public announcement summarizing the amendments will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons. Copies of the amendments will be available at the Public Housing and Community Development Department during regular business hours.

A public notice summarizing the amendment(s) will be placed in a newspaper of general circulation and newspapers representing significant minorities and other non-English speaking persons at least fifteen days prior to the Hearing. This fifteen day period will allow the public a period of time for comments. Copies of the amendment will be available at the Department's office located at 701 NW 1 Court, 14 Floor, Miami, Florida 33136, during regular business hours. Notice of the hearing should also be published on the Departments' website and the County Calendar. This process will allow for a comment period for citizens to respond to the proposed amendments per U.S. HUD regulations, before they are adopted by the Board of County Commissioners in a public hearing. A public hearing may be held at any time during the public comment period. A summary of the comments or views,

and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final consolidated plan.

D - Annual Action Plan (AAP)

Annual Action Plan Preparation: To obtain input from public and private agencies as well as State and/or local health and child welfare agencies that assist in housing, health, social services, to low-to moderate-income residents of Miami-Dade County, the following steps will be taken

1. Conduct a public hearing before the Board of County Commissioners (BCC) or appropriate BCC committee for the purpose of gaining citizen input on the Annual Action Plan.
2. The advertising and conducting of public hearings will be the responsibility of the Public Housing and Community Development Department.
3. A summary of citizen comments received in writing, or orally at public meetings, will accompany all submissions to HUD.
4. Advertise all public meetings and workshops to solicit input for the preparation of the agenda item in a newspaper of general circulation at least fifteen (15) days prior to the scheduled meeting/hearing. The advertisement will include:
 - the purpose of the hearing;
 - date;
 - time; and
 - location
4. Provide a draft of the Annual Action Plan for public review and comment at sites of public access such as government buildings, libraries, etc., as well as on the County's website not less than thirty (30) days prior to the plan's submission.
5. The public hearings/meetings will be held at sites that are accessible to low and moderate income persons, persons with disabilities, the elderly and other special populations.
6. Where a significant number of non-English speaking residents can be reasonably expected to participate, a method of communication will be provided for non-English speaking residents and accommodations will be provided for persons with disabilities, upon forty-eight (48) weekday hours notification to the Miami-Dade County Public Housing and Community Services Department.
7. Response to inquiries, comments and complaints that are received will be answered by Public Housing and Community Development Department within fifteen (15) working days, where practicable.

Criteria for Amendment(s) to Annual Action Plan

Amendment to Annual Action Plan (AAP):

The County may from time to time find it necessary to amend its AAP. The following will define what constitutes and does not constitute a substantial amendment to the AAP:

Definitions:

A substantial change in a planned or actual activity will require an amendment to the plan. A substantial change is any change in purpose, scope and/or beneficiaries of an activity, which actually and/or materially affects one or more of the preceding in the manner stated below:

- An activity assumes a new purpose.
- The scope of activity is increased by 50% or more.
- The minimum change in the cost of an activity is \$125,000 or more, or
- An activity's services are redirected outside of the previously agreed upon strategy areas.

Amendments to the Plan that do not meet any of these four (4) threshold criteria shall be deemed non-substantial and may be approved administratively by the Department and shall not require approval by the Board of County Commissioners.

Amendments, which affect established target areas will be submitted to the respective Committees for their review and comment during their next regularly scheduled meeting, or at a meeting that has been called to address an issue, in order to provide citizens with a reasonable opportunity to comment on any substantial amendments to the Plan, prior to action by the full Board Of County Commissioners.

At the time of submission of Substantial Amendments to the Annual Action Plan to the County Commission agenda coordinator, a public announcement summarizing the amendments will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons. Copies of the amendments will be available at the Public Housing and Community Development Department during regular business hours.

A public notice summarizing the amendment(s) will be placed in a newspaper of general circulation and newspapers representing significant minorities and other non-English speaking persons at least fifteen days prior to the Hearing. This fifteen days period will allow the public a period of time for comments. Copies of the amendment will be available at the Department's office located at 701 NW 1 Court, 14 Floor, Miami, Florida 33136, during regular business hours. Notice of the hearing should also be published on the Department's website and the County Calendar. This process will allow for a comment period for citizens to respond to the proposed amendments per U.S. HUD regulations, before they are adopted by the Board of County Commissioners in a public hearing. A public hearing may be held at any time during the public comment period. A summary of the comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final consolidated plan.

Availability to the Public

To provide the public an opportunity to share their views and to respond to the Annual Action Plan the following strategies will be implemented:

1. The Miami-Dade County will post the Annual Action Plan on the Miami-Dade County/Public Housing and Community Development website: (<http://www.miamidade.gov/housing>).
2. All reasonable efforts will be taken to make Annual Action Plan accessible to persons with disabilities, upon request.

Access to Records

To provide an opportunity for citizens to receive information, submit comments and/or submit grievances on the proposed Annual Action Plan the following strategies will be implemented:

1. Advertise a summary of the Annual Action Plan, or a substantial amendment in a newspaper of general circulation, soliciting comments for a period of thirty (30) days. The summary will describe the contents and purpose of the Annual Action Plan and will include locations where the entire plan may be examined.
2. Copies of the documents will also be placed on the County website.
3. Comments on the documents can be forwarded to;
Miami-Dade County
Public Housing and Community Development Department
701 NW 1 Court
14th Floor
Miami, Florida 33136
Phone: (786) 469-4100
4. If not satisfied at the local level, complaints may be forwarded to HUD.

E - Comprehensive Annual Performance And Evaluation Report (CAPER)

To provide an opportunity for citizens to receive information and/or submit comments regarding the Comprehensive Annual Performance Report (CAPER) and before submission to U.S. HUD the following strategies will be implemented:

1. Notification will be given of the availability for review of the Comprehensive Annual Performance Report in a newspaper of general circulation and newspapers representing significant minorities and Non-English speaking persons. The notification will describe the contents of the Comprehensive Annual Performance Report and will include locations where the Comprehensive Annual Performance Report may be examined.
2. The Consolidated Annual Performance and Evaluation Report will be presented
3. The Miami-Dade County will post the Consolidated Annual Performance and Evaluation Report on the Miami-Dade County website.
4. Citizens will be given a period of fifteen (15) days in order to submit views and comments to the Comprehensive Annual Performance Report prior to the report's submission to HUD.
5. Comments may be submitted to the Department regarding the Comprehensive Annual Performance and Evaluation Report at a public meeting that is held annually in the first quarter of the succeeding year following the publication of the performance report or by phone, e-mail or fax.

Availability to the Public

To provide the public an opportunity to share their views and to respond to the Consolidated Annual Performance and Evaluation Report as adopted, the following strategies will be implemented:

1. Copies will be made available at the offices of the Public Housing and Community Development Department during regular business hours.
2. All reasonable efforts will be taken to make the Consolidated Annual Performance and Evaluation Report accessible to persons with disabilities, upon request.

Access to Records

To provide an opportunity for citizens to receive information, submit comments and/or submit grievances on the CAPER the following strategies will be implemented:

1. Advertise that the CAPER or a summary of the CAPER is available for period of 15 days for public comment. This advertisement will be in a newspaper of general circulation. The advertisement will describe the contents and purpose of the CAPER and will include locations where the document may be examined.
2. Copies of the documents will also be placed on the County website.
3. When possible, the County will make available electronic copies of the documents to citizens and groups that request it.
4. Comments on the documents can be forwarded to;

Miami-Dade County
Public Housing and Community Development Department
701 NW 1 Court,
14th Floor
Miami, Florida 33136
Phone: (786) 469-4100

5. If not satisfied at the local level, complaints may be forwarded to HUD.
U.S. Department of Housing and Urban Development
Office of Community Planning and Development
909 SE First Avenue, Room 300
Miami, Florida 33131

Availability to the Public

To provide the public an opportunity to share their views and to respond to the Consolidated Annual Performance and Evaluation Report as adopted, the following strategies will be implemented:

1. The Miami-Dade County will post the Consolidated Annual Performance and Evaluation Report, as adopted on the Miami-Dade County website.
2. All reasonable efforts will be taken to make the Consolidated Annual Performance and Evaluation Report accessible to persons with disabilities, upon request.

2. Copies of the documents will also be placed on the County website.

Technical Assistance

Upon request, technical assistance will be provided to groups representing low-and moderate-income persons, including persons with disabilities or other special needs. These groups or persons must complete applications or proposals for funding assistance under any of the programs covered by the Consolidated Plan, as well as preparation of a budget for any proposed activity.

Complaints

The Public Housing and Community Development Department will act swiftly and objectively in resolving all written complaints and grievances utilizing the following strategies:

1. The Public Housing and Community Development Department will respond to citizen complaints/grievances within fifteen business (15) days. The Director's response will indicate the avenue(s) of appeal to the complainant.
2. Citizens may, at any time during the complaint resolution process, contact the U.S. Department of Housing and Urban Development (HUD) directly at the following address:

U.S. Department of Housing and Urban Development
Office of Community Planning and Development
909 SE First Avenue, Room 300
Miami, Florida 33131-3028

PART II:

COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT CITIZEN PARTICIPATION PLAN

Overview of Community Action And Human Services Department (CAHSCAHS) And Community Action Board (CAB)

Community Action and Human Services Department (CAHSCAHSs) are private non-profit or public organizations that were created by the federal government in 1964 to combat poverty in geographically designated areas. Status as a CAHSCAHS is the result of an explicit designation by local or state government. A CAHSCAHS has a tripartite board structure that is designed to promote the participation of the entire community in the reduction or elimination of poverty. The Community Action and Human Services Department seeks to involve the community, including elected public officials, private sector representatives and especially low-income residents in assessing local needs and attacking the causes and conditions of poverty.

PURPOSE AND MISSION

The core funding for CAHSCAHS's comes from the Community Services Block Grant (CSBG), which was created in 1981 by the Omnibus Budget Reconciliation Act.

The purpose of the CSBG Act as amended by the Coats Human Services Act of 1998 is "to provide assistance to States and local communities, working through a network of CAHSCAHS's and other neighborhood based organizations, for the reduction of poverty, the revitalization of low-income communities and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient".

A CAHSCAHS carries out its mission through a variety of means including: (a) community-wide assessments of needs and strengths, (b) comprehensive anti-poverty plans and strategies, (c) provision of a broad range of direct services, (d) mobilization of financial and non-financial resources, (e) advocacy on behalf of low-income people and (f) partnerships with other community-based organizations to eliminate poverty. A CAHSCAHS involves the low-income population it serves in the planning, administering and evaluation of its programs.

Six national goals were developed by the U.S. Department of Health and Human Services in 1994 for community action. Those goals are:

- Goal 1 Low-income people become more self-sufficient.
- Goal 2 The conditions in which low-income people live are improved.
- Goal 3 Low-income people own a stake in their community.
- Goal 4 Partnerships among supporters and providers of services to low income people are achieved.
- Goal 5 Agencies increase their capacity to achieve results.
- Goal 6 Low-income people, especially vulnerable populations, achieve potential by strengthening family and other supportive systems.

STRUCTURE AND SCOPE (CAC/CAB)

Through the formation of citizen organizations, residents are empowered to effectively speak directly on behalf of their interests and views within their immediate areas and within the broader community while working together to reach solutions to problems. Central to the plan is the establishment of two citizen participation structures; one the neighborhood level; and one a countywide level.

To better maximize the use of local resources, the Community Advisory Committees (CAC's) must develop and nurture positive relationships with private and public sector entities to improve the quality of life in low-income neighborhoods.

- (1) The neighborhood structure exists in the form of Community Advisory Committees (CAC).
- (2) The countywide structure exists in the form of a Community Action Board (CAB).

The Community Action Board By-Laws Article 16 mandates that:

- There shall be a Community Advisory Committee in each of the identified target areas as established by Citizen Participation Guidelines of the Agency and adopted by the County Commission.
- Each Community Advisory Committee shall serve in an advisory capacity to the Board and shall have the opportunity to recommend, plan and conduct neighborhood projects.
- Each Community Advisory Committee may establish subcommittees deemed necessary to carry out the neighborhood projects.
- Guidelines for community advisory committees, established by the Agency and adopted by the Board of County Commissioners, shall govern the Community Advisory Committees.

Miami-Dade Community Action And Human Services Department ([CAHSCAHSD](#)) Strategy and Approach

The CSBG requires the formation and maintenance of a tripartite board, for a private, nonprofit Community Action and Human Services – a [CAHSCAHSD](#), as the critical structure to assure decision-making and participation by low-income individuals in the development, planning, implementation and evaluation of programs funded under the Block Grant. The board must be constituted such that:

- One-third of the members of the board are elected public officials, holding office on the date of selection, or their representatives;
- Not fewer than one-third of the members are persons chosen in accordance with Democratic selection procedures adequate to assure that these members are representatives of low-income individuals and families in the neighborhood served; and
- The remainder of the members are officials or members of business, industry, labor, religious, law enforcement, education or other major groups and interests in the community served.

The Community Action and Human Services Department ([CAHSCAHSD](#)), as the representative of the Board of County Commissioners, is duly responsible to ensure the involvement of all three sectors in advocacy, resource mobilization and service delivery to impact the incidence of poverty in Miami-Dade County. While the State has the option to come up with a different mechanism for public [CAHSCAHSD](#)'s, it has opted to utilize the requirements cited above as the framework for public [CAHSCAHSD](#)'s as well.

Recognizing the magnitude of the geography of the Miami-Dade County, the formation of Community Advisory Committees (CAC's) in targeted communities provides [CAHSCAHSD](#) with an enhanced

opportunity to maximize representation of the low-income, to reduce isolation of those communities and to present a unified voice to address community attitudes and practices toward the poor and to impact the allocation of public and private resources for the reduction or elimination of poverty.

| [CAHSCAHSD](#), in its desire to fully engage the community, employs a two-tiered approach to the engagement of the community.

| **First**, the [CAHSCAHSD](#) Community Advisory Committees that focus on social concerns impacting their neighborhoods.

| **Secondly**, in communities where [CAHSCAHSD](#) and PHCD share the same boundaries, the [CAHSCAHSD](#) Community Advisory Committees and PHCD Community Advisory Committees, in addition to social concerns, focus on issues related to the community and economic development of their neighborhoods.

LEADERSHIP DEVELOPMENT OF COMMUNITY ADVISORY COMMITTEES

| Critical to the Community Action and Human Services' ([CAHSCAHSD](#)) philosophy is the need for residents of low-income communities to become their own advocates and to play a central role in public policy initiatives and programs that have a direct impact on their environment. The [CAHSCAHSD](#)'s objective is to reduce the isolation of the poor and to improve communication between them and the policy-makers. The ultimate objective is not to speak for the people, but rather to enable them to speak for themselves. To better equip the Community Advisory Committees (CAC's) in fulfilling their advocacy mission and making sound decisions, the [CAHSCAHSD](#) must provide the CAC members with capacity building and leadership development training to support their building of better communities.

PART III:

COMMUNITY ADVISORY COMMITTEE (CAC) GUIDELINES

~~Each Community Advisory Committee (CAC) will be identified by the name of its Target Area, with the exception of the Model City area. The committee will represent the Target Area whose boundaries are recognized by the Board of County Commissioners or its Designee. The West Little River CAC will be governed by the guidelines specified in this section as long as there is a minimum level of participating volunteers as prescribed by this plan. In the event the West Little River CAC At such time the County is unable to meet get the minimum number of members to conduct the business of the CAC, the County shall utilize the alternative citizen participation process described below, which includes the volunteers, it will discontinue the CAC and County staff will conducting all future meetings to obtain and input from the West Little River NRSA citizens and community engagement.~~

~~The County will no longer seek input from the Model City CAC. Instead, Public Housing and Community Development staff will conduct quarterly meetings in the Model City NRSA. These meetings will be area-noticed in advance on the County calendar and in a newspaper of general circulation. The Department will notify the list of housing and community development agencies, recent applicants and interested parties prior to meetings.~~

~~This amendment to this Citizen Participation Plan hereby also amends All references to amendments that take effect in this Citizens' Participation Plan also apply to the 2013-2017 Consolidated Plan. In the event of conflict between this amended Citizen Participation Plan and the 2013-2017 Consolidated Plan as it relates to citizen participation, this amended Citizen Participation Plan shall govern. as extended.~~

MEMBERSHIP - Overall

The Community Advisory Committee (CAC) will consist of residents and area stakeholders. Stakeholders are those individuals who may be impacted by the outcome of the initiatives that will be developed in the Target Area. Stakeholders are defined as residents, property owners, business owners or persons employed in the Target Area.

a- COMMUNITY ADVISORY COMMITTEE COMPOSITION

- ~~1-Oversight of the West Little River Community Action Committee by Miami-dade Public Housing and Community Development Public Housing and Community Development Department Community Advisory Committee~~
- **2-Human Services Community Action Committee**

~~1- Oversight of the West Little River Public Housing and Community Development Department Community Action Committee by Miami-dade Public Housing and Community Development (PHCD-CAC)~~

Composition of Committees:

~~The Public Housing and Community Development Department's Neighborhood Revitalization Strategy Area Community Advisory Committees West Little River Community Advisory Committee shall be composed of thirteen (13) elected representatives from the designated county target areas. Those~~

representatives can be residents, business owners, individuals employed in the area or property owners. In order to serve as a member of the committee candidates must:

- Be at least eighteen (18) years of age and a registered voter in Miami-Dade County.
- Miami-Dade County staff employed by Public Housing and Community Development Department are ineligible to be committee members. They may, however, participate in discussions at meetings of the Committee. Any person who works for an agency that receives funds from Public Housing and Community Development Department may serve as a member of the Committee but must adhere to rules of conflict of interest.
- ~~Miami-Dade County staff employed by other Miami-Dade County departments may serve as Committee members provided they reside within the target area. However, they are not eligible if they merely work, own property, or operate a business in the neighborhood.~~

General Responsibilities of Members and Officers

Members are expected to:

- Support the missions of the Public Housing and Community Development Department;
- Solicit input from the community at large;
- Attend meetings regularly; and
- Represent the views of the majority of the residents of the area.

Officers: ~~PH&D~~West Little River Community Advisory Committee

The ~~Public Housing and Community Development Department Community Advisory Committees~~West Little River will have four members who will serve as officers. The officers will consist of the Chairperson, Vice Chair, Secretary and Parliamentarian. The officers will select from among the entire committee.

- **Chairperson** - The Chairperson will preside at all Committee meetings. They will provide subcommittees the opportunity to form and present their recommendations to the membership for action, will reflect action approved by the full membership rather than action of individual members and will assist the staff in the preparation of agendas;
- **Vice-Chairperson** - The Vice-Chairperson will, in the absence of the Chairperson, become Acting Chairperson of the committee with all the rights, privileges, and powers afforded to the Chairperson. In the case of a lack of attendance, resignation, recall or death of the Chairperson, the Vice-Chairperson will automatically become the Chairperson.
- **Secretary** - The Secretary will be responsible for drafting Committee correspondence and recording all minutes and other records of the Committee. In the absence of the Chairperson and Vice-Chairperson, the Secretary will temporarily assume the duties of Chairperson. In the case of a lack of attendance, resignation, recall or death of the Vice-Chairperson, the Secretary will automatically become the Vice-Chairperson. In the case of a lack of attendance,

resignation, recall or death of the Secretary, the Committee will nominate and elect a new Secretary by secret ballot at a regularly scheduled meeting.

- **Parliamentarian** - The Parliamentarian's responsibility is to ensure that the meeting is conducted in a respectful manner and in accordance with Robert's Rules of Order Revised. In the case of a lack of attendance, resignation, recall or death of the Parliamentarian, the Committee will nominate and elect a new Parliamentarian by secret ballot at a regularly scheduled meeting

Term of office-

Members and Officers of the ~~PHCD~~ West Little River Community Advisory Committee will be elected for three (3) year terms.

Vacancies-

A vacancy on the Committee will be determined to exist under the following conditions:

- Absence from three (3) consecutive meetings without proper notification.
- Recall or removal in accordance with the Citizen Participation Guidelines.
- Upon resignation.

If a vacancy occurs on the Public Housing and Community Development Department Community Advisory Committee(s), the replacement will be filled ~~by special election~~ based on the nature of their selection to the Committee.

Eligibility for Members and Officers

All candidates for membership must submit documentation supporting their qualifications to serve on ~~the Advisory Committee~~ the Community Advisory Committee. Additionally, each candidate must have current documentation, which consists of a photo identification issued by a governmental agency as proof of identity. Depending on which eligibility category you are registering under, you will need to submit one of the following:

- **Resident**
Residents who wish to serve as a Member or an Officer must submit proof of residency within the West Little River Target Area/NRSA. Proof of residency may include:
 - A current utility bill with the candidate's name at an address within the Target Area;
 - Deeds, mortgages or homestead exemption documentation with the candidate's name and an address within the Target Area/; or
 - Official correspondence from a governmental agency indicating the candidate's name and an address within the Target Area.
- **Property Ownership**
Property owners who wish to serve as a Member must submit property records consisting of deeds, mortgages and/or mortgage payment documentation with the

owners name and address showing ownership and proof that the property in question is located within the Target Area.

- Business Ownership
Business owners who wish to serve as a Member must submit documentation consisting of corporate records and evidence that the business is located within the Target Area.
- Employment in the West Little River Target Area/NRSA
Employees in the West Little River Target Area/NRSA who wish to serve as a Member must submit a letter or documentation from the employer stating that the candidate's work location is within the boundaries of the West Little River Target Area/NRSA.

MEMBER AND OFFICER ELIGIBILITY QUALIFICATION AFFIDAVIT

All candidates for the ~~Public Housing and Community Development Community~~West Little River Community Advisory Committee member positions are required to complete the Eligibility Qualification Affidavit (see Attachment A) attesting that they have fulfilled the qualifying criteria and are eligible to serve as a Member. This Affidavit will also serve as temporary proof of eligibility for individuals wishing to seek membership on the Committee who are unable to provide the documentation cited above at the time of registration for candidacy. Completion of the Eligibility Qualification Affidavit will allow an individual to seek membership, pending validation of the information by Miami-Dade County staff.

This Affidavit must be filed with the ~~Executive~~ Director of the Public Housing and Community Development Department or their Designee. Staff will have a period of up to 30 days to review the information. If upon review the Miami-Dade County staff finds that the information attested to in the Eligibility Qualification Affidavit is false or unsubstantiated, this may result in immediate removal from the Member position on the Committee.

DUTIES AND RESPONSIBILITIES OF STAFF

Public Housing and Community Development staff will provide notices of all ~~Advisory Committee~~West Little River Community Advisory Committee meetings and meeting agendas to each Committee member in writing at least five ~~working~~ (5) working days in advance of the meeting. Notices and agendas ~~may~~will also be given to the local public media and posted in local Community Service Centers.

The Secretary of ~~the Community each~~ Advisory Committee will be responsible for insuring that minutes of all Committee meetings are prepared and that all official request/actions/motions taken by the Community Advisory Committee are included. Minutes will be sent to the Public Housing and Community Development Department within 4 days of the meeting for review. Minutes will be forwarded to all members prior to the next scheduled meeting and available for public inspection upon request.

In communities where there are numerous non-English speaking residents, meeting notices, agendas and summaries of minutes will be provided in the language(s) represented in the communities. Appropriate interpreters will be available during meetings, if possible. At least once a year, a training session for Community Advisory Committee members will be held by a The Public Housing and Community Development Department or other County entities. The areas of training will include:

Policies and Guidelines, Community Advocacy, [Ethics](#), Leadership Development, [Conflicts of Interest](#), [Ethics](#), and Project Planning and Evaluating.

DUTIES, RIGHTS AND RESPONSIBILITIES OF MEMBERSHIP

There are certain duties, rights and responsibilities that all members of the Community Advisory Committee must observe. There are also restrictions that govern the activities of Advisory Committee members. They are as follows:

- **QUORUM ADVISORY COMMITTEE(S)**

The Quorum required for any meeting of the ~~Department of Public Housing and Community Development Advisory Committee~~ [West Little River Community Advisory Committee](#) shall be fifty percent (50%) plus one of the current members.

- **PARTICIPATION**

Participation at Community Advisory Committee meetings, excluding voting, will be open to all interested persons. Voting, however, will be restricted to the members of the [Community](#) Advisory Committee. Each Committee member will have one vote. Voting by proxy or absentee ballot will not be permitted. Provided a quorum is present, a simple majority of those voting will be sufficient to take to take action on those issues that are in support of the missions of the Department of Public Housing and Community Development.

- **OBJECTIVES OF THE COMMUNITY ADVISORY COMMITTEE**

It will be the responsibility of the [Community](#) Advisory Committee to initiate and to assume a leadership role in the Target Area in order to address the following objectives:

- Support the missions of the Public Housing and Community Development Department.
- Conduct Target Area/[NRSA](#) meetings.
- Involve all persons who have an interest in the Target Area/NRSAs.
- Make people aware of Target Area conditions and encourage the improvements of those conditions.
- Identify problems and issues in the Target Areas/NRSAs-.
- Identify alternative projects.
- Facilitate two-way communication with government representatives and Target Area residents.
- Recommend priorities within the purview of the Department.
- Provide an opportunity for the discussion of Target Area problems and related issues.
- Review the progress of Target Area activities

▪ **DISCLOSURE**

All Community Advisory Committee members are required to disclose any affiliations they have with any agency that may have business before the Community Advisory Committee. Upon election, at the first meeting, each member shall disclose, for the record, these affiliations. In the event, the member becomes affiliated with an agency during his/her tenure, after the first meeting, this must be disclosed at the next scheduled meeting.

ORDER OF BUSINESS

The order of business for Committee meetings may constitute the following:

- Acceptance of Agenda
- Minutes of Preceding Meeting
- Reports of Officers
- Reports of Subcommittees
- Reports of Staff
- Unfinished Business
- New Business
- Announcements
- Adjournment

SPECIAL MEETINGS

Special meetings may be held under the following conditions:

- When requested at a regular meeting by a majority vote of the members present.
- When requested in writing by one-third of the members of the Committee.
- When called by Miami-Dade County staff.

DUTIES OF THE COMMUNITY ADVISORY COMMITTEE

In pursuit of the objectives indicated above, the Community Advisory Committee will:

- Convene to establish the regular meeting time and schedule of the Community Advisory Committee that will allow for maximum citizen participation.
 - Hold all meetings in a facility, which is accessible and amenable to community residents.
 - Assist in providing sufficient notice of meetings to community residents.
 - Establish subcommittees consisting of members and non-members as necessary and appropriate.

- Review and take official action on sub-committee reports.
- Make every effort to address and resolve Target Area concerns within the Target Area prior to being referred to the departmental level. Only matters approved by the majority vote of the members present can be referred to any other level.
- ~~The Advisory Committee~~The Community Advisory Committee participates in program planning, monitoring, and evaluation of activities and programs within its community. In performance of this duty ~~the Advisory Committee~~the Community Advisory Committee will:
 - Provide an opportunity for residents to identify needs or problems in their community as they relate to Departments missions.
 - Encourage residents to propose viable solutions to identified needs and problems in their community as they relate to Departments missions.
 - Elicit the recommendation and set program or neighborhood priorities from the Target Area residents.
 - Review progress of activities within the Target Area.
 - Enhance community input in planning Section 3 Programs and compliance activities and increase community participation in Section 3 economic activities geared toward Section 3 residents and businesses by placing Section 3 items on monthly meeting agendas for discussion.

V. RESTRICTIONS ON ADVISORY COMMITTEE MEMBERS

No Advisory Committee member shall have the authority to change actions as voted upon by ~~the Advisory Committee~~the Community Advisory Committee as a whole; all recommendations submitted will reflect the vote of the majority. No Advisory Committee member may represent themselves as a spokesperson for the Public Housing and Community Development Advisory Committee on ideas, issues or proposals, unless it has been pre-approved and authorized by ~~the Advisory Committee~~the Community Advisory Committee as a whole. Nor may any Advisory Committee member appear before official public bodies, as a representative of ~~the Advisory Committee~~the Community Advisory Committee (i.e. County Commission, City Commission, School Board, etc.) unless authorization to represent ~~the Advisory Committee~~the Community Advisory Committee has been voted upon by a majority of the Community Advisory Committee. Any willful violation of the provisions of this section by a member of ~~the Advisory Committee~~the Community Advisory Committee will be grounds for recall.

W. CONFLICT OF INTEREST

Any member who holds a board position or is employed by any agency receiving funds from CAHSCAHSD or PHCD shall be able to retain or run for a position on a Community Advisory Committee as long as the following conditions are adhered to:

- A member must recuse him/herself and physically leave the room while any discussion arises that involves funding decisions related to that agency or any discussion about that agency in general.
 - The records of the meeting must reflect the above-required actions of the member.
- An Community Advisory Committee member whose immediate family (defined as a spouse, parent and/or children of the person involved) receives a financial benefit or serves as a Board member of an organization that may benefit as a result of action before that Advisory Committee will make known that interest and must refrain from voting and follow the process for recusing him/herself from the meeting.

~~The Advisory Committee~~The Community Advisory Committee's Chairperson, shall inform the Public Housing and Community Development Department, should any committee member be found to have violated of the conflict of interest policy. In the event the Chairperson is the member who has violated the policy, the next highest-ranking Committee member shall inform the Department. The Department and ~~the Advisory Committee~~the Community Advisory Committee's Chairperson will act in concert regarding the **removal of e** the member found to have a violation of the conflict of interest policy.

2- Community Action and Human Services Department (CAHSCAHSD) Community Advisory Committees

Types of Membership of the Community Action and Human Services Community Advisory Committee (CAHSCAHSD CAC)

There are two types of membership in the CAHSCAHSD Community Advisory Committee, Member and Officer.

MEMBERS

- A Member of the Community Advisory Committee must be a stakeholder in the Target Area.
- The Community Action and Human Services (CAHSCAHSD) Community Advisory Committee will consist of thirteen (13) members. Members must be residents, property owners, business owners, or employed in the Target Area.
- Miami-Dade County staff employed by PHCD or CAHSCAHSD are ineligible to be Community Advisory Committee members. They may, however, participate in discussions at meetings of the Committee. Any person who works for an agency that receives funds from PHCD/CAHSCAHSD may serve as a member of the Community Advisory Committee but must adhere to rules of conflict of interest.
- ~~Miami-Dade County staff employed by other Miami-Dade County departments may serve as Community Advisory Committee members provided they ONLY reside within the target area, however they are not eligible if they only work, own property, or operate a business in the neighborhood.~~
- Members must be residents, property owners, business owners, or employed in the Target Area.
- Miami-Dade County staff employed by PHCD or CAHSCAHSD ~~are~~are-is ineligible to be Community Advisory Committee members. They may, however, participate in discussions at meetings of the Committee. Any person who works for an agency that receives funds from

PHCD/~~CAHSCAHSD~~ may serve as a member of the Community Advisory Committee but must adhere to rules of conflict of interest.

- ~~Miami-Dade County staff employed by other Miami-Dade County departments may serve as Community Advisory Committee members provided they ONLY reside within the target area, however they are not.~~
- The committee may consider using one (1) parent of a child currently enrolled in Head Start/Early Head Start who will represent Head Start and one (1) young adult representative (age 18 – 25). However, this is not a requirement.

OFFICERS: ~~CAHSCAHSD~~ Community Advisory Committee

The elected Members will select from among themselves, the Officers of the ~~CAHSCAHSD~~ Community Advisory Committee. Officers of ~~the Advisory Committee~~the Community Advisory Committee will include:

- **Chairperson** - The Chairperson will preside at all Committee meetings. They will provide subcommittees the opportunity to form and present their recommendations to the membership for action, will reflect action approved by the full membership rather than action of individual members and will assist the staff in the preparation of agendas;
- **Vice-Chairperson** - The Vice-Chairperson will, in the absence of the Chairperson, become Acting Chairperson of the committee with all the rights, privileges, and powers afforded to the Chairperson. In the case of a lack of attendance, resignation, recall or death of the Chairperson, the Vice-Chairperson will automatically become the Chairperson.
- **Secretary** - The Secretary will be responsible for drafting Committee correspondence and recording all minutes and other records of the Committee. In the absence of the Chairperson and Vice-Chairperson, the Secretary will temporarily assume the duties of Chairperson. In the case of a lack of attendance, resignation, recall or death of the Vice-Chairperson, the Secretary will automatically become the Vice-Chairperson. In the case of a lack of attendance, resignation, recall or death of the Secretary, the Committee will nominate and elect a new Secretary by secret ballot at a regularly scheduled meeting.
- **Parliamentarian** - The Parliamentarian's responsibility is to ensure that the meeting is conducted in a respectful manner and in accordance with Robert's Rules of Order Revised. In the case of a lack of attendance, resignation, recall or death of the Parliamentarian, the Committee will nominate and elect a new Parliamentarian by secret ballot at a regularly scheduled meeting
- **Community Action Board Representative** - The Committee's representative to the Community Action Board (CAB) will serve as a liaison between the ~~CAHSCAHSD~~ Community Advisory Committee (~~CAHSCAHSD~~ CAC) and the Board (CAB). They will be responsible for attending all Board Meetings, reporting to the Committee (~~CAHSCAHSD~~ CAC) all Board actions that might affect and/or be beneficial to their target area, bringing to the Board (CAB) concerns and recommendations from the Community Advisory Committee (~~CAHSCAHSD~~ CAC), and assuming an advocacy position on behalf of their target area in Board decisions. The Community Action Board Representative must reside in the target area that they represent. In case of a lack of attendance at ~~CAHSCAHSD~~ Community Advisory Committee and/or Community

Advisory Board (CAB) meetings, resignation, recall or death of the Community Action Board Representative, the Committee will nominate and elect a new Community Action Board Representative by secret ballot at a regularly scheduled meeting.

Term of office-

Members and Officers of the PHCD Community Advisory Committee will be elected for three (3) year terms.

Vacancies-

A vacancy on the Committee will be determined to exist under the following conditions:

- Absence from three (3) consecutive meetings without proper notification.
- Recall or removal in accordance with the Citizen Participation Guidelines.
- Upon resignation.

Attendance will be verified by a sign-in sheet. Only communication with [CAHSCAHSDB](#) or PHCD staff in advance of the meeting will be accepted as “proper notification” for an excused absence. An excused absence includes, sickness, travel, family emergency, or significant commitments, such as work related commitments. At the subsequent Committee meeting the CAC will consider and vote whether to approve the request for the excused absence.

If a member has two (2) unexcused absences within a calendar year, a warning letter will be sent from the Chair of the CAC to the member. When a member attains three (3) unexcused absences within a calendar year, a letter will be sent to the member from the Chair of the Committee indicating that they are no longer on the CAC at which point the Committee may take a vote to remove the Board member. If the member is not present at any of the aforementioned Committee meetings, the Committee may request for a County staff to send the letter(s) to the member.

When for any reason, a vacancy occurs on the [CAHSCAHSDB](#) Community Advisory Committee, the CAC will nominate and elect a new member by secret ballot at a regularly scheduled meeting.

GENERAL RESPONSIBILITIES OF MEMBERS AND OFFICERS of the [CAHSCAHSDB](#) CAC

Members and Officers are expected to:

- Support the missions of the Community Action and Human Services ([CAHSCAHSDB](#)) Department;
- Solicit input from the community at large;
- Attend meetings regularly; and
- Solely represent the views of the majority of the residents of the area.

ELIGIBILITY FOR MEMBER AND OFFICER

All candidates for membership must submit documentation supporting their qualifications to serve on the Community Advisory Committee. Additionally, each candidate must have current documentation, which consists of a photo identification issued by a governmental agency as

proof of identity. Depending on which eligibility category you are registering under, you will need to submit one of the following:

- Resident
Residents who wish to serve as a Member or an Officer must submit proof of residency within the Target Area. Proof of residency may include:
 - A current utility bill with the candidate's name at an address within the Target Area;
 - Deeds, mortgages or homestead exemption documentation with the candidate's name and an address within the Target Area/; or
 - Official correspondence from a governmental agency indicating the candidate's name and an address within the Target Area.
- Property Ownership
Property owners who wish to serve as a Member must submit property records consisting of deeds, mortgages and/or mortgage payment documentation with the owners name and address showing ownership and proof that the property in question is located within the Target Area.
- Business Ownership
Business owners who wish to serve as a Member must submit documentation consisting of corporate records and evidence that the business is located within the Target Area.
- Employment in Target Area
Employees in the Target Area who wish to serve as a Member must submit a letter or documentation from the employer stating that the candidate's work location is within the boundaries of the Target Area.

MEMBER AND OFFICER ELIGIBILITY QUALIFICATION AFFIDAVIT

All candidates for the Community Action and Human Services Community Advisory Committee member position are required to complete the Eligibility Qualification Affidavit (see Attachment A) attesting that they have fulfilled the qualifying criteria and are eligible to serve as a Member. This Affidavit will also serve as temporary proof of eligibility for individuals wishing to seek membership on the Community Action and Human Services Community Advisory Committee who are unable to provide the documentation cited above at the time of registration for candidacy. Completion of the Eligibility Qualification Affidavit will allow an individual to seek membership, pending validation of the information by Miami-Dade County staff. This Affidavit must be filed with the Executive Director of the Community Action and Human Services Department or their Designee. Staff will have a period of up to 30 days to review the information. If upon review the Committee or Miami-Dade County staff finds that the information attested to in the Eligibility Qualification Affidavit is false or unsubstantiated, this may result in immediate removal from the Member position on the Committee.

PART IV:

**RULES AND PROCEDURES GOVERNING THE VOTER REGISTRATION
AND ELECTION PROCESS**

ELECTION ORIENTATION PUBLIC MEETING

In order to familiarize residents and stakeholders with the election process, staff will conduct an Election Orientation Public Meeting within each Target Area. It is a requirement that at these meetings a minimum of 15 of the respective Target Area residents and/or stakeholders be present. In the event that the resident attendance requirement is not met, another Election Orientation Public Meeting shall be automatically scheduled. If, at the second Election Orientation Public Meeting, the resident attendance requirement has still not been met the presiding Community Advisory Committee will remain in office until the next election cycle.

Notification of the Election Orientation Public Meetings will be made 10 days in advance and will include the date, time, location and the purpose of the meetings. Public Notification regarding the Election Orientation Public Meetings will occur using various methods of communication (i.e. newspaper, flyer, radio and email) to ensure inclusion and facilitate maximum participation from the impacted neighborhood. At these meetings, staff will explain to the participants the voting registration, candidate qualifications and the election process for the Community Advisory Committees. The Election Guidelines and Procedures will be provided to individuals registering for candidacy during and after the Election Orientation Public Meeting. Community Action aAnd Human Services Department/Public Housing and Community Development Department Election Staff will also provide a schedule of office hours for the following activities:

- Registration for candidates and voters;
- Submission of poll watcher designation

ELECTION DATE

The date and location of the election will be set by Miami-Dade County staff at the Election Orientation Public Meeting and will be scheduled within a period of no earlier than ten (10) and no later than twenty (20) working days after the Election Orientation Public Meeting.

REGISTRATION FOR CANDIDACY

All candidates seeking a position as a Community Advisory Committee Member must meet eligibility criteria. Registration for all candidates and voters will begin at the Election Orientation Public Meeting and will last for a period of five (5) working days. All candidates must be pre-registered to appear on the ballot and be considered for election. No write-in candidates will be accepted.

CANDIDATE NOTIFICATION

After the closing of the registration period, CAHSCAHSD/PHCD Election Staff will:

- Notify candidates of their eligibility within five (5) working days following the close of the registration period.
- Upon request, provide a list of candidates who have (to date) registered to be placed on the ballot.

TARGET AREA VOTERS

Participation in the Target Area elections will allow community residents and stakeholders the opportunity to contribute to a process that provides input on projects and issues that affect the social and economic well-being of their Target Area. This section will inform residents and stakeholders on how to qualify and register to vote in their area elections.

VOTER ELIGIBILITY

Community Advisory Committee Members are elected by individuals who have been verified to be eligible voters in the Target Area Community Advisory Committee election. Only those individuals who have been verified, and deemed qualified will be eligible to vote. Each voter in the Community Advisory Committee (CAC) elections must be at least 18 years of age and must be either a resident, property owner, business owner or employed in the Target Area. Other types of individuals that are eligible to vote are outlined in the appropriate section in this document (Community Action and Human Services Department Committee Advisory Committee or the [Public Housing Community Development West Little River](#) —Committee Advisory Committee).

VOTER QUALIFICATIONS

In order to qualify as an eligible voter, a person will need to present a current photo identification issued by a government agency as proof of identity and one of the following:

- **Resident**
Residents who wish to vote must submit proof of residency within the Target Area. Proof of residency may include:
 - A current utility bill with the candidate's name at an address within the Target Area;
 - Deeds, mortgages or homestead exemption documentation with the candidate's name and an address within the Target Area; or
 - Official correspondence from a governmental agency indicating the candidate's name and an address within the Target Area.
- **Property Ownership**
Property owners who wish to vote must submit property records consisting of deeds, mortgages and/or mortgage payment documentation with the owners name and address showing ownership and proof that the property in question is located within the Target Area.
- **Business Ownership**
Business owners who wish to vote must submit documentation consisting of corporate records and evidence that the business is located within the Target Area.

- Employment in Target Area
Employees in the Target Area who vote must submit a letter or documentation from the employer stating that the voter's work location is within the boundaries of the Target Area.

VOTER REGISTRATION

Registration of voters will begin at the Election Orientation Public Meeting and will last for a period of five (5) working days. Voter registration must be done in person. During the voter registration period, those individuals wishing to vote in the Community Advisory Committee Election must register with Miami-Dade County staff at the Target Area office and complete a voter registration form (see Attachment B).

Registration will not reopen on the day of election.

At the end of the voter registration period, the Community Action and Human Services Department and the Public Housing and Community Development Department staff(s) will review the voter registration form and the supporting documents for accuracy. Staff will then do the following:

- Develop the roster of qualified voters;
- Compile the registration forms of all qualified voters; and
- Provide the qualified voters list to Community Action And Human Services and the Public Housing and Community Development Department Election Staff to use on election day.

ELECTION PROCEDURES

- Public Housing Community Development (PHCD West Little River):
If there are more than thirteen (13) qualified candidates, an election will take place no earlier than ten (10) and no later than twenty (20) working days after the Election Orientation Public Meeting. If there ~~is are~~ only ~~thirteen~~ (13) qualified candidates in the election, the candidates will be declared a winner without a formal election process. The PHCD Election Staff will send the roster of the candidates to the Director of the Department of Public Housing and Community Development or their designee for certification.
- Community Action and Human Services Department (CAHSCAHSD):
If there are more than eleven (11) qualified candidates, an election will take place no earlier than ten (10) and no later than twenty (20) working days after the Election Orientation Public Meeting. If there are eleven (11) or less qualified candidates in the election, each candidate will be declared a winner without a formal election process. The Community Action and Human Services Department Election Staff will send the roster of the candidates to the Executive Director of the Community Action and Human Services Department or their designee for certification.

ELECTION PROCESS

This section will address the procedures and process by which the election will be carried out in each Target Area. The ~~Executive~~ Directors of the Miami-Dade Community Action and Human Services Department and the Director of Public Housing and Community Development Department will appoint staff members to oversee the election process.

POLLING HOURS

Each polling place will be open on the day of election from 10 a.m. – 7 p.m. Voters will only be permitted in the polling place at the time that they are casting their vote. Individuals in line to vote in the election at 7 p.m. will be allowed to vote.

PROCEDURES BEFORE POLLS OPEN:

- **Voting Booths**
Two voting booths will be provided in each Target Area polling place.
- **Certification of the Ballot Box**
The ballot box will be inspected by staff and witnesses to insure that it is empty and sealed with a numbered seal. The seal number is recorded on the election certificate, which is then signed by the [CAHSCAHSD](#)/PHCD Election Staff.
- **Qualified Voters List**
[CAHSCAHSD](#)/PHCD Election Staff must have a roster of qualified voters at the election table.
- **Ballots**
[CAHSCAHSD](#)/PHCD Election Staff must ensure that they have a sufficient quantity of ballots.

POLL WATCHERS

Each candidate requesting to have poll watchers will designate, in writing, poll watchers for the local polling place. A list of watchers must be submitted to the designated staff person at least twenty-four (24) hours prior to the day of the election. The schedules of each Target Area office hours for poll watcher designation will be provided at the Election Orientation Public Meeting. There is a maximum of three (3) poll watchers per candidate. Each candidate may have only one poll watcher in the polling place at any one time during the election. If a candidate submits the names of more than one poll watcher for any polling place, the list must also contain the time periods in which each watcher is to be present in the polling place. Substitutions will not be permitted once the list is submitted.

- Each poll watcher must be a qualified and registered voter in the Target Area in which the candidate is running for membership. No candidate or member of his immediate family, to include parents, brothers, sisters, spouse, or children, shall be designated as a poll watcher. Poll watchers must adhere to the direction of [CAHSCAHSD](#)/PHCD election staff.
- The purpose of a poll watcher is to observe the conduct of the election. If a poll watcher witnesses election irregularities or violations of the election that do not comply with these guidelines, they must inform staff. If the staff person is the one

at fault, the poll watcher may call the office of the Executive Director of the Miami-Dade County Community Action and Human Services Department or the Director of Public Housing and Community Development.

- Poll watchers are not to speak to or interfere in anyway with any poll worker or any voter, with the exception of when entering the polling place. The poll watcher must give their name and provide current photo identification, issued by a government agency, as proof of identity to staff. Such will be used to verify that they have been designated to serve as a poll watcher at that polling place.
- Poll watchers are not allowed in the registration and check-in areas at any time.

ELECTIONEERING

The following activities are not permitted within a polling place or the building in which it is located on the day of election:

- Distribution of any political or campaign material;
- Solicitation of any vote, opinion, or contribution for any purpose;
- Solicitation of a signature on any petition or;
- The sale of any item except in an established place of business;
- Campaign material or literature shall not be posted within a polling place or the building in which it is located;
- Candidates are not permitted within a polling place or the building in which it is located during the hours of voting on the day of any election except for the purpose of casting their vote. This provision does not apply to candidates whose regular place of employment is within the confines of the building in which the polling place is located, nor to clients participating in activities or services provided within the building. However, in neither case are they allowed in the designated polling place except to vote.
- No person who is not in line to vote may come into any polling place from the opening to the closing of the polls, except the officially designated poll watchers, and [CAHSCAHSD](#)/PHCD election staff.
- Voters who come to cast their ballot are allowed to wear campaign material.

VOTING PROCEDURE

Upon entering the polling place, the voter will be directed to the registration check-in table, where they will provide current photo identification, issued by a government agency, as proof of identity to the [CAHSCAHSD](#)/PHCD Election Staff. The election staff will locate the voter's name in the roster of qualified voters and will ask the voter to sign their name in the designated space on the roster. If the voter is unable to write, they will sign with a mark, which will be initialed by staff. Staff will then compare the signature on the voter roster with the signature on the voter's registration form, and, if necessary, require other identification. Staff will then issue, to the voter, the ballot and direct them to one of the voting booths. [CAHSCAHSD](#)/PHCD Election Staff will provide at each polling place a fictitious sample ballot

(Attachment C-[CAHSCAHSD](#) Only & Attachment D-PHCD Only) to be used in instructing voters on how to vote. Upon request, staff may provide individual voters further instruction by using the sample ballot. The voter will, without leaving the polling place, retire alone to a voting booth and must proceed to cast their ballot in secret.

BALLOTS

- **Spoiled Ballots**

Any voter, who spoils a ballot, will return it to the inspector who will immediately destroy it without examination, and give the voter another ballot. In no case will a voter be furnished with more than three ballots. The inspector will keep a record of all ballots destroyed.

- **Ballot Assistance**

Any voter who registers to vote in any election and is unable to read or write or because of some physical disability, needs assistance in voting, may request assistance of election officials or some other person during the election, to assist them in casting their vote. After the voter requests the aid of [CAHSCAHSD](#)/PHCD Election Staff, or the person of their choice, they will retire to the voting booth for the purpose of casting their vote.

After voting, the voter will fold and insert their ballot into the ballot box. Custody of the ballot will remain with the voter at all times until they place their ballot into the ballot box.

CLOSING THE POLLS

At 7:00 p.m., [CAHSCAHSD](#)/PHCD election staff will make a public announcement that the last voter in line at that time will be the last person permitted to vote. Those voters standing in line at 7:00 p.m. will be allowed to cast their ballot.

After the last vote has been cast, the [CAHSCAHSD](#)/PHCD Election Staff will declare the polls closed. At that time, all candidates, poll watchers, and members of the news media may enter the polling place to witness the breaking of the seal on the ballot box.

VOTE TABULATION

After all eligible voters have cast their ballots and the polls are officially declared to be closed, the vote tabulation of the Community Advisory Committee election will proceed as follows:

- Before the tabulation begins, staff may request witnesses to designate two individuals to assist in witnessing the reading of the names and the recording of the votes on the tally sheet. In addition, these witnesses will also sign the election certificate certifying the results of the election;
- The seal on the ballot box is verified against the number entered on the Election Certificate (see Attachment E). Staff will break the seal and remove all of the ballots from the ballot box. The witnesses will then verify that all ballots have been removed from the ballot box;

- [CAHSCAHSD](#)/PHCD Election Staff will then tabulate the results by one staff person calling out the name on each ballot and another staff person recording the vote. The eleven candidates for [CAHSCAHSD](#)- Community Advisory Committees and one candidate for PHCD - Community Advisory Committees with the highest number of votes will be elected.
- The [CAHSCAHSD](#)/PHCD Election Staff will certify and issue a preliminary certification of the election results;
- Each member of the [CAHSCAHSD](#)/PHCD election staff and the designated witnesses will then sign the election certificate; and
- In the event of a tie, a runoff election will take place at the next regular Community Advisory Committee meeting following the Target Area election. A notice of the runoff election will be sent to all registered voters of the specific Target Area. A vote by secret ballot will be held to decide the outcome of the runoff election.

N. PROTEST OF ELECTION RESULTS

Any candidate or voter registered and qualified to vote in the election will have the right to protest the results as being erroneous by filing with the Executive Director of the Community Action and Human Services Department or Director of Public Housing and Community Development a sworn, written protest within five (5) business days following the day the election is held.

O. ELECTION CERTIFICATION

The Executive Director of the Community Action and Human Services Department or Director of Public Housing and Community Development will certify the results of the Election within five (5) business days following the date of the election (barring a protest of the election results). Prior to certifying the results, the Executive Director of the Community Action and Human Services Department or Director of Public Housing and Community Development will have reviewed all letters of protest, investigated the allegations, and taken any action deemed necessary. The Executive Director/Designee will notify the candidates of the election results via U.S. mail.

P. ELECTION OF OFFICERS (COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT CAC & PUBLIC HOUSING AND COMMUNITY DEVELOPMENT CAC)

Election of Officers shall be held within 30 calendar days following the final certification of the members. Miami-Dade County staff will convene the newly elected Community Advisory Committees to elect from among themselves, the Officers of the Community Advisory Committee. The nomination and election of the Officers will take place by secret ballot. In case of a tie, the election process will be repeated. If the tie is not broken following the second ballot, the tie shall be broken by the toss of a coin.

Q. DUTIES AND RESPONSIBILITIES OF STAFF

[CAHSCAHSD](#)/PHCD staff will provide notices of all Community Advisory Committee meetings and meeting agendas to each Community Advisory Committee member in writing at least five working (5) days in advance of the meeting. Notices and agendas will also be given to the local public media and posted in all [CAHSCAHSD](#) Department Community Service Centers. [CAHSCAHSD](#) staff will be responsible for insuring that minutes of all Committee meetings are

prepared and that all official action taken by the ~~CAHSCAHS~~ CAHSCAHSD Community Advisory Committee is included. Minutes will be forwarded to all members prior to the next scheduled meeting and available for public inspection upon request. In communities where there are numerous non-English speaking residents, meeting notices, agendas and summaries of minutes will be provided in the language(s) represented in the communities. Appropriate interpreters will be available during meetings, if possible. At least once a year, a training session for Community Advisory Committee members will be held by a training team of the Community Action and Human Services Department. The areas of training will include: HHS Policies and Guidelines, Community Advocacy, Leadership Development, and Project Planning and Evaluating.

R. ~~RECALL OF A MEMBER~~

~~A Target Area/NRSA stakeholder may initiate a recall of a member of the Community Advisory Committee for malfeasance or misconduct. Allegations of malfeasance and misconduct must be supported by concrete evidence.~~

~~The stakeholder must notify the Community Advisory Committee in writing regarding the allegations against a member or an officer of the CAC.~~

~~Recall is a two-step process:~~

~~1. Community Advisory Committee Action~~

~~The role of the Community Advisory Committee is to make a decision based on the evidence presented whether or not there are sufficient grounds to refer the matter by a 2/3 vote to CAHSD the appropriate department for a binding hearing.~~

~~The Community Advisory Committee will allow both the stakeholder and the Committee member involved an opportunity to present their evidence at a regularly scheduled meeting. Upon the conclusion of the presentation of the evidence, the Committee will vote on whether to proceed to a formal hearing. In this instance, the member(s) or officers involved in the action must refrain from voting.~~

~~2. Departmental Hearing~~

~~The Community Advisory Committee will forward all documents related to the petition for recall to the Executive Director of CAHSCAHSDD, if the CAC is within a Target Area, or to the Director of PHCD, if the CAC is within the West Little River a NRSA. The respective director will create a hearing committee. The hearing committee shall have a maximum of five (5) people. The hearing committee will notify the stakeholder and the Committee member involved of the date, location and time of the hearing within a thirty (30) day period of its creation. At the binding Hearing all parties shall present their arguments to the Hearing Committee. The parties shall agree to accept the committee's decision and waive any rights to subsequent action. The action of the hearing committee shall be final and binding.~~

HISTORY OF DOCUMENT CREATION/REVISIONS

Document was created on July 7, 1981

Previous amendments/reviews were made on:

- October 1983
- June 1989

- May 1990
- October 2001
- August 2005
- April 2008
- December 2009
- June 2012
- December 2019

(Attachment A)

ELIGIBILITY QUALIFICATION AFFIDAVIT

Declaration of Candidacy for Miami-Dade Community Action and Human Services Department and Miami-Dade Department of Public Housing and Community Development Election

I, _____ PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT

do hereby file as a Candidate for election to the Community Action and Human Services and/or PHCD Advisory Committee in the _____ target area. I declare that I am at least 18 years of age and a registered voter in Miami-Dade County. Additionally, I declare that I am a registered voter for ~~the Advisory Committee~~ the Community Advisory Committee election to be held on: _____ at 10:00 A.M. – 7:00 P.M.

I am eligible to run for this office based on one or more of the following qualification(s):

_____ I live in the target area/NRSA _____ HOME ADDRESS

_____ I own property in the target area/NRSA _____ PROPERTY ADDRESS

_____ I own a business in the target area/NRSA _____ BUSINESS ADDRESS

_____ I am employed in the target area/NRSA _____ EMPLOYMENT ADDRESS

- _____ I am a Head Start Parent/Guardian
_____ I am a participant in a CAA sponsored Elderly Program
_____ I am between the ages of 18 – 25
_____ My income falls within the Health and Human Services Poverty Guidelines
_____ None of the above

SIGNATURE OF CANDIDATE

By signing this affidavit, I do hereby declare that all information contained herein is correct to the best of my knowledge. If information provided reveals to be false, I will be subject to immediate removal from the committee and waive all rights to appeal or otherwise.

SIGNATURE OF CANDIDATE

ELECTION STAFF SIGNATURE

(Attachment B)

MIAMI-DADE COUNTY COMMUNITY ACTION AND HUMAN SERVICES
DEPARTMENT
MIAMI-DADE DEPARTMENT OF PUBLIC HOUSING AND COMMUNITY
DEVELOPMENT
County-Wide Community Advisory Committee Voter Registration Form

Target Area/NRSA Name: _____

FIRST	MIDDLE	LAST NAME
RESIDENT ADDRESS	APT.	ZIP CODE
WORK ADDRESS		ZIP CODE
PROPERTY ADDRESS		ZIP CODE
BUSINESS ADDRESS		ZIP CODE
REGISTRATION DATE		DATE OF BIRTH

QUALIFICATION OF VOTER

LIVE IN AREA	<input type="checkbox"/>	OWN A BUSINESS IN AREA	<input type="checkbox"/>
OWN PROPERTY IN AREA	<input type="checkbox"/>	EMPLOYED IN AREA	<input type="checkbox"/>

I hereby swear that all of the information on this form is true and I agree to share this information with the candidates.

SIGNATURE OF REGISTRAR

SIGNATURE OF VOTER

(Attachment C)

**MIAMI-DADE COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT
MEMBERSHIP ELECTION
DATE:**

SAMPLE BALLOT
(Community Action and Human Services ONLY)

QUALIFIED VOTERS MAY VOTE FOR UP TO SEVEN (7) CANDIDATES*

(Candidate names are in alphabetical order)

- | | | | |
|---|-------------------|---|------------------|
| <input type="checkbox"/> _____ | John Axel | <input type="checkbox"/> _____ | Merlot Graham |
| <input checked="" type="checkbox"/> _____ | Bernice Bake | <input checked="" type="checkbox"/> _____ | Mitchell Johnson |
| <input type="checkbox"/> _____ | Betty Charles | <input checked="" type="checkbox"/> _____ | Maria Jones |
| <input checked="" type="checkbox"/> _____ | Washington Dowell | <input checked="" type="checkbox"/> _____ | Saens Kontz |
| <input type="checkbox"/> _____ | Elie Evans | <input checked="" type="checkbox"/> _____ | Clay Lawrence |
| <input checked="" type="checkbox"/> _____ | Mary Fonseca | <input type="checkbox"/> _____ | Angelica Seymour |
| <input checked="" type="checkbox"/> _____ | Moris Frankel | <input checked="" type="checkbox"/> _____ | Pedro Rodriguez |
| <input checked="" type="checkbox"/> _____ | Michelle Sajous | | |

*(If you voted for more than seven (7) candidates, this ballot will be void)

Jonas Hamilton, Election Staff, [CAHSCAHSD](#)
Marisol Edward, Election Staff, [CAHSCAHSD](#)

(Attachment D)

**MIAMI-DADE DEPARTMENT OF PUBLIC HOUSING AND COMMUNITY DEVELOPMENT
MEMBERSHIP ELECTION
DATE**

**SAMPLE BALLOT
(PHCD ONLY)**

QUALIFIED VOTERS MAY VOTE FOR SEVEN (7) CANDIDATES*

(Candidate names are in alphabetical order)

<input type="checkbox"/> _____	John Axel	<input type="checkbox"/> _____	Merlot Graham
<input checked="" type="checkbox"/> _____	Bernice Bake	<input checked="" type="checkbox"/> _____	Mitchell Johnson
<input type="checkbox"/> _____	Betty Charles	<input checked="" type="checkbox"/> _____	Maria Jones
<input checked="" type="checkbox"/> _____	Washington Dowell	<input checked="" type="checkbox"/> _____	Saens Kontz
<input type="checkbox"/> _____	Elie Evans	<input checked="" type="checkbox"/> _____	Clay Lawrence
<input checked="" type="checkbox"/> _____	Mary Fonseca	<input type="checkbox"/> _____	Angelica Seymour
<input checked="" type="checkbox"/> _____	Moris Frankel	<input checked="" type="checkbox"/> _____	Pedro Rodriguez
<input checked="" type="checkbox"/> _____	Michelle Sajous		

*(If you voted for more than seven (7) candidates, this ballot will be void)

Jonas Hamilton, Election Staff, PHCD
Marisol Edward, Election Staff, PHCD

(Attachment E)

Miami-Dade Community Action and Human Services Department
Election Certificate

Target Area ELECTION _____

I, the undersigned _____, Election Staff of Miami-Dade Community Action and Human Services Department, Florida, do, by my signature hereto, certify that the ballot box for the Community Advisory Committee (CAC) election being held this

_____ day of the month _____, 20 _____ is locked with seal number _____

Staff Name (Print) Election Staff Signature _____ Election

We, the undersigned, _____, Election Staff of Miami-Dade County Community Action and Human Services Department hereby certify to the best of our knowledge that the seal number locked in the ballot box corresponds exactly with the number registered above. In my presence also were the following witnesses who have assisted in the breaking of the seal and the tabulation process. Except as otherwise specifically set forth and declared in this certification, in our presence and sight, no ballot was removed from or added, and no ballot was in any manner altered or tampered with by any person, and no person touched any ballot, except a person authorized to do so.

Quantity of voted ballots []

Quantity of voided ballots []

Election Staff Name (Print)

Election Staff Signature

Election Staff Name (Print)

Election Staff Signature

Witness Name (Print)

Witness Signature

Witness Name (Print)

Witness Signature

(Attachment F)

Miami-Dade Department of Public Housing and Community Development
Election Certificate

Target Area ELECTION _____

I, the undersigned _____, Election Staff of Miami-Dade Department of Public Housing and Community Development, Florida, do, by my signature hereto, certify that the ballot box for the Community Advisory Committee (CAC) election being held this

_____ day of the month _____, 20 _____ is locked with seal number _____

Staff Name (Print) Election Staff Signature Election

We, the undersigned, _____, Election Staff of Miami-Dade County Department of Public Housing and Community Development hereby certify to the best of our knowledge that the seal number locked in the ballot box corresponds exactly with the number registered above. In my presence also were the following witnesses who have assisted in the breaking of the seal and the tabulation process. Except as otherwise specifically set forth and declared in this certification, in our presence and sight, no ballot was removed from or added, and no ballot was in any manner altered or tampered with by any person, and no person touched any ballot, except a person authorized to do so.

Quantity of voted ballots []

Quantity of voided ballots []

Election Staff Name (Print)

Election Staff Signature

Election Staff Name (Print)

Election Staff Signature

Witness Name (Print)

Witness Signature

Witness Name (Print)

Witness Signature