

Public Participation and Public Hearing Requirements

To comply with [federal regulation](#), the first and second public hearing, as required, should have different goals to engage the community. Failure to meet the minimum requirements outlined could result in decreased points for criterion four or a determination that the application is not eligible for consideration.

First Public Hearing

The purpose of the first public hearing is to provide an objective and neutral forum to consider overall community needs and potentially competing or alternative proposals for Community Development Block Grant projects and to deal with those needs within the local government's jurisdiction.

The first public hearing is intended to give citizens an opportunity to identify and discuss their community's overall development and housing needs, including the needs of low/moderate income persons. Citizens have the opportunity to propose possible community improvement projects to meet those needs before the local government decides what project or projects for which it will seek CDBG assistance. The first hearing should also inform the public about the amount of estimated available state CDBG funds and CDBG-eligible activities. Applicants should hold the first public hearing not more than 18 months prior to the date of application. The site of the first public hearing should be a neutral and accessible location that encourages fair and impartial consideration of all potential CDBG projects.

CDBG projects should receive fair consideration before a decision to submit a particular project is made. For example, even though a county government may be considering a project to serve a particular unincorporated community, the first public hearing should be held in the county seat, rather than in that unincorporated community, so that each

potential community development and housing need may receive fair and impartial consideration as a potential CDBG project.

The same concept applies to a city considering a project in a particular neighborhood. Example: a local government may be considering an application on behalf of a non-profit organization for improvements to a senior center. In this case, it would be inappropriate to hold the hearing to identify community needs at the senior center since this may discourage advocates for other community needs from coming forward or speaking out.

In some cases, the local government may need to respond to a mandate from a state agency to improve a specific public facility. There may be legal pressure to accomplish a particular project, such as upgrading the city wastewater treatment plant to meet state water quality standards. The reason local officials rank this issue as their number one need is understandable. In this case, the citizen participation process can still be a valid way to educate local citizens regarding the community's obligation to assure adequate sewage treatment to protect Montana's environment. It may also lead to dialogue as to how goals are accomplished.

To minimize duplication, local governments may use advertised public hearings related to their planning program or other funding applications to meet the CDBG requirement for a public hearing prior to preparation of their CDBG application, provided the overall community needs and possible solutions are considered. Several Montana counties and cities are cooperating to publicize and hold joint annual hearings to consider overall community development and housing needs for both entities. A single public hearing on overall community development needs can meet the requirements of other state or federal programs. This approach may also make participation more convenient for the public and interested organizations or groups.

Second Public Hearing

The purpose of the second public hearing is to give citizens and potential beneficiaries of the proposed CDBG project, especially LMI persons or residents of the project area, adequate opportunity to consider the potential impacts and benefits of the community's proposed project and to comment, before the community submits the application. To comply with federal regulation, the first and second public hearing must be held at different stages in the project to provide the public time to review all options presented at the first public hearing and give careful consideration to the selection of a project for CDBG funding. The second hearing should be held not more than three months prior to the date of the application and held well in advance of the application deadline so that local officials have a reasonable length of time to review suggestions or concerns stated by citizens at the hearing.

At the second public hearing, specific CDBG program requirements and related project issues should be reviewed. For example, if taxes or user charges will increase as part of the cost of financing a CDBG project, it is especially important that residents be informed and understand the necessity of raising user costs. This is the key hearing at which the public should have the full opportunity to review and comment on the details of the scope and design of the proposed project, as well as all projected financial responsibilities falling on project beneficiaries.

To facilitate participation of citizens who may be most affected by a proposed project, local officials may wish to hold the second public hearing in a location near the proposed project site, such as in an unincorporated community or a neighborhood in a larger city. For example, for the second public hearing it would be appropriate to hold the hearing at a senior center proposed for a CDBG project. Local governments may conduct a single, consolidated public hearing to address the public hearing requirement for other funding programs while meeting the CDBG second public hearing requirement.



Sample Notice for the First CDBG Public Hearing

The (town/city of _____ or _____ county) will hold a public hearing on (day), (date), (time), in the (...building name and address...), room ____, for the purpose of obtaining public comments regarding the city's (town's or county's) overall community development needs (public facilities, economic development and housing needs), including the needs of low and moderate income persons. The town/city council of _____ (or _____ county commissioners) will also seek the views of citizens on the activities that should be undertaken to meet the identified needs and their relative priority. The (city, town or county) may apply for funding from the Montana Community Development Block Grant Program (federal funding administered by the Montana Department of Commerce) and other state and federal funding sources to deal with local housing, public facilities or other community needs and would like comments or suggestions from local citizens regarding the city's (town's or county's) needs and the type of projects which should be considered. Comments may be given orally at the hearing or submitted in writing before (time and date).

Anyone who would like more information or who wants to submit suggestions should contact (person), (title), (telephone number).

If it is the intent of the applicant to coordinate the second project public hearing with hearings for other programs, this notice may be combined with information from other programs but must contain CDBG project specific details as listed below.

Sample Notice for the Second CDBG Public Hearing

The (town/city of _____ or county of _____) will hold a public hearing on (day), (date), (time), in the (location or building name and address, room _____,) for the purpose of obtaining public comments regarding a proposed application to the Montana Department of Commerce's Community Development Block Grant Program and other programs, as applicable, for a (type of project, description of project and project area, as applicable). At the public hearing, the proposed project will be explained, including the purpose and proposed area of the project, activities, budget, possible sources of funding and (if applicable, any costs that may impact local citizens as a result of the project). All interested persons will be given the opportunity to ask questions and to express their opinions regarding this proposed project.

Comments may be given orally at the hearing or submitted in writing before (time and date).

Anyone who would like more information or who wants to submit questions or comments should contact (person), (title), (telephone number).