



DEPARTMENT OF
HOUSING



CDBG-DR

CITIZEN ADVISORY COMMITTEE OPERATIONAL GUIDE

CDBG-DR & CDBG-MIT Programs

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1 Overview

1.1 Purpose

The purpose of this Citizen Advisory Committee Operational Guide is to establish and clarify the operational rules governing the Citizen Advisory Committee (**CAC**, or “**Committee**”) and its volunteer members under the direction of the Puerto Rico Department of Housing (**PRDOH**). The CAC shall support PRDOH by providing advice regarding the Community Development Block Grant – Disaster Recovery (**CDBG-DR**) and CDBG-Mitigation (**CDBG-MIT**) Programs as administered by PRDOH. The main functions of the CAC are to serve as a collaborator with, and to inform PRDOH of the needs, interests and priorities of the individuals and sectors it represents during the recovery process and the development of the programs under CDBG-DR and CDBG-MIT. The CAC also supports PRDOH through outreach efforts to those they represent by providing accurate information regarding CDBG-DR and CDBG-MIT Programs and promoting the opportunities and benefits that the programs offer.

The CAC fulfills an advisory role to PRDOH to enhance the administration of CDBG-DR and CDBG-MIT Programs through the inclusion of socially diverse perspectives, recommended action informed by professional expertise, and solutions that encompass broad and expansive geographic representation. Volunteer membership on this advisory committee shall not be misconstrued with any decision-making authority that is reserved for the Secretary of PRDOH as the head of the agency and steward of federal funds.

Issues undertaken by the CAC and any subcommittees must serve the interest of the citizens of Puerto Rico through appropriate investigation of subject matter and the formal submission of a written recommendation to PRDOH. This Operational Guide sets forth the mission, vision, and general terms of membership, and core operational structure for accomplishing this task.

1.2 Background Requirements

PRDOH elected to assemble a CAC for its CDBG-DR Programs under no prescribed format from the U.S. Department of Housing and Urban Development (**HUD**). Thus, the oversight of the existing CAC shall be adapted **from now on** to the new requirements issued by HUD for the purpose of the CDBG-MIT allocation. Under the terms of this Operational Guide, PRDOH established that the CAC shall serve the needs of CDBG-DR and CDBG-MIT Programs simultaneously.

Federal Register Notice Vol. 84 No. 169 (August 30, 2019), 84 FR 45838 establishes the HUD rules for CAC involvement in the CDBG-MIT Grant Program as the following:

“Following approval of the action plan, each grantee shall form one or more citizen advisory committees that shall meet in an open forum not less than twice annually in order to provide increased transparency in the implementation of CDBG-MIT funds, to solicit and respond to public comment and input regarding the grantee’s mitigation activities and to serve as an on-going public forum to

continuously inform the grantee's CDBG-MIT projects and programs. The grantee may also choose to form one or more of these committees as part of its process for preparing the initial CDBG-MIT action plan submission to HUD."

The CDBG-MIT Action Plan was submitted by PRDOH to HUD on December 4, 2020 for a sixty (60) day review period.

This Guide is adopted under the provisions of Act No. 97 of June 10, 1972, 3 LPRA § 441 *et seq.*, as amended, known as the "Department of Housing Organic Act".

1.3 Applicability

The provisions of this Operational Guide apply to all members of the CAC in support of the CDBG-DR and CDBG-MIT Programs under PRDOH purview.

Volunteer service on the CAC comes with a significant responsibility to the citizens of Puerto Rico to ensure representation of the broad public interest including marginalized groups. General responsibilities and terms of membership apply to the individuals, organizations, and entities of the CAC in their conduct of actions and activities in their capacity as members of the Committee.

2 Citizen Advisory Committee (CAC)

2.1 CAC Creation

The CAC for the CDBG-DR Program was created in October of 2019 under the direction of the Secretary of PRDOH. Members recruited under the CDBG-DR Program shall remain members of the CAC, pending their agreement to the terms of participation under the expanded duties of the CAC to serve both CDBG-DR and CDBG-MIT programs.

The PRDOH Committee Coordinator will retain responsibility in overseeing the participatory process to include a diverse and inclusive group of Puerto Rico residents, individuals with subject matter expertise identified as critical, community leaders, community organizations, non-governmental entities, businesses, construction, academic institutions, people with special needs, and other stakeholders. The Committee Coordinator will organize the processes, document the participation and work as the liaison between the Committee and the Department of Housing.

2.2 CAC Mission

The mission for the CAC establishes that the CAC:

- Is a body of volunteer citizens assembled to represent an area of relevant specialty and advise PRDOH on disaster recovery and mitigation matters related to the broad public interest;
- Serves the interest of the citizens of Puerto Rico through volunteer representation on the committee under the leadership of an appointed governing body;
- Advocates for disaster recovery and mitigation needs by producing written recommendations to PRDOH for program design and implementation techniques

that best serve the needs of Puerto Rico citizens within regulatory and administrative limits; and

- Promotes increased public awareness of PRDOH CDBG-DR and CDBG-MIT Programs by distributing accurate information about assistance available to the public.

2.3 CAC Vision

The vision for the CAC affirms that the CAC:

- Maintains an effective working relationship between all CAC members and PRDOH.
- Conducts all meetings for the purpose of productive discussions that yield meaningful, concrete and workable recommendations to PRDOH about Disaster Recovery and Mitigation Programs.
- Maintains satisfactory public awareness, knowledge, and participation in Disaster Recovery and Mitigation Programs.

2.4 CAC Composition

All CAC members shall serve the public, at the discretion of PRDOH, through the pursuit of solutions-based collaboration. The composition of the CAC shall include a general member base of volunteer citizen participants led by a Board of Directors appointed at the discretion of the Secretary of PRDOH. The Board of Directors of the CAC, in collaboration with PRDOH, may create subcommittees, as needed, to address subject matter investigations that serve the public interest.

2.4.1 CAC Roles

- **CAC Coordinator**- A PRDOH official responsible for providing updates in meetings, hosting working sessions for subcommittees, hosting surveys, gathering feedback and providing PRDOH responses to inquiries received.
- **General Members** – General members volunteer to participate under no term limits.
- **Board of Directors (BOD)** – A body of five (5) CAC members appointed to serve two-year terms. This governing body is appointed by PRDOH to accomplish a diverse and multi-disciplinary representation of leadership.
- **CAC Chairperson** – The CAC Chairperson should be democratically elected by the appointed Board of Directors.
- **Subcommittee Leads** – Subcommittee subject matter and objectives shall be set by PRDOH. The Committee Chairperson is delegated the authority to appoint or elect subcommittee leads.
- **Subcommittee Members** – Subcommittee members shall be selected through a collaborative decision made by the Subcommittee Lead and CAC Chairperson.
- **CAC Secretary** – Individual designated by PRDOH who will be responsible for recording the meeting minutes and distributing to the Board of Directors for final revision and approval prior to posting for the general members.

2.4.2 Board of Directors Selection Criteria

The general members of the CAC may present a written recommendation addressed to the Secretary of PRDOH that includes a list of nominees to the Board of Directors of no less than seven (7) nominees, of which two (2) must be nominated for president of the CAC. The recommendation must include a description of each nominee that establishes their capacity to be a member of the Board of Directors.

The Secretary will make the final determination regarding the constitution of the Board of Directors and the president of the CAC, which may include members that arise from the nominations presented by the general members of the CAC.

Board of Directors (**BOD**) Members will be chosen utilizing standard selection criteria to ensure membership fulfills the following minimum standards:

Each BOD Member must meet the following requirements:

- Be a resident of Puerto Rico;
- Be able to commit to regularly participate in a voluntary committee;
- Be able to attend sessions and contribute to discussions;
- Have an area of expertise relevant to the CDBG-DR and CDBG-MIT Programs that can be shared with the group for the benefit of making recommendations; and
- Be committed to attend the twice-annual "open forum" public meetings required for CDBG-MIT.

2.4.3 CAC Responsibilities

At a minimum, CAC members must comply with the following:

- The committee shall convene under the rules included in this Policy.
- The CAC may nominate candidates to the Board of Directors, in accordance with the provisions of this Guide and based on the evaluation of the qualifications of the individual members, who are recognized for having the necessary knowledge and experience, and in demonstrated community leadership.
- All members must sign a participation agreement affirming their understanding and acceptance that a governing board shall be appointed to make final decisions on behalf of the full committee.
- Any recommendations made by the governing committee are accepted as advice to PRDOH, but all final decisions will be made by the Secretary of PRDOH. The Secretary of PRDOH reserves the right to disagree with the committee's advice when that recommendation conflicts with the collective interest of Puerto Rican citizens or compliance obligations. The Secretary's determination will be notified in writing.
- All CAC members must commit to the development of consensus (where achievable) and detailed recommendations for action on complex issues that affect the broader community.

2.5 Establishment and Adoption of By Laws

Upon the initial designation of the CAC Board of Directors, the CAC must convene to adopt an initial set of Bylaws that will govern the CAC participatory process. The Bylaws may be revised from time to time through open discussion of the CAC and with the approval of PRDOH. These Bylaws that are in effect are to be honored and complied with by all CAC members.

2.6 Membership Registration & Recruitment

All CAC members must adhere to the process of registration that will be included in the CDBG-DR website with the purpose to openly share information about their level of engagement and support the compilation of a database for outreach and recruitment. The "CAC Membership Registration" Form can be found here: <https://app.smartsheet.com/b/form/c51510f7a72941a886b85401cc93b3e5> and the "CAC Outreach Report" Form can be found here: <https://app.smartsheet.com/b/form/c2b34537818d4af5a257f4322bb242bf>. CAC members should report on their outreach activities at least once a quarter.

2.7 Meeting Location

The CAC meetings for the CDBG-DR and CDBG-MIT Programs shall be held at the place and time determined by the Board of Directors. PRDOH is making available its physical facilities of operation, personnel resources, equipment and space, both at the Central level, as well as in the regional offices located throughout the island.

In addition, due to the COVID-19 Pandemic, the CAC shall meet using virtual meeting platforms such as Microsoft Teams to ensure the safety of the members and adherence to guidance provided in Executive Orders. When possible, and with prior coordination between its members, the CAC will hold meetings in communities or community centers, affected areas and project areas. Any inquiries or formal recommendations regarding the CAC will be directed to the Designated CAC Coordinator through the "Inquiry and Formal Recommendation Form for the CAC", which will be provided to CAC members.

2.8 Duties and Responsibilities

The CAC is set up as a voluntary, consultative, and advisory body. Duties and responsibilities of the CAC shall include:

- Act as collaborators and participate in the distribution of updates during the recovery process and the development and implementation of the CDBG-DR and CDBG-MIT Programs.
- Participate in subcommittee groups that discuss specific topics relevant to the subcommittee's established purpose in areas which they lead or have specific industry knowledge.
- Participate in subcommittee groups that confer with each other for specific feedback on a topic on the agenda.

- Participate in subcommittee groups that provide data and other supporting information to assist in the formulation of programs for the overall benefit of the recovery for Puerto Rico.
- The CAC may be invited to participate in the working groups, responding to surveys, providing feedback via the feedback form, sharing information with persons in the public or private sector related to the matters under discussion.
- Other functions of the CAC, as a link between PRDOH and the communities, can include bringing topics of interest from communities, groups and sectors; and/or supporting the Department of Housing in outreach efforts about the opportunities and benefits that the federally funded programs offer, that arise from the updates of information provided by the Coordinator.

2.9 Ethics Requirements

All members must complete a conflict of interest document to ensure that they comply with the conflict of interest requirements for the PRDOH CDBG-DR Program which are established in the PRDOH Conflict of Interest and Standards of Conduct Policy (**COI Policy**) that can be accessed at the CDBG DR website at <https://cdbg-dr.pr.gov/en/download/conflict-of-interest-and-standards-of-conduct-policy/>.

As defined in PRDOH's COI Policy, a conflict of interest is a situation in which personal or economic interest is or could be reasonably in struggle with the public interest. No person shall use or attempt to use their official position to secure privileges or advantages for themselves or others, or act in their official capacity in any matter in which they have a direct or indirect personal financial interest that might reasonably be expected to impair their objectivity or independence of judgement. While acting as advisor to PRDOH, the CAC and/or its members shall not attempt to influence or persuade PRDOH's decisions for their own, or their organization's advantage.

Particular attention should be paid to non-procurement, sub-granting/program delivery activities. Additionally, it is the duty of all employees, vendors, contractors and applicants related to the CDBG-DR Programs to disclose any real or potential conflict of interest. The General Standards of Conduct section in the PRDOH COI Policy establishes general areas of compliance for public servants, as set forth in the Puerto Rico Government Ethics Office Organic Act, Act 1-2012, as amended, 3 LPRA § 1854 *et seq.*, regarding conflict of interest that is highlighted for the purposes of this Operational Guide.

The Anti-Corruption Code for the New Puerto Rico, Act 2-2018, as amended, 3 LPRA § 1881 *et seq.*, is the governing body for ethical obligations and responsibilities. Among its titles, it discusses public policy and conflict of interests with respect to contractors, vendors, and applicants of economic incentives. 3 LPRA § 1883a. In the relationship between PRDOH and the CAC, Act 2-2018 and Act 1-2012 must be adhered to.

The data and information obtained or prepared by the CAC in the performance of its functions is considered confidential while in working draft format. The CAC may not

publish information from the sessions without the written consent of PRDOH or until they are generally known to the public through the CDBG-DR or CDBG-MIT website.

Members of the CAC shall safeguard all information and/or data available to them, without prejudice to their duty of active and continuous communication with the general public or communities and collaboration with judicial or administrative authorities in the terms established by law.

2.10 Accessibility

The CAC must adhere to the Language Access Plan, Fair Housing and Equal Opportunity Policy (**FHEO Policy**), and Reasonable Accommodation Policy for all CAC meetings. These can be found on the PRDOH CDBG-DR Website at <https://cdbg-dr.pr.gov/en/resources/policies/general-policies/>.

PRDOH will use a presentation or other resource to share information visually and verbally in Spanish and will make these available in English as needed. Sign language interpreters will be available if a request for one is provided in advance of the meeting for a member to be able to participate.

2.11 PRDOH Communication Standards with the CAC

PRDOH will inform CAC Members about important information, announcements and updates.

This information may be shared using methods determined by PRDOH and the CAC to be the most appropriate and accessible to CAC members such as:

- Email;
- SMS messaging (text messaging);
- Newspaper public announcements; and
- Web Page Pop-Ups.

2.12 Public Nature of CAC Documents

All documents generated by the CAC –approved and determined to be final by the Board of Directors- will be public. PRDOH maintains a website that provides CAC information, including documents, minutes, and other resources. The information published about the CAC is available through the following link: <https://cdbg-dr.pr.gov/en/citizen-advisory-committee/>.

END OF GUIDE.