

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: November 21, 2006

[X] Consent [] Regular

Department: Housing and Community Development

[] Public Hearing

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: The Fourteenth (14th) Amendment to the Annual Consolidated Plan for FY 1996-97.

Summary: The Fourteenth (14th) Amendment to the FY 1996-97 Annual Consolidated Plan (R96-960-D) proposes to change the use of a parcel of land (PCN: 00-42-41-03-01-000-0350) acquired in the Limestone Creek Area with Community Development Block Grant (CDBG) dollars. The land was acquired in 1997 at a cost of approximately \$25,000 for the Limestone Creek CDC (LCCDC) to construct an office building. The agency has become inactive, therefore, the construction of the office building has been stalled. The West Jupiter Community Group is proposing to use this land as a nature preserve to facilitate both the physical expansion of its Tutorial Enablement Center as well as the agency's curriculum. **These are Federal CDBG funds that require no local match.** District 1 (TKF)

Background and Justification: Pursuant to the U.S. Department of Housing and Urban Development (HUD) regulations located at 24 CFR Part 91.505, Palm Beach County is required to make an amendment to its approved Annual Consolidated Plan whenever it makes one (1) of the following decisions: **A)** To make a change in its allocation priorities or a change in method of distribution of funds; **B)** To carry out an activity, using funds from any program covered by the Annual Consolidated Plan (i.e., Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), and Home Investments Partnership (HOME) Programs) or Program Income not previously described in the Plan; or **C)** To change the purpose, scope, location, or beneficiaries of an activity. Additionally, Palm Beach County is required to make a "substantial" amendment to its Annual Consolidated Plan whenever it makes one (1) of the following changes: the funds for an activity are being increased or decreased by 75%, or there is a change in the use of funds from one eligible activity to another. Prior to amending the Annual Consolidated Plan, Palm Beach County is required to provide citizens with reasonable notice and opportunity to comment on the proposed changes. Regular amendments do not require a comment period, however, substantial amendments require a thirty (30) day comment period. The advertisement notifying the public of this regular amendment was published on October 8, 2006 and was amended on October 22, 2006 to correct the fiscal year and clarify the location.

Between 1994 and 1998, CDBG funds were disbursed to the West Jupiter Community Group for acquisition of a vacant property and construction of a Tutorial Enablement Center in the Limestone Creek Area. During the construction of the tutorial center, the County's Environmental Resources Management (ERM) required that the natural vegetation on a portion of the property be undisturbed, thereby serving as a preserve. The tutorial center offers after-school programs to children who reside in the area. The West Jupiter Community Group proposes to expand their facility by constructing additional classroom space on the portions of the land now being held as a preserve (as required by ERM) and acquire the vacant property owned by LCCDC to be used for the nature preserve in lieu of the current preserve area. ERM has agreed that it was acceptable to move the preserve to an alternate site. The site will be conveyed to the West Jupiter Community Group by the LCCDC.

Attachments:

- a) Fourteenth (14th) Amendment to the Annual Consolidated Plan for FY 1996-97
- b) Public Notice
- c) Amendment to Public Notice

Recommended By: 
Department Director

11/19/06
Date

Approved By: 
Assistant County Administrator

11-13-06
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years:

Capital Expenditures: _____

Operating Costs: _____

External Revenues: _____

Program Income (County): _____

In-Kind Match (County): _____

NET FISCAL IMPACT: _____

-0-

OF ADDITIONAL FTE

POSITIONS (Cumulative): _____

N/A

Is Item Included In Current Budget? Yes _____ No _____

Yes _____

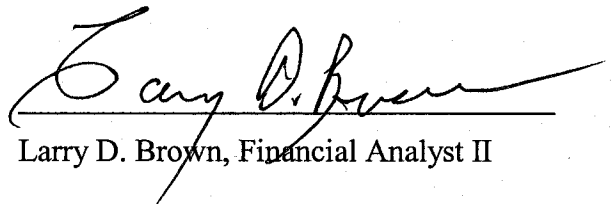
No _____

Budget Account #: Fund _____ Dept. _____ Unit _____ Object _____ Program Code/Period _____

D. Recommended Sources of Funds/Summary of Fiscal Impact:

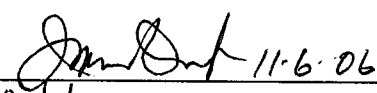
No Fiscal Impact.

E. Departmental Fiscal Review:

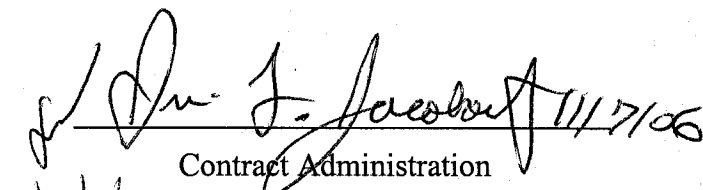

Larry D. Brown, Financial Analyst II

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:


11/3/06 OFMB

BM
11-3-06


11/7/06 Contract Administration

B. Legal Sufficiency:


11/9/06
Assistant County Attorney

C. Other Department Review:

Department Director

This Summary is not to be used as the basis for payment.

**Palm Beach County
Department of Housing and Community Development**

Fourteenth (14th) Amendment to the Annual Consolidated Plan for FY 1996-97

The Palm Beach County Department of Housing and Community Development was allocated \$7,636,000 under the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program for FY 1996-97. The total amount of CDBG funds available in this fiscal year was \$7,936,000, which includes the entitlement amount of \$7,636,000 and estimated program income of \$300,000.

Palm Beach County submitted to HUD on July 31, 1996 its Annual Consolidated Plan for FY 1996-97 which detailed Palm Beach County's utilization of CDBG, HOME, and ESG Program funds for FY 1996-97. Each activity targeted for funding is an eligible activity under Block Grant Regulations, and meets at least one (1) of the following three (3) National Objectives:

- 1) Benefitting low- and moderate-income persons;
- 2) Aiding in the prevention or elimination of slum and blight; and
- 3) Meeting an urgent community need.

CDBG ACTIVITY TO BE CHANGED IN PURPOSE:

<u>Project Name/Area</u>	<u>Activity/Location</u>	<u>Estimated Amount</u>
The West Jupiter Community Group	The vacant property (PCN: 00-42-41-03-01-000-0350) was acquired with CDBG funds at a cost of approximately \$25,000 for the LCCDC to construct an office building. Since the LCCDC has become inactive, the construction of the office building has been stalled. The West Jupiter Community Group is proposing to use this land as a natural preserve to facilitate the expansion of its Tutorial Enablement Center as well as the agency's curriculum. The West Jupiter Community Group was allocated CDBG funds to acquire a vacant property and to construct a tutorial center. During the construction, the County's Environmental Resources Management (ERM) required that the natural vegetation on a portion of the property be undisturbed, thereby serving as a preserve. Since the West Jupiter Community Group is proposing to expand their facility on the portion of the land being held as a preserve (as required by ERM), the agency would like to acquire the vacant property owned by LCCDC to use it for nature preserve in lieu of the current preserve area. ERM has agreed that it was acceptable to move the preserve to an alternate site.	N/A
Activity Classification per HUD Regulations:	24 CFR 570.201(c) - Public Facility & Improvements	
CDBG National Objective per HUD Regulations:	24 CFR 570.208(a)(2)(i)(D) - Low/Mod Limited Clientele	
Implementing Agency:	The West Jupiter Community Group	
Source(s) of Funding:	Not Impacted	

PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH


Before the undersigned authority personally appeared Marc Kramer, who on oath says that he is Inside Sales Supervisor of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a Notice in the matter of CDBG was published in said newspaper in the issues of October 8, 2006. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

man K

Sworn to and subscribed before 9th day of October A.D. 2006

Kristen J. Maxfield

Personally known XX or Produced Identification _____
Type of Identification Produced _____

NOTARY PUBLIC-STATE OF FLORIDA
 Kristen J. Maxfield
Commission # DD528685
Expires: MAR. 14, 2010
Bonded Thru Atlantic Bonding Co., Inc.

NO. 6815232
Palm Beach County
Department of Housing and
Community Development
Notice to the Public
In compliance with Commu-
nity Development Block
Grant (CDBG) program and
citizen participation require-
ments, Palm Beach County
Housing and Community
Development (HCD) gives
notice that it proposes to
change the use of land
acquired in the Limestone
Creek Area with CDBG
funds. The land was ac-
quired in 1997 for the Lime-
stone Creek CDC (LCCDC)
to construct a building that

would be used for its offices
and to provide space for
community meetings and
other activities. It is now
proposed to use this land as
a nature preserve to facili-
tate both the physical ex-
pansion of the West Jupiter
Community Group's Tuto-
rial Enablement Center as
well as the agency's cur-
riculum.

CDBG funds were used to
acquire vacant property and
to construct a Tutorial Cen-
ter in the Limestone Creek
Area. During the construc-
tion, the County's Environ-
mental Resources Man-
agement (ERM) required
that the natural vegetation
on a portion of the property
be undisturbed, thereby
serving as a preserve. The
facility is operated by the
West Jupiter Community
Group and offers after-
school programs to children
who reside in the area. The
West Jupiter Community
Group proposes to expand
their facility by constructing
additional classroom space
on the portions of the land
now being held as a pre-
serve (as required by ERM)
and acquire the vacant
property owned by LCCDC
to be used for the nature
preserve in lieu of the current
preserve area. Since
the LCCDC has become
inactive, the construction
of the office building has been
stalled. The total of \$50,000
allocated to LCCDC to
acquire the land remains
unchanged.

Since the proposed activity
will change the use of land
from its originally approved
purpose, an opportunity to
comment on this proposed
change is given to all inter-
ested persons. All inter-
ested persons who wish to
comment on the above must
submit their comments in
writing on or before Octo-
ber 23, 2006, to HCD Plan-
ning Section at 3323 Belve-
dere Road, Building #501,
West Palm Beach, FL
33406. The request for the
change in the use of the
property will be presented to
the Board of County Com-
missioners for approval at
its meeting of November
21st, 2006. If approved,
HCD will notify the U.S.
Department of Housing and
Urban Development (HUD)
of the amendment.

IN ACCORDANCE WITH
THE AMERICANS WITH
DISABILITIES ACT (ADA),
THIS AD AND DOCU-
MENTS LISTED ABOVE
MAY BE REQUESTED IN
AN ALTERNATE FORMAT.
PLEASE CONTACT HCD
AT (561) 233-3616.
PUB: The Palm Beach Post
October 8, 2006

ATTACHMENT B

THE PALM-BEACH POST
Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

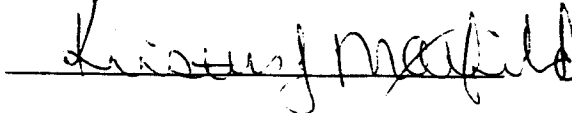
PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared **Marc Kramer**, who on oath says that he is **Inside Sales Supervisor** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter of **Amend ACP** was published in said newspaper in the issues of **October 22, 2006**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.




Sworn to and subscribed before 23rd day of October A.D. 2006



Personally known XX or Produced Identification _____
Type of Identification Produced _____

NO. 6925136
Palm Beach County
Department of Housing and
Community Development
Amendment of a Notice to
the Public
This notice serves to amend
a notice to the public pub-
lished on October 8, 2006
by Housing and Community
Development (HCD). The
October 8, 2006 notice
described the proposed
Ninth (9th) Amendment to
the FY 1997-98 Annual
Consolidated Plan (ACP).
The proposed Ninth (9th)
Amendment to the FY 1997-
98 ACP has been changed
to the proposed Fourteenth
(14th) Amendment to the FY
1996-97 ACP. The vacant
property (PCN: 00-42-41-
03-01-000-0350) located in
the S.E. corner of Lime-
stone Creek and Church
Road was acquired with
Community Development
Block Grant funds at a cost
of approximately \$25,000
for the Limestone Creek
CDC to construct an office
building. The comment
period has been extended
to October 31, 2006. Com-
ments can be submitted to
HCD Planning Section at
3323 Belvedere Road,
Building #501, West Palm
Beach, FL 33406. The
remainder of the notice
remains the same.
IN ACCORDANCE WITH
THE AMERICANS WITH
DISABILITIES ACT (ADA),
THIS AD AND DOCU-
MENTS LISTED ABOVE
MAY BE REQUESTED IN
AN ALTERNATE FORMAT.
PLEASE CONTACT HCD
AT (561) 233-3616.
PUB: The Palm Beach Post
October 22, 2006

NOTARY PUBLIC-STATE OF FLORIDA
 Kristen J. Maxfield
Commission # DD528685
Expires: MAR. 14, 2010
Bonded Thru Atlantic Bonding Co., Inc.

ATTACHMENT C