Agenda Item #:

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:

October 6, 2009

⋉ Consent [] Regular

Department:

Housing & Community Development

Submitted By:

Housing & Community Development

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution to authorize the Department of Housing and Community Development (HCD) to prepare and submit a funding proposal to the State of Florida Department of Community Affairs (DCA) Community Development Block Grant (CDBG) Disaster Recovery Initiative - 2008 Supplemental Appropriation (DRI4); authorize the County Administrator or his designee to execute a DRI4 Funding Proposal, Grant Agreement with DCA, and other documents related to the DRI4 Program; and authorize the County Administrator or his designee to sign Interlocal Agreements, Subgrant Agreements, and Amendments thereto, with organizations selected to receive DRI4 funding.

Summary: In September 2009, DCA announced that Palm Beach County geographic area is eligible to receive up to \$6,533,405 in Community Development Block Grant Disaster Recovery Funding that was made available to the State by the U.S. Department of Housing and Urban Development. The County has been designated by the State as the local administering entity. Eligible activities are limited to repairs and recovery from damages caused by Tropical Storm Fay, including: housing assistance, infrastructure repair and improvements, assistance for commercial areas, and program administration.

On September 18, 2009, HCD sent correspondence notifying all local municipalities of the DRI4 Program and seeking input on unmet needs. On September 20, 2009, a public notice was published advising the general public of the same. Subsequent to the BCC approval of this item, HCD will publish a Notice of Funding Availability to solicit project proposals from eligible local entities. The County must consider the needs of all municipalities within its area, and must provide DCA with documentation which evidences that all parties were allowed an opportunity to discuss unmet needs. The County's application for funding is due to DCA by December 15, 2009. Given the short period for submission, execution of documents by the County Administrator will expedite the process and enhance the chances of meeting DCA's deadline. These are Federal CDBG funds which require no local match. Countywide (TKF)

Background and Policy Issues: Community Development Block Grant disaster relief funding in the amount of \$81,063,855 was made available to the State of Florida by the United States Department of Housing and Urban Development, under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121) to assist in recovery from Tropical Storm Fay, Hurricane Ike, and Hurricane Gustav. DCA has established the maximum possible funding level for Palm Beach County as \$6,533,405 for Tropical Storm Fay. (Continued on Page 3)

Attachments: A. Resolution		
Recommended B		9/17/09
	Department Director	Date
Approved By:	Assistant County Administrator	9/23/09 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of	riscai imp	act:				
Fiscal Years	2010	2011	2012	2013	2014	
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County)				-		
NET FISCAL IMPACT # ADDITIONAL FTE POSITIONS (Cumulative)						
Is Item Included In Current Bud Budget Account No.: Fund Program C	lget? Yes Dept _ code/Progra	s No Unit _ am Period _	Objec/	ot		
B. Recommended Source	s of Funds	s/Summary	y of Fiscal ∣	mpact:		
No fiscal impact at this t notice from DCA of the	ime—will su actual grant	ubmit a bud agreemen	lget amendi t.	ment for a	approval up	on
C. Departmental Fiscal R	eview:		•			•
	Š	hairette Ma	ajor, Fiscal I	<u>9-75-0</u> Manager	9 1	y
	III. REVIE	W COMME	NTS		•	
A. OFMB Fiscal and/or Co	ontract Dev	v. and Con	tract Comr	nents:		
TO SE GIVE	-109 C410109	Con	tract Dev.	Jown Control	lus 1/23/09	912310
B. Legal Sufficiency:						
Senior Assistant County Attorn	<u>9/21/</u> 09 ney					
C. Other Department Rev	iew:					
Department Director						

This summary is not to be used as a basis for payment.

Background and Policy Issues (Continued from Page 1):

The State has identified unmet needs for repairs and improvements to housing and infrastructure/public facilities and if needed, for economic recovery activities, particularly restoration of commercial areas. All DRI4 activities undertaken in Palm Beach County must be directly related to repair and/or recovery from Tropical Storm Fay and may include:

- Housing activities rehabilitation of damaged housing, and replacement where rehabilitation to bring the unit to building code cannot be accomplished. Local governments may also buyout residential properties located in floodplains and relocate the occupants. At least 14% of total funding must be expended on affordable rental housing. All housing must meet the LMI National Objective.
- Infrastructure and public facility projects repairs and improvements to streets, water and sewer systems, and drainage facilities damaged as a direct result of Tropical Storm Fay.
- Business assistance repairs and improvements to buildings in commercial or business areas damaged as a result of Tropical Storm Fay.
- Program administration may not exceed 2.5% of total funding.

Activities that were underway at the time of the Disaster Declaration, or that are reimbursable by the Federal Emergency Management Agency (FEMA) or assisted through the Small Business Administration (SBA), cannot be undertaken with these funds. To be eligible for funding, activities must conform to all requirements of the CDBG Program, unless a waiver from such provisions has been granted.

In order to fund projects within local municipalities, the County is required to have an established relationship with such municipalities. Currently, the County has Interlocal Agreements with twenty-eight municipalities who participate within the Urban County Program (the CDBG entitlement jurisdiction). Municipalities which do not have Interlocal Agreements with the County must execute an acknowledgment letter agreeing to the tasks to be performed. However, Interlocal agreements may still be requested.

DCA's funding application process will formally open on October 27, 2009, and will close on December 15, 2009.

RESOLUTION NO. R-2009-

RESOLUTION TO AUTHORIZE THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) TO PREPARE AND SUBMIT A FUNDING PROPOSAL TO THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DISASTER RECOVERY INITIATIVE – 2008 SUPPLEMENTAL APPROPRIATION (DRI4); AUTHORIZE THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE A DRI4 FUNDING PROPOSAL, GRANT AGREEMENT WITH DCA, AND ALL OTHER DOCUMENTS RELATED TO THE DRI4 PROGRAM; AND AUTHORIZE THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO SIGN INTERLOCAL AGREEMENTS, SUBGRANT AGREEMENTS, AND AMENDMENTS THERETO, WITH ORGANIZATIONS SELECTED TO RECEIVE DRI4 FUNDING.

WHEREAS, Governor Crist and the President declared a state of emergency for Tropical Storm Fay which impacted the State of Florida from August 18, 2008 through August 27, 2008; and

WHEREAS, the Palm Beach County Board of County Commissioners wishes to utilize all available resources to facilitate full recovery from Tropical Storm Fay; and

WHEREAS, the need for additional resources still exists to effect full recovery after utilizing funding from Federal Emergency Management Agency (FEMA), Small Business Association (SBA) and other sources; and

WHEREAS, The Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, appropriated \$6.5 billion for recovery from 2008 disasters and earmarked \$81,063,855 distribution in Florida through the Florida Department of Community Affairs State CDBG Program; and

WHEREAS, the Florida Department of Community Affairs has established that the Palm Beach County geographical area is eligible for up to \$6,533,405 for Tropical Storm Fay; and

WHEREAS, the Florida Department of Community Affairs requires that one project proposal be submitted by a unit of general local government; and

WHEREAS, Palm Beach County was designated by the State as the local administering entity to submit the project proposal; and

WHEREAS, Palm Beach County has notified all municipalities within its borders, and other eligible applicants, of the CDBG Disaster Recovery Initiative – 2008 Supplemental Appropriation addressing Tropical Storm Fay; and

WHEREAS, the deadline for submitting a funding application to the Florida Department of Community Affairs is December 15, 2009;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA:

- 1. The Department of Housing and Community Development (HCD) is authorized to prepare and submit a funding proposal to the State of Florida Department of Community Affairs (DCA) Community Development Block Grant (CDBG) Disaster Recovery Initiative 2008 Supplemental Appropriation (DRI4);
- 2. The County Administrator or his designee is authorized to execute a DRI4 funding proposal, grant agreement with DCA, and all other documents related to the DRI4 program; and
- 3. The County Administrator or his designee is authorized to sign Interlocal agreements, Subgrant agreements, and amendments thereto, with organizations selected to receive DRI4 funding.

The foregoing Resolution was offered by Comoved its adoption. The motion	
	put to a vote, the vote was as follows:
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JOHN F. KOONS, CHAIRMAN	-
BURT AARONSON, VICE CH	AIRMAN -
KAREN T. MARCUS, COMMIS	SSIONER -
SHELLEY VANA, COMMISSION	ONER -
STEVEN L. ABRAMS, COMM	ISSIONER -
JESS R. SANTAMARIA, COM	IMISSIONER -
PRISCILLA A. TAYLOR, COM	MISSIONER -
The Chairman thereupon declared the day of,	Resolution duly passed and adopted this 2009.
PALM BEACH COUNTY, FLORIDA, BY ITS	S BOARD OF COUNTY COMMISSIONERS
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	ATTEST:
AND LEGAL GOT TICIENCY	SHARON R.BOCK, Clerk & Comptroller
BY: BY:	
Tammy K. Fields Senior Assistant County Attorney	Deputy Clerk