

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

3A-5

AGENDA ITEM SUMMARY

Meeting Date: October 20, 2009

Consent
 Workshop

Regular
 Public Hearing

Department: Administration
Submitted By: Administration
Submitted For: Economic Development Office

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- (A) Receive and file the U.S. Department of Housing and Urban Development (HUD) Approval Letters for the Brownfield Economic Development Initiative (BEDI) grant funds in the amount of \$1,058,971, for the Pahokee Downtown Revitalization Project;
- (B) Receive and file the HUD Letters of Removal of Environmental Grant Condition and the executed Authority to Use Grant Funds forms for the Brownfield Economic Development Initiative (BEDI) Grant and the Section 108 Loan funds; and
- (C) Approve a Budget Amendment of \$1,058,971 in the Economic Development Fund to appropriate the award and recognize the revenue.

Summary: On June 2, 2009 the Palm Beach County Board of County Commissioners (BCC) adopted a Resolution (R2009-0902) authorizing the submittal of a BEDI grant application for \$1 million and a Section 108 Loan Program application for \$4 million to fund the Downtown Revitalization Project in Pahokee. On June 11, 2009, the Economic Development Office submitted a revised request of BEDI Grant funds to HUD, in the amount of \$1,058,971. On August 24, 2009, HUD submitted a Letter of Approval for the BEDI Grant in the amount of \$1,058,971. The implementation of the Pahokee Project will start with the execution of both the BEDI and Section 108 Loan contracts. The Approval Letter for the Section 108 Loan is pending receipt. **These are federal funds that require no local match. District 6 (DW)**

Background and Policy Issues: HUD published a Notice of Funding Availability for the Brownfield Economic Development Initiative (BEDI) for Fiscal Year 2009. This was a national competition for Federal grant and low interest loan dollars. The BEDI is coupled with a Federal low interest loan allocation from the HUD Section 108 Program, which was previously endorsed by the BCC in 2002. The Pahokee Downtown Revitalization Project will regenerate environmentally blighted properties.

Attachments:

HUD's Approval Letter for the BEDI Grant
HUD's Letters of Removal of Environmental Grant Condition
Budget Amendment

Recommended By: 
Economic Development Director

10/08/09
Date

Approved By: 
Assistant County Administrator

10/10/09
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenue	<u>(\$1,058,971)</u>	_____	_____	_____	_____
Program Income (PBC)	_____	_____	_____	_____	_____
In-Kind Match (PBC)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>(\$1,058,971)</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS	_____	_____	_____	_____	_____
(Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No X

Budget Account Number:

Fund 1539 Department 764 Unit 2003 Object 8201 BEDI Grant Pahoee

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

C. Departmental Fiscal Review: *Harry Lee* 10/6/09

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Signature] 10/16/09
10/07/09 *10/15/09* *10/08/09*
 OFMB

[Signature] 10/19/09
 Contract Dev. and Control

B. Legal Sufficiency:

[Signature] 10/13/09
 Assistant County Attorney

C. Other Department Review:

 Department Director

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



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

AUG 24 2009

Mr. Robert Weisman
County Administrator
10th Floor
County of Palm Beach
301 North Olive Avenue
West Palm Beach, FL 33401

Dear Mr. Weisman:

Congratulations! I am pleased to inform you that the County of Palm Beach has been awarded a Brownfields Economic Development Initiative (BEDI) grant in the amount of \$1,058,971 based on your application submitted pursuant to the FY 2009 BEDI Notification of Funding Availability (NOFA).

Today's brownfields were once vital sources of economic growth for communities, and when cleaned up and redeveloped, can again be thriving centers of economic activity. The U.S. Department of Housing and Urban Development (HUD) is pleased to assist Palm Beach County in working to transform these abandoned sites into new developments that will create jobs, increase tax revenues and help revitalize communities.

This BEDI grant award is conditioned upon the submission and HUD approval of a complete Section 108 Loan Guarantee application for not less than \$2,823,924 followed by the execution and funding of a Section 108 Note and Contract for Loan Guarantee Assistance for the same project. The enclosed Instructions and Conditions for Award provide further details on the Section 108 application as well as about the Section 108 Note and Contract for Loan Guarantee Assistance.

If you accept the conditions of the BEDI grant award as stated herein, in the enclosed Instructions and Conditions for Award, and in the 2009 BEDI NOFA, please acknowledge your acceptance by signing in the space provided below on the page titled "2009 BEDI GRANT AWARD OBLIGATION". *Please return this letter and your original signature of acceptance only – the other enclosures are for your records--with your signature of acceptance on or before September 14, 2009 to:*

Robert Duncan
Associate Deputy Assistant Secretary for Economic Development
Department of Housing and Urban Development
451 7th Street S.W., Room 7136
Washington, DC 20410

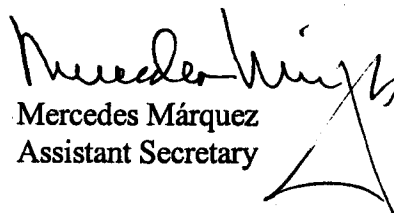
AUG26 09 12:10PM

In order for HUD to obligate funds for the approved BEDI project, this office must receive your executed acceptance below no later than September 14, 2009. **If HUD fails to receive the properly executed document by September 14, 2009, the funds are subject to cancellation.** The executed acceptance, when countersigned on behalf of the Department, shall constitute an agreement between the County of Palm Beach and HUD obligating BEDI funds for the project described in the approved 2009 BEDI application submitted by Palm Beach County and assigned **Grant Number B-09-BD-12-8009**. A more detailed BEDI Grant Agreement will be sent to you for execution, along with a Section 108 Note and Contract for Loan Guarantee Assistance, after approval of the Section 108 Loan Guarantee application. A *draft* form of that subsequent Grant Agreement is also enclosed for your information.

If you or members of your staff have any questions concerning this matter, please contact Mr. Duncan at (202) 708-3773.

I look forward to working with you in the redevelopment of Brownfields and in the return of these sites to productive use for the community.

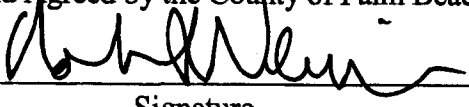
Sincerely,


Mercedes Márquez
Assistant Secretary

cc: Ms. Claudia Lopez
Enclosures

2009 BEDI GRANT AWARD OBLIGATION
B-09-BD-12-8009

Accepted and Agreed by the County of Palm Beach:

By: 
Signature

COUNTY ADMINISTRATION
Title

AUGUST 25, 2009
Date

Accepted by U.S. Department of Housing and Urban Development:

By: _____
Signature

Title

Date

ENCLOSURE (A)

RECIPIENT: County of Palm Beach
BEDI GRANT NUMBER: B-09-BD-12-8009
BEDI GRANT AMOUNT: \$1,058,971

INSTRUCTIONS AND CONDITIONS FOR AWARD

Pursuant to the authorizing legislation and the 2009 BEDI Notice of Funding Availability (NOFA), BEDI grants are made only in support of new, related loans guaranteed under section 108 of the Housing and Community Development Act of 1974. This approved BEDI Grant is conditioned upon receipt by Palm Beach County, (the Recipient) of the proceeds of a Section 108 loan guarantee, or additional guarantee, for the approved BEDI Project in the minimum amount of \$2,823,924 (hereafter referred to as the Related Section 108 Guarantee). (The Recipient may apply for a loan guarantee in a larger amount than this minimum.)

The terms and conditions of this BEDI grant will be substantially as set forth in the attached form of grant agreement (the "Agreement"), a completed copy of which will be sent to the Recipient for execution together with the promissory Note and Contract for Loan Guarantee Assistance for the Related Section 108 Guarantee after the Related Section 108 Loan Guarantee application is approved.

THE PARAGRAPHS CHECKED BY HUD BELOW APPLY TO THIS GRANT AS OF THE DATE AT THE TOP OF THE ATTACHED LETTER (the Transmittal Date):

- a. The Recipient's complete application for the Related Section 108 Guarantee has been approved by HUD (HUD-7082 commitment executed), effective on the Transmittal Date. Please execute and return three (3) copies of the enclosed HUD-7082 for the Related Section 108 Loan Guarantee together with your acceptance of this letter.
- ✓ b. The Recipient's complete application for the Related Section 108 Guarantee in the above amount or more has been received by HUD as of April 28, 2009, but has not been approved as of August 24, 2009.
- c. The Recipient's complete Section 108 guarantee application has not been received by HUD as of August 24, 2009. *If this Paragraph c. applies, HUD's obligations under this Agreement are conditioned on the Recipient's submitting a complete 108 application by October 26, 2009. As of now, approximately \$90 million in Section 108 guarantee authority remains available to all 108 applicants on a first-come-first-served basis. The Section 108 application should be submitted to the HUD Field Office applicable to the Recipient.*
- d. The Recipient's BEDI Grant application was not approved in the full amount requested. For example, all activities submitted may not have been approved, the amount of funds requested for some or all activities may have been reduced, or there may have been

BEDI Grant application must be amended so that it is consistent with the terms of HUD's approval. Please contact David Kaminsky in the Office of Economic Development at (202) 708-3484 extension 4612 upon receipt of this letter to determine the required amendments. *If this Paragraph d. applies, HUD's obligations under this Agreement are conditioned on the Recipient's submitting to HUD the applicable revised pages of your BEDI application containing the required modifications on or before September 14, 2009.*

*If paragraph a. above applies, the Related Section 108 Guarantee amount above is the amount of the final Section 108 Guarantee approved in relation to the Recipient's BEDI grant. If paragraph d. above is **not** also checked, your BEDI Grant application was approved as submitted. Since both your Section 108 loan guarantee and BEDI grant applications are approved, no further application submissions are required. You should contact HUD to request preparation of the Note and Contract for Loan Guarantee Assistance for the Related Section 108 Guarantee and the completed BEDI Grant Agreement at least six weeks, if possible, before you will need the funds to be provided under those documents. You will also be required to submit additional information to HUD as needed with respect to compliance with the conditions of the HUD-7082 for the Related Section 108 Guarantee. Furthermore, as described in the attached form of Grant Agreement, funds may not actually be withdrawn under this BEDI Grant until after HUD's execution of the Contract for Loan Guarantee Assistance and Guarantee for the related Section 108 Guarantee.*

If paragraph b. or c. above applies, HUD may request additional information as needed in connection with its review of the Recipient's Section 108 application and/or may REDUCE the amount of this BEDI Grant, or the amount of the Related Section 108 Guarantee above, or both, if HUD determines in connection with HUD's review of the Section 108 application or amendatory application under 24 CFR 570, Subpart M, that all or a portion of the approved BEDI Grant or the Related Section 108 Guarantee amount above is not justified. If this is done, the amount of the finally approved Section 108 guarantee will be the amount of the Section 108 Guarantee referred to in the BEDI Grant Agreement when received by the Recipient.

All additional submissions required under paragraphs c. and d. above must be postmarked or hand-delivered to this office **within sixty (60) days** from the date of this letter unless an extension is requested by you and approved by HUD pursuant to Section IV.B.1(c)(2) or (3) of the NOFA. Pursuant to Section VI.B.1(b) of the NOFA, HUD is authorized to de-obligate this BEDI award to the extent the related Section 108 application, in whatever form is applicable, is not approved by HUD with ten (10) months of the Transmittal Date.

You may not make any changes in your BEDI Grant application other than those required by the terms of this HUD approval letter, because this could affect the competitive basis on which your grant was awarded. In rating and ranking your BEDI Grant application, HUD has already assumed that any application revisions required by this letter will be made. Failure to

submit the required information within 60 days may result in de-obligation of the approved funds.

SPECIAL NOTE FOR APPLICANTS WHO APPLIED BASED ON SECTION IV.B.1(c)(4) OF THE NOFA. If you applied for a BEDI grant on the basis of requesting an additional amount of Section 108 guarantee assistance for a project assisted under a previously-approved Section 108 application, you must comply with the requirements for a complete Section 108 application as described in 24 CFR 570.704 for such additional section 108 funding. To the extent that parts of the previous application are applicable to the new application, copies thereof can be resubmitted as part of the new application.

SPECIAL NOTE TO ALL APPLICANTS ON PERFORMANCE REPORTING. Pursuant to Section VI.C of the NOFA, BEDI grant funds are included within the definition of Community Development Block Grant (CDBG) funds at 24 CFR 570.3. Accordingly, grantees must report specifically on the use of BEDI grant funds and Section 108 loan guarantee proceeds in the Consolidated Annual Performance and Evaluation Report (CAPER) required of CDBG grantees under 24 CFR 570.507 or 24 CFR.570.491. For each reporting period, as part of the required report to HUD, grant recipients must include a completed Logic Model (form HUD 96010), which identifies output and outcome achievements.

If you have questions on any aspect of these instructions or conditions, please contact David Kaminsky in the Office of Economic Development at 202.402.4612, as noted above.

**BROWNFIELDS ECONOMIC DEVELOPMENT (BEDI) GRANT AGREEMENT
U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

This Agreement is made and entered into by and between THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, acting by and through the Assistant Secretary for Community Planning and Development, ("HUD"), and the [insert City or County of _____, State] (the "Recipient").

1. Background; Purpose. This Agreement is authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended by section 232(a) of the Multifamily Housing Property Disposition Reform Act of 1994, codified at 42 U.S.C. 5308(q) (collectively, "the Act"). Pursuant to the Act, **[for 1998 Grants insert "on April 30, 1998, at 63 FR 23889," for 1999 Grants insert: "on February 26, 1999, at 64 FR 9799," for 2000 Grants insert: "on February 24, 2000, at 65 FR 9813," for 2001 Grants insert: "on February 26, 2001, at 66 FR 12033," for 2002 Grants insert: "on March 26, 2002, at 67 FR 14135," for 2003 Grants insert: "on April 25, 2003, at 68 FR 21002," for 2004 Grants insert: "on May 14, 2004, at 69 FR 27331", for 2005 Grants insert: "on March 21, 2005, at 70 FR 13951, and on July 26, 2005, at 70 FR 43171, for 2006 Grants insert: "on January 20, 2006, at 71 FR 3382 and on March 8, 2006, at 71 FR 11870," and for 2007 Grants insert: "on January 18, 2007 at 72 FR 2396 and on September 24, 2007 at 72 FR 54324 and on November 2, 2007 at 72 FR 62252, HUD published a Notice of Funding Availability and Program Guidelines for the Brownfields Economic Development Initiative (the "NOFA"), which set forth the terms and conditions under which units of general local government could apply for and receive grants under section 108(q) of the Act ("BEDI Grants") and related section 108 loan guarantees from HUD for Brownfields Economic Development Projects ("BEDI Projects"), as defined in the NOFA. Pursuant to the NOFA, the Recipient has applied for, and HUD has approved, a BEDI Grant for the Recipient. The purpose of this Agreement is to set forth the terms and conditions under which HUD will provide BEDI Grant funds to the Recipient in connection with the Approved BEDI Projects described in the Recipient's Approved Application, as further defined herein. The terms and conditions of the related Section 108 Guarantee (as defined in paragraph 3 hereof) are set forth in the Recipient's separate Section 108 loan guarantee application, Funding Approval, and Contract for Loan Guarantee Assistance.**

2. Approved Grant Amount, Projects, and Uses of Funds.

a. By execution of this Agreement on behalf of the Secretary in the space provided below, HUD agrees, subject to the terms of this Agreement, to provide BEDI Grant funds in the amount of [insert dollar amount of BEDI award] ("BEDI Grant").

b. This grant is approved for the following Approved BEDI Projects described in the Approved Application: [insert name of Project] ("Approved Project").

c. The grant funds shall be used in connection with the Approved Project for the following specifically Approved Uses ("Approved Uses"): *[Note: if only one approved activity, eliminate the (1) and (2); if there are additional approved activities include additional provisions, (3), (4), etc.]*

(1) *[insert description of use, including what entity will use the funds, if other than the Recipient];* pursuant to 24 CFR 570.703() *[insert appropriate citation];* and

(2) *[insert description of use, as above],* pursuant to 24 CFR 570.703() *[insert appropriate citation].*

3. Relationship to Section 108 Loan Guarantee Application. This approved BEDI Grant is conditioned upon the Recipient's receipt of Section 108 guaranteed loan proceeds for the Approved Project in an amount not less than [insert dollar amount of Section 108 guaranteed loan required as a condition of the BEDI award] (the "Section 108 Guarantee").

[Include the following "ratio" provision if needed, typically this would be when BEDI funds are being used other than for interest payments on 108 loan, issuance costs, or debt service reserve.]

Section 108 Guarantee proceeds shall be advanced and disbursed to carry out eligible activities under the Section 108 Contract for Loan Guarantee Assistance executed concurrently herewith in a ratio not less than [insert dollar amount of 108 funds required for each dollar of BEDI] of such proceeds for each \$1.00 of BEDI Grant funds disbursed for Approved Uses (the "Ratio").

4. Regulations; Approved Application. This Agreement will be governed and controlled by the following in effect as of the date of notification to the Recipient of award of this grant: the Act, the NOFA, and HUD regulations codified at 24 CFR Part 570 or incorporated therein (provisions for use of CDBG funds, to the extent applicable) (hereafter collectively referred to as the "Regulations"). The Recipient's application submissions, including the certifications and assurances and any documentation required to meet any grant award conditions, and including any amendments made in accordance with this Agreement, are hereby incorporated in this Agreement as finally approved by HUD (herein referred to as the "Approved Application"). Unless the context

otherwise requires, a reference to "this Agreement" herein shall be deemed to include the Act, the Regulations, and the Approved Application.

5. Performance Agreement of Recipient. By execution of this Agreement on its behalf in the space provided below, the Recipient agrees to carry out the Approved Project on a timely basis and otherwise in compliance with this Agreement (including the Act, the NOFA, the Regulations, and the Approved Application, except as otherwise specifically provided in this Agreement). The Recipient agrees to assure, and to accept responsibility for, such compliance by any other entities to which it makes grant funds available for, or which it otherwise allows to participate in, the Approved Project covered by this Agreement.

6. Release, Deposit, and Timing of Expenditure of Grant Funds and Program Income.

a. The Recipient agrees to comply with environmental review procedures under 24 CFR 570.200(a)(4) and 24 CFR Part 58 in order to obtain releases of grant funds under this Agreement. In particular, the Recipient must not commit local or Federal funds for the approved activities prior to obtaining HUD approval of its request for release of funds, except as provided in 24 CFR 58.22(c), 58.34 or 58.35(b).

b. Notwithstanding any other provision of the Regulations or this Agreement, the Recipient may not withdraw grant funds from the U.S. Treasury on account of the BEDI Grant under this Agreement until after execution on behalf of HUD of the Guarantee and Contract for Loan Guarantee Assistance for the applicable Approved Project described in paragraph 2 of this Agreement.

c. This BEDI Grant must be entirely withdrawn and expended for Approved Uses for the applicable Approved Project on or before [Insert date appropriate for completion of the approved activities - usually two years for BEDI, depending on the nature of the approved activities. For FY 2002 and later BEDI grants, do not exceed latest date permissible under 31 USC 1552(a)(contact OGC)].

d. All program income from this BEDI Grant is deemed to be program income of the Approved Project, which is jointly financed by the Section 108 Guarantee. The Recipient agrees that all such program income constitutes security for the repayment of the Section 108 Guarantee, shall be initially deposited in, the Loan Repayment Account established by the Recipient or its designated public agency under paragraph 6 of the Contract(s) for Loan Guarantee Assistance for the Section 108 Guarantee, and shall be disbursed for the purposes and within the time period specified in said paragraph 6 of such Contract. Upon full and complete repayment of the Section 108 Guarantee, all such program income shall be used in accordance with 24 CFR 570.504.

7. Pre-Award Costs. Notwithstanding any other provision of this Agreement or the Regulations, "the effective date of the grant agreement" for this BEDI Grant for purposes of 24 CFR 570.200(h) is the date of award of this BEDI Grant by HUD, which was [insert date of BEDI award]. "Pre-award costs" may be incurred by the Recipient prior to such date and reimbursed with BEDI Grant funds hereunder, to the extent such costs comply with 24 CFR 570.200(h) and this Agreement. The BEDI Grant funds provided hereunder may be used to pay for costs incurred on or after such date, provided such costs otherwise comply with this Agreement. However, the timing of use and the availability of the BEDI Grant funds to actually pay for such costs are subject to paragraph 6 of this Agreement.

8. Amendment; Record-Keeping.

a. This Agreement or the Approved Application may be amended only with the prior written approval of HUD. To request approval of an amendment, the Recipient shall attach the proposed revisions to the applicable pages of this Agreement or the Approved Application to a cover letter addressed as required below (see paragraph 11) for notices to HUD and signed by the Recipient's official representative for this grant. In considering proposed amendments to this Agreement or the Approved Application, HUD shall review, among other things, whether the amendment would have affected the ranking of the application in the year it was approved sufficiently to have resulted in the application not ranking high enough for funding, and whether the amendment is otherwise consistent with the Act, the Regulations, and the NOFA. Any increase in the amount of the approved BEDI Grant represents a new grant obligation by HUD and must be documented by a formal amendment to this Agreement, or a new BEDI Grant Agreement, executed on behalf of the parties by officials with the authority to execute the original Agreement.

b. The Recipient shall at all times maintain an up-to-date copy of its Approved Application, including all amendments approved in writing by HUD, and all drawdowns, deposits, and expenditures of grant funds and program income under this Agreement and any other records required by 24 CFR 570.506, in its files and available for audit or inspection by duly authorized representatives of HUD or the Comptroller General of the United States.

9. Default; Remedies. A default under this Agreement shall consist of any use of grant funds other than as authorized by this Agreement, any other noncompliance with this Agreement deemed material by HUD, or any misrepresentation or omission in the application submissions which, if known to HUD, would have resulted in this grant not being provided. If HUD determines that the Recipient is in default, HUD will give the Recipient written notice of this determination and the corrective or

remedial actions proposed by HUD to cure the default or mitigate its effects, to the extent possible, and to prevent a continuation or recurrence of the default (the "initial notice of default"). Further description of the processes of audit, performance monitoring, and the corrective and remedial actions available to HUD which apply to grants under the Act, including this BEDI Grant, is provided in 24 CFR 570, particularly Subpart O. No delay or omission by HUD in exercising any right or remedy under this Agreement shall impair HUD's ability to exercise such right or remedy or constitute a waiver of, or acquiescence in, any Recipient default.

10. Close-out. Except as may be otherwise specifically provided, close-out of this grant shall be subject to 24 CFR 570.509, or such close-out instructions as may hereafter be issued by HUD specifically for BEDI Grants.

11. General. HUD notifications to the Recipient under this Agreement may be addressed to the Recipient's address as stated in the Approved Application, unless the Recipient otherwise notifies HUD in writing. Recipient notifications to HUD shall be to the:

U.S. Department of Housing and Urban Development
Attention, Director, Financial Management Division,
451 Seventh Street, SW, Room 7180
Washington, DC 20410,

unless the Recipient is otherwise notified in writing by HUD.

The Recipient's rights under this Agreement may not be assigned without the prior written approval of HUD. This Agreement constitutes the entire Agreement between the Recipient and HUD, and it may not be amended except in writing and executed by authorized officials of both HUD and the Recipient, as provided in paragraph 8.

12. Binding Agreement. This Agreement is binding with respect to HUD in accordance with its terms upon execution by HUD in the space provided below, subject to execution on behalf of the Recipient.

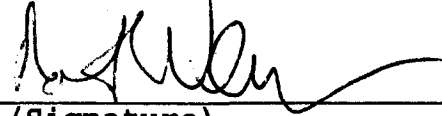
13. Special Condition(s).

There are no special conditions. [or list special condition(s)]

[Rest of Page Intentionally Left Blank]

THE UNDERSIGNED, as authorized officials on behalf of the Recipient or the Secretary, have executed this BEDI Grant Agreement, which shall be effective as of the date of execution hereof on behalf of the Secretary.

Palm Beach County, Florida
RECIPIENT

BY: 
(Signature)

Robert Weisman
(Name)

County Administrator
(Title)

August 25, 2009
(Date)

Employer Identification Number
(EIN) of Recipient

SECRETARY OF HOUSING AND URBAN
DEVELOPMENT

BY: _____
(Signature)

(Name)

(Title)

(Date)



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

REGION IV - MIAMI FIELD OFFICE
BRICKELL PLAZA FEDERAL BUILDING
909 SE. FIRST AVENUE, SUITE 500
MIAMI, FL 33131-3028

June 26, 2009

Mr. Kevin Johns, AICP
Director
Economic Development Office
Post Office Box 1989
West Palm Beach, FL 33402-1989

Dear Mr. Johns:

SUBJECT: Removal of Environmental Grant Condition
Program: BEDI – Pahoee Downtown Revitalization Project

On June 11, 2009, the U.S. Department of Housing and Urban Development received your Request for Release of Funds and Certification (RROF), form HUD-7015.15 indicating that the environmental review for the above project has been completed.

The RROF has been held for fifteen (15) days as required by HUD regulations **24 CFR Part 58** to allow the public the opportunity to object to the use of HUD funds for this project. There being no valid objections, the grant condition requiring this project to be environmentally cleared before committing BEDI funds was removed on June 26, 2009 clearance will remain in effect as long as the related environmental review is valid. Only if a new review is required will it be necessary to submit another RROF.

However, please be advised that the Section 108 application was received in the HUD Miami Field Office June 15, 2009. It is currently under review and has not been processed for approval.

This letter should be placed in the Environmental Review Record (ERR) for this project to show that the prescribed environmental review has been completed and the condition satisfied.

If you have any questions or need additional information, please contact Al Cazzoli, Senior Environmental Officer at (305) 520-5005.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Ortiz", written over a horizontal line.

Maria R. Ortiz
Director
Office of Community Planning &
Development, 4DD

JUN 29 09 12:11 PM

Grant Funds

U.S. Department of Housing
and Urban Development
Office of Community Planning
and Development

To: (name & address of Grant Recipient & name & title of Chief Executive Officer) Mr. Robert Weisman County Administrator Palm Beach County 301 North Olive Avenue West Palm Beach, FL 33401	Copy To: (name & address of SubRecipient) Mr. Kevin Johns, AICP Director Economic Development Office Post Office Box 1989 West Palm Beach, FL 33402-1989
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We received your Request for Release of Funds and Certification, form HUD-7015.15 on	June 11, 2009
Your Request was for HUD/State Identification Number	BEDI Grant


All objections, if received, have been considered. And the minimum waiting period has transpired. You are hereby authorized to use funds provided to you under the above HUD/State Identification Number. File this form for proper record keeping, audit, and inspection purposes.

PROGRAM: BEDI - Construction / Rehabilitation of Commercial Buildings

PROGRAM NAME: Pahokee Downtown Revitalization Project

PROGRAM LOCATION(s): 180 North Lake Avenue -to- 255 South Lake Avenue; 154-379 Bacom Point Road; and 137-760 East Main Street, Pahokee, Florida.

PROGRAM DESCRIPTION: The Pahokee Downtown Revitalization Project is located on a 12-block commercial corridor (distributed in three different streets), in Pahokee, Florida. The project includes the rehabilitation and construction of commercial buildings, remediation of environmental hazards and a common theme for the facade improvements. The estimated funding from HUD BEDI Grant Program is \$1,058,971.

Typed Name of Authorizing Officer Maria R. Ortiz-Hill Title of Authorizing Officer Director, CPD - HUD - Miami Office, 4DD	Signature of Authorizing Officer 	Date (mm/dd/yyyy) 06/26/2009
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Previous editions are obsolete.

form HUD-7015.16 (2/94)
ref. Handbook 6513.01



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

REGION IV - MIAMI FIELD OFFICE
BRICKELL PLAZA FEDERAL BUILDING
909 SE. FIRST AVENUE, SUITE 500
MIAMI, FL 33131-3028

June 26, 2009

Mr. Kevin Johns, AICP
Director
Economic Development Office
Post Office Box 1989
West Palm Beach, FL 33402-1989

Dear Mr. Johns:

SUBJECT: Removal of Environmental Grant Condition
Program: §108- Pahokey Downtown Revitalization Project

On June 11, 2009, the U.S. Department of Housing and Urban Development received your Request for Release of Funds and Certification (RROF), form HUD-7015.15 indicating that the environmental review for the above project has been completed.

The RROF has been held for fifteen (15) days as required by HUD regulations **24 CFR Part 58** to allow the public the opportunity to object to the use of HUD funds for this project. There being no valid objections, the grant condition requiring this project to be environmentally cleared before committing **Section 108** funds was removed on June 26, 2009 clearance will remain in effect as long as the related environmental review is valid. Only if a new review is required will it be necessary to submit another RROF.

However, please be advised that the Section 108 application was received in the HUD Miami Field Office June 15, 2009. It is currently under review and has not been processed for approval.

This letter should be placed in the Environmental Review Record (ERR) for this project to show that the prescribed environmental review has been completed and the condition satisfied.

If you have any questions or need additional information, please contact Al Cazzoli, Senior Environmental Officer at (305) 520-5005.

Sincerely,

A handwritten signature in black ink, appearing to read "Maria R. Ortiz".

Maria R. Ortiz
Director
Office of Community Planning &
Development, 4DD

Grant Funds**and Urban Development
Office of Community Planning
and Development**

To: (name & address of Grant Recipient & name & title of Chief Executive Officer) Mr. Robert Weisman County Administrator Palm Beach County 301 North Olive Avenue West Palm Beach, FL 33401	Copy To: (name & address of SubRecipient) Mr. Kevin Johns, AICP Director Economic Development Office Post Office Box 1989 West Palm Beach, FL 33402-1989
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We received your Request for Release of Funds and Certification, form HUD-7015.15 on	June 11, 2009
Your Request was for HUD/State Identification Number	Section 108 Loan

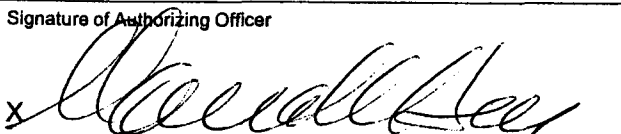
All objections, if received, have been considered. And the minimum waiting period has transpired. You are hereby authorized to use funds provided to you under the above HUD/State Identification Number. File this form for proper record keeping, audit, and inspection purposes.

PROGRAM: Section 108 Loan Program - Construction / Rehabilitation of Commercial Buildings

PROGRAM NAME: Pahokee Downtown Revitalization Project

PROGRAM LOCATION(s): 180 North Lake Avenue -to- 255 South Lake Avenue; 154-379 Bacom Point Road; and 137-760 East Main Street, Pahokee, Florida.

PROGRAM DESCRIPTION: The Pahokee Downtown Revitalization Project is located on a 12-block commercial corridor (distributed in three different streets), in Pakokee, Florida. The project includes the rehabilitation and construction of commercial buildings, remediation of environmental hazards and a common theme for the facade improvements. The estimated funding from HUD Section 108 Loan Program is \$4,000,000.

Typed Name of Authorizing Officer Maria R. Ortiz-Hill Title of Authorizing Officer Director, CPD - HUD - Miami Office, 4DD	Signature of Authorizing Officer 	Date (mm/dd/yyyy) 06/26/2009
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Previous editions are obsolete.

form HUD-7015.16 (2/94)
ref. Handbook 6513.01

2010 - 0049

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT

FUND 1539 - ECONOMIC DEVELOPMENT FUND

BGRV 764 092909*748
BGEX 764 2003 100609 *73*

ACCOUNT NAME AND NUMBER	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF	REMAINING BALANCE
<u>Revenues</u>							
764/2003/3154 BEDI Community Develop Block Grant	0	0	1,058,971		1,058,971		
TOTAL RECEIPTS & BALANCES	0	0	1,058,971	0	1,058,971		
<u>Expenditures</u>							
764/2003/8201 Contribution-Non-Govts Agncs	0	0	1,058,971		1,058,971	0	1,058,971
TOTAL APPROPRIATIONS & EXPENDITURES	0	0	1,058,971	0 0	1,058,971		

Economic Development

Signatures & Dates

BY BOARD OF COUNTY COMMISSIONERS

AT MEETING OF

October 20, 2009

Deputy Clerk to the

Board of County Commissioners

INITIATING DEPARTMENT/DIVISION
Administration/Budget Department Approval
OFMB Department - Posted

[Handwritten Signature] 10/8/09
[Handwritten Signature] 10/1/09
B-10/8/09 10/05/09