

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenue	(\$2,824,000)	_____	_____	_____	_____
Program Income (PBC)	_____	_____	_____	_____	_____
In-Kind Match (PBC)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	(\$2,824,000)	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS	_____	_____	_____	_____	_____
(Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No X

Budget Account Number:

Fund _____ Department _____ Unit _____ Object _____

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

C. Departmental Fiscal Review: *Handwritten Signature* 3/11/11

III. REVIEW COMMENTS

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

Handwritten Signature
 OFMB 3/15/10
3/19/2010

Handwritten Signature 3/19/10
 Contract Dev. and Control
3/19/10

B. Legal Sufficiency:

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 Assistant County Attorney

C. Other Department Review:

 Department Director

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

2010 - 0453

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT

Fund 1540 EDO-Section 108 Loan Fund

BGRV 764 031110*246
BGEX 764 031110*957

ACCOUNT NAME AND NUMBER	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 3/16/10	REMAINING BALANCE
<u>Revenues</u>							
764-2004-8402 Loan Proceeds	0	0	2,824,000	0	2,824,000		
TOTAL RECEIPTS & BALANCES	15,775,290	14,741,000	2,824,000	0	17,565,000		
<u>Expenditures</u>							
764-2004-8201 Contributions-Non Gov't Agency	0	0	2,824,000	0	2,824,000		2,824,000
TOTAL APPROPRIATIONS & EXPENDITURES	15,775,290	14,741,000	2,824,000	0	17,565,000		

Economic Development

Signatures & Dates

BY BOARD OF COUNTY COMMISSIONERS

AT MEETING OF

March 23, 2010

Deputy Clerk to the
Board of County Commissioners

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

[Handwritten Signature]
[Handwritten Signature]
3-15-10

[Handwritten Stamp]
3/16/2010



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

OFFICE OF THE ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

FEB 24 2010

The Honorable Robert Weisman
County Administrator
Board of County Commissioners
County of Palm Beach
301 North Olive Avenue, 11th Floor
West Palm Beach, FL 33401

Dear Mr. Weisman:

Please be informed that the County of Palm Beach's (hereafter, the "County") request for loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974, as amended, has been approved. Such assistance is to consist of the guarantee of notes or other obligations in the principal amount of \$2,824,000, plus interest thereon, which shall be issued to finance activities described in application B-09-UC-12-0004 for the Downtown Pahokee Revitalization Project.

This offer of commitment ("Commitment") is subject, however, to the conditions specified in Item 8 of the Funding Approval (Form HUD-7082).

The first condition provides that in the event the County fails to submit notes or other obligations for inspection and guarantee by the Secretary of Housing and Urban Development (HUD) before February 28, 2011, the Commitment will expire as of such date.

The second condition provides that the repayment schedule for the indebtedness evidenced by the notes or other obligations (the "Guaranteed Loan") must be acceptable to HUD.

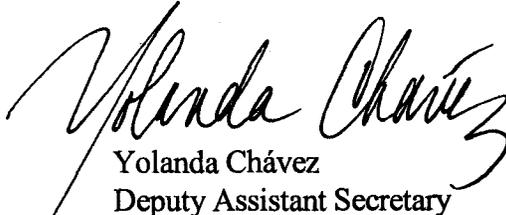
The third condition provides that the County shall provide additional security for the Guaranteed Loan and such additional security must be acceptable to HUD. The additional security shall be identified in the Contract for Loan Guarantee Assistance ("Contract"), specified by 24 CFR 570.705(b)(1), which will be executed at the time the guaranteed obligations are issued. The County's application and other supporting material identify the following additional security for the guaranteed loan: the County's interest in third-party loans secured by liens on real property, personal guarantees, equipment, accounts receivable, or inventory. Note that any real property or other assets offered as security shall be subject to loan-to-value ratios to be identified in the Contract and their value shall be supported by an appraisal acceptable to HUD.

In addition, the Contract shall provide that HUD may use existing pledged grants to prepay (or defease) the Guaranteed Loan if HUD determines that the standard pledge of future Community Development Block Grant funds is insufficient to assure payment of amounts due thereunder. HUD reserves the right to require further security upon evaluation of the foregoing security arrangements and the County may substitute other collateral security for such arrangements, subject to HUD's approval of such substitution.

guarantee application, and Subpart M of the block grant regulations governing loan guarantees, as well as such agreements, schedules, and other documentation required for submission or execution in connection therewith.

If you have any questions with respect to this letter, please contact Paul D. Webster, Director, Financial Management Division at (202) 708-1871.

Sincerely,


Yolanda Chávez
Deputy Assistant Secretary
for Grant Programs

Enclosures

Funding Approval/Agreement

Title I of the Housing and Community Development Act (Public Law 930383)

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

HI-00515R of 20515R

1. Name of Grantee (as shown in item 5 of Standard Form 424) County of Palm Beach, FL	3. Grantee's 9-digit Tax ID Number	4. Date use of funds may begin (mm/dd/yyyy)
2. Grantee's Complete Address (as shown in item 5 of Standard Form 424) 301 North Olive Avenue, 10 th floor West Palm Beach, FL 33401	5a. Project/Grant No. 1 B-09-UC-12-0004	6a. Amount Approved
	5b. Project/Grant No. 2	6b. Amount Approved
	5c. Project/Grant No. 3	6c. Amount Approved

Grant Agreement: This Grant Agreement between the Department of Housing and Urban Development (HUD) and the above named Grantee is made pursuant to the authority of Title I of the Housing and Community Development Act of 1974, as amended, (42 USC 5301 et seq.). The Grantee's submissions for Title I assistance, the HUD regulations at 24 CFR Part 570 (as now in effect and as may be amended from time to time), and this Funding Approval, including any special conditions, constitute part of the Agreement. Subject to the provisions of this Grant Agreement, HUD will make the funding assistance specified here available to the Grantee upon execution of the Agreement by the parties. The funding assistance specified in the Funding Approval may be used to pay costs incurred after the date specified in item 4 above provided the activities to which such costs are related are carried out in compliance with all applicable requirements. Pre-agreement costs may not be paid with funding assistance specified here unless they are authorized in HUD regulations or approved by waiver and listed in the special conditions to the Funding Approval. The Grantee agrees to assume all of the responsibilities for environmental review, decision making, and actions, as specified and required in regulations issued by the Secretary pursuant to Section 104(g) of Title I and published in 24 CFR Part 58. The Grantee further acknowledges its responsibility for adherence to the Agreement by sub-recipient entities to which it makes funding assistance hereunder available.

U.S. Department of Housing and Urban Development (By Name) Yolanda Chávez	Grantee Name County of Palm Beach, FL
Title Deputy Assistant Secretary for Grant Programs	Title
Signature 	Signature
Date (mm/dd/yyyy) FEB 24 2010	Date (mm/dd/yyyy)

7. Category of Title I Assistance for this Funding Action (check only one) <input type="checkbox"/> a. Entitlement, Sec 106(b) <input type="checkbox"/> b. State-Administered, Sec 106(d)(1) <input type="checkbox"/> c. HUD-Administered Small Cities, Sec 106(d)(2)(B) <input type="checkbox"/> d. Indian CDBG Programs, Sec 106(a)(1) <input type="checkbox"/> e. Surplus Urban Renewal Funds, Sec 112(b) <input type="checkbox"/> f. Special Purpose Grants, Sec 107 <input checked="" type="checkbox"/> g. Loan Guarantee, Sec 108	8. Special Conditions (check one) <input type="checkbox"/> None <input checked="" type="checkbox"/> Attached	9a. Date HUD Received Submission (mm/dd/yyyy)	10. check one <input type="checkbox"/> a. Orig. Funding Approval <input checked="" type="checkbox"/> b. Amendment Amendment Number	
		9b. Date Grantee Notified (mm/dd/yyyy)		
11. Amount of Community Development Block Grant		9c. Date of Start of Program Year (mm/dd/yyyy)		
		FY ()	FY ()	FY ()
a. Funds Reserved for this Grantee				
b. Funds now being Approved				
c. Reservation to be Cancelled (11a minus 11b)				

12a. Amount of Loan Guarantee Commitment now being Approved \$2,824,000	12b. Name and complete Address of Public Agency N/A
Loan Guarantee Acceptance Provisions for Designated Agencies: The public agency hereby accepts the Grant Agreement executed by the Department of Housing and Urban Development on the above date with respect to the above grant number(s) as Grantee designated to receive loan guarantee assistance, and agrees to comply with the terms and conditions of the Agreement, applicable regulations, and other requirements of HUD now or hereafter in effect, pertaining to the assistance provided it.	12c. Name of Authorized Official for Designated Public Agency N/A
	Title
	Signature

HUD Accounting use Only

Batch	TAC	Program	Y	A	Reg	Area	Document No.	Project Number	Category	Amount	Effective Date (mm/dd/yyyy)	F
	153											
	176											
			Y					Project Number		Amount		
			Y					Project Number		Amount		

Date Entered PAS (mm/dd/yyyy)	Date Entered LOCCS (mm/dd/yyyy)	Batch Number	Transaction Code	Entered By	Verified By
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8. Special Conditions.

- (a) In the event the public entity fails to submit notes or other obligations for inspection and guarantee by the Secretary of Housing and Urban Development (the "Secretary") before February 28, 2011, the commitment will terminate and expire as of such date.
- (b) The repayment schedule for the Guaranteed Loan must be acceptable to the Secretary.
- (c) Pursuant to 24 CFR 570.705(b)(3), the public entity shall provide additional security for the Guaranteed Loan and such additional security must be acceptable to the Secretary. The additional security shall be identified in the Contract for Loan Guarantee Assistance specified by §570.705(b)(1), which will be executed at the time the guaranteed obligations are issued.
- (d) Prior to incurring obligations to be paid with guaranteed loan funds for any activity, the public entity must obtain a written determination from the HUD Miami Field Office that each site for which an activity is being undertaken is a "brownfields" site as defined in Section I (C) of the Notice of Funding Availability for the Fiscal Year 2009 Brownfields Economic Development Initiative.
- (e) Prior to submitting notes or other obligations for inspection and guarantee by the Secretary, the public entity shall submit information required under Section 102(b) of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3531). This information shall be submitted on Form HUD-2880 to the HUD Miami Field Office.
- (f) Any amount of this commitment that is not received by the public entity as an advance under the Guaranteed Loan by September 30, 2015, will be canceled in compliance with 31 USC 1552(a).

The fourth condition provides that prior to incurring obligations to be paid with guaranteed loan funds for any activity, the County must obtain a written determination from the HUD Miami Field Office that each site for which an activity is being undertaken is a "brownfields" site as defined in Section I (C) of the Notice of Funding Availability for the Fiscal Year 2009 Brownfields Economic Development Initiative.

The fifth condition provides that prior to submitting notes or other obligations for inspection and guarantee by HUD, the County shall submit information required under Section 102(b) of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3531). This information shall be submitted on form HUD-2880 to HUD's Miami Field Office. A copy of Form HUD-2880 is enclosed for this purpose.

Please be aware that any amount of this commitment that is not received by the County as an Advance under the Guaranteed Loan by September 30, 2015, will be canceled in compliance with 31 USC 1552(a).

Please furnish us, at the address specified below, your timetable for execution of the activities described in your application. These activities will be financed through a public offering of Section 108 obligations. If you need funds prior to the next public offering, please notify HUD at the address below and instructions for obtaining interim financing will be provided.

In addition to the special conditions cited above, the release of funds for the project to be carried out with loan guarantee assistance is conditioned upon compliance by the County with all applicable provisions of the HUD Environmental Review Procedures (24 CFR Part 58). The County is reminded that these Procedures include limitations on the commitment of HUD and non-HUD funds on an activity or project prior to HUD's approval of the request for release of funds and related certification of compliance with environmental requirements. Please refer to §58.22 for a description of the limitations and the entities to whom they apply.

Please execute the three enclosed copies of the Funding Approval (Form HUD-7082) and return two copies to the Department of Housing and Urban Development, Financial Management Division, Room 7180, 451 Seventh Street, S.W., Washington, D.C. 20410. One copy should be retained for your files. The Funding Approval amends the Grant Agreement authorized by HUD on October 28, 2009, under the Funding Approval for grant number B-09-UC-12-0004 to include loan guarantee assistance. The Grant Agreement thereby incorporates this Funding Approval, the loan