

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: October 05, 2010 [X] Consent [] Regular
Department: Housing and Community Development
Submitted By: Housing and Community Development

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: A Resolution authorizing the County Administrator or his designee to sign Request for Release of Funds and Certification forms (HUD-7015.15) as the duly designated Certifying Officer to comply with environmental grant conditions for projects proposed to be funded under federal programs, including, but not limited to the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and Neighborhood Stabilization (NSP) Programs.

Summary: CDBG, HOME and NSP funded projects must comply with 24 CFR Part 58, which establishes regulations concerning the Environmental Review (ER) procedures for these programs. Under these regulations, the County is required to: A) aggregate geographically or functionally, all activities into projects; B) determine which project is in need of an environmental assessment and, where applicable, issue an environmental clearance finding; C) publish the finding to receive public input; and D) execute and submit Form HUD-7015.15 to the U.S. Department of Housing and Urban Development (HUD). This form documents and certifies to HUD that all steps have been taken with respect to HUD's environmental procedures and that the County assumes the responsibilities that would otherwise apply to HUD under the National Environmental Policy Act (NEPA), in addition to whatever other responsibilities the County may have to comply with (local, state and federal environmental laws and authorities). HUD responds to this request with a form authorizing the use of grant funds. Projects and activities undergoing the ER process have already been approved for funding by the BCC, therefore, to expedite the process and expend federal funds in a timely manner, this resolution is presented. CDBG Program funds are Federal funds that require no local match. HOME Program funds will require a local match that will be provided by program income from the State Housing Initiative Partnership (SHIP) Program. Countywide (TKF)

Background and Justification: Over the course of a grant year, an average of four (4) projects require submission of individual HUD-7015.15 forms to HUD in order to receive authorization to use grant funds, and every five years, approximately ten (10) projects need to be updated and submitted to HUD for approval. Unfortunately, these projects may not be environmentally cleared at the same time, and may require the preparation of multiple agenda items in order to prepare the forms needed for the release of Federal funding. In order to streamline the ER process and to create a more efficient method to process the volume of projects/activities already approved by the BCC for the above programs, this Resolution is presented.

- Attachments:**
1. Resolution
2. HUD-7015.15

Recommended By: Edward P. Powell 9/2/2010
Department Director Date

Approved By: Sharon O'Byrne 9-21-10
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

<u>Fiscal Years</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs:	_____	_____	_____	_____	_____
External Revenues:	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County):	_____	_____	_____	_____	_____
NET FISCAL IMPACT:	_____	_____	_____	_____	_____
# OF ADDITIONAL FTE POSITIONS (Cumulative):	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____

Budget Account #: Fund _____ Dept _____ Unit _____ Object _____

Program Code/Program Period _____

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

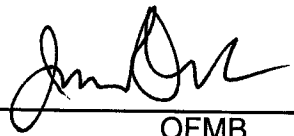
No fiscal impact

C. Departmental Fiscal Review:


 Fiscal Manager I

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:



 OFMB
 JB 9/14/10 9/18/10



 Contract Dev and Control 9/16/10

B. Legal Sufficiency:



 Senior Assistant County Attorney

C. Other Department Review:

_____ Department Director

RESOLUTION R-2010-

RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO SIGN REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION FORMS (HUD-7015.15) AS THE DULY DESIGNATED CERTIFYING OFFICER TO COMPLY WITH ENVIRONMENTAL GRANT CONDITIONS FOR PROJECTS PROPOSED TO BE FUNDED UNDER FEDERAL PROGRAMS, INCLUDING, BUT NOT LIMITED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP (HOME), AND NEIGHBORHOOD STABILIZATION (NSP) PROGRAMS.

WHEREAS, Palm Beach County, acting as a responsible entity, prepares environmental assessments for specific projects and activities under the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and Neighborhood Stabilization (NSP) Programs, in order to comply with HUD regulations; and

WHEREAS, Palm Beach County is required to submit a Request for Release of Funds and Certification form (HUD-7015.15), signed by the duly designated Certifying Officer of the responsible entity, to the appropriate HUD Field Office in order to proceed with specific projects and activities funded by the CDBG, HOME, and NSP Programs; and

WHEREAS, Palm Beach County cannot proceed to spend funds under the CDBG, HOME, and NSP Programs without first receiving the Authority to Use Grant Funds form from HUD for specific projects and activities; and

WHEREAS, Specific projects and activities funded through the CDBG, HOME, and NSP Programs must expend grant monies in an expeditious manner; and

WHEREAS, A more efficient method of processing a growing volume of forms needs to be established for specific projects and activities approved by the Board of County Commissioners for the CDBG, HOME and NSP Programs;

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

The County Administrator or his designee is authorized to sign Request for Release of Funds and Certification forms (HUD-7015.15) as the duly designated Certifying Officer to comply with environmental grant conditions for projects proposed to be funded under the Community Development Block Grant (CDBG, HOME Investment Partnership (HOME), and Neighborhood Stabilization (NSP) Programs.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and being put to a vote, the vote was as follows:

BURT AARONSON, Chair	-
KAREN T. MARCUS, Vice Chair	-
VACANT (DISTRICT 2)	-
SHELLY VANA	-
STEVEN L. ABRAMS	-
JESS R. SANTAMARIA	-
PRISCILLA A. TAYLOR	-

The Chairperson thereupon declared the Resolution duly passed and adopted this _____ day of October, 2010.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL SELF SUFFICIENCY

**ATTEST:
SHARON R. BOCK, Clerk and
Comptroller**

By: 

Tammy K. Fields, Senior Asst. County Attorney

By: _____
Deputy Clerk

Request for Release of Funds and Certification

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

OMB No. 2506-0087
(exp. 3/31/2011)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s)	2. HUD/State Identification Number	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)	5. Name and address of responsible entity	
6. For information about this request, contact (name & phone number)	7. Name and address of recipient (if different than responsible entity)	
8. HUD or State Agency and office unit to receive request		

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s)	10. Location (Street address, city, county, State)
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11. Program Activity/Project Description

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.
4. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
5. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
6. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

7. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
8. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity X	Title of Certifying Officer
	Date signed

Address of Certifying Officer

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient X	Title of Authorized Officer
	Date signed

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)