

5D-1

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: November 16, 2010 [] Consent [X] Regular
[] Public Hearing
Department: Housing and Community Development
Submitted By: Housing and Community Development

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: An Agreement with the Community Land Trust of Palm Beach County, Inc. (CLT) in the amount of \$4,523,006, funded under the Neighborhood Stabilization Program-2 (NSP2) for the development and construction of twenty-five (25) multi-family rental units to be used for affordable rental housing, for the period of November 16, 2010, through December 15, 2012.

Summary: On July 11, 2006, Palm Beach County entered into an Agreement (R-2009-1348) with the Housing Partnership, Inc., wherein the County agreed to purchase 7.29 acres of land located on Davis Road just south of Melaleuca Lane in unincorporated Palm Beach County. The land was purchased with Community Development Block Grant (CDBG) funds in the name of the Housing Partnership, Inc., who agreed to the eventual transfer of its title to a recipient to be selected by the County. On January 13, 2009, the County entered into an Agreement (R-2009-0144) with the CLT whereby the CLT received title to this land from the Housing Partnership, Inc. Within the competitive NSP2 application process, HCD proposed this project as an activity under the Neighborhood Redevelopment Program, and the project was approved by the U.S. Department of Housing and Urban Development.

This Agreement provides for the development and construction of twenty-five (25) residential multi-family rental housing units located within the County's Urban Redevelopment Area. The Agreement requires the CLT to develop the portion of land east of Davis Road for the construction of two garden-style buildings, one of which will contain twelve (12) rental units, a second building which will contain thirteen (13) rental units, and a community room. The project will be called "Davis Landings", and CLT will assure that at least 55% of the units shall be rented to tenants whose household incomes are at or below 50% of the area median income (AMI), of which 25% of the units shall be rented to tenants whose household incomes are at or below 30% of the AMI. The remaining units shall be rented to tenants whose household incomes are at or below 120% of the AMI. The CLT will select its development team either in accordance with current Palm Beach County Purchasing policies or in accordance with CLT purchasing policies which have already received County staff approval. CLT is required to have developed, constructed, obtained certificates of occupancy, and have all twenty-five (25) units occupied with eligible tenants by December 15, 2012. **These are Federal Neighborhood Stabilization Program grant funds that require no local match.** (District 3) (TKF)

Background and Justification:

On July 7, 2009 (R-2009-1122), the Board of County Commissioners delegated authority to the County Administrator to execute the application to the U.S. Department of Housing and Urban Development and approved proposed NSP2 projects. On February 11, 2010, the County Administrator entered into a Grant Agreement (B-09-LN-FL-0021) with the U. S. Department of Housing and Urban Development for the receipt of \$50,000,000 under NSP2.

Attachments:

1. Agreement with the Community Land Trust of Palm Beach County, Inc., w/ Exhibits A to K
2. Insurance Certificate
3. Agreement with Housing Partnership, Inc. (R-2006-1348)
4. Agreement with Community Land Trust of Palm Beach County, Inc. (R-2009-0144)

Recommended By: Edward R. Pommer 11/5/2010 Date
Department Director
Approved By: Sharon R. [Signature] 11/15/10 Date
Assistant County Administrator

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Grants & Aids	4,523,006				
Operating Costs					
External Revenues	(4,523,006)				
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	-0-	-0-			


# ADDITIONAL FTE POSITIONS (Cumulative)	-0-	-0-			
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Is Item Included In Current Budget? Yes XX No
 Budget Account No.:

Fund 1112 Dept 143 Unit 1426 Object 8201 Program Code/Period N2157GY09

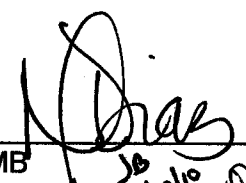
B. Recommended Sources of Funds/Summary of Fiscal Impact:

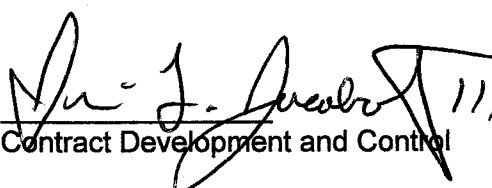
Funding for this agreement with the CLT of PB will be provided by the Neighborhood Stabilization 2 grant.

C. Departmental Fiscal Review:  11-8-10
 Shairette Major, Fiscal Manager I

III. REVIEW COMMENTS

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


 OFMB 11/10/10

 11/12/10
 Contract Development and Control

B. Legal Sufficiency:

This Contract complies with our contract review requirements.

 11/15/10
 Senior Assistant County Attorney

C. Other Department Review:

 Department Director

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