

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: December 21, 2010 [XX] Consent [] Regular
Department: Housing and Community Development
Submitted By: Housing and Community Development

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: The following three (3) Fiscal Year 2010-2011 Grant Agreements with the U.S. Department of Housing and Urban Development (HUD):

- A) Agreement for the Community Development Block Grant (CDBG) Program- \$7,351,246;
- B) Agreement for the Home Investment Partnership (HOME) Agreement- \$2,777,679; and
- C) Agreement for the Emergency Shelter Grants (ESG) Program- \$299,384.

Summary: In accordance with County PPM CW-0-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The attached HUD grant agreements have been fully executed on behalf of the Board of County Commissioners (Board) by Commissioner Burt Aaronson acting as Board Chair, and are now being submitted to the Board to receive and file. Countywide (TKF)

Background and Justification or Background and Policy Issues: As a result of approving the County's FY 2010-2011 Action Plan, HUD on October 7, 2010, transmitted the Fiscal Year 2010-11 Grant Agreements and Funding Approvals for the CDBG, ESG, and HOME Program to Palm Beach County for execution and return to HUD. These Funding Approval/Agreement Forms constitute the contracts with HUD which make \$10,428,309 in federal funds available to the County's line of credit with the U.S. Treasury.

Attachments:

- A. Funding Approval/Agreement (HUD-7082, CDBG)
- B. Funding Approval/Agreement (HUD-40093, HOME)
- C. ESG Program Local Government Grant Agreement

Recommended By: Edward W. Jones
Department Director

12/6/2010
Date

Approved By: Sharon G. Jones
Assistant County Administrator

12/14/2010
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures					
Operating Costs:	\$10,428,309				
External Revenues:	(\$10,428,309)				
Program Income (County)					
In-Kind Match (County):					
NET FISCAL IMPACT:					
	-0-				
# OF ADDITIONAL FTE POSITIONS (Cumulative):	N/A				

Is Item Included In Current Budget? Yes X No _____

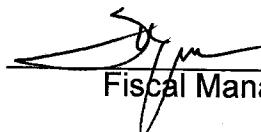
Budget Account #: Fund Various Dept 143 Unit Various Object Various

Program Code/Program Period Various

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

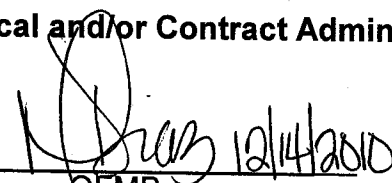
Approval of this agenda item will appropriate \$10,428,309 to Palm Beach County Housing and Community Development for the Community Development Block Grant (\$7,351,246), Emergency Shelter Grants (\$299,384), and HOME (\$2,777,679) Programs for Fiscal Year 2010-2011 via the letter of credit with the U.S. Treasury.

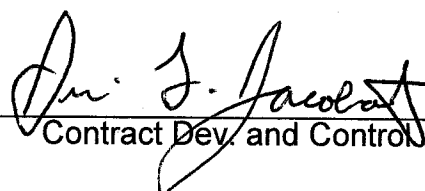
C. Departmental Fiscal Review:

 12-6-10
Fiscal Manager I

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

 12/14/10
OFMB
12/13/10
12/10/10

 12/14/10
Contract Dev. and Control

B. Legal Sufficiency:

 12/13/10
Senior Assistant County Attorney

C. Other Department Review:

Department Director

Funding Approval/Agreement

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

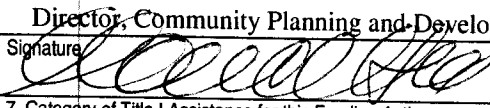
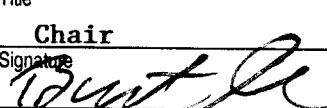
U.S. Department of Housing and Urban Development

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) Palm Beach County	3. Grantee's 9-digit Tax ID Number 59-6000785	4. Date use of funds may begin (mm/dd/yyyy) 10/1/2010
2. Grantee's Complete Address (as shown in item 5 of Standard Form 424) 301 North Olive Avenue, 12 Floor West Palm Beach, FL 33401 DUNS # 078470481	5a. Project/Grant No. 1 B-10-UC-12-0004	6a. Amount Approved \$7,351,246
	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) Maria R. Ortiz-Hill		Grantee Name Burt Aaronson		
Title Director, Community Planning and Development		Title Chair		
Signature 	Date (mm/dd/yyyy) 10/7/2010	Signature 	Date (mm/dd/yyyy) 11/09/2010	
7. Category of Title I Assistance for this Funding Action (check only one) <input checked="" 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 type="checkbox"/> g. Loan Guarantee, Sec 108	8. Special Conditions (check one) <input checked="" type="checkbox"/> None <input type="checkbox"/> Attached	9a. Date HUD Received Submission (mm/dd/yyyy) 8/6/2010	10. check one <input checked="" type="checkbox"/> a. Orig. Funding Approval <input type="checkbox"/> b. Amendment Amendment Number	
		9b. Date Grantee Notified (mm/dd/yyyy)		
11. Amount of Community Development Block Grant		FY (2010)		FY ()
a. Funds Reserved for this Grantee				
b. Funds now being Approved		7351246		
c. Reservation to be Cancelled (11a minus 11b)				

12a. Amount of Loan Guarantee Commitment now being Approved	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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24 CFR 570

form HUD-7082 (4/93)

Attachment A

Funding Approval and HOME
Investment Partnerships Agreement
Title II of the National Affordable Housing Act

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

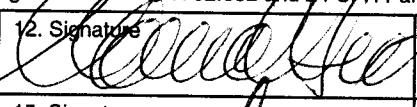

OMB Approval No. 2506-0171
(Exp. 05/31/2007)

Public reporting burden for this collection of information is estimated to average 1 hour 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.

The HOME statute imposes a significant number of data collection and reporting requirements. This includes information on assisted properties, on the owners or tenants of the properties, and on other programmatic areas. The information will be used: 1) to assist HOME participants in managing their programs; 2) to track performance of participants in meeting fund commitment and expenditure deadlines; 3) to permit HUD to determine whether each participant meets the HOME statutory income targeting and affordability requirements; and 4) to permit HUD to determine compliance with other statutory and regulatory program requirements. This data collection is authorized under Title II of the Cranston-Gonzalez National Affordable Housing Act or related authorities. Access to Federal grant funds is contingent on the reporting of certain project-specific data elements. Records of information collected will be maintained by the recipients of the assistance. Information on activities and expenditures of grant funds is public information and is generally available for disclosure. Recipients are responsible for ensuring confidentiality when public disclosure is not required.

1. Participant Name and Address Palm Beach County 301 North Olive Avenue, 12 Floor West Palm Beach, FL 33401 DUNS # 078470481		2. Participant Number M-10-UC-12-0215	
		3. Tax Identification Number 59-6000785	
		4. Appropriation Number	
		5. FY (yyyy) 2010	
6. Previous Obligation (Enter "0" for initial FY allocation)			\$
a. Formula Funds		\$	
b. Community Housing Development Org. (CHDO) Competitive		\$	
7. Current Transaction (+ or -)			\$ 2,777,679
a. Formula Funds		\$ 2,777,679	
1. CHDO (For deobligations only)		\$	
2. Non- CHDO (For deobligations only)		\$	
b. CHDO Competitive Reallocation or Deobligation (see #18 below)		\$	
8. Revised Obligation			\$
a. Formula Funds		\$	
b. CHDO Competitive Reallocation		\$	
9. Special Conditions (check applicable box) <input checked="" type="checkbox"/> Not applicable <input type="checkbox"/> Attached		10. Date of Obligation (Congressional Release Date) (mm/dd/yyyy) 10 / 7 / 2010	

This Agreement between the Department of Housing and Urban Development (HUD) and the Participating Jurisdiction/Entity is made pursuant to the authority of the HOME Investment Partnerships Act (42 U.S.C. 12701 et seq.). The Participating Jurisdiction's /Entity's approved Consolidated Plan submission/Application and the HUD regulations at 24 CFR Part 92 (as is now in effect and as may be amended from time to time) and this HOME Investment Partnership Agreement, form HUD-40093, including any special conditions, constitute part of this Agreement. Subject to the provisions of this Agreement, HUD will make the funds for the Fiscal Year specified, available to the Participating Jurisdiction/Entity upon execution of this Agreement by the parties. All funds for the specified Fiscal Year provided by HUD by formula reallocation are covered by this Agreement upon execution of an amendment by HUD, without the Participating Jurisdiction's execution of the amendment or other consent. HUD's payment of funds under this Agreement is subject to the Participating Jurisdiction's/Entity's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to 24 CFR 92.502. To the extent authorized by HUD regulations at 24 CFR Part 92, HUD may, by its execution of an amendment, deobligate funds previously awarded to the Participating Jurisdiction/Entity without the Participating Jurisdiction's/Entity's execution of the amendment or other consent. The Participating Jurisdiction/Entity agrees that funds invested in affordable housing under 24 CFR Part 92 are repayable when the housing no longer qualifies as affordable housing. Repayment shall be made as specified in 24 CFR Part 92. The Participating Jurisdiction agrees to assume all of the responsibility for environmental review, decision making, and actions, as specified and required in regulation at 24 CFR 92.352 and 24 CFR Part 58.

11. For the U.S. Department of HUD (Name and Title of Authorized Official) Maria R. Ortiz-Hill, Director, Community Planning and Dev.	12. Signature 	13. Date 10 / 7 / 2010
14. For the Participating Jurisdiction/Entity (Name and Title of Authorized Official) Burt Aaronson, Chair	15. Signature 	16. Date 11 / 09 / 2010

17. Check one:

☒ Initial Agreement

☐ Amendment # _____

18. Funding Information:

Source of Funds	Appropriation Code	PAS Code	Amount
			\$
			\$
			\$

CHDO Competitive Reallocation

Source of Funds	Appropriation Code	PAS Code	Amount
			\$
			\$

Attachment B

Form HUD-40093 (04/2004)

CCR Search Results

Not to be used as certifications and representations. See [ORCA](#) for official certification.

Registration Status: Active in CCR; Registration valid until 06/23/2011.

DUNS: 078470481

DUNS PLUS4:

CAGE/NCAGE: 1RFV4

Legal Business Name: COUNTY OF, PALM BEACH

Doing Business As (DBA): BOARD OF COMMISSIONS

Division Name:

Division Number:

Company URL:

Physical Street Address 1: 301 N OLIVE AVE FRNT

Physical Street Address 2:

Physical City: WEST PALM BEACH

Physical State: FL

Physical Foreign Province:

Physical Zip/Postal Code: 33401-4705

Physical Country: USA

Mailing Name: PALM BEACH COUNTY FINANCE DEPARTMENT

Mailing Street Address 1: P O BOX 4036

Mailing Street Address 2:

Mailing City: WEST PALM BEACH

Mailing State: FL

Mailing Foreign Province:

Mailing Zip/Postal Code: 33402-4036

Mailing Country: USA

Business Start Date: 10/01/1909

Delinquent Federal Debt: No

CORPORATE INFORMATION

Type of Organization

U.S. Government Entity

Business Types/Grants

12 - U.S. Local Government

C7 - County

V2 - Grants

Addendum to "Funding Approval and HOME Investment Partnerships Agreement" (HUD-40093)

I. Central Contractor Registration and Universal Identifier Requirements.

A. Requirement for Central Contractor Registration (CCR).

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for Data Universal Numbering System (DUNS) numbers.

If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

C. Definitions. For purposes of this award term:

1. Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at <http://www.ccr.gov>).
2. Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
 - a. A Governmental organization, which is a State, local government, or Indian tribe;
 - b. A foreign public entity;
 - c. A domestic or foreign nonprofit organization;
 - d. A domestic or foreign for-profit organization; and
 - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
4. Subaward:
 - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the

attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").

c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. Subrecipient means an entity that:

a. Receives a subaward from you under this award; and

b. Is accountable to you for the use of the Federal funds provided by the subaward.

Grant No.: S-10-UC-12-0016
Official Contact Person: Ms. Elena M. Escovar
Telephone No: (561) 656-3601
FAX: (561) 656-7557
Email No: eescobar@pbcgov.org
Tax ID No: 59-6000785
Unit of Government No: 129099
DUNS # 078470481

**FY 2010 LOCAL GOVERNMENT GRANT AGREEMENT
EMERGENCY SHELTER GRANTS PROGRAM**

This Grant Agreement is made by and between the United States Department of Housing and Urban Development (HUD) and Palm Beach County the Grantee, for FY 2010 of the Emergency Shelter Grants Program in the amount of **\$ 299,384**. This grant was authorized by Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act, 42 USC 11301 (1988), as amended (the "Act"). In addition, the grant operates through HUD's regulations at 24 CFR Part 576, as now in effect and as may be amended from time to time, which are incorporated as part of this Agreement.

In reliance upon the Consolidated Plan and certifications, the Secretary agrees, upon execution of the Grant Agreement, to provide the Grantee with the agreed grant funds. The grantee must comply with requirements for record keeping and annual performance reporting to HUD within 90 days after the close of its consolidated program year, as required by 24 CFR 91.520. This includes the periodic information collected through HUD's Integrated Disbursements and Information System (IDIS). The grantee's IDIS reporting must include information on grant activities, project sponsors, project sites, and beneficiaries (including racial and ethnic data on participants). This information will be used for program monitoring and evaluation purposes.

The grantee agrees to comply with all applicable laws and regulations in distributing funds provided under this Grant Agreement and to accept responsibility for ensuring compliance by recipient entities which may receive funding assistance.

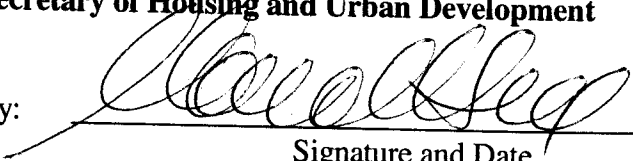
The grantee agrees to comply with the provisions of the environmental requirements of 24 CFR Part 58 as applicable under 24 CFR 576.57(e) with respect to funds provided under this Grant Agreement.

Attachment C

The grantee further agrees to provide sufficient detail on matching funds so as to identify the specific sources and amounts of the funds as required by 42 USC 11375(a)(1).

The following parties execute this Grant Agreement on the dates set forth below as follows:


UNITED STATES OF AMERICA
Secretary of Housing and Urban Development

By:  10/7/2010
Signature and Date

Maria R. Ortiz-Hill
Name of Signatory

Community Planning and Development Director
Title

GRANTEE

By:  11/09/2010
Signature and Date

Burt Aaronson
Typed Name of Signatory

Chair
Title