Agenda Item #: 3I-6

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

## **AGENDA ITEM SUMMARY**

| Meeting Date: September 13, 2011 | [ X ] Consent<br>[  ] Ordinance | [ ] Regular<br>[ ] Public Hearing |
|----------------------------------|---------------------------------|-----------------------------------|
|----------------------------------|---------------------------------|-----------------------------------|

**Department:** Housing & Community Development

Submitted By: Housing & Community Development

### I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt : a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, amending the prior Resolution (R2008-2154), and authorizing the County Administrator, or his designee, to execute Standard Forms 424, Certifications, subrecipient agreements and amendments thereto, and all other documents related to the implementation of the Neighborhood Stabilization Program (NSP-1).

**Summary:** On November 18, 2008, the BCC adopted Resolution R2008-2154, which established the authority of the County Administrator or his designee to sign the NSP-1 Grant Application and Request for Release of Funds. In order to meet strict deadlines imposed by the United States Department of Housing and Urban Development (HUD) and for the timely expenditure of the funds under the NSP-1 Program, the BCC is being requested to authorize the County Administrator, or his designee, to sign the aforementioned documents, and any other HUD required documents. The Department of Housing and Community Development (HCD) will act in accordance with County PPM CW-O-051 and submit a receive and file agenda item for all delegated subrecipient agreements, amendments, and HUD forms. (HCD - Contract Development) County-wide (TKF)

Background and Justification: On July 30, 2008, the Housing and Economic Recovery Act of 2008, known as HERA, appropriated \$3.92 Billion under the Act's Emergency Assistance for Redevelopment of Abandoned and Foreclosed Homes provisions, currently known as NSP-1. On November 18, 2008, the BCC approved Resolution (R2008-2154) authorizing HCD amend its Fiscal Year 2007-2008 Community Development Action Plan (AP), submit an application to HUD under NSP-1, and authorized the County Administrator or his designee execute the Grant Application and Request for Release of Funds. Subrecipient agreements with various entities are needed in order to implement funded projects. Additionally, such subrecipient agreements occasionally require amendments to revise the scope of work, increase funding, extend deadlines, or to incorporate new requirements. (Continued on Page 3)

## **Attachments:**

1. Proposed Resolution

2. Resolution R2008-2154

Recommended By: Church M. John 8/1

Approved By:

Assistant County Admir istrator

D

## II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:

| Fiscal Years                                     | 2011             | 2012                   | 2013         | 2014       | 2015     |
|--|------------------|------------------------|--------------|------------|----------|
| Capital Expenditures                             |                  |                        |              |            |          |
| Operating Costs                                  |                  |                        |              |            |          |
| External Revenues                                |                  |                        |              |            |          |
| Program Income                                   |                  |                        |              |            |          |
| In-Kind Match (County)                           | :                |                        |              |            |          |
| NET FISCAL IMPACT                                | -0-              |                        |              |            |          |
| # ADDITIONAL FTE<br>POSITIONS<br>(Cumulative)    | -0-              |                        |              |            |          |
| Is Item Included In Curre<br>Budget Account No.: | -                |                        |              |            |          |
| FundDepart                                       | Unit             | Obj                    | ectP         | rogram Cod | e/Period |
| B. Recommended So                                | no Fiscal Imp    | pact.                  |              |            |          |
| C. Departmental Fisc                             | al Review: _     | Shairette              | Major, Fisca | <u> </u>   | -        |
|  | III. <u>RE</u> V | /IEW COMI              | <u>WENTS</u> |            |          |
| A. OFMB Fiscal and/                              | or Contract      | Developme              | ent and Cont | rol Commen | its:     |
| OFM  B. Legal Sufficiency                        | 1/2 S 19/2       | <u>on</u>              | Mtract Deve  | Jewese     | Control  |
| Senior Assistant                                 | County Attor     | <u>42</u> 3/1/<br>rney |              |            |          |
| C. Other Departmen                               | : Review:        |                        |              |            |          |
| Departmen  | Director         | <u> </u>               |              |            |          |

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

**Background and Policy Issues (continued from page 1):** Amendments to subrecipient Agreements need to be finalized quickly in order to expend the funds during the contract period and prevent the possibility of HUD recapturing any unused funds. Granting signatory authority to the County Administrator, or his designee, will allow HCD to act timely in the event of any unanticipated program changes and will assist in the successful implementation of all approved activities.

#### **RESOLUTION NO. R 2011-**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS (BCC) OF PALM BEACH COUNTY, FLORIDA, AMENDING THE PRIOR RESOLUTION (R2008-2154), AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE STANDARD FORMS 424, CERTIFICATIONS, SUBRECIPIENT AGREEMENTS AND AMENDMENTS THERETO, AND ALL OTHER DOCUMENTS RELATED TO THE IMPLEMENTATION OF THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP-1).

**WHEREAS**, the Grant Application of the Neighborhood Stabilization Program (NSP-1) was authorized by Resolution R2008-2154 on November 18, 2008, by the Board of County Commissioners of Palm Beach County;

**WHEREAS**, the authorization was granted to HCD to sign for the Grant Application and request for release of NSP-1 funds;

WHEREAS, the Standard Form 424 and various certification forms are required to be executed by an Authorized Representative of Palm Beach County; and

**WHEREAS**, the expeditious signing of required documents and agreements is necessary to meet HUD's deadlines and to timely implement the funded activities.

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

THAT Resolution R2008-2154 is hereby amended to read as follows:

The foregoing Resolution was offered by Commissioner

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

The County Administrator, or his designee, is authorized to execute the Neighborhood Stabilization Program 1 grant application, Standard Forms 424, Certifications, Agreement with U.S. Department of Housing and Urban Development (HUD), Request for Release of Funds, Subrecipient Agreements and amendments thereto, and all other documents related to implementation of the Neighborhood Stabilization Program.

who moved

| BY:  | BY:                            |                  |
|--|--------------------------------|------------------|
| APPROVED AS TO FORM<br>AND LEGAL SUFFICIENCY   | ATTEST:<br>SHARON R.BOCK, Clei | rk & Comptroller |
| PALM BEACH COUNTY, FLORIDA, BY IT  | S BOARD OF COUNTY CO           | MMISSIONERS      |
| The Chair thereupon declared the Resolution, 2011.                                     | on duly passed and adopted     | thisday of       |
| COMMISSIONER JESS R. SA<br>COMMISSIONER PRISCILLA                                      |                                |                  |
| COMMISSIONER BURT AAR  | ONSON -                        |                  |
| COMMISSIONER PAULETTE<br>COMMISSIONER STEVEN L   |                                |                  |
| COMMISSIONER KAREN T. COMMISSIONER SHELLEY   | VANA, VICE CHAIR -             |                  |
| its adoption. The motion was seconded by being put to a vote, the vote was as follows: | Commissioner                   | , and upon       |

## **RESOLUTION NO. R-2008-** 2154

RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO SIGN THE NEIGHBORHOOD STABILIZATION PROGRAM GRANT APPLICATION, AGREEMENT WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), AND REQUEST FOR RELEASE OF FUNDS.

WHEREAS, The State of Florida is one of the hardest hit states nationwide by the current crisis in the real estate industry; and

WHEREAS, Palm Beach County has experienced more than 12,000 homes foreclosed upon or in the foreclosure process as of September 30, 2008; and

WHEREAS, the Palm Beach County Board of County Commissioners intends to utilize all available resources to enable the full recovery of the County's housing and real estate industry from its current negative condition; and

WHEREAS, on July 30, 2008 the President of the United States signed the Housing and Economic Recovery Act of 2008 (HERA) which appropriated \$3.92 billion for emergency assistance for the acquisition and redevelopment of abandoned and foreclosed homes and residential properties; and

WHEREAS, a component of HERA called the Neighborhood Stabilization Program (NSP), granted to Palm Beach County \$27,700,340 to be used for the purchase, rehabilitation and redevelopment of abandoned and foreclosed homes and other community properties; and

WHEREAS, on September 29, 2008 Palm Beach County was officially notified of the NSP funding allocation, the application submission deadline of December 1, 2008, and the 18 month time frame for expending and/or obligating the entire NSP award.

# 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 the Neighborhood Stabilization Program grant application and agreement with the U.S. Department of Housing and Urban Development (HUD), and Request for Release of Funds.

| The foregoing Resolution was offered by Commissioner                             | Marcus   |   | , who moved its    |  |
|--|----------|---|--------------------|--|
| adoption. The motion was seconded by Commissioner_vote, the vote was as follows: | Aaronson |   | , and being put to |  |
| KAREN T. MARCUS  |          | - | Aye                |  |
| <b>JOHN F. KOONS</b> Burt Aaronson   |          | - | Aye<br>Aye         |  |
| MARY MCCARTY Shelley Vana  |          | - | Aye<br>Ave         |  |

JESS R. SANTAMARIA
Addie L. Greene

The Chairperson thereupon declared the Resolution duly passed and adopted this \_\_\_\_day of November, 2008.

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

Aye

Aye

APPROVED AS TO FORM AND LEGAL SELF SUFFICIENCY

ATTEST:

SHARON R. BOCK, Clerk and

Comptroller

Fammy K. Fields, Senior Asst. County Attorney

will the

Attachment 2