344

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

#### AGENDA ITEM SUMMARY

MEETING DATE:	November 17, 2015	[X] Consent	[] Regular
		[] Workshop	[] Public Hearing
Department:	Office of Equal Oppo	ortunity	
Submitted By:	Office of Equal Oppo	ortunity	
		YEALTN'S DRIES	

## I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) Ratify the Vice Mayor's signature on a Cooperative Agreement No. FF204K154023 with the U.S. Department of Housing and Urban Development (HUD) allowing the Office of Equal Opportunity (OEO) to receive revenue for processing and resolving housing discrimination complaints for the period of July 1, 2014 through June 30, 2015 in the total amount of \$260,825; and
- **B)** Ratify the Director, Office of Equal Opportunity (OEO)'s signature on the 2015 Addendum to the Memorandum of Understanding (MOU) with HUD, retroactive to January 29, 2015, which addresses the work sharing relationship in effect between OEO and HUD regarding the processing and referral of complaints of housing discrimination; and
- C) Delegate authority to the County Administrator or her designee, OEO Director, to sign renewals and extensions of the MOU with HUD that do not change the scope of work or terms and conditions; and
- **D) Approve** a Budget Amendment in the HUD Fair Housing Fund (Fund 1252) in the amount of \$160,825 to recognize the increased grant revenue and charge-off from the General Fund; and
- **E) Approve** a Budget Transfer in the General Fund (Fund 0001) in the amount of \$160,825 to recognize the increase charge off to Fund 1252.

**Summary:** OEO has an Addendum to the Memorandum of Understanding with HUD through 2020. In order for OEO to receive revenue from HUD for processing and resolving housing discrimination complaints, execution of this contract was required prior to September 30, 2015 in order for OEO to meet HUD's FY 2015 federal funding deadlines. This Cooperative Agreement is in the amount of \$260,825 (\$176,700 - case processing; \$31,625 - training funds; \$52,500 - administrative costs). This agenda item deals with the ability for OEO to receive revenue under the agreement with HUD. OEO cannot receive the revenue without the Board's approval. The agreement to receive the revenue needed to be signed by the Mayor. The Vice Mayor signed the agreement on September 24, 2015 for OEO to receive the revenue but the full Board needs to ratify the Vice Mayor's signature. Countywide (DRO)

**Background and Policy Issues:** On February 4, 1997, the BCC approved an Agreement between OEO and HUD which provided for the processing and referral of housing discrimination complaints between the respective agencies. In each year since 1997, HUD has provided revenue to OEO for the processing of dual-filed complaints of housing discrimination. Under the terms of the FY 2014-2015 contract, HUD will provide funds to OEO in the total amount of \$260,825.

# Attachments:

1. Cooperative Agreement (HUD Form 1044).

2. Memorandum from Director, OEO to Mayor, BCC

3. 2015 Addendum to the Memorandum of Understanding (MOU)

4. Budget Amendment

5.	Budget	Transfer

Approved by:

Assistant County Administrator

Accommended by:

22 Octobe, 20 15

Department Director

Date

Assistant County Administrator

Date

# **II. FISCAL IMPACT ANALYSIS**

A. Five Year Summary of F	iscal Imp	oact:				
Fiscal Years Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County)	2015 \$0 (160,82	2016 ——— 25) ————	2017	2018	2019	
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	-0-	
# ADDITIONAL FTE POSITIONS (Cumulative)	0	0	0	0	_0	
Is Item Included in Current Budget Account No.: Fund_Reporting Category	Budget? Age -	Yes ency	Org	No Obje	X ect	
B. Recommended Sources	of Fund	s/Summa	ary of Fis	scal Impa	act:	
These funds are to be paid to Urban Development for Fair Freimburse for fiscal year 2015  C. Departmental Fiscal Rev	lousing a	ctivities.	The fund	s being re	eceived are	e to
A. OFMB Fiscal and/or Con  A. OFMB Fiscal and/or Con  A. OFMB Fiscal and/or Con  A. OFMB  B. Legal Sufficiency:  Assistant County Attorn  C. Other Department Review	tract De	A	ontrol Ce	_	10%	23/15
Department Director						

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

Assistance Instrument		2. Type of Action	
Cooperative Agreement	Grant	Award Amendm	ent
3. Instrument Number	4. Amendment Number	5. Effective Date of this Action	6. Control Number
FF204K154023			
7. Name and Address of Recipient Palm Beach County Office of Ed	uial Opportunity	8. HUD Administering Office U.S. Department of HUD/FH	EO
301 N. Olive Ave., 10 <sup>th</sup> Floor	luar Opportunity	Five Points Plaza, 16 <sup>th</sup> Floor	10
West Palm Beach, Florida 33401	TAX ID# 59-6000785	40 Marietta Street	
DUNS # 078470481		Atlanta, GA 30303-2806	
		8a. Name of Administrator	8b. Telephone Number
		Carlos Osegueda	678-732-2905
10. Recipient Project Manager		9. HUD Government Technical Repr	esentative
Pamela Guerrier, Executive Dire	ayment Method	Adoniram Vargas  13. HUD Payment Office	
	reasury Check Reimbursement	HUD CFO Accounting Cent	-or
	Advance Check	P. O. Box 901013, Fort Worth	
☐ Fixed Price ☐ A	Automated Clearinghouse	P. O. Box 901013, Fort World	n, 1 × 70101
14. Assistance Amount		15. HUD Accounting and Appropria	
Previous HUD Amount	\$0	15a. Appropriation Number	15b. Reservation number
HUD Amount this action	\$260,825.00	8615/160144 (TIN) (F,15)	FHEO-04-15-02
Total HUD Amount	\$260,825.00	Amount Previously Obligated	\$0
Recipient Amount	\$ 0	Obligation by this action	\$260,825.00
Total Instrument Amount  16. Description	\$260,825.00	Total Obligation	\$260,825.00
CASE PROCESSING: (07/01 CAUSE CASES FILED IN CI ADMINISTRATIVE HEARI FY 2015 TRAINING FUNDS:	IVIL COURT OR ING HELD (0)	\$176,700.00 Jame 1a Gu	TO TERMS AND CONDITION  Terrier, Director,  E Equal Opportunity
ADMINISTRATIVE COSTS (		\$52,500.00	Equal opportunity
TOTAL CONTRACT AMOU	NT:	\$260,825.00	
EXPIRATION DATE: 9/30/20	20	APPROVED AS SUFFICIENCY Cour	FORM AND LEGAL
of this document to the H	ign and return four (4) copies UD Administering Office		ed to sign this document.
19. Recipient (By Name) Pamela Guerrier, Executive Dir Palm Beach County Office of E	Equal Opportunity	20. HUD (By Name) Carlos Osegueda, FHEO Re	gion IV Director/CAO
Signature & Title  Shelley Vana, Mayo	Bodger 9/24/15.	Signature & Title	Date (mm/dd/yyyy)
Palm Beach County Board of County Co	ommissioners	·	form HUD-1044 (8/90) ref. Handbook 2210.17



#### Office of Equal Opportunity

301 N. Olive Avenue, 10<sup>th</sup> Floor
West Palm Beach, FL 33401
(561) 355-4884

FAX: (561) 355-4932 www.pbcgov.org/equalopportunity

#### Palm Beach County Board of County Commissioners

Shelley Vana, Mayor
Mary Lou Berger, Vice Mayor
Hal R. Valeche
Paulette Burdick
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

### **County Administrator**

Verdenia C. Baker

An Equal Opportunity Affirmative Action Employer

# INTEROFFICE MEMORANDUM

DATE:

September 23, 2015

TO:

Shelley Vana, Mayor

**Board of County Commissioners** 

THRU:

Verdenia C. Baker, County Administrator

FROM:

Pamela Guerrier, Director

Office of Equal Opportunity

RE:

**HUD FY 2015 Complaint Resolution Contract** 

The U. S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, has awarded the Office of Equal Opportunity a total of \$260,825 for processing and resolving dual-filed housing discrimination complaints. This revenue is for cases processed during the period July 1, 2014 thru June 30, 2015.

In order for OEO to receive this revenue, the contract requires approval by the Board of County Commissioners. To meet HUD's fiscal year end funding deadlines, these funds must be obligated immediately. Therefore, urgent approval is needed so that the HUD deadline can be met.

It is requested that the attached HUD Contract (HUD Form 1044) be signed by the Mayor of the Board of County Commissioners so that it can be forwarded to HUD via overnight mail. Four (4) copies of the 1044 are enclosed for signature. HUD requires 4 originals.



OEO has prepared an Agenda Item to present this contract item to the Board for ratification of the Mayor's signature at the October 20, 2015 BCC meeting.

If there are any questions concerning this request, or if additional information is needed, please contact me at 355-2558.

cc: David R. F. Ottey, Chief Assistant County Attorney

Assistance Instrument		2. Type of Action				
Cooperative Agreement	Grant	Award Amendmen	t			
3. Instrument Number	4. Amendment Number	5. Effective Date of this Action	6. Control Number			
FF204K154023						
7. Name and Address of Recipient		8. HUD Administering Office				
Palm Beach County Office of E 301 N. Olive Ave., 10 <sup>th</sup> Floor	qual Opportunity	U.S. Department of HUD/FHEO Five Points Plaza, 16 <sup>th</sup> Floor	0			
West Palm Beach, Florida 3340	1 TAX ID# 59-6000785	40 Marietta Street				
DUNS # 078470481		Atlanta, GA 30303-2806				
		8a. Name of Administrator	8b. Telephone Number			
		Carlos Osegueda	678-732-2905			
10. Recipient Project Manager		9. HUD Government Technical Represe	entative			
Pamela Guerrier, Executive Dire	ector	Adoniram Vargas				
	Payment Method	13. HUD Payment Office				
	Freasury Check Reimbursement  Advance Check	HUD CFO Accounting Center	•			
	Advance Check Automated Clearinghouse	P. O. Box 901013, Fort Worth,	TX 76101			
14. Assistance Amount		15. HUD Accounting and Appropriation	n Data			
Previous HUD Amount	\$ O	15a. Appropriation Number	15b. Reservation number			
HUD Amount this action	\$260,825.00	8615/160144 (TIN) (F,15)	FHEO-04-15-02			
Total HUD Amount	\$260,825.00	Amount Previously Obligated	\$0			
Recipient Amount	\$ 0	Obligation by this action	\$260,825.00			
Total Instrument Amount	\$260,825.00	Total Obligation	\$260,825.00			
	1/2014 THRU 06/30/2015: (87) IVIL COURT OR ING HELD (0) : (AC):	\$176,700.00 \$0.00 Pamela Gue \$31,625.00 Office of \$52,500.00 \$260,825.00	TO TERMS AND CONDITION  Errier, Director, Equal Opportunity  FORM AND LEGAL			
17. Recipient is required to s	sign and natural face (4) continu	Count				
of this document to the H	sign and return four (4) copies IUD Administering Office	18. Recipient is not required	w sign mis document.			
19. Recipient (By Name) Pamela Guerrier, Executive Di Palm Beach County Office of I	Equal Opportunity	20. HUD (By Name)  Carlos Osegueda, FHEO Region	on IV Director/CAO			
Shelley Vana, Mayor Palm Beach County		Signature & Title	Date (mm/dd/yyyy)  form HUD-1044 (8/90)			
Board of County C			ref. Handbook 2210.17			

Assistance Instrument		2. Type of Action				
Cooperative Agreement	Grant	Award Amendment				
3. Instrument Number FF204K154023	4. Amendment Number	5. Effective Date of this Action	6. Control Number			
7. Name and Address of Recipient Palm Beach County Office of Eq 301 N. Olive Ave., 10 <sup>th</sup> Floor West Palm Beach, Florida 33401 DUNS # 078470481		8. HUD Administering Office U.S. Department of HUD/FHEC Five Points Plaza, 16 <sup>th</sup> Floor 40 Marietta Street Atlanta, GA 30303-2806	)			
		8a. Name of Administrator 8b. Telephone Number				
10. Recipient Project Manager		Carlos Osegueda  9. HUD Government Technical Represer	678-732-2905			
Pamela Guerrier, Executive Dire	ctor	Adoniram Vargas	ALLE TO			
	ayment Method	13. HUD Payment Office				
	reasury Check Reimbursement	HUD CFO Accounting Center				
	dvance Check automated Clearinghouse	P. O. Box 901013, Fort Worth, 7	TX 76101			
14. Assistance Amount		15. HUD Accounting and Appropriation	Data			
Previous HUD Amount	\$ 0	15a. Appropriation Number	15b. Reservation number			
HUD Amount this action	\$260,825.00	8615/160144 (TIN) (F,15)	FHEO-04-15-02			
Total HUD Amount	\$260,825.00	Amount Previously Obligated	\$0			
Recipient Amount	\$0	Obligation by this action	\$260,825.00			
Total Instrument Amount	\$260,825.00	Total Obligation	\$260,825.00			
CASE PROCESSING: (07/01 CAUSE CASES FILED IN CI ADMINISTRATIVE HEARI FY 2015 TRAINING FUNDS: ADMINISTRATIVE COSTS (	VIL COURT OR NG HELD (0)	\$176,700.00 Vamo S \$0.00 Pame La Gue:	TO TERMS AND CONDITIONS rrier, Director, Equal Opportunity			
TOTAL CONTRACT AMOUN	·	\$260,825.00				
EXPIRATION DATE: 9/30/202	20	APPROVED AS TO SUFFICIENCY	FORM AND LEGAL Attorney			
of this document to the H	gn and return four (4) copies UD Administering Office	18. Recipient is not required to	sign this document.			
19. Recipient (By Name) Pamela Guerrier, Executive Dir Palm Beach County Office of E	ector	20. HUD (By Name) Carlos Osegueda, FHEO Regio	n IV Director/CAO			
Signature & Title  Shelley Vana, Mayo	Date (mm/dd/yyyy)  G 24 5.	Signature & Title	Date (mm/dd/yyyy)			
Palm Beach County Board of County Co	ommissioners		form HUD-1044 (8/90) ref. Handbook 2210.17			

1. Assistance Instrument		2. Type of Action			
Cooperative Agreement	Grant	Award	Amendment		
3. Instrument Number FF204K154023	4. Amendment Number	5. Effective Date of the	nis Action	6. Control Number	
7. Name and Address of Recipient Palm Beach County Office of E 301 N. Olive Ave., 10 <sup>th</sup> Floor West Palm Beach, Florida 3340 DUNS # 078470481		8. HUD Administerin U.S. Department Five Points Plaza 40 Marietta Stree Atlanta, GA 3030	of HUD/FHEO , 16 <sup>th</sup> Floor t		
		8a. Name of Adminis	trator	8b. Telephone Number	
		Carlos Osegueda		678-732-2905	
10. Recipient Project Manager		9. HUD Government	-	ntative	
Pamela Guerrier, Executive Dire		Adoniram Vargas  13. HUD Payment Of			
	Payment Method Freasury Check Reimbursement	HUD CFO Acco			
Cost Sharing	Advance Check Automated Clearinghouse	P. O. Box 901013	•	X 76101	
14. Assistance Amount	Automatod Clouringhouse	15. HUD Accounting	and Appropriation	Dota	
Previous HUD Amount	\$ 0	15a, Appropriation N		15b. Reservation number	
HUD Amount this action	\$260,825.00	8615/160144 (TIN) (I	: 15)	FHEO-04-15-02	
Total HUD Amount	\$260,825.00	Amount Previous		\$0	
Recipient Amount	\$0	Obligation by this		\$260.825.00	
Total Instrument Amount	\$260,825.00	Total Obligation		\$260,825.00	
16. Description	4200,023.00	Total Congation		W200,023.00	
INCORPORATES ALL PREV	•	FUNDS ARE DESI APPPR \$176,700.00	GNATED AS I	FOLLOWS: LO TERMS AND CONDITIONS	
FY 2015 TRAINING FUNDS	• •	\$0.00 Pamela Guerrier, Director, \$31,625.00 Office of Equal Opportunity			
ADMINISTRATIVE COSTS		\$52,500.00			
TOTAL CONTRACT AMOU	NT:	\$260,825.00			
EXPIRATION DATE: 9/30/20	020		VED AS TO	FORM AND LEGAL Attorney	
of this document to the I	ign and return four (4) copies IUD Administering Office			o sign this document.	
19. Recipient (By Name) Pamela Guerrier, Executive Di Palm Beach County Office of I		20. HUD (By Name Carlos Osegued:		n IV Director/CAO	
Shelley Vana, Mayor Palm Beach County		Signature & Title		Date (mm/dd/yyyy)  form HUD-1044 (8/90)	
Board of County C	ommissioners			ref. Handbook 2210.17	

Assistance Instrument		2. Type of Action				
Cooperative Agreement	Grant	Award Amendmen	t			
3. Instrument Number	4. Amendment Number	5. Effective Date of this Action	6. Control Number			
FF204K154023						
7. Name and Address of Recipient		8, HUD Administering Office				
Palm Beach County Office of E	qual Opportunity	U.S. Department of HUD/FHE	O			
301 N. Olive Ave., 10 <sup>th</sup> Floor		Five Points Plaza, 16th Floor				
West Palm Beach, Florida 3340 DUNS # 078470481	1 TAX ID# 59-6000785	40 Marietta Street				
DUNS # 0/84/0481		Atlanta, GA 30303-2806				
		8a. Name of Administrator	8b, Telephone Number			
		Carlos Osegueda	678-732-2905			
10. Recipient Project Manager		9. HUD Government Technical Represe	entative			
Pamela Guerrier, Executive Dire		Adoniram Vargas				
	Payment Method Freasury Check Reimbursement	13. HUD Payment Office				
	Advance Check	HUD CFO Accounting Center				
	Automated Clearinghouse	P. O. Box 901013, Fort Worth,	TX 76101			
14. Assistance Amount		15. HUD Accounting and Appropriation	n Data			
Previous HUD Amount	\$ 0	15a, Appropriation Number	15b. Reservation number			
HUD Amount this action	\$260,825.00	8615/160144 (TIN) (F,15)	FHEO-04-15-02			
Total HUD Amount	\$260,825.00	Amount Previously Obligated	\$0			
Recipient Amount	\$ 0	Obligation by this action	\$260,825.00			
Total Instrument Amount  16. Description	\$260,825.00	Total Obligation	\$260,825.00			
CASE PROCESSING: (07/0 CAUSE CASES FILED IN C ADMINISTRATIVE HEAR FY 2015 TRAINING FUNDS ADMINISTRATIVE COSTS	ING HELD (0) :	\$176,700.00 June   \$0.00 Pamela Gue	TO TERMS AND CONDITIONS  rrier, Director, Equal Opportunity			
TOTAL CONTRACT AMOU	NT:	\$260,825.00				
EXPIRATION DATE: 9/30/20	020	APPROVED AS SUFFICIENCY	FORM AND LEGAL Attorney			
of this document to the H	ign and return four (4) copies IUD Administering Office	18. Recipient is not required	to sign this document.			
19. Recipient (By Name) Pamela Guerrier, Executive Di Palm Beach County Office of )		20. HUD (By Name) Carlos Osegueda, FHEO Regio	on IV Director/CAO			
Signature & Title  May Cook  Shelley Vana, May Cook  The Property of the Cook  Shelley Vana, May Cook	Borger 9/24/15.	Signature & Title	Date (mm/dd/yyyy)			
Palm Beach County Board of County C	ommissioners		form HUD-1044 (8/90) rcf. Handbook 2210.17			



# U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-2000

FEB 2 5 2015

Ms. Pamela Guerrier
Director
Palm Beach County Office of Equal Opportunity
215 N. Olive Avenue, Suite 130
West Palm Beach, Florida 33401

Dear Ms. Guerrier:

Attached for your records is an executed copy of the 2015 Addendum to the *Memorandum* of Understanding between the U. S. Department of Housing and Urban Development (HUD) and the Palm Beach County Office of Equal Opportunity (OEO). The 2015 Addendum renews and extends OEO's Memorandum of Understanding with the Department until February 12, 2020.

The Department will continue to monitor OEO's performance in accordance with 24 CFR part 115 as well OEO's compliance with any written agreements between HUD and OEO related to OEO's participation in the Fair Housing Assistance Program.

Congratulations to OEO on receiving continued certification.

Sincerely,

Joseph A. Pelletier, Esq.

Director, Fair Housing Assistance Program

Attachment

cc: Carlos Osegueda, FHEO Region IV Director (w/attachment)

www.hud.gov

espanol.hud.gov

# 2015 ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING BETWEEN

# THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

#### AND

#### PALM BEACH COUNTY OFFICE OF EQUAL OPPORTUNITY

#### I. PURPOSES

The purpose of this 2015 Addendum to the Memorandum of Understanding (hereinafter "2015 Addendum") is to renew and extend the original Memorandum of Understanding (MOU) between the Department of Housing and Urban Development and the Palm Beach County Office of Equal Opportunity (OEO). The 2015 Addendum also provides updates to certain provisions of the MOU as specified at section IV herein.

#### II. AUTHORITY

The federal Fair Housing Act, at Section 810(f)(5), requires that "not less frequently than every five years, the Secretary shall determine whether each agency certified under this subsection continues to qualify for certification." The implementing regulation at 24 C.F.R. Section 115.208(a) states "if the Assistant Secretary affirmatively concludes that the agency's law and performance have complied with the requirements of this part in each of the five years of certification, the Assistant Secretary may renew the certification of the agency."

On July 15, 2013, the agency certified that the Palm Beach County Fair Housing Ordinance, both "on its face" and "in operation" continues to provide substantive rights, procedures, remedies and judicial review procedures for alleged discriminatory housing practices that are substantially equivalent to those provided in the federal Fair Housing Act. During the five years of certification, the Department's regional office has conducted performance assessments of the agency.

In accordance with 24 C.F.R. Section 115.208, a determination of continued certification is based on the performance assessments and the agency certification.

# III. RENEWAL AND EXTENSION OF CERTIFICATION

The MOU between the Department and OEO expired on April 17, 2013. The 2015 Addendum renews and extends the MOU for five years from the date it is signed by all appropriate signatories.

#### IV. UPDATES

The MOU is updated as follows:

Any and all references in the MOU to 24 C.F.R. 115.207 are changed to 24 C.F.R. 115.203.

Any and all references in the MOU to 24 CFR 103.40(b) are changed to 24 C.F.R. 103.25 and 103.30.

Any and all references to 24 C.F.R. 115.4 are changed to 24 C.F.R. 115.206.

Section IV(A)(1) in the MOU now reads:

Complaints first received by HUD. When a complaint is filed with HUD and alleges a discriminatory housing practice that is within the jurisdiction of the Agency, the Field Office will *refer the complaint by TEAPOTS to the Agency*. The Department will take no action with respect to the complaint, except for reactivation as set forth in Section V of this MOU.

Additionally, a referral does not prohibit the Department from taking appropriate action to review or investigate matters in the complaint that raise issues cognizable under other civil rights authorities applicable to HUD programs. If possible, the Department will include in the transmittal of the complaint, information as to whether other civil rights authorities are applicable. If the Department cannot make a determination that other civil rights authorities apply within three days of the receipt of the complaint, the Department will forward the complaint and provide such additional information as soon as it is determined.

# The following is added as Section IV (K):

#### **Initial Contact Date**

- (1) The Agency must use the Initial Contact Date field in TEAPOTS to record the actual date on which the complainant first contacts the Agency or FHEO to inquire about filing a housing discrimination complaint, or to report an alleged discriminatory housing practice. The Agency will be required to comply with the following procedures with respect to documenting a complainant's initial contact. For cases initially filed with the Agency, the Agency must:
  - a. Maintain records of each complainant's initial contact with the Agency, including records of all telephone, email, letters, and in-person contacts;
  - b. Place the original record of a complainant's initial contact, or a copy of that record, in the case file under the complainant's evidence section of the file, consistent with the requirements of Chapter 10 of the Title VIII Manual; and
  - c. Ensure that the Initial Contact Date field in TEAPOTS reflects the earliest date of contact referenced in the case file.

- (2) For complaints initially filed with FHEO, the Agency:
  - a. Must ensure that the Initial Contact Date field in TEAPOTS reflects the earliest date of contact referenced in the case file referred to the Agency by FHEO.
  - b. Must not change the date that FHEO entered in the Initial Contact Date field in TEAPOTS even if records contained in the case file received from FHEO reflect a later date of contact by the complainant. If FHEO has entered an initial date of contact in TEAPOTS that is earlier than any contact date referenced in the case file, the Agency must contact the Field Office to obtain any records of contact that may have been omitted from the case file.

The Agency's Cooperative Agreement will be modified to require compliance with these requirements, and FHEO Field Office Staff will evaluate compliance with these requirements during performance assessments of the Agency. Test calls will periodically be made to determine whether the Agency is maintaining appropriate documentation of complainants' initial telephone inquiries. Failure to comply with these requirements for accurately documenting initial contact data in TEAPOTS may result in reductions in the payments that the Agency receives for investigating complaints. Entering correct initial contact data in the TEAPOTS system is essential to FHEO's ability to monitor the timeliness of the Agency's investigations.

#### IX. TRAINING now reads:

The Agency must send staff to mandatory training sponsored by HUD, including, but not necessarily limited to, the National Fair Housing Training Academy and the National Fair Housing Policy Conference. The HUD Government Technical Representative assigned to the Agency will monitor compliance with this requirement, and assist the Agency in determining the appropriate staff and number of persons to attend training.

#### XVI. EFFECTIVE DATE now reads:

The MOU is extended for five years from the date it is signed by all appropriate signatories.

#### V. STATEMENT OF INTENTION

In order to maintain its certification, the OEO agrees to comply with all aspects of the revised 24 C.F.R. Part 115, published in the Federal Register on April 16, 2007. In addition, the OEO hereby specifically agrees to comply with the following provisions:

# §115.208(b)(2) "Procedures for renewal of certification"

In determining whether to renew the certification of an agency, the Assistant Secretary's review may include, but is not limited to:

(2) The agency's own certification that the State or local fair housing law continues to be substantially equivalent both "on its face" and "in operation;" (i.e., there have been no amendments to the State or local fair housing law, adoption of rules or procedures concerning the fair housing law, or judicial or other authoritative interpretations of the fair housing law that limit the effectiveness of the agency's fair housing law).

# §115.211(a)(1) – (3) "Changes limiting effectiveness of agency's law; Corrective actions; Suspension; Withdrawal; Consequences of repeal; changes not limiting effectiveness"

- (1) If a State or local fair housing law that HUD has previously deemed substantially equivalent to the Act is amended; or rules or procedures concerning the fair housing law are adopted; or judicial or other authoritative interpretations of the fair housing law are issued, the certified agency must inform the Assistant Secretary of such amendment, adoption, or interpretation within 60 days of its discovery.
- (2) The requirements of this section shall apply equally to the amendment, adoption, or interpretation or any related law that bears on any aspect of the effectiveness of the agency's fair housing law.

(3) The Assistant Secretary may conduct a review to determine if the amendment, adoption, or interpretation limits the effectiveness of the certified agency's fair housing law.

# §115.310 "FHAP and the First Amendment"

None of the funding made available under the FHAP may be used to investigate or prosecute any activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that may be protected by the First Amendment of the United States Constitution. HUD guidance is available that sets forth the procedures HUD will follow when it is asked to accept and dual-file a case that may implicate the First Amendment of the United States Constitution.

#### VI. LIAISON

The signatories agree to name a specific individual as well as an alternate, to serve as the principal contact person for each and all communications between them. The individuals so designated are:

For the Department:

Liaison Kica Johnson, UTM

Alternate Adonnam Vargas, 372

For the Agency:

Liaison Pamela Eyerner, mector

Alternate Salina Johnson

# 7

#### VII. SIGNATURES

Executed by the undersigned on the dates shown below, pursuant to the respective authorizations of the U.S. Department of Housing and Urban Development and the OEO.

General Deputy Assistant Secretary for Fair Housing and Equal Opportunity

7

FHEO Region IV Director

Director, Palm Beach County Office of Equal Opportunity 1:/20/2015 Date

Date

29/anuan 2015. Date )

APPROVED AS TO TERMS AND CONDITIONS

Pamela Guerrier, Director Office of Equal Opportunity

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

County Attorney

15- //39

# BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA BUDGET AMENDMENT

BGRV 092315\*645 BGEX 092315\*1843

# 1252 - HUD Fair Housing

							EXPENDED/	
		ORIGINAL	CURRENT			ADJUSTED	<b>ENCUMBERED</b>	REMAINING
ACCT.NUMBER	ACCOUNT NAME	BUDGET	BUDGET	INCREASE	DECREASE	BUDGET	AS OF 9/23/15	BALANCE
REVENUES								
402-4131-3169	Fed Grant Other Human Services	100,000	100,000	160,825	0	260,825		
	Total	103,952	103,175	160,825	0	264,000		
EXPENDITURES								
402-4131-1080	Personal Services - Indirect	0	0	160,825	0	160,825		
•	Total	103,952	103,175	160,825	0	264,000		190,290
INITIATING DEP	PARTMENT/DIVISION	Signatures .	·	Date 25 September	2015		By Board of County C At Meeting of	Commissioners
Administration/Budg OFMB Department -	get Department Approval Posted	Merzh	m	10/9/15			Deputy Clerk to the Board of County Con	nmissioners

15-

# BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA BUDGET TRANSFER

BGEX 092315\*1842

# 0001 - General Fund

		ODICTUAT	CYTERIA				EXPENDED/	
			CURRENT			ADJUSTED	<b>ENCUMBERED</b>	REMAINING
ACCT.NUMBER	ACCOUNT NAME	BUDGET	BUDGET	INCREASE	DECREASE	BUDGET	<b>AS OF 7/28/15</b>	BALANCE
<b>EXPENDITURES</b>								
400-4130-1070	Charge-Off Personal Services	0		0 0	160,825	-160,825	. 0	-160,825
820-9900-9901	Contingency Reserves	0		0 160,825	0	160,825	0	160,825
				20,000				
		Signatures		Date			By Board of County C	Commissioners
	PARTMENT/DIVISION get Department Approval - Posted	- Janel of	<u> </u>	25 Septembe 10/9/15	2015.		At Meeting of  Deputy Clerk to the  Board of County Con	nmissioners