Agenda Item #: 6C-3

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 5, 2020 [] Consent [X] Regular

[] Ordinance [] Public Hearing

Department: Department of Housing and Economic Sustainability

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- **A) Approve** the allocation of \$3,935,468 of Community Development Block Grant Coronavirus (CDBG-CV) Program funding;
- **B) Approve** the allocation of \$1,941,176 of Emergency Solutions Grant Coronavirus (ESG-CV) Program funding;
- **C) Approve** a budget amendment of \$5,876,644 to appropriate funds in the CARES Act Relief Fund 1160;
- **D) Authorize** the County Administrator, or designee, to execute CDBG-CV and ESG-CV grant agreements with the U.S. Department of Housing and Urban Development (HUD), grant certifications, and all other documents necessary to secure the grant awards; and
- **E) Authorize** the County Administrator, or designee, to execute subrecipient funding agreements, amendments thereto, and all other documents necessary for implementation of the CDBG-CV and ESG-CV Programs.

Summary: On April 2, 2020, HUD notified Palm Beach County of the award of \$3,935,468 CDBG-CV and \$1,941,176 ESG-CV to respond to the Coronavirus (COVID-19) pandemic. Staff proposes allocation of CBDG-CV funds to activities assisting lower-income persons and businesses adversely impacted by COVID-19, including rental assistance, foreclosure prevention, housing counseling, feeding programs, small business assistance and program administration. (Attachment 1). Housing counseling will be provided through up to eight (8) local HUD or NeighborWorks certified housing counseling agencies. Staff proposes allocation of ESG-CV funds to activities mitigating the impact of COVID-19 on the homeless and those at risk of homelessness, including rental assistance, rapid re-housing, the Homeless Management Information System, transportation, and program administration (Attachment 2). The proposed budget amendment is necessary to allow for discrete accounting of the grant funds (Attachment 3). In addition to assistance provided directly to small businesses through this funding, DHES will modify as needed the scope of services in our Economic Development Partner Agreements to mitigate and make adjustments regarding services and deliverables due to COVID-19. To expedite delivery of grant resources to meet urgent community needs, staff requests delegation of signatory authority to the County Administrator or designee for grant agreements with HUD, subrecipient funding agreements, and other documents necessary or grant implementation. These are Federal CDBG-CV and ESG-CV grant funds which require no local match. Countywide (HJF)

Background and Justification: On March 27, 2020, President Trump signed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, in response to the COVID-19 pandemic. The CARES Act included \$5 billion CDBG-CV and \$4 billion ESG-CV for formula allocations to States and local governments to prevent, prepare, and respond to the COVID-19. The CARES Act offers unusual flexibilities to facilitate grant implementation, including the reduction of public comment periods to five (5) days, total exemption from ESG matching requirements, suspension of the cap on CDBG public services, and reimbursement for allowable costs incurred before the award of funding. The County must expend the ESG-CV funds within two (2) years and the CDBG-CV funds within five (5) years.

Attachment(s):

- 1. Proposed Uses of CDBG-CV
- 2. Proposed Uses of ESG-CV
- 3. Budget Amendment
- 4. CDBG-CV Grant Award Letter from HUD dated 4/2/20
- 5. ESG-CV Grant Award Letter from HUD dated 4/2/20

Recommended By:	Snotton Brown	4/20/2020
•	Department Director	Date
Approved By:	Doma a. Mille	4/22/2000.
	Assistant County Administrator	[/] Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

	scal Years	2020	2021	2022	2023	2024
Ca	apital Expenditures					
O	perating Costs	\$5,876,644				
Ex	ternal Revenues	(\$5,876,644)				
Pr	ogram Income					
In-	-Kind Match (County)					
NE	ET FISCAL IMPACT	-0-				
	ADDITIONAL ETE				1	1
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Department Director

CARES Act Community Development Block Grant – Proposed Uses of Funding

Activity	Amount	Implementing	Comments
Rental Assistance	\$635,468	PBC CSD	Funds to expand current homeless prevention program to provide emergency rental/utility assistance for households up to 80% AMI impacted by COVID-19.
Foreclosure Prevention	\$1,250,000	PBC DHES	Funds to supplement existing foreclosure prevention program to meet increased demand from COVID-19.
Housing Counseling	\$250,000	PBC DHES Subrecipients	Grant agreements to no more than 8 local HUD and/or Neighborworks-certified housing counseling agencies for counseling to COVID-19 affected households.
Small Business Assistance	\$470,000	PBC DHES	Loan deferment for all existing Palm Beach County 108 business loans.
Small Business Grants	\$280,000	PBC DHES	Payroll protection for micro- businesses (5 employees or less) impacted by COVID-19 that are unable to secure a sufficient amount of SBA/DEO funding.
Feeding Program	\$300,000	PBC CSD / Subrecipients	CSD food voucher distribution and/or grant awards to local feeding programs for COVID-19 persons impacted by COVID-19.
Program Administration	\$750,000	PBC DHES & CSD	County costs of administering CARES CDBG. Capped at 20% of total grant award.
TOTAL	\$3,935,468		

CARES Act Emergency Solutions Grant – Proposed Uses of Funding

Activity	Amount	Implementing	Description
Rental Assistance / Homeless Prevention	\$930,000	PBC CSD	Funds to expand current homeless prevention program to provide emergency rental assistance for households up to 50% AMI impacted by COVID-19.
Rapid Re-Housing	\$750,000	PBC CSD	Funds to place COVID-19 impacted homeless individuals and families into rental housing and provide temporary rental subsidy for up to 12 months.
HMIS	\$61,000	PBC CSD	Enhancements to Homeless Management Information System to capture COVID-19 data and to expand system to include current non-users.
Transportation	\$6,059	PBC CSD	Bus passes, gas vouchers, and other transportation for COVID-19 impacted persons.
Program Administration	\$194,117	PBC CSD & DHES	County costs of administering CARES CDBG. Capped at 10% of total grant award.
TOTAL	\$1,941,176		



BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA BUDGET AMENDMENT

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BGEX-143-041420000000000001245 BGRV-143-0414200000000000000448

FUND 1160 - CARES Act Relief Fund

Use this form to provide budget for items not anticipated in the budget.

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 04/16/2020	REMAINING BALANCE
REVENUE								
143-1446-3154	Community Development Block Grant	0	0	3,935,468	0	3,935,468	0	3,935,468
143-1447-3154	Community Development Block Grant	0	0	1,941,176	0	1,941,176	0	1,941,176
	TOTAL REVENUE	0	0	5,876,644	0	5,876,644		
EXPENDITURES								
143-1446-8201	Contributions - Non Governmental Agency	0	0	300,000	0	300,000	0	300,000
143-1446-8301	Contributions for Individuals	0	0	2,885,468	0	2,885,468	0	2,885,468
143-1446-9902	Operating Reserves	0	0	750,000	0	750,000	0	750,000
143-1447-8201	Contributions - Non Governmental Agency	0	0	1,747,05 9	0	1,747,05 9	0	1,747,05 9
143-1447-9902	Operating Reserves	0	0	194,11 7	0	194,11 7	0	194,117
	TOTAL EXPENDITURES	0	0	5,876,644	0	5,876,644		

Department of Housing and Economic Sustainability
INITIATING DEPARTMENT/DIVISION

INITIATING DEPARTMENT/DIVISION
Administration/Budget Department Approval
OFMB Department - Posted

Signatures

Date

4/7/2020

By Board of County Commissioners At Meeting of :

May 5, 2020

Deputy Clerk to the

Board of County Commissioners

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-7000



April 2, 2020

The Honorable Dave Kerner Mayor of Palm Beach County 301 North Oliver Avenue Suite 1201 West Palm Beach, FL 33401

Dear Mayor Kerner:

I am pleased to inform you of a special allocation to your jurisdiction of Community Development Block Grant funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis.

The CARES Act made available \$5 billion in Community Development Block Grant Coronavirus (CDBG-CV) funds. Of this amount, the Department is immediately allocating \$2 billion based on the fiscal year 2020 CDBG formula. The remaining \$3 billion shall be allocated based on needs using best available data, in the following tranches: \$1 billion shall be allocated to States and insular areas within 45 days of enactment of the Cares Act, and \$2 billion shall be distributed to states and local governments at the discretion of the Secretary. Up to \$10 million will be set aside for technical assistance. Given the immediate needs faced by our communities, the Department has announced the first allocation of funds. Your jurisdiction's allocation is \$3,935,468.

The CARES Act adds additional flexibility for both the CDBG-CV grant and, in some cases, for the annual FY2020 CDBG grants in these unprecedented times. The public comment period is reduced to not less than 5 days, grantees may use virtual public hearings when necessary for public health reasons, the public services cap is suspended during the emergency, and States and local governments may reimburse costs of eligible activities incurred for pandemic response regardless of the date.

In addition, the CARES Act authorizes the Secretary to grant waivers and alternative requirements of statutes and regulations the Secretary administers in connection with the use of CDBG-CV funds and fiscal year 2019 and 2020 CDBG funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). Waivers and alternative requirements can be granted when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

The Department is developing a notice that will further describes the CARES Act's

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provisions, a Quick Guide to the CARES Act flexibilities and other provisions, and other resources to enable swift implementation of CDBG-CV grants. As these become available, they will be posted on HUD's website and distributed to grantees. The Department will also support grantees with technical assistance.

As you develop your plan for the use of these grant funds, we encourage you to consider approaches that prioritize the unique needs of low- and moderate—income persons and the development of partnerships between all levels of government and the private for-profit and non-profit sectors. You should coordinate with state and local health authorities before undertaking any activity to support state or local pandemic response. CDBG-CV grants will be subject to oversight, reporting, and requirements that each grantee have adequate procedures to prevent the duplication of benefits. HUD will provide guidance and technical assistance on DOB and regarding prevention of fraud, waste, and abuse and documenting the impact of this program for beneficiaries.

The Office of Community Planning and Development (CPD) is looking forward to working with you to successfully meet the urgent and complex challenges faced by our communities. If you or any member of your staff has questions, please contact your local CPD Field Office Director or CPDQuestionsAnswered@hud.gov.

Sincerely.

John Gibbs

Acting Assistant Secretary

for Community Planning and Development

U.S. Department of Housing and Urban Development

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-7000



April 2, 2020

The Honorable Dave Kerner Mayor of Palm Beach County 301 North Oliver Avenue Suite 1201 West Palm Beach, FL 33401

Dear Mayor Kerner:

I am pleased to inform you of special Emergency Solutions Grants (ESG) Program funds HUD is allocating to your jurisdiction in the amount of \$1,941,176, as authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136. These special ESG-CV funds are to be used to prevent, prepare for, and respond to the coronavirus pandemic (COVID-19) among individuals and families who are homeless or receiving homeless assistance; and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts of COVID-19.

President Trump signed the CARES Act on March 27, 2020 to help the Nation respond to the coronavirus outbreak. The CARES Act made available an additional \$4 billion in ESG-CV funds to supplement the Fiscal Year (FY) 2020 ESG funding provided under the Further Consolidated Appropriations Act, 2020 (Public Law 116-94). Of this amount, the Department is immediately allocating \$1 billion for ESG-CV grants based on the FY 2020 ESG formula. The rest of the funding for ESG-CV grants will be allocated directly to States or units of local government by a separate formula developed by the Secretary. Up to \$40 million of the additional funds will be set aside for technical assistance.

Given the immediate needs faced by our communities, the Department has announced the first allocation of funds, which are subject to the following flexibilities and conditions provided by the CARES Act:

- The funds may be used to cover or reimburse allowable costs incurred by a State or locality before the award of funding (including prior to the signing of the CARES Act) to prevent, prepare for, and respond to COVID-19;
- The funds are not subject to the spending cap on emergency shelter and outreach under 24 CFR 576.100(b)(1);
- Up to 10 percent of funds may be used for administrative costs, as opposed to 7.5 percent as provided by 24 CFR 576.108(a);
- The funds are exempt from the ESG match requirements, including 24 CFR 576.201;
- The funds are not subject to the consultation and citizen participation requirements that otherwise apply to the Emergency Solutions Grants, however each recipient must

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- publish how its allocation has and will be used, at a minimum, on the Internet at the appropriate Government web site or through other electronic media;
- The funds may be used to provide homelessness prevention assistance (as authorized under 24 CFR 576.103 or subsequent HUD notices) to any individual or family who does not have income higher than HUD's Very Low-Income Limit for the area and meets the criteria in paragraphs (1)(ii) and (1)(iii) of the "at risk of homelessness" definition in 24 CFR 576.3;
- That recipients may deviate from applicable procurement standards when using these funds to procure goods and services to prevent, prepare for, and respond to coronavirus, notwithstanding 24 CFR 576.407(f) and 2 CFR 200.317-200.326;
- While we encourage you to offer treatment and supportive services when necessary to assist vulnerable homeless populations, individuals and families experiencing homelessness must not be required to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, housing, or other services for which these funds are used, notwithstanding 24 CFR 576.401(e).

In addition, the Act authorizes the Secretary to grant waivers of and specify alternative requirements for statutes and regulations the Secretary administers in connection with the use of ESG funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). These waivers and alternative requirements can be issued when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

The Department is developing a notice that will further lay out the CARES Act provisions and other waivers and requirements to enable swift implementation of additional ESG-CV grants. This notice and any subsequent notices of waivers and alternative requirements will be made available on HUD's website and distributed to grantees. The Department will also support grantees with technical assistance.

As your jurisdiction develops its plan to use these grant funds, HUD encourages approaches that prioritize the unique needs of persons experiencing homelessness and the development of partnerships between all levels of government and the private for-profit and non-profit sectors. Your jurisdiction should coordinate with State and local health authorities before undertaking any activity to support state or local pandemic response. HUD encourages you to share successes that may help other grantees. Like other supplemental funding, ESG-CV grants are subject to oversight and tracking, such as requirements to prevent the duplication of benefits. We look forward to working with you to prevent fraud, waste, and abuse and to document the impact of this program for beneficiaries.

Importantly, proper reporting in the Integrated Disbursement and Information System (IDIS) is critical to ensuring grantees are complying with program requirements and policies, providing demographic and income information about the persons who benefit from funded activities, and allowing HUD to monitor recipients. Your jurisdiction's ongoing attention is essential to ensuring complete and accurate reporting of performance measurement data.

HUD's Office of Community Planning and Development (CPD) is looking forward to working with your jurisdiction to successfully meet the urgent and complex challenges faced by our communities. If you or your staff has questions, please contact your local CPD Field Office Director or CPDQuestionsAnswered@hud.gov.

Sincerely,

John Gibbs

Acting Assistant Secretary

for Community Planning and Development

U.S. Department of Housing and Urban Development