PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:

May 18, 2021

[] Consent

[X] Regular

[] Ordinance

[] Public Hearing

Department:

Housing and Economic Sustainability

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) approve the allocation of \$5,386,951 of Community Development Block Grant Coronavirus (CDBG-CV) Program funding;

B) approve a budget amendment of \$5,386,951 to appropriate funds in the CARES Act Fund 1160; and

C) authorize the County Administrator, or designee, to execute a CDBG-CV grant agreement with the U.S. Department of Housing and Urban Development (HUD), Standard Form SF-424 and Certifications, and all other documents necessary to secure the grant award and implement the CDBG-CV Program.

Summary: On September 11, 2020, HUD notified Palm Beach County of a second award of CDBG-CV funding in the amount of \$5,386,951 to respond to the Coronavirus (COVID-19) pandemic. Staff proposes the allocation of CBDG-CV funds be used for a mortgage assistance/foreclosure prevention program that will assist eligible homeowners with incomes up to 80% area median income and who have suffered adverse financial impact from the COVID-19 pandemic. This program will be implemented by the County's Department of Housing and Economic Sustainability (HES). The proposed budget amendment is necessary to allow for discrete accounting of the grant funds. In order to facilitate delivery of grant resources, staff requests delegation of signatory authority to the County Administrator or designee for grant agreements with HUD, Standard Form SF 424 and Certifications, and all other documents necessary for grant implementation. These are Federal CDBG-CV grant funds which require no local match. Countywide (HJF)

Background and Policy Issues: 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, suspension of the cap on CDBG public services, and reimbursement for allowable costs incurred before the award of funding. On April 2, 2020, HUD notified Palm Beach County of the initial CDBG-CV grant award of \$3,935,468, and on May 5, 2020 (R2020-5023) the Board of County Commissioners approved allocation of the funds.

Attachment(s):

- 1. CDBG-CV Grant Award Letter from HUD Dated September 11, 2020
- 2. Proposed Uses of CDBG-CV
- 3. Budget Amendment

Recommended By:

Department Director

Date

Approved By: _

Assistant County Administrator

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures					
Operating Costs	\$5,386,951				
External Revenues	(\$5,386,951)				
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT	-0-				

# ADDITIONAL FTE POSITIONS (Cumulative)	-0-		

ls Item Included In Current Budget?	Yes	No X
Does this Item include the use of Federal funds?	Yes <u>X</u>	No

Budget Account No.:

Fund 1160 Dept. 143 Unit 1446 Object various Program Code/Period various

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

Approval of this agenda item will appropriate \$5,386,951 to the CARES Act Fund 1160 for the CDBG-CV grant award

C. Departmental Fiscal Review:

Shairette Major, Fiscal Manager II

III. REVIEW COMMENTS

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

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Logal Sufficiency:						

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

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



September 11, 2020

The Honorable Dave Kerner Mayor of Palm Beach County 301 North Olive 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 immediately allocated \$2 billion on March 27, 2020, the same day President Trump signed the Act, based on the fiscal year 2020 CDBG formula; this constituted the first round of CDBG-CV funds. Next, \$1 billion was required by the Act to be allocated to States and insular areas within 45 days of enactment of the Act; HUD accomplished this on May 11, 2020, and this constituted the second round of CDBG-CV funds. Finally, the remaining \$2 billion in CDBG-CV funds was required by the Act to be allocated to states and local governments at the discretion of the Secretary on a rolling basis; HUD accomplished this on September 11, 2020, and this constituted the third round of CDBG-CV funds. Additionally, up to \$10 million will be set aside for technical assistance.

Accordingly, this letter informs you that your jurisdiction's allocation for the third round is \$5,386,951. Your cumulative amount for all allocation rounds is \$9,322,419.

The CARES Act adds additional flexibility for both the CDBG-CV grant and, in some cases, for the annual FY2019 and 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 HUD Secretary to grant waivers and alternative requirements of statutes and regulations the HUD 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

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ATTACHMENT 1

requirements can be granted when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

The CDBG CARES Act Federal Register Notice (FR-6218-N-01) was released on August 10, 2020. The notice describes the allocations and grant procedures applicable to the CDBG-CV grants. It also describes the program flexibilities, waivers, and alternative requirements that apply to the CDBG-CV grants as well as the fiscal year 2019 and 2020 CDBG grants. As further such flexibilities 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 the requirement that each grantee have adequate procedures to prevent the duplication of benefits (DOB). HUD will provide guidance and technical assistance on DOB, the prevention of fraud, waste, and abuse, and on documenting the impact of this program for beneficiaries.

Reminder, all CPD Grantees must ensure they maintain active Dun and Bradstreet Numbering System (DUNS) numbers in the System for Award Management (SAM) system. Entities must have an active and unexpired DUNS before execution of grant agreements to avoid delays in the obligation of funds- which will delay your ability to drawdown funds in the Integrated Disbursement & Information System (IDIS). Grantees are required to maintain an active SAMs registration by re-activating their DUNS number annually in the SAM system for the entire drawdown period of their grants. DUNS numbers can be registered and renewed each year at the following website: https://www.sam.gov/SAM/.

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

CARES Act Community Development Block Grant – Proposed Uses of Funding

Activity	Amount	Implementing	Comments
Mortgage Assistance/ Foreclosure Prevention	\$4,309,951	PBC HES	Funds to assist COVID-19 impacted homeowners with incomes up to 80% that have experienced a financial hardship due to the COVID pandemic.
Program Administration	\$1,077,000	PBC HES	County costs of administering CARES CDBG-CV allocation. Capped at 20% of total grant award.
TOTAL	\$5,386,951		

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BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA BUDGET AMENDMENT

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BGEX-143-04162100000001231 BGRV-143-04162100000000473

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 April 16, 2021	REMAINING BALANCE
REVENUE								
143-1446-3154	Community Development Block Grant	0	3,935,468	5,386,951	0	9,322,419		
	TOTAL REVENUE		186,933,694	5,386,951	0	192,320,645		
EXPENDITURES					•			
143-1446-8201	Contributions - Non Govts Agency	0	4,875	250,000	0	254,875	0	254,875
143-1446-8301	Contributions for Individuals	0	2,760,468	4,059,951	0	6,820,419	0	6,820,419
143-1446-9902	Operating Reserves	0	750,000	1,077,000	0	1,827,000	0	1,827,000
	TOTAL EXPENDITURES		186,933,694	5,386,951	0	192,320,645		

Department of Housing and Economic Sustainability

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

Signatures

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Date

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By Board of County Commissioners

At Meeting of : May 18, 2021

Deputy Clerk to the

Board of County Commissioners