

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: **October 18, 2022** Consent Regular
 Ordinance Public Hearing

Department: **Housing and Economic Development**

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: five (5) Request for Release of Funds and Certifications (HUD Form 7015.15) on behalf of the Palm Beach County Housing Authority (PBCHA) for activities assisted through the U.S. Department of Housing and Urban Development (HUD) Capital Fund Program.

Summary: Federal regulations require the County to assume the role of Responsible Entity for certain HUD-assisted activities within its jurisdiction for environmental review, decision making and action that would otherwise apply to HUD under the National Environmental Policy Act (NEPA). PBCHA intends to use HUD Capital Fund Program assistance for improvements to five (5) public housing projects including: Drexel House, 1745 Drexel Road, West Palm Beach; Dyson Circle, 4695 Dyson Circle N., West Palm Beach; Schall Landing, 2404 Schall Circle, West Palm Beach; Seminole Manor, 6388 Seminole Circle, Lantana; and 42 single family homes in the Boynton Beach and Lake Worth areas. The Capital Fund Program requires that an environmental review be performed in accordance with Federal regulations at 24 CFR Part 58. The environmental review for the activities were completed by consultant Dominion Due Diligence Group on behalf of PBCHA. The County must provide HUD with a Request for Release of Funds and Certification (HUD Form 7015.15) for each project. The certifications affirm that procedures required by 24 CFR Part 58 have been followed, the activities did not require an Environmental Impact Statement (EIS), and the County will comply with the NEPA and other environmental laws as they relate to the activities. Staff has determined that the environmental reviews met the requirements of 24 CFR Part 58, that the appropriate procedures were followed and that no EIS is required. A required Finding of No Significant Impact and Notice of Intent to Request Release of Funds was published on August 25, 2022, and no public comments were received during a 15-day comment period. Approval of the certifications will allow PBCHA to proceed with Capital Fund activities that will help preserve and sustain the local public housing stock. Districts 2, 3, and 7 (HJF)

Background and Policy Issues: Federal regulations at 24 CFR 58.2(a)(7)(ii)(B) establish environmental processing requirements for all HUD-assisted activities. The HUD Capital Fund Program provides formula distributions of funds to public housing authorities for the development, financing, and modernization of public housing stock.

Attachment(s):
1 Requests for Release of Funds and Certification (HUD Form 7015.15)

Recommended By: _____ *James Howard* 9-23-22
 Department Director Date

Approved By: _____ *Paul* 10/6/22
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Grant Expenditures					
Operating Costs					
External Revenues					
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT					

# ADDITIONAL FTE POSITIONS (Cumulative)	-0-				
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Is Item Included In Current Budget? Yes _____ No X
 Does this Item include the use of Federal funds? Yes _____ No X

Budget Account No.:

Fund _____ Dept _____ Unit _____ Object _____ Program Code/Period _____

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

No fiscal impact.

C. Departmental Fiscal Review: *Shairette Major*
 Shairette Major, Division Director II

III. REVIEW COMMENTS

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

Lara Mate 9/26/2022
 OFMB AH 9/26/22
 UM 9/26

Dr. J. Jacobson 10/11/22
 Contract Development and Control

B. Legal Sufficiency:

A. Fel 10/6/22
 Assistant County Attorney

C. Other Department Review:

 Department Director

Request for Release of Funds and Certification

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

OMB No. 2506-0087
(exp. 08/31/2023)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes 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.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s) Palm Beach County Public Housing Authority	2. HUD/State Identification Number FL080	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s) 2577-0226	5. Name and address of responsible entity Palm Beach County Department of Housing and Economic Development 100 Australian Avenue, Suite 500 West Palm Beach, FL 33406	
6. For information about this request, contact (name & phone number) Jonathan B. Brown, Director 561-233-3602	7. Name and address of recipient (if different than responsible entity) Palm Beach County Public Housing Authority 3432 45th Street West Palm Beach, FL 33407	
8. HUD or State Agency and office unit to receive request HUD Florida State Office Office of Community Planning and Development 909 SE 1st Avenue, Room 500 Miami, FL 33131-3208	The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following	
9. Program Activity(ies)/Project Name(s) Palm Beach County Housing Authority - remediation of 42 single family housing units	10. Location (Street address, city, county, State) Various addresses	

11. Program Activity/Project Description

PBCHA owns 42 single family housing units which it intends to remediate and upgrade over a five year period. These improvements include replacing twenty (20) roofs, replacing electrical panels, required repairs to the units, and painting exteriors and interiors of the units.

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity X	Title of Certifying Officer Mayor
	Date signed

Address of Certifying Officer Palm Beach County Board of County Commissioners 301 Olive Avenue, 12th Floor West Palm Beach, FL 33401
--

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient X	Title of Authorized Officer
	Date signed

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Request for Release of Funds and Certification

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

OMB No. 2506-0087
(exp. 08/31/2023)

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6. For information about this request, contact (name & phone number) Jonathan B. Brown, Director 561-233-3602	7. Name and address of recipient (if different than responsible entity) Palm Beach County Public Housing Authority 3432 45th Street West Palm Beach, FL 33407	
8. HUD or State Agency and office unit to receive request HUD Florida State Office Office of Community Planning and Development 909 SE 1st Avenue, Room 500 Miami, FL 33131-3208	<p>The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following</p>	
9. Program Activity(ies)/Project Name(s) Palm Beach County Housing Authority - Dyson Circle Apartments	10. Location (Street address, city, county, State) 4695 N. Dyson Circle, West Palm Beach, FL 33417	

11. Program Activity/Project Description

PBCHA intends to remediate and upgrade a 134 unit housing complex over a five year period. These improvements include among other items, elevator repairs, staircase renovations, replacing HVAC units, kitchen upgrades, bathroom upgrades, exterior repair and painting, repairs to concrete landings, and upgrading the community room.

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
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6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity X	Title of Certifying Officer Mayor
	Date signed

Address of Certifying Officer Palm Beach County Board of County Commissioners 301 Olive Avenue, 12th Floor West Palm Beach, FL 33401
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U.S. Department of Housing and Urban Development
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6. For information about this request, contact (name & phone number) Jonathan B. Brown, Director 561-233-3602	7. Name and address of recipient (if different than responsible entity) Palm Beach County Public Housing Authority 3432 45th Street West Palm Beach, FL 33407	
8. HUD or State Agency and office unit to receive request HUD Florida State Office Office of Community Planning and Development 909 SE 1st Avenue, Room 500 Miami, FL 33131-3208	The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following	
9. Program Activity(ies)/Project Name(s) Palm Beach County Housing Authority- Drexel House Apartments	10. Location (Street address, city, county, State) 1745 Drexel Road, West Palm Beach, FL 33417	

11. Program Activity/Project Description

PBCHA intends to remediate and upgrade a 100 unit senior housing complex over a five year period. These improvements include replacing entry doors, service doors, heat pumps, courtyard renovations, community room upgrade and repairing the main sewer line.

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
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Signature of Certifying Officer of the Responsible Entity

X

Title of Certifying Officer

Mayor

Date signed

Address of Certifying Officer

Palm Beach County Board of County Commissioners
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West Palm Beach, FL 33401

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9. Program Activity(ies)/Project Name(s) Palm Beach County Housing Authority - Schall Landing Apartments	10. Location (Street address, city, county, State) 2404 Schall Circle, West Palm Beach, FL 33417	

11. Program Activity/Project Description

PBCHA intends to remediate and upgrade a 76 unit housing complex over a five year period. These improvements include, among other items, repairing impact windows, repairs to entry doors, kitchen upgrades, bathroom upgrades, and exterior repair and painting.

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
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	Date signed

Address of Certifying Officer
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8. HUD or State Agency and office unit to receive request HUD Florida State Office Office of Community Planning and Development 909 SE 1st Avenue, Room 500 Miami, FL 33131-3208	9. Program Activity(ies)/Project Name(s) Palm Beach County Housing Authority - Seminole Manor Apartments	
10. Location (Street address, city, county, State) 6388 Seminole Circle, Lantana, FL 33462		11. Program Activity/Project Description PBCHA intends to remediate and upgrade a 76 unit housing complex over a five year period. These improvements include, among other items, new roofing, replacing HVAC units, kitchen upgrades, bathroom upgrades, and exterior repair and painting.

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

Part 2. Environmental Certification (to be completed by responsible entity)

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Signature of Certifying Officer of the Responsible Entity

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Title of Certifying Officer

Mayor

Date signed

Address of Certifying Officer

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