

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: November 1, 2022 [] Consent [X] Regular [] Ordinance [] Public Hearing
Department: Housing and Economic Development

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) approve an Infrastructure Sales Tax (IST) Program award in the amount of \$2.5M to The Housing Authority of Belle Glade;
B) direct staff to negotiate the loan agreement; and
C) authorize the County Administrator, or designee, to execute the loan agreement, amendments thereto, and all other documents necessary for project implementation.

Summary: On September 7, 2022, the Department of Housing and Economic Development issued a Notice of Funding Availability (NOFA) HED.2022.3, making \$2.5M in IST funding available to Public Housing Authorities related to homeless, extremely low or low-income projects, on a first come, first eligible, and first funded basis.

Two proposals were received and reviewed for eligibility and responsiveness in the order they were submitted. On September 26, 2022, staff completed the responsiveness review and is recommending approval of the Belle Glade Housing Authority project. The Belle Glade Housing Authority (BGHA) was the first proposal received and it requests the full \$2.5M for the restoration and rehabilitation of up to 534 housing units.

The BGHA will use County funds to help restore 116 vacant units, rehabilitate 31 uninhabitable units and convert 24 units to handicap-accessible within their Okeechobee and Osceola sites for farm labor housing. County funding will also assist in filling the gap in cost for completing the renovation of an additional 363 occupied units. All units will be for families whose income is no greater than eighty percent (80%) of the Area Median Income. The affordability period for all housing units and residential facilities shall be in perpetuity.

BGHA's overall project includes the repair and improvements to its 712-units to Okeechobee and Osceola farm labor housing. Improvements include: importing of fill, grade and compaction to eliminate harborage areas caused by soil subsidence, complete street and parking area resurfacing (Osceola), reengineering and replacement of asphalt pathways to unit entries to eliminate hazardous conditions, installation of speed humps and car stops (Osceola), replacement of roofs most in need of repair (metal overlay), add new gutters and downspouts, repairs and makeover of units most in need of renovation, installation of new impact resistant windows (as needed), replace aging HVAC systems throughout, mold remediation (where needed), and add engineered asphalt pathways to unit entries. The total project cost is \$16,845,000. This includes a funding request of \$10,680,000 to the United States Department of Agriculture (USDA), \$2,500,000 from the Housing Assistance Council and \$750,000 to the Federal Home Loan Bank (FHLB) of Atlanta. The USDA and FHLB funding requests are pending approval. To facilitate project implementation, staff requests authorization for the County Administrator or designee to execute the loan agreements and related documents. These are County IST Program funds. District 6 (HJF)

Background and Policy Issues: On November 8, 2016, the voters of Palm Beach County approved an Infrastructure Surtax Project Plan for one cent for a maximum of 10 years beginning January 1, 2017. The plan included Housing Authority Incentive Funding strategy in the amount of \$2.5M.

Attachments:

- 1 Response Evaluation
2 Notice of Funding HED.2022.3
3 Budget Availability Statement

Recommended By: [Signature] Department Director Date: 10-12-22

Approved By: [Signature] Assistant County Administrator Date: 10/18/2022

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	\$2,500,000				
Operating Costs					
External Revenues					
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT	\$2,500,000				


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

Budget Account No.:

Fund 3950 Dept. 411 Unit Q001 Object 4907 Program Code/Period

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

C. Departmental Fiscal Review: 
 Shairrette Major, Division Director II

III. REVIEW COMMENTS


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

 10/13/22
 OFMB GA 10/12 LM 10/13
 10/11/22
 Contract Development and Control
 ESW 10/13

B. Legal Sufficiency:

 10/18/22
 Assistant County Attorney

C. Other Department Review:

 10/11/22
 Department Director

**Palm Beach County Department of Housing & Economic Development
Infrastructure Sales Tax (IST) Program
For Public Housing Authorities
NOFA 2022.3 Response Evaluation**

Two (2) proposals were received during the NOFA timeframe.

Total funding available through the NOFA: \$2,500,000

- Belle Glade Housing Authority – (September 8, 2022 at 4:26 p.m.)
- Pahokee Housing Authority – (September 14, 2022 at 9:38am.)

Belle Glade Housing Authority Proposal Summary

Project Information	
Project Name:	Okeechobee/Osceola Center Farm Labor Housing
Project Address	101 Everglades St., Belle Glade, Fl. 33430 1204 NW Avenue L. Terrace, Belle Glade, FL. 33430
Developer/Applicant:	The Housing Authority City of Belle Glade
Project Description:	The restoration and regeneration of 116 vacant, 31 uninhabitable and the full conversion of 24 handicap accessible units. County funding will assist in filling the gap in cost for completing the renovation of 363 occupied units.
Funding Request from PBC:	\$2,500,000
Funding Leveraged from Other Sources:	\$13,985,000
Total Project Costs:	\$16,485,000
Project Completion:	October 15, 2024

Pahokee Housing Authority Proposal Summary

Project Information	
Project Name:	Pahokee Housing Authority, Inc/ Pre-Development Initiative
Project Address	465 Friend Terrace Pahokee, Fl. 33476
Developer/Applicant:	The Housing Authority of Pahokee
Project Description:	To complete the preparation of a Pre-development conceptual site plan package to construct 100-120 multifamily residential units in Pahokee. The future units will be constructed on eight 8.4 acres of vacant land owned by the housing authority.
Funding Request from PBC:	\$75,000
Funding Leveraged from Other Sources:	\$75,000
Total Project Costs:	\$139,000 - \$150,000
Project Completion:	April 5, 2023



NOFA HED.2022.3
Infrastructure Sales Tax (IST) Program
For Public Housing Authorities

Funding applications will be accepted
Starting **Wednesday, September 7, 2022 at 9:00 am**
Ending **Wednesday, September 21, 2022 at 4:00 pm**

Applications will be funded on a
first-come/first-eligible/first-funded basis



Infrastructure Sales Tax (IST) Program For Public Housing Authorities

1. Program Overview

The Palm Beach County Board of County Commissioners (BCC), through the Department of Housing & Economic Development (HED), is offering gap financing to Public Housing Authorities operating within Palm Beach County, for projects related to affordable housing units or residential facilities serving the Homeless, Extremely Low, or Low Income individuals and households.

2. Eligible Projects

Eligible projects are limited to: a) new construction including conversion of non-residential property to residential eligible uses; b) acquisition and rehabilitation of housing units; c) projects that demonstrate a direct benefit to affordable housing units owned or units to be created (i.e. infrastructure, demucking, etc.); or d) improvements to existing housing and/or facilities. All projects must be completed and in service within two (2) years of the funding award.

3. Eligible Applicants

Eligible applicants for funding through this NOFA are Public Housing Authorities (PHAs) operating within Palm Beach County. The PHA must be the owner of the project through the term of the loan and the affordability period.

4. Affordability Requirements

For an affordability period of no less than fifty (50) years, all housing units and residential facilities assisted with Infrastructure Sales Tax (IST) funds must be occupied by individuals or households whose incomes do not exceed eighty percent (80%) of the Area Median Income (AMI). Refer to Exhibit A for the income limits chart for 2022. Owner's tenant selection process may be required to give preference to prospective tenants/clients referred through the Palm Beach County Community Services Department Coordinated Entry System and/or households seeking family reunification under the auspices of the courts or Department of Children and Families, if new units are being created.

During the affordability period, rents and/or fees charged to tenant households/residents shall not exceed thirty percent (30%) of the tenant's household income. Rent limits will be adjusted annually by the County.

5. County Funding Available

A total of **\$2,500,000** in County funds is available under the IST. The funding will be in the form of a forgivable loan that bears no interest and requires no payment of debt service. Contingent on successful compliance with all IST requirements, the full amount of the loan principal will be forgiven at the conclusion of a fifty (50) year loan term and affordability period. Should the borrower default on conditions of the loan during the term of the loan, the full amount of principal may become due and payable.

Public Housing Authorities should keep in mind that in all cases where IST funding is utilized, there is a statutory requirement for the property / building to remain in the ownership of the County, City or Housing Authority. It should also be noted that IST funding cannot be used for operations or operating costs in any scenario. All operating costs would need to be from a source other than IST funding.

6. Leveraging

There is no limitation on the amount of IST funding that may be requested; however, all projects must demonstrate a minimum leveraging ratio of 1:1 County funds to other non-County development funding sources. Applicants must document commitments from all other sources of development funding, as well as from sources of any necessary operating subsidy.

7. Location

The IST is a countywide program. Projects can be located within any municipal or unincorporated area of Palm Beach County.

8. Important Dates

A. NOFA HED.2022.3 will be issued on Wednesday, August 24, 2022.

B. Applications **will be accepted** starting Wednesday, September 7, 2022 at 9:00 am.

C. Applications **will not be accepted** after Wednesday, September 21, 2022 at 4:00p.m.

D. Funded projects must be completed within two (2) years from the date of the funding award.

9. Application Submittal Requirements

Applicants must complete the attached application for funding (Exhibit B) and provide for all application requirements at the time of application submittal. The application must provide all of the following:

A. The PHA's name, address, and the contact person's name, phone number, and email address.

B. A detailed description of the project, including the type, size and number of housing units to be rehabilitated, created, or the units that would benefit from the planned project; and targeted beneficiaries. For congregate housing facilities for non-related persons, including the number of beds for the proposed facility. Describe any related program or services available to the project's residents. Identify the project location, the property control number (PCN) and provide a map indicating the project site.

- C.** A detailed description of the developer/owner's experience operation of projects similar to that proposed for funding. If the agency is currently operating under any sanction from a local, State, or Federal agency, please provide a copy of that documentation, the steps taken to cure that sanction and the clearance from that sanction. Depending on the sanction and clearance, the project could be determined ineligible.
- D.** An organizational chart that identifies all parties involved in the proposed project.
- E.** Evidence of site control for the entire project site(s) in the form of a fully executed contract for the purchase of the property(ies), option to purchase, long-term lease, lease option, recorded deed, or recorded certificate of title.
- F.** A detailed development pro forma that includes all project sources and uses of funding, and that identifies all proposed sources of County funding/subsidy. Include documentation supporting all proposed construction costs in the form of either an estimate of probable cost prepared by a licensed architect or by written price estimates from at least two (2) licensed contractors.
- G.** Documentation evidencing availability of all sources of funding required for the non-County balance of the project development budget. Acceptable documentation includes documentation from the funding source(s) providing a firm or a conditional commitment to fund and reflecting all terms and conditions
- H.** A detailed 15-year operating pro forma that includes all project revenues, expenses, debt service and reserves, explicitly stating all assumptions. Projects are subject to a \$2,500 annual monitoring fee to be paid to the County.
- I.** Documentation of availability of all sources of operating subsidy (if any), including project-based voucher subsidies.
- J.** Provide a detailed project schedule including all development activities from pre-development through completion/occupancy, indicating activity status at time of submittal. Please note that the project must be completed within two (2) years to determine eligibility.
- K.** Identify the current zoning and land use for the project site. In addition also identify all applicable development review processes including but not limited to: re-zoning, zoning variances, future land use changes, comprehensive plan amendments, platting, site plan approval, and building permitting. Provide estimated dates/timeframes for all submittals, reviews, hearings, and approvals, and indicate the status of project applications in all such applicable development review processes. Please note that timeframes provided for development approvals will be verified with the appropriate authorities. If the timeframes are not consistent, the application could be determined ineligible.

10. Submittal Format

Applicants must submit one (1) original wet-signed copy and three (3) photocopies of the application and all required documentation on single-sided paper no larger than 8.5" x 11" in a binder with tabbed/identified sections; and one (1) electronic copy of the application in pdf file format on a USB flash/jump drive.

11. Contact Person

The HED contact person for matters relating to the IST Program funding application is:

Lesley George, Housing Liaison, MHI Division
Department of Housing & Economic Development
100 Australian Avenue, Suite 500
West Palm Beach, FL 33406
Phone: 561-233-2065
E-mail: lgeorge@pbcgov.org

12. Application Review and Funding Recommendation

All applications in response to this NOFA must be submitted to HED. Applications will be reviewed by HED staff in the order they are received. HED staff shall review each application for eligibility and responsiveness to the NOFA submittal requirements. Applications determined by HED to be ineligible or unresponsive to the NOFA submittal requirements may re-apply and the resubmitted application will be processed in the order the resubmitted application is received. Applications determined, in the sole judgement of the County, to be eligible and responsive to all submittal requirements be considered for funding assistance on a first-come/first-eligible/first-funded basis, subject to funding availability.

13. Funding Awards

All funding awards will be made by the Palm Beach County Board of County Commissioners.

14. Cost Incurred by Applicants

All expenses involved with the preparation and submission of this application and any work performed in connection therewith shall be borne by the applicant.

15. Proprietary/Confidential Information

Applicants are advised that all information submitted as part of, or in support of, this application will be available for public inspection after receipt, in compliance with Chapters 119 and 286, Florida Statutes, popularly known as the "Public Records Law" and the "Government in the Sunshine Law", respectively.

16. Non-Discrimination

It is the express policy of the Palm Beach County BCC that the County shall neither conduct business with nor appropriate funds to any entity that practices discrimination on the basis of race, color, national origin, religion, ancestry, sex, age, familial status, marital

status, sexual orientation, gender identity or expression, disability, or genetic information. If awarded funds, the applicant agrees that the use or occupancy of any housing unit constructed on the Project site shall follow this policy. Palm Beach County provides equal housing opportunities to all individuals.

17. Rules, Regulations, Licensing Requirements

Applicants shall comply with all laws, ordinances, and regulations applicable to Palm Beach County, including those applicable to conflict of interest and collusion. Applicants are presumed to be familiar with all federal, state, and local laws, ordinances, codes, and regulations.

18. Disclaimer

All documents and information, whether written, oral or otherwise, provided by Palm Beach County relating to this document are being provided solely as an accommodation and for informational purposes only, and Palm Beach County is not making any representations or warranties of any kind as to the truth, accuracy or completeness, or the sources thereof. Palm Beach County shall have no liability whatsoever relating to such documents and information and all parties receiving the same shall not be entitled to rely on such documents and information, but shall have a duty to independently verify the accuracy of the information contained therein.

19. Public Entity Crime

As provided in Florida Statutes 287.132-133, by applying to the IST or performing any work in furtherance hereof, the applicant certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the convicted vendor list maintained by the State of Florida Department of Management Services within the 36 months immediately preceding the date hereof. This notice is required by Florida Statutes 287.133(3) (a).

Exhibit A. Income Limits Chart



**Income Limits for West Palm Beach - Boca Raton Metropolitan Statistical Area
FY 2022 Area Median Income: \$90,300**

Number of Persons in Household	Up to 80% of AMI
1	\$51,500
2	\$58,900
3	\$66,250
4	\$73,600
5	\$79,500
6	\$85,400
7	\$91,300
8	\$97,200



EXHIBIT B

NOFA HED 2022.3 Infrastructure Sales Tax (IST) Program For Public Housing Authorities

A. Name of Project / Name of PHA / Contact Person information

(The PHA's name, address, contact person's name, phone number, and email address.)

B. Detailed Project Description

(A detailed description of the project, including the type, size and number of housing units to be rehabilitated, created, or the units that would benefit from the planned project; and targeted beneficiaries. For congregate housing facilities for non-related persons, including the number of beds for the proposed facility. Describe any related program or services available to the project's residents. Identify the project location, the property control number (PCN) and provide a map indicating the project site.)

C. Describe Developer/Owner experience with the development and operations of similar projects

(A detailed description of the developer/owner's experience and operation of projects similar to that proposed for funding. If the agency is currently operating under any sanction from a local, State, or Federal agency, please provide a copy of that documentation, the steps taken to cure that sanction and the clearance from that sanction. Depending on the sanction and clearance, the project could be determined ineligible.)

D. Attach organizational chart

(An organizational chart that identifies all parties involved in the proposed project.)

E. Attach Evidence of Site Control

(Provide evidence of site control for the entire project site(s) in the form of a fully executed contract for purchase of the property(ies), option to purchase, long-term lease, lease option, recorded deed, or recorded certificate of title.)

F. Attach a Detailed Development Pro Forma Including All Sources and Uses of Funding Including all Proposed Sources of County Funding/Subsidy

(Attach a detailed development pro forma that includes all project sources and uses of funding, and that identifies all proposed sources of County funding/subsidy. Include documentation supporting all proposed construction costs in either an estimate of probable cost prepared by a licensed architect or by written price estimates from at least two (2) licensed contractors.)

G. Attach Documentation of Availability of All Non-County Funding Sources

(Documentation evidencing availability of all sources of funding required for the non-County balance of the project development budget. Acceptable documentation includes documentation from the funding source(s) providing a firm or a conditional commitment to fund reflecting all terms and conditions.)

H. Attach Detailed 15-Year Operating Pro Forma

(Attach a detailed 15-year operating pro forma that includes all project revenues, expenses, debt service and reserves, explicitly stating all assumptions. Projects are subject to a \$2,500 annual monitoring fee to be paid to the County.)

I. Attach Availability of Operating Subsidy (if applicable)

(Provide documentation of availability of all sources of operating subsidy, if any, including project-based voucher subsidies.)

J. Attach Detailed Project Schedule

(Provide a detailed project schedule including all development activities from pre-development through completion/occupancy, indicating activity status at time of submittal. Please note that the project must be completed within two (2) years to determine eligibility.)

K. Provide Current Zoning and Land Use for the Project Site

(Identify the current zoning and land use for the project site. In addition also identify all applicable development review processes including but not limited to: re-zoning, zoning variances, future land use changes, comprehensive plan amendments, platting, site plan approval, and building permitting. Provide estimated dates/timeframes for all submittals, reviews, hearings, and approvals, and indicate the status of project applications in all such applicable development review processes. Please note that the timeframes provided for development approvals will be verified with the appropriate authorities. If the timeframes are not consistent, the application could be determined ineligible.)

Applicant: _____

By: _____
Print Name and Title

Signature: _____

Date: _____

Applications must be signed by the CEO or the Executive Director for the organization.



BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 10/11/2022

REQUESTED BY: Valerie Alleyne

PHONE: 233-3670

FAX:

PROJECT TITLE: The Housing Authority of Belle Glade

PROJECT NO.: HED

ORIGINAL CONTRACT AMOUNT: \$2,500,000.00

BCC RESOLUTION#:

REQUESTED AMOUNT: \$2,500,000.00

DATE: 11/1/2022

CSA or CHANGE ORDER NUMBER: N/A

CONSULTANT/CONTRACTOR:

PROVIDE A BRIEF STATEMENT OF THE SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT/CONTRACTOR:

CONSTRUCTION	
VENDOR SERVICES	
STAFF COSTS**	\$0.00
EQUIP. / SUPPLIES	
CONTINGENCY	
MISC.	\$2,500,000.00
TOTAL	\$2,500,000.00

** By signing this BAS your department agrees to these staff costs and your account will be charged upon receipt of this BAS by FD&O. Unless there is a change in the scope of work, no additional staff charges will be billed.

BUDGET ACCOUNT NUMBER:

FUND: 3950

DEPT: 411

UNIT: Q001 OBJ: 4907

SUB OBJ:

IDENTIFY FUNDING SOURCE FOR EACH ACCOUNT: (check all that apply)

Ad Valorem (source/type: _____)

Non-Ad Valorem (source/type: Infrastructure Sales Tax (IST))

Grant (source/type: _____)

Park Improvement Fund (source/type: _____)

General Fund

Operating Budget

Federal/Davis Bacon

Department: **FDO**

BAS APPROVED BY: 

DATE 10/12/22

ENCUMBRANCE NUMBER: _____