



# Broward County

## Legislation Text

File #: 20-183, Version: 1

### Broward County Commission Regular Meeting

**Director's Name:** Henry A. Sniezek

**Department:** Environmental Protection

**Division:** Housing Finance & Comm. Redevelopment

### Information

#### Requested Action

A. MOTION TO AUTHORIZE County Administrator to execute grant funding agreements with the U.S. Department of Housing and Urban Development ("HUD") for the Fiscal Year 2019-2020 Community Development Block Grant ("CDBG") Program, HOME Investment Partnerships ("HOME") Program, and the Emergency Solutions Grants ("ESG") Program, collectively "Programs," in the forms attached as (Exhibit 1), relating to implementation of Broward County's Fiscal Year 2019-2020 Annual Action Plan ("AAP") (October 1, 2019, through September 30, 2020) approved by HUD (Exhibit 2); to revise funding allocations and/or project service deliverables under the HUD approved AAP for the various grant Programs in accordance with the County's approved HUD Five Year Consolidated Plan; and to take all necessary administrative and budgetary actions for implementation and adjustment of current and previous such AAP's for the various grant Programs, including, but not limited to, executing amendments to the HUD grant funding agreements, and agreements, amendments, reinstatements, and interlocal agreements with subrecipients of funding for the respective grant Programs, including any prior year program income, subject to approval of forms by the Office of the County Attorney.

**ACTION: (T-10:54 AM) Approved.**

**VOTE: 9-0. Commissioner Sharief and Vice-Mayor Geller voted in the affirmative telephonically.**

B. MOTION TO ADOPT budget Resolution No. 2020-051 for the Community Development Block Grant (CDBG) Fund to appropriate revenue in the amount of \$2,721,594 and \$130,000 in anticipated Program Income for Fiscal Year 2019/2020, authorizing the County Administrator to take the necessary administrative and budgetary actions to implement same (Exhibit 3).

**ACTION: (T-10:54 AM) Approved.**

**VOTE: 9-0. Commissioner Sharief and Vice-Mayor Geller voted in the affirmative telephonically.**

C. MOTION TO ADOPT budget Resolution No. 2020-052 for the Home Investment Partnership Program Grant (HOME) Fund to appropriate revenue in the amount of \$3,467,009 and \$500,000 in anticipated Program Income and a required match from the General Fund for \$125,000, for Fiscal Year 2019/2020, authorizing the County Administrator to take the necessary administrative and

budgetary actions to implement same (Exhibit 4).

**ACTION: (T-10:54 AM) Approved.**

**VOTE: 9-0. Commissioner Sharief and Vice-Mayor Geller voted in the affirmative telephonically.**

D. MOTION TO ADOPT budget Resolution No. 2020-053 for the Emergency Solutions Grant Program Grant (ESG) Fund to appropriate revenue in the amount of \$231,550 for Fiscal Year 2019/2020, authorizing the County Administrator to take the necessary administrative and budgetary actions to implement same (Exhibit 5).

**ACTION: (T-10:54 AM) Approved.**

**VOTE: 9-0. Commissioner Sharief and Vice-Mayor Geller voted in the affirmative telephonically.**

E. MOTION TO AUTHORIZE County Administrator to execute Interlocal Agreements with the City of Weston and the City of Margate to administer and implement their Fiscal Year 2019-/2020 Community Development Block Grant ("CDBG") Programs; and take all necessary administrative and budgetary actions to include execution and implementation of amendments, reinstatements, project/activity priorities and budgetary changes in accordance with the municipalities' Consolidated and Annual Action Plans for implementation; subject to approval of forms by the Office of the County Attorney.

**ACTION: (T-10:54 AM) Approved.**

**VOTE: 9-0. Commissioner Sharief and Vice-Mayor Geller voted in the affirmative telephonically.**

F. MOTION TO ADOPT budget Resolution No. 2020-054 within the Community Development Block Grant (CDBG) Fund to appropriate revenue in the amount of \$44,740 from Fiscal Year 2017/2018 for the purpose of recognizing Broward County CDBG Program funds generated from October 2017 through September 2018; and authorizing the County Administrator to take the necessary administrative and budgetary actions to implement same (Exhibit 6).

**ACTION: (T-10:54 AM) Approved.**

**VOTE: 9-0. Commissioner Sharief and Vice-Mayor Geller voted in the affirmative telephonically.**

G. MOTION TO ADOPT budget Resolution No. 2020-055 within the Home Investment Partnership Program Grant (HOME) Fund to appropriate revenue in the amount of \$341,882 from Fiscal Year 2017/2018 for the purpose of recognizing Broward County HOME Program funds generated from October 2017 through September 2018; and authorizing the County Administrator to take the necessary administrative and budgetary actions to implement same (Exhibit 7).

**ACTION: (T-10:54 AM) Approved.**

**VOTE: 9-0. Commissioner Sharief and Vice-Mayor Geller voted in the affirmative telephonically.**

**Why Action is Necessary**

**Motion A**

Board action is required to authorize the County Administrator to execute HUD grant funding agreements for implementation of Broward County's Fiscal Year 2019-2020 AAP approved by HUD; to revise funding allocations and/or project service deliverables under the HUD approved AAP for the various grant Programs in accordance with the approved Broward County HUD Five Year Consolidated Plan; and to take all other administrative and budgetary actions necessary for implementation of such AAP the County's Fiscal Year 2019-2020 Annual Action Plan, including, but not limited to, executing agreements, amendments, reinstatements, and interlocal agreements with subrecipients of funding for the respective grant Programs.

**Motions B through D**

Board action is required to appropriate funds for Fiscal Year 2019-2020 Annual Action Plan funding for CDBG, HOME, and ESG funds; Programs and recipients of funding for October 1, 2019 through September 30, 2020; and authorize the County Administrator to revise allocations and/or project service deliverables pursuant to HUD changes for programs as provided for in the Resolutions.

**Motion E**

Board action is required to authorize the County Administrator to execute Interlocal agreements for the administration and implementation of grants with other municipalities.

**Motions F and G**

Board Approval is required to appropriate unanticipated funds.

**What Action Accomplishes**

**Motion A**

Authorizes the County Administrator to execute HUD grant funding agreements for Broward County's Fiscal Year 2019-2020 for the various grant Programs, to revise funding allocations and/or project service deliverables under the HUD approved AAP for the various grant Programs in accordance with the approved Broward County HUD Five Year Consolidated Plan, and to take all other administrative and budgetary actions necessary to implement the County's Fiscal Year 2019-2020 Annual Action Plan, including, but not limited to, executing agreements, amendments, reinstatements, and interlocal agreements with subrecipients for the respective HUD grant, including any prior year Program income.

**Motions B through D**

Approves the Fiscal Year 2019-2020 Annual Action Plan funding and appropriation for CDBG, HOME, and ESG funds; Programs and recipients of funding for October 1, 2019 through September 30, 2020; authorizes the County Administrator to revise allocations and/or project service deliverables pursuant to HUD changes and to execute the agreements for respective Programs as provided for in the Resolution.

#### Motions E

Authorizes County Administrator to execute Interlocal Agreements with the City of Weston and the City of Margate to administer and implement their Fiscal Year 2019-2020 Community Development Block Grant ("CDBG") Programs

#### Motions F and G

These actions allow the County to recognize unanticipated grant funds, and to continue to implement and administer the CDBG and HOME Program

#### **Is this Action Goal Related**

Yes

#### **Previous Action Taken**

No Previous Action

#### **Summary Explanation/Background**

THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT AND THE HOUSING FINANCE AND COMMUNITY REDEVELOPMENT DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTIONS.

This item supports the Board's value: "Offering sustainable, compatible, innovative housing options for all income-levels, including integrated, permanent supportive housing; and the corresponding goal of "Increase the availability of affordable housing of all types, countywide in every community using effective, uniform criteria, policies and strategies.

#### Motions A through D

The Housing Finance and Community Redevelopment Division (HFCRD) received notice from HUD regarding all grant allocations needed for the HUD Annual Action Plan (AAP) preparation and submittal the last week of May 2019. Because HUD requires that all final accurate allocations be published for public comment periods of no less than 30 days, The HFCRD's final AAP application was not available to take to the Broward County Board of County Commissioners (BOCC) for submittal approval prior to July 1, 2019. The BOCC's last commission meeting was on June 18, 2019. The HFCRD was scheduled to take the AAP application to the first BOCC meeting after summer break; however, this August 13, 2019 commission meeting was cancelled. The AAP submittal deadline to HUD was August 16, 2019, and failure to submit by the deadline would have resulted in the automatic loss of all the Fiscal Year 2019 funding. This requirement is established by statute and cannot be waived by HUD.

Therefore, during the Broward County Board of County Commissioners' ("Board") 2019 summer recess, the County Administrator, pursuant to authority under Section 20.31 of the Broward County Administrative Code, approved the submission to HUD of the Broward County Fiscal Year 2019-2020 Annual Action Plan (AAP) application for funding in order to meet HUD's submittal deadline of August 16, 2019. The AAP includes the proposed activities for Fiscal Year 2019-2020 (October 1, 2019 - September 30, 2020) for the Community Development Block Grant ("CDBG"), HOME Investment Partnerships ("HOME"), and Emergency Solutions Grant ("ESG") Programs (Exhibit 2). HUD subsequently approved Broward County's AAP and submitted the HUD Grant funding agreements (Exhibit 1) for execution.

Advertising Requirements: On November 4, 2018, via the Sun Sentinel, the Housing Finance and Community Redevelopment Division (HFCRD) advertised the availability of funds and the pre-development public hearing and fair housing workshop for the Fiscal Year 2019-2020 AAP. The HFCRD Subsequently advertised the pre-adoption meeting and comment period on July 12, 2019 and held the pre-adoption public hearing on August 12, 2019, both with 30-day comment periods. No public comments were received.

CDBG Program: Broward County will receive CDBG funding in the amount of \$2,721,594 on behalf of the unincorporated areas and the 15 participating cities with populations under 50,000, which include Cooper City, Dania Beach, Hallandale Beach, Lauderdale-By-The-Sea, Lauderdale Lakes, Lazy Lake, Lighthouse Point, North Lauderdale, Oakland Park, Parkland, Pembroke Park, Sea Ranch Lakes, Southwest Ranches, West Park, and Wilton Manors. Grant funds received by the County are reallocated and distributed back to the participating cities to address their respective priorities. Additionally, the County anticipates receiving approximately \$130,000 in program income derived from the CDBG Program for reallocation to other CDBG eligible projects/activities, to include administrative and direct service costs. The total CDBG funding including the estimated program income is \$2,851,594. The entitlement cities with populations in excess of 50,000 receive their own direct funding allocations from HUD.

HOME Program: Broward County will receive HOME funding in the amount of \$3,467,009. This funding includes Broward County, the HOME Consortium Lead Entity, and the 11 participating HOME Consortium cities which include Coconut Creek, Coral Springs, Davie, Deerfield Beach, Lauderhill, Margate, Miramar, Pembroke Pines, Plantation, Sunrise, and Tamarac. The creation of a HOME Consortium is required by HUD for the County and the cities to receive HOME funding. The County, through interlocal agreements administers the HOME Consortium. Additionally, the County anticipates receiving approximately \$500,000 in anticipated program income derived from County and Consortium Cities HOME Projects for reallocation to cities and/or other County eligible HOME Projects and/or activities, to include administrative and direct service costs.

The HOME Program grant requires that 15% of the HOME funding allocation be set aside for Community Housing Development Organizations (CHDO's). The cities of Fort Lauderdale, Pompano Beach, and Hollywood receive their own HOME funding allocations directly from HUD.

The total HOME funding including the estimated anticipated program income is \$3,967,009. The County will also be administering and implementing, through interlocal agreements, the Fiscal Year 2019-2020 HOME funds for the City of Plantation, and the Town of Davie.

ESG Program: Broward County will receive ESG funding in the amount of \$231,550 Countywide, to address homelessness. The annual Notice of Funding Availability (NOFA) Request for Proposals process is used to distribute the grant funding.

In addition to the Broward County small cities and HOME Consortium cities who receive their portion of the allocation, the County sets aside some additional funds for non-profit and community development organizations.

These organizations being recommended for funding under the CDBG, HOME, and ESG Programs were part of the RFP process. Their applications were evaluated by committees consisting of HFCRD

staff and municipal staff who are practitioners in the planning, housing, and the community development field. Individual projects, except for public service activities, were recommended for full funding based on their evaluation scores, until the available funds were exhausted. CDBG public service projects cannot exceed 15% of the County's total CDBG allocation. The County's small cities and the required HUD public service activities like Fair Housing and Housing Authority partnership requirement, use almost all that percentage, therefore, only capital or affordable housing projects are considered for funding.

Funding recommendations under the ESG Program are done according to HUD eligibility category requirements. ESG funding for the emergency shelter and street outreach categories is limited to a maximum of 60% of the grant, and the remaining funds must be allocated to Rapid Rehousing category. HFCRD received no applications for the Rapid Rehousing category; therefore, the remaining funds are allocated to the County's Family Success Division. Funding priorities set by the Continuum of Care Advisory Committee are also taken into consideration when funding recommendations are made.

The projects in the AAP provide for rehabilitation of a minimum of 19 single family homes; purchase assistance to a minimum of 59 first time home buyers; approximately four affordable housing acquisition/rehabilitation units; public services including, but not limited to, housing counseling, elderly transportation, youth leadership, and providing homeless emergency shelter to approximately 1,140 low/moderate income clients; construction of various infrastructure improvements to benefit approximately 8,720 residents including but not limited to, park improvement, street resurfacing, and drainage in low/mod income neighborhoods; assistance to eight homeless residents with rapid rehousing services; and 1,850 homeless individuals with emergency shelter and support services.

#### Motion E

The County will also be administering and implementing, through interlocal agreements, the Fiscal Year 2019-2020 CDBG funds for the City of Weston (\$352,944) and the City of Margate (\$346,880). These funds are not part of the CDBG county allocation above, therefore Interlocal agreements are necessary. Approximately \$70,588 of the City of Weston's allocation and \$69,376 of the City of Margate's allocation will be allocated for administration.

#### Motions F and G

The funds being recognized in the amount of \$58,526 in CDBG program income funds were derived from CDBG program income generated from October 2017 through September 2018. CDBG program income is generated from the repayment of second mortgage loans from CDBG program assisted recipients who pay off their deferred payment loans prior to the expiration of the loan terms. The funds will be made available for use in the CDBG Program's Purchase Assistance activity. CDBG funds will be used to assist approximately one homeowner. Twenty percent or \$11,705 will be allocated for administration.

The funds being recognized in the amount of \$341,882 were derived from HOME Program Income generated from October 2017 through September 2018. HOME Program Income is generated from the repayment of second mortgage loans from HOME Program assisted recipients who pay off their deferred payment loans prior to the expiration of the loan terms. The funds will be made available for use in the HOME Program's Purchase Assistance activity. HOME funds will be used to assist a minimum of six homebuyers. Out of the \$341,882, only \$295,882 is eligible for administrative costs

per the HUD HOME regulations. Approximately 10% or \$29,588 will be allocated for administration.

**Source of Additional Information**

Ralph Stone, Director, Housing Finance and Community Redevelopment Division, 954-357-5320

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

This action is part of the application process for \$2,721,594 in Community Development Block Grant (CDBG) Program funds; \$3,467,009 in HOME Investment Partnerships (HOME) Program funds; \$231,550 in Emergency Solutions Grants (ESG) Program funds; and a projected \$130,000 in CDBG Program Income and \$500,000 in HOME Program Income, for a total of \$7,050,153 in grant funding from HUD for Fiscal Year 2019-2020.

In addition, this action will appropriate revenue for the City of Weston Community Development Block Grant (CDBG) Program in the amount of \$352,944 and \$346,880 for the City of Margate.

No additional Fiscal Impact to the County.