

RESOLUTION NO. 2019- 417

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO ACCEPT \$930, 264 IN U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2019 AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO SIGN THE FUNDING GRANT AGREEMENT.

RECITALS

WHEREAS, on July 16, 2019 the Board of County Commissioners approved the St. Johns County Community Development Block Grant (CDBG) Fiscal Year 2019 Action Plan for submission to the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, on November 1, 2019, St. Johns County was notified by the U.S. Department of Housing and Urban Development that the Fiscal Year 2019 Action Plan submitted by St. Johns County had been reviewed and approved on October 23, 2019; and

WHEREAS, based on the approval from the U.S. Department of Housing and Urban Development grant agreements must be executed for St. Johns County to receive the \$930,264 grant award; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY:

Section 1. The above recitals are incorporated by reference into the body of this resolution and such recitals are adopted as findings of fact.

Section 2. The Board of County Commissioners hereby authorizes the County Administrator, or his designee, to proceed with the execution of the grant funding agreement between the County and the U.S. Department of Housing and Urban Development.

Section 3. To the extent that there are typographical or administrative omissions that do not change the tone, tenor, or context of this resolution, this resolution may be revised without subsequent approval of the Board of County Commissioners.

Section 4. This resolution shall become effective immediately upon adoption. PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County this 19th day of November, 2019.

ATTEST: Hunter S. Conrad, Clerk

By: Sam Halterman
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY

By: Jeb S. Smith
Jeb S. Smith, Chairman

RENDITION DATE 11/21/19





U. S. Department of Housing and Urban Development
Jacksonville Field Office
Charles Bennett Federal Building
400 West Bay Street
Suite 1015
Jacksonville, Florida 32202-4410

October 23, 2019

The Honorable Paul Waldron
Chair, Board of Commissioners of St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

SUBJECT: Fiscal Year 2019 Action Plan and Grant Approvals
For the County of St. Johns, Florida

Dear Chair, Board of Commissioners Waldron:

The Fiscal Year 2019 Action Plan submitted by the County of St. Johns has been reviewed by HUD and approved. Based on this approval, I am pleased to transmit to you Fiscal Year 2019 grant agreements for the following program contained in your Plan:

Community Development Block Grant (CDBG) - \$930,264

The program year for the above grants is October 1, 2019 through September 30, 2020. Enclosed are the grant agreements, to be **signed and dated** by St. Johns County, for the programs contained in your Action Plan. After signing, please **return one original** grant agreement to this Office and **retain the second** for your records.

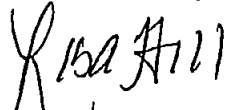
The CDBG program continues to improve neighborhoods, provide decent housing, and create new economic opportunities, with special focus on serving low-and moderate-income persons. The program's success is the result of strong partnerships among elected officials at all levels of government, neighborhood based nonprofit organizations, private sector, and HUD. We thank you for your continued service and cooperation to ensure that the CDBG program thrives far into the future.

As a part of the mandate from Congress to administer the CDBG program, HUD determines annually whether each CDBG Entitlement Community is carrying out its activities "in a timely manner". St. Johns County has failed to meet the CDBG timeliness test for program year 2018. The County's ratio was 2.15 at the time of the test, which exceeded the 1.50 requirement by .65 or \$598,858.60. Failure to meet the test successively for two program years could result in a reduction of the County's/City's CDBG grant funds.

HUD's mission is to increase homeownership, support community development and increase access to affordable housing free from discrimination.

We also congratulate you and your staff on the preparation of your Action Plan and look forward to working with you over the coming year to accomplish the goals set forth for your community and to further refine and improve your Consolidated Plan. If you have any questions or require further information or assistance, please contact, Deidra Hembree, Community Planning and Development Representative at (904) 208-6155 or by email at Deidra.M.Hembree@hud.gov.

Very sincerely yours,

A handwritten signature in black ink, appearing to read "Lisa Hill". The signature is written in a cursive style with a large initial "L".

Lisa A Hill

Director

Community Planning and Development

Enclosure: Grant Agreements



OCT 29 2019

U. S. Department of Housing and Urban Development
Jacksonville Field Office
Charles Bennett Federal Building
400 West Bay Street
Suite 1015
Jacksonville, Florida 32202-4439

Joseph Cone
Housing & Community Services Manager
St. Johns County Board of County Commissioners
Health and Human Services Department
200 San Sebastian View, Suite 2300
Saint Augustine, FL 32084

Dear Mr. Cone:

SUBJECT: Clearance of Noncompliance with Timely Expenditure Requirement
Community Development Block Grant (CDBG) Program

In our correspondence dated August 13, 2019, it was transmitted that this office reviewed the County for compliance with the requirements for carrying out its CDBG program in a timely manner. The final 60-day test report of August 2, 2019 concluded that the County had a balance in its line-of-credit of 1.93 times the annual grant amount. Accordingly, the County was in non-compliance with the timeliness standard. Subsequently, the County was requested to submit its plan to ensure timely expenditures for CDBG funds and provide quarterly status reports to this office until the LOCCS balance reached 1.5 grant years or below.

Our office is in receipt of the County's quarterly report for October 18, 2019. Our review of the quarterly report found it sufficiently addressed and documented the County efforts to overcome its untimely status. It is HUD's decision based on the County meeting the 1.5 timeliness standard test requirement within its October quarterly report that the submission of quarterly reports to this office is no longer necessary.

To foster continued future compliance the County is encouraged to utilize the publications provided in our initial correspondence of August 13, 2019. We remind you that the IDIS timeliness reports are also a helpful tool for keeping track of your drawdown progress. IDIS will calculate a current drawdown ration and the exact dollar amount you will need to draw down to reach the 1.5 standard.

Our office remains committed and available to assist you in any way possible with your efforts to continue carrying out your activities in a timely manner. Should you have any questions regarding this matter please feel free to contact Deidra Hembree, CPD Representative at (904) 208-6155 or email deidra.m.hembree@hud.gov.

Sincerely,

Lisa Hill, Director
Community Planning and Development

HUD's mission is to create strong, sustainable, inclusive communities and quality, affordable homes for all.

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Funding Approval/Agreement

Title I of the Housing and Community Development Act (Public Law 930383)
 HI-00515R of 20515R

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

OMB Approval No. 2506-0193

1. Name of Grantee (as shown in Item 5 of Standard Form 424) St. Johns County	3a. Grantee's 9-digit Tax ID Number 596000825	3b. Grantee's 9-digit DUNS Number 073236739
2. Grantee's Complete Address (as shown in Item 5 of Standard Form 424) St. Johns County BOCC 500 San Sebastian View St. Augustine, Florida 32084	4. Date use of funds may begin 10/01/2019	
	5a. Project/Grant No. 1 B-19-UC-12-0021	6a. Amount Approved \$930,264.00
	5b. Project/Grant No. 2	6b. Amount Approved

Grant Agreement: This Grant Agreement between the Department of Housing and Urban Development (HUD) and the above named Grantee is made pursuant to the authority of Title I of the Housing and Community Development Act of 1974, as amended, (42 USC 5301 et seq.). The Grantee's submissions for Title I assistance, the HUD regulations at 24 CFR Part 570 (as now in effect and as may be amended from time to time), and this Funding Approval, including any special conditions, constitute part of the Agreement. Subject to the provisions of this Grant Agreement, HUD will make the funding assistance specified here available to the Grantee upon execution of the Agreement by the parties. The funding assistance specified in the Funding Approval may be used to pay costs incurred after the date specified in item 4 above provided the activities to which such costs are related are carried out in compliance with all applicable requirements. Pre-agreement costs may not be paid with funding assistance specified here unless they are authorized in HUD regulations or approved by waiver and listed in the special conditions to the Funding Approval. The Grantee agrees to assume all of the responsibilities for environmental review, decision making, and actions, as specified and required in regulations issued by the Secretary pursuant to Section 104(g) of Title I and published in 24 CFR Part 58. The Grantee further acknowledges its responsibility for adherence to the Agreement by sub-recipient entities to which it makes funding assistance hereunder available.

U.S. Department of Housing and Urban Development (By Name) Lisa A. Hill		Grantee Name (Contractual Organization) St. Johns County (St Johns County)	
Title CPD Director		Title	
Signature 	Date (mm/dd/yyyy) 10/23/2019	Signature	Date (mm/dd/yyyy)

7. Category of Title I Assistance for this Funding Action: Entitlement, Sec 106(b)	8. Special Conditions (check one) <input type="checkbox"/> None <input checked="" type="checkbox"/> Attached	9a. Date HUD Received Submission 8/16/2019	10. check one <input checked="" type="checkbox"/> a. Orig. Funding Approval <input type="checkbox"/> b. Amendment Amendment Number
		9b. Date Grantee Notified 10/23/2019	
11. Amount of Community Development Block Grant		9c. Date of Start of Program Year 10/01/2019	

12a. Amount of Loan Guarantee Commitment now being Approved N/A	12b. Name and complete Address of Public Agency St. Johns County BOCC 500 San Sebastian View St. Augustine, Florida 32084
Loan Guarantee Acceptance Provisions for Designated Agencies: The public agency hereby accepts the Grant Agreement executed by the Department of Housing and Urban Development on the above date with respect to the above grant number(s) as Grantee designated to receive loan guarantee assistance, and agrees to comply with the terms and conditions of the Agreement, applicable regulations, and other requirements of HUD now or hereafter in effect, pertaining to the assistance provided it.	12c. Name of Authorized Official for Designated Public Agency
	Title
	Signature

HUD Accounting use Only

Batch	TAC	Program	Y	A	Reg	Area	Document No.	Project Number	Category	Amount	Effective Date (mm/dd/yyyy)	F
	153											
	176											
			Y					Project Number		Amount		
			Y					Project Number		Amount		

Date Entered PAS (mm/dd/yyyy)	Date Entered LOCCS (mm/dd/yyyy)	Batch Number	Transaction Code	Entered By	Verified By
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8. Special Conditions.

- (a) The period of performance for the funding assistance specified in the Funding Approval ("Funding Assistance") shall begin on the date specified in item 4 and shall end on September 1, 2026. The Grantee shall not incur any obligations to be paid with such assistance after September 1, 2026.
- (b) The Recipient shall attach a schedule of its indirect cost rate(s) in the format set forth below to the executed Agreement that is returned to HUD. The Recipient shall provide HUD with a revised schedule when any change is made to the rate(s) described in the schedule. The schedule and any revisions HUD receives from the Recipient shall be incorporated herein and made a part of this Agreement, provided that the rate(s) described comply with 2 CFR part 200, subpart E.

<u>Administering Department/Agency</u>	<u>Indirect cost rate</u>	<u>Direct Cost Base</u>
_____	_____ %	_____
_____	_____ %	_____
_____	_____ %	_____
_____	_____ %	_____
_____	_____ %	_____

Instructions: The Recipient must identify each agency or department of the Recipient that will carry out activities under the grant, the indirect cost rate applicable to each department/agency (including if the de minimis rate is used per 2 CFR §200.414(f)), and the type of direct cost base to which the rate will be applied (for example, Modified Total Direct Costs (MTDC)). Do not include indirect cost rates for subrecipients.

- (c) In addition to the conditions contained on form HUD 7082, the grantee shall comply with requirements established by the Office of Management and Budget (OMB) concerning the Dun and Bradstreet Data Universal Numbering System (DUNS); the System for Award Management (SAM.gov.); the Federal Funding Accountability and Transparency Act as provided in 2 CFR part 25, Universal Identifier and General Contractor Registration; and 2 CFR part 170, Reporting Subaward and Executive Compensation Information.
- (d) The grantee shall ensure that no CDBG funds are used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use. For the purposes of this requirement, public use shall not be construed to include economic development that primarily benefits private entities. Any use of funds for mass transit, railroad, airport, seaport or

highway projects as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfield as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118) shall be considered a public use for purposes of eminent domain.

- (e) The Grantee or unit of general local government that directly or indirectly receives CDBG funds may not sell, trade, or otherwise transfer all or any such portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act.
- (f) E.O. 12372-Special Contract Condition - Notwithstanding any other provision of this agreement, no funds provided under this agreement may be obligated or expended for the planning or construction of water or sewer facilities until receipt of written notification from HUD of the release of funds on completion of the review procedures required under Executive Order (E.O.) 12372, Intergovernmental Review of Federal Programs, and HUD's implementing regulations at 24 CFR Part 52. The recipient shall also complete the review procedures required under E.O. 12372 and 24 CFR Part 52 and receive written notification from HUD of the release of funds before obligating or expending any funds provided under this agreement for any new or revised activity for the planning or construction of water or sewer facilities not previously reviewed under E.O. 12372 and implementing regulations.
- (g) CDBG funds may not be provided to a for-profit entity pursuant to section 105(a)(17) of the Act unless such activity or project has been evaluated and selected in accordance with Appendix A to 24 CFR 570 - "Guidelines and Objectives for Evaluating Project Costs and Financial Requirements." (Source - P.L. 113-235, Consolidated and Further Continuing Appropriations Act, 2015, Division K, Title II, Community Development Fund).