

RESOLUTION NO. 2022- 19

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO ACCEPT \$1,030,151 IN U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2021; AUTHORIZING THE CHAIR TO SIGN THE FUNDING GRANT AGREEMENT; AND RECOGNIZING AND APPROPRIATING CDBG WITHIN THE FISCAL YEAR 2022 GENERAL FUND BUDGET.**

**RECITALS**

**WHEREAS**, on July 20, 2021 the Board of County Commissioners approved the St. Johns County Community Development Block Grant (CDBG) Fiscal Year 2021 Action Plan for submission to the U.S. Department of Housing and Urban Development; and

**WHEREAS**, the U.S. Department of Housing and Urban Development reviewed and approved the 2021 Annual Action Plan on December 7, 2021, and awarded St. Johns County \$1,030,151 to execute the projects specified in the 2021 Action Plan.

**WHEREAS**, the U.S. Department of Housing and Urban Development has made the Fiscal Year 2021 CDBG funds available to St. Johns County.

**WHEREAS**, the County did not anticipate receiving CDBG during the Fiscal Year 2022 budget process; and

**WHEREAS**, the County must recognize and appropriate CDBG of \$1,030,151 within the Fiscal Year 2022 budget.

**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 authorizes the Chair to execute the attached Funding Grant Agreement (HUD -7082) on behalf of the County.

**Section 3.** The Board of County Commissioners grants authority for the County Administrator or his designee to implement, manage, and administer the approved HUD CDBG Entitlement Program.

**Section 4.** The Board of County Commissioners recognizes that approved projects are subject to the availability of funds and environmental review approvals, and authorizes the County Administrator or his designee to adjust projects that do not rise to the level of a substantial amendment, as defined in the St. Johns County Citizen Participation Plan, and to provide additional information to HUD as may be required.

**Section 5.** The County Administrator or his designee is identified as the official representative of the Grantee to sign all appropriate sub-recipient agreements for the use of funds approved in the FY 2021 Annual Action Plan.

**Section 6.** The Board of County Commissioners recognizes and appropriates CDBG of \$1,030,151 to the Fiscal Year 2022 General Fund Budget..

**Section 7.** To the extent that there are typographical or administrative errors or 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 8.** This resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County Florida this 18 day of January 2022.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Henry Dean  
Henry Dean, Chair

ATTEST: Brandon J. Patty, Clerk of the Circuit  
Court and Comptroller

By: Sam Halterman  
Deputy Clerk

RENDITION DATE 1/20/22



# 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

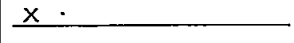
OMB Approval No. 2506-0193  
 exp 5/31/2018

|   |  |  |
|---|--|--|
| 1. Name of Grantee (as shown in item 5 of Standard Form 424)<br>St. Johns County  | 3a. Grantee's 9-digit Tax ID Number<br>596000825 | 3b. Grantee's 9-digit DUNS Number<br>073236739 |
| 2. Grantee's Complete Address (as shown in item 5 of Standard Form 424)<br>4020 Lewis Speedway<br>St Augustine, FL 32084-0000 | 4. Date use of funds may begin<br>11/01/2021     |  |
|   | 5a. Project/Grant No. 1<br>B-21-UC-12-0021       | 6a. Amount Approved<br>\$1,030,151             |
|   | 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)<br>Lisa A. Hill                     |                                 | Grantee Name (Contractual Organization)<br>St. Johns County (St Johns County)                   |                   |
| Title<br>CPD Director  |                                 | Title   |                   |
| Signature<br> | Date (mm/dd/yyyy)<br>11/01/2021 | Signature<br> | Date (mm/dd/yyyy) |

|   |  |   |   |
|---|--|---|---|
| 7. Category of Title I Assistance for this Funding Action:<br><br>Entitlement, Sec 106(b) | 8. Special Conditions (check one)<br><input type="checkbox"/> None<br><input checked="" type="checkbox"/> Attached | 9a. Date HUD Received Submission<br>08/06/2021  | 10. check one<br><input checked="" type="checkbox"/> a. Orig. Funding Approval<br><input type="checkbox"/> b. Amendment<br>Amendment Number |
|   |  | 9b. Date Grantee Notified<br>11/01/2021         |   |
|   |  | 9c. Date of Start of Program Year<br>10/01/2021 |   |
| 11. Amount of Community Development Block Grant   |  |   |   |
|   | a. Funds Reserved for this Grantee   | FY 2021<br>\$1,030,151                          |   |
|   | b. Funds now being Approved  |   |   |
|   | c. Reservation to be Cancelled (11a minus 11b)   |   |   |

|  |  |
|--|--|
| 12a. Amount of Loan Guarantee Commitment now being Approved<br>N/A   | 12b. Name and complete Address of Public Agency<br>St Johns County<br>4020 Lewis Speedway<br>St Augustine, FL 32084-0000 |
| Loan Guarantee Acceptance Provisions for Designated Agencies:<br>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<br>                        |

### 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 |
|-------------------------------|---------------------------------|--------------|------------------|------------|-------------|

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, 2028. The Grantee shall not incur any obligations to be paid with such assistance after September 1, 2028.
- (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<br/>Department/Agency</u> | <u>Indirect cost rate</u> | <u>Direct<br/>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).

**SCHEDULE OF INDIRECT COST RATES**

The Recipient shall attach a schedule of its indirect cost rate(s) in the format set forth below to the executed Funding Approval/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 Funding Approval/Agreement, provided that the rate(s) described comply with 2 CFR part 200, subpart E.

| Administering                    |                           | Direct           |
|----------------------------------|---------------------------|------------------|
| <u>Department/Agency</u>         | <u>Indirect cost rate</u> | <u>Cost Base</u> |
| <u>Health and Human Services</u> | <u>0 %</u>                | <u>N/A</u>       |
| <u>_____</u>                     | <u>_____ %</u>            | <u>_____</u>     |
| <u>_____</u>                     | <u>_____ %</u>            | <u>_____</u>     |
| <u>_____</u>                     | <u>_____ %</u>            | <u>_____</u>     |
| <u>_____</u>                     | <u>_____ %</u>            | <u>_____</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.



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

Shawna Novak  
St. Johns County  
Health and Human Services  
200 San Sebastian View, Suite 2300  
St. Augustine, FL 32084

Dear Ms. Novak:

SUBJECT: FY21 Grant Agreement Transmittal Letter

The Jacksonville Florida Field Office would like to thank you for your continued partnership in providing quality affordable housing, a suitable living environment, and expanding economic opportunities for low-and moderate-income persons through HUD programs. On Thursday, June 10, 2021, the Department published an interim final rule with a request for comments, titled: *Requesting Affirmatively Furthering Fair Housing Definitions and Certifications* (86 Fed Reg 30779). The effective date for the interim rule is July 31, 2021, and you are encouraged to review the interim rule in developing your programs. Enclosed are the Grant Agreements for the following programs:

|  |             |
|--|-------------|
| Community Development Block Grant Program (CDBG) | \$1,030,151 |
| Total FY 2021 Award                              | \$1,030,151 |

Transmittal of these Grant Agreement does not constitute approval of the activities described in your Consolidated Plan. You are reminded that you, as grantee, are responsible for ensuring that all grant funds are used in accordance with all program requirements. An executed Grant Agreement is a legally binding agreement between the Department of Housing and Urban Development and St. Johns County.

To establish a Line of Credit for Fiscal Year 2021 grants, it will be necessary for your agency to sign, execute and return one (1) copy of the Grant Agreements. If there is a need to add or remove individuals authorized to access the Integrated Disbursement Information System (IDIS), please submit an IDIS Online Access Request Form (HUD 27055). Also, please ensure the IDIS Online Access Request Form is notarized and returned to this office with your Grant Agreement. Additionally, if there is a need to establish or change the depository account where these funds are to be wired, a Direct Deposit Sign-Up form (SF-1199A) must be completed by your financial institution and returned to this office with a copy of a voided check.

In accordance with the HOME regulations at 24 CFR 92.254(a)(5), a Participating Jurisdiction (PJ) must establish resale and/or recapture requirements that comply with the standards of the regulation. Furthermore, the resale and/or recapture requirements must be set forth in the PJ's Consolidated Plan. HUD must determine if the PJ's provisions comply with the requirements of the regulations and notify the PJ in writing of its determination.

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

HUD has reviewed St. Johns County's resale and/or recapture provisions and has determined that the provisions included in the Plan complies with the requirements at 24 CFR 92.254(a)(5).

If applicable, please note the special condition in your CDBG Funding Approval/Agreement.

You are reminded that certain activities are subject to the provisions of 24 CFR Part 58 (Environmental Review Procedures). Funds for such activities may not be obligated or expended until HUD has approved the release of funds in writing. A request for release of funds (RROF) must be accompanied by an environmental certification, and until the RROF is approved and notification is received, no HUD funds should be committed. If the project or activity is exempt per 24 CFR 58.34 or categorically excluded (except in extraordinary circumstances), no RROF is required.

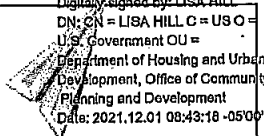
Please execute two (2) copies of the CDBG Funding Approval/Agreements with electronic signature/s. In response to COVID-19, HUD authorizes you to electronically execute the grant agreement/s with your electronic signature. Return one (1) copy of the agreement to this office to the attention of Lisa A. Hill, Director, Community Planning and Development. Please ensure the Chief Elected Official and/or authorized designee electronically signs the CDBG grant agreement in the box directly across from the HUD CPD Director's signature. The CDBG Funding Approval/Agreement should **not** be electronically signed in box 12c. Maintain a copy of each of the agreement with your original signature on site in your program files.

For additional information and guidance on grant-based accounting, please refer to the HUD Exchange at: <https://www.hudexchange.info/manage-a-program/grant-based-accounting/>.

HUD congratulates St. Johns County on its grant award, and we look forward to assisting you in accomplishing your programs goals. If you have any questions or need further information of assistance, please contact Ken Pinnix, CPD Representative at (904) 208-6153 or [Kenneth.M.Pinnix@hud.gov](mailto:Kenneth.M.Pinnix@hud.gov).

Sincerely,

**LISA  
HILL**

A rectangular box containing a digital signature. The signature itself is a stylized, overlapping 'L' and 'H' in a light blue color. To the right of the signature, there is a small, illegible stamp. Below the signature, there is a block of text providing details about the digital signature.

Digitally signed by: LISA HILL  
DN: CN = LISA HILL C = US O =  
U.S. Government OU =  
Department of Housing and Urban  
Development, Office of Community  
Planning and Development  
Date: 2021.12.01 08:43:18 -0500

Lisa A Hill, Director,  
Office of Community Planning and  
Development

Enclosures: FY2021 CDBG Grant Agreements and Special Conditions

## Roberto Ortiz

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**From:** Pinnix, Kenneth M <Kenneth.M.Pinnix@hud.gov>  
**Sent:** Tuesday, December 7, 2021 3:44 PM  
**To:** Roberto Ortiz  
**Subject:** RE: <External Message> FY 2021 Action Plan and 2021-2025 Consolidated Plan Approval Notification from HUD

Good afternoon Roberto. Please note that the St. Johns County 2021-25 Consolidated/Annual Action Plan was approved. Due to HUD approval and funding policies, the transmittal letter will not be forwarded to the grantee for signature unless the Plan was approved. We experienced delays in the plan approval process due to problems with our electronic signature application.

Thanks for the update on seeking Commissioner's approval to sign the grant transmittal. Please consider this email confirmation of the Plan approval.

Be assured the status in IDIS for the Con/AAP will be changed to "Review Complete" and the county will receive notification of the change. Should you have additional questions, please contact me.

Ken

[kenneth.m.pinnix@hud.gov](mailto:kenneth.m.pinnix@hud.gov)