

RESOLUTION R-21-171

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY,
FLORIDA, EXECUTE HUD GRANT AGREEMENTS FOR HOME-ARP**

WHEREAS, Manatee County is an entitlement community and eligible to receive federal funds through the HOME Investment Partnership (HOME); and

WHEREAS, Manatee County has been notified the Department of Housing and Urban Development (HUD) has proposed an allocation of \$2,362,768.00 for the HOME Investment Partnership – American Rescue Plan (HOME-ARP); and

WHEREAS, on September 13, 2021, the Department of Housing and Urban Development (HUD) published a notice titled: Requirements for Use of Funds in the HOME-American Rescue Plan Program (the Notice); and

WHEREAS, Manatee County must develop a HOME-ARP Allocation Plan for submittal to HUD; and

WHEREAS, a Participating Jurisdiction may use up to five percent of its total HOME-ARP award for administrative and planning costs for the HOME-ARP Allocation Plan; and

WHEREAS, the remaining award will be made available to Manatee County once the HOME-ARP Allocation Plan is approved by HUD; and

WHEREAS, the Department of Housing and Urban Development (HUD) requires an executed Grant Agreement to access up to five percent of the total award for administrative and planning costs.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that:

1. Resolution R-21-171 is hereby adopted to authorize the Chairman to sign and execute the HUD Grant Agreements for Federal HOME-ARP.

ADOPTED, with a quorum present and voting this 16th day of November 2021.



BY: BOARD OF COUNTY
COMMISSIONERS MANATEE
COUNTY, FLORIDA

By: _____

Vanessa Baugh, Chairperson

ATTEST: Angelina "Angel" Colonnese
Manatee County Clerk of the Circuit Court and Comptroller

By: _____

Deputy Clerk

HOME ARP Grant Agreement

Title II of the Cranston-Gonzalez National Affordable Housing Act
Assistance Listings #14.239 – HOME Investment Partnerships Program

1. Grantee Name and Address Manatee County 1115 Manatee AvenueW Bradenton, FL 34205-7803	2. Grant Number (Federal Award Identification Number (FAIN)) M21-UP120219	
	3a. Tax Identification Number 596000727	3b. Unique Entity Identifier (formerly DUNS) 077594810
	4. Appropriation Number 861/50205	5. Budget Period Start and End Date FY 2021 – 09/30/2030

6. Previous Obligation (Enter "0" for initial FY allocation)	\$0
a. Formula Funds	\$

7. Current Transaction (+ or -)	\$2,362,768.00
a. Administrative and Planning Funds Available on Federal Award Date	\$118,138.40
b. Balance of Administrative and Planning Funds	\$236,276.80
c. Balance of Formula Funds	\$2,008,352.80

8. Revised Obligation	\$
a. Formula Funds	\$

9. Special Conditions (check applicable box) <input type="checkbox"/> Not applicable <input type="checkbox"/> Attached	10. Federal Award Date (HUD Official's Signature Date) 09/20/2021
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11. Indirect Cost Rate*	12. Period of Performance Date in Box #10 - 09/30/2030															
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The HOME-ARP Grant Agreement (the "Agreement") between the Department of Housing and Urban Development (HUD) and the Grantee is made pursuant to the authority of the HOME Investment Partnerships Act (42 U.S.C. 12701 et seq.) and Section 3205 of the American Rescue Plan (P.L. 117-2) (ARP). HUD regulations at 24 CFR part 92 (as may be amended from time to time), the CPD Notice entitled "Requirements for the Use of Funds in the HOME-American Rescue Plan Program" (HOME-ARP Implementation Notice), the Grantee's HOME-ARP allocation plan (as of the date of HUD's approval), and this HOME-ARP Grant Agreement, form HUD-40093a, including any special conditions (in accordance with 2 CFR 200.208), constitute part of this Agreement. HUD's payment of funds under this Agreement is subject to the Grantee's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to 24 CFR 92.502 and the HOME-ARP Implementation Notice. To the extent authorized by HUD regulations at 24 CFR part 92, HUD may, by its execution of an amendment, deobligate funds previously awarded to the Grantee without the Grantee's execution of the amendment or other consent. The Grantee agrees that funds invested in HOME-ARP activities under the HOME-ARP Implementation Notice are repayable in accordance with the requirements of the HOME-ARP Implementation Notice. The Grantee agrees to assume all of the responsibility for environmental review, decision making, and actions, as specified and required in regulation at 24 CFR 92.352 and 24 CFR Part 58, as well as the HOME-ARP Implementation Notice.

The Grantee must comply with the applicable requirements at 2 CFR part 200, as amended, that are incorporated by the program regulations and the HOME-ARP Implementation Notice, as may be amended from time to time. Where any previous or future amendments to 2 CFR part 200 replace or renumber sections of part 200 that are cited specifically in the program regulations or HOME-ARP Implementation Notice, activities carried out under the grant after the effective date of the 2 CFR part 200 amendments will be governed by the 2 CFR part 200 requirements, as replaced or renumbered by the part 200 amendments.

The Grantee shall comply with requirements established by the Office of Management and Budget (OMB) concerning the Universal Numbering System and System for Award Management (SAM) requirements in Appendix I to 2 CFR part 200, and the Federal Funding Accountability and Transparency Act (FFATA) in Appendix A to 2 CFR part 170.

Funds remaining in the grantee's Treasury account after the end of the budget period will be cancelled and thereafter not available for obligation or expenditure for any purpose. Per 31 U.S.C. 1552, the Grantee shall not incur any obligations to be paid with such assistance after the end of the Budget Period.

13. For the U.S. Department of HUD (Name and Title of Authorized Official) Lisa A. Hill, CPD Director	LISA HILL <i>[Signature]</i>	15. Date 09/20/2021
16. For the Grantee (Name and Title of Authorized Official)	17. Signature <i>[Signature]</i>	18. Date 11/16/21

19. Check one: Initial Agreement Amendment #

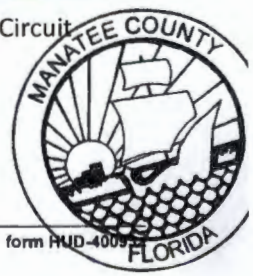
Attest: Manatee County Clerk of the Circuit

20. Funding Information: HOME ARP

Source of Funds 2021	Appropriation Code 861/50205	PAS Code HMX	Amount \$2,362,768.00
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Court and County Comptroller
By: *[Signature]*

Deputy Clerk



21. Additional Requirements: These additional requirements are attached and incorporated into this Agreement. The Grantee agrees to these additional requirements on the use of the funds in 7., as may be amended from time to time by the Secretary.

- a) As of the Federal Award Date, the Grantee may use up to the amount identified in 7.a. of this Agreement for eligible administrative and planning costs in accordance with the HOME-ARP Implementation Notice.
- b) Until the date of HUD's acceptance of the Grantee's HOME-ARP allocation plan, the Grantee agrees that it will not obligate or expend any funds for non-administrative and planning costs, in accordance with the HOME-ARP Implementation Notice.
- c) In accordance with the HOME-ARP Implementation Notice, as of the date of acceptance by HUD of the Grantee's HOME-ARP allocation plan, HUD shall make the amount identified in line 7. of this Agreement available to the Grantee.
- d) If the Grantee does not submit a HOME-ARP allocation plan or if the Grantee's HOME-ARP allocation plan is not accepted within a reasonable period of time, as determined by HUD, the Grantee agrees that all costs incurred and HOME-ARP funds expended by the Grantee will be ineligible costs and will be repaid with non-Federal funds.

22. Special Conditions

HOME ARP Grant Agreement

Title II of the Cranston-Gonzalez National Affordable Housing Act
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13. For the U.S. Department of HUD (Name and Title of Authorized Official) Lisa A. Hill, CPD Director	LISA HILL	15. Date 09/20/2021
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20. Funding Information: **HOME ARP**

Source of Funds	Appropriation Code	PAS Code	Amount
2021	861/50205	HMX	\$2,362,768.00

Attest: Manatee County Clerk of the Circuit Court and County Comptroller
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22. Special Conditions

APPROVED in Open Session

11/16/2021

Manatee County Board of County
Commissioners



Board of County Commissioners November 16, 2021 - Regular Meeting

SUBJECT

ADOPTION OF RESOLUTION R-21-171 AUTHORIZING EXECUTION OF THE FEDERAL FY2021-22 HOUSING AND URBAN DEVELOPMENT (HUD) HOME-ARP GRANT AGREEMENT

Category

CONSENT AGENDA

Briefings

All

Contact and/or Presenter Information

Geraldine C. Lopez, Director, Redevelopment and Economic Opportunity Department, ext. 3937
Jennifer Yost, Community Development Project Manager, ext. 6858

Action Requested

Adopt Resolution R-21-171 authorizing the Chairman to sign and execute the HUD Grant Agreements for Federal HOME Investment Partnerships – American Rescue Plan (HOME-ARP) and appropriate grant funds to use up to five percent of the total award for administrative and planning costs.

Enabling/Regulating Authority

24 CFR Part 91 (Consolidated Plan and Citizen Participation Plan regulation)

24 CFR Part 92 (HOME investment Partnership Program regulation)

2017-22 Consolidated Plan (Resolution R-17-083)

24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. Additional regulatory waiver authority is provided in 24 CFR 91.600. These regulatory provisions provide HUD the authority to make waiver determinations for the CDBG, HOME, ESG, CoC, and HOPWA Programs and consolidated planning requirements for all CPD formula programs.

Section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2) (“ARP”).

Background Discussion

Manatee County is an entitlement community through the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and Emergency Solutions Grant (ESG) programs.

On March 11, 2021, President Biden signed ARP into law, which provides over \$1.9 trillion in relief to address the continued impact of the COVID-19 pandemic on the economy, public health, State and local governments, individuals, and businesses.

The American Rescue Plan Act of 2021 appropriated \$5 billion to provide housing, services, and shelter to individuals experiencing homelessness and other vulnerable populations, to be allocated by formula to jurisdictions that qualified for HOME Investment Partnerships Program allocations in Fiscal Year 2021.

On September 22, 2021, Manatee County received notice from HUD that Manatee County, upon execution of the HOME-ARP Grant Agreement, may use up to five percent of its total award for administrative and planning costs to develop an Allocation Plan for use of the HOME-ARP. Once the HOME-ARP Allocation Plan is approved by HUD, the remaining award will be made available to Manatee County.

A resolution to adopt a Substantial Amendment to the 2021/22 HUD Annual Action Plan that includes the HOME-ARP Allocation Plan will be on a future Board Agenda.

A budget amendment to increase revenues and expenditures will be on a future Board Agenda, after the HUD Grant Agreement has been signed and submitted to HUD.

Attorney Review

Not Reviewed (No apparent legal issues)

[Emailed and interoffice 11/18/2021](#)

Instructions to Board Records

Please email to and return two certified copies of Resolution R-21-171, and one original and two certified copies of the Grant Agreement to Jennifer Yost, jennifer.yost@mymanatee.org, ext. 6858.

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

RESOLUTION R-21-171

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22. Special Conditions



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

Geri Lopez
Manatee County
Redevelopment and Economic Opportunity Department
1112 Manatee Ave. West
Bradenton, FL 34205

Dear Director Lopez:

The American Rescue Plan Act of 2021 appropriated \$5 billion to provide housing, services, and shelter to individuals experiencing homeless and other vulnerable populations, to be allocated by formula to jurisdictions that qualified for HOME Investment Partnerships Program allocations in Fiscal Year 2021. On September 13, 2021, the Department published a notice, titled: *Requirements for the Use of Funds in the HOME-American Rescue Plan Program* (the Notice), which you are encouraged to review to assist in developing your program. Enclosed is the Grant Agreement for the HOME Investment Partnerships – America Rescue Plan (HOME-ARP) program:

In accordance with the Notice, and the HOME ARP Grant Agreement, a Participating Jurisdiction (PJ), as of the Federal Award Date, may use up to five percent of its total award for administrative and planning costs. Once your HOME-ARP Allocation Plan is approved by HUD, the remaining award will be made available.

**HOME Investment Partnerships - American Rescue Plan
(HOME-ARP) \$ 2,362,768**

Transmittal of this Grant Agreement does not constitute approval of the activities described in your HOME-ARP Allocation Plan. You are reminded that you, as the PJ, 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 Manatee County.

To establish a Line of Credit for the HOME-ARP award, it will be necessary for your agency to sign, execute and return one (1) copy of the Grant Agreement. 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.

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

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 HOME-ARP Grant Agreement with electronic signatures. In response to COVID-19, HUD authorizes you to electronically execute the grant agreement with your electronic signature. Return one (1) of the agreements to this office to the attention of CPD General Correspondence Mailbox, at CPD_GeneralCorr-JAX@hud.gov . Maintain a copy of the agreement with your original signature on site in your program files.

HUD congratulates the Manatee 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 Larry Lopez, Sr. CPD Representative at (904) 208-6008 or Larry.M.Lopez@hud.gov

Sincerely,

Lisa A. Hill
Director
Office of Community Planning and
Development

Enclosures:

- FY21 HOME-ARP Grant Agreement