



Interoffice Memorandum

AGENDA ITEM

October 23, 2019

TO: Mayor Jerry L. Demings
–AND–
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Planning, Environmental and Development
Services Department

A handwritten signature in black ink, appearing to read "Jon V. Weiss", written over the printed name in the "FROM:" field.

**CONTACT PERSON: Mitchell Glasser, Manager
Housing and Community Development Division
407-836-5190**

SUBJECT: November 12, 2019 – Consent Item
2019-2020 One-Year Action Plan Agreements

On August 6, 2019, the Board approved Orange County's 2019-2020 One-Year Action Plan for housing and community development programs funded through the United States Department of Housing and Urban Development (HUD). The Action Plan was approved by HUD in September, and it contains funding from the Community Development Block Grant Program in the sum of \$6,680,788; HOME Investment Partnerships Program in the sum of \$2,565,007; and Emergency Solutions Grant Program in the sum of \$552,240.

The program year for the above grants is October 1, 2019 through September 30, 2020. As part of the mandate to administer the grants contained in the Action Plan, the grant agreements must be signed and dated by the Authorized Participating Jurisdiction Official and returned to HUD.

ACTION REQUESTED: Approval and execution of U.S. Department of Housing and Urban Development Office of Community Planning and Development 1) Community Development Block Grant Program Funding Approval/Agreement Project/Grant No. 1 B-19-UC-12-0003; 2) Funding Approval and HOME Investment Partnerships Agreement Grant Number M-19-UC120213; and 3) Funding Approval/Agreement Emergency Solutions Grants Program Unique Federal Award Identification Number: E-19-UC-12-0003. All Districts.

JVW:MG:ER
Attachment

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

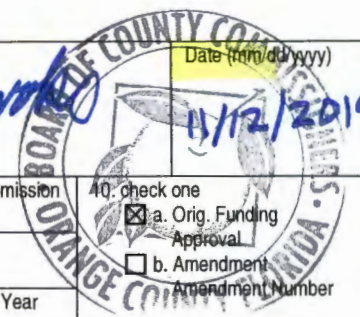
OMB Approval No. 2506-0193
 exp 5/31/2018

1. Name of Grantee (as shown in item 5 of Standard Form 424) Orange County	3a. Grantee's 9-digit Tax ID Number 596000773	3b. Grantee's 9-digit DUNS Number 064797251
2. Grantee's Complete Address (as shown in item 5 of Standard Form 424) 525 E South St Orlando, FL 32801	4. Date use of funds may begin (10/01/2019)	
	5a. Project/Grant No. 1 B-19-UC-12-0003	6a. Amount Approved \$6,680,788.00
	5b. Project/Grant No. 2	6b. Amount Approved

**BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
NOV 12 2019**

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) Orange County (Orange County)	
Title CPD Director	Signature 	Title Orange County Mayor	Signature
	Date (mm/dd/yyyy) 09/17/2019		Date (mm/dd/yyyy) 11/12/2019



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 (08/15/2019)	10. check one <input checked="" type="checkbox"/> a. Orig. Funding Approval <input type="checkbox"/> b. Amendment
		9b. Date Grantee Notified (09/17/2019)	Amendment Number
		9c. Date of Start of Program Year (10/01/2019)	
11. Amount of Community Development			
	Block Grant	FY (2019)	FY (2018)
	a. Funds Reserved for this Grantee	\$6,679,132.00	\$1,656.00
	b. Funds now being Approved		\$.00
	c. Reservation to be Cancelled (11a minus 11b)		

12a. Amount of Loan Guarantee Commitment now being Approved N/A	12b. Name and complete Address of Public Agency Orange County 525 E South St Orlando, FL 32801
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 Jerry L. Demings
	Title Orange County Mayor
	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>
<u>CDBG</u>	<u>6.88 %</u>	<u>MTDC</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).

**Orange County, Florida
Federal Cost Allocation Plan (2 CFR Part 200)
for the Fiscal Year Ended September 30, 2017
Schedule F - Indirect Cost Rate Proposal**

Receiving Departments	Central Service Costs	Dept Admin Personnel Costs	Dept Admin Other Costs	Total Indirect Costs	Indirect Cost Rate Base	Indirect Cost Rate
1272 Driver Education Safety Trst Fd	1,727	0	0	1,727	447,891	0.3900%
1295 Animal Svcs Trust - General Donatio	7,603	0	0	7,603	33,067	22.9900%
1300 Silver Star Road	2,012	0	0	2,012	135,032	1.4900%
1680 Inmate Commissary Fund	77,687	0	0	77,687	1,182,582	6.5700%
2315 Orange County Promissory Note Serie	2,367	0	0	2,367	45,075	5.2500%
2319 Public Service Tax Bonds	289,168	0	0	289,168	251,532	114.9600%
4410 Solid Waste System	1,587,386	0	0	1,587,386	23,425,001	6.7800%
4420 Water Utilities System	9,047,325	0	0	9,047,325	127,629,978	7.0900%
4427 Holden Heights Wastewater - 590	5,507	0	0	5,507	3,705	148.8400%
4430 Convention Center	3,765,269	0	0	3,765,269	151,451,217	2.4900%
5510 Risk Management Program	224,650	0	0	224,650	19,352,734	1.1600%
5530 Fleet Management Dept	1,921,672	0	0	1,921,672	14,414,859	13.3300%
5540 Employees Benefits	378,812	0	0	378,812	92,903,396	0.4100%
Adult Drug Court*	2,994	0	0	2,994	75,909	3.8900%
Air Pollution EPA 105*	24,531	0	0	24,531	204,253	12.0100%
Ambient Air EPA 103*	3,827	0	0	3,827	17,311	22.1100%
Assistance to Firefighters*	1,876	0	0	1,876	22,580	8.3100%
CDBG*	225,879	0	0	225,879	3,294,918	6.8900%
CERT*	1,853	0	0	1,853	7,797	23.7700%
CINS / FINS*	622,202	0	0	622,202	2,093,875	28.7200%
Citizen Corps*	1,791	0	0	1,791	7,759	23.0800%
CJ Minil Hlth Subst Abuse*	21,827	0	0	21,827	58,100	37.5700%
COPS Grants*	1,413	0	0	1,413	1,380,010	0.1000%
CSBG*	151,055	0	0	151,055	851,816	17.7300%
DEP Petro Clean Up*	8,902	0	0	8,902	907,174	0.9800%
DEP UST Compliance*	87,718	0	0	87,718	839,309	13.7200%
Drug Court Program*	2,148	0	0	2,148	73,938	2.9000%
Ed Byrne Memorial*	85,633	0	0	85,633	589,374	14.5300%
Emergency Shelter (Gov)*	309,399	0	0	309,399	220,000	140.6400%
EMPA*	10,849	0	0	10,849	104,727	10.3800%
EMPG Grant*	6,806	0	0	6,806	241,884	2.8100%
EMS*	18,888	0	0	18,888	152,737	12.2400%
EPA Grants (Federal)*	306	0	0	306	1,500	20.4000%
ESG*	2,851	0	0	2,851	25,000	11.4000%
Go Solar*	4,003	0	0	4,003	95,585	4.1800%
HAZMAT*	18,230	0	0	18,230	31,852	57.2300%
Head Start*	2,154,910	0	0	2,154,910	13,726,094	15.7000%
HIV*	558,292	0	0	558,292	6,950,908	7.9900%
HOME*	66,933	0	0	66,933	1,728,499	3.8600%
Hope III*	4,407	0	0	4,407	108	4,080.5800%
JAG*	11,725	0	0	11,725	135,385	8.6600%
LIHEAP*	494,312	0	0	494,312	2,708,096	18.2500%
Mosquito Control*	7,188	0	0	7,188	56,378	12.7500%
NSP*	19,125	0	0	19,125	443,630	4.3100%
NSP3*	38,577	0	0	38,577	1,528,557	2.5200%
Oaks*	87,565	0	0	87,565	527,275	16.6100%
Partnership for Success*	7,936	0	0	7,936	81,976	12.5000%
Paul Coverdell*	779	0	0	779	1,711	45.5300%
SAMHSA (SED)*	76,740	0	0	76,740	722,781	10.6200%
SAMHSA Drug Court*	4,813	0	0	4,813	108,287	4.2800%
SAMHSA Drug Free Community*	17,334	0	0	17,334	109,055	15.8900%

Funding Approval and HOME Investment Partnerships Agreement
 Title II of the National Affordable Housing Act

APPROVED BY ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
 U.S. Department of Housing and Urban Development
 Office of Community Planning and Development

NOV 12 2019

1. Participant Name and Address Orange County 525 E South St Orlando, FL 32801-2817	2. Grant Number M19-UC120213	
	3a. Tax Identification Number 596000773	3b. Unique Entity Identifier (formerly DUNS) 064797251
	4. Appropriation Number 869/20205	5. FY (yyyy) 2019

6. Previous Obligation (Enter "0" for initial FY allocation)	\$0
a. Formula Funds	\$2,565,007.00
b. Community Housing Development Org. (CHDO) Competitive	\$

7. Current Transaction (+ or -)	\$2,565,007.00
a. Formula Funds	\$2,565,007.00
1. CHDO (For deobligations only)	\$
2. Non- CHDO (For deobligations only)	\$
b. CHDO Competitive Reallocation or Deobligation	\$

8. Revised Obligation	\$
a. Formula Funds	\$
b. CHDO Competitive Reallocation	\$

9. Special Conditions (check applicable box) <input type="checkbox"/> Not applicable <input type="checkbox"/> Attached	10. Date of Obligation (Congressional Release Date) (mm/dd/yyyy) 09 / 17 / 2019
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11. Indirect Cost Rate*	12. Period of Performance Date in Box #10 - 09/01/2027															
<table border="1"> <thead> <tr> <th>Administering Agency/Dept.</th> <th>Indirect Cost Rate</th> <th>Direct Cost Base</th> </tr> </thead> <tbody> <tr> <td>---</td> <td>3.85 %</td> <td></td> </tr> <tr> <td>---</td> <td>%</td> <td></td> </tr> <tr> <td>---</td> <td>%</td> <td></td> </tr> <tr> <td>---</td> <td>%</td> <td></td> </tr> </tbody> </table>	Administering Agency/Dept.	Indirect Cost Rate	Direct Cost Base	---	3.85 %		---	%		---	%		---	%		<p>* If funding assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E-Cost Principles, provide the name of the department/agency, its indirect cost rate (including if the de minimis rate is charged per 2 § CFR 200.414), and the direct cost base to which the rate will be applied. Do not include cost rates for subrecipients.</p>
Administering Agency/Dept.	Indirect Cost Rate	Direct Cost Base														
---	3.85 %															
---	%															
---	%															
---	%															

This Agreement between the Department of Housing and Urban Development (HUD) and the Participating Jurisdiction/Entity is made pursuant to the authority of the HOME Investment Partnerships Act (42 U.S.C. 12701 et seq.). The Participating Jurisdiction's /Entity's approved Consolidated Plan submission/Application and the HUD regulations at 24 CFR Part 92 (as is now in effect and as may be amended from time to time) and this HOME Investment Partnership Agreement, form HUD-40093, including any special conditions, constitute part of this Agreement. Subject to the provisions of this Agreement, HUD will make the funds for the Fiscal Year specified, available to the Participating Jurisdiction/Entity upon execution of this Agreement by the parties. All funds for the specified Fiscal Year provided by HUD by formula reallocation are covered by this Agreement upon execution of an amendment by HUD, without the Participating Jurisdiction's execution of the amendment or other consent. HUD's payment of funds under this Agreement is subject to the Participating Jurisdiction's/Entity's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to 24 CFR 92.502. 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 Participating Jurisdiction/Entity without the Participating Jurisdiction's/Entity's execution of the amendment or other consent. The Participating Jurisdiction/Entity agrees that funds invested in affordable housing under 24 CFR Part 92 are repayable when the housing no longer qualifies as affordable housing. Repayment shall be made as specified in 24 CFR Part 92. The Participating Jurisdiction 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.

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 A to 2 CFR part 25, and the Federal Funding Accountability and Transparency Act (FFATA) in Appendix A to 2 CFR part 170.

The Period of Performance for the funding assistance shall begin on the date specified in item 12 and shall end on September 1st of the 5th fiscal year after the expiration of the period of availability for obligation. Funds remaining in the account 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 Period of Performance.

13. For the U.S. Department of HUD (Name and Title of Authorized Official) - Lisa A Hill, HUD Community Planning and Development Director	14. Signature <i>[Signature]</i>	15. Date 09 / 17 / 2019
16. For the Participating Jurisdiction/Entity (Name and Title of Authorized Official) for Jerry L. Demings, Orange County Mayor	17. Signature <i>[Signature]</i>	18. Date 11 / 12 / 2019

19. Check one:
 Initial Agreement Amendment #

20. Funding Information: HOME		PAS Code	Amount
Source of Funds	Appropriation Code		
2019	86 9/2 0205	HMF (G)	\$2,555,161.00
2018	86 8/1 0205	HMF (F)	\$6,060.00
2017	86 7/0 0205	HMF (C)	\$3,786.00

