

RESOLUTION NO. 2009-351

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DIRECTING STAFF TO SUBMIT APPLICATION AND EXECUTE ALL REQUIRED DOCUMENTS TO THE DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR THE 2008 DISASTER RECOVERY PROGRAM ALLOCATION; AUTHORIZING OFFICERS OF THE COUNTY TO DO ALL THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Department of Community Affairs (DCA) announces the Notice of Funding Availability of disaster recovery funding to St. Johns County and all municipalities within the County, in the amount of \$1,300,328, which requires no local match or leverage of funds, to address needs resulting from federally declared disasters in 2008; and

WHEREAS, the St. Johns County, Florida (the "County"), recognizes the importance of the program to provide long-term recovery and restoration of infrastructure and serve the needs of the County and the benefits of the eligible uses of the funds of the Program; and

WHEREAS, by this action the County has entered into a Federally-Funded Grant Agreement with the State of Florida Department of Community Affairs relating to the Program; and

WHEREAS, the County has determined to complete the application, develop a project work scope, and administer the disaster recovery program, by reviewing FEMA damage assessment and local data and determine the greatest unmet need meeting program criteria; and

WHEREAS, the County recognizes the reallocation of additional funds may be available based on a fund recipient's substantial progress of the disaster recovery program; and

WHEREAS, the Board of County Commissioners of the County (the "Board") deems it necessary, desirable and in the best interests of the County to approve the application and administration of the 2008 Disaster Recovery Funding, all in the manner and to the extent hereinafter provided;

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

SECTION 1. FINDINGS OF FACT. The above recitals are incorporated into the body of the Resolution, and such recitals are adopted as Findings of Fact.

SECTION 2. ERRORS AND/OR OMISSIONS. To the extent that there are typographical and/or administrative errors and/or omissions that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval of the Board of County Commissioners.

SECTION 3. APPROVAL AND AUTHORIZATION OF EXECUTION OF PROGRAM APPLICATION AND AGREEMENT. The Application and Agreement between the County and the Department of Community Affairs, is hereby approved; and the Chair or the Vice Chair of the Board is hereby authorized and directed to execute and deliver the Application and Agreement on behalf of the County, with such changes or modifications as may be approved by the County's counsel and the officer executing the same, such approvals to be conclusively evidenced by such officer's execution thereof.

SECTION 4. OTHER ACTION. The Chair, the Vice Chair and the Clerk of the Board and the County Administrator are each hereby authorized and directed to execute and deliver any and all additional documents, certificates and instruments necessary or proper to do and cause to be done any and all acts and things necessary or proper relating to this Resolution and the Application and Agreement as described in this Resolution.

SECTION 5. ACTION APPROVED AND CONFIRMED. All actions of the officers, employees or agents of the County which are in conformity with the purposes and intent of this Resolution are approved and confirmed in all respects hereby. **Moreover, the above recitals are hereby incorporated into the body of this Resolution, and are adopted as Findings of Fact.**

SECTION 6. SEVERABILITY. If any provision of this Resolution shall be held or deemed to be illegal, inoperative or unenforceable, the same shall not affect any other provision or cause any other provision to be invalid, inoperative or unenforceable to any extent whatsoever.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 1st day of December, 2009.

(OFFICIAL SEAL)

ATTEST: Clerk of the Board of County
Commissioners of St. Johns County, Florida

Pam Halterman
Deputy Clerk

[Signature]
Chair of the Board of County Commissioners
of St. Johns County, Florida

RENDITION DATE 12/3/09



Florida Community Development Block Grant Program Disaster Recovery Initiative



Application for HUD Disaster Recovery Funding

Department of Housing and Urban Development

[Docket No. FR-5256-N-01]

Federal Register / Volume 74, Number 29, dated February 13, 2009

[Docket No. FR-5337-N-01]

Federal Register / Volume 74, Number 156, dated August 14, 2009

2008 Supplemental CDBG Appropriations

Robert T. Stafford Disaster Relief and Emergency Assistance Act

Applicant _____

(Name of Local Government)

Charlie Crist
Governor



Tom Pelham
Secretary

Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

<http://www.floridacommunitydevelopment.org/disasterrecovery.cfm>

General Information

The Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Pub. L. 110-329, approved September 30, 2008) (hereinafter, "Second 2008 Act" to differentiate it from the earlier 2008 Supplemental Appropriations Act, Pub. L. 110-252, approved June 30, 2008) appropriates \$6.5 billion, to remain available until expended, in CDBG funds for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure, housing and economic revitalization in areas affected by hurricanes, flooding, and other natural disasters that occurred during 2008, for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*). The availability of the funding was formally announced in the Federal Register (Volume 74, No. 29 and Volume 74, Number 156) on February 13, 2009 and August 14, 2009, respectively. The Federal Register may be accessed online at <http://www.floridacommunitydevelopment.org/cdbg/disasterrecovery.cfm>.

Federal requirements clearly state that the funds can be used only for disaster relief, long-term recovery in communities affected by the specified disasters. Requirements provide that the funds be directed to areas with the greatest need. Award recipients cannot use this disaster assistance for a project or activity that was underway prior to the Presidential disaster declaration, with the specified time period in the appropriations act. All projects must be directly related to one or more of the storms. Elements of activities that are reimbursable by FEMA or available through the Small Business Administration (SBA) cannot be reimbursed with these funds.

Please note that the Department must direct at least \$9,079,866 for affordable rental housing. If, after reviewing the applications, it is determined that this amount has not been met, up to 14% of the funds awarded to counties that do not plan to address affordable rental housing will be re-allocated to counties with unmet rental housing needs.

National Objectives

All activities must meet one of the three national objectives set out in the Housing and Community Development Act (address slum and blight, urgent need, primarily benefit low to moderate income (LMI) persons), with at least 50% of the dollars going towards projects benefiting LMI persons. All housing projects must benefit LMI persons. Please use forms provided under Attachments to justify national objective.

Waivers

The Act authorized HUD to waive, or specify alternative requirements for any statute or regulation that HUD administers in connection with the funds, except for requirements relating to fair housing, nondiscrimination, labor standards, and the environment, as long as the waiver facilitates the use of the funds and is not inconsistent with the overall purpose.

A limited waiver of the anti-pirating clause allows the flexibility to provide assistance to a business located in another state if the business was displaced from the community by the disaster and the business wishes to return. This waiver allows grantees affected by a major disaster to rebuild the community's employment base.

HUD has waived the one-for-one replacement of LMI housing units demolished or converted using CDBG funds. This waiver allows grantees to acquire, convert or demolish disaster-damaged housing without having to provide a unit for unit replacement.

Additional waivers may be considered on a case-by-case basis if an award recipient chooses to fund a flood buyout program with both HUD and FEMA funds and needs the waiver to develop a workable program design. Applicants must contact the Department of Community Affairs if they believe further waivers are required to ensure the success of the recovery effort.

Application Workshop

The application workshop will be held on November 3-4, 2009 at the Hyatt Regency Jacksonville Riverfront in Jacksonville, Florida. The application cycle will open on **November 16, 2009 and close on January 15, 2010**. Applications must be received by the CDBG Program at the address below, whether mailed or delivered, by 5:00 p.m., Eastern Standard Time, on January 15, 2010:

Community Development Block Grant Section
Division of Housing and Community Development
2555 Shumard Oak Boulevard, Room 260 - N or 260 - A
Tallahassee, Florida 32399-2100

Required Application Procedures

1. Fully complete the application.
2. Submit two copies of the application, with original signatures of the Chief Elected Official or Designee (If designee, include resolution in appendices.) Copies should be submitted in a three-ring binder, with a table of contents, an executive summary, and dividers with labeled tabs.
3. Submit a detailed map depicting the boundaries of the local government, the service area, the location of the activities, the flood plain and other relevant details.
4. If available at the time of application, submit copies of any policies that are applicable to CDBG (i.e., citizens' complaint policy, acquisition and relocation policy, housing assistance plan, procurement policy, subrecipient monitoring plan, etc.). If not available at submission of application, submit during site visit. Recipients who fail to provide these policies will be prohibited from drawing down funds.
5. Submit copies of any other documents that support your application or relate to the requirements set out in the Action Plan or Federal Register. Supply documentation that confirms the project is recovery from the 2008 storms.
6. Submit a copy of an "Interlocal Agreement" if a project will, in any way, impact another local government i.e. take place in another jurisdiction.
7. Number the appendices.
8. Comply with the Intergovernmental Coordination and Review (IC&R) process outlined below.
 - By the application deadline date, submit 15 copies of the application to the Florida State Clearing House, Department of Environmental Protection, Commonwealth Building, Tallahassee, Florida 32399.
 - A transmittal letter must accompany the materials that the local government sends to the State Clearing House. This letter should request that the State Clearing House send copies of any correspondence that they may send to the local government to the DCA CDBG Program. The local government may also ask the State Clearing House to send copies to other parties such as consultants and engineers.
 - Submit one copy of the application to the Regional Planning Council that serves the local government.
9. Use Attachment A – Household Income Verification Form (Form 27-07), if a survey is conducted to document beneficiaries.
10. Follow Attachment B, General Instructions for Estimating Project Budget, when preparing the budget to be submitted with the application.
11. All applications must include Attachment G: Project Budget and Scope of Work.
12. Fill out National Objective Forms (Attachments C, D, or E)

Readiness to Proceed

To assist the Department in assessing the applicant's ability to proceed in a timely manner, please answer the following questions. Your response will have no bearing on your application's approval, but will assist us in determining the types of technical assistance to provide.

1. Has the applicant designated a program, office or staff for the administration of a community development block grant, or	Yes	No
2. Does the applicant regularly contract with a consultant for the administration of a community development block grant?	Yes	No
3. Does the applicant have a citizen complaint policy, acquisition and relocation policy, housing assistance plan and procurement policy in place that meets HUD guidelines? If not, you may wish to visit the CDBG web site for examples: http://www.floridacommunitydevelopment.org/cdbg/index.cfm	Yes	No
4. Has the applicant developed, or does the applicant plan to develop, a long-term recovery plan as a result of the disasters?	Yes	No

Funding Allocation

This allocation is based on the Department's compilation of preliminary damage assessment data from FEMA. To ensure that counties with the greatest disaster recovery needs are targeted for funding in amounts adequate to make a measurable impact on the severity of local circumstances, a simple allocation cut-off of \$190,000 was established to ensure significant awards. All allocations not meeting this threshold were re-distributed to those in the top-qualifying tier, distributed by each county's percentage of those within the tier. Allocating the funds in this manner ensures that communities with the greatest need receive an amount significant enough to accomplish measurable repair and recovery. The allocation of funding is provided below.

COUNTY	PDA TOTAL	TOTAL AWARD	PCT OF TOTAL DMG	SIMPLE AWARD	PCT OF THRESH OLD GROUP	REALLOCATION	SIMPLE AWARD PLUS REALLOCATION
Leon	\$30,543,181	\$79,037,259	12.73%	\$10,065,128	12.88%	\$885,969	\$10,179,232
Collier	\$29,894,993	\$79,037,259	12.46%	\$9,851,525	12.61%	\$885,969	\$9,963,208
St. Lucie	\$24,179,628	\$79,037,259	10.08%	\$7,968,097	10.20%	\$885,969	\$8,058,428
Escambia	\$21,206,000	\$79,037,259	8.84%	\$6,988,175	8.94%	\$885,969	\$7,067,397
Brevard	\$19,643,240	\$79,037,259	8.19%	\$6,473,187	8.28%	\$885,969	\$6,546,571
Palm Beach	\$19,603,736	\$79,037,259	8.17%	\$6,460,169	8.27%	\$885,969	\$6,533,405
Duval	\$12,831,502	\$79,037,259	5.35%	\$4,228,463	5.41%	\$885,969	\$4,276,399
Volusia	\$12,521,000	\$79,037,259	5.22%	\$4,126,141	5.28%	\$885,969	\$4,172,917
Gulf	\$7,609,893	\$79,037,259	3.17%	\$2,507,746	3.21%	\$885,969	\$2,536,175
Monroe	\$7,468,230	\$79,037,259	3.11%	\$2,461,063	3.15%	\$885,969	\$2,488,963
Sarasota	\$7,062,649	\$79,037,259	2.94%	\$2,327,409	2.98%	\$885,969	\$2,353,794
St. John's	\$3,901,684	\$79,037,259	1.63%	\$1,285,752	1.65%	\$885,969	\$1,300,328
Bay	\$3,741,814	\$79,037,259	1.56%	\$1,233,069	1.58%	\$885,969	\$1,247,047
Putnam	\$3,598,200	\$79,037,259	1.50%	\$1,185,742	1.52%	\$885,969	\$1,199,185
Flagler	\$2,611,875	\$79,037,259	1.09%	\$860,711	1.10%	\$885,969	\$870,469
Nassau	\$2,347,652	\$79,037,259	0.98%	\$773,640	0.99%	\$885,969	\$782,410
Broward	\$2,293,315	\$79,037,259	0.96%	\$755,734	0.97%	\$885,969	\$764,301
Martin	\$2,034,336	\$79,037,259	0.85%	\$670,390	0.86%	\$885,969	\$677,990
Okaloosa	\$2,023,400	\$79,037,259	0.84%	\$666,786	0.85%	\$885,969	\$674,346
Hardee	\$1,900,000	\$79,037,259	0.79%	\$626,122	0.80%	\$885,969	\$633,220
Santa Rosa	\$1,740,000	\$79,037,259	0.73%	\$573,395	0.73%	\$885,969	\$579,896
Marion	\$1,567,415	\$79,037,259	0.65%	\$516,522	0.66%	\$885,969	\$522,378
Miami-Dade	\$1,515,178	\$79,037,259	0.63%	\$499,308	0.64%	\$885,969	\$504,969
Calhoun	\$1,501,454	\$79,037,259	0.63%	\$494,786	0.63%	\$885,969	\$500,395
Alachua	\$1,427,721	\$79,037,259	0.60%	\$470,488	0.60%	\$885,969	\$475,822
Okeechobee	\$1,412,040	\$79,037,259	0.59%	\$465,320	0.60%	\$885,969	\$470,595
Wakulla	\$1,378,001	\$79,037,259	0.57%	\$454,103	0.58%	\$885,969	\$459,251
Seminole	\$1,297,284	\$79,037,259	0.54%	\$427,504	0.55%	\$885,969	\$432,350
Baker	\$1,187,555	\$79,037,259	0.50%	\$391,344	0.50%	\$885,969	\$395,781
Franklin	\$900,000	\$79,037,259	0.38%	\$296,584	0.38%	\$885,969	\$299,946
Lake	\$871,619	\$79,037,259	0.36%	\$287,231	0.37%	\$885,969	\$290,487
Hendry	\$817,570	\$79,037,259	0.34%	\$269,420	0.34%	\$885,969	\$272,474
Osceola	\$727,045	\$79,037,259	0.30%	\$239,589	0.31%	\$885,969	\$242,305
Gadsden	\$725,727	\$79,037,259	0.30%	\$239,154	0.31%	\$885,969	\$241,866
Bradford	\$649,816	\$79,037,259	0.27%	\$214,139	0.27%	\$885,969	\$216,566
Highlands	\$621,781	\$79,037,259	0.26%	\$204,900	0.26%	\$885,969	\$207,223
Clay	\$603,515	\$79,037,259	0.25%	\$198,881	0.25%	\$885,969	\$201,136
Glades	\$602,881	\$79,037,259	0.25%	\$198,672	0.25%	\$885,969	\$200,924
Jefferson	\$591,439	\$79,037,259	0.25%	\$194,901	0.25%	\$885,969	\$197,111

Citizen Participation Requirements

County Recipients

Counties eligible to receive funds must consider the needs of all municipalities (and Federally Recognized Indian Tribes) within the incorporated as well as unincorporated area of the county (and reservations contiguous to the county).

Evidence of public meeting with city and Tribal governments must meet the following requirements:

- Notice of the public meeting must be provided at least five (5) days prior to the meeting.
- Documentation of the meeting must include sign-in sheets and minutes.

Citizen Participation Requirements

Prior to submitting an application for Disaster Recovery funding, applicants are required to post a public notice in a newspaper of general circulation and to their website, that states the types of projects to be undertaken, the source and amount of funding available for the activities, the date by which comments must be made, and a contact person for a copy of the proposed application.

Evidence of the public notice must meet the following requirements.

- Documentation of newspaper advertisement.
- Print-out of county webpage showing public notice.
- Documentation that the needs of non-English speaking citizens have been met where a significant number of non-English speaking citizens can be reasonably expected to participate.