

RESOLUTION NO. 2011-197

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING EXECUTION OF A SUBGRANT AGREEMENT MODIFICATION EXTENSION WITH THE DEPARTMENT OF COMMUNITY AFFAIRS FOR NEIGHBORHOOD STABILIZATION PROGRAM FUNDS ON BEHALF OF ST. JOHNS COUNTY**

**RECITALS**

**WHEREAS**, The Housing and Economic Recovery Act (HERA) created the Neighborhood Stabilization Program (NSP) which is primarily intended for the acquisition of bank owned foreclosure properties which, once acquired, will be sold to income eligible households or used for very-low income rental housing; and

**WHEREAS**, the County recognizes the importance of the NSP program to serve the needs of our community and the benefits of the eligible uses of the funds in the NSP program; and

**WHEREAS**, the Board of County Commissioners per resolutions, 2008-330 AND 2009-67 AND 2009-211 approved submitting an application to the Department of Community Affairs (DCA) for Small Cities Community Development Block Grant Neighborhood Stabilization Program (NSP) and authorized the execution of a Subgrant Agreement with DCA ; and

**WHEREAS**, DCA requested that the County execute a one year extension in their correspondence dated June 9, 2011; and included for execution a Subgrant Agreement Modification Extension for one year commencing October 6, 2011 for contract 10DB-4X-04-65-01-F 22, a federally funded Subgrant Agreement for the Neighborhood Stabilization Program in the initial amount of \$2,489,344;and

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

**SECTION 1.** To approve a Subgrant Agreement Modification Extension for one year commencing October 6, 2011 for DCA contract 10DB-4X-04-65-01-F 22 for Neighborhood Stabilization Program (NSP) funding and authorize the Chairman to sign and Staff to submit to DCA.

**SECTION 2. REPEAL OF INCONSISTENT PROVISIONS.** All resolutions or parts thereof in conflict with this Resolution are hereby repealed to the extent of such conflict.

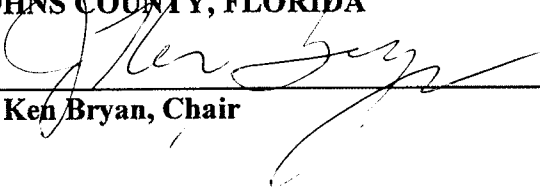
**SECTION 3. SEVERABILITY.** In the event that any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Resolution which shall remain in full force and effect.

**SECTION 4. ADMINISTRATIVE MATTERS.** To the extent that there are typographical and/or administrative errors and/or omissions that do not change the tone, tenor or context of this Resolution, then this Resolution may be revised without subsequent approval of the Board.

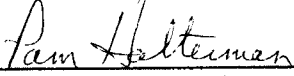
**SECTION 5. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 19<sup>th</sup> day of July 2011.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA**

By:   
**Ken Bryan, Chair**

ATTEST: Cheryl Strickland, Clerk

By:   
**Deputy Clerk**



RENDITION DATE 7/21/11



STATE OF FLORIDA

## DEPARTMENT OF COMMUNITY AFFAIRS

*"Dedicated to making Florida a better place to call home"*

RICK SCOTT  
Governor

BILLY BUZZETT  
Secretary

June 9, 2011

The Honorable Ron Sanchez, Chairman  
St. Johns County Board of County Commissioners  
500 San Sebastian View  
St. Augustine, Florida 32084

Re: NSP-1 Extension - Grant Agreement Number 10DB-4X-04-65-01-F 22

Dear Chairman Sanchez:

As you know, your NSP-1 Subgrant Agreement was executed on October 6, 2009. Awards were made based on the Department's usual two year contract period with the knowledge that most, if not all, local governments would not be able to completely finish their projects within that time frame. As anticipated, the two year contract period was not enough time for the local governments to complete their NSP projects. At this time, the Department is initiating Subgrant Agreement Modifications for an additional year (one year from your current contract end date – October 5, 2011). This one-year extension should allow each local government ample time to substantially complete their projects, however, with program income adding activities to initial NSP projects, another extension may be needed.

In order to finalize the Subgrant Agreement extension, we need the following items from your local government within 45 days:

- A cover letter that contains a brief narrative on the overall status of your current program;
- A Subgrant Agreement Modification form;
- A revised Attachment A - Budget (by strategy) if you need to make any budget adjustments at this time;
- Please reflect any program income that you have on hand in the "other funds" column of Attachment A, and
- A revised Attachment B - Activity Work Plan based on the new end date of your contract.

Please note that three original Modification to Subgrant Agreement, Activity Work Plan and Budget (if revised) are needed. Once executed by the Department, an original will be returned to you.

2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100  
850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: [www.dca.state.fl.us](http://www.dca.state.fl.us)

♦ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ♦ FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) ♦  
♦ HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) ♦

The Honorable Ron Sanchez  
June 9, 2011  
Page 2

The documents listed above will be sent electronically to your NSP contact person for your convenience. Once executed by your Chief Elected Official, these documents should be sent by over-night mail to my attention. Because original signatures are needed, we will not accept a fax or email. However, if you would like your documents reviewed prior to having them executed by your office, your grant manager will be happy to assist you. Thank you for the good work that you are doing in your community. If you have any questions, please contact your Grant Manager or me at [gary.fitzpatrick@dca.state.fl.us](mailto:gary.fitzpatrick@dca.state.fl.us)

Sincerely,

A handwritten signature in black ink, appearing to read "Gary M. Fitzpatrick". The signature is fluid and cursive, with the first name "Gary" being particularly prominent.

Gary M. Fitzpatrick, P.E.  
Manager, NSP Program

GF/gt

cc: Tom Crawford, Director of Housing & Community Services  
Garry Thomas, Grant Manager, Department of Community Affairs

**MODIFICATION NUMBER 3 TO SUBGRANT AGREEMENT BETWEEN  
THE DEPARTMENT OF COMMUNITY AFFAIRS AND  
ST. JOHNS COUNTY**

This Modification is made and entered into by and between the State of Florida, Department of Community Affairs, (“the Department”), and St. Johns County, (“the Recipient”), to modify DCA Contract Number 10DB-4X-04-65-01-F22, award dated 10/6/2009 (“the Agreement”).

**WHEREAS**, the Department and the Recipient entered into the Agreement, pursuant to which the Department provided a subgrant of \$2,489,443.00 to Recipient under the Small Cities Community Development Block Grant (“CDBG”) Program as set forth in the Agreement;

**WHEREAS**, the Department and the Recipient desire to modify the Agreement;

**NOW, THEREFORE**, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

**Reinstate Agreement**

1. The Agreement is hereby reinstated as though it had not expired.

**Extend Agreement**

2. Paragraph 3, Period of Agreement is hereby revised to reflect an ending date of October 5, 2012.

**Revise Activity Work Plan**

3. The Attachment B, Activity Work Plan section of the Agreement is hereby deleted and is replaced by the revised Attachment B, Activity Work Plan section, which is attached hereto and incorporated herein by reference.

**Revise Program Budget and Scope of Work**

4. The Attachment A, Program Budget and Scope of Work section of the Agreement is hereby deleted and is replaced by the revised Attachment A, the Program Budget and Scope of Work, which is attached hereto and incorporated herein by reference.

**Modification to Subgrant Agreement**

**Modification Number:** 3

**DCA Contract Number:** 10DB-4X-04-65-01-F22

**Recipient:** St. Johns County

**Page 2**

**Change in Participating Parties**

5. The Attachment A, Program Budget and Scope of Work section, is hereby modified to delete all references to “(Type in name, if applicable.)” as the Participating Party, and replace them with “(Type in name, if applicable.)” as the Participating Party with the understanding that the Recipient and the new Participating Party will enter into a Participating Party Agreement containing provisions and caveats that meet or exceed the conditions agreed to in the Participating Party Agreement between the Recipient and the original Participating Party.

**Inclusion of an Unmet Need as Addressed in the Original Application**

6. The Attachment A, Program Budget and Scope of Work section of the Agreement is hereby deleted and is replaced by the revised Attachment A, the Program Budget and Scope of Work, which is attached hereto and incorporated herein by reference.
7. The Attachment B, Activity Work Plan section of the Agreement is hereby deleted and is replaced by the revised Attachment B, Activity Work Plan section, which is attached hereto and incorporated herein by reference.

**Change in Number of Accomplishments and/or Beneficiaries**

8. The Attachment A, Program Budget and Scope of Work section of the Agreement is hereby deleted and is replaced by the revised Attachment A, the Program Budget and Scope of Work, which is attached hereto and incorporated herein by reference.

**Other:** (Type in the reason for the modification.)

All provisions of the Agreement and any attachments thereto in conflict with this Modification shall be and are hereby changed to conform to this Modification, effective as of the date of the execution of this Modification by both parties.

All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

**Modification to Subgrant Agreement**

**Modification Number:** 3

**DCA Contract Number:** 10DB-4X-04-65-01-F22

**Recipient:** St. Johns County

**Page 3**

IN WITNESS WHEREOF, the parties hereto have executed this document as of the dates set herein.

**Department of Community Affairs**

**Recipient:** St. Johns County

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Ken Reecy

Name: J. Ken Bryan

Title: Director, Division of Housing  
and Community Development

Title: Chairman, Board of County

Date: \_\_\_\_\_

Date: \_\_\_\_\_