

RESOLUTION NO. 23- 3

APPROVAL OF A FIRST SUBSTANTIAL AMENDMENT TO PINELLAS COUNTY'S FISCAL YEAR 2021-2022 ANNUAL ACTION PLAN FOR COMMUNITY PLANNING AND DEVELOPMENT FOR THE PURPOSE OF RECEIVING AN ALLOCATION OF HOME INVESTMENT PARTNERSHIPS PROGRAM AMERICAN RESCUE PLAN (HOME-ARP) FUNDS AND TO ALLOW ADDITIONAL ACTIVITIES TO BE CARRIED OUT; AUTHORIZATION TO SUBMIT THE FIRST SUBSTANTIAL AMENDMENT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AUTHORIZATION FOR THE CHAIRMAN, OR DESIGNEE, TO SIGN AND THE CLERK TO ATTEST APPLICATIONS, CERTIFICATIONS, AND HUD GRANT AGREEMENTS; AUTHORIZATION FOR THE CHAIRMAN, OR DESIGNEE, TO SIGN REQUEST FOR RELEASE OF FUNDS AND AUTHORITY TO USE GRANT FUNDS; AUTHORIZATION FOR THE CHAIRMAN, OR DESIGNEE, TO SIGN AND THE CLERK TO ATTEST SPECIFIC PERFORMANCE AND LAND USE RESTRICTION AGREEMENTS, INCLUDING AMENDMENTS; AUTHORIZATION FOR THE COUNTY ADMINISTRATOR TO IMPLEMENT HOME-ARP PROGRAMS; AUTHORIZATION FOR THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE HOUSING PROGRAM SECURITY INSTRUMENTS, AGENCY AGREEMENTS, AND LAND USE RESTRICTION AGREEMENTS, AND AMENDMENTS OR MODIFICATIONS; AUTHORIZATION FOR THE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR, OR DESIGNEE, TO SERVE AS LOCAL ADMINISTRATOR FOR THE HUD ENVIRONMENTAL REVIEW ONLINE SYSTEM; AUTHORIZATION FOR THE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR, OR DESIGNEE, TO SIGN AND FILE NECESSARY FORMS, REPORTS, AND OTHER ADMINISTRATIVE DOCUMENTS RELATED TO THE ADMINISTRATION OF THE FIRST SUBSTANTIAL AMENDMENT TO THE ANNUAL ACTION PLAN.

WHEREAS, through the American Rescue Plan Act of 2021 (P.L. 117-2) (ARP) 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; and

WHEREAS, to address the need for homelessness assistance and supportive services, Congress appropriated \$5 billion in ARP funds to be administered through the HOME Program to perform activities that must primarily benefit qualifying individuals and families who are homeless, at risk of homelessness, or in other vulnerable populations; and

WHEREAS, the ARP Act provides HOME-ARP grantees with flexibilities and authorizes HUD to grant waivers and alternative requirements from any provision of any statute or regulation that HUD administers in connection with HOME-ARP funding; and

WHEREAS, HUD has allocated \$4,794,571.00 in HOME-ARP funds to Pinellas County to be used to address the need for homelessness assistance and supportive services; and

WHEREAS, Pinellas County desires to include HOME-ARP funds as part of the Fiscal Year 2021-2022 Annual Action Plan (FY21 Action Plan) in order to carry out eligible activities; and

WHEREAS, HUD requires a first substantial amendment to the FY21 Action Plan to allow eligible activities to be carried out with the funding; and

WHEREAS, a notice was placed on the Pinellas County website on Wednesday, November 30, 2022, notifying the public of the proposed amendment and providing a fifteen-day comment period, in accordance with HUD's requirements for HOME-ARP; and

WHEREAS, it is necessary for Pinellas County to execute Specific Performance, Land Use Restriction, and other appropriate agreements with grant recipients to carry out the activities that will result from adoption of the proposed substantial amendment and to specify grant recipient's financial and regulatory obligations; and

WHEREAS, it is necessary, at times, for Pinellas County to amend Specific Performance and Land Use Restriction Agreements resulting from project cost increases, changes in project scopes, project delays, availability of unanticipated funds, and/or other causes; and

WHEREAS, it is necessary for Pinellas County to execute Agency Agreements, Land Use Restriction Agreements and other security instruments consistent with affordable housing program procedures to produce and preserve affordable housing; and

WHEREAS, HUD regulations require environmental reviews be performed for each project prior to submitting a Request for Release of Funds.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, in its regular session duly assembled this 17th day of January 2023, does hereby approve the First Substantial Amendment to the Pinellas County Fiscal Year 2021-2022 Annual Action Plan in the amount of \$4,794,571.00, to be allocated to Pinellas County by HUD in the manner set forth above and authorizes submittal of the substantial amendment to the U.S. Department of Housing and Urban Development.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Chairman, or designee, be authorized to sign the First Substantial Amendment application, certifications, and grant agreements and the Clerk to attest.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Chairman, or designee, be authorized to sign Request for Release of Funds and Authority to Use Grant Funds forms pursuant to these grants.

NOW, THEREFORE, BE IT FURTHER RESOLVED that either the Chairman or, pursuant to Section 2-62, Pinellas County Code, the County Administrator, or designee, be authorized to sign and the Clerk to attest Specific Performance, Land Use Restriction Agreements, and other agreements pursuant to these grants, including amendments thereto.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the County Administrator, or their designee, be authorized to execute Housing Program Security Instruments, Agency Agreements, and Land Use Restriction Agreements, and amendments or modifications thereto, pursuant to these grants.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Housing and Community Development Department Director, or designee, be authorized to serve as local administrator for the HUD Environmental Review Online System.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Housing and Community Development Department Director, or designee, be authorized to sign and file necessary reports, forms, certifications, and other documents related to the administration of HOME-ARP funds.

Commissioner Flowers offered the foregoing resolution and hereby moved its adoption, which was seconded by Commissioner Scott and upon roll call, the vote was:

AYES: Long, Eggers, Flowers, Justice, Latvala, and Scott.

NAYS: None.

ABSENT AND NOT VOTING: Peters.