

Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

OMB No. 2506-0087
(exp. 04/30/2027)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s) Community Development Block Grant	2. HUD/State Identification Number B-22-UC-12-0013	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s) 14.218	5. Name and address of responsible entity	
6. For information about this request, contact (name & phone number) Stacy Sherlock (239) 533 7931	Lee County 2440 Thompson Street Fort Myers, FL 33901	
8. HUD or State Agency and office unit to receive request U.S Department of Housing and Urban Development, Jackson Field Office 400 West Bay St. #1015, Jacksonville FL 32202	7. Name and address of recipient (if different than responsible entity)	

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s) Boys & Girls Club Rehabilitation	10. Location (Street address, city, county, State) 1900 Park Meadows Drive, Fort Myers, FL 33907
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11. Program Activity/Project Description

The project is for rehabilitation of a 14,000 square foot building to benefit youth. This funding will primarily go to interior and exterior renovations. Renovations include interior improvements, the creation of a 2500 sq ft Teen Center and a perimeter fence for increased security.

The project will use \$875,000.00 of CDBG funding.

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and

dissemination of an environmental impact statement.

- 5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
- 6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
- 7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

- 8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
- 9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity

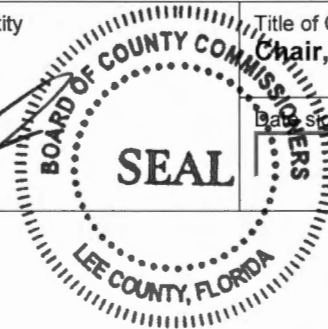
X 

Title of Certifying Officer

Chair, Board of County Commissioners

Date signed

6/21/20



Address of Certifying Officer

Lee County BoCC
2115 Second Street
Fort Myers FL 33901

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient

X

Title of Authorized Officer

Date signed

We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802)



U.S. Department of Housing and Urban
Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

**Environmental Review for Activity/Project that is Categorically
Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

This is a suggested format that may be used by Responsible Entities to document completion of a
Categorically Excluded Subject to Section 58.5 environmental review.

Project Information

Project Name: Boys and Girls Club

Responsible Entity: Lee County

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: B-22-UC-12-0013

Preparer: Carla Platter

Certifying Officer Name and Title: Mike Greenwell, Chairman of the Board

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable): Guardian CRM, Inc.

**Direct Comments to: Carla Platter cplatter@leegov.com and J. Corbett Alday
Corbett.alday@guardiancrm.com**

Project Location: 1900 Park Meadows Drive, Fort Myers, FL 33907

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The project is for rehabilitation of a 14,000 square foot building to benefit youth. This funding will primarily go to interior and exterior renovations. Renovations include interior improvements, the creation of a 2500 sq ft Teen Center and a perimeter fence for increased security.

Level of Environmental Review Determination:

**Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 24
CFR 58.35 (a) (1) Acquisition, repair, improvement, reconstruction, or rehabilitation of
public facilities and improvements (other than buildings) when the facilities and
improvements are in place and will be retained in the same use without change in size or**

capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).

Funding Information

Grant Number	HUD Program	Funding Amount
B-22-UC-12-0013	CDBG	\$875,000.00

Estimated Total HUD Funded Amount: \$875,000.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$3,000,000.00

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is for rehabilitation of a Boys and Girls Club. Based upon the project's location and results from a NEPA Assist search; there are no civilian airports with 2,500 feet and no military airports within 15,000 feet.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is not located within a Coastal Barrier Resource System.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project involves financial assistance for rehabilitation, this property is not located within a flood zone.

[42 USC 4001-4128 and 42 USC 5154a]		
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project does not involve new construction or conversion of land use, it is for rehabilitation of a Boys and Girls Club.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Documentation and request for comments have been provided to the State Clearinghouse. State Clearing chose not to select the project for review.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project consists of rehabilitation of a Boys and Girls Club. This is located within a residential area. A search of the EPA database was conducted and revealed no evidence suggesting the project activities are unlikely to encounter soils or groundwater impacted by toxic or hazardous substances or result in disturbance of same or exposure to workers or occupants of nearby homes.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No effect anticipated; the project is for the rehabilitation of a Boys and Girls Club. No suitable habitats for species were noted in the project area. USFW IPaC was consulted.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project does not include a hazardous facility and will not increase residential densities or land conversion. The project does not include new development, construction or rehabilitation that will increase residential densities or conversion; therefore, the project is within compliance.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project is for the rehabilitation of a Boys and Girls Club and does not include new construction, acquisition of undeveloped land or land conversion.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project is not located within a floodplain. See FEMA FIRM and documentation

Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project activities consist of rehabilitation of a Boys and Girls Club that is not 50 years or older with no expected ground disturbance. A review of nearby properties on the property appraiser site shows no historic sites. See historical register, SHPO consultation documentation located within ERR
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project activities consist of rehabilitation of a Boys and Girls Club.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is located in Lee County and located not near a Sole Source Aquifer.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is not located in or near a wetlands and is not expected to have a negative effect on wetlands.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is located within Lee County and not near a Wild & Scenic River nor a NRI river. The project is not expected to have an adverse effect on rivers.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	No adverse environmental impacts have been identified; this project is in compliance. No adverse environmental impacts are anticipated for low income and/or minority communities. See project description

Field Inspection (Date and completed by):

Summary of Findings and Conclusions:

No concerns were noted during a review of the project. The project is deemed as nothing but beneficial.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into

project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
N/A	N/A

Determination:

- This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at §58.5. **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR
- This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain "Authority to Use Grant Funds"** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
- This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature: *Carla Platter* Date: 01/05/2023

Name/Title/Organization: Carla Platter, Grants Analyst, Lee County

Responsible Entity Agency Official Signature: *Mike Greenwell* Date: 1/9/2024

Name/Title: Mike Greenwell, Chairman of the Board, Lee County

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).



Approved as to Form for the
Reliance of Lee County Only
By: *Michael J. ...*
Office of the County Attorney

The attached document has been approved by the Board of County Commissioners. Please review the instructions below and forward to the appropriate office when complete.

Meeting Date: 11/15/2022

Agenda Item #: C12

Agenda Item Title: Accept Annual Grant Funding from HUD

(1) Environmental Review – Boys and Girls Club

Department	Instructions
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County Attorney	Please review the attached document(s) at the BLUE sticker. If you have any questions concerning the document(s), contact the originating department.
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After completion, forward to the **CHAIR/VICE CHAIR** for signature.

Chair/Vice Chair	Sign the attached document(s) at the RED sticker.
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After completion, forward to the **MINUTES OFFICE** for execution.

Minutes Office	Execute the attached document(s).
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After document(s) are completely executed, return the remaining originals to **Laurel Chick, County Administration** for distribution.

Date out from Administration: 01/05/24

Return to Dept. Novus

2024 JAN - 5 PM 2: 53
RECEIVED BY
LEE CO. ATTORNEY

RECEIVED
MINUTES OFFICE
MPB
2024 JAN - 9 PM 12: 47



MEMORANDUM
FROM
LEE COUNTY DEPARTMENT OF HUMAN SERVICES

Date: June 18, 2024

To: Mike Greenwell
Chairman of the Board

From: Stacy Sherlock

SUBJECT: Request for Release of Funds

Enclosed is the Agenda Item Report accepting \$4,457,072 of federal CDBG, HOME, and ESG funding from HUD.

Also enclosed is the Request for Release of Funds needing signature. Please return original signed copies of the following forms to Stacy Sherlock at Lee County Human and Veteran Services:

- Part-58-CEST Boys and Girls Club Improvement

Please do not hesitate to contact me with any questions at 239-533-7931.

Thank you,

Stacy Sherlock

AGENDA ITEM REPORT

DATE: November 7, 2023
DEPARTMENT: Human and Veteran Services
REQUESTER: Roger Mercado
TITLE: Accept Annual Grant Funding From HUD

I. MOTION REQUESTED

A) Accept \$4,457,072 in Grant Funds from U.S. Department of Housing and Urban Development.

B) Approve budget amendment resolutions as follows:

- \$ 3,085,111 in Community Development Block Grant (CDBG), Entitlement Fund # 13920
- \$ 1,095,673 in HOME Investment Partnership Funds, Entitlement Fund # 13921
- \$ 276,288 in Emergency Solution Grant (ESG), Entitlement Fund # 00100

C) Authorize Board Chair, on behalf of the Board, to sign agreements, certifications, resolutions, and other related documents, including but not limited to:

1. Grant agreements, once received from HUD.
2. Sub-recipient agreements once prepared, and if necessary, approve any future amendments to the agreements for this fiscal year and previous years that do not substantially alter the original intent of the contract,
3. HUD environmental assessments,
4. Amendments to the Lee County Five Year Consolidated Plan and Annual Action Plans once prepared in accordance with Administrative Code 15-2.

D) Authorize Department Director to approve notices and advertisements for comments.

II. ITEM SUMMARY

Approval accepts \$4,457,072 in entitlement funds from the U.S. Department of Housing and Urban Development (HUD) for fiscal year 2023-2024 budget. This funding is used for planning, homeless services, community development, and affordable housing projects administered by Human and Veteran Services.

III. BACKGROUND AND IMPLICATIONS OF ACTION

A) Board Action and Other History

Pursuant to Section 116 (b) of the Housing and Community Development Act of 1974 (42 U.S.C. 5316), 24 CFR 91, Lee County submitted the 2023 Annual Action Plan (as part of the 2019-2023 Consolidated Plan) to the U.S. Department of Housing and Urban Development (HUD). This Annual Action Plan serves as the application for Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), and Emergency Solutions Grant (ESG) entitlement resources to HUD.

HUD approved the Annual Action Plan, and pursuant to Title I of the Housing and Community Development Act of 1974, as amended, (42 USC 5301 et seq.) requested the execution of the grant agreements with Lee County. Funding from HUD will be available to Lee County upon execution of the grant agreements.

Lee County is a recipient of entitlement resources from HUD in accordance with 24 CFR 576.3, and Section 106 of the Housing and Community Development Act of 1974. U.S. Department of Housing and Urban Development (HUD) requires recipients of HUD funding to file Annual Action Plans outlining projects that will use the grant funds. The Board approved the submission of the 2020 Annual Action Plan on August 4, 2020 (Agenda Item # 7), the 2021 Annual Action Plan on August 3, 2021 (Agenda Item # 21), the 2022 Annual Action Plan on August 2, 2022 (Agenda Item # 10) and the 2023 Annual Action Plan on August 1, 2023 (Agenda Item #44).

B) Policy Issues

Lee County Administrative Code 3-17 Grant Program Administrative Procedures requires each department to ensure compliance with all grant terms and requirements. HUD has accepted the Annual Action Plan and awarded Lee County Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), and Emergency Solutions Grant (ESG) funds.

C) BoCC Goals

Meets requirements for HUD grant funding, which provides for human services in Lee County. These funds are used for projects and activities that benefit low-to-moderate income individuals in Lee County. Compliance with HUD requirements ensures Lee County entitlement status to continue receiving CDBG, HOME, and ESG funds annually.

D) Analysis

Lee County's Annual Action Plans are developed through consultation with staff and the public. The 2023-2024 Annual Plan outlines five priority areas including affordable housing, housing and services for persons who are homeless, public facility improvements, economic development, and community revitalization. The plan also establishes the following goals to meet community needs:

1. Affordable Housing Development

2. Housing Rehabilitation and Reconstruction
3. Down Payment Assistance
4. Housing and Services for Persons who are Homeless
5. Public Services for Community Revitalization
6. Infrastructure Improvements
7. Economic Development
8. Public Facility Improvements

The projects listed in the 2023 Annual Action Plan are designed to accomplish the goals identified in the Consolidated Plan. Projects in the Annual Action Plan, include, but are not limited to, Housing Rehabilitation and Reconstruction, Community Infrastructure, Community Public Services, Down Payment Assistance, Tenant Based Rental Assistance, and Non-Profit Capital Improvement. The estimated amount entitlement funds for HUD Fiscal Year 2023 is \$4,457,072.

HUD's funding award is based on site visits, management of funds, compliance with Annual Plan rules, accuracy in preparing performance reports, and proof that all projects assisted under programs administered by HUD are in compliance with contractual agreements, certifications, and the requirements of law as set forth by Lee County's Five Year Consolidated and Annual Action Plans. Funds will be made available in the Fiscal Year 2023-2024 budget upon receipt of agreement and approval of a budget resolution.

The Annual Action Plan was the subject of two public meetings, and the draft plan was made available for public review for 30 days. The public comment period opened June 29 and ended on July 31, 2023.

The Annual Action Plan will cover the period of October 1, 2023, through September 30, 2024, and was submitted to HUD on August 14, 2023

- E) Options
Approve budget amendment resolutions associated with the receipt of federal grants.

IV. FINANCIAL INFORMATION

A)	Current year dollar amount of item:	\$4,457,072
B)	Is this item approved in the current budget?	No
C)	Is this a revenue or expense item?	Revenue
D)	Is this Discretionary or Mandatory?	Discretionary
E)	Will this item impact future budgets? If yes, please include reasons in III(D) above.	No
F)	Fund: Entitlement Funds Program: HUD Project: CDBG Year 23, ESG Year 23, and HOME Year 23 Account Strings: 11138413920 ; 11138513921 ; 11138600100	
G)	Fund Type?	Other: HUD Entitlement Funds
H)	Comments: The Annual Action Plan has been accepted and grant agreements have been executed. Grant funds need to be made available in Fiscal year 2023-2024 budget.	

V. RECOMMENDATION

Approve

VI. TIMING/IMPLEMENTATION

The 2023 Annual Action Plan (as part of the 2019-2023 Consolidated Plan) was submitted to HUD on August 11, 2023. The grant agreements will be returned to HUD upon execution by the Board. Funds will be made available for drawdown on HUD's Integrated Disbursement and Information System (IDIS). The program year start date for HUD funds received is October 1, 2023.

VII. FOLLOW UP

- A) The Board may need to periodically sign documents required by HUD:
1. Sub-recipient agreements with the municipalities once prepared, and if necessary, approve any future amendments to the agreements for this fiscal year and previous years, that do not substantially alter the original intent of the agreement,
 2. HUD environmental assessments,
 3. Amendments to the Lee County Five Year Consolidated Plan and Annual Action Plans once prepared in accordance with Administrative Code 15-2.

- B) Human and Veteran Services staff will continue to administer HUD entitlement programs and urban county cooperation agreements.

ATTACHMENTS:

Description	Upload Date	Type
TRANSMITTAL LETTER FROM HUD	9/29/2023	Letter
Unsigned CDBG Grant Agreement	10/2/2023	Agreement
Unsigned ESG Grant Agreement	10/2/2023	Agreement
Unsigned HOME Grant Agreement	10/2/2023	Agreement
Budget Amendment CDBG	10/27/2023	Budget Amendment
Budget Amendment ESG	10/27/2023	Budget Amendment
Budget Amendment HOME	10/27/2023	Budget Amendment

REVIEWERS:

Department	Reviewer	Action	Date
Human and Veteran Services	Isley, Rae	Approved	10/25/2023 - 10:25 AM
Human and Veteran Services	Mercado, Roger	Approved	10/27/2023 - 9:11 AM
Budget Services	Henkel, Anne	Approved	10/27/2023 - 12:11 PM
Budget Services	Winton, Peter	Approved	10/27/2023 - 3:18 PM
County Attorney	Swindle, Amanda	Approved	10/30/2023 - 10:17 AM
County Manager	Codie, Robert	Approved	10/30/2023 - 11:29 AM