

# 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. 08/31/2023)

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) <b>Community Development Block Grant</b>	2. HUD/State Identification Number <b>B-23-UC-12-0013</b>	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s) <b>14.239</b>	5. Name and address of responsible entity Lee County 2440 Thompson St Fort Myers, FL 33901	
6. For information about this request, contact (name & phone number) Stacy Sherlock (239) 533-7931		
8. HUD or State Agency and office unit to receive request U.S. Department of Housing and Urban Development (HUD) Jackson Field Office 400 West Bay St. #1015, Jackson 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) Pine Manor Improvement District Rehabilitation Project	10. Location (Street address, city, county, State) 5547 Tenth Ave. Fort Myers, FL 33907
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### 11. Program Activity/Project Description

The Pine Manor Improvement Association is requesting non-profit capital funding to enhance security of its facility. Specifically, it wishes to replace damaged fencing around the association's buildings and install gates to replace the current gate that requires frequent repairs and are at end of life. It also seeks funding to replace fencing and gates around the association's community garden and food forest that were damaged in Hurricane Ian. New fencing will protect association assets, better protect children who attend after-care at the facility and contribute to community revitalization identified in Lee County's Consolidated Plan HUD Fiscal Years 2019-2023. It also will make the association more inviting and secure for those who use the facilities. Because Lee County is ending CDBG operational support for Pine Manor after FY 22-23, the association must rely on grant funding to operate. We would not be able to complete this project without the requested 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:

- The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
- 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.
- 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



Title of Certifying Officer  
Board Chair

*[Handwritten Signature]*

Date signed

7/18/24

X 1/5/

Address of Certifying Officer

[Empty box for address]

**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

Title of Authorized Officer

[Empty box for title]

Date signed

[Empty box for date]

X

**Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Approved as to Form for the  
Reliance of Lee County Only

By: Andrea Fuser  
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:** 11/07/2023

**Agenda Item #:** C24

**Agenda Item Title:** Accept Annual Grant Funding From HUD

- (1) Request for Release of Funds and Certification - Pine Manor Improvement District Rehabilitation Project

Department	Instructions
<b>County Attorney</b>	Please review the attached document(s) at the <b>BLUE</b> sticker. If you have any questions concerning the document(s), contact the originating department.  After completion, forward to the <b>CHAIR/VICE CHAIR</b> for signature.
<b>Chair/Vice Chair</b>	Sign the attached document(s) at the <b>RED</b> sticker.  After completion, forward to the <b>MINUTES OFFICE</b> for execution.
<b>Minutes Office</b>	Execute the attached document(s).  After document(s) are completely executed, return the remaining originals to <b>Laurel Chick, County Administration</b> for distribution.

Date out from Administration: 07/02/24

Return to Dept.  Novus

2024 JUL -2 PM 3: 12  
 RECEIVED BY  
 LEE CO. ATTORNEY

2024 JUL -8 AM 11: 17  
 RECEIVED  
 MINUTES OFFICE  
 MW



**MEMORANDUM  
FROM  
LEE COUNTY DEPARTMENT OF HUMAN SERVICES**

Date: July 1, 2024

To: Mike Greenwell  
Chairman of the Board

From: Stacy Sherlock

**SUBJECT: ENVIRONMENTAL REVIEW COMMENT LETTERS**

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

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

- Request for Release of Funds and Certification

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

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**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
CDBG 23 Budget Resolution Request	9/29/2023	Backup Material
ESG 23 Budget Resolution Request	9/29/2023	Backup Material
HOME 23 Budget Resolution Request	9/29/2023	Backup Material
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
110723R-C-24-RESO 23-11-08 Budget Amendment - CDBG 23	11/20/2023	Resolution
110723R-C-24-RESO 23-11-09 Budget Amendment - ESG 23	11/20/2023	Resolution
110723R-C-24-RESO 23-11-10 Budget Amendment - HOME 23	11/20/2023	Resolution
110723R-C-24-Annual Grant Funding Agreement(s)	11/20/2023	Agreement
110723R-C-24-Annual Grant Funding Doc(s) - Center for Progress & Excellence, Inc. Contract 10073	2/27/2024	Contract
110723R-C-24-Annual Grant Funding Agreement(s) - Childcare of Southwest Florida, Inc. - Contract 10138	4/24/2024	Contract

**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