PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	January 14, 2025	[X] Consent [] Ordinance	[] Regular [] Public Hearing
Department:	Housing and Economic Development		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: An Assistance Amendment (Amendment) to the Cooperative Agreement (Agreement) (R2014-0058) with the U.S. Environmental Protection Agency (EPA), providing for a 24-month time extension.

Summary: On January 14, 2014, the Board of County Commissioners (BCC) entered into an Agreement with the EPA, with subsequent amendments, to receive \$1,400,000 to establish the County's Brownfields Revolving Loan Fund (BRLF) program, with an initial performance period of five (5) years. The BRLF program offers financial assistance to qualified borrowers and subgrantees to cleanup Brownfield sites. To date, Housing and Economic Development (DHED) has funded two (2) projects and expended \$954,949, with \$445,051 remaining. The program has generated \$386,859 from loan repayments and interest earned, which is also available for cleanup activities that meet EPA requirements. This Amendment provides 24 additional months for the County's BRLF program, from October 1, 2024 to September 30, 2026, to allow time to complete EPA BRLF work plan goals. No County funds are required for this Amendment. Applicants (borrowers or subgrantees) requesting BRLF financial assistance to cleanup Brownfield sites are required to provide a 20% match. Countywide (DB)

Background and Justification: A Brownfield is defined as abandoned, idle or under used industrial or commercial property where expansion or redevelopment is complicated by actual or perceived contamination. On October 16, 2012, the BCC authorized the submission of a Request for Proposal to the EPA for the receipt of a BRLF Grant. The EPA approved \$1,000,000 through the Agreement (Grant No. BF-00D12713-0). On March 1, 2016, the BCC received and filed an Assistance Amendment (R2016-0255) to the Agreement to increase the total grant amount by \$300,000. On February 7, 2017, the BCC received and filed an Assistance Amendment (R2017-0171) to the Agreement, which increased the total grant amount by \$100,000 to a total of \$1,400,000. Two (2) projects have received funding under the program: the petroleum cleanup of a site located at 480 U.S. Highway 27 in South Bay that will be redeveloped as a restaurant, creating six (6) new jobs; and, the petroleum cleanup of a site located at 2401 Broadway in West Palm Beach (part of the District at Northwood), that is being redeveloped as mixed use (382 housing units with 38 units set aside for workforce housing, and approximately 63,000 square feet of commercial), creating 70-100 new jobs. In 2023, the EPA awarded the County a separate \$500,000 Brownfields Assessment Grant, which the BCC received and filed on January 23, 2024 (R2024-0064), which supports and complements the BRLF program. On October 18, 2024, the EPA approved an additional 24-month time extension to the program. This extension will provide additional time for the goals of the EPA approved work plan to be realized.

Attachment:

Assistance Amendment to the Cooperative Agreement

Recommended By	Instran Brun	12/17/2024
_	Department Deputy Director	Date
Approved By:	Tangk De	1/2/25
	Assistant County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2025	2026	2027	2028	2029
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income		***************************************			
In-Kind Match (County)					
NET FISCAL IMPACT	\$0	\$0	\$0	N/A	N/A
# ADDITIONAL FTE POSITIONS (Cumulative)			1		
s Item Included In Curren Does this Item include the Does this Item include the Budget Account No.: Fund:	e use of Federal e use of State fu	funds? \ nds? \	Yes X Yes X Yes Object/	No NoX RSC: 8201	
3. Recommended Soເ					
No fiscal impact.				puot.	
The mount impact.					
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	III. <u>REVIEW</u>	COMMEN	<u>ITS</u>		
A. OFMB Fiscal and/o	r Contract Deve	lopment a	nd Control	Comments:	
ASDEAL—OFMB OFM	12/19/24 13/19 12/19	M. Contrac	Mala M et Developm	Madd Son ent and Con	12/20/5 ntrol 2,20,2
B. Legal Sufficiency:	121219				
Assistant County Atto	/2/26/27 orney				
. Other Department F	Review:				

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Assistance Amendment

 GRANT NUMBER (FAIN):
 00D12713

 MODIFICATION NUMBER:
 6
 DATE OF AWARD

 PROGRAM CODE:
 BF
 10/18/2024

 TYPE OF ACTION
 MAILING DATE

 No Cost Amendment
 10/18/2024

 PAYMENT METHOD:
 ACH#

 ASAP
 40836

ASAP

RECIPIENT TYPE:

County

RECIPIENT:

Palm Beach Co. Government
301 N. Olive Ave.

West Palm Beach, FL 33401

Send Payment Request to:
Research TrainIge Park Finance Center

PAYEE:

Palm Beach Co. Government
301 N. Olive Ave.

West Palm Beach, FL 33401

West Palm Beach, FL 33401

EIN: 59-6000785 PROJECT MANAGER **EPA PROJECT OFFICER EPA GRANT SPECIALIST** Alan Chin-Lee Olga Perry Jimmy Robinson 100 Australian Avenue, Suite 500 61 Forsyth Street Grants Management Section West Palm Beach, FL 33046 Atlanta, GA 30303-8960 61 Forsyth Street Email: achinlee@pbcgov.org Email: perry.olga@epa.gov Atlanta, GA 30303-8960 Phone: 404-562-8534 Phone: 561-233-3607 Email: Robinson.Jimmy@epa.gov Phone: 404-562-9694

PROJECT TITLE AND EXPLANATION OF CHANGES

Brownfields Assessment and Cleanup Cooperative Agreements

This action approves a no cost time extension of the budget and project end dates from 9/30/2024 to 9/30/2026 for FL Palm Beach County. The additional time is necessary for the recipient to complete tasks in the workplan that have been delayed to having fewer requests for funding.

 BUDGET PERIOD
 PROJECT PERIOD
 TOTAL BUDGET PERIOD COST
 TOTAL PROJECT PERIOD COST

 10/01/2013 - 09/30/2026
 10/01/2013 - 09/30/2026
 \$ 1,680,000.00
 \$ 1,680,000.00

NOTICE OF AWARD

Based on your Application dated 07/26/2016 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$ 0.00. EPA agrees to cost-share 83.33% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$ 1,400,000.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)	AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS	ORGANIZATION / ADDRESS		
U.S. EPA, Region 4 61 Forsyth Street Atlanta, GA 30303-8960	U.S. EPA, Region 4, Resource Conservation and Restoration Division R4 - Region 4 61 Forsyth Street Atlanta, GA 30303-8960		
THE UNITED STATES OF AMERICA BY	THE U.S. ENVIRONMENTAL PROTECTION AGENCY		
Digital signature applied by EPA Award Official Laura K. Fowler - Sr. Gra	nt Specialist DATE		

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 1,400,000	\$0	\$ 1,400,000
EPA In-Kind Amount	\$0	\$0	\$0
Unexpended Prior Year Balance	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0
Recipient Contribution	\$ 280,000	\$0	\$ 280,000
State Contribution	\$0	\$0	\$0
Local Contribution	\$0	\$0	\$0
Other Contribution	\$0	\$0	\$0
Allowable Project Cost	\$ 1,680,000	\$0	\$ 1,680,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.818 - Brownfields Assessment and Cleanup Cooperative Agreements	CERCLA:Sec.104(k)(3)	2 CFR 200, 2 CFR 1500 and 40 CFR 33

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost	
1. Personnel	\$ 73,010	
2. Fringe Benefits	\$ 29,200	
3. Travel	\$ 9,600	
4. Equipment	\$0	
5. Supplies	\$ 4,800	
6. Contractual	\$ 163,950	
7. Construction	\$ 0	
B. Other	\$ 1,399,440	
9. Total Direct Charges	\$ 1,680,000	
10. Indirect Costs: 0.00 % Base	\$0	
11. Total (Share: Recipient 16.67 % Federal 83.33 %)	\$ 1,680,000	
12. Total Approved Assistance Amount	\$ 1,400,000	
13. Program Income	\$0	
14. Total EPA Amount Awarded This Action	\$0	
15. Total EPA Amount Awarded To Date	\$ 1,400,000	

Administrative Conditions

The Following Administrative Terms and Conditions Are Revised

General Terms and Conditions

The recipient agrees to comply with the current EPA general terms and conditions available at: https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2024-or-later. These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at: https://www.epa.gov/grants/grant-terms-and-conditions#general.

Programmatic Conditions

All Programmatic Conditions Remain the Same