

RESOLUTION 39-05-23

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO SIGN AN INTERLOCAL COOPERATION AGREEMENT WITH PALM BEACH COUNTY AS PART OF THE URBAN COUNTY PROGRAM FOR FISCAL YEARS 2024-2027.

WHEREAS, Section 163, Florida Statutes (Florida Interlocal Cooperation Act of 1969) as amended, authorizes local governmental units to make the most efficient use of their powers by enabling them to cooperate on a basis of mutual advantage; and

WHEREAS, Part 1 of Chapter 163, Florida Statute permits public agencies as defined herein to enter into interlocal agreements with each other to jointly exercise any power, privilege or authorization which such agencies share in common and which each might exercise separately; and

WHEREAS, The Town desires to enter into Amendment 002 to the Interlocal Agreement with the County; and

WHEREAS, the County and the Town have determined it to be beneficial for the both entities to award HUD Dollars to Lake Park and for Lake Park to receive said funding to further development of Low and Moderate Income areas in Lake Park; and

WHEREAS, such Interlocal agreement will benefit Lake Park; and

WHEREAS, the Town Manager recommends approval of the Interlocal Agreement between the Town of Lake Park and Palm Beach County.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The foregoing recitals are incorporated herein.

Section 2. The Mayor is hereby authorized and directed to sign the Interlocal Agreement between Palm Beach County and the Town of Lake Park.


Section 3. This Resolution shall be effective upon execution.

The foregoing Resolution was offered by Commissioner Linden, who moved its adoption. The motion was seconded by Commissioner Thomas, and upon being put to a roll call vote, the vote was as follows:

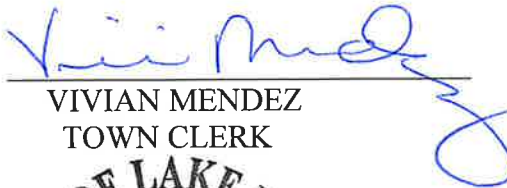
	AYE	NAY
MAYOR ROGER D. MICHAUD	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VICE-MAYOR KIMBERLY GLAS-CASTRO	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER JOHN LINDEN	<input type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER MARY BETH TAYLOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER JUDITH E. THOMAS	<input type="checkbox"/>	<input type="checkbox"/>

The Town Commission thereupon declared the foregoing Resolution 39-05-23 duly passed and adopted this 17th day of May, 2023.

TOWN OF LAKE PARK, FLORIDA


BY: 
ROGER D. MICHAUD
MAYOR

ATTEST:


VIVIAN MENDEZ
TOWN CLERK



Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIRD
TOWN ATTORNEY



RECEIVED

April 20, 2023

APR 24 2023

Office of Town Manager
TOWN OF LAKE PARK

John D'Agostino, Town Manager
Town of Lake Park
535 Park Avenue
Lake Park, FL 33403

RE: Urban County Qualification Process FYs 2024 - 2026

Dear Mr. D'Agostino:

On August 19, 2014, the Board of County Commissioners (BCC) executed an interlocal cooperation agreement (R2014-1157) and amended August 25, 2020 (R2020-1210) with the Town of Lake Park as part of the Urban County Qualification Process for Federal Fiscal Years 2015-2017. Under this Agreement, the Town of Lake Park agreed to participate with the County in the creation of the Urban County Program jurisdiction for the receipt of federal community development funds from the U.S. Department of Housing and Urban Development (HUD).

The Agreement states, "*The agreement shall be automatically renewed at the end of the qualification period and at the end of each subsequent qualification period unless either party provides a written notice in which it elects to not participate in a new qualification period.*" The current three year qualifying period will expire on September 30, 2024 and will require your renewal to cover the October 1, 2024 to September 30, 2027 time period.

In order to continue participation in the Urban County Program and renew the Agreement, please execute the enclosed four (4) copies of the amendment to our interlocal cooperation agreement, and return them to HED no later than May 19, 2023. This is necessary because HUD has amended one of the clauses in the original agreement to promote adherence to regulations pertaining to non-discrimination in HUD programs or activities receiving Federal Financial Assistance.

In addition, please provide written confirmation of your continued participation in the Urban County Program utilizing the enclosed letter template. Please send your letter to the PBC Department of Housing and Economic Development, and also to HUD's Miami Field Office addressed as follows:

Lisa Johnson, Director
Community Planning & Development Division
U.S. Department of Housing and Urban Development
909 SE 1st Avenue, Room 500
Miami, FL 33131

**Department of
Housing & Economic
Development**

Strategic Planning Division

100 Australian Avenue - Suite 500

West Palm Beach, FL 33406

(561) 233-3600

www.pbcgov.com/hed

**Palm Beach County
Board of County
Commissioners**

Gregg K. Weiss, Mayor

Maria Sachs, Vice Mayor

Maria G. Marino

Michael A. Barnett

Marci Woodward

Sara Baxter

Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*



Please contact Sheila Brown, Senior Planner, at (561) 233-3688 or sabrown@pbcgov.org, if you have any questions concerning this letter.

Sincerely,

A handwritten signature in blue ink that reads "Jonathan B. Brown".

Jonathan B. Brown, Director
Department of Housing and Economic Development

Enclosures

CC: Vivian Mendez, Town Clerk, Town of Lake Park
Sherry Howard, Deputy Director, PBC HED
Carlos Serrano, SPO Director, PBC HED



Office of the
Town Manager

May 17, 2023

Lisa Johnson, Director
Community Planning and Development Division
US Department of Housing and Urban Development
909 SE 1st Avenue, Room 500
Miami, FL 33131

Johnathan B. Brown, Director
Housing and Economic Development
100 S. Australian Avenue, Suite 500
West Palm Beach, FL 33406

Re: **Palm Beach County Urban County Qualification FYs 2024-2027
Participation by the Town of Lake Park**

Dear Ms. Johnson:

The purpose of this letter is to confirm the Town of Lake Park's agreement to continue to participate in the Palm Beach County's Urban County Program for Fiscal Years 2024-2027.

If you have any questions, please contact Town Manager, John D'Agostino at jdagostino@lakeparkflorida.gov or by phone at 561-881-3304. You may also contact Shelia Brown, Senior Planner, Palm Beach County at 561-233-3688 or sabrown@pbcgov.org.

Sincerely,

John D'Agostino

Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of Lake
Park, ou=Town Manager,
email=jdagostino@lakeparkflorida.gov, c=US
Date: 2023.05.10 17:25:28 -04'00'

John D'Agostino
Town Manager, Town of Lake Park Florida

Cc: Jill Smolen, CPD Representative, US HUD
Sherry Howard, Deputy Director, PBC HED
Carlos Serrano, SPO Director, PBC HED

535 Park Avenue
Lake Park, FL 33403
Phone: (561) 881-3304
Fax: (561) 881-3314

www.lakeparkflorida.gov

AMENDMENT 002 TO THE AGREEMENT WITH TOWN OF LAKE PARK

Amendment 002, effective as of July 11, 2023, by and between **Palm Beach County** (County), and the **Town of Lake Park** (Municipality).

WITNESSETH:

WHEREAS, Palm Beach County entered into an Interlocal Cooperation Agreement (R2014-1157) (the "Agreement") with the Municipality on August 19, 2014, to formalize the Municipality's participation in the urban county qualification process for Federal Fiscal Years 2014, 2016, and 2017, and amended August 25, 2020 (R2020-1210) (the "Amendment"); and

WHEREAS, the Agreement is automatically renewed every three years at the end of the qualification period and is now due for renewal; and

WHEREAS, the Amendment provided for revised specific language as requested by the Department of Housing and Urban Development (HUD); and

WHEREAS, HUD has expressed in its most recent Instructions for Urban County Participation in Community Development Block Grant (CDBG) Program for FY 2024-2026 that all interlocal agreements should contain specific language; and

WHEREAS, the Agreements between Palm Beach County and the municipalities participating in the urban county program did not contain this specific language; and

WHEREAS, both parties desire to amend the Agreement, and Amended to comply with HUD's requirements.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, and various other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning as ascribed to them in the Agreement.

A. DELETE THE FOLLOWING CLAUSE 11:

The Municipality and the County shall take all actions necessary to assure compliance with the County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The Municipality and the County shall comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws. The County shall not fund any activities in, or in support of, the Municipality should the Municipality not affirmatively further fair housing within its jurisdiction or should the Municipality impede the County's actions to comply with the County's fair housing certification.

B. REPLACE DELETED CLAUSE WITH REVISED CLAUSE 11:

The Municipality and the County shall take all actions necessary to assure compliance with the County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, and the implementing regulations at 24 CFR part 1, the Fair Housing Act, and the implementing regulations at 24 CFR part 100, and affirmatively furthering fair housing. The Municipality and the County shall comply with Section 109 of Title I of the Housing and Community Development Act of 1974, and the implementing regulations at 24 CFR part 6, which incorporates Section 504 of the Rehabilitation Act of 1973, and the

implementing regulations at 24 CFR part 8, Title II of the Americans with Disabilities Act, and the implementing regulations at 28 CFR part 35, the Age Discrimination Act of 1975, and the implementing regulations at 24 CFR part 146, Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws. The County shall not fund any activities in, or in support of, the Municipality should the Municipality not affirmatively further fair housing within its jurisdiction or should the Municipality impede the County's actions to comply with the County's fair housing certification. The Municipality agrees to sign the assurances and certifications in the HUD 424-B.


IN WITNESS HEREOF, the Municipality and the County have caused this Amendment 002 to be executed on the date first written above:



**TOWN OF LAKE PARK, a
municipality duly organized and existing by
virtue of the laws of the State of Florida**

ATTEST:

By: 
Roger Michaud, Mayor

By: 
Vivian Mendez, Town Clerk

By: 
John O. D'Agostino, Town Manager

R2023 0995 JUL 11 2023

(COUNTY SEAL BELOW)

**PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida**

BOARD OF COUNTY COMMISSIONERS

ATTEST: JOSEPH ABRUZZO,
Clerk of the Circuit Court & Comptroller

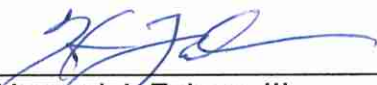
By: 
Gregg K. Weiss, Mayor

By: 
Deputy Clerk

Document No.: _____

Approved as to Form and
Legal Sufficiency

Approved as to Terms and Conditions
Dept. of Housing and Economic Sustainability

By: 
Howard J. Falcon, III,
Chief Assistant County Attorney

By: 
FOX Sherry Howard
Deputy Director