

3. Consideration of Substantial Amendments #2 to the City's approved Program Years 2022-2023, 2023-2024, and 2024-2025 CDBG Action Plans for Community Development Block Grant funds, only one hearing required.



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Scott Morgan, Interim City Manager

**THRU:** Joan Junkala-Brown, Deputy City Manager, Acting Director for CED

**DATE:** April 3, 2025

**RE:** Consideration of Substantial Amendments #2 to the City's approved Program Years 2022-2023, 2023-2024, and 2024-2025 CDBG Action Plans for Community Development Block Grant funds, only one hearing required.

### **SUMMARY:**

At the February 19, 2025 regularly scheduled meeting of the Community Development Advisory Board, the Board recommended that Council approve a substantial amendment to Program Years (PY) 2022-2023, 2023-2024, and the 2024-2025 Community Development Block Grant (CDBG) Action Plans as outlined below. In accordance with the U. S. Department of Housing and Urban Development (HUD) regulations and the City's CDBG Citizen Participation Plan, the proposed amendments constitute a substantial amendment that requires a legal advertisement in Florida Today, which was published on February 19, 2025, providing for a 30-day public comment period ending on March 21, 2025. No comments were received to date, however any public comments received through the end of the comment period including at this public hearing will be provided to the U.S. Department of Housing and Urban Development. The substantial amendment shall be heard in a public hearing by City Council followed by submittal to HUD for final approval and acceptance.

In accordance with the requirements of 24 CFR Part 91.105 (c), the City of Palm Bay hereby proposes to reallocate leftover funds from completed projects, cancel a project, and allocate funds to a new project that is ready to start. This substantial amendment also corrects Substantial Amendment #1 that was submitted to City Council on February 20, 2025, changing the activity named Housing Rehabilitation Specialist to Housing Activity Delivery cost. Inspectors hired to work under this activity may work in-house (for the City) or be contracted. The substantial amendment provides further details below.

### **AMENDMENT NO. 1 - FUNDING REDUCTION**

Original Activity Name: PY 2024 Public Works Construction of Sidewalks (east end of San Filippo Blvd. from Wichita Blvd. to Eldron Blvd.)

Original CDBG Funding Amount: \$270,266

Description: The scope of this project includes construction of an 8-foot sidewalk along the east side of San Filippo Blvd. for the segment from Wichita Blvd. to Eldron Blvd.

Proposed Changes and Reasons for Changes: New census data shows that this project no longer meets the minimum 51% low- to moderate-income area benefit requirement. Therefore, no CDBG funds can be spent on this project. Staff recommends this project be cancelled. This corrective action is necessary to comply with the U.S. Department of Housing and Urban Development (HUD) project eligibility guidelines.

Project Status: Cancelled and funding reduced to \$0.

Reallocation Amount: Transfer \$270,266 from (Cancelled) San Filippo Blvd. from Wichita Blvd. to Eldron Blvd. and reallocate the funds to Liberty Park Improvements Phase II.

### **AMENDMENT NO. 2 - FUNDING INCREASE FOR NEW PROJECT**

Original Activity Name: PY 2024 Liberty Park Improvements Phase II

Original CDBG Funding Amount: \$270,266

Description: The scope of work shall include all labor, materials, equipment, permits, drawings, and services necessary for the proper completion of the rehabilitation of two (2) restroom buildings. Also, installing eight (8) sunshades to cover the bleachers around the softball fields; installing new softball outfield fencing; and installing a new concrete sidewalk.

Proposed Changes and Reasons for Changes: Park improvement projects deliver a multitude of benefits, impacting community health, environmental well-being, economic vitality, and social cohesion. These improvements enhance the quality of life for residents and contribute to a more vibrant and sustainable environment. These improvements are needed and necessary to improve and sustain the park facility.

Project Status: Budgeted

Reallocation Amount: Transfer \$270,266 from cancelled sidewalk construction project that was located on the east end of San Filippo Blvd. from Wichita Blvd. to Eldron Blvd. Funds will be moved to Liberty Park Improvements Phase II. Liberty Park Improvements Phase I was advertised in Substantial Amendment #1 on January 15, 2025, totaling \$134,190, plus this Substantial Amendment, which will provide \$270,266 to Liberty Park Improvements Phase II. Total budgeted for Liberty Park Phases I and II is \$404,456.

### **AMENDMENT NO. 3 - NEW ACTIVITY**

Activity Name: Housing Rehabilitation Inspections Activity Delivery Costs

Funding Amount: \$52,607.65

Funding Source: PY 2022 and 2023 leftover funds from completed projects

Description: Housing Rehabilitation Activity Delivery Costs – Includes all delivery costs (including staff, other direct costs, and services costs) directly related to carrying out housing rehabilitation activities. Some examples include appraisals, architectural, engineering, and other professional services; preparation of work specifications and work write-ups; surveys, site and utility plans,

application processing and other fees. Other examples include inspecting properties and preparing cost estimates. Preparing documents for bid invitations and coordinating the distribution of bid packages to qualified contractors. Reviewing bids/project cost proposals and advising on the most cost effective/beneficial rehabilitation package. Assisting with the coordination of construction schedules with contractors and homeowners. Monitoring/inspecting construction and rehabilitation projects for compliance with workmanship standards, specifications, adherence to code, property rehabilitation standards, contract conditions, and progress payment disbursements. Approving progress and final payment requests. Providing project updates to homeowners and explain to them the different phases of construction and project timelines. Assisting in resolving conflicts between homeowners and contractors. Providing information regarding the Housing Rehabilitation Program and other relevant information to the public.

Proposed Changes and Reasons for Changes: This notice corrects the Substantial Amendment #1 advertisement published in Florida Today on January 15, 2025, changing the activity named Housing Rehabilitation Specialist to Housing Rehabilitation Activity Delivery Cost. Inspectors hired to work under this activity may work in-house (for the City) or be contracted. City staff has confirmed with HUD that CDBG funds may be used for project delivery related to HOME-funded projects.

Reallocation Amount: Transfer \$50,710 from remaining Administration funds along with \$1,897.65 from PY 2022 and 2023 leftover funds from completed projects to fund this activity.

***Please note that Amendment No. 3 'Housing Rehabilitation Activity Delivery Costs' includes a scope that exceeds what is authorized by the Florida Building Code, as administered and enforced by the City's Building Department. Activity/Project Delivery Costs includes initial walk-through, preparation of a scope of work, construction and program monitoring, to name a few. While such services cannot be funded by the Building Enterprise Fund as these are not activities enforced by the Florida Building Code, Building Department personnel may be reimbursed by CDBG funds for time spent performing such activities for which they may be otherwise qualified to perform. The Community & Economic Development Department/Housing Division will also solicit outside contracting services to assist in performing such activities for which Housing Division staff are not qualified to perform.***

**REQUESTING DEPARTMENTS:**

Community & Economic Development

**FISCAL IMPACT:**

If approved, the Substantial Amendments related to funding decreases and/or increases will appear on the next scheduled Budget Amendment. Subsequent budget transfers will be completed

Honorable Mayor and Members of the City Council

Legislative Memorandum

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to move the monies into the appropriate CDBG accounts.

**STAFF RECOMMENDATION:**

Motion to approve Substantial Amendments to Program Years 2022-2023, 2023-2024, and 2024-2025 CDBG Action Plans and submittal to the U. S. Department of Housing and Urban Development for approval.

**ATTACHMENTS:**

1. Florida Today Advertisement – February 19, 2025



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Project Status: Cancelled and funding reduced to \$0.

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### **AMENDMENT NO. 2 - FUNDING INCREASE FOR NEW PROJECT**

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Original CDBG Funding Amount: \$270,266

Description: The scope of work shall include all labor, materials, equipment, permits, drawings, and services necessary for the proper completion of the rehabilitation of two (2) restroom buildings. Also, installing eight (8) sunshades to cover the bleachers around the softball fields; installing new softball outfield fencing; and installing a new concrete sidewalk.

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Project Status: Budgeted

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**STAFF RECOMMENDATION:**

Motion to approve Substantial Amendments to Program Years 2022-2023, 2023-2024, and 2024-2025 CDBG Action Plans and submittal to the U. S. Department of Housing and Urban Development for approval.

**ATTACHMENTS:**

1. Florida Today Advertisement – February 19, 2025



Florida  
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

**AFFIDAVIT OF PUBLICATION**

CITY OF PALM BAY  
attn: Accounts Payable  
City Of Palm Bay  
120 Malabar Rd Se  
Palm Bay FL 32907-3009

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

02/19/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/19/2025

\_\_\_\_\_  
Legal Clerk

*Nancy Heyrman*  
\_\_\_\_\_  
Notary, State of WI, County of Brown

5:15:27

My commission expires

Publication Cost: \$442.91  
Tax Amount: \$0.00  
Payment Cost: \$442.91  
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NANCY HEYRMAN  
Notary Public  
State of Wisconsin



ad#11047081 02/19/2025

**PUBLIC NOTICE – CITY OF  
PALM BAY**

Community Development Block  
Grant (CDBG) Program Amend-  
ments

**Corrective Actions to Substantial  
Amendment #1**

**This is Substantial Amendment #2**  
Notice of Availability Subject to  
Approval and Public Hearing on the  
proposed Substantial Amendments  
to program years (PY) 2022-2023,  
2023-2024, 2024-2025 CDBG Action  
Plans. In accordance with the  
requirements of 24 CFR Part 91.105  
(c), the City of Palm Bay hereby  
proposes to reallocate leftover funds  
from completed projects, cancel a  
project and allocate funds to a new  
project that is ready to start. This  
notice also corrects the Substantial  
Amendment #1 advertisement  
published in Florida Today on Janu-  
ary 15, 2025.

Notice is hereby given of proposed  
changes for the City's CDBG  
Program amending the Action Plan  
for PY 2024-2025 as follows:

**AMENDMENT NO. 1 – FUNDING  
REDUCTION**

**Original Activity Name:** PY 2024  
Public Works Construction of Side-  
walks (east end of San Filippo Blvd.  
from Wichita Blvd. to Eldron Blvd.)

**Original CDBG Funding Amount:**  
\$270,266

**Description:** The scope of this  
project includes construction of 8-  
foot sidewalk along the east side of  
San Filippo Blvd. from Wichita  
Blvd. to Eldron Blvd.

**Proposed Changes and Reasons for  
Changes:** New census data shows  
that this project no longer meets the  
51% low to moderate income area  
benefit requirement. Therefore, no  
CDBG funds can be spent. This  
project is recommended for  
cancellation. This corrective action is  
necessary to comply with the U.S.  
Department of Housing and Urban  
Development (HUD) project eligibil-  
ity guidelines.

**Project Status:** Cancelled and  
reduced to \$0.

**Reallocation Amount:** Transfer  
\$270,266 from (Cancelled) San  
Filippo Blvd. from Wichita Blvd. to  
Eldron Blvd. and reallocate the  
funds to Liberty Park Improve-  
ments Phase II.

**AMENDMENT NO. 2 – FUNDING  
INCREASE FOR NEW PROJECT**

**Original Activity Name:** PY 2024  
Liberty Park Improvements Phase II

**Original CDBG Funding Amount:**  
\$270,266

**Description:** The scope of work  
shall include all labor, materials,  
equipment, permits, drawings, and  
services necessary for the proper  
completion of the rehabilitation of  
two restroom buildings.

Also, installing sunshades to cover  
the bleachers around the softball  
fields; installing new softball  
outfield fencing; and installing  
concrete sidewalks.

**Proposed Changes and Reasons for  
Changes:** Park improvement  
projects deliver a multitude of bene-  
fits, impacting community health,  
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improvements enhance the quality  
of life for residents and contribute to  
a more vibrant and sustainable envi-  
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needed and necessary to improve  
and sustain the park facility.

**Project Status:** Budgeted

**Reallocation Amount:** Transfer  
\$270,266 from cancelled sidewalk  
construction project that was  
located on the east end of San  
Filippo Blvd. from Wichita Blvd. to  
Eldron Blvd. Funds will be moved to  
Liberty Park Improvements Phase  
II. Between Liberty Park Improve-  
ments Phase I advertised in  
Substantial Amendment #1 on Janu-  
ary 15, 2025, totaling \$134,190 and  
this Substantial Amendment that  
adds an additional \$270,266 to the  
park. Total budgeted for Phases I  
and II are \$404,456.

**AMENDMENT NO.3 – NEW  
ACTIVITY**

**Activity Name:** Housing Rehabilitation  
Activity Delivery Costs

**Funding Amount:** \$52,607.65

**Funding Source:** PY 2022 and 2023  
leftover funds from completed  
projects

**Description:** Housing Rehabilitation  
Activity Delivery Costs – this  
includes all delivery costs (including  
staff, other direct costs, and  
services costs) directly related to  
carrying out housing rehabilitation  
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appraisals, architectural, engineer-  
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**Reallocation Amount:** Transfer \$50,710 from remaining in Administration funds along with \$1,897.65 from PY 2022 and 2023 leftover funds from completed projects to fund this activity.

These are federal funds and will have no impact on the general fund budget. This amendment is in accordance with the U. S. Department of Housing and Urban Development (HUD) regulations

and will allow the projects to proceed to completion. The public comment period shall begin on February 19, 2025, and end on March 21, 2025. The City of Palm Bay will hold a Public Hearing to review these changes and to receive public comments at the regularly scheduled City Council meeting to be held on Thursday, April 3, 2025, at 6:00 PM in Council Chambers, Palm Bay City Hall, 120 Malabar Road SE, Palm Bay, Florida 32907.

Comments will be received in writing, orally and at the public hearing. The Substantial Amendment is available at 120 Malabar Road SE, Palm Bay, FL 32907. During the public comment period you can email your comments to [denise.carter@palmabayflorida.org](mailto:denise.carter@palmabayflorida.org). All interested persons are invited and encouraged to attend the public hearing and make oral and written comments in accordance with the American Disabilities Act and Section 286.26 Florida Statutes. Persons with disabilities needing special accommodations to participate should contact Denise Carter at (321) 952-3400 ext. 3408, at least 48 hours prior to the meeting.



Florida  
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

**AFFIDAVIT OF PUBLICATION**

CITY OF PALM BAY  
attn: Accounts Payable  
City Of Palm Bay  
120 Malabar Rd Se  
Palm Bay FL 32907-3009

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

02/19/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/19/2025

Legal Clerk

*Nancy Heyrman*  
\_\_\_\_\_  
Notary, State of WI, County of Brown

5:15:27

My commission expires

Publication Cost:	\$442.91	
Tax Amount:	\$0.00	
Payment Cost:	\$442.91	
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*Please do not use this form for payment remittance.*

NANCY HEYRMAN  
Notary Public  
State of Wisconsin



ad#11047081 02/19/2025

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REDUCTION**

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Public Works Construction of Side-  
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from Wichita Blvd. to Eldron Blvd.)

**Original CDBG Funding Amount:**  
\$270,266

**Description:** The scope of this  
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ments Phase II.

**AMENDMENT NO. 2 – FUNDING  
INCREASE FOR NEW PROJECT**

**Original Activity Name:** PY 2024  
Liberty Park Improvements Phase  
II

**Original CDBG Funding Amount:**  
\$270,266

**Description:** The scope of work  
shall include all labor, materials,  
equipment, permits, drawings, and  
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These are federal funds and will have no impact on the general fund budget. This amendment is in accordance with the U. S. Department of Housing and Urban Development (HUD) regulations

and will allow the projects to proceed to completion. The public comment period shall begin on February 19, 2025, and end on March 21, 2025. The City of Palm Bay will hold a Public Hearing to review these changes and to receive public comments at the regularly scheduled City Council meeting to be held on Thursday, April 3, 2025, at 6:00 PM in Council Chambers, Palm Bay City Hall, 120 Malabar Road SE, Palm Bay, Florida 32907.

Comments will be received in writing, orally and at the public hearing. The Substantial Amendment is available at 120 Malabar Road SE, Palm Bay, FL 32907. During the public comment period you can email your comments to [denise.carter@palmabayflorida.org](mailto:denise.carter@palmabayflorida.org). All interested persons are invited and encouraged to attend the public hearing and make oral and written comments in accordance with the American Disabilities Act and Section 286.26 Florida Statutes. Persons with disabilities needing special accommodations to participate should contact Denise Carter at (321) 952-3400 ext. 3408, at least 48 hours prior to the meeting.