

RESOLUTION NO. 11-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, APPROVING THE MODIFICATION OF SUBGRANT AGREEMENT BETWEEN THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE CITY OF BRADENTON TO EXTEND THE CONTRACT END DATE AND AUTHORIZING MAYOR POSTON TO EXECUTE SUBGRANT AGREEMENT

WHEREAS, the CITY is the Grantee of NSP funds, 10DB-4X-08-51-02-F 04 (hereinafter "the Grant"); and

WHEREAS, the CITY, as Grantee, by Resolution No. 09-54, has identified specific projects and activities and approved funding for the implementation of the goals as required by the Grant for the Neighborhood Stabilization Program; and

WHEREAS, the CITY has previously modified said Grant Agreement twice to refined project activities and their associated costs; and

WHEREAS, the CITY has made substantial progress in implementing Work Plan activities and has expended and obligated over \$1.8 million of the NSP funds; and

WHEREAS the modification to the Sub-Grant Agreement will extend the contract end date to November 23, 2011 and would permit the City to obligate and/or expend the balance of the Grant funds; and

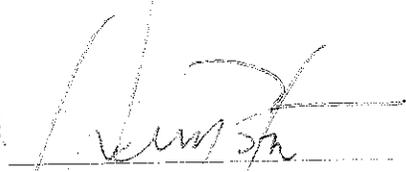
NOW, THEREFORE, in consideration of the mutual covenants, promises and representation contained in the modified Sub-Grant Agreement, Council hereby authorizes the Mayor to execute said modified Sub-Grant Agreement State of Florida Department of Community Affairs.

PASSED AND DULY ADOPTED THIS 22ND DAY OF JUNE, 2011.

ATTEST:

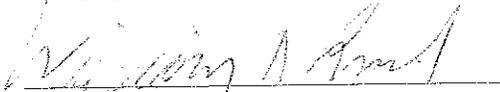


Carl Callahan, City Clerk and Treasurer



Wayne Poston, Mayor

APPROVED AS TO FORM:



William R. Lisch, City Attorney



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

RICK SCOTT
Governor

BILLY BUZZETT
Secretary

SEP 19 2011



Mr. Tom Cookingham, Assistant Director
Planning and Community Department
City of Bradenton
City Hall
101 Old Main Street
Bradenton, Florida 34205-7865

RECEIVED

SEP 26 2011

Re: Neighborhood Stabilization Program – Modification #3
Grant Agreement Number 10DB-4X-08-51-02-F 04

CDBG/SHIP PROGRAM

Dear Mayor Poston:

We have reviewed your letter requesting approval to modify the referenced Grant Agreement by revising the Activity Work Plan and extending the Period of Agreement to November 23, 2012. The review indicates the requested changes are acceptable. Enclosed is a copy of the formal signed amendment. Please keep these documents with your copy of the approved Agreement.

If you have questions regarding this modification, please call me at (850)487-3644.

Sincerely,

Jacquelyn W. Dupree, Program Administrator,
Florida Small Cities CDBG and Neighborhood
Stabilization Programs

JD/gb
Enclosure

cc: The Honorable Wayne H. Poston, Mayor, City of Bradenton
Ms. Gayle Brett, Department of Community Affairs
Ms. Denise Papajorgji, Department of Community Affairs

**MODIFICATION NUMBER 3 TO SUBGRANT AGREEMENT BETWEEN
THE DEPARTMENT OF COMMUNITY AFFAIRS AND
CITY OF BRADENTON, FLORIDA**

This Modification is made and entered into by and between the State of Florida, Department of Community Affairs, (“the Department”), and the City of Bradenton, Florida, (“the Recipient”), to modify DCA Contract Number 10DB-4X-08-51-02-F 04, award dated November 24, 2009 (“the Agreement”).

WHEREAS, the Department and the Recipient entered into the Agreement, pursuant to which the Department provided a subgrant of \$2,576,267.00 to Recipient under the Neighborhood Stabilization Program (“NSP”) as set forth in the Agreement;

WHEREAS, the Department and the Recipient desire to modify the Agreement;

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

Reinstate Agreement

1. The Agreement is hereby reinstated as though it had not expired.

Extend Agreement

2. Paragraph 3, Period of Agreement is hereby revised to reflect an ending date of November 23, 2012.

Revise Activity Work Plan

3. The Attachment B or I, Activity Work Plan section of the Agreement is hereby deleted and is replaced by the revised Attachment B or I, Activity Work Plan section, which is attached hereto and incorporated herein by reference.

Revise Program Budget and Scope of Work

4. The Attachment A, Program Budget and Scope of Work section of the Agreement is hereby deleted and is replaced by the revised Attachment A, the Program Budget and Scope of Work, which is attached hereto and incorporated herein by reference.

Modification to Subgrant Agreement

Modification Number: 3

DCA Contract Number: 10DB-4X-08-51-02-F 04

Recipient: City of Bradenton, FL

Page 2

Change in Participating Parties

5. The Attachment A, Program Budget and Scope of Work section, is hereby modified to delete all references to “(Type in name, if applicable.)” as the Participating Party, and replace them with “(Type in name, if applicable.)” as the Participating Party with the understanding that the Recipient and the new Participating Party will enter into a Participating Party Agreement containing provisions and caveats that meet or exceed the conditions agreed to in the Participating Party Agreement between the Recipient and the original Participating Party.

Inclusion of an Unmet Need as Addressed in the Original Application

6. The Attachment A, Program Budget and Scope of Work section of the Agreement is hereby deleted and is replaced by the revised Attachment A, the Program Budget and Scope of Work, which is attached hereto and incorporated herein by reference.
7. The Attachment B or I, Activity Work Plan section of the Agreement is hereby deleted and is replaced by the revised Attachment B or I Activity Work Plan section, which is attached hereto and incorporated herein by reference.

Change in Number of Accomplishments and/or Beneficiaries

8. The Attachment A, Program Budget and Scope of Work section of the Agreement is hereby deleted and is replaced by the revised Attachment A, the Program Budget and Scope of Work, which is attached hereto and incorporated herein by reference.

Other: (Type in the reason for the modification.)

All provisions of the Agreement and any attachments thereto in conflict with this Modification shall be and are hereby changed to conform to this Modification, effective as of the date of the execution of this Modification by both parties.

All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

Modification to Subgrant Agreement

Modification Number: 3

DCA Contract Number: 10DB-4X-08-51-02-F 04

Recipient: City of Bradenton, FL

Page 3

IN WITNESS WHEREOF, the parties hereto have executed this document as of the dates set herein.

Department of Community Affairs

Recipient: City of Bradenton, FL

By: Ken Reecy

By: Wayne H. Poston

Name: Ken Reecy

Name: Wayne H. Poston

Title: Director, Division of Housing and Community Development

Title: Mayor

Date: 9-8-11

Date: 07/18/11

Instructions for Completing the Modification to Subgrant Agreement Form.

1. Use the “Tab” key to move from one field to the next. “Shift Tab” lets you move backwards.
2. Type in the Modification Number in the three fields where it asks for the number.
3. Type in the Contract Number in the three fields where it asks for the number.
4. Type in the Local Government Name in the five fields where it asks for the Recipient.
5. Type in the Date and Subgrant Amount in the fields on the first page where it asks for the information.
6. Move the cursor to the appropriate box(es) to indicate the modification(s) being requested. Left “click” on the box and an “X” will appear, indicating that the section is being modified.
7. If the modification seeks to extend the end of the subgrant, type in the new date on the appropriate line.
8. If the modification makes changes to the “Participating Parties,” type in the names where indicated.
9. If the reason for the modification is not one of the seven common reasons, put an “X” in the check box before “Other” at the bottom of the second page and then tab to the form field and type in the reason.
10. On page 3, type in the name of the person signing the modification and the person’s title. **The date must be hand written.** (*The person signing the modification must have signature authority.*)
11. Submit three originals of the modification along with the required supporting documentation.

**NEIGHBORHOOD STABILIZATION PROGRAM/CDBG
DEPARTMENT OF COMMUNITY AFFAIRS
WORK PLAN – SUMMARY Page 1 of 2**

RECIPIENT
CONTRACT NO.

DATE PREPARED
TOTAL BUDGET \$
STRATEGY SUMMARY
Page 1 of 2

06/2011 – Mod. 3 – time extension
\$2,576,267
SUMMARY OF ALL STRATEGIES

Date Start (month/year)	Date End (month/year)	Describe Proposed Action to be Undertaken, Contract Special Condition, or Clearance Documentation Submitted by "Date End"	# Units completed by "Date End"	Proposed Program \$ Requested by "Date End"	Proposed Administration \$ Requested by "Date End"
		ACTIVITY: 21A Administration	#	\$	\$
		Complete Environmental Review, Submit Request for Release of Funds & Environmental Conditions & Obtain Release of Funds			
		(Includes all environmental costs for entire project)			
10/2009	12/2009	Complete Site Specific Environmental Clearances			
		(Includes all environmental costs for entire project)			
10/2009	07/2011	Submit Documentation to Clear Special Conditions			
		(Includes special conditions for entire project)			
		Solicitation/Procurement of Consultant Services			
		Solicitation/Procurement of Non-Profit or Housing Authority/other partner			
04/2010	04/2010	Solicitation/Procurement of Developer			
		ACTIVITY: 21B Engineering (specify activity)	#	\$	\$
		ACTIVITY: 01 Acquisition	#	\$	\$
		33% Work Completed	4	370,019.00	
		66% Work Completed	4	408,898.00	
		100% Work Completed	5	385,653.00	
		ACTIVITY: 14A Rehabilitation – Single Family	#	\$	\$
		33% Work Completed	3	119,542.00	
04/2011	06/2011	66% Work Completed	5	217,720.00	
06/2011	08/2011	100% Work Completed	6	666,589.00	
08/2011	01/2012				
		ACTIVITY: 14B Rehabilitation – Multi Family	#	\$	\$
		33% Work Completed			
		66% Work Completed			
		100% Work Completed			
		ACTIVITY: 02 Disposition	#	\$	\$
		33% Work Completed			
		66% Work Completed			
		100% Work Completed			

* May include activity delivery costs

**NEIGHBORHOOD STABILIZATION PROGRAM/CDBG
DEPARTMENT OF COMMUNITY AFFAIRS
WORK PLAN - SUMMARY Page 2 of 2**

RECIPIENT
CONTRACT NO.

DATE PREPARED
TOTAL BUDGET \$
STRATEGY SUMMARY
Page 2 of 2

06/2011 - Mod. 3 - time extension
\$2,576,267
SUMMARY OF ALL STRATEGIES

Date Start (month/year)	Date End (month/year)	Describe Proposed Action to be Undertaken, Contract Special Condition, or Clearance Documentation Submitted by "Date End"	# Units completed by "Date End"	Proposed Program \$\$ Requested by "Date End"	Proposed Administration \$\$ Requested by "Date End"
11/2010		ACTIVITY: 05 Public Services for housing counseling	#	\$	\$
		33% Work Completed			
		66% Work Completed	7		
	11/2012	100% Work Completed			
		ACTIVITY: 08 Relocation	#	\$	\$
		33% Work Completed			
		66% Work Completed			
		100% Work Completed			
		ACTIVITY: 13 Homeownership Assistance (including Administrative expenses - necessary to facilitate homeownership)	#	\$	\$
11/2010		33% Work Completed			
		66% Work Completed	7		
	11/2012	100% Work Completed			
		ACTIVITY: 04 Clearance and Remediation	#	\$	\$
		33% Work Completed			
		66% Work Completed			
		100% Work Completed			
		ACTIVITY: 12 Housing Replacement	#	\$	\$
		33% Work Completed			
		66% Work Completed			
		100% Work Completed			
		SUBMIT CLOSE OUT			
		TOTALS - Summary Activity Work Plan	14	2,168,699.00	175,186.00

* May include activity delivery costs
** Acquisition cost includes 6% Developer Fee

**NEIGHBORHOOD STABILIZATION PROGRAM/CDBG
DEPARTMENT OF COMMUNITY AFFAIRS
ACTIVITY WORK PLAN - STRATEGY 1**

RECIPIENT
CONTRACT NO.

DATE PREPARED
ACTIVITY BUDGET
AMOUNT
STRATEGY 1

06/2011 - Mod. 3 - time extension
\$ 980,000

Housing Acquisition/Rehabilitation for Sale

Date Start (month/year)	Date End (month/year)	Describe Proposed Action to be Undertaken, Contract Special Condition, or Clearance Documentation Submitted by "Date End"	# Units completed by "Date End"	Proposed Program \$\$ Requested by "Date End"	Proposed Administration \$\$ Requested by "Date End"
		ACTIVITY: 01 Acquisition			
		Complete Site-Specific Environmental review and obtain clearance (complete prior to acquisition and/or obligation of funds)	7	*	
10/2009	08/2010	Identify Homes to Acquire and Secure with Real Estate Contracts	7	\$104,610.00*	
05/2010	08/2010	Perform Due Diligence on Properties (Appraisals, Title Searches, etc.)	7	16,117.00*	
06/2010	08/2010	Acquire Properties from REO's	7**	469,611.00	
		ACTIVITY: 08 Relocation			
		Temp Relocation Rehab - Single Family			*
		Temp Relocation Rehab - Multi Family			*
		ACTIVITY: 14A Rehabilitation -Single Family			
		Prepare Work Write-ups, Bid Out Rehabilitation, Award and Execute Rehabilitation Contracts, Issue NTP to Rehabilitation Contractors	7	*	
06/2010	09/2010	Rehabilitate Properties	7	\$362,662.00*	
06/2010	09/2011	Final Inspection / Punch-list / Construction Complete	7		
08/2010	10/2011				
		ACTIVITY: 14B Rehabilitation -Multi Family			
		Prepare Work Write-ups, Bid Out Rehabilitation, Award and Execute Rehabilitation Contracts, Issue NTP to Rehabilitation Contractors			*
		Rehabilitate Properties			*
		Final Inspection / Punch-list / Construction Complete			
		ACTIVITY 05: Public Services for Housing Counseling			
		Homebuyers Complete Required HUD Counseling Course			
		ACTIVITY: 02 Disposition			
		Solicit, Select, and Qualify Homebuyers	7		
09/2010	11/2013	Sell Properties to Qualified Homebuyers	7		
01/2011	06/2013				
		TOTALS:	7	\$980,000.00	

* May Include activity delivery costs
** Acquisition cost includes 6% Developer Fee

**NEIGHBORHOOD STABILIZATION PROGRAM/CDBG
DEPARTMENT OF COMMUNITY AFFAIRS
ACTIVITY WORK PLAN – STRATEGY 2**

RECIPIENT
CONTRACT NO.

DATE PREPARED
ACTIVITY BUDGET \$
STRATEGY 2

Housing Finance – N/A

Date Start (month/year)	Date End (month/year)	Describe Proposed Action to be Undertaken, Contract Special Condition, or Clearance Documentation Submitted by "Date End"	# Units completed by "Date End"	Proposed Program \$\$ Requested by "Date End"	Proposed Administration \$\$ Requested by "Date End"
		ACTIVITY: 13 Homeownership Assistance (including Administrative expenses – necessary to facilitate homeownership)		*	
		Complete Site-Specific Environmental review and obtain clearance (complete prior to acquisition and/or obligation of funds)			
		NSP Direct Financial Assistance			
		NSP Down Payment Assistance			
		NSP Interest Rate Buydown			
		Other Types of Financial Assistance (Specify)		*	
		Other Administrative Expenses** – necessary to facilitate homeownership (Specify)			
		TOTALS:			

* May include activity/delivery costs
** This amount is specific to Activity 13 and does not come out of overall administrative costs

NEIGHBORHOOD STABILIZATION PROGRAM/CDBG
DEPARTMENT OF COMMUNITY AFFAIRS
ACTIVITY WORK PLAN - STRATEGY 3

RECIPIENT
CONTRACT NO.

DATE PREPARED
ACTIVITY BUDGET \$
STRATEGY 3

Establishing Land Banks - N/A

Date Start (month/year)	Date End (month/year)	Describe Proposed Action to be Undertaken, Contract Special Condition, or Clearance Documentation Submitted by "Date End"	# Units completed by "Date End"	Proposed Program \$\$ Requested by "Date End"	Proposed Administration \$\$ Requested by "Date End"
		ACTIVITY: 01 Acquisition			
		Complete Site-Specific Environmental review and obtain clearance (complete prior to acquisition and/or obligation of funds)		*	
		Identify Vacant Land to Acquire and Redevelop		*	
		Establish or Identify Land Bank Entity		*	
		Develop Land Bank Policy and Land Use Restriction Agreement (LURA)		*	
		Perform Due Diligence on Properties (Appraisals, Title Searches, etc.)			
		Acquire Properties from REOs			
		Provide Continued Safety and Maintenance of Property			
		ACTIVITY: 04 Clearance and Remediation			
		Complete Site-Specific Environmental review and obtain clearance (complete prior to acquisition and/or obligation of funds)		*	
		Procure Contractor to Clear Property or Perform Remediation			
		Perform and Provide Ongoing Maintenance			
		Procure Contractor to Redevelop Property			
		ACTIVITY: 02 Disposition			
		Dispose of Property according to Land Bank Policy/Strategy		*	
		TOTALS:			

* May include activity delivery costs

**NEIGHBORHOOD STABILIZATION PROGRAM/CDBG
DEPARTMENT OF COMMUNITY AFFAIRS
ACTIVITY WORK PLAN - STRATEGY 4**

RECIPIENT
CONTRACT NO.

DATE PREPARED
ACTIVITY BUDGET \$
STRATEGY 4

Demolition & Clearance/Housing
Redevelopment - N/A

Date Start (month/year)	Date End (month/year)	Describe Proposed Action to be Undertaken, Contract Special Condition, or Clearance Documentation Submitted by "Date End"	# Units completed by "Date End"	Proposed Program \$\$ Requested by "Date End"	Proposed Administration \$\$ Requested by "Date End"
		ACTIVITY: 01 Acquisition Identify Property to Acquire and to Redevelop Housing Complete Site-Specific Environmental review and obtain clearance (complete prior to acquisition and/or obligation of funds) Perform Due Diligence on Properties (Appraisals, Title Searches, etc.) Acquire Properties from REO's		*	
		ACTIVITY: 04 Clearance and Remediation Procure Contractor to Clear Property or Perform Remediation Perform and Provide Ongoing Maintenance Procure Contractor to Redevelop Property			
		ACTIVITY: 12 Housing Replacement Procure Contractor or Other Entity to Complete Housing Replacement			
		ACTIVITY: 05 Public Services for Housing Counseling Homebuyers Complete Required Counseling Course			
		ACTIVITY: 13 Homeownership Assistance (including Administrative expenses - necessary to facilitate homeownership) NSP Direct Financial Assistance NSP Down Payment Assistance NSP Interest Rate Buydown Other Types of Financial Assistance (Specify) Other Administrative Expenses-Necessary to facilitate homeownership (Specify)			
		ACTIVITY: 02 Disposition Solicit, Select, and Qualify Homebuyers Sell Properties to Qualified Homebuyers			*
		TOTALS:			

* May include activity delivery costs

**NEIGHBORHOOD STABILIZATION PROGRAM/CDBG
DEPARTMENT OF COMMUNITY AFFAIRS
ACTIVITY WORK PLAN – STRATEGY 5 Page 1 of 2**

**RECIPIENT
CONTRACT NO.**

**DATE PREPARED
ACTIVITY BUDGET \$
STRATEGY 5 Page 1 of 2**

**06/2011 – Mod. 3 – time extension
\$1,421,081
Set Aside - Housing
Acquisition/Rehabilitation for Lease**

Date Start (month/year)	Date End (month/year)	Describe Proposed Action to be Undertaken, Contract Special Condition, or Clearance Documentation Submitted by "Date End"	# Units completed by "Date End"	Proposed Program \$ Requested by "Date End"	Proposed Administration \$ Requested by "Date End"
		ACTIVITY: 01 Acquisition			
		Complete Site-Specific Environmental Review and Obtain Clearance (Complete prior to acquisition and/or obligation of funds)	6	*	
10/2009	12/2009	Establish or Procure a Non-profit or Housing Authority to Manage Acquisition, Redevelopment, and Long-Term Management of Rental Units		*	
04/2010	04/2010	Develop Feasibility and Management Plan for Rental Units (Must include Cost Analysis)		*	
08/2011	09/2011	Develop Affordability Strategy		*	
06/2010	07/2010	Identify Single/Multi-Family Rental Units to Acquire and Secure with Real Estate Contracts	6	\$152,257.00*	
06/2010	08/2010	Perform Due Diligence on Properties (Appraisals, Title Searches, etc.)	6	15,595.00*	
07/2010	09/2010	Acquire Properties from REO's	6**	365,211.00	
		ACTIVITY: 08 Relocation			
		Temp Relocation during Rehabilitation – Single Family			
		Temp Relocation during Rehabilitation – Multi Family			
		ACTIVITY: 14A Rehabilitation –Single Family			
		Prepare Work Write-ups, Bid Out Rehabilitation, Award and Execute Rehabilitation Contracts, Issue NTP to Rehabilitation Contractors	7***	*	
06/2011	09/2011	Rehabilitate Properties	7	\$666,598.00*	
09/2011	12/2011	Final Inspection / Punch list / Construction Complete	7	*	
01/2012	01/2012			*	
		ACTIVITY: 14B Rehabilitation –Multi Family			
		Prepare Work Write-ups, Bid Out Rehabilitation, Award and Execute Rehabilitation Contracts, Issue NTP to Rehabilitation Contractors		*	
		Rehabilitate Properties		*	
		Final Inspection / Punch list / Construction Complete		*	

* May include activity delivery costs (includes 6% developer fee)
 ** Acquisition cost includes 6% Developer Fee
 *** One property will have two single-family units

NEIGHBORHOOD STABILIZATION PROGRAM/CDBG
DEPARTMENT OF COMMUNITY AFFAIRS
ACTIVITY WORK PLAN - STRATEGY 5 Page 2 of 2

RECIPIENT
CONTRACT NO.

DATE PREPARED
ACTIVITY BUDGET \$
STRATEGY 5 Page 2 of 2

Set Aside - Housing
Acquisition/Rehabilitation for Lease

Date Start (month/year)	Date End (month/year)	Describe Proposed Action to be Undertaken, Contract Special Condition, or Clearance Documentation Submitted by "Date End"	# Units completed by "Date End"	Proposed Program \$\$ Requested by "Date End"	Proposed Administration \$\$ Requested by "Date End"
09/2010	11/2012	ACTIVITY: 02 Disposition Solicit, Select, and Qualify Homebuyers/Renters Sell Properties to Qualified Homebuyers/Renters	7		
TOTALS:				1,199,661.00	

* May Include activity delivery costs

RESOLUTION NO. 11-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, APPROVING THE MODIFICATION OF SUBGRANT AGREEMENT BETWEEN THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE CITY OF BRADENTON TO EXTEND THE CONTRACT END DATE AND AUTHORIZING MAYOR POSTON TO EXECUTE SUBGRANT AGREEMENT

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WHEREAS, the CITY has made substantial progress in implementing Work Plan activities and has expended and obligated over \$1.8 million of the NSP funds; and

WHEREAS the modification to the Sub-Grant Agreement will extend the contract end date to November 23, 2011 and would permit the City to obligate and/or expend the balance of the Grant funds; and

NOW, THEREFORE, in consideration of the mutual covenants, promises and representation contained in the modified Sub-Grant Agreement, Council hereby authorizes the Mayor to execute said modified Sub-Grant Agreement State of Florida Department of Community Affairs.

PASSED AND DULY ADOPTED THIS 22ND DAY OF JUNE, 2011.

ATTEST:


Carl Callahan, City Clerk and Treasurer




Wayne Poston, Mayor

APPROVED AS TO FORM:


William R. Lisch, City Attorney

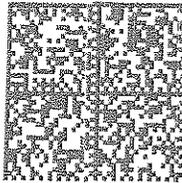


FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

RECEIVED
 SEP 22 2011
 CITY OF BRADENTON
 PLANNING DEPT.

[Handwritten signature]

Mr. Tom Cookingham, Assistant Director
 Planning and Community Department
 City of Bradenton
 City Hall
 101 Old Main Street
 Bradenton, Florida 34205-7865



US POSTAGE
 \$ 01.28
 Mailed From 32301
 09/20/2011
 031A 0002302692

RECEIVED
 SEP 26 2011
 CDBG/SHIP Planning

[Handwritten initials]