

INDIAN RIVER COUNTY, FLORIDA

M E M O R A N D U M

TO: Jason E. Brown; County Administrator

THROUGH: Phillip J. Matson, AICP, Community Development Director

THROUGH: Bill Schutt, AICP, Chief, Long-Range Planning

FROM: Matt Kalap, Long Range Planner

DATE: February 10, 2020

SUBJECT: Request to Approve the Community Development Block Grant (CDBG) Applicant List for Conflict of Interest

It is requested that the following information be given formal consideration by the Board of County Commissioners (BCC) at its regular meeting of February 18, 2020.

DESCRIPTION AND CONDITIONS

On July 10, 2018, the BCC authorized the Community Development Director to apply for a Housing Rehabilitation Community Development Block Grant (CDBG) for the unincorporated portions of the County. Subsequently, the Florida Department of Economic Opportunity (DEO) awarded a \$750,000 grant to the County and the County hired a CDBG consultant, Guardian Community Resource Management to administer the grant.

Since then, the consultant has worked with county staff to undertake the required steps to proceed with block grant implementation. These steps included soliciting and obtaining intake application forms from homeowners in the unincorporated portions of the County (during the month of October 2019), ranking those applicants, and initiating the procurement process to obtain services from abstractors, lead-based paint inspectors, and general contractors.

On January 10, 2020, the CDBG Citizen's Advisory Task Force (CATF) reviewed the list of CDBG applicants (Attachment 1) and Pursuant to Section E(3) of part 2 of the HAP (Attachment 2) the CATF members in attendance determined that no conflicts of interest exist.

At this time, the BCC must now also review the CDBG Housing applicant list and publicly acknowledge if a real or perceived conflict of interest exists with any of the applicants.

ANALYSIS

A conflict of interest is defined as a relationship or circumstances whereby a person or organization exercises functions or responsibilities for funded activities through which they, their relatives or known associates obtain or appear to obtain a financial benefit.

With Respect to the BCC, whenever a conflict of interest exists DEO rules require that, it must be made known at a regular meeting of the Board, the member with a conflict must abstain, and the county must notify DEO in writing of the conflict then receive written notification of DEO's approval of the waiver of conflict of interest, in accordance with Title 24 C.F.R. Section 570.489 (h)(4) (Attachment 3). Additionally, before any applicant with a potential or real conflict of interest is given final approval for participation a request for a waiver of conflict of interest must be filed with the DEO.

No acknowledgement of a conflict of interest has been made known by any applicants. If there is an ongoing relationship or financial benefit between any applicant and any BCC member with respect to CDBG funding it must be made known and the BCC member must abstain from any vote related to that applicant. Provided as an attachment to this report is a Conflict of Interest Form created by the consultant in order for each BCC member to review the applicants, acknowledge whether or not a conflict exists and sign (Attachment 4).

RECOMMENDATION

Staff recommends that the Board of County Commissioners:

1. Review the applicant ranking list;
2. Publicly acknowledge if there is a conflict of interest between any BCC member and any of the applicants;
3. Complete the attached Conflict of Interest Form and provide to staff after the meeting.

ATTACHMENTS

- 1) Applicant ranking list for CDBG #19DB-ON-10-40-01-H03
- 2) Section E(3) of Part 2 of Indian River County's Housing Assistance Plan
- 3) C.F.R. Section 570.489 (h)
- 4) BCC Conflict Identification Form