

## M E M O R A N D U M

**To:** Town Commission  
**From:** Tom Harmer, Town Manager  
**Report date:** August 8, 2022  
**Meeting date:** September 12, 2022  
**Subject:** Interlocal Agreement with Manatee County for Community Development Block Grant (CDBG) Program

### **Recommended Action**

Ratify the Interlocal Agreement with Manatee County for Community Development Block Grant (CDBG) Program.

### **Background**

On July 29, 2022 we were notified by Manatee County staff of a required amendment to our existing Interlocal Agreement with Manatee County for the CDBG program. Our current Interlocal Agreement was executed in 2019 and is automatically renewed unless the County or the Town provided written notice that it elects not to participate. Longboat Key does not qualify for CDBG programs and has allowed Manatee County to recognize our population as part of their overall count to help them qualify for the Federal programs. According to Manatee County, the amendment to our current Interlocal Agreement is required by the Department of Housing and Urban Development (HUD) and the deadline for our response was August 26, 2022.

The amendment updates Section 2.6.B of the Interlocal Agreement and all other provisions remain unchanged.

Current Section 2.6.B of the current Interlocal Agreement states:

B. The Town and the County do hereby agree to take all required actions to comply with the County's certification required by Section 104(b) of the Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act Section 109, of Title I of the Housing and Community Development Act of 1974, the Americans with Disabilities Act of 1990 and other applicable laws.

The required amended Section 2.6 B is provided below:

B. The Town and the County do hereby agree (i) to take all actions necessary within the Town's jurisdiction to assure compliance with the County's certification under Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended; (ii) that the grant will be conducted and administered in conformity with 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 will affirmatively

further fair housing; and (iii) to 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 regulation at 24 CFR part 146, and Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws.

The current Interlocal Agreement, and the request for amendment from Manatee County are attached for your reference. Manatee County staff was informed that the Town Commission would not be available to vote on this issue until meetings resume on September 12, 2022, but their deadline was firm.

The Town Attorney has reviewed the amendment, and with the Town Manager, considered options to timely address the required amendment as well as the need, ultimately, for Commission approval. The changes are required by the Federal government, are not substantive, and it was agreed that the Town Manager would execute the agreement subject to a Commission confirmation at your first meeting in September. Manatee County was notified of the approach, the required ratification by the Commission, and accepted the document understanding Commission action will take place at the September 12, 2022 Regular Meeting.

The Town Commission is being asked to ratify the Interlocal Agreement signed by the Town Manager during the Commission recess. This item is placed on the September 12, 2022 Consent Agenda for formal action.

### **Staff Recommendation**

Ratify the Interlocal Agreement with Manatee County for Community Development Block Grant (CDBG) Program.

### **Attachments (Available in Town Clerk's Office)**

- A. Amended Interlocal Agreement with Manatee County for CDBG Grant Program
- B. 2022 Urban County Review Amendments
- C. Town of Longboat Key CDBG Urban Requalification Interlocal Agreement

**End of Agenda Item**