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## **RESOLUTION 23-05**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, REGARDING THE ALLOCATION OF TOWN OF DUNDEE 2023-2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING IN THE APPROXIMATE AMOUNT OF \$30,216.00 AND ALLOCATION OF AVAILABLE TOWN CDBG FUNDING FOR ELIGIBLE PROJECTS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING RESOLUTIONS; THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Community Development Block Grant (hereinafter, "CDBG") program is authorized under Title I of the Housing and Community Development Act of 1974, as amended and is administered by the United States Department of Housing and Urban Development (HUD); and

WHEREAS, the CDBG program consists of two components: (1) Entitlement Program wherein funds are provided directly to qualified urban communities, and (2) State Program wherein funds are allocated to the states for distribution to eligible non-entitlement communities; and

WHEREAS, the Town of Dundee, Florida, (hereinafter, "the Town") and City of Auburndale, Florida, (hereinafter, "the City"), have participated in the CDBG program since 1975; and

WHEREAS, the Town and City are qualified as entitlement jurisdictions under the CDBG Entitlement Program and receive an annual allocation of grant funds to be used on projects that benefit principally low and moderate income persons and households, in accordance with CDBG regulatory requirements; and

WHEREAS, the Town agreed to forward future Town CDBG allotments to the City beginning in CDBG Fund Year 2019-2020 and thereafter until the full allotment has been repaid to the City; and

WHEREAS, on March 20, 2023, the Town was asked by Polk County's Housing and Neighborhood Development Manager who oversees the CDBG Municipal Partner

Program to make application for Fiscal Year 2023-2024 CDBG Funds which for the Town of Dundee is expected to be approximately \$30,216.00; and

WHEREAS, the Town Manager recommends that the sum of \$12,813.00 from the Town's expected 2023-2024 CDBG Fund allocation be paid to the City when available to repay the City the sum of \$12,813.00 which would fully pay all CDBG Funds owed by the Town to the City leaving a zero balance owed to the City; and

WHEREAS, the balance of the Town CDBG Funds in the approximate amount of \$17,403.00 would be utilized by the Town for future projects that benefit principally low and moderate income persons and households within the Town, in accordance with CDBG regulatory requirements; and

WHEREAS, it is in the best interests of the residents and citizens of the Town for the Town Commission to continue CDBG funding.

NOW, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA:

1. That the above Whereas clauses are the factual basis for the passage of this Resolution.

2. That the Town Commission hereby supports the Town's allocation of the sum of \$12,813.00 to the City in CDBG Funds for Fund Year 2023-2024.

3. The Town Commission hereby authorizes the Town Manager to take any further action(s) necessary to ensure the allocation and delivery of the Town's 2023-2024 CDBG funding in the amount of \$12,813.00 to the City and the balance of the Town CDBG Funds in the approximate amount of \$17,403.00 to the Town for future eligible projects that benefit principally low and moderate income persons and households within the Town, in accordance with CDBG regulatory requirements.

4. After the allocation of the Town's CDBG Funds in the amount of \$12,813 to the City for Fund Year 2023-2024, the Town's obligation to the City will be fully satisfied and no further Town CDBG Funds will be owed to the City.

5. If any portion of this Resolution is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of this Resolution, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder of this Resolution shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

6. All conflicting Resolutions are hereby repealed so as to give this Resolution full force and effect.

7. Any provision in this Resolution may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be

authorized by the Town Manager or his designee, without need of consideration by the Town Commission, by filing a corrected or recodified copy of same with the Town Clerk.

8. This Resolution shall be effective immediately upon passage by the Town Commission and shall remain in full force and effect until repealed by a Resolution adopted by the Town Commission.

**READ, PASSED AND ADOPTED** at a duly called meeting of the Town Commission of the Town of Dundee, Florida assembled on the 28th day of March, 2023.

**TOWN OF DUNDEE**

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Samuel Pennant, Mayor

ATTEST WITH SEAL:

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Trevor Douthat, Town Clerk

Approved as to form:

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Frederick J. Murphy, Jr., Town Attorney