

**CITY OF FORT LAUDERDALE
HOUSING OPPORTUNITIES for PERSON with AIDS (HOPWA) PROGRAM
FIRST ADDENDUM TO THE FY2022-2023 PROGRAM PROVIDER AGREEMENT
WITH
BROWARD HOUSE INC.,**

THIS ADDENDUM, with an effective date of **October 1, 2022**, is entered into by and between the **City of Fort Lauderdale**, a Florida municipal corporation, with its principal address located at 100 N. Andrews Avenue, Fort Lauderdale, FL 33301 (City), and **BROWARD HOUSE INC.**, a Florida non-profit corporation with its principal address located at 1726 SE 3rd Avenue, Fort Lauderdale, FL33316 (Participant) (collectively, Parties).

WHEREAS, the City receives Housing for Persons with AIDS (HOPWA) funding from the U.S. Department of Housing and Urban Development (HUD) to undertake program activities, including housing and other supportive services to eligible individuals; and

WHEREAS, the City issued Request for Information (RFI) No. 12487-108 and the HOPWA grant application process through the submittable portal, seeking qualified non-profit organizations to provide housing and certain supportive services to eligible persons under the HOPWA grant program; and

WHEREAS, Participant submitted a responsive proposal to the City to provide Facility Based Housing (FBH/FAC), Project Based Rental (PBR) and Tenant Based Rental Voucher (TBRV) Housing Programs; and

WHEREAS, Participant is a non-profit organization with significant activities related to providing services or housing to persons with Acquired Immunodeficiency Syndrome (AIDS) or related diseases; and

WHEREAS, on June 21, 2022, the City approved CAM 22-0518 awarding HOPWA funding to Participant; and

WHEREAS, the City entered into a Program Provider Agreement with the Participant dated **October 1, 2022**, to provide funds for Fiscal Year 2022-2023 in a total amount not to exceed Three Million Five Hundred Seven Thousand Two Hundred Forty-Eight Dollars and Zero Cents (\$3,507,248.00) for the administration of the Participant's HOPWA programs (Provider Agreement); and

WHEREAS, on December 8, 2022, HUD published notice CPD-22-15 requiring Carbon Monoxide (CO) Alarms or Detectors in all assisted housing HOPWA program activities, including housing supportive services to eligible individuals, and additional

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Catalog of Federal Domestic Assistance (CFDA) #: 14.241
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regulations related to HOPWA Consolidated APR/CAPER Performance Report Workbooks; and

WHEREAS, the City and Participant wish to enter into an addendum to the Provider Agreement to incorporate the new regulations mandated by HUD's published notice CPD-22-15 and HUD's revised HOPWA Consolidated APR/CAPER Performance Report Workbooks; and

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

- I. **RECITALS:** The foregoing recitals are true and correct in all respects and are incorporated herein by reference.
- II. **ADDENDUM:** The purpose of this Addendum is to incorporate into the Provider Agreement the terms and conditions required by the new regulations mandated HUD's published notice CPD-22-15 requiring Carbon Monoxide (CO) Alarms or Detectors in assisted housing HOPWA program activities, including housing supportive services to eligible individuals, and HUD's additional regulations related to HOPWA Consolidated APR/CAPER Performance Report Workbooks.
 - A. Participant shall comply with all the following terms and conditions outlined in HUD Notice CPD-22-15, published on December 8, 2022:

Carbon Monoxide (CO) Alarms or Detectors in Housing Opportunities for Person With AIDS (HOPWA) Assisted Housing.

Under the new statutory requirement, which takes effect on December 27, 2022, grantees will be responsible for ensuring each dwelling unit assisted under the HOPWA program contains installed carbon monoxide alarms or detectors that meet or exceed the standards described in chapters 9 and 11 of the 2018 publication of the International Fire Code, as published by the International Code Council

Requirement of CO Alarms or Detectors in Dwelling Units Assisted under HOPWA

Section 101 of Title I of Division Q of the Consolidated Appropriations Act, 2021, Pub. L. 116–260, div. Q, title I, §101 (2020) ("the Act") amended the program legislation for various HUD programs, including the Section 8 and HOPWA programs, to require CO alarms or detectors in certain Federally assisted dwelling units as of December 27, 2022.1

Section 101(e) of the Act amends section 856 of the AIDS Housing Opportunity Act (42 U.S.C. 12905) to add the following new requirements for HOPWA assisted housing units:

(i) Carbon monoxide alarms

Each dwelling unit assisted under [the HOPWA program] shall contain installed carbon monoxide alarms or detectors that meet or exceed—

(1) the standards described in chapters 9 and 11 of the 2018 publication of the International Fire Code, as published by the International Code Council; or

(2) any other standards as may be adopted by the Secretary, including any relevant updates to the International Fire Code, through a notice published in the Federal Register.

This amendment takes effect on December 27, 2022, and consistent with the Act's specific inclusion of the tenant-based assistance in section 101(b), the new requirement encompasses even those units where housing assistance payments are made to or on behalf of eligible HOPWA households.

Until such time as HUD adopts other standards, the applicable standards are those provided by chapters 9 and 11 of the 2018 International Fire Code, which are available at:

- <https://codes.iccsafe.org/content/IFC2018/chapter-9-fire-protection-and-life-safety-systems>; and
- <https://codes.iccsafe.org/content/IFC2018/chapter-11-construction-requirements-for-existing-buildings>.

However, neither the new statutory requirement nor this notice preempts or limits the applicability of any State or local law that imposes more stringent standards relating to the installation and maintenance of carbon monoxide alarms or detectors in housing.

Parties to this addendum must read the 12-08-2022 CPD-22-15 HQS update to get a full understanding of the new requirements. A copy of the CPD 22-15 notice can be found on hudexchange website, link below: <https://www.hudexchange.info/resource/6785/notice-cpd2215-carbon-monoxide-alarms-or-detectors-in-hopwa-assisted-housing/>

B. HOPWA Consolidated APR/CAPER Performance Report Workbooks

The Provider Performance Report Workbook, should be completed by any organization that delivers/conducts any HOPWA activities (e.g., Supportive Services, Tenant-Based Rental Assistance, Permanent Housing Placement,

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Catalog of Federal Domestic Assistance (CFDA) #: 14.241

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etc.) in addition to administrative activities will complete the Provider Workbook. This includes HOPWA Formula or Competitive **grantees** that deliver HOPWA activities directly, such as TBRA, STRMU, Supportive Services, etc., in addition to administrative activities, and the **project sponsor** (as defined in 24 CFR 574.3) organizations that grantees contract to carry out eligible HOPWA activities. For this reason, HUD is calling this the "Provider" Workbook, rather than the "Project Sponsor" Workbook. Some Formula and Competitive HOPWA Grantees provide direct HOPWA activities and will need to complete the **Provider Performance Report Workbook**, in addition to the **Grantee Performance Report Workbook**.

The Provider Workbook collects annual performance data for HOPWA activities. This includes household outputs (e.g., households served and demographic information), outcomes (e.g., access to care and support outcomes) and expenditures (for HOPWA-eligible costs).

The Provider Workbook includes the following sections (or tabs):

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- Identification
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- PHP (Permanent Housing Placement Assistance)
- Housing Info (Housing Information Services)
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- Other Competitive Activity
- Access to Care & Totals
- CAP DEV (Capital Development)
- VAWA (Housing Transfers for Households Covered by the Violence Against Women Act)

The HOPWA Consolidated APR/CAPER performance Report workbooks also include some changes related to general grantee and project sponsor information, and the required data elements that must be reported.

The HOPWA Consolidated APR/CAPER performance Report workbooks should be completed and submitted to City within thirty days of the completion of the grant contractual year. Which ends on September 30th of each year.

Parties to this addendum shall read HOPWA-Consolidated-APR-CAPER-User-Manual and participate in all HUD published trainings to ensure full

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understanding of the new requirements. HOPWA-Consolidated-APR-CAPER updates can be found on hudexchange website, link below:

<https://www.hudexchange.info/resource/6796/hopwa-consolidated-apr-caper-user-manual/> and

<https://www.hudexchange.info/programs/hopwa/hopwa-consolidated-apr-caper-e-tutorial-series/#new-annual-reporting-overview>

- III. **NO OTHER CHANGES:** Except as otherwise provided in this First Addendum, all terms, covenants, obligations and provisions of the Provider Agreement shall remain unaltered, shall continue in full force and effect, and are hereby ratified, approved and confirmed by the parties in every respect. If the terms and conditions set forth in this First Addendum directly conflict with any provision contained in the Provider Agreement, then this First Addendum shall control.

[REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first written above.

WITNESSES:

CITY OF FORT LAUDERDALE, a Florida municipal corporation

Donna Varisco
Signature

By: [Signature]
GREG CHAVARRIA
City Manager

Donna Varisco
Witness Name – Printed or Typed

Date: April 28, 2023

[Signature]
Signature

Katerina Skouhridaki
Witness Name - Printed or Typed

Approved as to form:
D'Wayne M. Spence,
Interim City Attorney

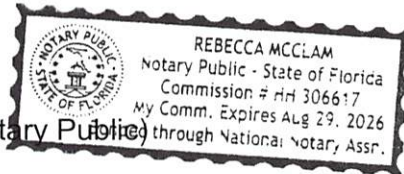
By: [Signature]
Patricia SaintVil-Joseph
Assistant City Attorney

STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me, by means of physical presence or online, this 28th day of April, 2023, by **Greg Chavarria**, as City Manager of the City of Fort Lauderdale, a Florida municipal.

[Signature]
(Signature of Notary Public – State of Florida)

Rebecca McClam
Print, Type or Stamp Commissioned Name of Notary Public



Personally Known OR Produced Identification _____
Type of Identification Produced _____

PARTICIPANT

BROWARD HOUSE, INC., a Florida non-profit corporation

WITNESSES:

Nicole Burrell
Signature
Nicole Burrell
[Witness print name]

Loqueal McKenzie
Signature
Loqueal McKenzie
[Witness print name]

By: Stacy Hyde
Stacy Hyde, CEO

Attest:

[Signature]
Secretary

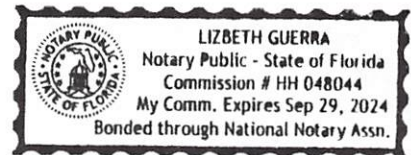
(CORPORATE SEAL)

STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me, me by means of physical presence or online, this 14th day of April 2023, by **Stacy Hyde**, CEO of BROWARD HOUSE, INC., a Florida non-profit corporation.

[Signature]
(Signature of Notary Public – State of Florida)

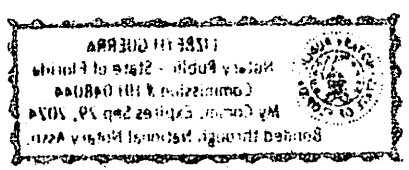
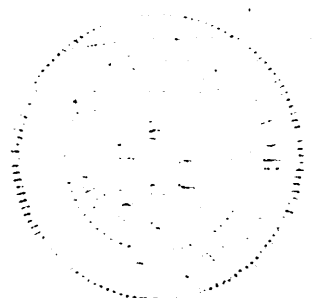
Lizbeth Guerra
Print, Type or Stamp Commissioned Name of Notary Public)



Personally Known OR Produced Identification _____
Type of Identification Produced _____

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Memo

DATE: April 12, 2023
To: Sonia Sierra, Paralegal
From: Eveline Dsouza X 4775
Housing and Community Development (HCD)
Subject: BRHPC and Broward House Addendum#1 – **HOPWA
PROVIDER AGREEMENT FOR FY22-23**

Attached please find for signature the following:

1. FY22-23 BRHPC Addendum#1
2. FY22-23 Broward House Addendum#1
3. CAM#22-0518
4. SUNBIZ for BRHPC

Please route for CM Signature.

Thank you.



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#22-0518

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: June 21, 2022

TITLE: Public Hearing Approving the Fiscal Year 2022-2023 Housing and
Community Development Annual Action Plan - **(Commission Districts 1,
2, 3 and 4)**

Recommendation

Staff recommends the City Commission approve the 2022-2023 Annual Action Plan and funding allocation as proposed by the Community Services Board (CSB) and authorize the City Manager to execute the necessary documents and agreements associated with each entitlement funding source for submittal to the U.S. Department of Housing and Urban Development (HUD).

Background

Annually, the City is required to submit an action plan associated with the five-year consolidated plan for 2020-2024. The consolidated plan provides a comprehensive strategy of how the City will utilize entitlement funding to address housing, economic, social and community development needs. The attached annual action plan identifies specific activities with associated funding amounts that are designed to achieve the goals identified in the consolidated plan.

The annual action planning process serves as the framework that has been established based on community-wide dialogues. These dialogues identify commission top priorities that align with the consolidated plan and support the HUD national objective for: Community Development Block Grant (CDBG), Housing Opportunities for Persons with AIDS (HOPWA), and HOME Investment Partnerships (HOME) Program.

Exhibit 1 provides a comprehensive outline of the community organizations to be funded, the proposed funding amount and a brief description of the program and services to be provided:

Resource Impact

There is no fiscal impact to the General Fund. The federal grant will reimburse the City for the funding expended on eligible activities.

Strategic Connections

This item is a 2022 Top Commission Priority, advancing the Homelessness and Housing Opportunities Initiative.

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Neighborhood Enhancement Focus Area
- Goal 4: Build a thriving and inclusive community of neighborhoods.
- Objective: Ensure a range of affordable housing options

This item advances the Fast Forward Fort Lauderdale 2035 Vision Plan; We Are Community.

Attachments

Exhibit 1 – Proposed 2022-2023 Annual Action Plan

Exhibit 2 – Public Hearing Notice

Prepared by: Rachel Williams, Housing and Community Development

Charter Officer: Chris Lagerbloom, ICMA-CM, City Manager

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WITNESSES:

CITY OF FORT LAUDERDALE, a Florida municipal corporation

Donna Varisco
Signature

By: [Signature]
GREG CHAVARRIA
City Manager

Donna Varisco
Witness Name – Printed or Typed

Date: April 28, 2023

H. Skandhree
Signature

Halteria Skandhree
Witness Name - Printed or Typed

Approved as to form:
D'Wayne M. Spence,
Interim City Attorney

By: [Signature]
Patricia Saint-Vil-Joseph
Assistant City Attorney

STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me, by means of physical presence or online, this 28 day of April, 2023, by **Greg Chavarria**, as City Manager of the City of Fort Lauderdale, a Florida municipal.

[Signature]
(Signature of Notary Public – State of Florida)

Rebecca McClay
Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification _____
Type of Identification Produced _____

PARTICIPANT

BROWARD HOUSE, INC., a Florida non-profit corporation

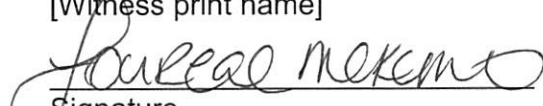
WITNESSES:



Signature

Nicole Burrell

[Witness print name]



Signature

Couréal McKenzie

[Witness print name]

By: 
Stacy Hyde, CEO

Attest:


Secretary

(CORPORATE SEAL)

STATE OF FLORIDA:
COUNTY OF BROWARD:

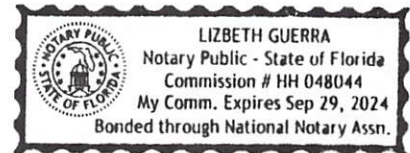
The foregoing instrument was acknowledged before me, me by means of physical presence or online, this 7th day of April 2023, by **Stacy Hyde**, CEO of BROWARD HOUSE, INC., a Florida non-profit corporation.



(Signature of Notary Public – State of Florida)

Lizbeth Guerra

Print, Type or Stamp Commissioned Name of Notary Public)

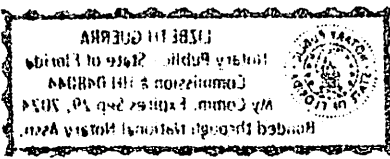
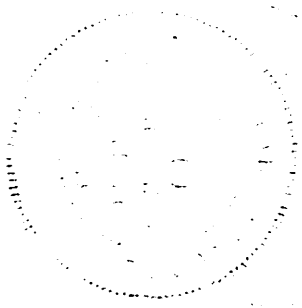


Personally Known OR Produced Identification _____
Type of Identification Produced _____

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[Faint handwritten text, possibly a name or address]





COMMISSION AGENDA ITEM
DOCUMENT ROUTING FORM

2L

Today's Date: 4/25/23

DOCUMENT TITLE: Broward House - Addendum #1 - HoPWA FY2223

COMM. MTG. DATE: 6/21/22 CAM #: 22-0518 ITEM #: _____ CAM attached: YES NO

Routing Origin: HED Router Name/Ext: EDOUZA Action Summary attached: YES NO

CIP FUNDED: YES NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, or real.

1) Dept: CAO Router Name/Ext: Sua x5598 # of originals routed: 2 Date to CAO: 4/24/23

2) City Attorney's Office: Documents to be signed/routed? YES NO # of originals attached: 2

Is attached Granicus document Final? YES NO Approved as to Form: YES NO

Date to CCO: 4/25/23 Patricia Saint-Il Attorney's Name Joseph Initials

3) City Clerk's Office: # of originals: 2 Routed to: Donna V./Aimee L./CMO Date: 04/25/23

4) City Manager's Office: CMO LOG #: APR 31 Document received from: CCO 4/25/23

Assigned to: GREG CHAVARRIA
ANTHONY FAJARDO SUSAN GRANT
GREG CHAVARRIA as CRA Executive Director

RT 4/27/23

APPROVED FOR G. CHAVARRIA'S SIGNATURE N/A FOR G. CHAVARRIA TO SIGN

PER ACM: S. Grant (Initial/Date) PER ACM: A. Fajardo (Initial/Date)

PENDING APPROVAL (See comments below)

Comments/Questions: _____

Forward originals to Mayor CCO Date: CCO 5/1/23

5) Mayor/CRA Chairman: Please sign as indicated. Forward _____ originals to CCO for attestation/City seal (as applicable) Date: _____

6) City Clerk: Scan original and forwards _____ originals to: _____
Attach _____ certified Reso # _____ YES NO Original Route form to Angella Walsh/HED