

**AMENDMENT ONE
TO THE FEDERALLY FUNDED
COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY (CDBG-DR)
REBUILD FLORIDA INFRASTRUCTURE REPAIR PROGRAM
SUBRECIPIENT AGREEMENT**

On **April 1, 2026**, the State of Florida, Department of Commerce (“Commerce”), and **DeSoto County Board of County Commissioners** (“Subrecipient”) entered into agreement **MS010** (“Agreement”). Commerce and the Subrecipient may individually be referred to herein as a “Party” or collectively as the “Parties.”

WHEREAS, Section 4, Modification of Agreement, of the Agreement provides that any amendment to the Agreement shall be in writing executed by the Parties thereto; and

WHEREAS the Parties wish to amend the Agreement as set forth herein.

NOW THEREFORE, in consideration of the mutual covenants and obligations set forth herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to the following:

1. The first recital is hereby deleted in its entirety and replaced with the following:

WHEREAS, pursuant to the authority of the Department of Housing and Urban Development Appropriations Act, 2023 (Pub.L. 117-328) approved December 9, 2022 (hereinafter the “Appropriations Act”), the requirements of the Appropriations Act and implementing regulations at 24 CFR part 570, and the requirements of the Federal Register (FN) notice, 88 FR 32046 (May 18, 2023), (“Federal Register Guidance”), as now in effect and as may be amended from time to time, and as modified by waiver, alternative requirements, and other requirements described in Federal Register notices published as of this date or in the future, the U.S. Department of Housing and Urban Development (“HUD”) has awarded Community Development Block Grant – Disaster Recovery (“CDBG-DR”) funds to Commerce for activities authorized under Title I of the Housing and Community Development Act of 1974 (42 United States Code (“U.S.C”) 5301 *et seq.*) and described in the 2023 State of Florida Action Plan for Disaster Recovery (“Action Plan”).

2. **Section 1, Program Description, of Attachment A** is hereby deleted in its entirety and replaced with the following:

1. PROGRAM DESCRIPTION:

Hurricane Ian (Category 4, September 2022) devastated the state of Florida. Hurricane Ian made landfall on Florida's southwest coast, bringing strong winds, heavy rainfall and severe flooding to many parts of the state.

In March 2023, the U.S. Department of Housing and Urban Development (HUD) announced that the State of Florida will receive \$910,624,000 in funding to support long-term recovery efforts following the impacts of Hurricane Ian through the Florida Department of Commerce’s (“FloridaCommerce”) Office of Long-Term Resiliency (OLTR). Community Development Block Grant Disaster Recovery (CDBG-DR) funding is designed to address needs that remain after all other assistance has been exhausted.

Commerce Agreement Number: MS010

Commerce's Rebuild Florida Infrastructure Overlap Program has been allocated \$50 million to fund infrastructure restoration and improvement projects in communities impacted by Hurricane Ian and the 2023 and 2024 Storms.

Eligible activities within this program may include, but are not limited to the following:

- Restoration or improvements of infrastructure damaged by a qualifying 2023 and/or 2024 storm (such as water and sewer facilities, streets, removal of debris, drainage, bridges, etc.).
- Demolition and rehabilitation of publicly- or privately-owned commercial or industrial buildings.
- Renourishment of protective coastal dunes systems and state beaches.
- Repairs to damaged buildings that are essential to the health, safety and welfare of a community when repairs to these buildings constitute an urgent need (this may include police stations, fire stations, parks and recreational centers, community and senior centers, hospitals, clinics, homeless shelters, schools and educational facilities and other public properties, including properties serving as emergency shelters).
- Communications infrastructure
- Repairs to water lines and systems, sewer lines and systems, drainage and flood mitigation systems.
- Natural or green infrastructure.

3. **Attachment E, State and Federal Statutes, Regulations and Policies**, paragraph (2) is hereby deleted in its entirety and replaced with the following:

Subrecipient agrees to, and, by signing this Agreement, certifies that it will comply with all applicable provisions of the Housing and Community Development Act of 1974, as amended, and the regulations at 24 CFR part 570, as modified by the Federal Register notices that govern the use of CDBG-DR funds available under this agreement. These Federal Register notices include, but are not limited to, Federal Register Guidance Vol. 88, No. 96/Thursday, May 18, 2023/Notices. the foregoing, the Subrecipient assumes responsibilities for environmental review, decision-making and action, described in 24 CFR part 58 including the decision making and determination of environmental compliance. Subrecipient shall also comply with all other applicable Federal, state and local laws, regulations and policies as now in effect and as may be amended from time to time that govern the use of the CDBG-DR funds in complying with its obligations under this agreement, regardless of whether CDBG-DR funds are made available to Subrecipient on an advance or reimbursement basis

4. All other terms and conditions of the Subrecipient Agreement not otherwise amended remain in full force and effect.

~ Remainder Left Intentionally Blank ~

Commerce Agreement Number: MS010

IN WITNESS HEREOF, by signature below, the Parties agree to abide by the terms, conditions, and provisions of Commerce Agreement Number **MS010**, as amended. This Amendment is effective on the date the last Party signs this Amendment.

DESOTO COUNTY BOARD OF COUNTY COMMISSIONERS	FLORIDA DEPARTMENT OF COMMERCE
SIGNED:	SIGNED:
STEVE HICKOX	J. ALEX KELLY
CHAIRMAN	SECRETARY
DATE:	DATE:

Approved as to form and legal sufficiency, subject only to full and proper execution by the Parties.

OFFICE OF GENERAL COUNSEL
FLORIDA DEPARTMENT OF COMMERCE

By: _____

Approved Date: _____