

Funding Approval/Agreement

Title I of the Housing and Community Development Act (Public Law 930383)
 HI-00515R of 20515R

U.S. Department of Housing and Urban Development
 Office of Community Planning and Development
 Community Development Block Grant Program

OMB Approval No.
 2506-0193 (exp 5/31/2018)

| | | |
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| 1. Name of Grantee (as shown in item 5 of Standard Form 424) City of Chula Vista | 3a. Grantee's 9-digit Tax ID Number 95-6000690 | 3b. Grantee's 9-digit DUNS Number 078726551 |
| 2. Grantee's Complete Address (as shown in item 5 of Standard Form 424) City of Chula Vista 276 Fourth Avenue Chula Vista, CA 91910 | 4. Date use of funds may begin (mm/dd/yyyy) 07/01/2017 | |
| | 5a. Project/Grant No. 1 B-17-MC-06-0540 | 6a. Amount Approved \$1,996,844 |
| | 5b. Project/Grant No. 2 | 6b. Amount Approved |

Grant Agreement: This Grant Agreement between the Department of Housing and Urban Development (HUD) and the above named Grantee is made pursuant to the authority of Title I of the Housing and Community Development Act of 1974, as amended, (42 USC 5301 et seq.). The Grantee's submissions for Title I assistance, the HUD regulations at 24 CFR Part 570 (as now in effect and as may be amended from time to time), and this Funding Approval, including any special conditions, constitute part of the Agreement. Subject to the provisions of this Grant Agreement, HUD will make the funding assistance specified here available to the Grantee upon execution of the Agreement by the parties. The funding assistance specified in the Funding Approval may be used to pay costs incurred after the date specified in item 4 above provided the activities to which such costs are related are carried out in compliance with all applicable requirements. Pre-agreement costs may not be paid with funding assistance specified here unless they are authorized in HUD regulations or approved by waiver and listed in the special conditions to the Funding Approval. The Grantee agrees to assume all of the responsibilities for environmental review, decision making, and actions, as specified and required in regulations issued by the Secretary pursuant to Section 104(g) of Title I and published in 24 CFR Part 58. The Grantee further acknowledges its responsibility for adherence to the Agreement by sub-recipient entities to which it makes funding assistance hereunder available.

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| U.S. Department of Housing and Urban Development (By Name) William Vasquez | | Grantee Name City of Chula Vista | |
| Title Director, Office of Community Planning and Development, Reg. 9, Ofc. 16 | | Title City Manager | |
| Signature | Date (mm/dd/yyyy) 10/30/2017 | Signature | Date (mm/dd/yyyy) 12/05/17 |
| 7. Category of Title I Assistance for this Funding Action (check only one) <input checked="" type="checkbox"/> a. Entitlement, Sec 106(b) <input type="checkbox"/> b. State-Administered, Sec 106(d)(1) <input type="checkbox"/> c. HUD-Administered Small Cities, Sec 106(d)(2)(B) <input type="checkbox"/> d. Indian CDBG Programs, Sec 106(a)(1) <input type="checkbox"/> e. Surplus Urban Renewal Funds, Sec 112(b) <input type="checkbox"/> f. Special Purpose Grants, Sec 107 <input type="checkbox"/> g. Loan Guarantee, Sec 108 | 8. Special Conditions (check one) <input type="checkbox"/> None <input checked="" type="checkbox"/> Attached | 9a. Date HUD Received Submission (mm/dd/yyyy) 08/09/2017 | 10. check one <input checked="" type="checkbox"/> a. Orig. Funding Approval <input type="checkbox"/> b. Amendment Amendment Number |
| | | 9b. Date Grantee Notified (mm/dd/yyyy) 10/30/2017 | |
| 11. Amount of Community Development Block Grant | | | |
| | FY (2017) | FY () | FY () |
| a. Funds Reserved for this Grantee | \$ 1,996,844 | | |
| b. Funds now being Approved | \$ 1,996,844 | | |
| c. Reservation to be Cancelled (11a minus 11b) | \$0 | | |

| | |
|---|---|
| 12a. Amount of Loan Guarantee Commitment now being Approved N/A | 12b. Name and complete Address of Public Agency |
| Loan Guarantee Acceptance Provisions for Designated Agencies: The public agency hereby accepts the Grant Agreement executed by the Department of Housing and Urban Development on the above date with respect to the above grant number(s) as Grantee designated to receive loan guarantee assistance, and agrees to comply with the terms and conditions of the Agreement, applicable regulations, and other requirements of HUD now or hereafter in effect, pertaining to the assistance provided it. | 12c. Name of Authorized Official for Designated Public Agency |
| | Title |
| | Signature |

HUD Accounting Use Only

| Batch | TAC | Program | Y | A | Reg | Area | Document No. | Project Number | Category | Amount | Effective Date (mm/dd/yyyy) | F |
|-------|-----|---------|---|---|-----|------|--------------|----------------|----------|--------|-----------------------------|---|
| | 153 | | | | | | | | | | | |
| | 176 | | | | | | | | | | | |
| | | | Y | | | | | Project Number | | Amount | | |
| | | | Y | | | | | Project Number | | Amount | | |

| | | | | | |
|-------------------------------|---------------------------------|--------------|------------------|------------|-------------|
| Date Entered PAS (mm/dd/yyyy) | Date Entered LOCCS (mm/dd/yyyy) | Batch Number | Transaction Code | Entered By | Verified By |
|-------------------------------|---------------------------------|--------------|------------------|------------|-------------|

8. CDBG Special Conditions.

**City of Chula Vista
B-17-MC-06-0540**

- (a) The period of performance for the funding assistance specified in the Funding Approval ("Funding Assistance") shall begin on the date specified in item 4 and shall end on September 1, 2024. The Grantee shall not incur any obligations to be paid with such assistance after September 1, 2024.
- (b) If Funding Assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E - Cost Principles, attach a schedule in the format set forth below to the executed Grant Agreement that is returned to HUD. The schedule shall identify each department/agency that will carry out activities with the Funding Assistance, the indirect cost rate applicable to each department/agency (including if the de minimis rate is charged per 2 CFR §200.414), and the direct cost base to which the rate will be applied. Do not include indirect cost rates for subrecipients.

| <u>Administering Department/Agency</u> | <u>Indirect cost rate</u> | <u>Direct Cost Base</u> |
|---|---------------------------|-----------------------------|
| Development Services - Housing Manager | <u>24.52%</u> | <u>\$40,400</u> |
| Development Services - Sr. Management Analyst | <u>24.52%</u> | <u>\$96,711</u> |
| Development Services - Sr. Management Analyst | <u>24.52%</u> | <u>\$45,270</u> |

- (c) In addition to the conditions contained on form HUD 7082, the grantee shall comply with requirements established by the Office of Management and Budget (OMB) concerning the Dun and Bradstreet Data Universal Numbering System (DUNS), the System for Award Management (SAM.gov), and the Federal Funding Accountability and Transparency Act as provided in 2 CFR part 25, Universal Identifier and Central Contractor Registration, and 2 CFR part 170, Reporting Subaward and Executive Compensation Information.
- (d) The grantee shall ensure that no CDBG funds are used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use. For the purposes of this requirement, public use shall not be construed to include economic development that primarily benefits private entities. Any use of funds for mass transit, railroad, airport, seaport or highway projects as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfield as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118) shall be considered a public use for purposes of eminent domain.

8. CDBG Special Conditions (cont.)

**City of Chula Vista
B-17-MC-06-0540**

- (e) The Grantee or unit of general local government that that indirectly receives CDBG funds may not sell, trade, or otherwise transfer all or any such portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act.
- (f) E.O. 12372-Special Contract Condition - Notwithstanding any other provision of this agreement, no funds provided under this agreement may be obligated or expended for the planning or construction of water or sewer facilities until receipt of written notification from HUD of the release of funds on completion of the review procedures required under Executive Order (E.O.) 12372, Intergovernmental Review of Federal Programs, and HUD's implementing regulations at 24 CFR Part 52. The recipient shall also complete the review procedures required under E.O. 12372 and 24 CFR Part 52 and receive written notification from HUD of the release of funds before obligating or expending any funds provided under this agreement for any new or revised activity for the planning or construction of water or sewer facilities not previously reviewed under E.O. 12372 and implementing regulations.
- (g) CDBG funds may not be provided to a for-profit entity pursuant to section 105(a)(17) of the Act unless such activity or project has been evaluated and selected in accordance with Appendix A to 24 CFR 570 - "Guidelines and Objectives for Evaluating Project Costs and Financial Requirements." (Source - P.L. 113-235, Consolidated and Further Continuing Appropriations Act, 2015, Division K, Title II, Community Development Fund).

Funding Approval and HOME Investment Partnerships Agreement

Title II of the National Affordable Housing Act

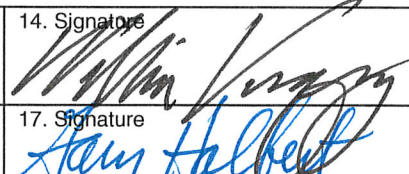
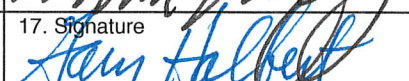
U.S. Department of Housing and Urban Development
Office of Community Planning and Development

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|--|---------------------------|---|--|
| 1. Participant Name and Address City of Chula Vista 276 Fourth Avenue Chula Vista, CA 91910 | | 2. Grant Number: M-17-MC-06-0505 | |
| | | 3a. Tax Identification Number: 95-6000690 | 3b. Unique Entity Identifier (formerly DUNS): 078726551 |
| | | 4. Appropriation Number 867/00205 | 5. FY (yyyy) 2017 |
| 6. Previous Obligation (Enter "0" for initial FY allocation) | | | \$0 |
| a. Formula Funds | | \$ | |
| b. Community Housing Development Org. (CHDO) Competitive | | \$ | |
| 7. Current Transaction (+ or -) | | | \$636,695 |
| a. Formula Funds | | \$636,695 | |
| 1. CHDO (For deobligations only) | | \$ | |
| 2. Non- CHDO (For deobligations only) | | \$ | |
| b. CHDO Competitive Reallocation or Deobligation | | \$ | |
| 8. Revised Obligation | | | \$ |
| a. Formula Funds | | \$ | |
| b. CHDO Competitive Reallocation | | \$ | |
| 9. Special Conditions (check applicable box) <input checked="" type="checkbox"/> Not applicable <input type="checkbox"/> Attached | | 10. Date of Obligation (Congressional Release Date) (mm/dd/yyyy): 10/30/2017 | |
| 11. Indirect Cost Rate* | | 12. Period of Performance: 10/30/2017- 09/01/2025 | |
| <u>Administering Agency/Dept.</u> | <u>Indirect Cost Rate</u> | <u>Direct Cost Base</u> | |
| --- | ---% | --- | * If funding assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E-Cost Principles, provide the name of the department/agency, its indirect cost rate (including if the de minimis rate is charged per 2 § CFR 200.414), and the direct cost base to which the rate will be applied. Do not include cost rates for subrecipients. |
| --- | ---% | --- | |
| --- | ---% | --- | |

This Agreement between the Department of Housing and Urban Development (HUD) and the Participating Jurisdiction/Entity is made pursuant to the authority of the HOME Investment Partnerships Act (42 U.S.C. 12701 et seq.). The Participating Jurisdiction's /Entity's approved Consolidated Plan submission/Application and the HUD regulations at 24 CFR Part 92 (as is now in effect and as may be amended from time to time) and this HOME Investment Partnership Agreement, form HUD-40093, including any special conditions, constitute part of this Agreement. Subject to the provisions of this Agreement, HUD will make the funds for the Fiscal Year specified, available to the Participating Jurisdiction/Entity upon execution of this Agreement by the parties. All funds for the specified Fiscal Year provided by HUD by formula reallocation are covered by this Agreement upon execution of an amendment by HUD, without the Participating Jurisdiction's execution of the amendment or other consent. HUD's payment of funds under this Agreement is subject to the Participating Jurisdiction's/Entity's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to 24 CFR 92.502. To the extent authorized by HUD regulations at 24 CFR Part 92, HUD may, by its execution of an amendment, deobligate funds previously awarded to the Participating Jurisdiction/Entity without the Participating Jurisdiction's/Entity's execution of the amendment or other consent. The Participating Jurisdiction/Entity agrees that funds invested in affordable housing under 24 CFR Part 92 are repayable when the housing no longer qualifies as affordable housing. Repayment shall be made as specified in 24 CFR Part 92. The Participating Jurisdiction agrees to assume all of the responsibility for environmental review, decision making, and actions, as specified and required in regulation at 24 CFR 92.352 and 24 CFR Part 58.

The Grantee shall comply with requirements established by the Office of Management and Budget (OMB) concerning the Universal Numbering System and System for Award Management (SAM) requirements in Appendix A to 2 CFR part 25, and the Federal Funding Accountability and Transparency Act (FFATA) in Appendix A to 2 CFR part 170.

The Period of Performance for the funding assistance shall begin on the date specified in item 12 and shall end on September 1st of the 5th fiscal year after the expiration of the period of availability for obligation. Funds remaining in the account will be cancelled and thereafter not available for obligation or expenditure for any purpose. Per 31 U.S.C. 1552. The grantee shall not incur any obligations to be paid with such assistance after the end of the Period of Performance.

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| 13. For the U.S. Department of HUD (Name and Title of Authorized Official) William Vasquez, Director, Office of Community Planning and Development, Reg. 9, Ofc. 16 | | 14. Signature  | 15. Date 10/30/2017 |
| 16. For the Participating Jurisdiction/Entity (Name and Title of Authorized Official) Gary Halbert, City Manager | | 17. Signature  | 18. Date 12/5/17 |

19. Check one:

Initial Agreement Amendment #

20. Funding Information: *HOME*

| Source of Funds | Appropriation Code | PAS Code | Amount |
|-----------------|--------------------|----------|-----------|
| 2017 | 867/00205 | HMF | \$629,594 |
| 2016 | 866/90205 | HMF | \$3,750 |
| 2015 | 865/80205 | HMF | \$2,461 |
| 2016X | 86X0205 - 16 | HMF | \$756 |
| 2017X | 86X0205 - 17 | HMF | \$134 |

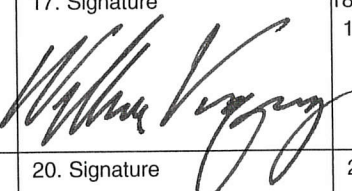

Funding Approval/Agreement

Emergency Solutions Grants Program
 Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act,
 42 U.S.C. 11371 et seq.
 CFDA Number 14.231

**U.S. Department of Housing and Urban
 Development**
 Office of Community Planning and
 Development

| | | |
|--|---|---|
| 1. Recipient Name and Address City of Chula Vista 276 Fourth Avenue Chula Vista, CA 91910 | | 2. Unique Federal Award Identification Number: E-17-MC-06-0540 |
| | | 3. Tax Identification Number: 95-6000690 |
| | | 4. Unique Entity Identifier (DUNS): 078726551 |
| 5. Fiscal Year (yyyy): 2017 | | |
| 6. Previous Obligation (Enter "0" for initial Fiscal Year allocation) | \$0 | |
| 7. Amount of Funds Obligated or Deobligated by This Action (+ or -) | \$172,909 | |
| 8. Total Amount of Federal Funds Obligated | \$172,909 | |
| 9. Total Required Match: \$172,909 | | |
| 10. Start Date of Recipient's Program Year (mm/dd/yyyy) 07/01/2017 | 11. Date HUD Received Recipient's Consolidated Plan Submission (mm/dd/yyyy) 8/9/2017 | 12. Period of Performance Start Date (the later of the dates listed in Boxes 10 and 11) (mm/dd/yyyy) 08/09/2017 |
| 13. Type of Agreement (check applicable box) <input checked="" type="checkbox"/> Initial Agreement (Purpose #1 – Initial Fiscal Year allocation) <input type="checkbox"/> Amendment (Purpose #2 – Deobligation of funds) <input type="checkbox"/> Amendment (Purpose #3 – Obligation of additional funds) | | 14. Special Conditions <input type="checkbox"/> Not applicable <input checked="" type="checkbox"/> Attached 15. Period of Performance End Date (mm/dd/yyyy) 08/09/2019 |

General Terms and Conditions: This Agreement between the U.S. Department of Housing and Urban Development (HUD) and the Recipient is made pursuant to the authority of Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.). The Recipient's Consolidated Plan submissions (including the Recipient's approved annual Action Plan and any amendments completed in accordance with 24 CFR Part 91), the Emergency Solutions Grants Program regulations at 24 CFR Part 576 (as now in effect and as may be amended from time to time), and this Agreement, including any special conditions attached to this Agreement, constitute part of this Agreement. Subject to the terms and conditions of this Agreement, HUD will make the funds for the specified Fiscal Year available to the Recipient upon execution of this Agreement by the Recipient and HUD. All funds for the specified Fiscal Year that HUD provides by reallocation are covered by this Agreement upon execution of an amendment by HUD, without the Recipient's execution of the amendment or other consent. The Recipient agrees to assume all of the responsibilities with respect to environmental review, decision making, and action required under the HUD regulations at 24 CFR Part 58. Nothing in this Agreement shall be construed as creating or justifying any claim against the federal government or the Recipient by any third party. To the extent authorized by HUD regulations at 24 CFR Part 576, HUD may, by its execution of an amendment, deobligate funds previously awarded to the Recipient without the Recipient's execution of the amendment or other consent.

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| 16. For the U.S. Department of HUD (Name, Title, and Contact Information of Authorized Official) William Vasquez, Director Office of Community Planning and Development 300 N. Los Angeles St., Suite 4054 Los Angeles, CA 90012 | 17. Signature  | 18. Date (mm/dd/yyyy) 10/30/2017 |
| 19. For the Recipient (Name and Title of Authorized Official) Gary Halbert, City Manager | 20. Signature  | 21. Date (mm/dd/yyyy) 12/5/17 |

Funding Information (HUD Accounting Use Only):

| | | |
|----------------------|--------------------------|-------------------|
| PAS Code: HAES | Region: 09 | Program Code: SOG |
| Appropriation: 90192 | Office: 16 (Los Angeles) | Allotment: 867 |
| Approp Symbol: "Q" | | |

8. ESG Special Conditions

City of Chula Vista
E-17-MC-06-0540

Indirect Cost Rate Provision

If the funds provided under this Agreement will be used for payment of the Recipient's indirect costs pursuant to 2 CFR 200, Subpart E—Cost Principles, attach a schedule in the format set forth below to the executed Agreement that is returned to HUD. The schedule shall identify each department/agency of the Recipient that will carry out activities with funds provided under this Agreement, the indirect cost rate applicable to that department/agency (including if the de minimis rate is charged under 2 CFR 200.414), and the direct cost base to which that rate will be applied. Do not include indirect cost rates for subrecipients.

| <u>Recipient Department/Agency</u> | <u>Indirect cost rate</u> | <u>Direct Cost Base</u> |
|--|---------------------------|-----------------------------|
| <u>Development Services - Housing Manager</u> | <u>24.52%</u> | <u>\$ 250</u> |
| <u>Development Services - Sr. Management Analyst</u> | <u>24.52%</u> | <u>\$1,736</u> |
| <u>Development Services - Sr. Management Analyst</u> | <u>24.52%</u> | <u>\$1,019</u> |