

FIRST AMENDMENT TO AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND SOUTH BAY COMMUNITY SERVICES FOR THE MANAGEMENT AND IMPLEMENTATION OF A TENANT BASED RENTAL ASSISTANCE PROGRAM

This First Amendment to the Agreement between the City of Chula Vista and South Bay Community Services for a Tenant Based Rental Assistance Program (“FIRST AMENDMENT”) is entered into effective as of June 23, 2020 (“Effective Date”) by and between the Chula Vista Housing Authority (“CVHA”), a chartered municipal corporation, and South Bay Community Services, a non-profit organization, (“Subrecipient” or “Contractor”) (collectively the “Parties”), with reference to the following facts:

- A. Pursuant to Council Resolution Number 2020-098, on May 12, 2020, City Council approved the HUD Annual Action Plan Amendment which includes funding for Subrecipient to administer a Tenant Based Rental Assistance Program (TBRA) using HOME funding in the amount of \$1,000,000 with options to extend through June 30, 2022; and
- B. The City and Subrecipient entered into an agreement (“Original Agreement”) on May 13, 2020 to provide “Tenant Based Rental Assistance” to eligible households, who have been affected by COVID-19; and
- C. An additional \$250,000 in Low- and- Moderate Income Housing Asset funds from the CVHA are available to assist additional eligible households who are at risk of becoming homeless due to COVID-19 that were detailed in City Council Agenda Item 20-0152 and Resolution No. 2020-098.
- D. Subrecipient has dedicated staff resources to expend funding by June 30, 2020. A Budget is included in Exhibit A, Eligible uses in Exhibit B, Income Limits in Exhibit C, and a Payment Request Form in Exhibit D to this First Amendment; and

NOW, THEREFORE, in consideration of the foregoing premises, and for good valuable consideration, the receipt and sufficiency of which the parties hereby acknowledge the parties agree to amend the Original Agreement (as previously amended), specifically incorporating Exhibits A, B, C and D via this First Amendment as follows:

- 1. The term of this First Amendment is June 23, 2020-June 30, 2020. Funding must be used to assist households that need homeless prevention assistance to pay rental arrears from March 1, 2020-June 30, 2020. Funding can be used to assist up to 40 households. Exhibit A includes the Budget, Exhibit B summarizes eligible used and identifies key difference between using HOME funding and Low-and-Moderate-

Income Housing Asset funds (LOWMOD). Attachment C includes the applicable income limits and Exhibit D includes the Payment Request Form.

2. Subrecipient acknowledges and agrees that it shall perform duties related to the Tenant Based Rental Assistance Program under the terms of the Original Agreement, as amended herein and the Amended Exhibits A-D. This First Amendment shall expire on June 30, 2020 and all beneficiary data must be submitted by July 30, 2020.
3. Notwithstanding any term to the contrary, Compensation and assistance shall not exceed the following:
 - \$250,000 in Low- and Moderate-Income Housing Asset Funding is made available to provide rental and utility assistance as a Homeless Prevention Program for the period of March 1, 2020-June 30, 2020.
 - Assistance cannot exceed \$6,500 per eligible household that is occupying and leasing an apartment, condominium, or single-family home. Households who are renting mobile home spaces, the maximum assistance is \$3,250.
4. Except as expressly provided herein, all other terms and conditions of the Original Agreement shall remain in full force and effect after the expiration of this First Amendment.
5. Each party represents that it has full right, power and authority to execute this Second Amendment and to perform its obligations hereunder, without the need for any further action under its governing instruments, and the parties executing this Second Amendment on the behalf of such party are duly authorized agents with authority to do so.

[End of Agreement; Next Page is Signature Page]

**SIGNATURE PAGE TO
FIRST AMENDMENT TO AGREEMENT BETWEEN THE CITY OF CHULA
VISTA AND SOUTH BAY COMMUNITY SERVICES FOR THE
MANAGEMENT AND IMPLEMENTATION OF A TENANT BASED
RENTAL ASSISTANCE PROGRAM**

IN WITNESS WHEREOF, by signing below the parties hereto enter into this
Second Amendment as of the Effective Date.

CITY OF CHULA VISTA &
CHULA VISTA HOUSING AUTHORITY

SOUTH BAY COMMUNITY SERVICES

By: _____
Maria Kachadoorian
City Manager

By: _____
Kathryn Lembo,
President and CEO

Approved as to form

By: _____
Glen R. Googins
City Attorney

Exhibits:

- A. Budget- Low Mod funds \$250,000
- B. Key difference between HOME and LOW MOD uses and eligibility criteria
- C. 2020 HCD-Income Limits
- D. Payment Request form

SOUTH BAY COMMUNITY SERVICES
City of CV TBRA Low Income Housing
2019-20 Contract

Exhibit "A"

<u>PERSONNEL</u>	<u>Annual Salary</u>	<u>% to Program</u>	<u>One Moth Budget</u>
Department Director	\$ 147,851	5%	616
Program Director - G Schroeder	\$ 85,766	15%	1,072
FSS Associate - M Ramirez	\$ 43,264	100%	3,605
CCQA Staff	\$ 49,000	10%	408
			<hr/>
Sub-Total Salaries			5,702
FICA			2,345
SUI			0
Pension			570
Health Insurance			696
Insurance W/Compensation			57
			<hr/>
TOTAL PERSONNEL			9,370
			<hr/>
<u>NON-PERSONNEL</u>			
Mileage			522
Rental Asst			240,108
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TOTAL NON-PERSONNEL			240,630
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TOTAL DIRECT COST			250,000
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**EXHIBIT B:
CITY OF CHULA VISTA RENTAL ASSISTANCE PROGRAMS IN RESPONSE TO COVID-19**

CATEGORY	HOME REQUIREMENTS	LOW AND MODERATE HOUSING ASSET FUND REQUIREMENTS
RENTAL ASSISTANCE TYPE	TENANT BASED RENTAL ASSISTANCE	HOMELESS PREVENTION ASSISTANCE
REGULATIONS	HOME PROGRAM 24 CFR PART 92	CALIFORNIA HEALTH AND SAFETY CODE 34176.1
INCOME LIMITS (USING INCOME LIMITS FOR SAN DIEGO COUNTY, CALIFORNIA)	Below 60% of the Area Median Income using HOME Income Limits	Below 80% of the Area Median Income using HCD Income limits
EFFECTIVE DATE OF ASSISTANCE	April 17, 2020 as allowed by HUD's waivers.	March 1, 2020 since this program allows for rental arrears.
ELIGIBLE RENTAL ASSISTANCE APPLICANTS	Meet Criteria per Policies and Procedures	Meet Criteria per Policies and Procedures
ELIGIBLE PROPERTY	Apartment, townhome, condominium, single family home, manufactured home).	Apartment, townhome, condominium, single family home, manufactured home).
ASSISTANCE TERM	Short Term or Medium term through December 31st 2020. Initial assistance cannot extend past December 31, 2020 (see HUD waiver).	Short Term for the months of March, April, May, and June 2020 only
TARGET AREAS	City Wide	City wide
RENT LIMITS	Subject to HOME program Limits as determined by HUD (Fair Market Rents)	Subject to 120% of the Fair Market Rents for San Diego as published by HUD.
PRIORITY GROUPS	Families with children, Victims of Domestic Violence, other vulnerable population groups	Low income residents earning less than 80% of Area Media Income and other criteria per policies and procedure

**EXHIBIT B:
CITY OF CHULA VISTA RENTAL ASSISTANCE PROGRAMS IN RESPONSE TO COVID-19**

CATEGORY	HOME REQUIRMENTS	LOW AND MODERATE HOUSING ASSET FUND REQUIREMENTS
ELIGIBLE USE(S) OF ASSISTANCE FUNDS	Direct rental assistance and utility assistance in accordance with the Policies and procedures for the TBRA program	Direct rental assistance and utility assistance in accordance with the Policies and procedures for the TBRA program
APPLICATON FEES	Not Permitted	Not Permitted
EXPENDITURE REQUIREMENTS	Must commit and expend HOME funds within the term stated in this agreement	Must commit and expend LOW MOD funds by June 30, 2020 and submit expenditure and beneficiary data reports by July 31, 2020.
ASSISTANCE CAPS	Subject to HOME Program Limits and must contribute 30% of their income towards rent	Up to \$6,500 for eligible properties (see above). Manufactured Homes the limit is up to \$3,250. Amount based on need.
INSPECTION REQUIREMENTS	Refer to HUD Waiver	Not subject to Inspection
CONFLICT OF INTEREST	24 CFR Part 92	Cannot rent from a relative (unless as a reasonable accommodation for a person with a disability)
REIMBURSEMENT	Monthly Reimbursement	See Exhibit D of Contract Amendment

**San Diego-Carlsbad, CA MSA
Household Income Limits**

2020

HUD Method

Note: The following household income limits are adjusted for a high cost area as per the Federal Housing Act of 1937 and calculated using HCD methodology to comply with Health and Safety Code Sections 50052.5 and 50093.

San Diego-Carlsbad, CA MSA
U.S. Department of Housing and Urban Development
April 1, 2020 Effective Date

\$ 92,700

Hshold Size	Extremely Low Income 30%			35%			40%			45%		
	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly
ONE	\$24,300	\$2,025	\$607	\$28,350	\$2,363	\$708	\$32,350	\$2,696	\$809	\$36,400	\$3,033	\$910
TWO	\$27,750	\$2,313	\$693	\$32,400	\$2,700	\$810	\$37,000	\$3,083	\$925	\$41,600	\$3,467	\$1,040
THREE	\$31,200	\$2,600	\$780	\$36,450	\$3,038	\$911	\$41,600	\$3,467	\$1,040	\$46,800	\$3,900	\$1,170
FOUR	\$34,650	\$2,888	\$866	\$40,450	\$3,371	\$1,011	\$46,200	\$3,850	\$1,155	\$52,000	\$4,333	\$1,300
FIVE	\$37,450	\$3,121	\$936	\$43,700	\$3,642	\$1,092	\$49,900	\$4,158	\$1,248	\$56,200	\$4,683	\$1,405
SIX	\$40,200	\$3,350	\$1,005	\$46,950	\$3,913	\$1,173	\$53,600	\$4,467	\$1,340	\$60,350	\$5,029	\$1,509
SEVEN	\$43,000	\$3,583	\$1,075	\$50,200	\$4,183	\$1,255	\$57,300	\$4,775	\$1,433	\$64,500	\$5,375	\$1,613
EIGHT	\$45,750	\$3,813	\$1,143	\$53,400	\$4,450	\$1,335	\$61,000	\$5,083	\$1,525	\$68,650	\$5,721	\$1,716

Hshold Size	Very Low Income 50%			60%			70%			Low Income 80%		
	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly
ONE	\$40,450	\$3,371	\$1,011	\$48,550	\$4,046	\$1,213	\$56,600	\$4,717	\$1,415	\$64,700	\$5,392	\$1,617
TWO	\$46,200	\$3,850	\$1,155	\$55,450	\$4,621	\$1,386	\$64,700	\$5,392	\$1,617	\$73,950	\$6,163	\$1,848
THREE	\$52,000	\$4,333	\$1,300	\$62,400	\$5,200	\$1,560	\$72,800	\$6,067	\$1,820	\$83,200	\$6,933	\$2,080
FOUR	\$57,750	\$4,813	\$1,443	\$69,300	\$5,775	\$1,732	\$80,850	\$6,738	\$2,021	\$92,400	\$7,700	\$2,310
FIVE	\$62,400	\$5,200	\$1,560	\$74,850	\$6,238	\$1,871	\$87,350	\$7,279	\$2,183	\$99,800	\$8,317	\$2,495
SIX	\$67,000	\$5,583	\$1,675	\$80,400	\$6,700	\$2,010	\$93,800	\$7,817	\$2,345	\$107,200	\$8,933	\$2,680
SEVEN	\$71,650	\$5,971	\$1,791	\$85,950	\$7,163	\$2,148	\$100,300	\$8,358	\$2,507	\$114,600	\$9,550	\$2,865
EIGHT	\$76,250	\$6,354	\$1,906	\$91,500	\$7,625	\$2,287	\$106,750	\$8,896	\$2,668	\$122,000	\$10,167	\$3,050

Hshold Size	100%			110%			Moderate Income 120%			140%		
	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly
ONE	\$64,900	\$5,408	\$1,622	\$71,400	\$5,950	\$1,785	\$77,900	\$6,492	\$1,947	\$90,900	\$7,575	\$2,272
TWO	\$74,150	\$6,179	\$1,853	\$81,600	\$6,800	\$2,040	\$89,000	\$7,417	\$2,225	\$103,850	\$8,654	\$2,596
THREE	\$83,450	\$6,954	\$2,086	\$91,800	\$7,650	\$2,295	\$100,150	\$8,346	\$2,503	\$116,850	\$9,738	\$2,921
FOUR	\$92,700	\$7,725	\$2,317	\$101,950	\$8,496	\$2,548	\$111,250	\$9,271	\$2,781	\$129,800	\$10,817	\$3,245
FIVE	\$100,100	\$8,342	\$2,502	\$110,150	\$9,179	\$2,753	\$120,150	\$10,013	\$3,003	\$140,200	\$11,683	\$3,505
SIX	\$107,550	\$8,963	\$2,688	\$118,300	\$9,858	\$2,957	\$129,050	\$10,754	\$3,226	\$150,600	\$12,550	\$3,765
SEVEN	\$114,950	\$9,579	\$2,873	\$126,450	\$10,538	\$3,161	\$137,950	\$11,496	\$3,448	\$161,000	\$13,417	\$4,025
EIGHT	\$122,350	\$10,196	\$3,058	\$134,600	\$11,217	\$3,365	\$146,850	\$12,238	\$3,671	\$171,350	\$14,279	\$4,283

Note: Income levels 80% and below are adjusted by a HUD high cost area allowance.

This general income information is calculated from the U.S. Department of Housing and Urban Development (HUD) income figures. Specific program requirements may vary.



REQUEST FOR ADVANCE/PAYMENT AUTHORIZATION

Name: South Bay Community Services

Address: 430 F Street

City/Zip: Chula Vista, CA 91910

Contact Information:

Tax ID:

Telephone: (619) 420-3620 x

Funds being requested for: Homeless Prevention Assistance to eligible households

I request an advance for the following expenses

List estimated costs: \$

 - \$

 - \$

 - \$

TOTAL ADVANCE REQUESTED \$

I agree to submit an expense statement by July 31, 2020 along with the required receipts and to refund any unused portion of the advance to the City of Chula Vista.

Signature:

Date:

Submitted by:

City Use Only

Funds released by _____

Budget Category	Budgeted Amount	Wire Number/	Amount

BUDGET DETAIL AND PAYMENT PROVISIONS

Disbursement Process

- A. Payments to Subrecipient Contractor for a Homeless Prevention Program shall be on an advance basis. Upon the effective date of this Agreement, and upon submission of the required advance request form and submission of any documentation required by the City. Contractor may obtain an advance of the total amount provided under this Agreement. As these funds are used for eligible expenditures, the Subrecipient Contractor shall forward all required documentation to the Contract manager by July 31, 2020. This procedure of advances shall continue until the total amount provided under this Agreement is expended and is subject to completion date deadline of June 30, 2020.
- B. The Department reserves the right to request copies of any documentation at any time prior to, or after the processing of any draw request.
- C. As a condition of the advance of funds for Homeless Prevention Assistance, Subrecipient Contractor shall submit the following for the City review and approval:
 - 1) Application for Assistance
 - 2) Program guidelines

Disencumbering Funds

Funds authorized by this Agreement shall be disencumbered in whole or in part if funds are not expended by June 30, 2020.

Completion Dates

This Agreement shall expire on June 30, 2020. All funds remaining unexpended upon termination shall be disencumbered from this Agreement.