



Community Services Department Memorandum

DATE: August 31, 2016
TO: Kevin R. Phelps, City Manager
FROM: Gilbert Lopez, Community Revitalization Administrator *GL*
Community Revitalization
THROUGH Elaine Adamczyk, Interim Director, Community Services *EA*
Department
SUBJECT: FY 2016-2017 – HUD Funding Approvals/Agreements

Attached are three (3) "originals" for the following HUD funding Agreements as follows:

- FY 2016-2017 – Funding approval/Agreement for the Community Development Block Grant (CDBG) Program, for funds in the amount of \$2,200,786.00.
- FY 2015-2016 – Funding approval/Agreement for the Emergency Solutions Grants Program, for funds in the amount of \$189,758.00.

These documents constitute the contracts between the U.S. Department of Housing and Urban Development (HUD) and the City of Glendale for the CDBG and ESG Programs for FY 2016-2017. The City Council approved funding for these federal HUD grants awarded for FY 2016-2017 on April 26, 2016 through Resolution No.5096.

These forms require the signature of the City's Executive Officer. Please sign all six (6) forms where indicated.

Once signed, please contact our office at X3670 to pick up the documents for further processing.

If you have any questions, please call Gilbert Lopez, Revitalization Administrator at extension 3670.

Thank you for your support of these programs.



U.S. Department of Housing and Urban Development
San Francisco Regional Office – Region IX
One Sansome Street, Suite 1200
San Francisco, California 94104-4430
www.hud.gov
espanol.hud.gov

AUG 22 2016

The Honorable Jerry Weiers
Mayor of Glendale
5850 W. Glendale
Glendale, AZ 85301-2563

Dear Mayor Weiers:

**SUBJECT: Fiscal Year 2016 Annual Action Plan
City of Glendale, Arizona**

As a participating member of the Maricopa County Home Consortium, the City of Glendale has participated in the development and submission of the Consortium's Annual Action Plan. The Consortium's Annual Action Plan, which incorporates the City's non-housing community development plan and its Fiscal Year 2016 Annual Action Plan for the Community Development Block Grant (CDBG) program, has been reviewed and approved. Any HOME funds that are expended for eligible HOME activities in your community will be administered by Maricopa County staff. The grant assistance that is being approved is as follows:

Community Development Block Grant	\$2,200,786
Emergency Solutions Grant	<u>\$ 189,758</u>
TOTAL	\$2,390,544

For the above programs, the Department is forwarding copies of the Grant Agreement and Funding Approval forms, along with guidance and/or conditions applicable to each program, to Kevin Phelps, City Manager, for execution as your designee. Mr. Phelps should sign and date each of these forms, retain one copy for the City's records, and return the remaining two copies to the HUD San Francisco Office. Within three weeks of our receipt of your executed grant agreement, the City should be able to begin draw down of these funds through the Integrated Disbursement and Information System (IDIS).

Furthering fair housing is one of the Department's highest priorities. Included in your Annual Action Plan was a certification that your jurisdiction will affirmatively further fair housing, which means that the City will (1) conduct an analysis to identify impediments to fair housing choice within your community, (2) take appropriate actions to overcome the effects of any impediments identified through that analysis and (3) maintain records reflecting the analysis and actions. Your jurisdiction should update its analysis of impediments (AI) periodically. Actions and milestones your jurisdiction plans to accomplish to overcome the effects of impediments to fair housing choice should be included in each Annual Action Plan. The source and amount of all funding for the actions to affirmatively further fair housing should also be noted in the Annual Action Plan. The results of actions taken during the program year to address

impediments identified in your AI should be reported in the Consolidated Annual Performance Evaluation Report (CAPER) submitted to HUD.

Please note the following:

- The performance reports for the FY 2015 Annual Action Plan will be due on **September 30, 2016**, and should include accomplishments compared to performance goals;
- There are a number of conditions included in the CDBG grant agreement, including:
 - With the shift to grant-by-grant accounting, no obligations to be paid with FY 2016 funds may be incurred after September 1, 2023, and
 - If funds are to be used for payment of indirect costs, a schedule meeting the prescribed requirements must be attached to the grant agreement. (If applicable, note that the same requirements have been incorporated into the HOME Program grant agreement.)

HUD looks forward to working with you over the coming year to accomplish the housing and community development goals set forth in the City's Annual Action Plan. If you have any questions or require further information or assistance, please contact David Uhler, Community Planning and Development Representative, at (602) 379-7174, or david.m.uhler@hud.gov.

Sincerely,



Maria F. Cremer
Director
Community Planning
and Development Division

cc:

- ✓ Kevin Phelps, w/enclosures
- Gilbert Lopez, w/copy of enclosure

GRANTEE: City of Glendale, Arizona

PROGRAM: FY 2016 Community Development Block Grant (CDBG)

PROGRAM NO.: B-16-MC-04-0506

Enclosed is the Grant Agreement and Funding Approval (three copies of HUD-7082) which constitutes the contract between the Department of Housing and Urban Development and the City of Glendale for the CDBG program. Please sign these forms (three original signatures), retain one copy for your records, and return the remaining two copies to the address below.

Maria Cremer, Director
Community Planning and Development, 9AD
U.S. Department of Housing and Urban Development
San Francisco Regional Office
One Sansome Street, Suite 1200
San Francisco, CA 94104-4430

Upon receipt of the executed Grant Agreement, the funds can then be accessed through the Integrated Disbursement and Information System (IDIS). If there is a need to add individuals authorized to access IDIS, an IDIS Access Request Form must be prepared, notarized, and returned to this office with the Grant Agreement. Also, if there is a need to establish or change the depository account to which these grant funds are to be wired, a Direct Deposit Sign-up Form (SF-1199A), along with a voided check, must be completed by you and your financial institution and mailed to this office.

Certain activities are subject to the provisions of 24 CFR Part 58 (Environmental Review Procedures for the CDBG program). Funds for such activities may not be obligated or expended unless the release of funds has been approved in writing by HUD. A request for the release of funds must be accompanied by an environmental certification.

The Special Condition in your Grant Agreement and Funding Approval concerning the review procedures under Executive Order (E.O.) 12372, Intergovernmental Review of Federal Programs, and HUD's implementing regulations at 24 CFR Part 52, restricts the obligation or expenditure of funds for the planning or construction of water or sewer facilities until the completion of the review process and receipt of written notification of Release of Funds from HUD. Because you have not submitted your Consolidated Plan for review under E.O. 12372, we assume you do not propose to use funds for activities subject to review. However, the condition requires that in the event you amend or otherwise revise your Consolidated Plan to use funds for the planning or construction of water or sewer facilities you must receive a written Release of Funds from HUD before obligating or expending funds for such activities.

GRANTEE: City of Glendale, Arizona

PROGRAM: FY 2016 Emergency Solutions Grants (ESG)

PROGRAM NO.: E16-MC-04-0506

Enclosed are three copies of the Grant Agreement which constitutes the contract between the Department of Housing and Urban Development and the City of Glendale for the ESG program. Please sign these forms (three original signatures), retain one copy for your records, and return the remaining two copies to the address below.

Maria Cremer, Director
Community Planning and Development, 9AD
U.S. Department of Housing and Urban Development
San Francisco Regional Office
One Sansome Street, Suite 1200
San Francisco, CA 94104-4430

FY 2016 ESG grant funds are subject to the requirements in 24 CFR part 576, as revised by the Emergency Solutions Grants and Consolidated Plan Conforming Amendments Interim Rule, which was published in the Federal Register on December 5, 2011 (76 Fed. Reg. 75954).

Within 180 days after the date that HUD signs the grant agreement amendment, you must obligate the entire grant amount, except the amount allowed for administrative costs. This requirement will be met by an agreement with, or a letter of award requiring payment to, a subrecipient; a procurement contract; or a written designation of a department within your government to directly carry out an eligible activity. If you represent an urban county, this requirement may also be met with an agreement with, or letter of award requiring payment to, a member government that has designated a department to directly carry out an eligible activity.

All ESG grant funds must be expended within **24** months after the date HUD signs the grant agreement. Please make every effort to expend all ESG funds by this deadline. HUD may recover any grant amounts that are not expended by this date and reallocate the funds in accordance with 24 CFR part 576, subpart D.

Any projects receiving ESG funding require an environmental review under 24 CFR Part 58 before any funds may be committed for that project. Neither a recipient nor any participant in the project may commit or expend HUD or non-HUD funds, make a legally binding agreement, or take other actions (such as acquiring property or starting constructions) that limit the choice of reasonable alternatives prior to completion of an environmental review and receipt of a release of funds (see 24 CFR 58.22).

8. Special Conditions.

- (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, 2023. The Grantee shall not incur any obligations to be paid with such assistance after September 1, 2023.
- (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>
_____	_____ %	_____
_____	_____ %	_____
_____	_____ %	_____

*Specify the type of cost base utilized - e.g., Modified Total Direct Costs (MTDC). Do not include amounts.

- (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 Central Contractor Registration (CCR) database, 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 brownsfield as defined in the Small Business Liability Relief and Brownsfield Revitalization Act (Public Law 107-118) shall be considered a public use for purposes of eminent domain.
- (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.

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 Glendale 5850 W Glendale Ave Glendale, AZ 85301-2599		2. Unique Federal Award Identification Number: E16-MC-04-0506
		3. Tax Identification Number: 866000247
		4. Unique Entity Identifier (DUNS): 077523579
5. Fiscal Year (yyyy): 2016		
6. Previous Obligation (Enter "0" for initial Fiscal Year allocation)	\$0	
7. Amount of Funds Obligated or Deobligated by This Action (+ or -)	\$189,758.00	
8. Total Amount of Federal Funds Obligated	\$189,758.00	
9. Total Required Match: \$189,758.00		
10. Start Date of Recipient's Program Year (mm/dd/yyyy) 07/01/2016	11. Date HUD Received Recipient's Consolidated Plan Submission (mm/dd/yyyy) 05/10/2016	12. Period of Performance Start Date (the later of the dates listed in Boxes 10 and 11) (mm/dd/yyyy) 07/01/2016
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) AUG 21 2018

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.

16. For the U.S. Department of HUD (Name, Title, and Contact Information of Authorized Official) Maria Cremer, HUD Community Planning and Development Director	17. Signature 	18. Date (mm/dd/yyyy) AUG 22 2016
19. For the Recipient (Name and Title of Authorized Official) <i>Thomas F. Duensing, Assistant City Manager</i>	20. Signature 	21. Date (mm/dd/yyyy) 9 '6' '16

Funding Information (HUD Accounting Use Only):

PAS Code: HAES	Region: 09	Program Code: SOG
Appropriation: 80192	Office: 01	Allotment: 866
Appro Symbol: "4"		

Indirect Cost Rate Provision (to be added to Special Conditions attached to each ESG Agreement)

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>
_____	_____ %	_____
_____	_____ %	_____
_____	_____ %	_____