

AMENDMENT No. 5 TO THE
INTERGOVERNMENTAL AGREEMENT
BETWEEN
MARICOPA COUNTY
ADMINISTERED BY ITS
HUMAN SERVICES DEPARTMENT
AND
CITY OF CHANDLER

- I. Maricopa County ("County") administered by its Human Services Department and the City of Chandler ("City") entered into a financial Intergovernmental Agreement ("Agreement") on or about February 15, 2017. The purpose of the Agreement is for the City to provide: 1) single-family owner-occupied housing reconstruction and, 2) tenant based rental assistance. The County provided the City with \$299,853 in 2016 HOME Investment Partnerships Program (HOME) funds from the U.S. Department of Housing and Urban Development (HUD). The Agreement term is July 1, 2016, through February 15, 2019. Expenditures for the Agreement activities shall be reimbursable through February 15, 2019. The County and the City may be referred to individually as the "Party" and collectively referred to as "Parties."

The Parties executed Administrative Change Order No. 1 on or about May 23, 2017, to revise the Activity Budget Summary. The Change Order did not impact the overall budget of the Agreement.

The Parties executed Amendment No. 1 on or about February 13, 2018. The Amendment extended the term of the Agreement from February 15, 2019, through September 30, 2021. The County provided the City an increase in funding in the amount of \$298,870 PY17 HOME funds. The Amendment added two (2) Work Statements 2017A, and Work Statement 2017B which addressed the following:

- 2017A Work Statement – the City to acquire, rehabilitate and resell a single-family home. The County provided the City with \$100,652 for this activity. The expenditure time frame is through September 30, 2021.
- 2017B Work Statement – the City to provide tenant based rental assistance and administration costs and increase the number of households assisted by 20. The County provided the City with \$198,218 for this activity. The expenditure time frame expires September 30, 2021.
- The Agreement funding amount increased to \$598,723.

The Parties executed Administrative Change Order No. 2 on or about February 26, 2018, to revise the Activity Budget Summary. The Change Order did not impact the overall budget of the Agreement.

The Parties executed Amendment No. 2 on or about October 18, 2018. The County provided the City an increase in funding in the amount of \$421,957 PY18 HOME funds. The Amendment added two (2) Work Statements 2018 A, and Work Statement 2018 B which addressed the following:

- 2018 A Work Statement - the City to acquire, rehabilitate and resell a single-family home. The County provided the City with \$189,473. The expenditure term for this Work Statement shall expire on September 30, 2022.

- 2018 B Work Statement - the City to provide tenant based rental assistance. The County will provide the City with \$232,484. The expenditure term for this Work Statement shall expire on September 30, 2022.
- The Agreement funding amount increased to \$1,020,680.

The Parties executed Amendment No. 3 on or about April 28, 2020. The County provided the City an increase in funding in the amount of \$370,876.29 PY 2019 HOME funds. The Amendment added two (2) Work Statements 2019 A, and Work Statement 2019 B which addressed the following:

- 2019 A Work Statement - the City to acquire, rehabilitate and resell a single-family home . The County provided the City with \$141,585. The expenditure term for this Work Statement shall expire on September 30, 2023.
- 2019 B Work Statement - the City to expand the tenant based rental assistance program. The County will provide the City with \$229,291.29. The City shall utilize \$60,468.73 of Program Income and recaptured funds for this Work Statement. The expenditure term for this Work Statement shall expire on September 30, 2023.
- The Agreement funding amount increased to \$1,391,556.29.

The Parties executed Amendment No. 4 on or about June 28, 2023. The County provided the City an increase in funding in the amount of \$2,991,248 (\$410,705 PY20 HOME funds, \$2,127,535 PY21 HOME and HOME-ARP funds, \$453,008 PY22 HOME funds). The Agreement funding amount increased to \$4,382,804.29.

- 2020 & 2021 Work Statement A – The City to acquire, rehabilitate and resell single-family homes. The County provided the City with \$307,781. The expenditure term for this Work Statement shall expire on September 30, 2025.
- Work Statement 2021 HOME-ARP – The City to provide development of affordable rental housing. The County provided the City with \$1,717,654 of HOME-ARP funding. The expenditure term for this Work Statement shall expire September 30, 2025.
- 2020, 2021 & 2022 Work Statement B TBRA – The City to provide tenant based rental assistance. The County provided the City with \$407,331. The expenditure term for this Work Statement shall expire September 30, 2025.
- 2021 & 2022 Work Statement C –The City to acquire, rehabilitate single-family homes for affordable rental. The County provided the City with \$558,482. The expenditure term for this Work Statement shall expire September 30, 2025.

II. The Parties agree to enter into this Amendment No. 5 to amend the Agreement as follows:

A. Revise Section III (Work Statement) to address the following

1. Add 2023 Work Statement A - The City to acquire and/or construct Multi-Family Rental Housing which will provide affordable housing opportunities for Chandler residents. The County shall provide the City with \$442,726 HUD HOME PY2023 funding under ALN 14.239 for this activity. The expenditure timeframe is through September 30, 2025.
2. Remove 2019 Work Statement A that was added to the Agreement in Amendment No. 3 and reallocate \$141,585 to a new revised 2019 Work Statement B. The City shall provide Tenant Based Rental Assistance (TBRA) to eligible individuals and families that reside in the City of Chandler. The funding for this Work Statement shall consist of \$370,876.29

(HOME PY19 \$141,585 and \$229,291.29) previously allocated in Amendment No. 3. The expenditure timeframe for these funds is through September 30, 2025.

- B. Funding for Amendment No. 5 is \$442,726 and the total Agreement funding amount has increased from \$4,382,804.29 to \$4,825,530.29.
- III. Section II above contains all the changes made by this Amendment No. 5. All other terms and conditions of the Agreement and previously approved amendments shall remain the same and unchanged and in full force and effect as executed by the Parties.
- IV. The Parties have authorized the undersigned to execute this Amendment No. 5 on their behalf, and it shall be effective upon approval and signature by both Parties.

IN WITNESS THEREOF, the Parties have signed this Amendment:

APPROVED BY:
CITY OF CHANDLER

APPROVED BY:
MARICOPA COUNTY

Kevin Hartke Date
Mayor

Clint Hickman Date
Chairman Board of Supervisors

Attested To:

Attested To:

City Clerk Date

Juanita Garza, Clerk of the Board Date

IN ACCORDANCE WITH A.R.S. §§ 9-240 and 11-952, THIS AMENDMENT NO. 5 HAS BEEN REVIEWED BY THE UNDERSIGNED ATTORNEY WHO HAS DETERMINED IT IS PROPER IN FORM AND WITHIN THE POWERS AND AUTHORITY GRANTED TO THE CITY OF CHANDLER UNDER THE LAWS OF THE STATE OF ARIZONA.

IN ACCORDANCE WITH A.R.S. §§ 11-201, 11-251, AND 11-952, THIS AMENDMENT NO. 5 HAS BEEN REVIEWED BY THE UNDERSIGNED ATTORNEY WHO HAS DETERMINED IT IS PROPER IN FORM AND WITHIN THE POWERS AND AUTHORITY GRANTED TO MARICOPA COUNTY UNDER THE LAWS OF THE STATE OF ARIZONA.

APPROVED AS TO FORM:

APPROVED AS TO FORM:

City Attorney Date
DMG

Deputy County Attorney Date

MARICOPA COUNTY
HOME Investment Partnerships Program
2023 Work Statement A – Acquisition and/or New Construction
of Multi-Family Rental Housing
Program Year 2023

Consortium Member: City of Chandler, Arizona
Project: Development of Affordable Rental Housing
Funding: PY 2023 \$442,726 (\$415,056 from EN and \$27,670 AD)
Type of Property: Rental

1.0 FUNDING:

PROGRAM YEAR	ENTITLEMENT (EN)	ADMINISTRATION (AD)	PROGRAM INCOME (PI) (non-reimbursable, IDIS draw only)	TOTAL BUDGET
PY 2023	\$415,056	\$27,670	\$0	\$442,726

2.0 DETAILED SCOPE OF WORK:

- 2.1 Consolidated Plan goals as it relates to this activity: HIGH
- 2.2 Type of assistance/activity to be provided with HOME funds: New construction of multi-family housing
- 2.3 Methods and instruments used for ensuring affordability: The City will secure HOME funds with a Deed of Trust, Promissory Note or other appropriate lien instrument that will include a recapture provision
- 2.4 Anticipated use of program income/project proceeds: Program Income generated from this project will be reinvested into future affordable rental housing projects.

3.0 OBJECTIVES AND OUTCOMES (Check appropriate box below.):

OBJECTIVE	OUTCOMES		
	AVAILABILITY/ACCESSIBILITY	AFFORDABILITY	SUSTAINABILITY
DECENT HOUSING	☐ Single Family Housing Rehab and Emergency Rehab	☒ Homebuyer Activities, Acquisition/Rehab of rental housing, Acquisition/New Construction of rental housing, TBRA, Expansion of assisted rental units	☐ Housing Activities in a targeted revitalization area

4.0 LOGIC MODEL: PERFORMANCE INDICATORS:

INPUTS/RESOURCES In order to accomplish proposed activities, the subrecipient will need the following:	ACTIVITIES In order to address the issue, the subrecipient will conduct the following activities:	OUTPUTS Once completed, these activities will produce the following:	OUTCOMES When completed, these activities will lead to the following changes:	IMPACT Long term changes:
New construction of affordable rental housing units	New construction of affordable rental housing	Multi-family affordable rental units	Households with low-income will have safe, decent, sanitary, and affordable housing	Increase in supply of affordable rental units

5.0 PROPOSED BENEFICIARIES:

Targeted Population by Income Level	Number of Households PY 2023	Total Number of Units
Households at or below 50%		
Households at or below 60%	3	3
Households at or below 80%		
TOTAL	3	3

6.0 PRIORITY POPULATIONS:

Complete the table below only if the Activity will specifically set-aside units for a priority population. Set-asides will be enforced through contract provisions.

Priority Populations	No. of Units PY 2023	Total
Elderly		
Physically Disabled		
Other Priority Populations: Veterans		
Homeless		
None	3	3

7.0 PERFORMANCE REPORTING GOALS-TIMELINE OF ACTIVITIES:

<u>MILESTONES</u>	<u>START DATE</u>	<u>COMPLETION DATE</u>
Environmental Review	Jan 2023	Oct 2023
Authority to Use Grant Funds		Oct 2023
Plans Submitted to Municipality		Nov 2023
Building Permits Issued		Feb 2024

Construction Loan (Closing Date)		Feb 2024
Partnership Loan Closing		Feb 2024
Construction Begins		March 2024
Construction 50% Complete		Dec 2024
Construction 75% Complete		June 2025
Certificate of Occupancy		Oct 2025

Any change to the Timeline will need to be submitted to and approved by Maricopa County.

8.0 ACTIVITY BUDGET SUMMARY (estimated):

COSTS	2023 HOME FUNDS	Additional Sources* (defined in Table 10 below)	TOTAL COST
Construction Cost	\$415,056	TBD	TBD
Soft Cost	\$0	TBD	TBD
Financing Fees	\$0	TBD	TBD
Reserves	\$0	TBD	TBD
TOTAL	\$415,056	TBD	TBD

- HOME Admin funds of \$27,670 not included in the total construction cost

9.0 SOURCE AND AMOUNT OF OTHER RESOURCES (estimated):

FUNDING AGENCY	CASH/LOAN AMOUNT	VOLUNTEER/ IN-KIND AMOUNT
TBD		
TOTAL	\$0	

10.0 MATCH:

Match commitment must equal 25% of the HOME funds requested. Documentation is due at the time of request for payment(s). Match Logs must be submitted annually by June 30th of each year.

• TYPE	• SOURCE/FUNDING AGENCY General Fund	• TOTAL
Cash or cash equivalents from a non-federal source	General Funds	\$103,764
TOTALS		\$103,764

MARICOPA COUNTY
2019 B Work Statement - TBRA
HOME Investment Partnerships Program
Program Year 2019

Consortium Member: City of Chandler, Arizona
Project: Tenant Based Rental Assistance and HOME Administration
Funding: PY 2019 \$141,585 (reallocated from 2019 Work Statement A)
 PY 2019 \$229,291.29 (\$206,111.52 from EN and \$23,179.77 AD)
Other Funding: PY 2019 \$60,468.73 (\$60,468.73 PI and HP)
 PY 2023 \$29,614.32 (\$29,614.32 from PI)
Type of Property: Rental

1.0 FUNDING:

PROGRAM YEAR	ENTITLEMENT (EN)	ADMINISTRATION (AD)	PROGRAM INCOME (PI) (non-reimbursable, IDIS draw only)	TOTAL BUDGET
PY 2019	\$141,585	n/a	n/a	\$141,585
PY 2019	\$206,111.52	\$23,179.77	\$60,468.73	\$289,760.02
PY 2023	\$0	\$0	\$29,614.32	\$29,614.32

2.0 DETAILED SCOPE OF WORK:

- 2.1 Include the following:
- 2.2 Consolidated Plan goals as it relates to this activity: High
- 2.3 Type of assistance/activity to be provided with HOME funds:
 - 2.3.1 Tenant Based Rental Assistance
 - 2.3.2 Administration
 - 2.3.3 Methods and instruments used for ensuring affordability: The maximum amount of monthly assistance paid to, or on behalf of, a family may not exceed the difference between a rent standard for the bedroom size and 30% of the family's monthly adjusted income. The Subrecipient will verify the household income and eligibility on an annual basis.

3.0 OBJECTIVES AND OUTCOMES (Check appropriate box below.):

OBJECTIVE	OUTCOMES		
	AVAILABILITY/ ACCESSIBILITY	AFFORDABILITY	SUSTAINABILITY
DECENT HOUSING	☐ Single Family Housing Rehab and Emergency Rehab	☒ Homebuyer Activities, Acquisition/Rehab of rental housing, Acquisition/New Construction of rental housing, TBRA, Expansion of assisted rental units	☐ Housing Activities in a targeted revitalization area

The City of Chandler Housing and Redevelopment Division will administer the Tenant Based Rental Assistance Program. Through this effort, homelessness will be prevented by providing

decent, affordable rental housing for individuals and households in need. This will result in self-sufficiency and housing stabilization, as well as an understanding of the underlying issues that contributed to loss of housing.

4.0 LOGIC MODEL: PERFORMANCE INDICATORS:

INPUTS/RESOURCES In order to accomplish proposed activities, the subrecipient will need the following:	ACTIVITIES In order to address the issue, the subrecipient will conduct the following activities:	OUTPUTS Once completed, these activities will produce the following:	OUTCOMES When completed, these activities will lead to the following changes:	IMPACT Long term changes:
HOME FUNDING	Provide rental subsidies to households who are low income and experiencing homelessness	Participating households will be provided access to affordable rental housing opportunities	Participating households will be provided a more stable living situation leading to self sufficiency	Housing stability and self-sufficiency for participating households

5.0 PROPOSED BENEFICIARIES:

Targeted Population by Income Level	Number of Households PY 2019			Total Number of Units	Number of <u>HOME Assisted</u> Units in program (if rental)
Households at or below 50%	37			37	
Households at or below 60%					
Households at or below 80%					
TOTAL	37			37	

6.0 PRIORITY POPULATIONS:

Complete the table below only if the Activity will specifically set-aside units for a priority population. Set-asides will be enforced through contract provisions.

Priority Populations	No. of Units PY 2019			Total
Elderly				
Physically Disabled				
Other Priority Populations: Veterans				
Homeless	37			37

7.0 PERFORMANCE REPORTING GOALS-TIMELINE OF ACTIVITIES:

<u>TBRA MILESTONES</u>	PY 2019 COMPLETION DATE		
HOME Contract Amendment signed by City	11/01/23		
Environmental Program Clearance	07/15/2020		
Application Intake-Certification of Income Eligibility	Ongoing program		
Application Review	Ongoing program		
	Prior to leasing and annually throughout Lead Term		
Initial HQS Property Inspection			
Home Set up Report to County	01/15/24		
Unit Occupied by Low/Moderate Income Person/Family	Throughout Contract Term		
Completion Report submitted to City	07/15/25		

Any change to the Timeline will need to be submitted to and approved by Maricopa County.

8.0 ACTIVITY BUDGET SUMMARY:

<u>TBRA ACTIVITIES</u>	2019 HOME FUNDS (reallocated)	2019 HOME FUNDS	Additional Sources (defined in Table 9 below)	TOTAL COST
Monthly Rent; Utility Costs; Sec. Dep; Utility Deposits	\$141,585	\$206,111.52	\$90,083.05	\$437,779.57
HOME ADMINISTRATION		\$23,179.77		\$23,179.77
TOTAL	\$141,585	\$229,291.29	\$90,083.05	\$460,959.34

Administration (AD) funds to be expended by the City of Chandler for overall HOME program administration.

9.0 SOURCE AND AMOUNT OF OTHER RESOURCES:

FUNDING AGENCY	CASH AMOUNT	VOLUNTEER/ IN-KIND AMOUNT
City of Chandler Program Income PY 2019	\$60,468.73	
City of Chandler Program Income PY 2023	\$29,614.32	
TOTAL	\$90,083.05	

10.0 MATCH:

Match commitment must equal 25% of the HOME funds requested. Documentation is due at the time of request for payment(s). Match Logs must be submitted annually by June 30th of each year.

TYPE	SOURCE/FUNDING AGENCY General Fund	TOTAL
Cash or cash equivalents from a non-federal source	General Funds	\$86,924.13
TOTALS		\$86,924.13