

Executive Summary

The City of Pasadena has been allocated \$3,042,435 of HOME American Recovery Plan Act (HOME-ARP) funding from the US Department of Housing and Urban Development (HUD). To receive the HOME-ARP allocation, the City must develop a HOME-ARP Allocation Plan that will become part of the PY2021 Annual Action Plan through a substantial amendment.

HOME-ARP Eligible Qualifying Populations and Activities

CPD Notice 21-10 establishes requirements for funds appropriated under section 3205 of the American Rescue Plan Act of 2021 for the HOME Investment Partnerships Program (HOME) to provide homelessness assistance and supportive services. The American Rescue Plan Act (ARP) defines qualifying populations as:

1. Homeless, as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act;
2. At risk of homelessness, as defined in section 401 of the McKinney-Vento Homeless Assistance Act;
3. Fleeing, or attempting to flee domestic violence, dating violence, sexual assault, or stalking (as defined by HUD in 24 CFR 5.2003) or human trafficking (as outlined in the Trafficking Victims Protection Act of 2000 as amended [22 USC 7102]; and
4. Part of other populations, where providing supportive services or assistance under section 212(a) of the National Affordable Housing Act 42 USC 12472(a) would:
 - a. Prevent a family's homelessness;
 - b. Serve those with the greatest risk of housing instability.

HOME-ARP funds may be used to benefit qualifying populations through:

1. Tenant-based Rental Assistance (TBRA);
2. Development and support of affordable housing;
3. Provision of supportive services;
4. Acquisition and development of non-congregate shelter;
5. Nonprofit capacity building and operating assistance; and
6. Program planning and administration.

The needs assessment and gap analysis identified the following needs and gaps that may be addressed using HOME-ARP funds:

Executive Summary

- Since the lifting of local eviction moratoriums, fair housing service providers have seen an increase of 30 – 90 day eviction notices for failure to pay rent.
- tunities.

Consultation

To ensure broad input into the HOME-ARP Allocation Plan from stakeholders and the public, the City engaged in consultation with stakeholders and the public, including virtual consultation sessions, direct contact with HUD-required organizations, a 25-day public comment period, and a public hearing.

In accordance with CPD Notice 21-10, before developing its HOME-ARP allocation plan, at a minimum, the City must consult with:

- CoC(s) serving the jurisdiction's geographic area,
- Homeless service providers,
- Domestic violence service providers,
- Veterans' groups,
- Public housing agencies (PHAs),
- Public agencies that address the needs of the qualifying populations, and
- Public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities.

Describe the consultation process including methods used and dates of consultation:

Consultation with community-based organizations, commissions, city departments, and other local stakeholders were conducted, which contributed to the assessment of community needs regarding homeless prevention services. The City is both the local entitlement jurisdiction, as well as the Continuum of Care (CoC) Collaborative Applicant. The City collaborated with the Pasadena CoC, also known as the Pasadena Partnership to End Homelessness, to respond to the needs of people experiencing homelessness locally through coordinated planning for and allocation of funding. City staff engaged in collaborative efforts to consult with commissions, city departments, County department, service providers, and beneficiaries of entitlement programs in order to develop strategic priorities and strategies for the allocation of HOME-ARP funding. This consultation process allowed the City to avoid duplication of services regarding homeless prevention. City staff facilitated a comprehensive outreach to enhance coordination and discuss new approaches and efficiencies with assisted housing, governmental health, mental health, service agencies, and other stakeholders that utilize funding for eligible activities, projects and programs.

Consultation

Consultation includes: feedback on local need and funding priorities; review and comment on proposed funding allocations prior to funding award; direct input in performance and evaluation measures; direct input in the establishment of a universal intake and assessment tool; sharing of data collection; and guidance on best practices for utilizing HOME-ARP funds in the best manner.

List of organizations consulted:

Agency Name	Agency Type	How the Agency consulted and the feedback received?
Los Angeles County Development Authority	Government – Local Public Housing Authority	Communication was made through electronic transmittal of reports. Received updates on affordable housing production.
City of Pasadena Housing Department	Government – Local Public Housing Authority	Communication was made through in-person meetings and Electronic transmittal of reports. Received information on expiring affordability restrictions for rental units, and housing choice voucher assistance data.
City of Pasadena Planning Department	Government - Local	Communication was made through virtual meetings, and electronic transmittal of reports. Received data on rental housing production.
Los Angeles Homeless Services Authority	Government – Local Housing Authority	Communication was made through electronic transmittal of reports. The reports provided up-to-date homeless data and services.
Pasadena Partnership to End Homelessness	Continuum of Care (CoC) – Service Providers for Domestic Violence, TAY, Veterans and Homeless	Communication was made through virtual meetings, and electronic transmittal of reports. The reports provided up-to-date homeless data and services.
Southern California Housing Rights Center	Regional organization – Fair Housing Service Provider	Communication was made through virtual meetings, and electronic transmittal of reports. The reports provided up-to-date on evictions and services.
California Housing & Community Development	Government – State	Communication was made through electronic transmittal of reports & virtual meetings. Received data on rental assistance program.

Consultation

Summary of feedback received from consulted organizations

Consultation revealed strong support for eviction prevention services, and legal services for tenants. Stakeholders expressed concern of the ending of the State's rental assistance program, and the lack of continued help for those that may still help paying their rent. Multiple participants encouraged the development of a tenant-based rental assistance program due to the sunset of the local eviction moratorium. Fair housing service providers reported an increase in 30-90 day eviction notices. All qualifying populations were mentioned as having a need, and want considerations of priorities towards those with the highest risk of homelessness.

Public Participation

The City provided a 25-day public comment period beginning November 18, 2021 and ending December 13, 2021, and held a public hearing on December 13, 2021. A combined notice of public comment period and public hearing were published in local newspapers of general circulations. In addition, the public notice was posted to the City's Housing Department website.

Efforts to Broaden Public Participation

The City of Pasadena has established advisory bodies to assist in the allocation and monitoring of federal entitlement funds. The two (2) advisory boards are the Human Services Commission, which consists of fifteen participating members, and the Northwest Commission, which consists of eleven participating members. All participating members represent various segments of the community including: 1) low/moderate income residents; 2) minority groups; 3) residents from area where community development activities are ongoing or proposed; 4) elderly; 5) handicapped; and 6) businesses. Meetings with these two bodies was helpful to gather input on how to allocate funding that best serves the community.

The City extended the comment period to 25 days, sent e-mails to the community stakeholders requesting comments, and provided staff reports to the public on eligible uses of HOME-ARP funding. The public hearing was held virtually, which allows the public option for closed caption for the hearing impaired, and Spanish translation.

Summary of comments and recommendations received

The City received comments from the Human Service Commission to increase eviction prevention services in anticipation of the lifting eviction moratorium.

Consultation

Summary of comments or views not accepted and the reasons for not accepting them

None

Needs Assessment

Gap Analysis

The needs assessment and gap analysis must evaluate the 1) size and demographic composition of HOME-ARP qualifying populations, and 2) unmet needs of HOME-ARP qualifying populations. In addition, the needs assessment and gap analysis must identify any gaps within its current shelter and housing inventory, and service delivery system. This needs assessment and gap analysis focuses on:

1. Sheltered and unsheltered homeless populations;
2. Currently housed populations at risk of homelessness;
3. Other families requiring services or housing to prevent homelessness; and
4. Those at greatest risk of housing instability or unstable housing situations.

Homeless Needs Inventory and Gap Analysis

Homeless															
	Current Inventory						Homeless Population					Gap Analysis			
	Family		Adults Only		Vets		# of People in Families	Family HH (at least 1 child)	Adult HH (w/o child)	Vets	Fleeing DV	Family		Adults Only	
	# of Beds	# of Units	# of Beds	# of Units	# of Beds	# of Units						# of Beds	# of Units	# of Beds	# of Units
Emergency Shelter	23	7	176	N/A	0	0									
Transitional Housing	36	16	0	N/A	0	0									
Permanent Supportive Housing	108	33	339	N/A	29	24									
Other Permanent Housing	63	17	112	N/A	0	0									

Needs Assessment

Sheltered Homeless							70	23	162	3	106				
Unsheltered Homeless							6	2	274	25	24				
Current Shelter Gap												6	2	267	N/A
Current Permanent Housing Gap												44	20	350	N/A

Data Source: Pasadena Homeless Count 2022

Housing Needs Inventory and Gap Analysis

Non-Homeless			
	Current Inventory	Level of Need	Gap Analysis
	# of Units	# of Households	# of Households
Total Rental Units	31,905		
Rental Units Affordable to HH at 30% AMI (At-Risk of Homelessness)	1,711		
Rental Units Affordable to HH at 50% AMI (Other Populations)	3,441		
0%-30% AMI Renter HH w/ 1 or more severe housing problems (At-Risk of Homelessness)		7,080	
30%-50% AMI Renter HH w/ 1 or more severe housing problems (Other Populations)		5,170	
<i>Current Gaps</i>			7,098

Date Sources: 1. American Community Survey (ACS); 2. Comprehensive Housing Affordability Strategy (CHAS)

Needs Assessment

Size and Demographic Composition of Qualifying Populations

Homeless

Based on recent homeless count there are 512 people experience homelessness. People of color continue to be disproportionately represented among people experiencing homelessness across the country. In Pasadena, 32% of our unhoused residents identify as Black or African American despite only representing 8% of Pasadena's general population. Similarly, people identifying as Hispanic or Latino in Pasadena experience homelessness at disproportionate rates. In 2022, the Hispanic/Latino subpopulation comprised 44% of people experiencing homelessness compared to 37% in 2020, while the overall population of Pasadena is only 33%.

At-risk of Homelessness

There are 8,845 households that earn 0% - 30% AMI, of which 80% experience at least one housing problem. Of the 7,080 households in this income bracket that experience at least one housing problem, White households make up 37.1%, Black/African American households make up 18.3%, and Asian households make up 14.7%. Twenty-eight percent of the households are of Hispanic ethnicity.

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking

In the recent homeless count, 130 persons were identified as fleeing domestic violence. Twenty-four were unsheltered.

Other Populations

Other populations, as defined by HOME-ARP include those who:

1. Are currently housed and at risk of repeat homelessness;
2. Have incomes below 30% AMI and are experiencing severe housing cost burden;
or
3. Otherwise meet the definition of at risk of homelessness and have incomes between 30% and 50% AMI.

Data collected by HUD, over 21% of households in Pasadena that are 80% AMI or less experience at least one severe housing problem. There are 6,010 households that earn 30% - 50% AMI, 56.1% experience at least one severe housing problem. Of the 3,375 households in this income bracket that experience at least one severe housing problem, White households make up 35.9%, Black/African American households make up 11.3%,

Needs Assessment

and Asian households make up 10.5%. Over 37% of the households are of Hispanic ethnicity.

Unmet Housing and Service Needs of Qualifying Populations

The City of Pasadena currently partners with local homeless service providers to provide outreach and housing placement. A gap analysis shows that there is a 267 homeless shelter gap in the City for homeless adults. The need for more shelters is high, but locations and space is limited. A review of community data shows a lack of affordable housing for household earning less than 30% AMI. There are 7,080 households that earn less than 30% AMI and are at risk of homelessness, however there are only 1,711 affordable units for this income level. 5,369 more affordable units are needed to meet the needs of this demographic. There is a need for legal services for households who are currently in the eviction process. The City of Pasadena currently partners with local homeless service providers to provide outreach and housing placement. An analysis of the community shows 130 persons fleeing domestic violence are homeless in Pasadena. However, 104 of those person are in some type of shelter, while 24 are unsheltered. This demographic is relatively small however, there is a need for 10 housing units for persons fleeing DV. Data shows that 80% (8,845) of households earning less than 30% AMI are experiencing at least one housing burdens. This demographic is at greatest risk of housing instability. There is a need for legal services for households who are currently in the eviction process and have received illegal eviction notices.

Current Resources Available to Assist Qualifying Populations

Department of Housing, with increased local and state funding, has expanded investments in critical services to address homelessness in our city. This funding has enabled the creation of street outreach teams to ensure people are getting connected to services and resources within the community and housing location programs to assist with locating apartments and building relationships with local landlords in order to house people faster. In 2021, 277 people (214 households) experiencing homelessness in Pasadena were permanently housed through programs operated in Pasadena and other parts of the County. Pasadena supportive housing projects demonstrate a 93% housing retention rate among participants, even among those with serious mental illness and substance use disorders. Supportive housing is an intervention best suited for people with higher service needs, particularly those who have experienced chronic homelessness. To live stably in their communities and prevent returns to homelessness, these individuals need long-term support. Supportive housing provides a safe and stable living environment coupled with on-site services for as long as people are living in their homes. People living in supportive housing contribute 30% of their income towards rent, with the remainder subsidized. Informed by the Housing First framework, supportive housing is a proven solution for some of the most vulnerable people experiencing homelessness,

Needs Assessment

allowing them to not only live but thrive in their communities. Rapid rehousing is a strategy also informed by Housing First which quickly re-houses people experiencing homelessness through time-limited financial assistance and targeted supportive services. This intervention is designed to help individuals and families who do not necessarily need ongoing and intensive supportive services to exit homelessness and regain stability. Rapid rehousing is an intervention best suited for populations that are lower acuity and do not have long-term barriers that impact employment or the ability to retain private rental housing after assistance terms out. The goal of these programs is to minimize the harmful outcomes of homelessness by helping people regain self-sufficiency and return to stable housing as soon as possible. Research on rapid-rehousing and its efficacy is still emerging, however preliminary findings show the model has been most successful among family and veteran populations. Emergency shelter plays an effective role in the housing crisis response system because it enables people to take refuge from the streets and begin to stabilize and regain health while connecting to needed services and permanent housing. Pasadena's emergency shelter programs support the flow from a housing crisis to housing stability by promoting linkages to necessary supportive services and connections to appropriate permanent housing so that people can move through the system more quickly. Motel vouchers prove to be a valuable resource in working with people who have higher barriers to engagement so they are able to get connected to the existing Coordinated Entry System (CES) and start on the path towards stability in permanent housing. Increased emergency shelter capacity through motel vouchers reduces the time households spend unsheltered on the streets and provides a safe space for people who may be reluctant or unable to live in a traditional congregate shelter setting.

Shelter, Housing and Service Delivery System Gaps

The gaps in shelter identify a need of 267 beds, however homeless shelter in the area are at their capacity and there is a need for additional locations to increase the bed count. This would address the need for qualifying populations' need for shelter. The bigger need is in affordable housing. The current gap in Pasadena shows 7,098 affordable units are needed to meet the needs of the community.

The shelter gap methodology utilized the January point-in-time count of sheltered individuals and individuals in families, using the number of unsheltered persons subtracted from the number of shelter beds available in the City. Using data from the ACS and CHAS, the number of people in the City who cannot afford affordable housing subtracted from the number of available affordable housing units.

To identify gaps in the services delivery system, the City consulted stakeholders and drew on experience with organization city-wide. Consultation revealed gaps in legal services for renters who have received eviction notices prior to the lifting of the eviction moratorium.

Needs Assessment

Characteristics of Housing Associated with Increased Risk of Homelessness for Other Populations

The Pasadena Housing Department has identified over 50 affordable housing units with City deed restrictions that are set to expire within 3-6 months. As a result, landlords will set current rents at market rates, essentially making units unaffordable for current occupying tenants. As a result, tenants who are living in expiring deed restricted housing face the greatest housing instability with household AMI below 50%. Without the deed restriction, housing cost burdens rise well above 50% of household income making tenants high risk for homelessness.

Needs Assessment

Priority Needs for Qualifying Populations

The top priority needs identified for qualifying populations are affordable housing, and supportive services including legal representation and legal service to assist with proceeding associated with eviction.

HOME-ARP Activities

The City has surveyed service provider to assess their capacity to provide eviction prevention services, and found that virtually all service providers are at their capacity due to staffing shortages. The City determined to administer eligible activities directly to the community and will not solicit any applications for funding. The City has developed a strategy utilizing HOME-ARP, CDBG-CV and Treasury-ARP funds, known as the eviction prevention program. The City has the capacity and funding to create a program for rental assistance, increase legal services, and payment of back rent.

HOME-ARP Funding	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	\$ #		
Acquisition and Development of Non-Congregate Shelters	\$ #		
Tenant Based Rental Assistance (TBRA)	\$ 2,586,070		
Development of Affordable Rental Housing	\$ #		
Non-Profit Operating	\$ #	0 %	5%
Non-Profit Capacity Building	\$ #	0 %	5%
Administration and Planning	\$ 456365	#15%	15%
Total HOME ARP Allocation	\$ 3,042,435		

Use if HOME-ARP Funding

The City will utilize 100% of its HOME-ARP funding towards the implementation of a Tenant-Based Rental Assistance Eviction Prevention TBRA-EP Program, with \$2,586,070 towards TBRA, and \$456,365 for administration

Rationale for Uses of HOME-ARP Funding

The City has allocated over \$3m towards shelters, and service delivery systems. The City's affordable housing gap is at historic highs, and there are no funds allocated toward increasing the affordable housing in the short-term. As our local eviction moratorium sunsets, we expect an increase in evictions. The TBRA-EP program will help to assist those who continue to struggle paying their rent as has receive notice of eviction from their current residence.

Home-ARP Housing Production Goals

The City plans to assist 50 households through tenant based rental assistance eviction prevention program. Support will include \$150,000 from Treasury-ARP for legal services including legal representation, and \$250,000 in CDBG-CV funds for payment of back rent for those enrolling in the TBRA-EP program.

HOME-ARP Activities

Program Eligibility

The TBRA-EP Program will accept applications for enrollment from all qualifying populations that meet the following criteria:

- Household income does not exceed 50% AMI
- Has insufficient resources immediately available to attain housing stability; and
- Has written notification from landlord/owner that right to occupy their current housing will be terminated.

Preferences

City staff will evaluation each applications to ensure eligibility. Eligible applications will receive a score based on the following preference points:

- Currently Living in Expiring Deed Restricted Rental Housing (6 points)
- Households with Single Income Source (5 points)
- Current Rental Unit Located in CDBG Census Tract (4 points)
- Household Income 30 – 50% AMI (3 points)
- Households with 4 or more members (2 points)

HOME-ARP Refinancing Guidelines

The City will not use HOME-ARP funding for refinancing.

**PUBLIC NOTICE BY THE CITY OF PASADENA
OF A SCHEDULED PUBLIC HEARING BY THE
CITY COUNCIL
RELATING TO A SUBSTANTIAL AMENDMENT
TO THE 2021-2022 ANNUAL ACTION PLAN**

This is an amendment to the 2021-2022 Annual Action Plan for the City of Pasadena to receive and administer \$3,042,435 in Home Investment Partnership Act (HOME) funding from the U.S. Department of Housing and Urban Development (HUD) made available through the American Rescue Plan Act (ARP Act), and to reallocate \$1,342,113 in unspent Community Development Block Grant (CDBG) and \$510,836 in CDBG-CV funds. This action if approved is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines per Section 15061(b)(3).

Description	Implementing Agency	Location	Action
<u>HOME-ARP Administration</u> Administration of the HOME-ARP funds provided by the ARP Act.	Housing Department – City of Pasadena	649 N. Fair Oaks Blvd. #202	New Allocation \$456,365 (HOME-ARP)
<u>Tenant-Based Rental Assistance Eviction Prevention</u> Provide short-term rental assistance up to 24 months for tenants at risk of homelessness.	Housing Department – City of Pasadena	649 N. Fair Oaks Blvd. #202	New Allocation \$2,586,070 (HOME-ARP)
<u>Emergency Rental Assistance</u> Emergency rental assistance to pay back rent and/or future up to 6-months for TBRA participants currently in eviction process.	Housing Department – City of Pasadena	649 N. Fair Oaks Blvd. #202	Re-Allocation \$510,836 (CDBG-CV3)
<u>Alkebu-Lan Cultural Center</u> Rehabilitation of City-owned neighborhood facility located at 1435 N. Raymond Ave. Including roof restoration, new flooring, and ADA bathrooms.	Public Works – City of Pasadena	1435 N Raymond Ave.	Re-Allocation \$380,000 (CDBG)
<u>Security Enhancements</u> Public safety enhancements including the installation of security cameras.	Department of Information Technology – City of Pasadena	- Jackie Robinson CC - La Pintoresca Park - Villa Parke - Robinson Park	Re-Allocation \$812,113 (CDBG)
<u>Robinson Park Recreation Center (Pool Renovation)</u> Demolition/rebuild of an existing pool, and renovation of pool building.	Public Works – City of Pasadena	1081 N. Fair Oaks Ave, Pasadena, CA 91103	Re-Allocation \$400,000 (CDBG)

Pasadena City Council and Housing Department are vitally interested in improving and increasing communication with Pasadena citizens in the area of housing, community development, and economic development. The Pasadena City Council and Housing Department are vitally interested in improving and increasing communication with Pasadena citizens in the area of housing, community development, and economic development. This Action Plan amendment is available for public review starting November 12, 2021, for a public hearing on November 12, 2021, at the Housing Department website at: <https://www.cityofpasadena.net/housing/cdbg/#cdbg-plans>. Citizens wishing to submit written comments during the public review and comment period may mail them, postmarked no later than December 12, 2021, to the following:

City of Pasadena
Housing Department
Attention: Randy Mabson, Program Coordinator
649 N. Fair Oaks Blvd. #202
Pasadena, CA 91109

The public hearing will be held at the following location and time:

City Council - Public Hearing
Monday, December 13, 2021 at 5:00 p.m.
Pasadena City Hall – City Council Chambers
100 N. Garfield Avenue
Pasadena, CA 91109

PLEASE TAKE NOTICE THAT THIS MEETING WILL TAKE PLACE SOLELY BY VIDEOCONFERENCE/TELECONFERENCE. City Council Meeting Policy: www.cityofpasadena.net/city-clerk/wp-content/uploads/sites/21/City-Council-Meeting-Policy.pdf

In order to facilitate public participation at meetings held solely by electronic means, the City will accept public comment in the following manner:

- During the meeting, members of the public may provide live public comment by submitting a speaker card prior to the start of public comment on that item, at the following webpage: www.cityofpasadena.net/city-clerk/public-comment. If a public comment speaker wishes to speak on more than one agenda item, please indicate so on the online form (multiple item speakers will be handled according to the process posted on the agenda and as specified in the City Council meeting policy). Public comments are limited to 3 minutes each, and the Mayor and City Council may limit this time if reasonable under the circumstances.
- Speaker Card Help Line: If a public comment speaker needs assistance in completing a speaker card, please call the City Clerk's

Office at: (626) 744-4124. Help line will open 30 minutes prior to the posted start time of the meeting. After submitting a public speaker card, join the virtual meeting after the published start time with a computer, other electronic device, or by telephone. The same name or telephone number on the Speaker Card should be used for the virtual meeting in order to locate and unmute the speaker. Your phone call to the City Council meeting will be recorded as part of the City Council meeting. By staying on the line and making public comment during the City Council meeting, you are agreeing to have your phone call recorded. Computer or electronic devices, join the meeting at: <https://us02web.zoom.us/j/161482446> Telephone only dial-in: 1-669-900-6833, Meeting ID: 161 482 446

- Members of the public may submit correspondence of any length prior to the start of the meeting, at the following email address: correspondence@cityofpasadena.net Correspondence will be forwarded to the City Council prior to the start of the meeting, posted online, and made part of the legislative record for the item.

LIVESTREAM WITH CAPTIONING IS AVAILABLE AT WWW.PASADENAMEDIA.ORG, AND ALSO AT WWW.CITYOFPASADENA.NET/COMMISSIONS/AGENDAS, TO HEAR A LIVE SPANISH TRANSLATION OF THE MEETING (LISTEN ONLY), PLEASE DIAL-IN 10 MINUTES PRIOR TO THE MEETING (4:20 P.M.): TOLL-FREE DIAL-IN: (888) 585-9008 PARTICIPANT PASSCODE: 739-142-091, THEN # IF YOU NEED A REASONABLE MODIFICATION OR ACCOMMODATION PURSUANT TO THE AMERICANS WITH DISABILITIES ACT BECAUSE YOU ARE UNABLE TO PARTICIPATE ELECTRONICALLY AS SET FORTH ABOVE, CONTACT THE CITY CLERK'S OFFICE AS SOON AS POSSIBLE AT (626) 744-4124 OR CITYCLERK@CITYOFPASADENA.NET.

Steve Mermell, City Manager
P.O. Box 7115
Pasadena, CA 91109

APPROVED AS TO FORM
Javan N. Rad, Chief Assistant City Attorney
Kane, Ballmer & Berkman, City Outside Counsel

**Publish November 18, 2021 & December 2, 2021
PASADENA PRESS**

HOME ARP Grant Agreement

Title II of the Cranston-Gonzalez National Affordable Housing Act

Assistance Listings #14.239 – HOME Investment Partnerships Program

1. Grantee Name and Address Pasadena 100 North Garfield Avenue Pasadena, CA 91104		2. Grant Number (Federal Award Identification Number (FAIN)) M21-MP060527																
		3a Tax Identification Number 956000759	3b. Unique Entity Identifier (formerly DUNS) 028900439															
		4. Appropriation Number 861/50205	5. Budget Period Start and End Date FY 2021 – 09/30/2030															
6. Previous Obligation (Enter "0" for initial FY allocation)			\$0															
a. Formula Funds		\$																
7. Current Transaction (+ or -)			\$3,042,435.00															
a. Administrative and Planning Funds Available on Federal Award Date		\$152,121.75																
b. Balance of Administrative and Planning Funds		\$304,243.50																
c. Balance of Formula Funds		\$2,586,069.75																
8. Revised Obligation			\$															
a. Formula Funds		\$																
9. Special Conditions (check applicable box) <input type="checkbox"/> Not applicable <input type="checkbox"/> Attached		10. Federal Award Date (HUD Official's Signature Date) 09/20/2021																
11. Indirect Cost Rate* <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Administering Agency/Dept.</th> <th style="text-align: left; border-bottom: 1px solid black;">Indirect Cost Rate</th> <th style="text-align: left; border-bottom: 1px solid black;">Direct Cost Base</th> </tr> </thead> <tbody> <tr><td> </td><td> %</td><td> </td></tr> <tr><td> </td><td> %</td><td> </td></tr> <tr><td> </td><td> %</td><td> </td></tr> <tr><td> </td><td> %</td><td> </td></tr> </tbody> </table>		Administering Agency/Dept.	Indirect Cost Rate	Direct Cost Base		%			%			%			%		12. Period of Performance Date in Box #10 - 09/30/2030 <small>* 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.</small>	
Administering Agency/Dept.	Indirect Cost Rate	Direct Cost Base																
	%																	
	%																	
	%																	
	%																	
<p>The HOME-ARP Grant Agreement (the "Agreement") between the Department of Housing and Urban Development (HUD) and the Grantee is made pursuant to the authority of the HOME Investment Partnerships Act (42 U.S.C. 12701 et seq.) and Section 3205 of the American Rescue Plan (P.L. 117-2) (ARP). HUD regulations at 24 CFR part 92 (as may be amended from time to time), the CPD Notice entitled "Requirements for the Use of Funds in the HOME-American Rescue Plan Program" (HOME-ARP Implementation Notice), the Grantee's HOME-ARP allocation plan (as of the date of HUD's approval), and this HOME-ARP Grant Agreement, form HUD-40093a, including any special conditions (in accordance with 2 CFR 200.208), constitute part of this Agreement. HUD's payment of funds under this Agreement is subject to the Grantee's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to 24 CFR 92.502 and the HOME-ARP Implementation Notice. 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 Grantee without the Grantee's execution of the amendment or other consent. The Grantee agrees that funds invested in HOME-ARP activities under the HOME-ARP Implementation Notice are repayable in accordance with the requirements of the HOME-ARP Implementation Notice. The Grantee 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, as well as the HOME-ARP Implementation Notice.</p> <p>The Grantee must comply with the applicable requirements at 2 CFR part 200, as amended, that are incorporated by the program regulations and the HOME-ARP Implementation Notice, as may be amended from time to time. Where any previous or future amendments to 2 CFR part 200 replace or renumber sections of part 200 that are cited specifically in the program regulations or HOME-ARP Implementation Notice, activities carried out under the grant after the effective date of the 2 CFR part 200 amendments will be governed by the 2 CFR part 200 requirements, as replaced or renumbered by the part 200 amendments.</p> <p>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 I to 2 CFR part 200, and the Federal Funding Accountability and Transparency Act (FFATA) in Appendix A to 2 CFR part 170.</p> <p>Funds remaining in the grantee's Treasury account after the end of the budget period 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 Budget Period.</p>																		
13. For the U.S. Department of HUD (Name and Title of Authorized Official) Rufus Washington, CPD Director		14. Signature 	15. Date 09/20/2021															
16. For the Grantee (Name and Title of Authorized Official) Nicholas G. Rodriguez, Assistant City Manager		17. Signature 	18. Date 09/22/2021															
19. Check one: <input checked="" type="checkbox"/> Initial Agreement <input type="checkbox"/> Amendment #																		
20. Funding Information: <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Source of Funds</th> <th style="text-align: left; border-bottom: 1px solid black;">Appropriation Code</th> <th style="text-align: left; border-bottom: 1px solid black;">PAS Code</th> <th style="text-align: left; border-bottom: 1px solid black;">Amount</th> </tr> </thead> <tbody> <tr> <td>2021</td> <td>861/50205</td> <td>HMX</td> <td>\$3,042,435.00</td> </tr> </tbody> </table>				Source of Funds	Appropriation Code	PAS Code	Amount	2021	861/50205	HMX	\$3,042,435.00							
Source of Funds	Appropriation Code	PAS Code	Amount															
2021	861/50205	HMX	\$3,042,435.00															

21. Additional Requirements: These additional requirements are attached and incorporated into this Agreement. The Grantee agrees to these additional requirements on the use of the funds in 7., as may be amended from time to time by the Secretary.

- a) As of the Federal Award Date, the Grantee may use up to the amount identified in 7.a. of this Agreement for eligible administrative and planning costs in accordance with the HOME-ARP Implementation Notice.
- b) Until the date of HUD's acceptance of the Grantee's HOME-ARP allocation plan, the Grantee agrees that it will not obligate or expend any funds for non-administrative and planning costs, in accordance with the HOME-ARP Implementation Notice.
- c) In accordance with the HOME-ARP Implementation Notice, as of the date of acceptance by HUD of the Grantee's HOME-ARP allocation plan, HUD shall make the amount identified in line 7. of this Agreement available to the Grantee.
- d) If the Grantee does not submit a HOME-ARP allocation plan or if the Grantee's HOME-ARP allocation plan is not accepted within a reasonable period of time, as determined by HUD, the Grantee agrees that all costs incurred and HOME-ARP funds expended by the Grantee will be ineligible costs and will be repaid with non-Federal funds.

22. Special Conditions

HOME-ARP CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the participating jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing pursuant to 24 CFR 5.151 and 5.152.

Uniform Relocation Act and Anti-displacement and Relocation Plan --It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It will comply with the acquisition and relocation requirements contained in the HOME-ARP Notice, including the revised one-for-one replacement requirements. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42, which incorporates the requirements of the HOME-ARP Notice. It will follow its residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the HOME-ARP program.


Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and program requirements.

Section 3 --It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

HOME-ARP Certification --It will use HOME-ARP funds consistent with Section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2) and the CPD Notice: *Requirements for the Use of Funds in the HOME-American Rescue Plan Program*, as may be amended by HUD, for eligible activities and costs, including the HOME-ARP Notice requirements that activities are consistent with its accepted HOME-ARP allocation plan and that HOME-ARP funds will not be used for prohibited activities or costs, as described in the HOME-ARP Notice.


Nicholas Rodriguez (May 17, 2022 17:28 PDT)
Signature of Authorized Official

05/17/2022
Date

Assistant City Manager
Title

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☐ New
☐ Continuation
☒ Revision

* If Revision, select appropriate letter(s):

A: Increase Award

* Other (Specify):

* 3. Date Received:

06/28/2022

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

M21-MP060527

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: City of Pasadena

* b. Employer/Taxpayer Identification Number (EIN/TIN):

96-6000759

* c. UEI:

028900439

d. Address:

* Street1: 100 N. Garfield Ave

Street2:

* City: Pasadena

County/Parish:

* State: CA: California

Province:

* Country: USA: UNITED STATES

* Zip / Postal Code: 91109

e. Organizational Unit:

Department Name:

Housing

Division Name:

Community Development

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Mr.

* First Name:

William

Middle Name:

* Last Name:

Huang

Suffix:

Title: Director

Organizational Affiliation:

* Telephone Number: 626-744-7320

Fax Number:

* Email: whuang@cityofpasadena.net

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

US Department of Housing & Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.239

CFDA Title:

HOME Investment Partnership Act

* 12. Funding Opportunity Number:

14.239

* Title:

HOME Investment Partnership Act

13. Competition Identification Number:

PY21 Action Plan HOME-ARP Amendment

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

HOME-ARP funding for City of Pasadena, CA

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="3,042,435.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="3,042,435.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title: * Telephone Number: Fax Number: * Email:

* Signature of Authorized Representative:


Nicholas Rodriguez (Jun 28, 2022 10:51 PDT)

* Date Signed:

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.


PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

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As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

<p>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</p>  <p>Nicholas Rodriguez (Jun 28, 2022 10:51 PDT)</p>	<p>TITLE</p> <p>Assistant City Manager</p>
<p>APPLICANT ORGANIZATION</p> <p>City of Pasadena</p>	<p>DATE SUBMITTED</p> <p>06/28/2022</p>

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.


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2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
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SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL  Nicholas Rodriguez (Jun 28, 2022 10:51 PDT)	TITLE Assistant City Manager
APPLICANT ORGANIZATION City of Pasadena	DATE SUBMITTED 06/28/2022