

FIRST AMENDMENT
to Tenant Based Rental Assistance Program Contract
between the City of Chula Vista
and
SBCS Corporation

This First Amendment is entered into effective as of July 18, 2023 (“Effective Date”) by and between the City of Chula Vista (“City”) and SBCS Corporation (“Subrecipient”) with reference to the following facts:

RECITALS

WHEREAS, as a U.S. Department of Housing and Urban Development (HUD) entitlement community the City receives an annual allocation of HOME Investment Partnership Program (HOME) federal funds for a variety of housing activities including construction of affordable housing; rehabilitation of affordable housing; acquisition of buildings for affordable housing; homebuyer down payment assistance and counseling; and tenant-based rental assistance; and

WHEREAS, in Fiscal Year 2014-15 (FY14-15) the City of Chula Vista received \$631,125 in HOME funds and designated 10% of such funds for administrative, 15% towards Community Housing Development Organization’s (CHDO’s), and the remaining \$473,343.75 in funds for the Anti-Poverty Strategy of FY14-15; and

WHEREAS, on July 18, 2023 HUD notified the City that of the FY14-15 HOME funds \$85,774.95 was not used and has been carried over into the current fiscal year and reallocated as general entitlement funds with an expenditure deadline of September 30, 2023; and

WHEREAS, based on the allowable uses and the expenditure deadline of the reallocated funds staff has determined the most appropriate and expedient use of such funds is for tenant based rental assistance for low-income families or individuals; and

WHEREAS, the City has an existing contract for a HOME funded Tenant Based Rental Assistant Program with SBCS Corporation, Agreement No. 2022-233 (“Original Contract”) for \$818,597, and therefore desires to amend such Original Contract to add the reallocated \$85,774.95, increasing the amount of the contract to a total of \$904,371.95.

NOW, THEREFORE, in consideration of the above recitals and the mutual obligations of the parties set forth herein, City and Subrecipient agree as follows:

1. The Original Contract is amended as follows: Section IV of the Original Contract, “Compensation”, is amended to replace “\$818,597.00” with “\$904,371.95”.
2. Pursuant to section VII. of the Original Contract, the Term is extended through June 30, 2024.

3. Except as expressly provided herein, all other terms and conditions of the Original Contract shall remain in full force and effect.
4. Each party represents that it has full right, power and authority to execute this First Amendment and to perform its obligations hereunder, without the need for any further action under its governing instruments, and the parties executing this First Amendment on the behalf of such party are duly authorized agents with authority to do so.

(End of page. Signature page is next.)

**SIGNATURE PAGE TO FIRST AMENDMENT
to Tenant Based Rental Assistance Program Contract
between the City of Chula Vista
and
SBCS Corporation**

SBCS CORPORATION

CITY OF CHULA VISTA

BY: _____
KATHRYN LEMBO
PRESIDENT & CEO

BY: _____
MARIA KACHADOORIAN
CITY MANAGER

APPROVED AS TO FORM

BY: _____
Jill D.S. Maland
Lounsbery Ferguson Altona & Peak
Acting City Attorney