



**U.S. Department of Housing and Urban Development**

Buffalo Office  
465 Main Street  
Buffalo, New York 14203-1780  
(716) 551-5755

August 7, 2018

Mr. Bradley Birge  
Community Development Director  
City of Saratoga Springs  
City Hall - 474 Broadway  
Saratoga Springs, NY 12866

Dear Mr. Birge:

SUBJECT: Fiscal Year (FY) 2018 One-Year Annual Action Plan,  
City of Saratoga Springs, New York

The FY 2018 Annual Action Plan submitted by the City of Saratoga Springs has been reviewed by HUD and approved. Based on the approval of the City's Fiscal Year 2018 Plan, I am pleased to transmit to the City of Saratoga Springs a grant agreement in the following amount, for the program year beginning 7/1/2018:

Community Development Block Grant (CDBG) Program  
Project Number B-18-MC-36-0017  
\$314,164.00

In FY 2018 if the City of Saratoga Springs chooses to charge indirect costs to a formula grant pursuant to 2 CFR 200, Subpart E – Cost Principles, we are requesting that you attach a schedule which is outlined in the Special Conditions (b) of the Grant Agreement. 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, and the direct cost base to which the rate is applied.

A primary goal of the Department is to reduce housing discrimination, affirmatively further fair housing through CPD programs and promote diverse, inclusive communities. To that end, we encourage your community to take all measures necessary to ensure compliance with the Fair Housing requirements associated with these funds. A copy of your Annual Action Plan was provided to the Office of Fair Housing and Equal Opportunity for review. Guidance is available on the Department's website at: <https://www.hudexchange.info/programs/affh/>.

Enclosed are three copies of the Funding Approval/Agreement for these programs. In order to update your community's Line of Credit to include your Fiscal Year 2018 grants, it will be necessary for the chief elected official to sign, date, and return two copies of the Agreements to the Buffalo Office. In addition, if there is a need to delete or add individuals authorized to access the Integrated Disbursement and Information System (IDIS), an updated IDIS Access Request form (HUD FORM 27055) needs to be prepared, notarized, and returned to this Office with the Grant


Agreement. Also, if there is 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) must be completed by you and your financial institution and mailed to this Office. *Please include the DUNS number as well as the grant number on the SF-1199A.*

Environmental requirements found in 24 CFR Part 58 may apply in carrying out eligible activities in the City's plan. In instances where such requirements are applicable, the City is not authorized to obligate or otherwise incur costs for any grant activities for which a release of funds is required, until the City has completed the requisite environmental review, has followed the appropriate procedures for submitting a "Request for Release of Funds" (HUD form 7015.15), and HUD has issued the "Authority to Use Grant Funds" (HUD form 7015.16).

You now have the option to submit your "Request for Release of Funds" electronically. HUD's Office of Environment and Energy has developed an online system, HUD Environmental Review On-Line System (HEROS), for developing, documenting, and managing environmental reviews. It covers all levels of environmental reviews for both Part 50 and Part 58 projects and includes on-screen guidance for completing HUD environmental reviews. Guidance can be found at this website: <https://www.hudexchange.info/heros/>.

We look forward to working with the City of Saratoga Springs to accomplish the goals and objectives of your community development programs. If you have any questions regarding this matter, please contact Lambros Touris, Community Planning and Development Representative, on 716-551-5755, extension 5810 or at [lambros.j.touris@hud.gov](mailto:lambros.j.touris@hud.gov).

Sincerely,

*for*   
William T. O'Connell  
Director  
Community Planning and  
Development Division

Enclosure



# Funding Approval/Agreement

Title I of the Housing and Community  
Development Act (Public Law 930383)  
HI-00515R of 20515R

U.S. Department of Housing and Urban Development  
Office of Community Planning and Development  
Community Development Block Grant Program

OMB Approval No. 2506-0193  
exp 5/31/2018

|   |   |  |
|---|---|--|
| 1. Name of Grantee (as shown in item 5 of Standard Form 424)<br><b>City of Saratoga Springs, NY</b>                                   | 3a. Grantee's 9-digit Tax ID Number<br>146002423          | 3b. Grantee's 9-digit DUNS Number<br>054520564 |
| 2. Grantee's Complete Address (as shown in item 5 of Standard Form 424)<br><br>City Hall<br>474 Broadway<br>Saratoga Spring, NY 12866 | 4. Date use of funds may begin (mm/dd/yyyy)<br>07/01/2018 |  |
|   | 5a. Project/Grant No. 1<br>B-18-MC-36-0017                | 6a. Amount Approved<br>\$314,164.00            |
|   | 5b. Project/Grant No. 2                                   | 6b. Amount Approved                            |

**Grant Agreement:** This Grant Agreement between the Department of Housing and Urban Development (HUD) and the above-named Grantee is made pursuant to the authority of Title I of the Housing and Community Development Act of 1974, as amended, (42 USC 5301 et seq.). The Grantee's submissions for Title I assistance, the HUD regulations at 24 CFR Part 570 (as now in effect and as may be amended from time to time), and this Funding Approval, including any special conditions, constitute part of the Agreement. Subject to the provisions of this Grant Agreement, HUD will make the funding assistance specified here available to the Grantee upon execution of the Agreement by the parties. The funding assistance specified in the Funding Approval may be used to pay costs incurred after the date specified in item 4 above provided the activities to which such costs are related are carried out in compliance with all applicable requirements. Pre-agreement costs may not be paid with funding assistance specified here unless they are authorized in HUD regulations or approved by waiver and listed in the special conditions to the Funding Approval. The Grantee agrees to assume all of the responsibilities for environmental review, decision making, and actions, as specified and required in regulations issued by the Secretary pursuant to Section 104(g) of Title I and published in 24 CFR Part 58. The Grantee further acknowledges its responsibility for adherence to the Agreement by sub-recipient entities to which it makes funding assistance hereunder available.

|   |  |
|---|--|
| U.S. Department of Housing and Urban Development (By Name)<br>William O'Connell | Grantee Name: The Honorable Meg Kelly      |
| Title<br>CPD Director   | Title: Mayor, City of Saratoga Springs, NY |
| Signature<br><i>for Kenneth R. Naples</i>                                       | Date (mm/dd/yyyy)<br>08/07/2018            |
|   | Signature                                  |
|   | Date (mm/dd/yyyy)                          |

|   |   |   |  |       |
|---|---|---|--|-------|
| 7. Category of Title I Assistance for this Funding Action:<br><br>Entitlement, Sec 106(b) | 8. Special Conditions (check one)<br>None<br>Attached <input checked="" type="checkbox"/> | 9a. Date HUD Received Submission (mm/dd/yyyy)<br>06/22/2018 | 10. check one<br>a. Orig. Funding Approval <input checked="" type="checkbox"/><br>b. Amendment<br>Amendment Number |       |
|   |   | 9b. Date Grantee Notified (mm/dd/yyyy)<br>08/07/2018        |  |       |
|   |   | 9c. Date of Start of Program Year (07/01/2018)              |  |       |
| 11. Amount of Community Development Block Grant   |   | FY (2018)   | FY (2017)  | FY( ) |
| a. Funds Reserved for this Grantee  |   | \$314,140.00  | \$ 24.00   |       |
| b. Funds now being Approved   |   | \$314,140.00  | \$ 24.00   |       |
| Reservation to be Cancelled (11a minus 11b)   |   |   |  |       |

|   |  |
|---|--|
| 12a. Amount of Loan Guarantee Commitment now being Approved<br>N/A  | 12b. Name and complete Address of Public Agency              |
| <b>Loan Guarantee Acceptance Provisions for Designated Agencies:</b><br>The public agency hereby accepts the Grant Agreement executed by the Department of Housing and Urban Development on the above date with respect to the above grant number(s) as Grantee designated to receive loan guarantee assistance, and agrees to comply with the terms and conditions of the Agreement, applicable regulations, and other requirements of HUD now or hereafter in effect, pertaining to the assistance provided it. | 12. Name of Authorized Official for Designated Public Agency |
|   | Title  |
|   | Signature  |

## HUD Accounting use Only

| Batch                         | TAC | Program Y A Reg Area            | Document No. | Project Number   | Category   | Amount      | Effective Date (mm/dd/yyyy) | F |
|-------------------------------|-----|---------------------------------|--------------|------------------|------------|-------------|-----------------------------|---|
|                               | 153 |                                 |              |                  |            |             |                             |   |
|                               | 176 |                                 |              |                  |            |             |                             |   |
|                               |     | Y                               |              | Project Number   |            | Amount      |                             |   |
|                               |     | Y                               |              | Project Number   |            | Amount      |                             |   |
|                               |     |                                 |              | Project Number   |            | Amount      |                             |   |
| Date Entered PAS (mm/dd/yyyy) |     | Date Entered LOCCS (mm/dd/yyyy) | Batch Number | Transaction Code | Entered By | Verified By |                             |   |

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, 2025. The Grantee shall not incur any obligations to be paid with such assistance after September 1, 2025.
- (b) The Recipient shall attach a schedule of its indirect cost rate(s) in the format set forth below to the executed Agreement that is returned to HUD. The Recipient shall provide HUD with a revised schedule when any change is made to the rate(s) described in the schedule. The schedule and any revisions HUD receives from the Recipient shall be incorporated herein and made a part of this Agreement, provided that the rate(s) described comply with 2 CFR part 200, subpart E.

| <u>Administering<br/>Department/Agency</u> | <u>Indirect cost rate</u> | <u>Direct<br/>Cost Base</u> |
|--|---------------------------|-----------------------------|
| _____                                      | _____ %                   | _____                       |
| _____                                      | _____ %                   | _____                       |
| _____                                      | _____ %                   | _____                       |
| _____                                      | _____ %                   | _____                       |
| _____                                      | _____ %                   | _____                       |

Instructions: The Recipient must identify each agency or department of the Recipient that will carry out activities under the grant, the indirect cost rate applicable to each department/agency (including if the de minimis rate is used per 2 CFR §200.414(f)), and the type of direct cost base to which the rate will be applied (for example, Modified Total Direct Costs (MTDC)). Do not include indirect cost rates for subrecipients.

- (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 System for Award Management (SAM.gov), 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 brownfield as defined in the Small Business Liability Relief and Brownfields 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 directly or 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.
- (g) CDBG funds may not be provided to a for-profit entity pursuant to section 105(a)(17) of the Act unless such activity or project has been evaluated and selected in accordance with Appendix A to 24 CFR 570 - "Guidelines and Objectives for Evaluating Project Costs and Financial Requirements." (Source - P.L. 113-235, Consolidated and Further Continuing Appropriations Act, 2015, Division K, Title II, Community Development Fund).