

**AGREEMENT BETWEEN THE COUNTY OF MONTEREY
AND THE CITY OF DEL REY OAKS**

THIS AGREEMENT, entered into the 25th day of May, 2012, by and between the County of Monterey, hereinafter called "County", and the City of Del Rey Oaks, hereinafter called "City", is made with reference to the following facts and circumstances:

RECITALS

WHEREAS, the Federal Department of Housing and Urban Development ("HUD") provides funding through the Community Development Block Grant Program to States and also directly to certain entitlement jurisdictions for economic and community development activities that primarily benefit low and moderate ("low/mod") income individuals;

WHEREAS, the cities of Monterey, Salinas, and Seaside are currently designated as direct entitlement jurisdictions;

WHEREAS, HUD has notified the County that the County, along with interested cities within the County, is eligible to apply to become an direct entitlement Urban County;

WHEREAS, the County has informed the City that the County intends to submit an Urban County application ("Application") to HUD and has invited all non-entitlement cities located in the County to participate in the application;

WHEREAS, on or before May 25, 2012, the City sent the County a letter expressing interest in participating in the HUD Urban County application;

WHEREAS, the County has determined that it will cost approximately \$100,000 to prepare and process the Application and that the costs should be shared with all participating jurisdictions based on their pro rata share of the low/mod population;

WHEREAS, the County and City intend to enter into a Cooperative Agreement; to be executed no later than June 29, 2012, to meet the requirements and purposes of Title I of the Housing and Community Development Act of 1974 ("the Act") with respect to the application for an entitlement grant and to establish the respective rights of the parties to such a grant;

WHEREAS, based on the number of jurisdictions eligible to participate in the application and based upon their low/mod population and other factors, the City hereby commits funding in the amount of One Thousand Five Hundred Dollars (\$1,500) to participate in the Application;

NOW THEREFORE, the County and the City agree as follows:

1. The City will provide the sum of \$1,500 for its pro rata share of the cost of preparing the Application. The primary work components and costs are included in Attachment A.
2. The City's pro rata share of the total cost is based upon a cost of \$100,000. If the cost of preparing the Application exceeds \$100,000, the County shall assume such additional costs.
3. The County will manage the preparation and process of the Application.
4. The County will consult with the City during the preparation of the Application and provide an opportunity for the City to review and comment on the final Application.
5. The County will prepare the required Cooperative Agreement that sets forth the requirements and purposes of the Act with respect to the Application for an entitlement grant and establishes the respective rights of the parties to such a grant.
6. The County will transmit the Cooperative Agreement to the City for approval and execution prior to June 29, 2012.
7. The City retains the discretion to decline to enter into the Cooperative Agreement and ultimately be part of the Application; provided, however, that such a decision shall not relieve the City of its obligation to pay the costs identified in Paragraph 1, above.
8. This Agreement is effective as of the date set forth above.
9. Payment by the City in the amount of \$1,500 constituting payment in full for participation in the application is due on or before July 13, 2012.
10. This Agreement is one of several agreements with various cities in the County, each agreement containing identical terms. The terms of this Agreement may only be amended in writing, and only by a document which contains provisions identical to amendments agreed to by the County and each of the cities which have executed identical versions of this Agreement.

IN WITNESS WHEREOF, the parties hereto executed this agreement:

COUNTY OF MONTEREY

CITY OF DEL REY OAKS

By: _____

By:  _____

Title: _____

Title: City Manager

Date: _____

Date: 5/25/12

Approved as to Form:

By: _____
Kay Reimann,
Senior Deputy County Counsel

Date: _____