



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Grants Management Division

m e m o r a n d u m

TO: Elizabeth H. Tyler, FAICP, Community Development Director

FROM: John A. Schneider, Manager, Grants Management Division

DATE: May 21, 2010

SUBJECT: AN ORDINANCE APPROVING AN AMENDMENT TO A SUBRECIPIENT AGREEMENT BETWEEN THE URBANA HOME CONSORTIUM AND HABITAT FOR HUMANITY OF CHAMPAIGN COUNTY (Homebuilder Blitz Program FY 2006-2007)

Description

Included on the agenda of the May 25, 2010 Community Development Commission meeting is an Ordinance Approving an Amendment to a Subrecipient Agreement between the Urbana HOME Consortium and Habitat for Humanity of Champaign County. The purpose of this Amendment is to extend the current expenditure deadline stipulated in the Subrecipient Agreement with Habitat for Humanity of Champaign County (Habitat) to allow Habitat sufficient time to complete the Homebuilder Blitz Program.

Issues

The issue is if the Community Development Commission (CDC) should forward the ordinance approving the second amendment to the Urbana City Council with a recommendation for approval.

Background

As part of the implementation of the City of Urbana and Urbana HOME Consortium Annual Action Plan FY 2006-2007, the Urbana City Council approved the Habitat Homebuilders Blitz Program Subrecipient Agreement on August 6, 2007. Since the start of the program, Habitat has completed three affordable homes in Urbana. While the project was originally intended to be completed by June 15, 2009, changes in Habitat's administrative staff and lack of ability to locate suitable lots have postponed completion of the two remaining homes.

In order to expend monies allocated to the project for the two upcoming affordable housing unit projects to be located at 1405 and 1405½ West Beslin, Urbana, Habitat has requested an extension of the deadline specified in the Subrecipient Agreement to September 30, 2010. This should allow

Habitat sufficient time to complete the construction of homes on the properties and close out the projects. The families have been selected for each of the homes, and Habitat staff are ready to begin construction on the projects.

Options

1. Forward the Ordinance to City Council with a recommendation for approval.
2. Forward the Ordinance to City Council with a recommendation for approval with suggested changes.
3. Do not recommend that City Council approve the Ordinance.

Fiscal Impacts

There are no fiscal impacts incurred with the passing of this Ordinance. Funding for this project was budgeted in the *City of Urbana and Urbana HOME Consortium Annual Action Plan FY 2006-2007* and has been carried over to the current fiscal year budget.

Recommendation

Staff recommends that the Community Development Commission forward the Ordinance to the Urbana City Council with a recommendation for approval.

Memorandum Prepared By:

Jen Gonzalez
HOME Grant Coordinator
Grants Management Division

Attachments:

1. AN ORDINANCE APPROVING AN AMENDMENT TO A SUBRECIPIENT AGREEMENT BETWEEN THE URBANA HOME CONSORTIUM AND HABITAT FOR HUMANITY OF CHAMPAIGN COUNTY (Homebuilders Blitz Program FY 2006-2007)
2. AN AMENDMENT TO A SUBRECIPIENT AGREEMENT BETWEEN THE URBANA HOME CONSORTIUM AND HABITAT FOR HUMANITY OF CHAMPAIGN COUNTY (Homebuilders Blitz Program FY 2006-2007)

ORDINANCE NO. _____

AN ORDINANCE APPROVING AN AMENDMENT TO A SUBRECIPIENT AGREEMENT BETWEEN THE URBANA HOME CONSORTIUM AND HABITAT FOR HUMANITY OF CHAMPAIGN COUNTY

(Homebuilder Blitz Program FY 2006-2007)

WHEREAS, on August 6, 2007, the Urbana City Council passed Ordinance No. 2007-08-092, an Ordinance Approving and Authorizing Execution of an Urbana HOME Consortium Subrecipient Agreement (Habitat for Humanity of Champaign County, Homebuilder Blitz Program, FY 2006-2007); and

WHEREAS, the City Council of the City of Urbana, Illinois, has found and determined that execution of the attached amendment to a subrecipient agreement is desirable and necessary to carry out one of the corporate purposes of the City of Urbana, to wit: implementation of Strategies and Objectives to Address the Affordable Housing Needs of Low and Moderate Income Households described in the *City of Urbana and Urbana HOME Consortium Consolidated Plan for Program Years 2005-2009 and the City of Urbana HOME Consortium FY 2010-2014 Consolidated Plan*.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That an amendment to a subrecipient agreement between the Urbana HOME Consortium and Habitat for Humanity of Champaign County (Homebuilders Blitz Program FY 2006-2007), in substantially the form of the copy of said Amendment attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is authorized to attest to said execution of said Amendment as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED by the City Council this _____ day of _____,
_____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,
_____.

Laurel Lunt Prussing, Mayor

AN AMENDMENT TO A SUBRECIPIENT AGREEMENT BETWEEN THE URBANA HOME CONSORTIUM AND HABITAT FOR HUMANITY OF CHAMPAIGN COUNTY

(Homebuilder Blitz Program FY 2006-2007)

This Amendment is made this ____ day of _____, 2010, between the CITY OF URBANA, and Illinois Municipal Corporation, acting as lead entity for the Urbana HOME Consortium (hereinafter the “GRANTOR”), and **Habitat for Humanity of Champaign County**, an Illinois Not-For-Profit Organization (hereinafter “DEVELOPER”).

WITNESSETH:

WHEREAS, the City of Urbana, the City of Champaign, and Champaign County have been jointly designated as a Participating Jurisdiction by the U.S. Department of Housing and Urban Development (hereinafter “HUD”) for purposes of receiving HOME Investment Partnerships (hereinafter “HOME”) Program funds in the name of the Urbana HOME Consortium under provision of Title II of the Cranston-Gonzales National Affordable Housing Act of 1990, as amended (42 U.S.C 12701 et seq.) (hereinafter the “National Affordable Housing Act”); and

WHEREAS, the Urbana HOME Consortium has received HOME Program funds from HUD for period beginning July 1, 2006 ending June 30, 2007 to increase affordable housing opportunities for low-income residents of Urbana, Champaign, and unincorporated Champaign County; and

WHEREAS, the GRANTOR, as the administrator of the Urbana HOME Consortium, has authority under the provisions of the HOME Program to amend the HOME Agreements; and

WHEREAS, on August 6, 2007 the Urbana City Council passed Ordinance No. 2007-08-092 approving and authorizing execution of the Urbana HOME Consortium Subrecipient Agreement (Urbana HOME Consortium Subrecipient Agreement Habitat for Humanity of Champaign County Homebuilder Blitz Program FY 2006-2007).

WHEREAS, the GRANTOR and the DEVELOPER desire to amend said Agreement to modify and clarify certain conditions,

NOW, THEREFORE, for and in consideration of the agreement and of the mutual covenants herein contained, the parties agree to the following changes to the Agreement:

- 1) The DEVELOPER and GRANTOR agree that ARTICLE I: HOME REQUIREMENTS, Section 8: Disbursement of Funds, is changed as follows:

The GRANTOR reserves the right to withhold disbursement of funds until appropriate documentation is submitted. All monies granted to DEVELOPER pursuant to this AGREEMENT shall be expended by September 30, 2010.

- 2) The DEVELOPER and GRANTOR agree that ARTICLE I: HOME REQUIREMENTS, Section 9: Duration of Agreement, is changed as follows:

This Agreement shall be effective as of the date executed by the Mayor of the City of Urbana and shall remain in effect until the latest of the following dates or events: September 30, 2010; the Grantor's complete and full disbursement of HOME Program funds to DEVELOPER as described in "Attachment 3"; or the final home has been constructed and transferred to subsequent homeowners for use as affordable housing in accordance with 24 CFR Part 92.

All other provisions of said Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, and have caused this instrument to be executed by their duly authorized officials and corporate seals affixed hereto, all on the day and year first above written.

CITY

SUBGRANTEE

By: _____
Laurel Lunt Prussing, Mayor

By: _____

Date: _____

Date: _____

Attest: _____
City Clerk

Attest: _____