

ORDINANCE NO. 2009-04-029

**AN ORDINANCE APPROVING AND AUTHORIZING AN AMENDMENT  
TO AN URBANA HOME CONSORTIUM COMMUNITY HOUSING  
DEVELOPMENT ORGANIZATION AGREEMENT**

**(Ecological Construction Laboratory - Super Energy  
Efficient Home, FY 2007-2008)**

WHEREAS, The City Council of the City of Urbana, Illinois, has found and determined that execution of the attached amendment to a Community Housing Development Organization 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*.

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

Section 1. That an amendment to a Community Housing Development Organization developer agreement between the Urbana HOME Consortium and the Ecological Construction Laboratory (Super Energy Efficient Home FY 2007-2008), in substantially the form of the copy of said Amendment as 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 6th day of April, 2009.

AYES: Bowersox, Gehrig, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



*Phyllis H. Clark*  
Phyllis H. Clark, City Clerk  
*[Signature]*  
Deputy Clerk

APPROVED by the Mayor this 9th day of April, 2009.

*Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor

**A SECOND AMENDMENT TO A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) DEVELOPER AGREEMENT BETWEEN THE URBANA HOME CONSORTIUM AND THE ECOLOGICAL CONSTRUCTION LABORATORY**

(Super Energy Efficient Home FY 2007-2008)

This Amendment is made this 17<sup>th</sup> day of March, 2011, between the CITY OF URBANA, an Illinois Municipal Corporation, acting as lead entity for the Urbana HOME Consortium (hereinafter the "GRANTOR"), and the Ecological Construction Laboratory, 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 Partnership (hereinafter "HOME") Program funds in the name of the Urbana HOME Consortium under provisions 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 the period beginning July 1, 2007 ending June 30, 2008 and beginning July 1, 2008 ending June 30, 2009, to increase affordable housing opportunities for low-income residents of Urbana, Champaign, and unincorporated Champaign County; and

WHEREAS, the City of Urbana (hereinafter CITY), as the administrator of a HOME Program, has authority of the under the provisions of the HOME Program to amend the HOME Agreements; and

WHEREAS, on July 9, 2007 the Urbana City Council passed Ordinance No. 2007-07-067 approving and authorizing the execution of an Urbana HOME Consortium Community Housing Development Organization Agreement (Ecological Construction Laboratory – Super Energy Efficient Home FY 2007-2008).

WHEREAS, on April 6, 2009 the Urbana City Council passed Ordinance No. 2009-04-029 approving and authorizing an amendment to an Urbana HOME Consortium Community Housing Development Organization Agreement (Ecological Construction Laboratory – Super Energy Efficient Home FY 2007-2008).

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 premises and of the mutual covenants and agreements herein contained, the parties agree to the following changes to the Agreement:

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

The GRANTOR agrees to provide the DEVELOPER a total amount not to exceed \$47,836 in HOME Community Housing Development Organization (CHDO) set aside funds from Federal Fiscal Years (FY) 2007-2008 funds in the amount of \$31,000 and FY 2008-2009 funds in the amount of \$16,836 to be used for related development functions and providing downpayment assistance to low- to moderate-income households for homeownership opportunities. The DEVELOPER shall use the Funds in accordance with HOME program guidelines outline in 24 CFR Part 92 in carrying out the PROGRAM in the manner as described below:

- 2) The DEVELOPER and GRANTOR agree that ARTICLE I: HOME REQUIREMENTS, Section 1: Use of HOME Funds, subpart b.) is changed as follows:

b.) The DEVELOPER shall provide the GRANTOR with the updated budget and financial projection for each home from the preliminary budget for the construction of two (2) passive solar homes as provided in "Attachment 3" or in a similar document format as approved by the GRANTOR.

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  
Laurel Lunt Prussing, Mayor

By:

Kathy G.

Date:

3/25/11

Date:

3-25-11

Attest:



Attest:

Connie J. Eldridge

