

RESOLUTION NO. 2003-05-011R

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT
TO PARTICIPATE IN A CHAMPAIGN/URBANA/CHAMPAIGN COUNTY
HOME INVESTMENT PARTNERSHIPS CONSORTIUM
(FY 2004-2006)

WHEREAS, the Congress of the United States has enacted the Cranston-Gonzales National Affordable Housing Act of 1990 (hereinafter the "Act") which created the HOME Investment Partnerships Program (hereinafter the "HOME Program") to provide funds to states and local governments for affordable housing assistance with the flexibility to decide what kind of housing assistance or mix of housing assistance is most appropriate for local needs; and

WHEREAS, general purposes of the HOME Program are: 1) to expand the supply of decent and affordable housing, particularly rental housing, for low- and very low-income Americans; 2) to strengthen the abilities of state and local governments to design and implement strategies for achieving adequate supplies of decent, affordable housing; 3) to provide both financial and technical assistance to participating jurisdictions, including the development of model programs for affordable low-income housing; and 4) to extend and strengthen partnerships among all levels of government and the private sector, including for-profit and non-profit organizations, in the production and operation of affordable housing; and

WHEREAS, the U.S. Department of Housing and Urban Development (hereinafter "HUD") subsequently issued regulations set forth in 24 CFR Part 92 allowing units of general local government to enter into mutual cooperation agreements to form consortia for the purpose of obtaining funding from the HOME Program; and

WHEREAS, the City of Urbana has affordable housing needs as documented in its Consolidated Plan (FY2000-2004) adopted by the Urbana City Council on May 8, 2000 and submitted to HUD on May 11, 2000; and

WHEREAS, the City of Urbana desires to increase affordable housing opportunities for its present and future residents, particularly for very low-income persons and persons with supportive housing needs; and

WHEREAS, the City of Urbana desires to enter into affordable housing development activities which are directed toward the above general purposes, and for those reasons, wishes to seek such federal funding as may be available to it pursuant to the Act; and

WHEREAS, the City of Urbana has determined that continuing joint action with the City of Champaign, and Champaign County is the most effective way to accomplish purposes of the Act and to meet affordable housing goals established in its Consolidated Plan.

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

Section 1. That the Mayor of the City of Urbana is hereby authorized and directed to sign the FY2004-2006 HOME Consortium Cooperation Agreement between the Cities of Champaign and Urbana, and the County of Champaign, a copy of which said consortium agreement is attached hereto and incorporated herein by reference, and to cooperate with the City of Champaign, and Champaign County in the implementation of the HOME Program.

Section 2. That the Mayor of the City of Urbana be directed and authorized to submit the FY2004-2006 HOME Consortium Cooperation Agreement to the U.S. Department of Housing and Urban Development, including all necessary certifications, understandings, and assurances required.

Section 3. That the City Clerk of the City of Urbana is hereby authorized and directed to file a certified copy of this resolution with the

U.S. Department of Housing and Urban Development, the City Clerk of the City of Champaign, and the County Clerk of Champaign County.

Section 4. Upon adoption by the City of Champaign, the City of Urbana, and Champaign County, the said HOME Investment Partnerships Consortium Agreement will supercede a HOME Investment Partnerships Consortium Agreement dated July 27, 2000.

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

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

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

Tod Satterthwaite, Mayor

**HOME Investment Partnerships
Consortium Agreement**

THIS AGREEMENT entered into this ____ day of _____, 2003, by and between Champaign County, a body politic and corporate of the State of Illinois (the "County"), the City of Champaign, an Illinois municipal corporation, and the City of Urbana, an Illinois municipal corporation (the Municipalities").

WITNESSETH:

WHEREAS, the United States Congress has enacted the Cranston-Gonzalez National Affordable Housing Act, as amended (42 U.S.C. 12701 *et seq.*) ("the Act") providing federal financial assistance for the support of affordable housing as identified in Title II--Investment in Affordable Housing of HOME Investment Partnerships Act; and

WHEREAS, the Act makes possible the allocation of funds to the County and Municipalities for the purpose of undertaking affordable housing activities identified in the Act; and

WHEREAS, the County and the Municipalities have determined that joint action is the most effective way to accomplish the purposes of said Act; and

WHEREAS, the parties to this agreement have conferred upon them the exercise of powers authorized by the Housing Authorities Act (310 ILCS 10/1 *et seq.*).

NOW, THEREFORE, upon the consideration of the mutual promises contained herein and upon the further consideration of the aforementioned recitals it is hereby agreed between the County and the Municipalities hereto:

- A. That the aforementioned recitals are incorporated herein by reference.
- B. That the Urbana HOME Investment Partnerships Consortium (the "Consortium") is defined to include as members of the Consortium, Champaign County, the City of Champaign, and the City of Urbana, which authorize and execute this agreement.
- C. That the Municipalities and the County hereby agree to cooperate to undertake and/or to assist in undertaking housing assistance activities in order to alleviate housing problems through the HOME Investment Partnerships Program (hereinafter referred to as the HOME Program) in cooperation with the Consortium.
- D. That the Municipalities hereby authorize the City of Urbana to act in a representative capacity as the lead entity for the members of the Consortium for purposes of the HOME Program.
- E. That the Municipalities and County agree that the City of Urbana will assume overall responsibility as the lead entity to ensure that the Consortium's HOME Program is carried out in compliance with the requirements of the HOME Program, including requirements

concerning a Consolidated Plan in accordance with HUD regulations in 24 CFR Parts 92 and 91, respectively, and the requirements of 24 CFR 92.350. It is mutually understood that although the City of Urbana is responsible for implementation of the HOME Program, each party is responsible for the implementation of any other funding from federal, state, or local programs which may be identified in the Consolidated Plan as it pertains to the identified needs and priorities of each party. Notwithstanding the foregoing, in no event may the City of Champaign, Champaign County, or the City of Urbana obstruct implementation of the Consortium's approved Consolidated Plan.

- F. That Champaign County and the City of Champaign agree to evidence their consent to participate in the Consortium by providing the City of Urbana with five certified copies of a Resolution from their respective governing bodies stating that their respective Chief Executive Officers are authorized to sign this Consortium Agreement; and
- G. That the signatures of said Chief Executive Officers will be affixed to this Agreement evidencing the willingness of Champaign County and the City of Champaign to participate in the Consortium, and to cooperate in the implementation of the Urbana Consortium for HOME.
- H. That the City of Urbana agrees to evidence its consent to participation in the Consortium by providing Champaign County and the City of Champaign with one certified copy of a Resolution from the governing body of the City of Urbana that the Chief Executive Officer of the City of Urbana is authorized to sign this Consortium agreement; and
- I. That the signature of said Chief Executive Officer will be affixed to this Agreement evidencing the willingness of the City of Urbana to participate in the Consortium.
- J. Further, that a copy of this Consortium Agreement signed by the Chief Executive Officer of the City of Urbana will be provided to Champaign County and the City of Champaign.
- K. That the County and the Municipalities agree to affirmatively further fair housing; and
- L. That the term of this Agreement is for a period of not less than the period necessary to carry out all activities that will be funded from funds awarded for the Federal Fiscal Years 2004, 2005, and 2006 (commencing October 1, 2003 ending September 30, 2006); that this Agreement remains in effect until the HOME funds from each of Federal Fiscal Years 2004, 2005, and 2006 are closed out pursuant to 24 CFR 92.507; and that none of the signatories to this Agreement may withdraw from the Consortium while this Agreement remains in effect.
- M. That this Agreement will be automatically renewed for successive three-year consortia qualification periods, after the three-year period specified in Section L above, provided that:
 - 1. The City of Urbana shall notify the City of Champaign and Champaign County in writing, in accordance with applicable HUD consortia designation notices, of their right not to participate in successive three-

year qualification periods, including any amendments required in accordance with Section N, below, and the City of Urbana submits copies of said written notice to HUD by the date specified in HUD's Consortia Qualification Notice applicable for a subsequent three-year consortia qualification period; and

2. None of the Consortium Members, upon receiving said notice, decide to be removed from the consortium by exercising their right not to participate.

- N. That the parties hereto agree to adopt any amendment to this Agreement or the Consortium Agreement incorporating changes necessary to meet the requirements for cooperation agreements set forth in HUD's Consortia Qualification Notice applicable for a subsequent three-year consortia qualification period; that City of Urbana shall submit said amendment to HUD as specified in the Consortium Qualification Notice; and that failure to comply will void the automatic renewal of this Agreement.
- O. That the program year start date for the Consortium is July 1, 2004 and that all units of general local government that are members of the Consortium are on the same program year for the Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME), Emergency Shelter Grant Program (ESG), and Housing Opportunities for Persons With AIDS Program (HOPWA).
- P. That the parties hereto agree that this Agreement which may be executed in one or more counterparts, each of which shall, for all purposes, be deemed an original and all such counterparts, taken together, shall constitute one and the same Agreement.

IN WITNESS WHEREOF, the undersigned parties have caused this Agreement to be executed by their duly designated officials.

CITY OF URBANA, ILLINOIS

BY: _____
Tod Satterthwaite, Mayor

ATTEST: _____
Phyllis Clark, City Clerk

SEAL:

CITY OF CHAMPAIGN, ILLINOIS

BY: _____
Steve Carter, City Manager

ATTEST: _____
Marilyn Banks, City Clerk

SEAL:

CHAMPAIGN COUNTY, ILLINOIS

BY: _____
Patricia Avery, County Board Chair

ATTEST: _____
Mark Sheldon, County Clerk

SEAL:

**HOME Investment Partnerships
Consortium Agreement**

THIS AGREEMENT entered into this _____ day of _____, 2000, by and between Champaign County, a body politic and corporate of the State of Illinois (the "County"), the City of Champaign, an Illinois municipal corporation, the City of Urbana, an Illinois municipal corporation, and the Village of Rantoul, an Illinois municipal corporation (the Municipalities").

WITNESSETH:

WHEREAS, the United States Congress has enacted the Cranston-Gonzalez National Affordable Housing Act, as amended (42 U.S.C. 12701 *et seq.*) ("the Act") providing federal financial assistance for the support of affordable housing as identified in Title II--Investment in Affordable Housing of HOME Investment Partnerships Act; and

WHEREAS, the Act makes possible the allocation of funds to the County and Municipalities for the purpose of undertaking affordable housing activities identified in the Act; and

WHEREAS, the County and the Municipalities have determined that joint action is the most effective way to accomplish the purposes of said Act; and

WHEREAS, the parties to this agreement have conferred upon them the exercise of powers authorized by the Housing Authorities Act (310 ILCS 10/1 *et seq.*).

NOW, THEREFORE, upon the consideration of the mutual promises contained herein and upon the further consideration of the aforementioned recitals it is hereby agreed between the County and the Municipalities hereto:

- A. That the aforementioned recitals are incorporated herein by reference.
- B. That the Urbana HOME Investment Partnerships Consortium (the "Consortium") is defined to include as members of the Consortium Champaign County, the City of Champaign, the City of Urbana, and the Village of Rantoul, which authorize and execute this agreement.
- C. That the Municipalities and the County hereby agree to cooperate to undertake and/or to assist in undertaking housing assistance activities in order to alleviate housing problems through the HOME Investment Partnerships Program (hereinafter referred to as the HOME Program) in cooperation with the Consortium.
- D. That the Municipalities hereby authorize the City of Urbana to act in a representative capacity as the lead entity for the members of the Consortium for purposes of the HOME Program.

- E. That the Municipalities and County agree that the City of Urbana will assume overall responsibility as the lead entity to ensure that the Consortium's HOME Program is carried out in compliance with the requirements of the HOME Program, including requirements concerning a Consolidated Plan in accordance with HUD regulations in 24 CFR Parts 92 and 91, respectively, and the requirements of 24 CFR 92.350. It is mutually understood that although the City of Urbana is responsible for implementation of the HOME Program, each party is responsible for the implementation of any other funding from federal, state, or local programs which may be identified in the Consolidated Plan as it pertains to the identified needs and priorities of each party. Notwithstanding the foregoing, in no event may the City of Champaign, Champaign County, Village of Rantoul, or the City of Urbana obstruct implementation of the Consortium's approved Consolidated Plan.
- F. That Champaign County, the City of Champaign, and the Village of Rantoul agree to evidence their consent to participate in the Consortium by providing the City of Urbana with two certified copies of a Resolution from their respective governing bodies stating that their respective Chief Executive Officers are authorized to sign this Consortium Agreement; and
- G. That the signatures of said Chief Executive Officers will be affixed to this Agreement evidencing the willingness of Champaign County, the City of Champaign, and the Village of Rantoul to participate in the Consortium, and to cooperate in the implementation of the Urbana Consortium for HOME.
- H. That the City of Urbana agrees to evidence its consent to participation in the Consortium by providing Champaign County, the City of Champaign, and the Village of Rantoul with one certified copy of a Resolution from the governing body of the City of Urbana that the Chief Executive Officer of the City of Urbana is authorized to sign this Consortium agreement; and
- I. That the signature of said Chief Executive Officer will be affixed to this Agreement evidencing the willingness of the City of Urbana to participate in the Consortium.
- J. Further, that a copy of this Consortium Agreement signed by the Chief Executive Officer of the City of Urbana will be provided to Champaign County, the City of Champaign, and the Village of Rantoul.
- K. That the County and the Municipalities agree to affirmatively further fair housing; and
- L. That the term of this Agreement is for a period of not less than the period necessary to carry out all activities that will be funded from funds awarded for the Federal Fiscal Years 2001, 2002, and 2003 (commencing October 1, 2000 ending September 30, 2003); that this Agreement remains in effect until the HOME funds from each of Federal Fiscal Years 2001, 2002, and 2003 are closed out pursuant to 24 CFR 92.507; and that none of the signatories to this Agreement may withdraw from the Consortium while this Agreement remains in effect.

- M. That the program year start date for the Consortium is July 1, 2001 and that all units of general local government that are members of the Consortium are on the same program year for the Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME), Emergency Shelter Grant Program (ESG), and Housing Opportunities for Persons With AIDS Program (HOPWA).
- N. That the parties hereto agree that this Agreement which may be executed in one or more counterparts, each of which shall, for all purposes, be deemed an original and all such counterparts, taken together, shall constitute one and the same Agreement.

IN WITNESS WHEREOF, the undersigned parties have caused this Agreement to be executed by their duly designated officials.

CITY OF URBANA, ILLINOIS

CHAMPAIGN COUNTY, ILLINOIS

BY: _____
Mayor

BY: _____
County Board Chairman

ATTEST: _____
City Clerk

ATTEST: _____
County Clerk

SEAL:

SEAL:

CITY OF CHAMPAIGN, ILLINOIS

VILLAGE OF RANTOUL, ILLINOIS

BY: _____
City Manager

BY: _____
Village Board Chairman

ATTEST: _____
City Clerk

ATTEST: _____
Village Clerk

SEAL:

SEAL: