



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Grants Management Division

m e m o r a n d u m

TO: Elizabeth H. Tyler, AICP, City Planner/Director

FROM: John Schneider, Manager, Grants Management Division

DATE: December 20, 2005

SUBJECT: **Second Amendment to a Neighborhood Organization Grant (NOG)
Subrecipient Agreement (Historic East Urbana Neighborhood Association
Project No. 0405-01)**

Description

Included on the agenda for the December 27, 2005 meeting of the Urbana Community Development Commission is a Second Amendment to the City of Urbana Neighborhood Organization Grant (NOG) Subrecipient Agreement (Historic East Urbana Neighborhood Association Project No. 0405-01). The Amendment would extend the termination date of the agreement for an additional four (4) months.

Issues

The issue is whether the Community Development Commission should recommend approval of the proposed Amendment to the Urbana City Council.

Background

On May 23 2004, the Urbana City Council passed Resolution No. 2004-04-006R approving the City of Urbana and Urbana HOME Consortium Annual Action Plan FY 2004-2005.

The Historic East Urbana Neighborhood Association (HEUNA) was awarded \$1,250 through the Neighborhood Organization Grant (NOG) Program, to be used before June 30, 2005. In the spring of 2005, HEUNA contacted the City of Urbana, requesting that the agreement be amended to extend the termination date from June 30, 2005 to December 31, 2005, to ensure that all funds would be used before the termination deadline.

In the fall of 2005, HEUNA contacted the City of Urbana to request another amendment to the agreement to extend the termination date from December 31, 2005 to April 30, 2006. The extension is being requested because the organization was in the process of purchasing welcome signs for the neighborhood and wants to use the remaining balance of the grant award toward that purchase. Until recently, HEUNA was unaware that placement of the welcome signs in the neighborhood would require approval by City Council.

The Urbana City Council approved the Urbana Public Works design criteria for the welcome signs and approved a Specialty Street Name Sign Policy in September 2005. The Urbana Public Works Department will assist HEUNA with the Council approval process, which will take some additional time to complete. A resolution requesting approval of the sign locations will be added to the agenda for the January 9, 2006 Committee of the Whole, to be forwarded for Council approval at its January 17, 2006 meeting

Options

The Community Development Commission can pursue the following options:

1. Recommend that the Urbana City Council approve the proposed amendment.
2. Recommend that the Urbana City Council approve the proposed amendment, with amendments.
3. Do not recommend that the Urbana City Council approve the proposed amendment.

Fiscal Impacts

Funding for the Neighborhood Organization Grant Programs was identified in the FY2004-2005 Annual Action Plan. This amendment would not have any direct fiscal impact as these monies have been previously budgeted.

Recommendations

Staff recommends that CDC approve the Agreements and forward a favorable recommendation to the Urbana City Council.

Memorandum Prepared By:

Kelly Hartford
Grants Coordinator II
Grants Management Division

Attachments:

Second Amendment to a Neighborhood Organization Grant (NOG) Subrecipient Agreement (Historic East Urbana Neighborhood Association (HEUNA) Project No. 0405-01)

An Ordinance Approving a Second Amendment to a City of Urbana Neighborhood Organization Grant (NOG) Subrecipient Agreement (Historic East Urbana Neighborhood Association (HEUNA) Project No. 0405-01)

SUBRECIPIENT NAME: Historic East Urbana Neighborhood Association (HEUNA)
PROJECT NO. 0405-01

**A SECOND AMENDMENT TO A CERTAIN AGREEMENT
BETWEEN THE CITY OF URBANA AND
HISTORIC EAST URBANA NEIGHBORHOOD ASSOCIATION**

This Agreement is made this _____ day of January, 2006, between the City of Urbana, an Illinois Municipal Corporation (hereinafter referred to as the "City"), and the Historic East Urbana Neighborhood Association (HEUNA), an Illinois Not-For-Profit Organization (hereinafter referred to as the "Subgrantee").

WITNESSETH:

WHEREAS, the City has been designated as an "Entitlement" by the U. S. Department of Housing and Urban Development under provisions of the Housing and Community Development Act of 1974, as amended, and the City has received an entitlement of funds during the period July 1, 2005 - June 30, 2006, pursuant to the Community Development Block Grant Program (hereinafter referred to as the "CDBG Program"); and

WHEREAS, the Urbana City Council has adopted a CDBG Program and budget which authorizes establishment of a Neighborhood Organization Grant (NOG) Program to encourage formation of representative neighborhood-based organizations and to assist such organizations in building capacity to provide services to its constituent residents; and

WHEREAS, the City has the right and authority under said CDBG Program to extend the effective date of CDBG Agreements; and

WHEREAS, on May 3, 2004, the Urbana City Council passed Resolution No. 2004-04-006R approving the City of Urbana and Urbana HOME Consortium Annual Action Plan for Program Year 2004-2005.

WHEREAS, on September 18, 2004, the Urbana City Council passed Ordinance No. 2004-09-121 approving a City of Urbana Community Development Block Grant Agreement with Historic East Urbana Neighborhood Association (HEUNA);

WHEREAS, on July 18, 2005, the Urbana City Council passed Ordinance No. 2005-07-097 approving and authorizing an extension of a City of Urbana Community Development Block Grant Program Agreement (Historic East Urbana Neighborhood Association (HEUNA)); and

WHEREAS, the City and the AGENCY desire to amend said Agreement to clarify certain conditions of said Agreement.

NOW, THEREFORE, for and in consideration of the premises and of the mutual covenants and agreements herein contained, the parties agree as follows.

1. Section 8 of the Agreement is hereby amended to replace the existing Section 8 with a new Section 8 as follows:

The Subgrantee represents to the City that the aforesaid Project shall terminate no later than April 30, 2006.

2. ATTACHMENT B - ASSURANCES, Item 7, is hereby amended to include the following:

- E. Labor Standards. The requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended, Sections 103 & 107 of Contract Work Hours and Safety Standards Act (40 U.S.C. 327 *et seq.*) and all other applicable Federal, state and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this Agreement. The Subgrantee agrees to comply with the Copeland Anti-Kick Back Act (18 U.S.C. 874 *et seq.*) and its implementing regulations of the U.S. Department of Labor at 29 CFR Part 5. The Subgrantee shall maintain documentation that demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to the Grantee for review upon request.
- F. Guidelines for Energy Management / Energy Star. Guidelines have been established regarding energy management using Energy Star and are recommended by both the Dept. Housing & Urban Development and the Illinois Department of Commerce and Economic Opportunity and subgrantees are encouraged to follow these guidelines.
- G. Copyrights. If this contract results in any copyrightable material or inventions, the Grantee and/or grantor agency reserves the right to royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use, the work or materials for governmental purposes.
- H. Patent Rights. Agencies shall use standard patent rights clause specified in "rights to Inventions made by Non-Profit Organizations and Small Business Firms" (37 CFR Part 401), when providing support for research and development.
- I. Clean Air/Clean Water. The Subrecipient agrees to comply with the following requirements insofar as they apply to the performance of this Agreement:
 - a. Clean Air Act, 42 U.S.C. , 7401, *et seq.*;
 - b. Federal Water Pollution Control Act, as amended, 33 U.S.C., 1251, *et seq.*, as amended, 1318 relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder;

c. Environmental Protection Agency (EPA) regulations pursuant to 40 CFR Part 50, as amended.

J. Disbarment & Suspension. Federal agencies shall not award assistance to applicants that are debarred or suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549. Agencies shall establish procedures for the effective use of the List of Parties Excluded from Federal Procurement or Nonprocurement programs to assure that they do not award assistance to listed parties in violation of the Executive Order. Agencies shall also establish procedures to provide for effective use and/or dissemination of the list to assure that their grantees and subgrantees (including contractors) at any tier do not make awards in violation of the nonprocurement debarment and suspension common rule.

3. The CDFA Number for this project is CFDA 14.218 and is incorporated by reference herein.

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: _____

By: _____

Attest: _____

Attest: _____

SEAL

SEAL

ORDINANCE NO. _____

**AN ORDINANCE APPROVING AND AUTHORIZING AN EXTENSION OF
A CITY OF URBANA COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT**

**(Historic East Urbana Neighborhood Association (HEUNA)
Project No. 0405-01)**

WHEREAS, on September 18, 2004, the Urbana City Council passed Ordinance No. 2004-09-121 approving a City of Urbana Community Development Block Grant Agreement with Historic East Urbana Neighborhood Association (HEUNA);

WHEREAS, on July 18, 2005, the Urbana City Council passed Ordinance No. 2005-07-097 approving and authorizing an extension of a City of Urbana Community Development Block Grant Program Agreement (Historic East Urbana Neighborhood Association (HEUNA); and

WHEREAS, the provisions of said Agreement allow for, under appropriate circumstances, extension of the period of time during which the NOG funds may be expended, and

WHEREAS, Community Development staff has determined that such appropriate circumstances exist,

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

Section 1. That the Agreement described herein be extended for a period of four (4) months.

Section 2. That HEUNA may continue to utilize their NOG allocation until April 30, 2006.

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