



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: June 26, 2009

SUBJECT: **AN ORDINANCE APPROVING AN AMENDMENT TO A CITY OF URBANA COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT (Center for Women in Transition, Project No. 0809-AAP-02)**

Description

Included on the agenda for the June 30, 2009 meeting of the Community Development Commission is an ordinance approving an amendment to the City of Urbana Community Development Block Grant (CDBG) Agreement (Center for Women in Transition Project No.0809-AAP-02). The approval of the proposed Amendment would extend the timeline for completing this project from June 30, 2009 to December 31, 2009.

Issues

The issue is whether the Community Development Commission should forward the ordinance approving the proposed amendment to this agreement to the Urbana City Council.

Background

As part of the FY 2008-2009 Annual Action Plan (AAP) process, the Urbana City Council approved Ordinance No. 2008-04-028 approving an agreement with Center for Women in Transition to provide funding for the installation of a new HVAC system at the Evans House, located at 506 East Church, Champaign. In the FY 2008-2009 AAP funds were originally allocated to CWT for two projects, the renovation of a duplex at 304 North Fifth Street and the installation of a new HVAC system at the Evans House (506 East Church, Champaign).

After discovering the requirements associated with the CDBG funding would not be practicable for the Fifth Street house because it was nearly complete, CWT requested that the City amend its Action Plan and allocate all of the funding from both projects to the Evans house project. This action was requested because additional funds would be needed to address rising costs associated with the Evans House HVAC project from the time the project budget was originally estimated.

In a letter dated May 20, 2009, (copy attached) the Center for Women in Transition requested that the City of Urbana consider providing a three-month extension of the agreement for installation of the HVAC system for the Evans House at 506 East Church Street, Champaign. This is due a delay in the construction permit process because the contractor was unaware of the City of Champaign requirement for submittal of plans sealed by a Mechanical Engineer or this project. CWT only became aware of this additional requirement after the contractor had applied for and received a permit for this project.

The contractor was advised of this requirement when they called the City of Champaign to inform them that work was about to commence on the project. CWT is working with an engineering firm to fulfill the additional requirement and will update City of Urbana staff as the project progresses.

Options

1. Forward the Ordinance approving the amendment to the agreement with Center for Women in Transition to the Urbana City Council for approval.
2. Forward the Ordinance approving the amendment to the agreement, with changes, to the Urbana City Council for approval.
3. Do not recommend Council approval of the Ordinance.

Fiscal Impacts

This amendment would not have any direct fiscal impact as these funds have been previously budgeted. Changing the amount of time required for completion of this project will not have a negative impact on the City's required expenditure of CDBG funds, as the project should be completed before the next required timeliness test by HUD.

Recommendations

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

Memorandum Prepared By:

**Kelly Hartford
Grants Coordinator
Grants Management Division**

Attachments:

1. AN ORDINANCE APPROVING AN AMENDMENT TO A CITY OF URBANA COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT (Center for Women in Transition, Project No. 0809-AAP-02)
2. An Amendment to a City of Urbana Community Development Block Grant Agreement (Center for Women in Transition, Project No. 0809-AAP-02)
3. Copy of May 20, 2009 letter from Center for Women in Transition requesting timeline extension.

ORDINANCE NO. _____

AN ORDINANCE APPROVING AN AMENDMENT TO A CITY OF URBANA
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AGREEMENT

(Center for Women in Transition
Project No. 0809-AAP-02)

WHEREAS, on April 21, 2008, the Urbana City Council passed Resolution No. 2008-04-028 approving the City of Urbana and Urbana HOME Consortium Annual Action Plan for Program Year 2008-2009 authorizing certain activities under the Public Facilities and Improvements Program; and

WHEREAS, on February 16, 2009, the Urbana City Council passed Ordinance No. 2009-02-007 amending the City of Urbana and Urbana HOME Consortium Annual Action Plan for Program Years 2006-2007, 2007-2008, and 2008-2009, in which the Mayor of the City of Urbana was designated as the authorized representative of the City of Urbana to take any action necessary in conjunction with said attached amendments, including without limitations, to execute any documents necessary, submittal of the AAP Amendments to the HUD Regional Field Office; and

WHEREAS on May 1, 2009, the Mayor executed an Amendment to the Agreement with the Subgrantee; and

WHEREAS, due to new considerations with regard to the HVAC installation at the Evans House, the City and Center for Women in Transition now desire to make a second amendment to the CDBG Agreement to extend the effective date of the Agreement.

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

Section 1. That the City of Urbana hereby approves AN AMENDMENT TO A CITY OF URBANA COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT (CENTER FOR WOMEN IN TRANSITION PROJECT NO. 0809-AAP-02), a copy of which is attached hereto and incorporated herein by reference.

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 Agreement 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

SUBRECIPIENT NAME: Center for Women in Transition
PROJECT NO. 0809-AAP-02

**A SECOND AMENDMENT TO A CERTAIN AGREEMENT
BETWEEN THE CITY OF URBANA AND CENTER FOR WOMEN IN TRANSITION**

This Agreement is made this _____ day of July, 2009 between the City of Urbana, an Illinois Municipal Corporation (hereinafter referred to as the "City"), and Family Service of Champaign County, 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, 2008 - June 30, 2009, pursuant to the Community Development Block Grant Program (hereinafter referred to as the "CDBG Program"); and

WHEREAS, the Urbana City Council adopted a CDBG Program and budget which authorized funding for the installation of a new HVAC system at the Evans House (506 East Church Street, Champaign); and

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

WHEREAS, on April 21, 2008, the Urbana City Council passed Resolution No. 2008-04-028 approving the City of Urbana and Urbana HOME Consortium Annual Action Plan for Program Year 2008-2009; and.

WHEREAS, on February 16, 2009, the Urbana City Council passed Ordinance No. 2009-02-007 amending the City of Urbana and Urbana HOME Consortium Annual Action Plan for Program Years 2006-2007, 2007-2008, and 2008-2009, which states the Mayor of the City of Urbana is hereby designated as the authorized representative of the City of Urbana to take any action necessary in conjunction with said attached amendments, including without limitations, to execute any documents necessary, submittal of the AAP Amendments to the HUD Regional Field Office, and provision of such additional information as may be required; and

WHEREAS, on May 1, 2009, the City of Urbana entered into an amended agreement with Center for Women in Transition; and

WHEREAS, the City and the AGENCY desire to amend said Amendment to the Agreement a second time 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. Attachment C: Statement of Special Conditions of the Agreement is hereby amended to replace the existing Section 1 with a new Section 1 as follows:

This Agreement is contingent upon Subgrantee operating the Scope of Service herein initially outlined during the period July 1, 2008 - June 30, 2009, now extended during the period July 1, 2009 - September 30, 2009.

2. 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: _____

By: _____

Date: _____

Date: _____

Attest: _____

Attest: _____

Date: _____

Date: _____

SEAL

SEAL