



## 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:** Kelly Mierkowski, Manager, Grants Management Division

**DATE:** May 20, 2016

**SUBJECT:** **A RESOLUTION AMENDING AN URBANA HOME CONSORTIUM  
TENANT BASED RENTAL ASSISTANCE PROGRAM AGREEMENT  
(Community Elements TBRA FY 2012-2013)**

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### **Description**

Included on the agenda of the May 24, 2016 Urbana Community Development Commission meeting is a resolution approving an amendment to the contract committing \$55,000 in HOME Investment Partnership (HOME) funds to Community Elements, Inc. for Tenant-Based Rental Assistance (TBRA) for FY 2012-2013. Community Elements has experienced unanticipated delays in spending the funds, and the agreement is presently set to expire on June 30, 2016. A total of \$13,276.24 remains to be disbursed through the contract, and the amendment extends the agreement by one year, such that it will expire on June 30, 2017.

Continuing this program will further the goals identified in the *City of Urbana and Urbana HOME Consortium Consolidated Plan FY 2015-2019* by continuing to assist special needs populations, particularly persons with mental disabilities.

### **Options**

1. Forward the Resolution Amending an Urbana HOME Consortium Tenant Based Rental Assistance Program Agreement to the Urbana City Council with a recommendation for approval.
2. Forward the Resolution to the Urbana City Council with a recommendation for approval with suggested changes.
3. Forward the Resolution to the Urbana City Council with a recommendation for disapproval.

## **Fiscal Impacts**

The proposed amendment will have no impact on the City General Fund, as the TBRA contract in question solely commits Federal HOME funding. Community Elements expended \$25,685 from the contract in question between March of 2015 and March of 2016. With this expenditure pattern in mind, an additional 12 months should be enough time to expend the remaining TBRA funds from this agreement. HOME regulations prohibit the City from extending the deadline on the TBRA agreement any further than June 30, 2017 due to the 4-year expenditure requirement stipulated by HUD for all committed HOME funds. The original agreement was signed on June 30, 2013.

## **Programmatic Impacts**

Continuing this program will further the goals identified in the *City of Urbana and Urbana HOME Consortium Consolidated Plan FY 2015-2019* by continuing to assist special needs populations, particularly persons with mental disabilities.

## **Recommendation**

Staff recommends that the CDC forward the Resolution Amending an Urbana HOME Consortium Tenant Based Rental Assistance Program Agreement to the Urbana City Council with a recommendation for approval.

Prepared by:



Matthew Rejc  
Community Development Coordinator  
Grants Management Division

### Attachments:

1. A RESOLUTION AMENDING AN URBANA HOME CONSORTIUM TENANT BASED RENTAL ASSISTANCE PROGRAM AGREEMENT (Community Elements TBRA FY 2012-2013)
2. Urbana HOME Consortium Proposed Amendments to the Community Elements TBRA Agreement FY 2012-2013

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AMENDING AN URBANA HOME CONSORTIUM TENANT BASED RENTAL ASSISTANCE PROGRAM AGREEMENT**

**(Community Elements TBRA FY 2012-2013)**

WHEREAS, The City Council of the City of Urbana, Illinois, has found and determined that execution of the attached subrecipient agreement was 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 (Champaign/Urbana/Champaign County) FY 2010-2014 Consolidated Plan*; and

WHEREAS, Circumstances outside the control of the City of Urbana and Urbana HOME Consortium have necessitated the extension of the agreement by one year.

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

Section 1. That the Urbana City Council hereby approves the amendment to the Urbana HOME Consortium Subrecipient Agreement with Community Elements, Inc. in substantially the same form as attached hereto.

Section 2. That an Amendment to an Agreement providing \$55,000 in HOME Program funds, for the continuation of Community Elements' Tenant Based Rental Assistance Program, in substantially the form of the copy of said Agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 3. 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

**A RESOLUTION AMENDING AN URBANA HOME CONSORTIUM TENANT BASED RENTAL ASSISTANCE PROGRAM AGREEMENT**

**(Community Elements TBRA FY 2012-2013)**

THIS Amendment is made this \_\_\_\_ day of \_\_\_\_\_, 2016, between the CITY OF URBANA, an Illinois Municipal Corporation, acting as lead entity for the Urbana HOME Consortium (hereinafter the “**GRANTOR**”), and COMMUNITY ELEMENTS, INC., an Illinois Not-For-Profit Organization (hereinafter “**SUBRECIPIENT**”).

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 provisions of Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended (42 U.S.C. 12701 *et seq.*) (herein after the “National Affordable Housing Act”); and

WHEREAS, the Urbana HOME Consortium, CFDA #14.239, has received HOME Program funds from HUD for the period beginning **July 1, 2012**, and ending **June 30, 2013**, 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 HOME Agreement; and

WHEREAS, on March 7, 2011, the Urbana City Council passed Ordinance Number 2001-02-008, an Ordinance Approving Further Modifications to the City of Urbana and Urbana/Champaign/Champaign County HOME Consortium FY 2006-2007, FY 2007-2008, FY 2008-2009 Annual Action Plans (Community Elements TBRA FY 2010-2011), which allocated previously unobligated HOME funds that had been originally allocated to Champaign County; and

WHEREAS, on June 10, 2013, the Urbana HOME Consortium and Community Elements, Inc. executed an agreement dedicating \$55,000 in HOME funds for the purpose of continuing a tenant-based rental assistance (hereinafter “TBRA”) program; and

WHEREAS, the GRANTOR and the SUBRECIPIENT 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 SUBRECIPIENT and the GRANTOR agree that Article I: HOME REQUIREMENTS, Section 8: Request for Disbursement of Funds, is changed as follows:

- a.) COMMUNITY ELEMENTS shall not request disbursement of HOME Program funds until HOME Program funds are needed to pay eligible costs related to the TBRA PROGRAM. The amount of any request for funds shall not exceed the amount needed and shall be supported by appropriate documentation such as an invoice or performance-progress reports. The GRANTOR shall make payment to COMMUNITY ELEMENTS within fourteen (14) calendar days of receipt of a complete and acceptable request by the GRANTOR. The GRANTOR reserves the right to withhold disbursement of funds until appropriate documentation is submitted. All checks shall be made payable to "Community Elements, Inc." All monies granted to COMMUNITY ELEMENTS pursuant to this AGREEMENT shall be expended by **June 30, 2017**. In the event that all funds are not disbursed, the remaining balance shall be retained by the

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.

**GRANTOR:**

**SUBRECIPIENT:**

\_\_\_\_\_  
Laurel Prussing, Mayor

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Attest