CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number_____

Meeting Type: Regular

Meeting Date: 9/25/2014

Action Requested By:
Community Development

Agenda Item Type

Resolution

Subject Matter:

Agreement between the City of Huntsville and Family Services Center, Inc., for HOME Investment Partnership Grant Fund.

Exact Wording for the Agenda:

Resolution authorizing the Mayor to modify contract 13-439 with Family Services Inc., to change property address.

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow
and accomplish and; any other information that might be helpful.

Modification is necessary to change address.

Associated Cost: 0

Budgeted Item: Yes

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: _____

Date: 9/19/14

revised 4/13/2011

ROUTING SLIP
CONTRACTS AND AGREEMENTS

Originating Department: **Community Development** Council Meeting Date: **9/25/2014**

Department Contact: **Scott Erwin** Phone # **256-427-5423**

Contract or Agreement: **Contract**

Document Name: **Modification No. 2 to Resolution No. 13-439 to modify address**

City Obligation Amount:

Total Project Budget:

Uncommitted Account Balance:

Account Number:

Procurement Agreements

Select...	**Select...**

Grant-Funded Agreements

Federal HUD	**Grant Name:** HOME Investment Partnership Grant

Department	Signature	Date
1) Originating		9/19/14
2) Legal		9-24-14
3) Finance		9/24
4) Originating		
5) Copy Distribution		
a. Mayor's office (2 copies)		
b. Clerk-Treasurer (Original & 2 copies)		
c. Legal (1 copy)		

Revised 04/15/2011

RESOLUTION NO. 14-_____

WHEREAS, the City of Huntsville, Alabama, received a grant under Title I of the Housing and Community Development Act of 1974, as amended, from the U.S. Department of Housing and Urban Development (HUD),

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor of the City of Huntsville is hereby authorized, requested and directed to enter into Modification No. 1 to the Agreement between the City of Huntsville, Alabama and Family Services Center, Inc., as adopted by Resolution No. 13-439 on June 13, 2013 for Home Investment Partnership Funds, said modification being substantially similar in words and figures to that document identified as "Modification No. 2 Between the City of Huntsville, Alabama, and Family Services Center as adopted by Resolution No. 13-439 on June 13, 2014 for Home Investment Partnership Funds." consisting of three (3) pages, and the date of September 25,2014, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, an executed copy of said document being permanently kept on file in the Office of the City Clerk-Treasurer of the City of Huntsville.

ADOPTED this the 25th day of September, 2014.

_____
President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 25th day of September, 2014.

_____
Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA)

COUNTY OF MADISON)

Modification No. 2 to the Agreement Between the City of Huntsville and Family Services Center for Home Investment Partnership funds as adopted by Resolution No. 13-439 on June 13, 2013 and modified by Resolution No. 14-157

MODIFICATION NO. 2

THIS MODIFICATION IS MADE TO THE AGREEMENT entitled "Agreement between the City of Huntsville, Alabama and Family Services, Inc.," as referenced above and is entered into on this the 25th day of September, 2014 by and between the City of Huntsville, Alabama (City) and Family Services, Inc. (Agency).

WITNESSETH

WHEREAS the parties mutually desire to amend Agreement No. 13-439 for the purpose of modifying the construction address as required by the U.S. Department of Housing and Urban Development "HOME Final Rule" and also to modify the total HOME funds to be provided.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree to modify the Agreement as follows:

1. Effective September 25, 2014 the Program Description set forth in Section 1., Page 1 of the Agreement is deleted and replaced in its entirety with the following:

> The DEVELOPER shall provide management of a Community Housing Development Organization (CHDO) program that will involve homeownership opportunities for low and moderate-income families that meet HOME program income eligibility criteria. The City shall provide a total of **$151,935.00** in HOME funds for activities associated with the program. Funds shall be expended as described in

President of the City Council of the City of Huntsville, Alabama
Date: September 25, 2014

Part I, Section VI of this Agreement. The DEVELOPER shall receive CHDO Operating funds for eligible operating expenses such as salaries/ benefits, rent/mortgage, utilities and any other HUD approved operating expense related to this project. The City will provide a maximum of **$24,149.00** in HOME funds for CHDO Operating Expenses. The total amount of funds committed under this contract shall not exceed **$176,084.00.**

2. Effective September 25, 2014 the Program Description set forth in Section 3. Part B. of the Agreement is deleted and replaced in its entirety with the following:

> The CITY will provide funds for the construction of One three-bedroom home for a low and moderate income family. The house will be located at 2716 Barbara Drive Huntsville, AL, and the CITY will provide a maximum of **$151,935.00** plus **$24,149.00** in CHDO operating HOME funds for this purpose.

3. Effective September 25, 2014 the Program Description set forth in Part 1. Section V. Sub-Part D. of the Agreement is deleted and replaced with the following:

One 3-bedroom Home	
Acquisition	19,000.00
Demolition	4,000.00
Construction	118,000.00
Legal	2,000.00
Contingency	5935.00
Fees/Services	2,000.00
Total Construction	$151,935.00
CHDO Operating	24,149.00
Total Projected Cost	***176,084.00**

** Cost listed here are estimated, actual cost may transfer line item amounts by up to 10%*

4. All other terms and conditions of the Original Agreement as modified remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have entered into this agreement, consisting of this page and one (2) preceding pages, on the September 25, 2014.

THE CITY OF HUNTSVILLE, ALABAMA

ATTESTED:

By:_____

By:_____
Mayor Tommy Battle

Date: _____

Family Services Center an Alabama Non-Profit Corporation

ATTESTED:

By:_____

By:_____

Its:_____

Date: _____