

RESOLUTION NO. 2012-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK AUTHORIZING AND APPROVING THE FIRST AMENDMENT TO THE AGREEMENT BY AND BETWEEN REBUILDING TOGETHER ROHNERT PARK, INC. DBA REBUILDING TOGETHER ROHNERT PARK/COTATI AND THE CITY OF ROHNERT PARK TO PROVIDE HOME REHABILITATION SERVICES FOR LOW AND VERY LOW INCOME HOMEOWNERS IN ROHNERT PARK

WHEREAS, Rebuilding Together Rohnert Park, Inc. ("Rebuilding Together") has successfully provided home rehabilitation services for low and very low income homeowners in Rohnert Park ("Program") since 2000; and

WHEREAS, Rebuilding Together wishes to continue to assist Rohnert Park homeowners in order to preserve the supply of affordable housing for low- and very-low income residents and enable vulnerable homeowners to remain in their homes living independently and with dignity; and

WHEREAS, Rebuilding Together is experiencing a significant increase in requests for assistance from Rohnert Park homeowners and a funding shortfall requiring increasingly difficult choices when evaluating the merits of each application; and

WHEREAS, Rebuilding Together seeks funding through fundraising activities, individual donations, community partnerships and grants; and

WHEREAS, Rebuilding Together is requesting financial support of Seventy Thousand Dollars (\$70,000) from the City of Rohnert Park ("City") for FY 2012/13 in order to close the funding gap and assist a greater number of homeowners; and

WHEREAS, City wishes to enter into an agreement with Rebuilding Together to provide financial assistance and home rehabilitation services to low and very low income homeowners in Rohnert Park.

WHEREAS, as a result of the passage of AB 1X 26 (the "Dissolution Bill") and AB 1484 (the "Redevelopment Budget Trailer Bill") the only funding source available to provide assistance to Rebuilding Together is the Housing Trust Fund;

WHEREAS, City has established an affordable housing trust fund ("Housing Trust Fund") pursuant to Section 17.07.020(N) of the City's Municipal Code for purposes consistent with Rebuilding Together's Program and activities; and

WHEREAS, there are limited funds available in the Housing Trust Fund to provide assistance to Rebuilding Together and other Community Service Organizations in need of financial assistance in FY 2012/13;

WHEREAS, City wishes to utilize a portion of the funds available in the Housing Trust Fund to provide assistance to Rebuilding Together to preserve the supply of affordable housing for low and very low income homeowners in Rohnert Park;

WHEREAS, City has determined to provide financial assistance to Rebuilding Together in the amount of Twenty-One Thousand Dollars (\$21,000);

WHEREAS, City has determined to provide further assistance of Seven Thousand Nine Hundred and Seventy-Two Dollars (\$7,972) in the event that there are additional funds available to support low and very low income homeowners in need of assistance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park that it does hereby authorize and approve the provision of financial assistance from the Housing Trust Fund in the amount of Twenty-One Thousand Dollars (\$21,000) for FY 2012/13.

BE IT FURTHER RESOLVED by the City Council of the City of Rohnert Park that it does hereby authorize and approve the provision of additional funds in the amount of Seven Thousand Nine Hundred and Seventy-Two Dollars (\$7,972) in the event that those funds become available.

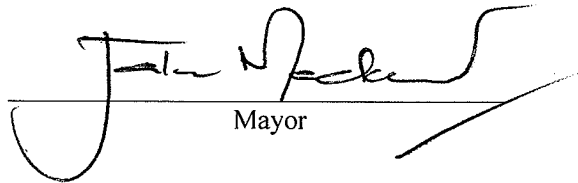
BE IT FURTHER RESOLVED by the City Council of the City of Rohnert Park that it does hereby authorize and approve the City entering into the proposed Agreement by and between the Committee on the Shelterless and the City of Rohnert Park in substantially similar form to the agreement attached hereto as Exhibit "A," subject to minor modifications by the City Manager or City Attorney.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute documents pertaining to same for and on behalf of the City of Rohnert Park.

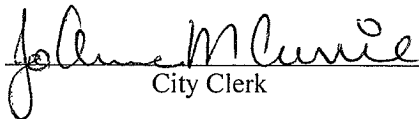
DULY AND REGULARLY ADOPTED this 24th day of July, 2012.



CITY OF ROHNERT PARK


Mayor

ATTEST:


City Clerk

AHANOTU: AYE BELFORTE: AYE CALLINAN: ABSENT STAFFORD: AYE MACKENZIE: AYE
AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)

**FIRST AMENDMENT
TO THE AGREEMENT BY AND BETWEEN
REBUILDING TOGETHER ROHNERT PARK, INC. DBA REBUILDING TOGETHER
ROHNERT PARK/COTATI AND THE CITY OF ROHNERT PARK TO PROVIDE
HOME REHABILITATION SERVICES FOR LOW AND VERY LOW INCOME
HOMEOWNERS IN ROHNERT PARK**

This First Amendment to the agreement by and between Rebuilding Together Rohnert Park, Inc. and the City of Rohnert Park to Provide Home Rehabilitation Services for Low and Very Low Income Homeowners in Rohnert Park ("First Amendment"), dated this _____ day of 2012, is entered into between Rebuilding Together Rohnert Park, Inc., a California non-profit public benefit corporation dba Rebuilding Together Rohnert Park/Cotati (hereinafter referred to as "Rebuilding Together") and the City of Rohnert Park, a municipal corporation (hereinafter referred to as "City") with reference to the following facts and intentions.

WITNESSETH:

WHEREAS, Rebuilding Together has successfully provided necessary repairs to the homes of low and very low income families with children, elderly and/or disabled members in Rohnert Park since 2000; and

WHEREAS, Rebuilding Together wishes to continue to assist Rohnert Park homeowners in order to preserve the supply of affordable housing for low and very low income residents and enable vulnerable homeowners to remain in their homes living independently and with dignity; and

WHEREAS, Rebuilding Together is experiencing a significant increase in requests for assistance from Rohnert Park homeowners and a funding shortfall requiring increasingly difficult choices when evaluating the merits of each application; and

WHEREAS, Rebuilding Together seeks funding through fundraising activities, individual donations, community partnerships and grants; and

WHEREAS, Rebuilding Together is requesting financial support of Seventy Thousand Dollars (\$70,000) from the City for FY 2012/13 in order to close the funding gap and assist a greater number of homeowners; and

WHEREAS, the City wishes to augment the funding Rebuilding Together receives from other sources to assist the growing number of Rohnert Park residents in need of assistance; and

WHEREAS, as a result of the passage of AB 1X 26 (the "Dissolution Bill") and AB 1484 (the "Redevelopment Budget Trailer Bill") the only funding source available to provide assistance to Rebuilding Together is the Affordable Housing Trust Fund;

WHEREAS, City has established an affordable housing trust fund ("Housing Trust Fund") pursuant to Section 17.07.020(N) of the City's Municipal Code for purposes consistent with Rebuilding Together's Program and activities; and

WHEREAS, there are limited funds available in the Affordable Housing Trust Fund to provide assistance to Rebuilding Together and other Community Service Organizations in need of financial assistance in FY 2012/13;

WHEREAS, the City will utilize a portion of the funds available in the Affordable Housing Trust Fund to provide assistance to Rebuilding Together in FY 2012/13;

WHEREAS, the City and Rebuilding Together now desire to enter into this First Amendment to provide for financial assistance as described below.

NOW, THEREFORE, in consideration of the following mutual promises, the parties hereby amend the Agreement as follows:

1. Section III of the Agreement by First Amendment is hereby deleted in its entirety and replaced with the following:

Section III. CITY FINANCIAL ASSISTANCE. City shall pay the City Financial Assistance to Rebuilding Together as follows:

Within (30) days of execution of this Agreement by City, City shall pay Rebuilding Together the sum of Twenty-One Thousand Dollars (\$21,000) to augment the funding Rebuilding Together receives from other sources and to assist the growing number of Rohnert Park residents in need of assistance.

If additional funds are available, Seven Thousand, Nine Hundred and Seventy-Two Dollars (\$7,972) will be released to Rebuilding Together to assist low and very low income homeowners in need of assistance.

2. Section V of the Agreement by First Amendment is hereby deleted in its entirety and replaced with the following:

Section V. TERM. The term of this Agreement, as amended, shall begin on July 1, 2012 and shall continue until a 90-day written notice of termination is issued, or on the date of the expenditure of the total funding commitment amount provided for herein; or upon the termination pursuant to provisions of cause stated within this agreement.

3. Agreement in Effect. Except as amended by this First Amendment, the Agreement shall remain in full force and effect.

4. Counterpart Signatures. This First Amendment may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument or caused the Amendment to be executed by their duly authorized agents this _____ day of _____, 2012.

THE CITY OF ROHNERT PARK

By: _____ Date: _____
City Manager

Per Resolution No. 2012-_____ approved by the City Council of the City of Rohnert Park on the 24th of July, 2012.

Approved as to Form:

By: _____ Date: _____
City Attorney

Attest: _____
City Clerk

REBUILDING TOGETHER ROHNERT PARK, INC.
DBA REBUILDING TOGETHER ROHNERT PARK/COTATI

By: _____ Date: _____
Executive Director