



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		January 9, 2012		
Department:		Planning		
Department Head		Phyllis Jarrell		
Agenda Coordinator (include phone #): Doris Carter, ext. 5350				
CAPTION				
Consideration of a Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of a First Modification to the contract by and between The Samaritan Inn and the City of Plano for Homelessness Prevention Program services in Plano and reallocating unused funds available for this program; authorizing its execution by the City Manager or his designee; and providing an effective date.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2011-12	Prior Year (CIP Only)	Current Year	Future Years
				TOTALS
Budget		0	67,271	0
Encumbered/Expended Amount		0	-43,755	0
This Item		0	-23,516	0
BALANCE		0	0	0
FUND(S): GRANT-CDBG				
COMMENTS: This item, in the amount of \$23,516 will allow additional unutilized funds for public services from the Community Development Block Grant. The \$23,516 in funds are grant carry overs from the 2010-11 budget of unexpended public service funds from two agencies.				
STRATEGIC PLAN GOAL: Reassigning unused funds for public services relates to the City's goal of Partnering for Community Benefit.				
SUMMARY OF ITEM				
This item will modify the City's Homelessness Prevention Program contract with the Samaritan Inn and provide additional funds for public service from the Community Development Block grant. These funds were not expended by other public service agencies during the 2010-11 grant year.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memo				
Resolution				
First Modification of Contract				

M E M O R A N D U M

DATE: December 22, 2011

TO: Bruce D. Glasscock, City Manager
Frank Turner, Deputy City Manager

FROM: Christina Day, Community Services Manager

RE: Homelessness Prevention Program – Samaritan Inn Contract Modification

During the 2010 grant year, two public service agencies left portions of their Community Development Block Grant award unexpended, totaling more than \$23,000. These funds are available to be reallocated to another CDBG program.

In a typical grant year, public service funds are either fully expended by outside agencies or small amounts remain which are easily reprogrammed into the City's homebuyer assistance or housing rehabilitation functions. The City's practice has been to reallocate limited amounts of unexpended funds from outside contracts to other City programs through an administrative process. Administrative reprogramming is allowed for funds that do not qualify as a substantial amendment (less than 25% of the grant) per the Consolidated Plan.

Reallocation of these 2010 funds does not qualify as a substantial amendment, so they can be reprogrammed to an activity without a public hearing process. However, we are bringing this amount to the Council for the following reasons:

1. Demonstrate a Purpose for Reallocation: The City administers one public service activity, the Homelessness Prevention Program, that has consistently expended funds quickly, but not met the high demand for this service. In 2010, the Homelessness Prevention program served 22 households, fully expending the \$38,185 grant amount, within the first two quarters. Plano's poverty level has doubled over the past decade with at least 20,000 people living in poverty as of 2010. The need within the community is compounded by the current economic conditions.
2. Contract Modification: The City subcontracts Homelessness Prevention direct services to The Samaritan Inn, since they have an extensive program with qualified social workers who can effectively serve clients. In order to modify their current contract to add these funds, the City Council must approve the amendment.

Staff recommends reallocating unexpended 2010-11 Community Development Block Grant funds totaling \$23,516 to the Homelessness Prevention program to The Samaritan Inn, consistent with the attached contract modification document. The Samaritan Inn has been compliant in their reporting and has fully expended allocated funds during prior grant years. It is anticipated the program will utilize all available funds prior to the end of this grant year, even with the significant increase.

Staff has consulted with the agency and they are amenable to this modification which would allow them to assist more Plano residents through the Homelessness Prevention program in 2012.

A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of a First Modification to the contract by and between The Samaritan Inn and the City of Plano for Homelessness Prevention Program services in Plano and reallocating unused funds available for this program; authorizing its execution by the City Manager or his designee; and providing an effective date.

WHEREAS, the City Council has been presented a proposed First Modification to the contract by and between The Samaritan Inn and the City of Plano, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "First Modification");

WHEREAS, the City Council previously authorized the City Manager to execute a funding agreement with The Samaritan Inn for the expenditure of U.S. Department of Housing and Urban Development Homelessness Prevention Program funds on October 1, 2011; and

WHEREAS, the City has found The Samaritan Inn compliant with the reporting rules and guidelines established in the funding agreement; and

WHEREAS, the City has determined that The Samaritan Inn is administering their Homelessness Prevention Program in the intent that HUD set forth for the program and is both willing and able to continue their program should more funding be available; and

WHEREAS the City has determined that it is in the best interest of the citizens of Plano that the Homelessness Prevention Program funding agreement with The Samaritan Inn be modified to reallocate the unused funds available for the program to allow more clients to be served; and

WHEREAS upon full review and consideration of the First Modification, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager or his designee shall be authorized to execute it on behalf of the City of Plano.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

SECTION I. - The terms and conditions of the First Modification, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interests of the City of Plano and its citizens, are hereby in all things approved.

SECTION II. - The City Manager, or his designee, is hereby authorized to execute the First Modification and all other documents in connection therewith on behalf of the City of Plano, substantially according to the terms and conditions set forth in Exhibit "A" attached hereto.

SECTION III. This Resolution shall take effect immediately upon its passage.

DULY PASSED AND APPROVED THIS 9TH DAY OF JANUARY, 2012.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

Approved as to form:

Diane C. Wetherbee, CITY ATTORNEY

THE STATE OF TEXAS § **First Modification of Contract**
 § **By and Between City of Plano and**
 § **The Samaritan Inn**
 §
 §
 COUNTY OF COLLIN §

THIS FIRST MODIFICATION OF Contract (hereinafter "**First Modification**") is made and entered into on this the ____ day of _____, 2012, by and between **THE SAMARITAN INN**, a non-profit corporation (hereinafter "Contractor") and the **CITY OF PLANO, TEXAS**, a home rule municipal corporation (hereinafter "City"), acting by and through its City Manager or his designee.

WITNESSETH:

WHEREAS, City and Contractor entered into an Agreement on October 1, 2011 (hereinafter "Agreement") for Homelessness Prevention Program services (hereinafter "Services"); and

WHEREAS, City and Contractor desire to amend such Agreement in certain respects as set forth herein in this First Modification.

NOW THEREFORE, the Agreement is incorporated herein as if written word for word. Except as provided below, all other terms and conditions of the Agreement shall remain unchanged and shall remain in full force and effect. In the event of any conflict or inconsistency between the provisions set forth in this First Modification and the Agreement, priority of interpretation shall be in the following order: First Modification, Agreement. In consideration of the foregoing, and for other good and valuable consideration, the parties hereto agree as follows:

I.

Beginning on the effective date of this Modification and continuing through the remaining term of the Agreement, **Section I. Scope of Services** is hereby modified to read in its entirety as follows:

C. Levels of Accomplishment

<u>Activity</u>	<u>Total Households/Year</u>
Rent and/or Utility Assistance	24
Case Management	24

II.

Beginning on the effective date of this Modification and continuing through the remaining term of the Agreement, **Section IV Payment** is hereby modified to read in its entirety as follows:

It is expressly agreed and understood that the total amount to be paid by the City under this contract shall not exceed **\$67,271**. Drawdowns for the payment of eligible expenses shall be made against the line item budgets specified in **Exhibit A** herein and in accordance with performance. With the submission of original bills with proper documentation for the services described in Section I.B, Activities, the Subrecipient will be reimbursed within 30 days after the Subrecipient has submitted all proper documentation to the City.

ALL REQUESTS FOR FINAL REIMBURSEMENT MUST BE SUBMITTED TO THE CITY WITHIN THREE (3) DAYS AFTER THE LAST DATE OF THE CONTRACT. Payments may be contingent upon certification of the Subrecipient's financial management system in accordance with the standards specified in OMB Circular A-110.

III.

Beginning on the effective date of this Modification and continuing through the remaining term of the Agreement, **Exhibit A** is hereby modified to read in its entirety as follows:

2011 BUDGET: HOMELESSNESS PREVENTION PROGRAM

EXPENSES	AMOUNT
Salary and benefits for case manager and accounting assistant per Exhibit B	\$ 4,271
Rent, Mortgage, and/or Utility Assistance for clients	\$ 63,000
TOTAL	\$ 67,271

IN WITNESS WHEREOF, the parties enter into this First Modification on the date first written above.

THE SAMARITAN INN

By: _____
Jim Malatich
DIRECTOR OF OPERATIONS

CITY OF PLANO, TEXAS

By: _____
Christina Day
COMMUNITY SERVICES MANAGER

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 2012 by Jim Malatich, Director of Operations of **THE SAMARITAN INN**, a non-profit corporation, on behalf of said corporation.

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2012 by Christina Day, Community Services Manager of the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation, on behalf of said corporation.

Notary Public, State of Texas