

AMENDMENT TO INTERLOCAL AGREEMENT TO PROVIDE FY 2005-2006 HOME INVESTMENT PARTNERSHIPS ("HOME") AND/OR LOW INCOME HOUSING TRUST FUND (LIHTF) PROGRAM FUNDS TO THE CITY OF LAS VEGAS

THIS AMENDMENT is entered into this 2nd day of July, 2008, by and between the City of Las Vegas (the "City"), a municipal corporation within the State of Nevada, and the County of Clark (the "County"), a political subdivision of the State of Nevada.

WHEREAS, on March 7, 2006, the County approved the INTERLOCAL AGREEMENT TO PROVIDE FY 2005-2006 HOME INVESTMENT PARTNERSHIPS ("HOME") AND/OR LOW INCOME HOUSING TRUST FUND (LIHTF) PROGRAM FUNDS TO THE CITY OF LAS VEGAS allocating \$4,706,883 in HOME and LIHTF monies to support the City's affordable housing activities; and

WHEREAS, the County, has entered into a grant Agreement with the United States Department of Housing and Urban Development, hereinafter referred to as "HUD," for participation in the Home Investment Partnerships Program, hereinafter referred to as the "HOME Program" under 24 CFR Par 92 as amended; and

WHEREAS, the County, as the Entitlement Grantee for the HOME Program, is responsible for planning, administration, implementation, and evaluation of the program; and

WHEREAS, the County has previously entered into an Interlocal Agreement with the State of Nevada whereby the County will administer certain HOME Program funds allocated to the County by the Housing Division, Department of Business and Industry, State of Nevada (herein "NHD"); and

WHEREAS, the County has previously entered into an Interlocal Agreement with the State of Nevada whereby the County will administer certain Low-Income Housing Trust Fund (LIHTF) money allocated to the County by NHD; and

WHEREAS, on April 18, 2007, the City allocated \$843,000 from its share of HOME funds to Silver State Housing for its Sonoma Palms Senior Apartments; and

WHEREAS, due to timing issues between the fund award to Silver State Housing, the fund agreement deadline for submission and the date of the project's incurred costs, the City determined that it could not reimburse the project's costs; and

WHEREAS, the County has an existing resolution awarding funds to Silver State Housing for the Sonoma Palms Senior Apartments with an approval date that would allow for reimbursement of Silver State Housing's incurred costs previously denied by the City; and

WHEREAS, on May 1, 2008, in consideration for the County increasing its allocation in the amount of \$843,000 to Silver State Housing's Sonoma Palms Senior Apartments, the County requested that the City return \$843,000 of its FY 2005-2006 allocation to the County; and

WHEREAS, pursuant to NRS 277.180 any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform; and

WHEREAS, pursuant to NRS 244.189, a board of county commissioners may exercise such powers not in conflict with the provisions of NRS or other laws or regulations of this state, as the board determines are necessary and proper for the development of affordable housing and rehabilitation of abandoned and rental residential property; and

WHEREAS, the Clark County Board of County Commissioners hereby determines that this Agreement is necessary and proper for the development of affordable housing and rehabilitation of abandoned and rental residential property; and

WHEREAS, the County and the City are individually authorized by law to engage in housing and community development activities;

NOW, THEREFORE, in consideration of the foregoing premises, the Interlocal Agreement is amended as follows:

1. Scope of Services

A. The funds awarded by the March 7, 2006 Interlocal Agreement are reduced by \$843,000, from \$4,706,883 to \$3,863,883. Of the \$843,000, the actual distribution of funds will be as follows: \$446,163 will be funds received from the NHD HOME grant award and \$396,837 will be funds received from the federal HOME award.

B. The County agrees to award \$843,000 from its Consortium funds to Silver State Housing's Sonoma Palms Apartments, increasing its award from \$361,176 to \$1,204,176.

C. All other provisions of the Interlocal Agreement, not inconsistent with this Amendment will remain in effect.

IN WITNESS WHEREOF, the parties hereto have caused this amended Agreement to be signed and intend to be legally bound thereby, this 2nd day of July, 2008.

BOARD OF COUNTY COMMISSIONERS,
CLARK COUNTY, NEVADA



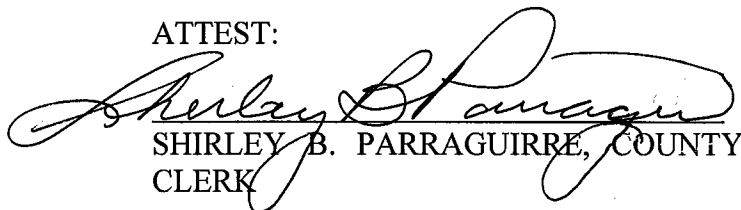
RORY REID, Chairman

CITY COUNCIL OF CITY OF LAS VEGAS



OSCAR B, GOODMAN, Mayor

ATTEST:



SHIRLEY B. PARRAGUIRRE, COUNTY CLERK

APPROVED AS TO FORM:

DAVID ROGER
DISTRICT ATTORNEY

By 
STEVEN SWEIKERT, Deputy District Attorney

ATTEST:



BEVERLY K. BRIDGES, CMC, CITY CLERK

APPROVED AS TO FORM:

BRADFORD R. JERBIC
CITY ATTORNEY

By 
ROBERT S. SYLVAIN, Deputy City Attorney