

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

409



FROM: Community Action Partnership of Riverside County

SUBMITTAL DATE:
2/10/10

SUBJECT: Amendment #9 to the Agreement with City of Riverside for the Sharing Households Assist Riverside's Energy (SHARE) Program

RECOMMENDED MOTION: That the Board of Supervisors approve and:

- 1) Authorize the Chairman of the Board to sign the attached Amendment #9 Agreement between the City of Riverside and the Community Action Partnership of Riverside County (CAP Riverside) for the SHARE Low-Income Utility Bill Assistance Program, increasing administrative funding for FY 2009/2010, not to exceed \$280,786.
- 2) Instruct the Auditor Controller to adjust the budget as identified in the attached Schedule A.

FISCAL PROCEDURES APPROVED
ROBERT E. BYRD, AUDITOR-CONTROLLER
BY: *[Signature]* 2/15/10
SUSANA GARCIA-BOCANEGRA

FORM APPROVED COUNTY COUNSEL
DATE: 2/3/10
BY: *[Signature]*
LARISSA R-MCKENNA

Continued (3 pages total)

[Signature: Lois J. Carson]
Lois J. Carson, CAP, Executive Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$150,000	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ 0	For Fiscal Year:	09/10
SOURCE OF FUNDS: 100% City of Riverside Funds				Positions To Be Deleted Per A-30 <input type="checkbox"/>
				Requires 4/5 Vote <input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *[Signature: Debra Cournoyer]*
Debra Cournoyer

County Executive Office Signature

Policy Policy
Consent Consent

Dept Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: (9/21/99, 3.44)
(12/12/00, 3.22) (7/10/01, 3.46) (7/15/03 3.45)
(9/12/06, 3.49) (10/2/07, 3.46), 6/3/08 (3.51),
7/1/08 (#3.71), 6/16/09 (3.13)

District: 1,2

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.28

FROM: CAP Riverside

DATE: 2/10/10

SUBJECT: Amendment #9 to the Agreement with
City of Riverside for the Sharing Households
Assist Riverside's Energy (SHARE) Program

PAGE: 2 of 3

BACKGROUND:

On September 21, 1999 (Agenda #3.44), December 12, 2000 (Agenda #3.22), July 10, 2001 (Agenda #3.46), July 15, 2003 (Agenda #3.45), September 12, 2006 (Agenda #3.49), October 2, 2007 (Agenda #3.46), June 3, 2008 (Agenda #3.51), July 1, 2008 (#3.71), and June 16, 2009 (#3.13), the Board of Supervisors approved the SHARE Agreement and Amendments to fund and extend the Agreement with the City of Riverside for the term July 1, 1999 through June 30, 2010.

Since 1989, CAP Riverside has administered the SHARE program by identifying eligible customers using the City of Riverside's guidelines, processing client applications and performing other necessary administrative activities. The City of Riverside allocates funding per fiscal year for utility bill (electric and water) and deposit assistance for low-income City of Riverside customers. These funds remain with the City of Riverside who will apply up to \$175 in electric assistance and \$20 for water assistance to the accounts of eligible customers. The City of Riverside provides funding to CAP Riverside for administering the program.

In Amendment #9, the City is allocating an additional \$850,000 for electric utility bill assistance and providing \$150,000 in additional administrative funding for Fiscal Year 2009/2010.

Therefore, the Executive Director of CAP Riverside requests the Board approve Amendment #9 to the SHARE Low-Income Utility Assistance Agreement with the City of Riverside for the term July 1, 2009 to June 30, 2010, not to exceed \$280,786.

FINANCIAL IMPACT: No County General Funds will be required. Of the total \$280,786 in funding, the amount of \$130,786 was budgeted for Fiscal Year 2009/2010. The attached Schedule A reflects the budget adjustment needed to equal the total funding.

CONCUR/EXECUTE: Auditor Controller

LJC:MYJ:KA:jb

FROM: Community Action Partnership
of Riverside County

DATE: 2/10/10

SUBJECT: Amendment #9 to the Agreement
With the City of Riverside for the
Sharing Households Assist Riverside's
Energy (SHARE) Program

PAGE: 3 of 3

SCHEDULE A

Community Action Partnership of Riverside County
Budget Adjustment
Fiscal Year 2009/2010

INCREASE IN APPROPRIATIONS:

CAARC-21050-5200200000-527780	Special Program Expense	\$150,000
-------------------------------	-------------------------	-----------

INCREASE IN EST. REVENUE:

CAARC-21050-5200200000-781360	Other Misc. Revenue	\$150,000
-------------------------------	---------------------	-----------

**NINTH AMENDMENT TO AGREEMENT
FOR USE OF LOW-INCOME UTILITY BILL AND
DEPOSIT ASSISTANCE FUNDS**

THIS NINTH AMENDMENT TO AGREEMENT is made and entered into this _____ day of _____, 2010, by and between THE CITY OF RIVERSIDE, a California charter city and municipal corporation of the State of California (“City”), and the COMMUNITY ACTION PARTNERSHIP OF RIVERSIDE COUNTY, a political subdivision of the State of California, (“Grantee”), to provide low-income City utility customers with utility bill and deposit assistance, with reference to the following:

RECITALS

WHEREAS, the parties hereto entered into the Agreement for Use of Low-Income Utility Bill and Deposit Assistance Funds (“Agreement”) on July 1, 1999, wherein the City agreed to use funds from the Public Benefits Surcharge authorized by AB 1890 (Chapter 854, Statutes of 1996), to assist the City’s low-income utility customers; and

WHEREAS, on January 25, 2001, the City and Grantee entered into a First Amendment to Agreement For Use of Low-Income Utility Bill and Deposit Assistance Funds (“First Amendment”) amending and restating Section 4; and

WHEREAS, on July 25, 2001, the City and Grantee entered into a Second Amendment to Agreement For Use of Low-Income Utility Bill and Deposit Assistance Funds (“Second Amendment”) amending and restating Section 4; and

WHEREAS, on August 12, 2003, the City and Grantee entered into a Third Amendment to Agreement For Use of Low-Income Utility Bill and Deposit Assistance Funds (“Third Amendment”) amending and restating Section 4; and

WHEREAS, on July 25, 2006, the City and Grantee entered into a Fourth Amendment to Agreement For Use of Low-Income Utility Bill and Deposit Assistance Funds (“Fourth Amendment”) amending and restating Section 4; and

WHEREAS, on August 29, 2007, the City and Grantee entered into a Fifth Amendment to Agreement For Use of Low-Income Utility Bill and Deposit Assistance Funds (“Fifth Amendment”) amending and restating Sections 4 and 11; and

WHEREAS, on June 3, 2008, the City and Grantee entered in a Sixth Amendment to Agreement For Use of Low-Income Utility Bill and Deposit Assistance Funds (“Fifth Amendment”) amending and restating Sections 4 and 11; and

WHEREAS, on July 25, 2008, the City and Grantee entered in a Seventh Amendment to Agreement For Use of Low-Income Utility Bill and Deposit Assistance Funds (“Fifth Amendment”) amending and restating Sections 4 and 11; and

WHEREAS, on July 1, 2009, the City and Grantee entered in a Eights Amendment to Agreement For Use of Low-Income Utility Bill and Deposit Assistance Funds (“Fifth Amendment”) amending and restating Sections 4 and 11; and

WHEREAS, although the Ninth Amendment provided for annual funding of \$900,000 for the Program, as well as additional funds of up to \$225,000, these funds have now been depleted and the Parties now desire to provide further low-income assistance, in the amount of \$1,000,000, for the term expiring June 30, 2010.

NOW THEREFORE, the parties hereto mutually agree that the Agreement dated July 1, 1999, is hereby amended as follows:

1. Section 4 is amended and restated as follows:

“The Grantee will provide utility assistance of up to \$175 per eligible low-income client for electric utility services for the benefit of the City’s low-income electric utility customers, and up to \$20 per eligible low-income client for sewer utility services for the benefit of the City’s low-income sewer utility customers.

4.1 For eligible low-income electric utility customers, such assistance will be available on a one-time basis during the 12-month period covered by the Agreement and will be paid directly to the City.

4.2 For eligible low-income sewer utility customers, such assistance will be separately available on a one-time basis during the 12-month period covered by the Agreement and will be paid directly to the City.

4.3 The City will provide to Grantee up to \$1,632,608.69 for low-income electric utility customer assistance and \$267,391.31 to Grantee for administration of the program for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

4.3 The City will provide to Grantee up to \$89,300 for low-income sewer utility customer assistance and \$13,395 to Grantee for administration of the program for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

4.4 Upon agreement of the duly authorized representatives of the City and the Grantee, the low-income electric utility customer assistance may be increased by up to 25% if available funds are depleted.

4.5 The City’s funding of the program will be subject to annual appropriation.”

[Signature page follows]

IN WITNESS WHEREOF, City and Grantee have caused this Ninth Amendment to be duly executed on the day and year first above written. All provisions of the Agreement, and the eight prior Amendments thereto, not inconsistent with this Ninth Amendment shall remain in full force and effect and are hereby incorporated into this Ninth Amendment.

CITY OF RIVERSIDE, a charter city
and municipal corporation

**COMMUNITY ACTION
PARTNERSHIP OF RIVERSIDE
COUNTY**

By: _____
City Manager

By: _____

Title: _____

Attest: _____
Colleen J. Nicol, City Clerk

Attest: _____
County Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:
COUNTY COUNSEL

By: _____
Deputy City Attorney

By: Larisa R-Melick
Larisa R-Melick

Title: Dep. County Counsel