

RESOLUTION NO. 781

A RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF WILSONVILLE AND CLACKAMAS COUNTY FOR A COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR PROGRAM YEARS 1991-1993.

WHEREAS, the city staff has prepared a report on the above captioned subject which is attached hereto as Exhibit "A"; and

WHEREAS, the City Council has duly considered the subject and the recommendation(s) contained in the staff report; and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.


NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES that the City Council of the City of Wilsonville does hereby adopt the staff report attached hereto as Exhibit "A", with the recommendation(s) contained therein and further instructs that action appropriate to the recommendation(s) be taken.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 16th day of July, 1990 and filed with the Wilsonville City Recorder this same date.



JOHN M. LUDLOW, Mayor

ATTEST:



VERA A. ROJAS, CMC, City Recorder

SUMMARY of Votes:

Mayor Ludlow AYE
Councilor Edwards AYE
Councilor Chandler AYE
Councilor Clarke AYE
Councilor Dant AYE

EXHIBIT 'A'

INTERGOVERNMENTAL AGREEMENT

CLACKAMAS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

PROGRAM YEARS 1991 - 1993

This Agreement is entered into between Clackamas County (COUNTY), a political subdivision of the State of Oregon, and the City of Wilsonville (CITY), a municipal corporation of the State of Oregon within Clackamas County, for the cooperation of units of local government under the authority of ORS 190.010.

The circumstances surrounding the making of this Agreement are as follows:

- A. The Congress of the United States has enacted the Housing and Community Development Act of 1974 with amendments made by the Housing and Urban-Rural Recovery Act of 1983 and the Department of Housing and Urban Development has adopted regulations pursuant thereto (hereinafter jointly referred to as the "Act"); and
- B. The Congress has found and declared that the Nation's cities, towns, and small urban communities face critical social, economic, and environmental problems; and
- C. The Congress has further found and declared that the future welfare of the nation and the well being of its citizens depend on the establishment and maintenance of viable urban communities as social, economic, and political entities;
- D. The primary objective of the Act is the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities principally for persons of low and moderate income.
- E. The CITY and the COUNTY desire to provide decent housing and a suitable living environment and to expand economic opportunities principally for persons of low and moderate income through Community Development Block Grant (CDBG) funding pursuant to the Act.
- F. Title I of said Act provides that urban counties may, under some circumstances, receive Community Development Block Grant funds in the same manner as larger cities; and

INTERGOVERNMENTAL AGREEMENT

Page 2

- G. One of the criteria for urban county eligibility is a county population of at least 200,000, not including entitlement cities; and
- H. The COUNTY desires to count the population of the CITY in order to receive CDBG funds; and
- I. The Department of Housing and Urban Development has specified the minimum provisions which must be included within any intergovernmental agreement into which local governments enter to qualify for urban county eligibility;

NOW, THEREFORE, in consideration of the mutual promises made herein and the mutual benefits received hereunder, the parties agree as follows:

1. The CITY and the COUNTY agree to cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities, specifically urban renewal and publicly assisted housing.
2. The CITY authorizes the inclusion of its population for purposes of the Act; and joins together with other units of general local government to qualify the COUNTY as an urban county for Community Development Block Grant funds.
3. The COUNTY has final responsibility for selecting projects and annually filing Final Statements with HUD and assumes all other obligations of an applicant as specified in the Act and the regulations thereunder for Community Development Block Grant activities which will be funded from Federal Fiscal Years' 1991, 1992, and 1993 appropriations and from any program income generated from the expenditure of such funds.
4. The COUNTY is prohibited from funding activities in or in support of the CITY if the CITY does not affirmatively further fair housing within its own jurisdiction or if it impedes the COUNTY's actions to comply with its fair housing certification.
5. Pursuant to 24 CFR 570.501(b) the CITY is subject to the same requirements applicable to subrecipients, including the requirement of a written agreement set forth in 24 CFR 570.503.
6. For the purposes of developing the Three-Year Community Development Plan and Annual Final Statement as required by the Act, the CITY and the COUNTY agree to cooperate in the continuation of the presently established Policy Advisory Board which shall advise the COUNTY on program policies, priorities, and project selection.

INTERGOVERNMENTAL AGREEMENT

Page 3

7. The COUNTY and CITY agree to take all actions necessary to assure compliance with the urban county's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of the Housing and Community Development Act of 1974, and other applicable laws.

8. This agreement shall remain in full force and effect from September 4, 1990 through July 1, 1994, inclusive, provided that the COUNTY qualifies as an urban county under, and block grant funding is allocated to the COUNTY pursuant to, the Act.

INTERGOVERNMENTAL AGREEMENT

Page 4

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement
this _____ day of _____, 1990.

CLACKAMAS COUNTY, OREGON

City of Wilsonville

Michael F. Swanson
Chief Executive Officer

By: 

Mayor

Title

In our opinion, the terms and provisions of this Intergovernmental Agreement are fully authorized under State and local law, and the agreement provides full legal authority for the COUNTY to undertake or assist in undertaking essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing.

Scott Parker, Counsel for Clackamas County, Oregon