

ORDINANCE NO. 70 - 87

BY: Albert Meyer

An Ordinance authorizing the Mayor and Auditor to contract with the Board of County Commissioners, Franklin County, Ohio, on behalf of the City of Bexley, for a community development block grant program and to provide acquisition services therewith, and to declare an emergency.

WHEREAS, pursuant to the provisions of the Housing and Community Development Act of 1974 (Public Law 93-383, 42 U.S.C. 5301), Franklin County, Ohio, is recognized by the U.S. Department of Housing and Urban Development as an urban county and entitled to Community Development Block Grant Program funds for urban counties; and,

WHEREAS, pursuant to the provisions of Section 307.85, Ohio Revised Code, the Board of County Commissioners, Franklin County, Ohio, is authorized to participate in and cooperate with cities and villages in Franklin County in establishing an operative federal program; and,

WHEREAS, pursuant to the provisions of Section 307.15, Ohio Revised Code, the Board of County Commissioners, Franklin County, Ohio, is authorized to enter into agreement with cities and villages in Franklin County whereby it is provided that the Board of County Commissioners, Franklin County, Ohio, exercises powers and performs functions or renders services on behalf of the said cities and villages;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the City of Bexley is located within the geographical boundaries of Franklin County, Ohio.

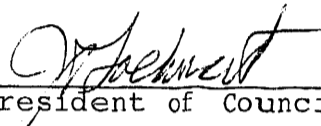
Section 2. That the Mayor and Auditor are hereby authorized and directed on behalf of the City of Bexley to enter into an agreement with the Board of County Commissioners, Franklin County, Ohio, for the purpose of cooperating and participating in the Franklin County Housing and Community Development Program pursuant to the Housing and Community Development Act of 1974 (Public Law 93-383, 42 U.S.C. 5301), and Section 570.105 b 3 (III) Community Development Block Grant Program Rules and Regulations. The agreement as provided herein to be awarded according to the draft identified as exhibit (A) which is attached hereto and is a part hereof.

Section 3. That said agreement for which provisions are made in Section 2 hereof shall provide that pursuant to the provisions of Section 307.15, Ohio Revised Code, the Board of County Commissioners, Franklin County, Ohio, shall provide acquisition services for the City of Bexley leading to the purchase or condemnation of land and structure thereon for the purpose of easement needed in connection with the said Community Development Block Grant Program, titled to said property and easement to be taken in the name of the City of Bexley.

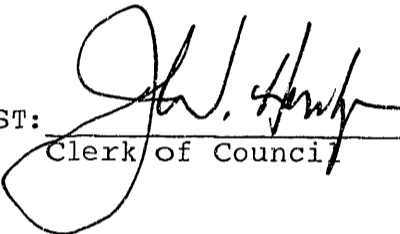
Section 4. That this Ordinance is an emergency Ordinance

necessary for the immediate preservation of the public peace, health and safety, said emergency being the October 31, 1987 filing deadline established by the Board of County Commissioners, and this Ordinance shall go into full force and effect upon its passage and approval by the Mayor.

Passed: October 27, 1987




President of Council

ATTEST: 

Clerk of Council

APPROVED: Oct 27, 1987



David H. Madison
Mayor

Oct. 13, 1987 - 1st reading
Oct. 27, 1987 - 2nd reading
Susp. & Adopt

COOPERATION AGREEMENT
FOR
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
RENEWAL AND EXTENSION
EXHIBIT "A"

WHEREAS, THIS AGREEMENT, MADE AND CONCLUDED AT COLUMBUS, OHIO, THIS
DAY OF _____, 1987, BY AND BETWEEN THE BOARD OF
COUNTY COMMISSIONERS FRANKLIN COUNTY, OHIO, BEING DULY AUTHORIZED IN
THE PREMISES BY THE PROVISIONS OF A RESOLUTION ADOPTED ON _____
_____, HEREINAFTER REFERRED TO AS "BOARD" AND THE CITY/
VILLAGE OF _____ BY _____
ITS _____, OR _____ BEING DULY
AUTHORIZED IN THE PREMISES BY THE PROVISIONS OF RESOLUTION/ORDINANCE
NO. _____ DATED _____, 1987, HEREINAFTER REFERRED TO AS
"CITY/VILLAGE":

NOW THEREFORE, it is hereby agreed by and between the parties hereto,
upon the considerations herein set forth as follows:

1. Board and City/Village will cooperate in the undertaking or assist in the undertaking of essential community development and lower income housing activities, specifically urban renewal and publicly assisted housing, and other essential activities during the next three program years of the Franklin County Community Development Program, all in accordance with the Community Development Block Grant Program Rules and Regulations and the applicable provisions of the Ohio Revised Code, including but not limited to, the Housing and Community Development Act of 1974 (Public law 93-383, 42 U.S.C. 5301), and Section 570.105 b 3 (iii), Community Development Block Grant Program Rules and Regulations.
2. Countywide community development plan, program budget and housing assistance plan and amendments thereto, shall be binding on said Board and City/Village for the fourteenth, fifteenth, and sixteenth program years, which end March 31, 1991 and for such additional time as may be required for the expenditure of funds granted to the county for such period.
3. The Agreement gives the county authority to carry out activities funded from annual CD Block Grants from Federal Fiscal Years 1988, 1989, and 1990 appropriations, and from any program income generated from the expenditure of such funds. The City/Village must inform the county of any program income generated by spending CDBG funds. Said program income must be paid to the county. If any program income is authorized to be retained by the City/Village, it may only be used for eligible activities in accordance with all CDBG requirements.

That the county has the responsibility for monitoring and reporting to HUD on the use of any such program income thereby requiring appropriate record keeping and reporting by the participating unit as may be needed for this purpose; and,

That in the event of close-out or change in status of the participating unit, any program income that is on hand or received subsequent to the close-out or change in status shall be paid to the county.

4. Mid-Ohio Regional Planning Commission is authorized to act by Board and accepted by City/Village as agent of Board in planning, administering, and overall coordinating the program which are the subject of this agreement.
5. Assurances of Compliance previously executed and delivered by the City/Village as the same may be modified from time to time to meet the Community Development Program rules and Regulations, shall remain in effect and are hereby incorporated into and made a part of this agreement as if fully rewritten herein.
6. Franklin County Housing and Community Development Program carried out by Board reflects the needs of the entire county.
7. The following standards shall apply to real property acquired or improved in whole or in part using CDBG funds that is within the control of a participating unit of local government:

The timely notification of the county by the participating unit of local government for any modification or change in the use of the real property from that planned at the time of acquisition or improvement including disposition;

Provision for reimbursing the county in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG funds) of property acquired or improved with CDBG funds that is sold or transferred for a use which does not qualify under the CDBG regulations; and,

Treatment of program income generated from the disposition or transfer of property prior to or subsequent to the close-out, change of status or termination of the cooperation agreement between the county and the participating unit.

8. City/Village is included in the Franklin County Housing and Community Development Program, and is ineligible to apply for grants under the Small Cities or State CDBG Programs during the period in which it is participating in the Entitlement CDBG program with the urban county.

NOW THEREFORE, the Board in consideration of the promises and agreements of City/Village herein set forth, hereby promises and agrees as follows:

1. That it or its agency shall prepare the local portion of the countywide community development plan, program, budget and housing assistance plan based upon information as to needs, objectives, plans, and programs supplied by City/Village, or its agent, pursuant to the applicable rules and regulations governing the Community Development Block Grant Program.
2. Board assumes full responsibility and all obligations for preparation of the application and execution of the program including, but not limited to, the analysis of needs, setting of objectives, development of plans, programs and budgets, and furnishing assurances and certifications. Board is also responsible for the accomplishment of housing assistance goals.
3. Board shall prepare and submit to appropriate Federal Agency the Franklin County Housing and Community Development Program Submission, and assume all related responsibilities as to said submission.
4. Board shall acquire, by purchase or condemnation, land and structures thereon for property or easements needed in connection with the Franklin County Housing and Community Development Program, which is the subject of the agreement, title to said property and easements to be taken in the name of City/Village. Said acquisition procedures shall be accomplished in accordance with applicable provisions of the Uniform Relocation and Real Properties Acquisition Policies Act of 1970 and the Ohio Revised Code.

WHEREAS, in consideration of the promises and agreements of Board herein set forth, hereby promises and agrees as follows:

1. That it will promptly submit to board needs, objectives, plans, and programs for preparation by board of the local portion of the countywide community development plan, program and budget and housing assistance plan.
2. That it will implement plans concerning community development and housing activities prepared by Board, however, shall retain full responsibility and obligations for preparation and implementation of said plans.
3. That it will take all actions with the Board that are 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, Title VIII of the Civil Rights Act of 1968, section 109 of Title I of the Housing and Community Development Act of 1974, and other applicable laws.

Board, however, shall retain primary responsibility for implementing compliance.

IN WITNESS WHEREOF the parties have hereunto set their hands hereof on the day and year first above written by the Board of County Commissioners, Franklin County, Ohio, being the governing body of the said County, and by the City/Village of _____ by _____ its _____ being by a duly enacted Resolution/Ordinance of the governing board of said City/Village.

BOARD OF COUNTY
COMMISSIONERS

Date

Dorothy S. Teater

Jack Foulk

Roger W. Tracy

Date

City/Village

By _____
Chief Executive Officer

The terms and provisions of this agreement are fully authorized under State and Local Law.

Assistant Prosecuting Attorney
Franklin County