



RESOLUTION 2023-063

AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE EXISTING INTERGOVERNMENTAL AGREEMENT WITH WASHINGTON COUNTY FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

WHEREAS, the Community Development Block Grant (CDBG) program was enacted into law by President Gerald Ford, as the centerpiece of the Housing and Community Development Act of 1974; and

WHEREAS, the CDGB program has as its primary objective 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, and

WHEREAS, since 1979, the City of Sherwood, with CDBG funds of approximately \$2,545,117, has provided housing rehabilitation; neighborhood revitalization; addition, expansion, or improvements of community facilities and shelters; and physical redevelopment, and

WHEREAS, in 2014, the City entered into a new Intergovernmental Agreement (IGA) with Washington County, and in 2020 amended said agreement, and

WHEREAS, while the existing agreement contains an automatic renewal clause, HUD's recent requirements necessitate minor changes and clarifications to the legal document; and

WHEREAS, an Amendment to the IGA has been drafted by the County and is attached as Exhibit A to this resolution.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The City Manger is authorized to sign an amendment to the City's Intergovernmental Agreement with Washington County in a form substantially similar to the attached "Exhibit A."

Section 2. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 1st of August, 2023.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

Contract No. _____

INTERGOVERNMENTAL AGREEMENT AMENDMENT NO. 2

This amendment is made and entered into by and between, the City of _____ (City) and Washington County, a political subdivision of the State of Oregon (County).

This amendment modifies that certain Intergovernmental Agreement (IGA) between the parties, the original contract number being _____.

The IGA is amended as follows:

Section II.3 is hereby amended and modified to read as follows:

3. The parties 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, conducted and administered in accordance with Title VI of the Civil Rights Act of 1964 and the implementing regulations at 24 CFR part 1, the Fair Housing Act and the implementing regulations at 24 CFR part 100, and will affirmatively further fair housing (24 CFR 91.225(a) and Affirmatively Furthering Fair Housing Definitions and Certifications (86 FR 30779, June 10, 2021), to be codified at 24 CFR 5.151 and 5.152; section 109 of Title I of the Housing and Community Development Act of 1974 and the implementing regulations at 24 CFR part 6, which incorporates Section 504 of the Rehabilitation Act of 1973, and the implementing regulations at 24 CFR part 8, Title II of the Americans with Disabilities Act and the implementing regulations at 28 CFR part 35, the Age Discrimination Act of 1975 and the implementing regulation at 24 CFR part 146, and Section 3 of the Housing and Urban Development Act of 1968; and other applicable laws. The parties further agree that no urban funding shall be provided to City under this agreement for any activities in or in support of City if City does not affirmatively further fair housing within its own jurisdiction or if City's activities impede the County's actions to comply with the County's fair housing certification.

4. The parties agree that they will not sell, trade, or transfer of all or any portion of the funds to another such city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits, or non-Federal considerations, but must use such funds for activities eligible under Title I of the Act.

CERTIFICATION

The parties by the signatures below certify that the governing body of each party has authorized entry into this Amendment.

In WITNESS, the undersigned parties have executed this Amendment this ____ day of _____, 2023.

All other terms and conditions of the original Agreement shall remain in full force and effect.

WASHINGTON COUNTY

CITY OF _____

Signature

Signature

Printed Name, Title

Printed Name, Title

Date

Date

It is my opinion that the terms and provisions of this Amendment are fully authorized under the State and local law and that the Agreement provides full legal authority for the County to undertake or assist in undertaking essential community renewal and lower income housing assistance activities.



Jacquilyn E. Saito
Senior Assistant County Counsel