

RESOLUTION NO. 14-127

A RESOLUTION OF THE CITY COUNCIL OF PASO ROBLES  
APPROVING AN AMENDMENT TO THE 2015 COOPERATION AGREEMENT BETWEEN  
THE CITY AND COUNTY OF SAN LUIS OBISPO

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WHEREAS, at its meeting of May 5, 2014, the City Council adopted Resolution 14-057 approving a renewed Cooperation Agreement with the County; said Cooperation Agreement sets forth conditions and understandings pertaining to the administration of related Federally-funded programs administered by the U.S. Department of Housing and Urban Development (HUD) including the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and Emergency Solutions Grant (ESG) programs, and to potentially the Housing Opportunities for Persons with AIDS (HOPWA) program; and

WHEREAS, said Cooperation Agreement is to be effective for the period July 1, 2015 through June 30, 2018; and

WHEREAS, HUD has reviewed said Cooperation Agreement and requires that it be amended as follows:

- a. Change the end date for the Agreement as stated in Subsection C of Section I from June 30, 2017 to June 30, 2018 (i.e., to correct a typographical error);
- b. Add a new Subsection "I" under Section IV, Use of Program Funds" that reads as set forth below to comply with requirements of Federal Regulations governing said programs.

"I. The City may not sell, trade, or otherwise transfer all of any portion of CDBG funds to another metropolitan 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."

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso De Robles as follows:

SECTION 1. Ratification of Amendment to Cooperation Agreement.

Pursuant to Federal Regulations 24 CFR 570.501(b), et. seq., the City Council hereby authorizes the Mayor to enter into an amendment to the cooperation agreement, in essentially the form and content of Exhibit "A", with the County to enable joint participation in the Community Development Block Grant (CDBG), Home Investment Partnership Act (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs administered by the U.S. Department of Housing and Urban Development (HUD).

SECTION 2. City Manager authorized to act for City.

The City Manager is hereby authorized to act on behalf of the City in connection with the implementation of the Cooperation Agreement, on-going operation of the CDBG, HOME, ESG,


and HOPWA Programs, and other activities necessary to carry out the intent of the Cooperation Agreement.

SECTION 3. Public Notice.

A summary copy of this resolution, together with the ayes and noes, shall be published at least once in full, within 10 days after its adoption, in a newspaper published and circulated in the City. A copy of the full text of this resolution shall be on file in the office of the City Clerk and shall be available to any interested member of the public.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 16<sup>th</sup> day of September 2014 by the following vote:

AYES: Strong, Hamon, Martin, Steinbeck, Picanco  
NOES:  
ABSENT:  
ABSTAIN:

  
\_\_\_\_\_  
Duane Picanco, Mayor

ATTEST:  
  
\_\_\_\_\_  
Caryn Jackson, Deputy City Clerk

**AMENDMENT NUMBER 1 TO  
A COOPERATION AGREEMENT BETWEEN THE COUNTY OF SAN LUIS  
OBISPO AND THE CITY OF EL PASO DE ROBLES FOR JOINT  
PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM, THE HOME INVESTMENT PARTNERSHIPS PROGRAM, THE  
EMERGENCY SOLUTIONS GRANT PROGRAM, AND THE HOUSING  
OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM FOR FISCAL  
YEARS 2015 THROUGH 2017**

**THIS AGREEMENT** is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between the County of San Luis Obispo, a political subdivision of the State of California, hereinafter called "County"; and the City of El Paso de Robles, a municipal corporation of the State of California, located in the County of San Luis Obispo, hereinafter called "City"; jointly referred to as "Parties."

**WITNESSETH**

**WHEREAS**, in 1974, the U.S. Congress enacted and the President signed a law entitled, The Housing and Community Development Act of 1974, herein called the "Act". Said Act is omnibus legislation relating to federal involvement in a wide range of housing and community development activities and contains eight separate titles; and

**WHEREAS**, Title I of the Act is entitled "Community Development" and governs programs for housing and community development within metropolitan cities and urban counties or communities by providing financial assistance annually for area-wide plans and for housing, public services and public works programs; and

**WHEREAS**, the Community Development Block Grant (CDBG) Program, the HOME Investment Partnerships (HOME) Program, the Emergency Solutions Grant (ESG) Program, and the Housing Opportunities for Persons with AIDS (HOPWA) Program are consolidated under Title I of the Act; and

**WHEREAS**, the County of San Luis Obispo has requested of the federal Department of Housing and Urban Development, hereinafter referred to as "HUD", that the County be designated as an "urban county"; and

**WHEREAS**, the County needs to requalify as an urban county and will be eligible to receive CDBG funds provided that the County's entitled cities defer their entitlement to the County to enable both the County and the entitlement cities to jointly participate in the program; and

**WHEREAS**, the City desires to participate jointly with the County in said program; and

**WHEREAS**, on July 15, 2014, the County and City entered into a Cooperation Agreement (the Original Cooperation Agreement) in order for the County to requalify as an urban county and submitted said cooperation agreement to the U.S. Department of Housing and Urban Development (HUD); and

**WHEREAS**, HUD reviewed said Original Cooperation Agreement and determined that it must be amended to provide for a three year term and to include additional language required by the Transportation, Housing and Urban Development, and Related agencies Appropriations Act, 2014, Public Law 113-76.

**NOW THEREFORE**, in consideration of the mutual promises, recitals and other provisions hereof, the Parties agree as follows:

1. The first sentence of Paragraph C, entitled “**C. Term of Agreement – Automatic Renewal Provision**,” of Section I, entitled “**SECTION I. General**,” of the Original Cooperation Agreement is hereby amended and replaced to read as follows:

The term of this Agreement shall be for a period of three (3) years commencing July 1, 2015 through June 30, 2018.

2. The section entitled “**SECTION IV. Use of Program Funds**” of the Original Cooperation Agreement is hereby amended to add a new section “I” that reads as follows:

I. The City may not sell, trade, or otherwise transfer all or any portion of CDBG funds to another metropolitan 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.

3. All other provisions of the Original Cooperation Agreement not specifically amended herein remain in full force and effect.

**NOW, THEREFORE**, the Parties hereto have caused this Amendment Number 1 to the Cooperation Agreement to be executed and attested by their proper officer thereunder duly authorized, and their official seals to be hereunto affixed, all as of the day first above written.

APPROVED AS TO FORM:

By: \_\_\_\_\_  
\_\_\_\_\_, Deputy County Counsel

Date: \_\_\_\_\_

COUNTY OF SAN LUIS OBISPO

By: \_\_\_\_\_  
Chairperson of the Board of Supervisors

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Julie Rodewald, County Clerk

Date: \_\_\_\_\_

CITY OF EL PASO DE ROBLES

\_\_\_\_\_  
Duane Picanco, Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Caryn Jackson, Deputy City Clerk

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Iris P. Yang, City Attorney

Date: \_\_\_\_\_