



SYRACUSE CITY

Syracuse City Council Special Meeting Agenda

September 9, 2016 – 9:00 a.m.

Electronic Meeting

Large Conference Room – anchor location

Municipal Building, 1979 W. 1900 S.

1. Meeting called to order
Adopt agenda
2. Resolution authorizing the Mayor to execute an amendment to an Interlocal Agreement with Davis County regarding the conduct of the Community Development Block Grant program.
3. Adjourn.

Pursuant to Utah Code Ann. § 52-4-207 and Syracuse Municipal Code § 2.10.030, this will be an electronic meeting, which means that one or more members of the Council will be participating by means of electronic communication. Any members of the public who wish to participate may do so by attending at the anchor location, which will be the Large Conference Room at the Syracuse Municipal Building.

In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 6th day of September, 2016 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examiner on September 6, 2016.

CASSIE Z. BROWN, CMC
SYRACUSE CITY RECORDER



CITY COUNCIL SPECIAL MEETING

September 9, 2016

Agenda Item # 2

Amendment to Interlocal Agreement with Davis County regarding conduct of Community Development Block Grant Program

The attached amendment to a previous agreement with the County is required for the County to continue administering the CDBG program, as well as the HOME and ESG program. The amendment makes the following changes:

- Changes to effective date to match the federal fiscal year, with some correlated text amendments
- Adds HOME Investment Partnership and Emergency Solutions Grants (ESG) Program to the list of programs which the County will exclusively administer, should the City seek access to those funds for projects within the City:
 - o HOME makes federal grants available for strategies to increase home ownership and affordable housing for low-income and very low-income families
 - o The Emergency Solutions Grant Program provides services for those struggling with homelessness
 - o The City may apply to the County for these funds as subrecipients due to the County's designation as an "Urban County." The City would not be eligible to apply for these funds by itself, because it does not meet the definition of a "Metropolitan City."
- Prohibits the City from trading or transferring any CDBG, HOME, or ESG funds to another city or unit of local government. Any funds provided must be spent on eligible activities.
- Both City and County will comply with the provisions of the United States Housing and Community Development Act, Civil Rights Act, Fair Housing Act (including the Rehabilitation Act and Age Discrimination Act).
- Other technical amendments

We are informed that any delays in providing written amendments to the Agreement will stall the County's distribution of nearly \$1 Million of funding for these programs. The County has therefore requested that the City hold a Special Session to approve the amendment and take immediate action.

Questions regarding this item may be referred to Brody Bovero. Technical questions about the amendment may be directed to Paul Roberts.

RESOLUTION R16-40

A RESOLUTION OF THE SYRACUSE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO INTERLOCAL AGREEMENT WITH DAVIS COUNTY REGARDING THE CONDUCT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City and Davis County have previously agreed to mutual obligations as it relates to the administration of federal Community Development Block Grants through an Interlocal Agreement which was authorized by the City Council on July 13, 2010 (the "Agreement"); and

WHEREAS, Davis County is required to make amendments to the Agreement in order to continue providing this service; and

WHEREAS, the City and County are authorized, pursuant to Title, 11, Chapter 13 of the Utah Code, to enter into interlocal agreements for mutually beneficial purposes; and

WHEREAS, the Council finds that execution of this interlocal agreement will be in the best interests of the City and provide for the improved safety and welfare of its residents,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Approval. The Mayor is hereby authorized to execute the amendment to the Interlocal Cooperation Agreement relating to the conduct of Community Development Block Grant Program for Federal Fiscal Years 2011, 2012, and 2013, which amendment is attached as "Exhibit A" and incorporated by this reference. The Agreement's effective date shall be the earliest date on which the Agreement has satisfied the requirements of Title 11, Chapter 13 of the Utah Code.

Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 9th DAY OF SEPTEMBER, 2016.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, CMC
City Recorder

By: _____
Terry Palmer
Mayor

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Anderson	_____	_____
Councilmember Bolduc	_____	_____
Councilmember Gailey	_____	_____
Councilmember Lisonbee	_____	_____
Councilmember Maughan	_____	_____

EXHIBIT "A"

AMENDMENT NO. 1 TO INTERLOCAL COOPERATION AGREEMENT BETWEEN DAVIS COUNTY
AND THE CITY OF SYRACUSE RELATING TO THE CONDUCT OF COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM FOR FEDERAL FISCAL YEARS 2011, 2012 AND 2013 AND SUCCESSIVE
3 YEAR PERIODS THEREAFTER

This Amendment No. 1 to Interlocal Cooperation Agreement between Davis County and the City of Syracuse Relating to the Conduct of Community Development Block Grant Program for Federal Fiscal Years 2011, 2012 and 2013 and Successive 3 Year Periods Thereafter (this "Amendment") is made and entered into by and between Davis County, a body corporate and politic and political subdivision of the state of Utah (the "County"), and the City of Syracuse, a municipal corporation of the state of Utah (the "City"). The County and the City may be collectively referred to in this Amendment as the "Parties."

RECITALS

This Amendment is made and entered into by and between the Parties based, in part, upon the following recitals:

- A. The Parties previously entered into an *Interlocal Cooperation Agreement Between Davis County and the City of Syracuse Relating to the Conduct of Community Development Block Grant Program for Federal Fiscal Years 2011, 2012, and 2013 and Successive 3 Year Periods Thereafter*, dated July 15, 2010 by the City and July 20, 2010 by the County, which is labeled Davis County Contract Nos. 2010-229, 2010-229C, and 2010-229D (the "Cooperation Agreement");
- B. Pursuant to Notice CPD-16-05 (the "Notice") issued by the United States Department of Housing and Urban Development Community Planning and Development ("HUD"), it is necessary for the Cooperation Agreement to be amended in order to satisfy certain requirements set forth in the Notice; and
- C. The Parties, through this Amendment, desire to modify certain terms and/or provisions of the Cooperation Agreement in order to comply with the Notice.

Now, based upon the foregoing, and in consideration of the terms set forth in this Amendment, the Parties do hereby agree as follows:

- 1. Section 1 of the Cooperation Agreement is amended such that the sentence set forth below is the first sentence of Section 1. Section 1 shall otherwise remain the same.**

This interlocal cooperation agreement (the "agreement") covers the CDBG Entitlement program.

2. **The final three sentences of Section 3 of the Cooperation Agreement are omitted in their entirety and replaced with the following:**

By executing the agreement, the City understands that it may: (1) not apply for grants under the State CDBG Program for fiscal years during the period in which it participates in the County's CDBG Program; (2) receive a formula allocation under the HOME Program, if applicable, only through the County; thus, even if the County does not receive a HOME formula allocation, the City cannot form a HOME consortium with other local governments; (3) may receive a formula allocation under the ESG Program, if applicable, only through the County.

3. **The following shall be added to the end of Section 6 of the Cooperation Agreement:**

The City is precluded from selling, trading, or otherwise transferring all or any portion of the funds that it receives from County under the Agreement to another metropolitan city, urban county, unit of general local government, 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 Housing and Community Development Act of 1974, as amended.

4. **The penultimate sentence of Section 7 of the Cooperation Agreement is omitted in its entirety and replaced with the following:**

In addition, the City and the County shall take all actions necessary to assure compliance with the County's certification under Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing, and the City and the County shall comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975, as well as other applicable laws.

5. **Continuing Effect of the Agreement.** Except to the extent specifically modified by this Amendment, the terms and conditions of the Cooperation Agreement shall remain in full force and effect.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties have executed this Amendment in duplicate, each of which shall be deemed an original.

DAVIS COUNTY

John Petroff, Jr., Chair,
Davis County Board of County Commissioners
Date:_____

ATTEST:

Curtis Koch, Davis County Clerk/Auditor
Date:_____

Reviewed and Approved as to Form and Legality:

Davis County Attorney's Office
Date:_____

CITY OF SYRACUSE

Mayor
Date:_____

ATTEST:

City Recorder
Date:_____

Reviewed and Approved as to Form and Legality:

City Attorney
Date:_____