



MAYOR AND COUNCIL COMMUNICATION

DATE: 08/04/2015
CONSENT
ITEM #: 10

AGENDA ITEM: Approve Amendment to Community Development Block Grant Cooperative Agreement
SUBMITTED BY: Clark Schroder, Interim Administrator
THROUGH: Julie Johnson, City Clerk

SUMMARY AND ACTION REQUESTED:

Washington County is requesting the City sign off on an amendment to the CDBG Cooperative Agreement. The Mayor and Interim Administrator have signed the document and delivered it to Washington County in order for the county to be able to deliver the fully executed document to HUD on its due date. Staff is requesting the council formally approve this amendment.

RECOMMENDATION:

If removed from the Consent Agenda, staff recommends the following: *Motion “to approve the Amendment to the Washington County Community Development Block Grant Cooperation Agreement.”*

ATTACHMENT(S):

Amendment to Washington County Community Development Block Grant Cooperation Agreement.

**URGENT – IMMEDIATE
ATTENTION REQUIRED**

July 21, 2015

Re: Amendment to Community Development Block Grant (CDBG) Cooperation Agreement

Dear Participating Community,

Enclosed please find a contract amendment to your agreement with Washington County regarding your participation in the Community Development Block Grant (CDBG) program.

HUD is requiring that we amend this agreement to include the following language:

SPECIAL PROVISIONS

- A. A unit of general local government may not sell, trade, or otherwise transfer all or any portion of such funds to a 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 Housing and Community Development Act of 1974, as amended (see paragraph V.M. of the Notice).

Please have the amendment signed and return *the original* amendment **no later than Monday, July 26th** to:

Karen Brown
Washington County Community Services
14949 62nd Street N, PO Box 30
Stillwater, MN 55082

I will send you a copy of the amendment, with any attachments, once we have all the required signatures. If you have any questions, please contact Angie Shuppert, Community Development Programs Manager at the Washington County HRA at 651.379.9551 or ashuppert@wchra.com

Sincerely,



Sarah Tripple, LSW
Community Services Policy Analyst
Washington County Community Services
14949 62nd St North
Stillwater, MN 55082
651.430.6480 or sarah.tripple@co.washington.mn.us

Enclosure: contract/amendment

Service Center Cottage Grove
13000 Ravine Parkway
Cottage Grove, MN 55016
Phone: 651-430-4159
Fax: 651-430-4157

Service Center Forest Lake
19955 Forest Road N
Forest Lake, MN 55025
Phone: 651-275-7260
Fax: 651-275-7263

Government Center
14949 62nd St N P.O. Box 30
Stillwater, MN 55082-0030
Phone: 651-430-6455
Fax: 651-430-6605

Service Center Woodbury
2150 Radio Drive
Woodbury, MN 55125
Phone: 651-275-8650
Fax: 651-275-8682

**AMENDMENT NUMBER ONE
AGREEMENT #1136
WASHINGTON COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
COOPERATION AGREEMENT**

This Amendment Number One is entered into by and between the County of Washington, State of Minnesota, 14949 62nd Street North, P.O. Box 30, Stillwater, MN 55082, hereafter referred to as the "County" and City of Lake Elmo, hereinafter referred to as the "Cooperating Community", is to amend CDBG Contract #1136.

WHEREAS, Title II of the Cranston – Gonzales National Affordable Housing Act of 1990 (42 U.S.C. 12701 et seq. as amended) provides for a program known as the HOME Investment Partnership Program; and

WHEREAS, Washington County, Minnesota qualifies under said law as a member of the HOME Consortium formed by Anoka, Dakota, Ramsey and Washington Counties, and the Cities of Coon Rapids in Anoka County and Woodbury in Washington County; and

WHEREAS, part 92 of Title 24 of the Code of Federal Regulations sets forth regulations governing the applicability and use of funds under Title II; and

WHEREAS, the governing regulations require that units of local government enter into a cooperation agreement with the County for participation in the HOME Program, which shall be the same cooperation agreement participation in the Community Development Block Grant Program; and

WHEREAS, a unit of general local government is restricted from selling, trading or otherwise transferring such funds; and

NOW, THEREFORE, the parties mutually agree to amend Washington County Community Development Block Grant (CDBG) Cooperation Agreement, Contract #1136 as follows:

1. Section I.A. shall hereby deleted and restated to read:

"The Acts" means the Housing and Community Development Act of 1974, Title I, of Public Law 93-383, as amended (42 U.S.C. 5301. et. seq.) and HOME Investment Partnership Act, Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 (42 U.S.C. 12701, et. seq.) as amended.

2. Section I.B. shall be hereby deleted and restated to read:

"Regulations" means the rules and regulations promulgated pursuant to the "Acts" including but not limited to 24 C.F.R. Parts 92 and 570.

3. The last sentence in Section I, Definitions, is hereby deleted and restated to read:

The Definitions contained in the Acts and the Regulations are incorporated by reference and are made a part hereof.

4. The second paragraph of section II, Purpose, is hereby deleted and restated to read:

The purpose of this Agreement is to authorize the County to cooperate with the Cooperating Community in undertaking or assisting in undertaking the activity as authorized in the Acts and in the Regulations.

5. Section V. Special Provisions is hereby amended by adding subsection IV. L. as follows:

L. A unit of general local government may not sell, trade, or otherwise transfer all or any portion of such funds to a 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 Housing and Community Development Act of 1974, as amended.

All other terms and conditions of Contract #1136 unless specifically amended herein remain in full force and effect.

IN WITNESS THEREOF, the County and the Cooperating Community have executed this Agreement this day of _____, 2015.

APPROVED AS TO FORM:



For County Attorney

Dated: 7/20/15

WASHINGTON COUNTY, STATE OF MINNESOTA

By: _____
Chair, Washington County Board of Commissioners

Dated: _____

By: _____
Administrator, Washington County

Dated: _____

CITY OF LAKE ELMO


By: _____

Dated: 7/29/15

Its: PA 702

By: 

Dated: 7/23/15

Its: Interim city administrator