

RESOLUTION R -3423

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE MAYOR TO SIGN, ON BEHALF OF THE CITY, AMENDMENT NO. 1 TO THE HOUSING AND COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT WITH KING COUNTY FOR THE YEARS 1988-1990, INCLUSIVE, WHICH AGREEMENT WAS AUTHORIZED BY KIRKLAND RESOLUTION R 3392.

Whereas, King County and 25 incorporated municipal jurisdictions have entered into a cooperation agreement, for the purpose of undertaking activities to be funded with federal Community Development Block Grant funds, for the years 1988-1990, inclusive, and

Whereas, Section VIIIF of the agreement between King County, and each of said municipal jurisdictions states, that it is recognized that amendment of the provision of this agreement may become necessary, and that such amendment shall take place when all parties have executed a written addendum to said agreement, and

Whereas, the U.S. Department of Housing and Urban Development having issued additional and revised standards for cooperation agreements, between urban counties and incorporated municipal jurisdictions within the urban counties, for the federal fiscal years 1988 through 1990, inclusive now requires amendment to the agreement, and

Whereas, the King County Department of Community Development has submitted such proposed amendment for consideration and approval by the City of Kirkland, and

Whereas, the Kirkland City Council finds it to be in the best interest of the City of Kirkland, and its residents, to approve said amendment, now, therefore,

Be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The Mayor of the City of Kirkland is hereby authorized and directed to sign on behalf of the City that certain agreement entitled "Amendment No. 1 to the Agreement Dated September 29, 1987 for Planning the Distribution and Administration of Certain Community Development Block Grant Funds and Execution of the King County Community Development Block Grant Program Under the Federal Housing and Community Development Act of 1974 as Amended". A copy of said Amendment No. 1 is attached to the original of this Resolution and by this reference incorporated herein.

Passed by majority vote of the Kirkland City Council
in regular, open meeting this 19th day of October,
1987.

Signed in authentication thereof this 19th day of
October, 1987.

Doris Cooper
MAYOR

ATTEST:

Janice Perry
City Clerk

AMENDMENT NO. 1 TO THE AGREEMENT DATED SEPTEMBER 29, 1987 FOR PLANNING THE DISTRIBUTION AND ADMINISTRATION OF CERTAIN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND EXECUTION OF THE KING COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM UNDER THE FEDERAL HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED.

THIS AMENDMENT NO. 1, made this _____ day of _____, 1987 by and between King County and the undersigned incorporated municipal jurisdiction within King County.

WITNESSETH:

WHEREAS, King County and 25 incorporated municipal jurisdictions have entered into a cooperation agreement for the purpose of undertaking activities to be funded with federal Community Development Block Grant funds, hereinafter referred to as CDBG funds, for the 1988, 1989, and 1990 funding years; and

WHEREAS, Section VIII. F. of the Agreement between King County and the 25 incorporated municipal jurisdictions states that it is recognized that amendment of the provision of this Agreement may become necessary, and that such amendment shall take place when all parties have executed a written addendum to this Agreement; and

WHEREAS, the U. S. Department of Housing and Urban Development, having issued additional and revised standards for cooperation agreements between urban counties and incorporated municipal jurisdictions within the urban counties for the 1988, 1989, and 1990 federal fiscal years, now requires amendment to the Agreement;

NOW, THEREFORE, in consideration of the foregoing circumstances and in consideration of the mutual promises contained herein, it is agreed that:

1. Section I. shall be revised to read as follows:

I. GENERAL AGREEMENT

King County and each participating jurisdiction agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing, as specified in the Community Development Plan and Housing Assistance Plan portions of the Statement, ~~((for the program years covered by the Agreement (1988-1990))~~ funded from annual Community Development Block Grants from Federal Fiscal Years 1988, 1989, and 1990 appropriations, and from any program income generated from the expenditure of such funds.

2. Section VIII. E. shall be revised to read as follows:

E. Parties to this Agreement must take all required actions ~~((to comply with the provisions of))~~ necessary to assure compliance with King 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 ~~((s-104(b)-and))~~ 109 of Title I of the Housing and Community Development Act of 1974, as amended, and other applicable laws.

3. There shall be added a Section IX. as follows:

IX. PROGRAM INCOME

- A. The participating jurisdiction must inform King County of any income generated by the expenditure of CDBG funds received by the participating jurisdiction.
- B. Any such program income is subject to requirements set forth in Section II. F. of the Agreement.
- C. Any program income the participating jurisdiction is authorized to retain may only be used for eligible activities in accordance with all CDBG requirements as may then apply.



- D. King County has the responsibility for monitoring and reporting to HUD on the use of any such program income thereby requiring appropriate recordkeeping and reporting by the participating jurisdiction as may be needed for this purpose.
- E. In the event of close-out or change in status of the participating jurisdiction, any program income that is on hand or received subsequent to the close-out or change in status shall be paid to King County.

4. There shall be added a Section X. as follows:

X. REAL PROPERTY

- A. The participating jurisdiction must notify King County prior to any modification or change in the use of real property acquired or improved in whole or in part using CDBG funds. This includes any modification or change in use from that planned at the time of the acquisition or improvement, including disposition.
- B. The jurisdiction shall reimburse King 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.
- C. 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 jurisdiction shall be subject to the requirements set forth in Section II. F. and Section IX.

KING COUNTY, WASHINGTON

PARTICIPATING JURISDICTION

King County Executive

Signature of Designated Official

Official Title

City or Town

APPROVED AS TO FORM

Michael E. Thurn
Deputy Prosecuting Attorney

t:820
9/22/87

