

**RECORD OF RESOLUTIONS**

CITY OF UPPER ARLINGTON

STATE OF OHIO

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**RESOLUTION NO. 10-2002**

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**RESOLUTION AUTHORIZING THE CITY MANAGER TO CONTRACT  
WITH THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN  
COUNTY, OHIO, ON BEHALF OF THE CITY OF UPPER  
ARLINGTON, FOR A COMMUNITY DEVELOPMENT  
BLOCK GRANT AND HOME PROGRAMS AND  
PROVIDE ACQUISITION SERVICES  
THEREWITH**

**WHEREAS,** pursuant to provisions of the Housing and Community Development Act of 1974 (Public Law 93-383, 42 U.S.C. 5301), as amended, Franklin County, Ohio is recognized by the United States Department of Housing and Urban Development as an urban county and entitled to Community Development Block Grant Program funds for urban counties; and

**WHEREAS,** pursuant to provisions of Ohio Revised Code § 307.85, the Board of County Commissioners, Franklin County, Ohio is authorized to enter into agreements with cities and villages in Franklin County, Ohio, exercises powers and performs functions or renders services on behalf of said cities and villages;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Upper Arlington, Ohio:

**SECTION 1.** That the City of Upper Arlington is located within the geographical boundaries of Franklin County, Ohio.

**SECTION 2.** That the City Manager is hereby authorized and directed on behalf of the City of Upper Arlington to renew the agreement (attached hereto and incorporated herein by reference as Exhibit A), upon its expiration of March 31, 2003, with the Board of County Commissioners, Franklin County, Ohio, for another three years to expire March 31, 2006, for the purpose of cooperating and participating in the Franklin County Housing and Community Development Act of 1974 (Public Law 93-383, 42 U.S.C. 5301) as amended, and § 570.105 b3 (iii), Community Development Block Grant Program Rules and Regulations.

**SECTION 3.** That said agreement for which provisions are made in Section 1 hereof shall provide that pursuant to the provisions of Ohio Revised Code § 307.15, the Board of County Commissioners, Franklin County, Ohio, shall perform acquisition services for the City of Upper Arlington leading to purchase or condemnation of land and structures thereon for property and easements needed in connection with said property and easements to be taken in the name of the City of Upper Arlington.

**SECTION 4.** That this Resolution shall take effect immediately upon adoption.

**ADOPTED:** July 8, 2002

  
Vice President of Council

**ATTEST:**   
City Clerk

**CERTIFICATE OF POSTING**

I, Margie Carvour, Clerk of the City of Upper Arlington, Ohio, do hereby certify that publication of the foregoing was made by posting a true copy thereof at the most public place in said corporation as determined by the Council, the Municipal Building, 3600 Tremont Road, for a period of ten (10) days commencing July 8, 2002.

  
Clerk of the City of Upper Arlington

**Vote Slip**

Sponsor: Jeffrey A. Kurz  
Date Introduced: July 8, 2002

Legal Ad:  
Newspaper:

Reading Dates: July 8, 2002

Voting Aye: Pritchett, Brooks, Kurz, Mauger and Winfree

Voting Nay:

Abstain:

Absent: Rankin and Varda

Adoption Date: July 8, 2002

City Council Conference Session/Other Review:

Other:

COOPERATION AGREEMENT  
FOR  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
RENEWAL AND EXTENSION  
EXHIBIT "A"  
(Cities)

JUN 21 1999

WHEREAS, the agreement, made and concluded at Franklin County, Ohio, this 21 day of July, 1999, by and between the Board of County Commissioners of Franklin County, Ohio, being duly authorized in the premises by the provisions of a resolution adopted on \_\_\_\_\_, hereinafter referred to as "Board" and the city of Upper Arlington (Name), its City Manager (Chief Executive Officer), ~~xxx~~ Richard A. King being duly authorized in the premises by the provisions of resolution/~~ordinance~~ no. 06-99 dated June 14, 1999 hereinafter referred to as "City":

NOW THEREFORE, it is hereby agreed by and between the parties hereto, upon the considerations herein set forth as follows:

1. Board and the City will cooperate in the undertaking or assist in the undertaking of essential community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing, and that the City agrees that it is in the best interest of carrying out the objectives of the Act within Franklin County that the city/village and the County should join together in both the CDBG and HOME Investment Partnership Programs, and other essential activities during the next three program years of the Franklin County Housing and Community Development. The parties further agree not to obstruct or restrict the implementation of the approved Consolidated Plan during the course of this agreement. All of these aforementioned activities shall be carried out in accordance with the Community Development Block Grant (CDBG) Program Rules and Regulations and the applicable provisions of the Ohio Revised Code, including but not limited to the Housing and Community Development Act of 1974 (Public Law 93-383, 42 U.S.C. 5301) as amended, and Section 570.105 b 3 (iii), Community Development Block Grant Rules and Regulations.
2. County-wide community development plan and projects, program budget and the housing conditions, needs and goals established in the Consolidated Plan and amendments thereto, shall be binding on said Board and the City for the Twenty-Sixth, Twenty-Seventh, and Twenty-Eighth program years, which end March 31, 2003 and for such additional time as may be required for the expenditure of funds and completion of funded activities granted to the county and any program income received for such period.
3. The Agreement gives the Board authority to carry out activities funded from annual Community Development Block Grants from Federal Fiscal Years 2000, 2001 and 2002 appropriations, and from any program income generated from the expenditure of such funds. The City must inform the Board of any program income generated by spending CDBG funds. Said program income must be paid to the county. If any program income is authorized to be retained by the City, it may only be used for eligible activities in accordance with all CDBG requirements.

Development Program, which is the subject of the agreement, title to said property and easements to be taken in the name of the City. Said acquisition procedures shall be accomplished in accordance with applicable provisions of the Uniform Relocation and Real Properties Acquisition Policies Act of 1970 as amended and the Ohio Revised Code.

WHEREAS, in consideration of the promises and agreements of the Board herein set forth, the City hereby promises and agrees as follows:

1. That it will promptly submit to the Board its needs, objectives, plans, and programs for preparation by the Board of the local portion of the Consolidated Plan.
2. That it will implement plans concerning community development and HOME activities prepared by the Board, however, the Board shall retain full responsibility and obligations for preparation and implementation of said plans.
3. That it will take all actions with the Board that are 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, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, as amended; the Americans with Disabilities Act of 1990; and other applicable laws.
4. The City has adopted and is enforcing:
  - a. a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
  - b. a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions.

Board, however, shall retain primary responsibility for implementing compliance.

IN WITNESS WHEREOF, the parties have hereunto set their hands hereof on the day and year first above written by the Board of County Commissioners, Franklin County, Ohio being the governing body of the said County, and by the city of Upper Arlington by Rich King (Name) its City Manager (Chief Executive Officer) per a duly enacted Resolution/Ordinance of the city/village Council of Upper Arlington.

BOARD OF COUNTY COMMISSIONERS

1-6-99  
Date

Dewey R. Stokes  
DEWEY R. STOKES, PRESIDENT

Dorothy S. Teater  
DOROTHY S. TEATER

Arlene Shoemaker  
ARLENE SHOEMAKER  
BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, OHIO

CITY

6.21.99  
Date

Richard A. King  
CHIEF EXECUTIVE OFFICER

The terms and provisions of this agreement are fully authorized under state and local law, and the agreement provides full legal authority for the county to undertake or assist in undertaking essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing.

Rob A. Salo 6-21-99  
ASSISTANT PROSECUTING ATTORNEY  
FRANKLIN COUNTY

Approved as to form and legality of purpose: Sharon Gannett  
City Solicitor/Attorney

LD:cp

3YRCOOP.AGR

**RECORD OF RESOLUTIONS**  
CITY OF UPPER ARLINGTON  
STATE OF OHIO

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RESOLUTION NO. 6-99

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**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Upper Arlington, Ohio:

SECTION 1. That the City of Upper Arlington is located within the geographical boundaries of Franklin County, Ohio.

SECTION 2. That the City Manager is hereby authorized and directed on behalf of the City of Upper Arlington to enter into an agreement (attached hereto and incorporated herein by reference as Exhibit A) with the Board of County Commissioners, Franklin County, Ohio, for the purpose of cooperating and participating in the Franklin County Housing and Community Development Act of 1974 (Public Law 93-383, 42 U.S.C. 5301) as amended, and § 570.105 b3 (iii), Community Development Block Grant Program Rules and Regulations.

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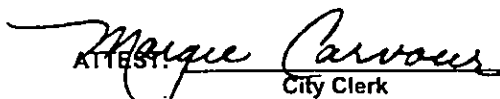
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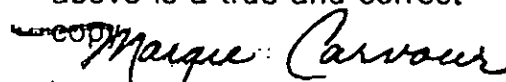
ADOPTED: JUN 14 1999



President of Council

I, Margie Carvour, Clerk of Upper Arlington, Ohio, do hereby certify that the above is a true and correct

ATTEST:   
City Clerk

  
City Clerk