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RESOLUTION NO. 2014-98

**A RESOLUTION OF THE ALBANY CITY COUNCIL REAFFIRMING THE
AUTHORIZATION OF THE CONTINUED PARTICIPATION OF THE
CITY OF ALBANY IN THE ALAMEDA COUNTY URBAN COUNTY FOR
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND
EXECUTION OF THE REVISED COOPERATION AGREEMENT ON
SEPTEMBER 15, 2014 BY THE CITY ADMINISTRATOR**

WHEREAS, the Congress of the United States has enacted the Housing and
Community Development Act of 1974 and Federal regulations have been adopted pursuant
thereto, hereinafter called the "Act"; and

WHEREAS, Title I of the Act consolidates previously separate grant programs
for open space, public facility loans, water and sewer grants, urban renewal, model cities,
rehabilitation loans, and affordable housing into a program called the Community
Development Block Grant ("CDBG") program; and,

WHEREAS, Title I makes available entitlement grants to cities whose 2010
Census population exceeds 50,000 persons and to counties which qualify as an urban
county; and

WHEREAS, the term "urban county" means any county within a metropolitan
area which:

- (1) is authorized under state law to undertake essential community
development and housing assistance activities in its incorporated areas which are
not units of general local government; and,

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(2) has a combined population of 200,000 or more in such unincorporated areas and in its included units of local government:

(A) in which it has authority to undertake essential community development and housing assistance activities and which do not elect to have their population excluded; or,

(B) with which it has entered into cooperation agreements to undertake or to assist in the undertaking of essential community development and housing assistance activities; and,

WHEREAS, the Department of Housing and Urban Development (“HUD”) has made a determination that the County of Alameda has the essential powers to operate as an urban county; and

WHEREAS, the cities Albany, Dublin, Emeryville, Newark, and Piedmont, each of which has a 2010 Census population of less than 50,000, have expressed their interest in joining with the Alameda County Unincorporated County to continue in the Alameda County Urban County for federal fiscal years 2015, 2016 and 2017; and

WHEREAS, these same five cities combine with the County of Alameda to form a combined 2010 Census population of 200,000 or more persons, thereby qualifying as an urban county, and becoming eligible for an entitlement of CDBG funds; and

WHEREAS, these same five cities executed cooperation agreements with the County of Alameda, wherein the parties agreed to participate in the Urban County for the duration of the three-year funding cycle; and

1 **WHEREAS**, following execution of the cooperation agreements, the cities were
2 informed that certain revisions to the cooperation agreements would be necessary in order
3 to meet the requirements established by HUD’s Notice No. CPD-14-07 and that
4 authorizing resolutions would need to be adopted; and
5

6 **WHEREAS**, these same five cities thereafter executed revised cooperation
7 agreements with the County of Alameda, wherein the parties agreed to participate in the
8 Urban County for the duration of the three-year funding cycle, which revised agreements
9 incorporated the revisions required by HUD; and
10

11 **WHEREAS**, on behalf of the City of Albany, its City Administrator, executed the
12 revised cooperation agreement with the County of Alameda on September 15, 2014,
13 which agreement entitled “Agreement” and states that it is “made and entered into the 9th
14 day of September”; and
15

16 **WHEREAS**, the City Council of the City of Albany adopted a resolution,
17 Resolution No. 2014-84, authorizing the City of Albany to continue participation in the
18 urban County and authorizing the City Administrator to execute the cooperation
19 agreement; and
20

21 **WHEREAS**, the City of Albany wishes to clarify and reaffirm that its prior
22 authorization applied to its continued participation in the Urban County for the CDBG
23 program as well as the City Administrator’s authority to execute the revised cooperation
24 agreement on September 15, 2014.
25

26 **NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of
27 Albany does hereby resolve, declare, determine and order as follows:
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29

1 **SECTION 1.** The City Council of the City of Albany hereby confirms that
2 Resolution No. 2014-84, adopted on September 15, 2014, was intended to and did
3 authorize the City of Albany to continue its participation in the Urban County for Fiscal
4 Years 2015-2017 and authorize the City Administrator to execute the Revised Cooperation
5 Agreement, and further hereby acknowledges that said Revised Cooperation Agreement
6 was duly executed by the City Administrator on September 15, 2014.

7
8 **SECTION 2.** The City Council of the City of Albany hereby reaffirms its
9 authorization of the continued participation of the City of Albany in the Alameda County
10 Urban County for CDBG Funds for Fiscal Years 2015, 2016, and 2017.

11
12 **SECTION 3.** The City Council of the City of Albany hereby reaffirms its approval
13 of the REVISED Cooperation Agreement with the County of Alameda and its
14 authorization for the City Administrator to execute the REVISED Cooperation Agreement
15 with the County of Alameda in order to continue the City of Albany's participation in the
16 Urban County for CDBG funds which revised Agreement was duly executed by the City
17 Administrator on behalf of the City of Albany on September 15, 2014, 2014.

18
19 **SECTION 4.** To the extent that Resolution No. 2014-84 is inconsistent with the
20 authorization acknowledged herein, it is hereby superseded by this Resolution.

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22 **SECTION 5.** This resolution shall take effect immediately upon its adoption.

23
24 Date of Adoption: November 17, 2014

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28 _____
29 Joanne Wile, MAYOR



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2014-98

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 17th day of November, 2014, by the following votes:

AYES: Council Members Barnes, Nason, Vice Mayor Maass, and Mayor Wile

NOES: none

ABSENT: Council Member Atkinson

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 18th
day of November, 2014.

Nicole Almaguer
CITY CLERK