

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS, APPROVING AN AGREEMENT BETWEEN THE CITY AND DALLAS COUNTY FOR THE COUNTY TO QUALIFY FOR THE URBAN COUNTY CDBG PROGRAM; STATING THE UNDERSTANDINGS AND AGREEMENTS OF THE PARTIES; AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL COOPERATION AGREEMENT WITH DALLAS COUNTY UNDER CHAPTER 791 OF THE TEXAS GOVERNMENT CODE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the 93<sup>rd</sup> Session of the Congress passed, and the President of the United States signed into law, the Housing and Community Development Act of 1974 (PL93-383) which created the Urban County Community Development Block Grant (CDBG) program; and

**WHEREAS**, Dallas County, Texas is applying to the U.S. Department of Housing and Urban Development for Urban County CDBG entitlement status; and

**WHEREAS**, in order to qualify for this status, Dallas County must enter into cooperative agreements with local governments and have the collective population of the County's unincorporated area and the participating local governments total at least 100,000 people; and

**WHEREAS**, Texas cities and counties are authorized under Chapter 373, Local Government Code, and Section 381.003, Local Government Code, to conduct essential Housing and Community Development activities; and

**WHEREAS**, Texas cities and counties are authorized under Chapter 791, Government Code, to enter into cooperative agreements with one another;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS:**

**SECTION 1.** That the City of University Park supports the efforts of Dallas County, Texas to qualify for the Urban County CDBG program and asks that its population be included in such a program beginning for Federal Fiscal Years 2015, 2016 and 2017.

**SECTION 2.** The Agreement of Cooperation attached hereto as Exhibit "A" is hereby approved and the Mayor is authorized to sign it on behalf of the City. This agreement covers the CDBG entitlement program and when applicable, the HOME Investment Partnership and Emergency Shelter Grant (ESG) programs.

**SECTION 3.** This agreement remains in effect until the CDBG (HOME and ESG, where applicable) funds and program income received with respect to the three year qualification

period are expended and the funded activities completed, and that the County and City may not terminate or withdraw from the agreement while the agreement remains in effect.

**SECTION 4.** The Mayor or his designee is hereby authorized to sign any additional forms on behalf of the City of University Park that the U. S. Department of Housing and Urban Development may require.

**SECTION 5.** This Resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of University Park, Texas this 17th day of June 2014.

**APPROVED:**

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**OLIN B. LANE, MAYOR**

**ATTEST:**

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**CHRISTINE GREEN, CITY SECRETARY**

**APPROVED AS TO FORM:**

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**CITY ATTORNEY**

# EXHIBIT A

## AGREEMENT OF COOPERATION for CDBG/HOME Program

**WHEREAS**, the 93<sup>rd</sup> Session of the Congress passed, and the President of the United States signed into law, the Housing and Community Development Act of 1974 (PL93-383) which created the Urban County Community Development Block Grant (CDBG) program; and

**WHEREAS**, Dallas County, Texas (County), is applying to the U.S. Department of Housing and Urban Development for Urban County CDBG entitlement status; and

**WHEREAS**, in order to qualify for this status, County must enter into cooperative agreements with local governments and have the collective population of the County's unincorporated area and the participating local governments total at least 100,000 people; and

**WHEREAS**, Texas cities and counties are authorized under Chapter 373, Local Government Code, and Section 381.003, Local Government Code, to conduct essential Housing and Community Development activities; and

**WHEREAS**, Texas cities and counties are authorized under Chapter 791, Government Code, to enter into cooperative agreements with one another.

### **NOW, THEREFORE, BE IT RESOLVED THAT:**

The City of University Park (City) supports the efforts of County to qualify for the Urban County CDBG program and asks that its population be included in such a program beginning for Federal Fiscal Years 2015, 2016 and 2017.

This agreement covers the CDBG entitlement program and when applicable, the HOME Investment Partnership and Emergency Shelter Grant (ESG) programs.

This agreement remains in effect until the CDBG (HOME and ESG, where applicable) funds and program income received with respect to the three-year qualification period are expended and the funded activities completed, and that the County and City may not terminate or withdraw from the agreement while the agreement remains in effect.

The City understands that by executing the CDBG cooperation agreement it:

1. May not apply for grants from under the Small Cities or State CDBG Program from appropriations for fiscal years during the period in which it is participating in the Urban County CDBG program; and
2. May receive a formula allocation under the HOME program only through the Urban County. May not participate in a HOME consortium except through the Urban County, may not form a HOME consortium with other local governments regardless, of whether the Urban County received a HOME formula allocation.

County shall notify the City in writing, by the date specified in HUD's urban county qualification notice for the next qualification period, of its right not to participate;

The City has adopted and is enforcing:

1. 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;
2. 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.

The City understands that County will have final responsibility for administering the CDBG/HOME and ESG programs, selecting CDBG/HOME and ESG projects and filing annual grant requests; and

The Mayor of the City is authorized to sign any additional forms, on behalf of the City, that the U.S. Department of Housing and Urban Development may require.

**[Remainder of Page Intentionally Left Blank]**

**[Signature Page to Follow]**

APPROVED AND ACCEPTED THIS THE \_\_\_\_\_ day of \_\_\_\_\_ 2014.

**City:**

**Dallas County:**

\_\_\_\_\_  
Olin Lane, Mayor  
City of University Park, Texas

\_\_\_\_\_  
Clay Lewis Jenkins, County Judge  
Dallas County, Texas

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Approved as to Form:

Craig Watkins  
District Attorney

Teresa Guerra Snelson  
Chief, Civil Division

By:

\_\_\_\_\_  
Randall Miller  
Assistant District Attorney

\*By law, the Dallas County District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).