

AGREEMENT

Implementation of the City of Portland Small Business and Industry Loan Revolving Fund and the Powell Boulevard Phase II Redevelopment Program as part of the Fourth Year HCD Program.

THIS AGREEMENT, entered into this _____ day of _____, 1979, by and between the CITY OF PORTLAND, a municipal corporation of the State of Oregon, hereinafter referred to as "City" and the PORTLAND DEVELOPMENT COMMISSION, hereinafter referred to as "Commission".

WITNESSETH:

WHEREAS, the City has entered into a contract with the United States of America to conduct a Housing and Community Development Program pursuant to Title I of the Housing and Community Development Act of 1974; and

WHEREAS, the responsibility for management, administration, coordination, and planning of the Housing and Community Development Program within the City has been assigned to the Office of Planning and Development (herein referred to as OPD); and

WHEREAS, as a part of said program the City has previously contracted with the Commission for the implementation of part of the program and the Commission has presented itself to the City as capable and willing to perform implementation services for the Housing and Community Development Program for the City for the Fourth Year; and

WHEREAS, the Fourth Year HCD Agreement between the City and the Commission specifically provides for Program Changes; and

WHEREAS, by Ordinance No. 147127, the City authorized the Commission to administer the Small Business and Industry Loan Revolving Fund under the City's CEDS Program on a cost reimbursement basis; and

WHEREAS, the section of Title IX United States Economic Development Administration Funds under which Portland has submitted a \$1,625,000 application to create a Small Business and Industry Loan Revolving Fund does not provide for the use of said monies to cover program administration costs; and

WHEREAS, by Resolution 32360, adopted by Council on February 8, 1979, Council directed the Portland Development Commission to examine commercial redevelopment possibilities in concept with the Powell Boulevard Phase II Improvement Program; and

WHEREAS, the Portland Development Commission has anticipated a total of \$13,163 of project administration costs associated with the Small Business and Industry Loan Revolving Fund and a total of \$20,000 of project administration and technical service costs associated with Powell Boulevard Phase II Redevelopment Program assigned to the Commission during the January 1, 1979, through June 30, 1979, period.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. Scope of Services

The Commission shall, in a satisfactory and proper manner as determined by the City through the Office of Planning and Development and the Department of Housing and Urban Development implement the Small Business and Industrial Loan Revolving Fund and activities assigned to PDC as specified in Council Ordinance 147127 and the Powell Boulevard Phase II Redevelopment Program and as specified by Resolution 32360 through the use of City of Portland's Fourth Year HCD Funds. These actions shall be done in conformance with the application and the City's contract with the United States Department of Housing and all applicable rules and regulations relating thereto:

- A. Program Activities. The activities as detailed on Page 4 of this Agreement are approved as part of the Fourth Year HCD Program.
- B. Federal Labor Standards. Commission staff will ensure that all contracts awarded under this Agreement are in compliance with the applicable Federal Labor Standards. It will continue to maintain file records of Weekly Certified Payroll on contracts awarded by the Commission directly and it will ensure that such records continue to be filed with the City Auditor on contracts awarded by the Commission.
- C. Equal Opportunity. Commission staff will ensure that all contracts awarded under this Agreement are in compliance with the applicable Equal Employment Opportunity regulations. This will include as a minimum: providing technical assistance to contractors employed by the Commission; maintaining appropriate records; ensuring contractor compliance; and preparation of required records.
- D. Record Keeping and Reporting. The Commission will maintain adequate records of Commission HCD activities in form and manner acceptable to the City. Status reports of all activities and other reports required by OPD, the City, and the Federal Government will be provided in a format acceptable to the City.

2. Program Changes

The program may require changes throughout the contract period. Major budget changes which by regulation require approval of HUD or Council, shall first be authorized by Council through OPD.

Minor adjustments which do not substantially alter the contract and which otherwise do not require Council or HUD approval will be authorized by the Commissioner-in-Charge, or OPD if he/she so designates, and a copy will be filed by OPD with the City Auditor's Office.

3. Time of Performance

This Commission shall commence the services provided under this Agreement, retroactive to January 1, 1979, and such services shall continue for a period of six months unless extended by written agreement of both parties hereto.

4. Compensation

The Commission shall be compensated for its services at the actual cost to the Commission and generally as described on Page 4.

5. Compliance with HUD Regulations

The Commission shall be responsible for ensuring all expenditures of Commission are in accordance with HUD regulations and the contract between the United States of America and the City.

6. Termination

This Agreement may be terminated by the City at any time by giving 30 days prior written notice of such termination to the Commission.

APPROVED AS TO FORM

CITY OF PORTLAND

By _____
Mayor

City Attorney

By _____
Auditor

EXHIBIT A

EXPENDITURES

1. Small Business and Industry Loan Revolving Fund		\$13,163
A. Personal Services	\$9,163	
B. Materials and Services	\$4,000	
C. Capital Outlay	-0-	
2. Powell Boulevard Phase II		\$20,000
A. Personal Services	\$8,619	
B. Materials and Services	\$11,381	
C. Capital Outlay	-0-	

ORDINANCE NO. 147554

An Ordinance providing for the use of Fourth Year Housing and Community Development funds for staff costs and technical studies related to the preparation, development and administration of the City of Portland Small Business and Industry Loan Revolving Fund and the Powell Boulevard Phase II Redevelopment Program by the Portland Development Commission, authorizing an agreement with the Portland Development Commission, transferring \$33,163 within the Housing and Community Development Fund, authorizing the delivery of warrants pursuant thereto, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that:

1. It has been determined that the City of Portland Small Business and Industry Loan Revolving Fund and the Powell Boulevard Phase II Redevelopment Program, as proposed, are in conformance with HCD regulations.
2. By Ordinance No. 147127, adopted by Council on January 24, 1979, Council authorized the Portland Development Commission to administer the Small Business and Industry Loan Revolving Fund as part of Portland's Comprehensive Economic Development Strategy (CEDS) on a cost reimbursement basis.
3. The United States Economic Development Administration regulations under which Portland has submitted a \$1,625,000 application to create a Small Business and Industrial Loan Revolving Fund do not provide for the use of EDA monies to cover program administration costs.
4. By Resolution 32360, adopted by Council on February 8, 1979, the Council directed the Portland Development Commission to examine the commercial redevelopment possibilities resulting from the Powell Boulevard Phase II Improvement Program.
5. The Fourth Year HCD Agreement with the Portland Development Commission provides for program changes throughout the life of the Agreement.
6. So that no delay in the implementation of these projects occurs, it is necessary to appropriate \$13,163 of HCD funds to the Small Business and Industry Loan Revolving Fund and \$20,000 to the Powell Boulevard Phase II Redevelopment Program for staff work and technical studies.
7. This Agreement will expire on June 30, 1979.

Now, therefore, the Council directs:

- a. The 1978-79 City Budget is amended as follows:

ORDINANCE No.Housing and Community Development Fund

General Operating Contingency AU530 (\$33,163)

Housing and Community Development AU532
.260 Miscellaneous Services \$33,163

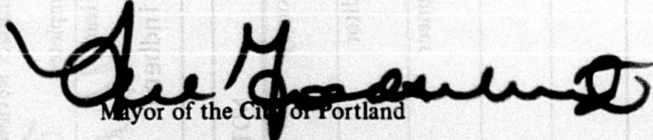
- b. The Mayor and Auditor are hereby authorized to sign an Agreement (attached as Exhibit A) which provides \$33,163 of Fourth Year HCD Funds for project administration and technical studies in connection with the Small Business and Industry Loan Revolving Fund and Powell Boulevard Phase II Redevelopment Program to the Portland Development Commission and authorizing the Mayor and Auditor to draw and deliver warrants pursuant thereto.

Section 2. The Council declares that an emergency exists because delay in executing this agreement will result in corresponding delays in planning and implementing the affected projects; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council, APR 18 1979

Mayor Goldschmidt
April 12, 1979
Chris Kopka/Dave Logsdon/
(PDC) (OPD)

Attest:


Mayor of the City of Portland


Auditor of the City of Portland

Calendar No. 1159

ORDINANCE No. 147554

Title

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APR 13 1979

Filed

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

By

Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Ivancie	/	
Jordan	/	
McCready	/	
Schwab	/	
Goldschmidt	/	

FOUR-FIFTHS CALENDAR

Ivancie	
Jordan	
McCready	
Schwab	
Goldschmidt	

INTRODUCED BY

Mayor Goldschmidt

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

Office of Planning & Development

Prepared By:

Date:

(PDC)

Chris Kopka/Dave Logsdon 4/12/79

Budget Impact Review:

☒ Completed

☐ Not required

Bureau Head:

Mike Lindberg

NOTED BY

City Attorney

City Auditor

City Engineer