

EXHIBIT A
FIFTH YEAR HCD PROGRAM - 1979-80

Total EDA Program Requirement as per 1979-80 PDC Budget		\$1,691,112
Funding Sources:		
EDA Grant to City	\$1,625,000	
Program Income	35,600	
HCD Fifth Year Program	30,512	
TOTAL		<u>\$1,691,112</u>

SUMMARY OF HCD FIFTH YEAR PROGRAM FUNDING REQUIREMENTS

Personal Services	\$ 28,000
Materials & Services	2,512
Capital Outlay	-0-
TOTAL	<u>\$ 30,512</u>

AGREEMENT

Administration of the City of Portland Small Business and Industry Loan Revolving Fund as part of the Fifth 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 Fifth Year; 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, the Portland Development Commission has anticipated a total of \$30,512 of project administrative costs associated with the Small Business and Industry Loan Revolving Fund.

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 & Development, implement the program and perform services herein described in conformance with the application and the City's contract with the United States Department of Housing and Urban Development and all applicable rules and regulations relating thereto:

A. Program Activities. The activities shown as "Exhibit A" are approved as part of the Fifth Year HCD Program for implementation by the Commission. The Commission will prepare a maintenance agreement, in advance of any construction, for execution by OPD on each project which will require an ongoing public maintenance operating expenditure.

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 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 year. Major budget changes which by regulation require approval of HUD or Council, shall first be authorized by Council through OPD and the Commission.

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.

The Commission shall commence the services provided under this Agreement as of July 1, 1979, and such services shall continue for a period of twelve months unless extended by written agreement of both parties hereto.

4. COMPENSATION.

The Commission shall be commenced for its services at the actual cost to the Commission and generally in accordance with Exhibit "A".

5. COMPLIANCE WITH HUD REGULATIONS.

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

CITY OF PORTLAND

Approved as to form:

BY: _____
MAYOR_____
CITY ATTORNEYBY: _____
AUDITOR

PORTLAND DEVELOPMENT COMMISSION

Approved as to form:

BY: _____
CHAIRMAN_____
Commission Legal CounselBY: _____
SECRETARY

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ORDINANCE NO. 147989

An Ordinance authorizing an Agreement between the City of Portland and the Portland Development Commission providing for the administration of the City of Portland Small Business and Industry Loan Revolving Fund by the Portland Development Commission, with fifth year funds advanced the Department of Housing and Urban Development under the Housing and Community Development Act in the amount of \$30,512, 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, as proposed, is 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 Industry Loan Revolving Fund do not provide for the use of EDA monies to cover program administration costs.
- (4) By Ordinance No. 147554, adopted by Council on April 18, 1979, the Council appropriated \$13,163 of Fourth Year HCD funds to the Portland Development Commission for administration of the City of Portland Small Business and Industry Loan Revolving Fund.
- (5) That an Agreement should be entered into with the Commission to continue the City of Portland Small Business and Industry Loan Revolving Fund in accordance with the City's application and the HUD approved HCD Program;

NOW, THEREFORE, the Council directs:

- (a) The Mayor and Auditor are hereby authorized to enter into an Agreement with the Portland Development Commission to continue the Small Business and Industry Loan Revolving Fund which is in accordance with the Agreement marked Exhibit "A".

Section 2. The Mayor and Auditor are hereby authorized to draw and deliver warrants pursuant to said agreement on the HCD fund.

Calendar No. 2205

ORDINANCE No. 147989

Title

An Ordinance authorizing an Agreement between the City of Portland and the Portland Development Commission providing for the administration of the City of Portland Small Business and Industry Loan Revolving Fund by the Portland Development Commission, with fifth year funds advanced the Department of Housing and Urban Development under the Housing and Community Development Act in the amount of \$30,512, authorizing the delivery of warrants pursuant thereto, and declaring an emergency.

JUN 22 1979

Filed _____

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By George Yerkovich
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

[Signature]

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

PDC/OPD

Prepared By:

Chris Kopca

Date:

6/20/79

Budget Impact Review:

☒ Completed

☐ Not required

Bureau Head:

NOTED BY

City Attorney

City Auditor

City Engineer