

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Planning & Community Development
Urgent _____ Routine X
CEO Concurs with Recommendation YES _____ NO _____
(Information Attached)

BOARD AGENDA # 9:10 A.M.
AGENDA DATE: September 18, 2001
4/5 Vote Required YES _____ NO X

SUBJECT:

APPROVAL TO SUBMIT AN APPLICATION AS AN "ENTITLEMENT STATUS" COUNTY FOR AN APPROXIMATE \$3.1 MILLION H.U.D. GRANT

STAFF RECOMMENDATION:

1. CONDUCT THE PUBLIC HEARING.
2. APPROVE THE SUBMISSION OF AN APPROXIMATE \$3.1 MILLION H.U.D. ENTITLEMENT GRANT APPLICATION.
3. AUTHORIZE THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE COOPERATIVE AGREEMENTS WITH THOSE CITIES ELECTING TO PARTICIPATE IN THE APPLICATION.

Continued on Page 2

FISCAL IMPACT:

There will be no impact to the General Fund as this grant includes funds for administrative, program and project activities.

No. 2001-723

On motion of Supervisor Blom, Seconded by Supervisor Caruso
and approved by the following vote,
Ayes: Supervisors: Blom, Simon, Caruso, and Chair Paul
Noes: Supervisors: None
Excused or Absent: Supervisors: Mayfield
Abstaining: Supervisor: None

- 1) X Approved as recommended
- 2) _____ Denied
- 3) _____ Approved as amended

MOTION:

Christine Ferraro

SUBJECT: APPROVAL TO SUBMIT AN APPLICATION AS AN "ENTITLEMENT STATUS" COUNTY FOR AN APPROXIMATE \$3.1 MILLION H.U.D. GRANT

PAGE 2

**STAFF
RECOM-
MENDATION
CONTINUED:**

4. AUTHORIZE THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO ACT ON COUNTY'S BEHALF IN ALL MATTERS PERTAINING TO THIS APPLICATION, INCLUDING THE SUBMISSION OF THE APPLICATION, EXECUTION OF THE ALLOCATION AGREEMENTS, DRAWDOWN OF FUNDS AND THE ADMINISTRATION OF THE GRANT.
5. AUTHORIZE THE AUDITOR-CONTROLLER TO ESTABLISH THE NECESSARY BUDGET INDEX AND APPROPRIATIONS.

DISCUSSION:

As a non-entitlement jurisdiction, Stanislaus County has participated in the state-administered Community Development Block Grant Program for the last twenty-five years. During that time, the County has been granted over five million dollars for activities that included purchase of equipment for a community facility, housing rehabilitation, water line construction and sewer lateral connections. Although our record for grant awards is good, the grant applications were subjected to a competitive evaluation process that pitted the County against five hundred other non-entitlement jurisdictions. During any grant award cycle, an applicant could be eliminated from the winners circle by a mere few points and subsequently may have to suspend the project.

In late August, the County received notification from the U.S. Housing and Urban Development Department that it has been designated an "Urban County" for Community Development Block Grant (CDBG) funding and Home Investment Partnership Funds (HOME). The designation is based upon the threshold total population of 200,000 in the unincorporated area of the county and all cities except Modesto and Turlock.

This designation brings Stanislaus County to "Entitlement Status" if we choose to participate in the program. Once certain documents are prepared by staff and submitted to and approved by HUD, CDBG and HOME funds will be available (usually July 1) on an annual basis. Preliminary documents that are necessary to submit to HUD include:

- Copies of letters by which the County notified each city of its opportunity to exclude itself from the urban county.
- Resolutions from each city and the County authorizing the execution of city-county cooperation agreements.
- Fully executed cooperation agreements between the County and each of the participating cities.

SUBJECT: APPROVAL TO SUBMIT AN APPLICATION AS AN "ENTITLEMENT STATUS" COUNTY
FOR AN APPROXIMATE \$3.1 MILLION H.U.D. GRANT

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**DISCUSSION
CONTINUED:**

- A letter from the Office of the County Counsel stating that the cooperation agreements are authorized by state and local law.

It is estimated by HUD staff that the allocation is approximately \$3.1 million to Stanislaus County (CDBG only; HOME allocation has yet to be determined). It is expected that this amount will be divided among member jurisdictions (participating cities and the county) for project implementation. Cities within the urban county have the opportunity to elect not to participate. If this occurs, the allocation of funds will be reduced according to HUD formula. Typically, factors used in the formula are population, poverty, and age of housing. Representatives from each eligible jurisdiction have met and will continue to meet to develop the allocation using those factors.

Some cities may elect not to participate in this program and thereby reduce the urban county population to under 200,000. HUD guidelines will consider the preponderance of the location of lower income households and should maintain entitlement status on that basis. A representative of the Western Regional Office of HUD has stated that by applying that criteria to Stanislaus County, entitlement status should be confirmed.

Eligible projects that can be undertaken include housing programs, infrastructure and services that benefit the lower income households of the jurisdiction. This is similar to the projects and programs that have been historically funded through the state-administered CDBG and HOME programs.

Preliminary discussions with the potential participants have been undertaken and will continue during the application process. Staff from those jurisdictions will discuss entitlement status with their respective councils and return with conclusions prior to the end of the application period - September 30, 2001.

Once application has been made, there is the requirement to prepare a Consolidated Plan, an Allocation Formula, and an Annual Action Plan. These plans define the needs of the urban county, how the entitlement funds will be distributed among the participating jurisdictions and what activities are planned for implementation. At the end of each fiscal year, a Final Report is due that describes what activities have been undertaken.

With HUD as Grantor, Stanislaus County will be the Grantee. The remaining participating jurisdictions will be considered sub-recipients. All program, project and financial activity conducted by the individual participants will be reported to the Grantee. This extensive maintenance and dissemination of

SUBJECT: APPROVAL TO SUBMIT AN APPLICATION AS AN "ENTITLEMENT STATUS" COUNTY
FOR AN APPROXIMATE \$3.1 MILLION H.U.D. GRANT

PAGE 4

**DISCUSSION
CONTINUED:**

CDBG and HOME fund report data will require additional staff. Further, the County is responsible for monitoring programs and projects undertaken with entitlement funds by the participating cities and County. This component to the grant program will also require additional staff. As stated above under Fiscal Impact, there will be no burden to the Stanislaus County General Fund. Any fiscal impact will be satisfied with grant funds. HUD guidelines permit a maximum of twenty (20%) percent to be used for administrative purposes.

Once all requirements have been met by April 30, 2002, Stanislaus County will be eligible to receive CDBG funds commencing Fiscal Year 2002 (July 1, 2002 through June 30, 2003).

**POLICY
ISSUES:**

This new "Entitlement Status" will give to the County and seven cities the opportunity to plan and implement programs and projects more efficiently. Additionally, it will further all six of the Board's goals. The three objectives of the CDBG Program, which are: principally benefit the target income group, eliminate blighting conditions, and address a serious need within the community will also be addressed.

**STAFFING
IMPACT:**

This program will require the recruitment of additional staff based on conversations and visits with other like-jurisdictions implementing a CDBG Entitlement program. The extent of which has yet to be measured, but will be presented to the Board of Supervisors after the first two phases of program implementation has concluded. The grant will fully fund any additional staff required to implement this program.



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354

Phone: 209.525.6330 Fax: 209.525.5911

September 28, 2001

Mr. Steve B. Sachs, Director
Community Planning and Development Division
U.S. Department of Housing and Urban Development, 9c
450 Golden Gate Avenue, 9th Floor
San Francisco, CA 94102

**RE: Urban County Qualifications
Federal Fiscal Years 2002, 2003, and 2004**

Dear Mr. Sachs:

Enclosed are the documents to satisfy the preliminary requirements of 'Urban County - Entitlement Status' as defined to Stanislaus County by the Housing and Urban Development Department. Stanislaus County, the City of Oakdale, and the City of Patterson have joined together to qualify for Community Development Block Grant and HOME Program funds for Fiscal Years 2002, 2003, and 2004:

The enclosed documents consist of:

1. Copies of letters sent to each city within Stanislaus County, except Modesto and Turlock, that notified each city of its opportunity to exclude itself from the urban county consortium.
2. Resolutions from each participating city and the County authorizing execution of city-county cooperation agreements.
3. Fully executed cooperation agreements between the County and each of the participating cities listed above.
4. A letter from the Office of the County Counsel stating that the cooperation agreements are authorized by state and local law.

If you need any additional preliminary information, please call Jim Duval of my staff at (209) 525-6330.

Sincerely,

Ron E. Freitas, Director
Planning and Community Development

Enclosures



**OFFICE OF COUNTY COUNSEL
STANISLAUS COUNTY**

Michael H. Krausnick
COUNTY COUNSEL
E. Vernon Seeley
ASSISTANT COUNTY COUNSEL

DEPUTIES
Wm. Dean Wright
Linda S. Macy
John P. Doering
Victoria A. Halliday
Vicki F. de Castro
Carrie M. Stephens

1010 10th Street, Suite 6400 Modesto, CA 95354
PO Box 74, Modesto, CA 95353-0074
Phone: 209.525.6376 Fax: 209.525.4473

September 24, 2001

San Francisco Regional Office
Department of Housing and Urban Development
450 Golden Gate Ave.
San Francisco, CA 94102-3448

RE: COOPERATION AGREEMENTS

Ladies and Gentlemen:

I am an attorney at law admitted to practice in the State of California currently serving as the Assistant County Counsel for the County of Stanislaus.

I have examined the cooperation agreements entered into by and between the County of Stanislaus and the cities specified in attachment "A" hereto, pursuant to title one of the Housing and Community Development Act of 1974, and I am of the opinion that each of the cooperation agreements has been duly authorized by the Board of Supervisors of the County of Stanislaus. I am further of the opinion that each agreement is valid and enforceable in accordance with state and local law and that the agreements provide 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.

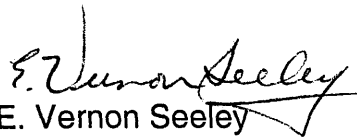
To the best of my knowledge, there is no pending or threatened litigation effecting the implementation of the cooperation agreements or the ability of the County of Stanislaus to

Letter to: San Francisco Regional Office
September 24, 2001
Page 2

be the applicant for funding as an urban county under title one of the Housing and Community Development Act of 1974, as amended.

Yours very truly,

MICHAEL H. KRAUSNICK
County Counsel

By: 
E. Vernon Seeley
Assistant County Counsel

EVS/jb
Attachment

cc: Michael H. Krausnick, County Counsel
Jim Duval, Planning

V:\CO_ADMIN\WPBROSTROM\VERNICOOPERATION AGREEMENTS.wpd

Stani



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354

Phone: 209.525.6330 Fax: 209.525.5911

August 31, 2001

Mayor Charles Turner
City of Waterford
320 E. Street
Waterford, CA 95386

Dear Mayor Turner:

Stanislaus County has received notification from the Housing and Urban Development Department that it has been designated an Urban County for Community Development Block Grant (CDBG) funding. With this designation, the County will be eligible to receive a CDBG Entitlement for Fiscal Year 2002. The precise amount will not be known until January 2002, however we have been advised that the entitlement is approximately \$3.1 million with size determined by the number of participants.

All cities within Stanislaus County (except Modesto and Turlock) have the option to participate in the Entitlement Consortium. The entitlement will be shared between the participants. The methodology will be determined and included as part of Cooperation Agreements executed by each participating city and the County.

Many requirements must be met prior to the receipt of the entitlement. As described above, one requirement is the Cooperation Agreement. However, the first step is to invite responses from the cities regarding their desire to participate with the urban county. If the city elects to be excluded from the urban county, a letter so stating must be sent to the County, as well as to HUD. This exclusion will be for the entire three-year period for which the urban county qualifies, unless the excluded city specifically elects to be included in a subsequent year for the remainder of the urban county's three-year qualification period.

If a city desires to participate, a resolution is required that authorizes the execution of a city-county cooperation agreement. A draft copy of the Cooperation Agreement is attached.

If a city excludes itself from the urban county, programs within its borders will not qualify for any entitlement CDBG funding. On the other hand, if a city remains part of the urban county, it will not be able to apply for grants under the HUD-administered Small Cities CDBG program (50,000 population or more) or the State-administered CDBG, competitive application program.

Mayor Turner
August 31, 2001
Page Two

These requirements, the letter of exclusion, the resolution authorizing the cooperation agreement and the cooperation agreement must be submitted to the HUD Field Office no later than September 15, 2001. Your rapid assistance in this matter is greatly appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ron E. Freitas".

Ron E. Freitas, Director of Planning and Community Development

Enclosure

Stani



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354

Phone: 209.525.6330 Fax: 209.525.5911

August 31, 2001

Mayor David Reed:
City of Newman
P. O. Box 787
Newman, CA 95360

Dear Mayor Reed:

Stanislaus County has received notification from the Housing and Urban Development Department that it has been designated an Urban County for Community Development Block Grant (CDBG) funding. With this designation, the County will be eligible to receive a CDBG Entitlement for Fiscal Year 2002. The precise amount will not be known until January 2002, however we have been advised that the entitlement is approximately \$3.1 million with size determined by the number of participants.

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Mayor Reed
August 31, 2001
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Ron E. Freitas, Director of Planning and Community Development

Enclosure

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354

Phone: 209.525.6330 Fax: 209.525.5911

August 31, 2001

Mayor Bill O'Brien
City of Riverbank
6707 Third St.
Riverbank, CA 95367

Dear Mayor O'Brien:

Stanislaus County has received notification from the Housing and Urban Development Department that it has been designated an Urban County for Community Development Block Grant (CDBG) funding. With this designation, the County will be eligible to receive a CDBG Entitlement for Fiscal Year 2002. The precise amount will not be known until January 2002, however we have been advised that the entitlement is approximately \$3.1 million with size determined by the number of participants.

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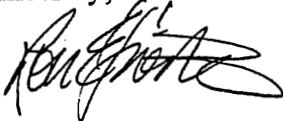
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Mayor O'Brien
August 31, 2001
Page Two

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Ron E. Freitas, Director of Planning and Community Development

Enclosure

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354

Phone: 209.525.6330 Fax: 209.525.5911

August 31, 2001

Mayor Richard Dodds
City of Patterson
33 South Del Puerto Ave.
Patterson, CA 95363

Dear Mayor Dodds:

Stanislaus County has received notification from the Housing and Urban Development Department that it has been designated an Urban County for Community Development Block Grant (CDBG) funding. With this designation, the County will be eligible to receive a CDBG Entitlement for Fiscal Year 2002. The precise amount will not be known until January 2002, however we have been advised that the entitlement is approximately \$3.1 million with size determined by the number of participants.

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Mayor Dōdds
August 31 , 2001
Page Two

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Ron E. Freitas, Director of Planning and Community Development

Enclosure

Stani



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354

Phone: 209.525.6330 Fax: 209.525.5911

August 31, 2001

Mayor Pat Kuhn
City of Oakdale
280 N. 3rd Street
Oakdale, CA 95361

Dear Mayor Kuhn:

Stanislaus County has received notification from the Housing and Urban Development Department that it has been designated an Urban County for Community Development Block Grant (CDBG) funding. With this designation, the County will be eligible to receive a CDBG Entitlement for Fiscal Year 2002. The precise amount will not be known until January 2002, however we have been advised that the entitlement is approximately \$3.1 million with size determined by the number of participants.

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Mayor Kuhn
August 31, 2001
Page Two

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Sincerely,

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Ron E. Freitas, Director of Planning and Community Development

Enclosure

Stani



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354

Phone: 209.525.6330 Fax: 209.525.5911

August 31, 2001

Mayor Bart Conner
City of Hughson
P. O. Box 9
Hughson, CA 95326

Dear Mayor Conner:

Stanislaus County has received notification from the Housing and Urban Development Department that it has been designated an Urban County for Community Development Block Grant (CDBG) funding. With this designation, the County will be eligible to receive a CDBG Entitlement for Fiscal Year 2002. The precise amount will not be known until January 2002, however we have been advised that the entitlement is approximately \$3.1 million with size determined by the number of participants.

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Mayor Conner
August 31, 2001
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Sincerely,

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Ron E. Freitas, Director of Planning and Community Development

Enclosure

Stani



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354

Phone: 209.525.6330 Fax: 209.525.5911

August 31, 2001

Mayor Louis Arrollo
City of Ceres
2720 Second St.
Ceres, CA 95307

Dear Mayor Arrollo:

Stanislaus County has received notification from the Housing and Urban Development Department that it has been designated an Urban County for Community Development Block Grant (CDBG) funding. With this designation, the County will be eligible to receive a CDBG Entitlement for Fiscal Year 2002. The precise amount will not be known until January 2002, however we have been advised that the entitlement is approximately \$3.1 million with size determined by the number of participants.

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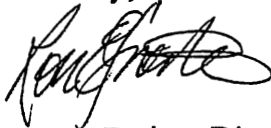
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Mayor Arrollo
August 31, 2001
Page Two

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Sincerely,

A handwritten signature in black ink, appearing to read "Ron Freitas", written in a cursive style.

Ron E. Freitas, Director of Planning and Community Development

Enclosure

RESOLUTION NO. 2001-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF PATTERSON AND THE COUNTY OF STANISLAUS FOR THE PURPOSE OF APPLICATION FOR AND ADMINISTRATION OF ENTITLEMENT GRANTS FOR LOW AND VERY LOW COST HOUSING

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Patterson as follows;

Section 1: The City Council has reviewed and hereby approves, in concept, a cooperative agreement between the City of Patterson and the County of Stanislaus, to be executed for the purpose of forming a consortium between the City and County for the co-application for Community Development Block Grant (CDBG) and HOME grant funds.

Section 2: The City Council has reviewed all pertinent citizen testimony given prior to and during a public hearing held on September 18, 2001 for the purpose of gathering public input relative to this agreement.

Section 3: The City Council approves entry into the agreement with the knowledge that the agreement and subsequent grant entitlements shall remain in effect for a total of three (3) years. The City Council enters into this agreement with the further understanding that the grant funds, when received, will be used for the express purposes allowed by the Department of Housing and Urban Development of the United States Government, including but not limited to the provision, construction, rehabilitation or purchase of dwelling places for low and/or very low income persons or families.

Section 4: The City Manager is hereby authorized and directed to act on the City's behalf in all matters pertaining to this application, including authorization for the City Manager to sign the Statement of Assurances.

Section 5: The City Manager is authorized to enter into and sign any and all cooperative agreements, contracts or covenants with the County of Stanislaus and/or the Department of Housing and Urban Development.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Patterson held on the 18th day of September, 2001, by Councilmember Brown, who moved its adoption, which motion was duly seconded by Councilmember Campo, and it was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers Wright, Brown, Campo, Keller and Mayor Dodds
NOES:	None
ABSENT:	None

APPROVED:



Richard E. Dodds
Mayor, City of Patterson

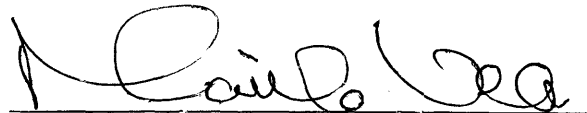
ATTEST:



Maricela L. Vela
City Clerk of the City of Patterson

I hereby certify that the foregoing is a full, correct and true copy of a resolution passed by the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 18th day of September 2001, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED: September 26, 2001



City Clerk of the City of Patterson
Maricela L. Vela

Resolution 01-131

A RESOLUTION OF THE CITY COUNCIL
AUTHORIZING EXECUTION OF COOPERATION AGREEMENT WITH
STANISLAUS COUNTY TO BECOME AN ENTITLEMENT CITY FOR COMMUNITY
DEVELOPMENT BLOCK GRANT FUNDING

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OAKDALE AS
FOLLOWS:

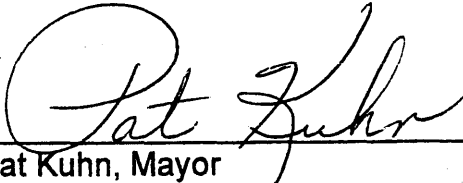
WHEREAS, Stanislaus County qualifies as an entitlement area for Community
Development Block Grant funds making the County and its cities eligible for
automatic allocation of CDBG funds; and

WHEREAS, the City of Oakdale stands to receive approximately \$330,000 per year
by electing to become an entitlement community for which the funds can be used for
eligible CDBG activities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oakdale
that the Mayor is hereby authorized to execute a Cooperation Agreement with
Stanislaus County as one of the requirements for receipt of the entitlement.

PASSED AND ADOPTED this 17th day of September, 2001, by the following vote:

AYES: COUNCILMEMBERS: Deklinski, Jackson, Kuhn, Rockey,
Skavdahl
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

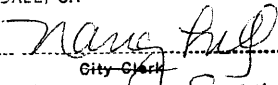
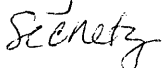

Pat Kuhn, Mayor

ATTEST:


Nancy Lilly, Executive Secretary

CERTIFICATION

THE FOREGOING IS A TRUE AND CORRECT COPY OF
Resolution 01-131,
DULY AND REGULARLY ADOPTED BY THE CITY COUNCIL OF
THE CITY OF OAKDALE IN Regular SESSION.
REBECCA A. PELUSO, City Clerk
CITY OF OAKDALE, CA


City Clerk
Date: 9/19/01 

COOPERATION AGREEMENT

THIS AGREEMENT, entered into this 26th day of September, 2001, by and between the CITY OF PATTERSON, hereinafter referred to as "City" and COUNTY OF STANISLAUS, hereinafter referred to as "County."

WITNESSETH

WHEREAS, CITY OF PATTERSON is a duly constituted municipal corporation under the laws of the State of California, and is empowered thereby to undertake essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing; and

WHEREAS, COUNTY OF STANISLAUS is a duly constituted subdivision of the State of California, and is also empowered by State law to undertake essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing; and

WHEREAS, Government Code Section 6502 authorizes two or more public agencies to jointly exercise any power common to both; and

WHEREAS, it is mutually desired by the parties hereto to enter into a Cooperation Agreement, in accord with the Housing and Community Development Act of 1974, as amended, and applicable Federal rules and regulations adopted pursuant thereto; whereby the parties shall jointly undertake community development and housing assistance activities, including those funded by the Community Development Block Grant Entitlement Program and the HOME Investment Partnerships Program (HOME).

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. The parties hereto agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing, pursuant to the Housing and Community Development Act of 1974, as amended, hereafter, HCDA and the HOME INVESTMENT Partnerships Act, as amended. This agreement shall become effective October 1, 2001, and be in effect until terminated, but termination may not occur before September 30, 2004. This agreement shall remain in effect until the Community Development Block Grant and HOME Investment Partnerships Program funds received for federal fiscal years 2002, 2003, and 2004 and any related program income received with respect to these activities are completed. .
2. Upon certification of Stanislaus County, and all of the participating incorporated cities, as an "urban county" for federal fiscal years 2002, 2003, and 2004, under the HCDA and applicable rules and regulations adopted pursuant thereto, a Policy Committee shall be formed consisting of one (1) representative designated by the Board of Supervisors and one (1) representative from each participating city. Each Committee representative shall have

equal voting rights. The Policy Committee shall receive from the Technical Committee made up of one staff person from each participating jurisdiction, a proposed budget, and any other documentation required by the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant Program and the HOME Investment Partnerships Program. Documentation shall include, but not limited to, a list of specific projects to be undertaken and priorities for implementation for the housing and community development projects. In preparing its proposed plans, project priorities, proposed budget, and other documentation, the Technical Committee shall disseminate complete information to citizens of Stanislaus County concerning community development and housing needs; and shall provide citizens with an opportunity to participate in the development of programs and priorities.

Upon completion of the Policy Committee's deliberations, the proposed budget and other relevant documentation shall be submitted to the Stanislaus County Board of Supervisors for approval.

3. After deduction of administrative expenses of (10%), all of the net Community Development Block Grant monies shall be sub-allocated to the participating jurisdictions according to the general distribution formula established by HUD which is based on the latest available countywide data on population, the extent of poverty, and the extent of housing overcrowding, with the provision that the extent of poverty be counted twice. However, a different distribution is hereby expressly authorized if and when necessary to comply with Title I of the HCDA. If any project submitted by County as a portion of the Community Development Block Grant documentation is found to ineligible by HUD, the proposed project shall not be funded. In such an event, the County, acting in concert with the Technical Committee may submit an alternative priority project which is within the original cost and in line with the stated needs and objectives of County, provided such a re-submission conforms with the rules and regulations of the HCDA.

After deduction of administrative expenses, all of the net HOME Investment Partnerships Program monies allocated annually to the County of Stanislaus as an "urban county" under the HCDA, shall be allocated for housing purposes on a countywide basis. Distribution of such funds will be made by the Board of Supervisors, upon recommendation of the Policy Committee. Distributions will be consistent with HUD guidelines and the evaluation criteria developed by participating cities and the county.

4. City may terminate its participation in this Cooperation Agreement and membership on the Committees by a single majority vote of its governing body. Such termination shall take effect only at the end of the federal three-year urban county qualification period in which the action is taken. The next such qualification period will end September 30, 2004. Subsequent urban county qualification periods will end September 30 on every third year following that date. However, City may void this Cooperation Agreement by written notice received by the Director of the Stanislaus County Planning and Community Development Agency, 1010 10th

Street, Suite 3400, Modesto, California 95354, prior to the completion of urban county qualification process for federal fiscal years 2002, 2003 and 2004, if City is advised by HUD that City is eligible to be designated as a metropolitan city entitled to Community Development Block Grant formula funding and City elects to accept designation as a metropolitan city. If this Cooperation Agreement is not voided by City prior to September 10, 2001 (or later date if approved in writing by HUD) under the circumstances listed in the previous sentence, City must remain a part of the urban county for the entire three-year urban county qualification period.

5. Public housing that requires voter approval shall not be approved until it receives approval of the voters.
6. Under this Agreement, the County shall be the primary general-purpose local governmental unit pursuant to the HCDA. The County shall apply for grants, administer all funds received, and undertake or assist in undertaking essential community development and housing assistance activities. Based on recommendations made by the Policy Committee, the County shall have the authority to carry out activities which will be funded from annual Community Development Block Grants and from HOME Investment Partnerships Program funds received for federal fiscal years 2002, 2003, and 2004 and any related program income generated. Records shall be kept by County in accordance with approved accounting procedures, and said records shall be available for public inspection at all times.
7. County and all participating cities shall take all actions necessary to assure compliance with the urban county's certification required by Section 104 (b) of Title I of the HCDA, including the National Environmental Policy Act of 1969, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Executive Order 11988, the Fair Housing Act, Section 109 of Title I of the HCD, as amended. Use of urban county funds for activities, in or in support of, any participating city that does not affirmatively further fair housing within its own jurisdiction or that impedes the county's actions to comply with the county's fair housing certification shall be prohibited. Pursuant to 24 CFR 570.501(b), City is subject to the same requirements applicable to sub-recipients, including the requirement of a written agreement described in 24 CFR 570.503.
8. City shall report to County any income generated by the expenditure of Community Development Block Grant funds and HOME Investment Partnership Program funds. Such program income may be retained by City to be used for CDBG or HOME eligible activities. County has the responsibility for monitoring and reporting to HUD on the use of program income, thereby requiring appropriate record keeping and reporting by City as may be needed for this purpose.
9. The following standards shall apply to real property acquired or improved in whole or in part

using Community Development Block Grant funds that is within the control of a participating City.

- a. City shall give County timely notification of any modification or change in the use of the real property from that planned at the time of acquisition or improvement including disposition.
 - b. City shall reimburse the allocation account in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of funds other than Community Development Block Grant or HOME) of property acquired or improved with Community Development Block Grant funds that is sold or transferred for a use which does not qualify under the Community Development Block Grant regulations.
 - c. City shall pay to County any program income generated from the disposition or transfer of property prior to or subsequent to the close-out, change of status or termination of the cooperation agreement between County and City. Any program income shall be allocated by County for eligible activities in accordance with all Community Development Block Grant requirements as may then apply.
10. The parties hereto agree that the final responsibility for analyzing needs, setting objectives, developing plans, selecting projects for community development and housing assistance, selecting Community Block Grant and HOME activities, and filing the Consolidated Plan and other required by the HCDA is Stanislaus County Board of Supervisors.
11. By executing this Community Development Block Grant Program Cooperation Agreement, City understands that it may not apply for grants under the Small Cities or State Community development Block Grant Programs from appropriation for fiscal years during the period in which it participates in the County's Urban County Community Development Block Grant Program; that it may participate in a HOME Program only through the urban county; and that it may not participate in a HOME consortium with other local governments except through the urban county, regardless of whether the urban county receives a HOME formula allocation.
12. The cooperating unit of general local government 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 if 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 its jurisdiction.

The phrase "cooperating unit of general local government" has the same meaning in this Cooperation Agreement as it does in HUD Notice #CPD 99-03.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

COUNTY OF STANISLAUS

CITY OF PATTERSON

By: Pat Paul
Pat Paul, Chair
Board of Supervisors

By: Richard Dodds
Richard Dodds
Mayor

ATTEST:
Christine Ferraro
Deputy Clerk of the Board

ATTEST:
Maricela Vela
Maricela Vela
Clerk

APPROVED AS TO FORM:
E. Vernon Seeley
E. Vernon Seeley
Assistant County Counsel

APPROVED AS TO FORM:
George Logan
George Logan
Attorney for City

COOPERATION AGREEMENT

THIS AGREEMENT, entered into this 26th day of September, 2001, by and between the CITY OF OAKDALE, hereinafter referred to as "City" and COUNTY OF STANISLAUS, hereinafter referred to as "County."

WITNESSETH

WHEREAS, CITY OF OAKDALE is a duly constituted municipal corporation under the laws of the State of California, and is empowered thereby to undertake essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing; and

WHEREAS, COUNTY OF STANISLAUS is a duly constituted subdivision of the State of California, and is also empowered by State law to undertake essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing; and

WHEREAS, Government Code Section 6502 authorizes two or more public agencies to jointly exercise any power common to both; and

WHEREAS, it is mutually desired by the parties hereto to enter into a Cooperation Agreement, in accord with the Housing and Community Development Act of 1974, as amended, and applicable Federal rules and regulations adopted pursuant thereto; whereby the parties shall jointly undertake community development and housing assistance activities, including those funded by the Community Development Block Grant Entitlement Program and the HOME Investment Partnerships Program (HOME).

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

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The phrase "cooperating unit of general local government" has the same meaning in this Cooperation Agreement as it does in HUD Notice #CPD 99-03.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

COUNTY OF STANISLAUS

By: Pat Paul
Pat Paul, Chair
Board of Supervisors

CITY OF OAKDALE

By: Pat Kuhn
Pat Kuhn
Mayor

ATTEST:

Elizabeth King
Deputy Clerk of the Board

ATTEST:

Pat Kuhn
Clerk

APPROVED AS TO FORM:

E. Vernon Seeley
E. Vernon Seeley
Assistant County Counsel

APPROVED AS TO FORM:

Thomas H. Hallinan
Attorney for City