RESOLUTION NO. 00-22

ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY *(votes only in case of tie)*		
SHERMAN E. HUFF *Councilmember*	X	
LILLIAN J. SHEPHERD *Councilmember*	X	
GLENN A. JAMES *Councilmember*	X	
ROY L. JOHNS *Councilmember*	X	
EVERETT KELEPOLO *Councilmember*	X	

I MOVE this resolution be adopted: Councilmember Huff
I SECOND the foregoing motion: Councilmember Kelepolo

RESOLUTION 00-22

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE MEMORANDUM OF AGREEMENT WITH THE HOUSING AUTHORITY OF UTAH COUNTY

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, 1953 as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually advantageous agreements to provide services and facilities; and

WHEREAS, Spanish Fork City has determined that the interests and welfare of its residents will best be served by renewal of the Memorandum of Agreement previously executed

by the City and the Housing Authority of Utah County.

NOW, THEREFORE, be it resolved by the Spanish Fork City Council that it approves and authorizes the Mayor to execute the Memorandum of Agreement relating to the Housing Authority of Utah County.

This resolution adopted this 15th day of August, 2000, by the City Council of Spanish Fork City, Utah.

DALE R. BARNEY, Mayor

ATTEST:

KENT R. CLARK, City Recorder

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MEMORANDUM OF AGREEMENT

A Memorandum of Agreement between the City of Spanish Fork, hereinafter referred to as "City" and the Housing Authority of Utah County, hereinafter referred to as "Housing Authority" relating to the administration of HOME funds which have been designated by HUD to be used to provide housing assistance to low-income city residents.

Whereas, The City is a recipient of certain HOME funds that are appropriated by the Congress and passed through the U.S. Department of Housing and Urban Development to the Utah Valley Consortium of Cities and County, and

Whereas, The City would like to use these funds to address the rehabilitation of housing, down payment assistance for home ownership and other housing needs of low-income residents of their community, and

Whereas, The mission of the Housing Authority is to provide safe, decent, and sanitary housing for needy low-income families within its jurisdiction, and

Whereas, The Housing Authority has the expertise in administering federal funds designed to address the housing needs of low-income families, and

Whereas, There are certain advantages and economies for both the City and the Housing Authority to cooperate in the administration of the above-mentioned HOME program.

NOW, THEREFORE BE IT AGREED AND MUTUALLY UNDERSTOOD that:

1. As the City receives HOME funds through the Utah Valley Consortium of Cities and County on fiscal year basis, the Housing Authority shall be authorized to administer these funds in behalf of the City for housing rehabilitation loans, down payment assistance for home ownership or for other housing-related purposes as specified by the City and consistent with HOME guidelines.

2. The Housing Authority shall organize and coordinate a HOME loan review committee comprised of members from the Utah Valley Consortium of Cities and County, of which the City is a member. The HOME loan review committee shall review all applications for housing assistance and have the authority to approve or reject applications based on their merit.

3. The Housing Authority shall be responsible for loan processing which shall include the following: application intake, initial inspection, work write-up, contract administration, work progress inspection, final inspection and contract payments.

4. The City shall authorize up to 10% of its HOME funds to be used for the administration of the HOME program.

5. All loan repayments made by low-income borrowers shall be deposited in an interest-bearing account in the name of the Utah Valley Consortium of Cities and County. All repaid loan funds shall be used to fund future housing projects in the City or for other purposes as prescribed by the City in accordance with HOME guidelines.

6. The City shall, at all reasonable times, have the right to examine the financial records as well as all administrative records pertaining to this program.

7. Either party to this Memorandum of Agreement may declare by an act of its governing body to terminate for any reason, by giving the other party 60 days advance written notice. All amendments to this agreement shall be in writing and agreed upon by both parties.

EXECUTED THIS 15 DAY OF August, 2000.

Dale R. Barney

Dale Barney, Mayor
Spanish Fork City

Kent R. Clark
City Recorder

Gene Carly, Executive Director
Housing Authority of Utah County

Copy provided to:

Utah Valley Consortium of Cities and County
Housing Authority of Utah County
City of Spanish Fork

Board Members
Denton Alexander
Chair
Sherlynn Fenstermaker
Vice-Chair
Gary Herbert
C. Michael Vanchiere
Lynn E. Robbins
Susie Nielsen

Housing Authority of Utah County

240 East Center Street, Provo, Utah 84606-3162
(801) 373-8333 TDD and Voice
(801) 373-2270 Fax

Gene Carly
Executive Director

12 July 2000

David Oyler
City of Spanish Fork
40 South Main
Spanish Fork, Utah 84660

Dear Mr. Oyler:

In 1994, the Housing Authority of Utah County and the City of Spanish Fork entered into a Memorandum of Agreement that allows our agency to administer federal HUD funds in behalf of the City to provide housing opportunities to lower income citizens.

At a recent meeting of the Utah Valley Consortium of Cities and County it was suggested by members of the control board to consider a renewal of this agreement since many of the mayors and members of city councils have turned over in recent years. The enclosed agreement adds down payment assistance for home ownership that wasn't included in the original agreement, but other than that it is essentially the same agreement.

I would be happy to attend a city council meeting to discuss this agreement with your City if that is determined helpful. I would propose that this agreement be considered, signed and returned by September 1, 2000. Please let me know what you would like me to do.

If you have any questions or need additional information, please contact me.

Sincerely,

Gene Carly
Executive Director

SPANISH FORK CITY

September 25, 2000

Gene Carly, Executive Director
Housing Authority of Utah County
240 East Center Street
Provo, Utah 84606-3162

Re: Memorandum of Agreement

Dear Gene,

Thanks for your help on Friday, September 22, 2000. Enclosed is a copy of the resolution and agreement we spoke of during our conversation. If this is not sufficient, please let me know.

If you have questions, or need further assistance, please contact me.

Sincerely,

Gina

Gina Peterson
Deputy Recorder

40 SOUTH MAIN STREET • SPANISH FORK, UTAH 84660 • (801) 798-5000 • FAX (801) 798-5005