

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF GUAYNABO
MUNICIPAL ASSEMBLY

R E S O L U T I O N

Number 5

Presented by: Administration

Series 1986-87

RESOLUTION OF THE MUNICIPAL ASSEMBLY OF GUAYNABO PUERTO RICO AUTHORIZING THE MAYOR OF GUAYNABO, PUERTO RICO, TO FILE AN APPLICATION AND ENTER ANY AGREEMENT FOR ANY PROGRAM UNDER THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GOVERNED BY TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED, AND AUTHORIZING THE MAYOR TO ACCEPT AND RECEIVE SAID GRANTS AND FOR OTHER PURPOSES.

- Whereas : The U.S. Housing and Community Development Act of 1974 Public Law 93-383 of 1974, as amended provides for development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income.
- Whereas : Said Act authorizes the Secretary of Housing and Urban Development (HUD) to make grants to units of general local government to help finance Community Development Programs under Section 103 (a) (1) of Title One, or any other Program where funds are available.
- Whereas : Under said legislation eligible applicants, in the case of Municipalities are required to be authorized by resolution of the Mayor to file application and to provide to the Secretary of Housing and Urban Development with certain assurances of compliance with the regulations under Title I of said Act.
- NOW THEREFORE : BE IT RESOLVED BY THE MUNICIPAL ASSEMBLY OF GUAYNABO, PUERTO RICO AUGUST 13TH, 1986.
- Section 1 : That the Mayor be and is hereby authorized to execute and file applications, and/or amendments thereof on behalf of the Municipality of Guaynabo, with the Department of Housing and Urban Development, United States Government, for a grant pursuant to Title I of the Housing and Community Development Act of 1974.
- Section 2 : That the Mayor of Guaynabo, is hereby authorized and designated as the Municipality's representative and as such to act in connection with the Application or any agreement or contract and to provide such additional information as may be required including all understanding and assurances contained in the application.
- Section 3 : That in connection with such application and receipt of funds pursuant to Title I of the Housing and Community Act of 1974 this Municipality comply with:

1. Section 109 of the Housing and Community Act of 1974 and regulation pursuant to Title VI of the Civil Rights Act of 1964 (PL 90-284); Executive Orders 11246 and 11063; and Section 3 of the Housing and Urban Development Act of 1968, as amended.

Section 4 : That in connection with such application, and the receipt of funds from the Grant agreement to Title I of the Housing and Urban Development Act of 1974, this Municipality will:

1. Provide fair and reasonable relocation payments and assistance in accordance with Section 202, 203 and 204 of the Uniform Relocation and Real Property Acquisition Policies Act (PL 91-646) and applicable HUD regulations, to or families, individuals, partnerships, corporations, or associations displaced as result of any acquisition of real property for an activity assisted under the program;
2. Provide relocation assistance programs offering the services described in Section 205 of PL 91-646 to such displaced families, individuals, partnerships, corporations or associations in the manner provided under applicable HUD regulations;
3. Assure that, withing a reasonable time prior to displacement, decent, safe, and sanitary replacement dwellings will be available to such displaced families and individuals in accordance with Section 205 (c) (3) of PL 91-646;
4. Inform affected persons of the benefits, policies, and procedures provided for under HUD regulations; and
5. Carry out the relocation process in such manner as to provide displaced persons with uniform and consistent services, and assure that replacement housing will be available in the same range of choices regardless of race, color, religion, or national origing.
6. In acquiring real property in connection with the Community Development Block Grant Program, be guided to the extent permitted under State law, by the real property acquisition policies, set out under Section 301 of the Uniform relocation Assistance and Real Property Acquisition Policies Act and the provisions of Section 302 thereof;
7. Pay or reimburse property owners for necessary expenses as specified in Section 303 of the Act;
8. Give HUD and the Comptroller General through any authorized representative access to and the right to examine all records, books, papers, or documents related to grant;
9. Comply with the provisions of the Hatch Act which limit the political activity of employees;

10. Comply with the provisions of Executive Order 112296, relating to evaluation or flood hazards;
11. Establish safeguard to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family business, or other ties; and
12. Comply with all requirements imposed by HUD concerning special requirements of law, program, requirements, and other administrative requirements approved in accordance with Federal Management Circular A87 and requirements of OMB Circular No. A-102.

Section 5 : That the Mayor is hereby authorized and:

1. Shall and do assume the STATUTES of a responsible Federal official under the National Environmental Policy Act 1969 insofar as the provisions of such act apply pursuant to this part; and
2. On behalf of this Municipality and himself shall, and does accept the jurisdiction of the Federal courts for the purposes of enforcement of this responsibility as such an official.

Section 6 : That the Community Development Program to be undertaken pursuant to the application will:

1. Give maximum feasible priority to activities with benefit lower moderate-income families or aid in the prevention or elimination of slums or blight; and or
2. Contain activities designed to meet other Community development needs having a particular urgency with are specifically identified as described in the applicant's community development plan summary and community development program.

Section 7 : That the Mayor is hereby authorized and directed to execute any contract and/or agreement with the U.S. Government, Secretary of Housing and Urban Development in connection with the Application and he or his designee is further authorized to request and expend funds from the U.S. Government pursuant to said contract and/or agreement.

Section 8 : That the Mayor or his duly authorized representative is hereby authorized to sign and execute any kind of Public Deed related to this Resolution.

Section 9 : That to the extent that all or any actions hereby authorized have been executed and/or performed by the Mayor all are hereby ratified and confirmed.

- Section 10 : Any ordinance resolution or part thereof which may be in conflict herewith is hereby repealed.
- Section 11 : This resolution shall take effect immediately.

Luis A. Benito Pérez
President

Quirino Cristóbal López
Secretary

This resolution was approved by the Alfredo R. Martínez Resto, Interine Mayor, on Aug. 22, 1986.

Alfredo R. Martínez Resto
Interine Mayor

Estado Libre Asociado de Puerto Rico
Gobierno Municipal de Guaynabo
Asamblea Municipal

CERTIFICACION


YO SRA. ASUNCION CASTRO DE LOPEZ Secretaria de la Honorable Asamblea Municipal de Guaynabo, Puerto Rico, por medio de la presente certifico que la que antecede es una copia fiel y exacta de la Resolución Núm. 5, Serie 1986-87, aprobada por la Asamblea en su sesión ordinaria del día 13 de agosto de 1986.

CERTIFICO, ADEMAS, que la misma fue aprobada por mayoría de los miembros presentes en dicha sesión, los Hons. Luis A. Berríos Pérez, Miguel M. Matos, Adolfo Avilés Medina, José M. Cuevas García, Zoraida Meléndez de Aguayo, Adrián Martínez Maldonado, Nelson A. Miranda Hernández, Julio Vega Rosario, Milagros Pabón, Rafael Pesquera Cantellops, Lillian Jiménez de Irizarry, Francisco Nieves Figueroa, Jaime E. Zequeira Román y Maggie Ginés de Soto.

Votos abstenidos de los Hons. Gladys Rodríguez de Muñiz y Juan Fuentes Rodríguez.

Fue aprobada por el Honorable Alcalde Interino, Alfredo Martínez Resto, el día 22 de agosto de 1986.

EN TESTIMONIO DE TODO LO CUAL, libro la presente certificación bajo mi firma y el sello oficial del Municipio de Guaynabo, Puerto Rico, a los ventidos días del mes de agosto del año mil novecientos ochenta y seis.


Secretaria Asamblea Municipal