

COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND

RESOLUTION NO. 09-13

Introduced By	City Council
Date Introduced	March 26, 2009
Date Adopted	March 26, 2009
Date Effective	March 26, 2009

A RESOLUTION concerning

Community Legacy Funds Agreement – Seat Pleasant Community Development Corporation

FOR the purpose of approving a Community Legacy Funds Agreement between the City of Seat Pleasant and the Seat Pleasant Community Development Corporation and authorizing the Mayor to sign this Agreement on behalf of the City; exempting the Community Legacy Funds Agreement from any applicable competitive bidding requirements; and matters generally related thereto.

EXPLANATORY STATEMENT: In June 2006 and June 2007 the City of Seat Pleasant (“City”) entered into Community Legacy Program Agreements under which the Maryland Department of Housing and Community Development (“DHCD”) committed to loaning the City a total of \$200,000 of Community Legacy Program funds to be used by the City for housing rehabilitation projects in the City. DHCD recently notified the City that the 2006 and 2007 Agreements will be terminated as of June 30, 2009, and that any funds not expended by that date will be forfeited. In February 2007 the City issued a Request for Proposals for interested parties to undertake projects to utilize these Community Legacy Program funds. Proposals that were submitted to the City were not responsive and did not demonstrate that the proposals could be fully implemented by June 30, 2009, and were rejected by the City Council. The Seat Pleasant Community Development Corporation (“SPCDC”) has provided the City with a project proposal that the City and the SPCDC believe can be accomplished by June 30, 2009. That proposal and project are reflected in the Community Legacy Funds Agreement to be approved by this Resolution. The purpose of this Resolution is to approve the Community Legacy Funds Agreement and to exempt this Agreement from any applicable competitive bidding requirements of Chapter 39 of the Code of the City of Seat Pleasant so that the City does not forfeit \$200,000 of Community Legacy funds that can be utilized to further the interests of the citizens of the City. Now, therefore,

SECTION I. BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT, that, the Community Legacy Funds Agreement between the City of Seat Pleasant and the SPCDC attached to this Resolution is approved and the Mayor of the City is authorized to execute that Agreement on behalf of the City.

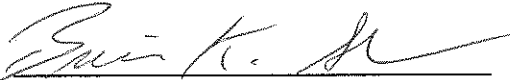
and the SPCDC attached to this Resolution is approved and the Mayor of the City is authorized to execute that Agreement on behalf of the City.

SECTION II. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT, that, in accordance with Section 39-3.A. of the Code of the City of Seat Pleasant, the City Council finds that the delays that now would be occasioned by proceeding with further formal competitive bid processes as outlined in Chapter 39 of the City Code, to the extent that compliance with such provisions otherwise may be required, for a proposal to undertake a project to utilize the \$200,000 in Community Legacy funds would be detrimental to the welfare of the community. Furthermore, in accordance with Section 39-3.B. of the Code of the City of Seat Pleasant, the City Council further finds that the proposal by the SPCDC as reflected in the attached Community Legacy Funds Agreement is the only viable option available to the City to avoid forfeiture of the \$200,000 in Community Legacy funds. Therefore, the City Council, acting by the affirmative vote of at least a majority of the whole Council, exempts the attached Community Legacy Funds Agreement from the City's competitive bidding requirements, to the extent that compliance with such provisions otherwise may be required, and authorizes the City to consummate such transaction.

ATTEST:


Dashaun N. Lanham, City Clerk

COUNCIL OF THE CITY OF
SEAT PLEASANT


Brian K. Shivers, President