

RESOLUTION NO. 203565 AUG 26 1971

RESOLUTION PROVIDING ASSURANCE OF  
COMPLIANCE WITH THE PROVISIONS OF  
THE UNIFORM RELOCATION ASSISTANCE  
AND REAL PROPERTY ACQUISITION  
POLICIES ACT OF 1970.

WHEREAS, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, P. L. 91-646, hereinafter called the "Act," establishes uniform policies for the fair and equitable treatment of individuals, partnerships, corporations, or associations, hereinafter called "displaced persons," who are displaced as a result of Federal and federally assisted programs, as well as uniform policies on real property acquisition practices with respect to such programs; and

WHEREAS, the Act is applicable to various programs and projects receiving financial assistance from various Federal agencies such as the Department of Housing and Urban Development, hereinafter called "HUD," the General Services Administration, hereinafter called "GSA"; and

WHEREAS, this governing body is receiving and will probably seek financial assistance for federally funded projects and programs, which projects or programs, hereinafter called the "Undertakings," are subject to the Act and are administered by HUD, GSA or other Federal agencies; and

WHEREAS, the activities for which such assistance is being received or will be sought will involve displacement and/or land acquisition occurring on or after January 2, 1971, the effective date of the Act; and

WHEREAS, Sections 210 and 305 of the Act require the provision of certain assurances before the head of a Federal agency can provide financial assistance to pay all or part of the cost of any program or project which will result in displacement or real property acquisition as defined in the Act; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego as follows:

A. That the United States of America is provided, through the adoption of this resolution, with the following assurances regarding conduct by the Council of The City of San Diego of Undertakings for which Federal financial assistance is being received or will be sought:

1. Fair and reasonable relocation payments and assistance shall be provided, in accordance with Sections 202, 203, and 204 of the Act and applicable Federal regulations in effect at the time of displacement, to or for displaced persons whose displacement occurs as a result of the undertaking;

2. Relocation assistance programs offering the services described in Section 205 of the Act shall be provided to such displaced persons in the manner provided under applicable Federal regulations in effect at the time of displacement;

3. Within a reasonable period of time prior to displacement, decent, safe, and sanitary replacement dwellings will be available to displaced persons in accordance with Section 205(c)(3) of the Act;

4. In acquiring real property in connection with federally assisted projects, contracts or agreements, this governing body will be guided to the greatest extent practicable under State law, by the land acquisition policies set out under Section 301 of the Act and the provisions of Section 302 thereof;

5. Property owners will be paid or reimbursed for necessary expenses as specified in Sections 303 and 304 of the Act; and

6. The costs of providing relocation payments and assistance to The City of San Diego's Undertakings shall be borne in accordance with Section 211 of the Act;

7. The City of San Diego hereby gives assurance that it has authority under applicable State and local law to comply with Sections 210 and 305 of the Act, notwithstanding any provision set forth in the financial assistance agreement between The City of San Diego and the United States Government, and in this connection hereby authorizes the provision to the Federal Government of the opinion of its legal counsel to that effect.

B. The City Manager, or his designee, of The City of San Diego is hereby authorized and directed to execute amendments to applicable financial assistance agreements between The City of San Diego and Federal agencies and to

execute, furnish and be bound by such additional documentation as may be required in order to comply with the Act as secretaries of Federal agencies shall determine necessary to effectuate or implement the assurances provided hereunder.

C. This document is hereby made a part of and is incorporated in financial assistance agreements between The City of San Diego and Federal agencies for the Undertakings identified below and shall be deemed to supersede any provision in said agreements to the extent that such provisions may conflict with the assurances or agreements provided hereunder.

D. This resolution of assurance and agreement is applicable to the following Federal and federally assisted projects or programs identified as being Undertakings of this public body:

Project or Program  
Identification

Urban Renewal Projects

Code Enforcement Projects

Model Cities Program

Neighborhood Facility Projects

Historical Preservation Projects

Land Acquisition for Federal Office Buildings and other Federal and federally assisted programs and projects as applicable.

E. The City Manager or his designee is hereby authorized and directed to execute this document and the Clerk of The City of San Diego is authorized and directed to attest

the execution of this document, affix or attach the seal thereto, and to furnish such counterparts as may be required by the secretaries of Federal agencies.

F. This Resolution is effective immediately.

APPROVED: JOHN W. WITT, City Attorney

By Robert J. Logan  
Robert J. Logan, Deputy

SEAL

IN WITNESS WHEREOF, I have hereunto set my hand on this 30<sup>th</sup> day of Aug., 1971.

ATTEST

Edward Wilson  
City Clerk

RJL:clh  
8/19/71

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203565

Passed and adopted by the Council of The City of San Diego on AUG 26 1971,  
 by the following vote:

RECEIVED  
 CITY CLERK'S OFFICE  
 1971 AUG 20 AM 11:07

SAN DIEGO, CALIF

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

*[Signature]*  
 FRANK CURRAN  
 Mayor of The City of San Diego, California.  
 EDWARD NIELSEN  
~~JOHN LOCKWOOD~~  
 City Clerk of The City of San Diego, California.

(Seal)

By *Edgar J. Hamel*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 203565 Adopted AUG 26 1971  
*eh*