

RESOLUTION NO. 205785 JUN 13 1972

A 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 a Federal agency such as the Department of Housing and Urban Development (hereinafter called "HUD"); and

WHEREAS, this governing body seeks financial assistance pursuant to a project or program identified below, which project or program (hereinafter called the "Undertaking") is subject to the Act and is administered by HUD; and

WHEREAS, the activities for which such assistance is 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:

1. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are provided through the adoption of this resolution, with the following assurances regarding conduct by this body of the Undertaking for which Federal financial assistance is sought:

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

c. 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;

d. The relocation process will be carried out in such a manner as to provide displaced persons with uniform and consistent services, and replacement housing under 24 C.F.R. Section 42.120, 36 F.R. 8789 (1971) will be available and the same range of choices with respect to such housing will be offered to all displaced persons regardless of race, color, religion or national origin, pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3501 et seq.) and Executive Order 11063 (27 F.R. 11527);

e. In acquiring real property in connection with the foregoing identified 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;

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

g. The costs of providing relocation payments and assistance to the public body's Undertaking shall be borne in accordance with Section 211 of the Act;

h. Affected persons will be adequately informed of the benefits, policies and procedures provided in applicable HUD regulations;

i. The public body 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 this body and HUD, and in this connection hereby authorizes the provision to HUD of the opinion of its legal counsel to that affect.

2. The City Manager, or his designated representative, of The City of San Diego, is hereby authorized and directed to execute such amendment to the applicable financial assistance agreement between this body and HUD and to execute, furnish and be bound by such additional documentation as may be required in order to comply with the Act as the Secretary of Housing and Urban Development shall determine necessary to effectuate or implement the assurances provided hereunder.

3. This document is hereby made a part of and is incorporated in the financial assistance agreement between this public body and HUD for the Undertaking identified below which shall be deemed to supersede any provision in said agreement to the extent that such provision may conflict with the assurances or agreement provided hereunder.

4. This resolution of assurance and agreement is applicable to the following project or program identified above as being Undertaking of this public body:

Open Space Program (Title VII of the Housing Act of 1961, as amended).

5. This resolution pertains to an emergency matter and is effective immediately.

APPROVED: JOHN W. WITT, City Attorney

By H. Valderhaug
Harold Valderhaug, Deputy

HOV:rp
6/12/72

205785

Passed and adopted by the Council of The City of San Diego on JUN 13 1972,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

By *Edward Nielsen*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number	205785
Adopted	JUN 13 1972
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