

→ DELIVER TO	DEPARTMENT AND DIVISION <i>City Clerk's</i>		No.
	NAME <i>Chris</i>		DATE <i>11-17-05</i>
ROOM NUMBER, BUILDING, AND ADDRESS			
RECORDS TITLE <i>1992 Final Papers</i>			DATE OF RECORD
FILED Alpha <input type="checkbox"/> Numerical <input type="checkbox"/>		HANDLED BY Visit <input type="checkbox"/> Delivery <input type="checkbox"/>	INITIALS
DETAIL IDENTIFICATION <i>1 1992 #264 6-9-92</i> <i>2 1992 #531 11-12-92</i>			BOX LOCATION
REMARKS		SIGN HERE <i>Chris Penn</i>	RECEIVED BY
REFERENCE SERVICE REQUEST CHARGE-OUT DO NOT DETACH		CITY OF PROVIDENCE ARCHIVES CITY HALL, PROVIDENCE, R.I.	

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 264

Approved June 9, 1992

RESOLUTION AUTHORIZING THE CITY COUNCIL OF THE CITY OF PROVIDENCE, RHODE ISLAND, TO AMEND THE STATEMENT OF OBJECTIVES AND FUNDING UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT AS PROPOSED AND APPROVED ON AUGUST 2, 1991, AS RESOLUTION NUMBER 453, TO INCLUDE THE USE OF LOAN GUARANTEE ASSISTANCE FUNDS IN ACCORDANCE WITH SECTION 108 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED.

WHEREAS, the City of Providence is eligible to receive Community Development Block Grant Entitlement Funds for Fiscal year 1991 under Section 106(a) or (b) of Title I of the Housing and Community Development Act of 1974; and

WHEREAS, the City Council of the City of Providence, County of Providence, State of Rhode Island, on August 2, 1991, by Resolution 453, authorized the City of Providence, through its official representative, the Mayor, to file a STATEMENT OF OBJECTIVES AND FUNDING with the Boston Area Office of the Department of Housing and Urban Development for the purpose of obtaining Community Development Block Grant; and

WHEREAS, SECTION 108 of the Act authorizes submission of an application for loan guarantee assistance for those communities entitled to receive a Community Development Block Grant; and

WHEREAS, Section 108 provides a source of front-end financing for large-scale projects which cannot be financed from annual grants; and

WHEREAS, The Statement of Community Development Objectives and projected use of Loan Guarantee Funds provides the necessary assurances and/or Certification of Compliance with applicable Federal Regulations and requirements; and

IN CITY COUNCIL
Apr. 2, 1992
FIRST READING
REFERRED TO COMMITTEE ON
Michael R. Clement CLERK
FINANCE and URBAN REDEVELOPMENT
RENEWAL & PLANNING

THE COMMITTEE ON
FINANCE and URBAN REDEVELOPMENT
RENEWAL & PLANNING
Recommends *Be Continued*
Michael R. Clement Clerk
April 14, 1992
April 21, 1992

THE COMMITTEE ON
FINANCE and URBAN REDEVELOPMENT
RENEWAL & PLANNING
Approves Passage of
The Within Resolution
June 4, 1992
Barbara A. Poirier Chairman

Council President Gettosinielli (By Request)

WHEREAS, the Mayor must be authorized to submit the Statement of Community Development Objectives and use Loan Guarantee Funds with the Secretary of the Department of Housing and Urban Development and to accept and execute the Agreement,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Providence, County of Providence, State of Rhode Island, hereby authorizes the City of Providence, through its representative, the Mayor, by amending the STATEMENT OF OBJECTIONS AND FUNDING, as authorized by Resolution 453, on August 12, 1991, to include the application for loan guarantee assistance under Section 108 of the aforementioned Act for the following project: The City of Providence will make application to the U.S. Department of Housing and Urban Development in an amount not to exceed Nine Million Dollars (\$9,000,000.00) to fund a comprehensive housing program through the Providence Plan Housing Corporation, a newly formed city-wide non-profit housing Corporation. The comprehensive housing program shall substantially be in accordance with the intent outlined in Exhibit A.

The Council authorizes the Mayor subject to the following conditions:

(a) The City Council shall have the authority to approve by resolution the transfer of Section 108 funds from the account of the Department of Planning and Development to the Corporation in a sum not to exceed three million dollars unless so approved and authorized by the City Council.

The Committee on Finance and the Committee on Urban, Redevelopment, Renewal and Planning, meeting jointly, shall consider the proposed transfer, render a decision by majority vote of each committee and refer the matter back to the full Council within fourteen (14) business days of having the resolution referred from the Council. The City Council must approve or disapprove the transfer at the next meeting of the City Council. If the City Council fails to do so, the Department shall have the authority to make the transfer as proposed.

(b) The City Council may direct the Internal Auditor of the City of Providence to conduct an audit of the Corporation's operations. The Internal Auditor may conduct the audit, or retain a certified public accounting firm to conduct the audit, in which case the cost of the audit shall be borne by the Corporation. The Council shall have authority to order an audit, if upon consideration by the Committees meeting jointly there is reason to believe that this audit may reveal activities in violation of laws or regulations that govern the activities of the Corporation. The resolution shall specify the activities of the Corporation to be examined. The auditor shall have the authority to examine such records of the Corporation as would be available to an independent auditor conducting an independent audit. When the audit is complete, the Internal Auditor shall supply copies to the Chairpersons of the Finance and Urban Redevelopment, Renewal and Planning Committee of the City Council, to the Corporation, and to all members of the City Council. The Council Committees, meeting in joint session, shall review the completed audit and shall give the Corporation the opportunity to respond to any findings of the audit. Upon a finding by the Committees, meeting jointly, that action is necessary, the Council and the Corporation agree to attempt to reach an appropriate remedy. If no such agreement is reached, the City Council shall have the authority, by majority vote, to order, by resolution, a suspension of the spending of the affected Section 108 funds by the Corporation.

(c) Repayment of loan funds to the Corporation shall be kept in a special revenue fund, administered by the City Controller, for the purposes of housing and for the benefit of low or moderate income recipients.

(d) Section 108 funding from HUD shall not be accepted by the City until certain actions have taken place regarding the Narragansett Electric power plant at Manchester Street. These are (a) passage of an act ensuring that the company has clear title to the property; and (b) passage of amendments to the Tax Incremental Financing Act as they relate to housing.

(e) There will be a strict requirement of owner-occupancy for all of the corporations's home-purchase programs, except that, in the case of Nehemiah housing and abandoned housing, the alternative to owner-occupancy would be ownership by the corporation or other Providence-based, housing non-profit organization, if necessary.

Absentee owners may qualify for home improvement loans only under the following conditions:

At the time of application, the owner, corporation or organization must not own or have equitable or legal ownership interest of more than ten percent (10%) in more than two residential properties, not to exceed nine units combined. The mortgage placed on the property will include a maintenance clause giving the corporation the right to foreclose if the property fails to meet minimum housing code. Priority will be given to absentee landlords with cases pending before the Housing Court.

The applicant must not have any outstanding municipal liens, including, but not limited to boarding, environmental and tax, on any properties located in the City under the same ownership in order to qualify for assistance.

(f) The Board of Directors shall consist of seventeen (17) directors. The composition of the Board shall be such that at least 51% of the directors shall be from the private sector. The directors shall be selected as follows:

The duly elected Mayor of Providence shall appoint four (4) members, all of whom shall be residents of the City of Providence. Said appointees shall be barred from applying or receiving any funds from the Corporation. These appointments shall become effective when submitted in writing by the Mayor to the Corporation.

The Providence City Council, shall appoint four (4) members, all of whom shall be residents of the City of Providence. Said appointees shall be barred from applying for or receiving any funds from the Corporation.

The non-profit housing corporations which receive funding through the City of Providence's Community Development Block Grant program (other than the PPHC), by majority vote, shall appoint three (3) directors, all of whom shall be residents of the City of Providence. Under no circumstances shall a Director appointed under this subsection be a Director, Officer, employee, staff or Board member of one of the non-profit housing corporations receiving funding through the Community Development Block Grant Program. The voting corporations shall inform the PPHC in writing of the Directors they have appointed.

The financial institutions that are participating in the housing program at the time of the appointment shall by majority vote appoint a senior officer of one of the participating institutions to serve as a Director.

As a result of the position held, the following shall be appointed Directors:

The Director of the Department of Planning and Development, City of Providence, shall be a Director of the Corporation.

The Director of the R.I. Housing & Mortgage Finance Corporation shall be a Director of the Corporation.

The Chairperson of the City Council Finance Committee shall be a Director of the Corporation.

The Chairperson of the City Council Urban Redevelopment and Renewal Planning Committee shall be a Director of the Corporation.

The Chairperson of the Providence Plan Corporation, a corporation that will be created pursuant to an agreement signed by the Mayor of Providence and the Governor of the State of Rhode Island on April 23, 1992, shall be a Director of the Corporation. The Chairperson of the PPHC shall be entitled to vote only in order to break a tie vote during a meeting of the Corporation.

(g) The Council and the Corporation agree that the Affirmative Action Officer for the City of Providence assist the Corporation in the development of its affirmative action policy.

The Council and the Corporation also agree to incorporate as part of that policy that the Corporation be required to adhere to the spirit and the intent of the Minority and Women Business Enterprise ordinance, in Section 21-52 of the Code of Ordinances of the City of Providence.

IN CITY COUNCIL
JUN 4
READ AND PASSED
Evelyn V. Fargnoli
ACTING PRES.
Michael L. Clement
CLERK

