

A special meeting of the City Council of Galena, Kansas was called on August 25 1971, at 7:00 p.m.

Mayor Murray called the meeting to order and on roll call the following answered present:

Gerald Anderson
Thomas Bailey
James Bankson
Bob Brown
Robert Coble

Harry Cantrell
George Hansbraugh
Marvin Kaehler
Dan Williams
Gale Washom

Mayor Murray stated that all members were present and declared a quorum present. Mayor Murray stated that the purpose of the special meeting was the Execution of Contract and Financing Agreement with Neighborhood Development Program.

The City Attorney introduced the following resolution for the consideration of the Council Members.

RESOLUTION OF APPLICANT APPROVING PROGRAM AND
PROVIDING FOR THE EXECUTION OF A PROPOSED
CONTRACT FOR A TEMPORARY LOAN AND A CAPITAL
GRANT TO AID IN FINANCING NEIGHBORHOOD
DEVELOPMENT PROGRAM NO. KANS. A-11

WHEREAS, under Title I, of the Housing Act of 1949, as amended and supplemented, the United States of America (herein called the "Government") has tendered to the governing body of the City of Galena, Kansas, (herein called the "Local Public Agency") a contract, hereinafter mentioned, to make a Program Temporary Loan and a Capital Grant to the Local Public Agency to aid in financing a Neighborhood Development Program, designated Program No. KANS. A-11 in the urban renewal area or areas described therein; and

WHEREAS, the Local Public Agency has given due consideration to said contract: and

WHEREAS, the Local Public Agency is duly authorized, under and pursuant to the Constitution and laws of the State of Kansas, to undertake and carry out said Program and execute such proposed contract:

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS AS FOLLOWS:

Section 1. The contract between the Government and the Local Public Agency, designated Funding Agreement No. Kans. A-11 (LG), under and subject to the provisions, terms and conditions of which, the Government would make a program Temporary Loan and Capital Grant under Title I of the Housing Act of 1949, as amended and supplemented, to the Local Public Agency to aid in financing designated Program No. KANS. A-11, situated in the City of Galena, Kansas, is hereby in all respect accepted, and the Mayor of said City is hereby authorized and directed to execute said proposed contract in two counterparts on behalf of the Local Public Agency, and the City Clerk of said City is hereby authorized and directed to impress and attest the official seal of the Local Public Agency on each such counterpart.

Section 2. The Local Public Agency agrees to abide by all of the provisions, terms and conditions of said contract.

Section 3. The Mayor of the Local Public Agency is hereby authorized and directed to send to the Department of Housing and Urban Development three certified copies of the proceedings of the Local Public Agency in connection with the adoption of this Resolution, together with three certified copies of this Resolution, and such further documents or proofs in connection with the acceptance of said contract as may be requested by the Government.

Section 4. This Resolution shall take effect immediately.

Councilman Kaehler moved that the foregoing resolution be adopted as introduced and read. The motion was seconded by Councilman Bankson and all members of the City Council voted aye. Mayor Murray declared said motion carried and said resolution adopted.

Mayor Murray introduced Frank Smith of Oblinger - Smith Corporation, Consultant, and Harold Bernsten from the HUD Area office. Mr. Bernsten explained the administrative expenses and other details pertaining to the contract.

The City Attorney introduced the following resolution for the consideration of the Council members.

RESOLUTION OF THE GOVERNING BODY OF THE CITY OF GALENA,
KANSAS, PROVIDING ASSURANCES PURSUANT TO 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 referred to as the "Act") establishes uniform policies for the fair and equitable treatment of persons 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 has application to programs and projects receiving financial assistance under Title I of the Housing Act of 1949, as amended; and

WHEREAS, the governing body of the City of Galena, Kansas, has made application for financial assistance under Title I of the Housing Act of 1949 for a development project or program designated as follows: Neighborhood Development Program, No. Kans. A-11, Galena, Kansas; and

WHEREAS, the activities for which such assistance is sought will involve displacement and/or land acquisition occurring 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 approve any grant to, or contract or agreement with, a state agency, under which Federal financial assistance will be available to pay all or part of the cost of any program or project which will result in displacement or real property acquisition subject to the requirements of the Act.

NOW, THEREFORE, be it resolved by the governing body of the City of Galena, Kansas: 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 the governing body of the City of Galena, Kansas, of the project or program for which Federal financial assistance under Title I of the Housing Act of 1949 is sought.

1. Fair and reasonable relocation payments and assistance shall be provided to or for displaced persons, as are required to be provided by a Federal agency under sections 202, 203, and 204 of the Act;
2. relocation assistance programs offering the services described in section 205 of the Act shall be provided to such displaced persons;
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. affected persons will be adequately informed of the benefits, policies, and procedures provided in these regulations; and
5. 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 section 42.120 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).

6. In acquiring real property it will be guided, to the greatest extent practicable under State law, by the land acquisition policies in section 301 and the provisions of section 302 of the Act; and
7. property owners will be paid or reimbursed for necessary expenses as specified in sections 303 and 304 of the Act; and
8. costs of providing payments and assistance will be shared by the governing body of the City of Galena, Kansas, in the manner and to the extent required by Sections 211 (a) and (b) of the Act; and
9. affected persons will be adequately informed of the benefits, policies and procedures provided in the regulations in this part.

A motion was made by Councilman Williams and seconded by Councilman Bankson. On a roll call vote all council members voted aye. Mayor Murray declared said motion carried and said resolution adopted.

The City Attorney introduced and read in full the following resolution to be considered by council members.

RESOLUTION AUTHORIZING THE ISSUANCE
OF PROJECT LOAN NOTES IN
CONNECTION WITH URBAN RENEWAL PROJECT
NO. KANS. A-11

WHEREAS, the governing body of the City of Galena, Kansas (herein called the "Local Public Agency") is duly authorized and proposed to undertake and carry out a certain urban renewal or redevelopment project (designated Project No. KANS. A-11) of the character authorized by law with financial aid by the United States of America (herein called the "Government"), in the form of a Project Temporary Loan under Title I of the Housing Act of 1949m as amended (42 U.S.C. 1450 et seq.), which may be made by the Government to the Local Public Agency with respect to said Project in accordance with a certain Loan and Grant Contract (herein called the "Contract"), by and between the Local Public Agency and the Government; and

WHEREAS, in order to enable the Local Public Agency to obtain such financial aid, it is necessary for the Local Public Agency to authorize and, from time to time, issue certain obligations in the form of Project Loan Notes, as hereinafter provided:

NOW, THEREFORE, BE IT RESOLVED by the Local Public Agency as follows:

Section 1. Whenever the following terms, or any of them, are used in this Resolution the same, unless the context shall indicate another or different meaning or intent, shall be construed, are used, and are intended to have meanings as follows:

- (1) The term "Resolution" shall mean this Resolution.
- (2) All other terms used in this Resolution and which are defined in the Contract shall have the respective meanings ascribed thereto in the Contract.

Section 2. The contract entered into between the Local Public Agency and the Government for the above identified Project is hereby declared to be a part of this Resolution and all applicable provisions thereof shall be deemed incorporated herein to the same extent as if the provisions thereof were expressly set forth in full herein.

Section 3. In order to evidence payments made by the Government on account of the Project Temporary Loan pursuant to the Contract with respect to the Project and to refund, renew, extend or substitute for any Note by this Resolution authorized to be issued (or any such Note by any other resolution authorized to be issued and which is outstanding, or on deposit for delivery authorized to be issued, from time to time, Project Loan Notes of the Local Public Agency in an aggregate principal amount outstanding at any one time (whether authorized by this Resolution or any other resolution authorizing the issuance of Project Loan Notes) not in excess of the amount of the Project Temporary Loan available under the Contract.

Section 4. The Mayor of the City of Galena, Kansas is hereby authorized to file with the Government from time to time as funds are required, requisitions, together with the necessary supporting documents, requesting payments to be made on account of the Project Temporary Loan available under the Contract, and the proper officers of the Local Public Agency shall prepare, therefor from the Government in the form of cash or other Notes issued by the Local Public Agency, and such officers are authorized to do and perform all other things and acts required to be done or performed in order to obtain such payments. Cash proceeds from the issuance of all Project Loan Notes shall be deposited and disbursed only in accordance with the provisions of the Contract.

Section 5. Each Project Loan Note shall bear interest and be payable in the form and manner prescribed by the Contract and this Resolution; shall be signed in the name of the Local Public Agency by the Mayor of said City; and shall have the official seal of the Local Public Agency impressed thereon and attested by the City Clerk of said City; and shall otherwise be in substantially the form of HUD-9107 which is incorporated herein by reference.

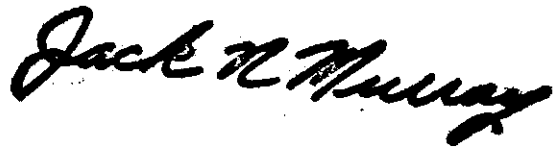
Section 6. This Resolution shall supersede all previous resolution authorizing Project Temporary Loan Notes, and the Project Loan Notes authorized by this Resolution shall be exchanged for any Project Temporary Loan Notes heretofore issued pursuant to any previous resolution.

Section 7. This Resolution shall take effect immediately.

A motion was made by Councilman Kaehler and seconded by Councilman Anderson to adopt the above resolution. All council members voted aye on a roll call vote.

Mayor Murray called for additional business to be presented at the meeting. There being no further business Councilman Kaehler moved the meeting be adjourned; motion was seconded by Councilman Bankson.

Jack N. Murray, Mayor



B. Joe LaTurner, City Clerk