RESOLUTION NO. 2026-21

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT FOR THE HAMILTON COUNTY ENTITLEMENT PROGRAM FOR THE PERIOD OF OCTOBER 1, 2027, AND THROUGH SEPTEMBER 30, 2030

WHEREAS: the Congress of the United States has enacted the Housing and Community Development Act of 1974 ("Act"), which has as its primary objective the development of viable communities; and

WHEREAS: Hamilton County qualifies under said Act as an urban county eligible to receive federal block grant funding for support of community development activities; and

WHEREAS: said Act provides for and encourages units of local government to enter into agreements of cooperation with urban counties for purposes of undertaking essential community development and housing assistance activities; and

WHEREAS: the Village desires to continue its cooperation with Hamilton County, Ohio, and the Hamilton County Entitlement Program.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SILVERTON, OHIO THAT:

SECTION I. The Village Manager is hereby authorized to enter a Cooperative Agreement for the Hamilton County Entitlement Program for Program Years 2027, 2028, and 2029, as shown on Exhibit A, with any modifications or changes as approved by the Village Solicitor.

SECTION II. This Resolution shall take effect and be in full force from the earliest time provided by law.

PASSED this 25th day of June, 2026.

John A. Smith

John A. Smith, Mayor

ATTEST:

Jack Cameron

Jack Cameron, Village Manager

Approved as to form:

Bryan E. Pacheco, Solicitor

CERTIFICATION:
I, Meredith L. George, Clerk of Council of the Village of Silverton, County of Hamilton, State of Ohio; do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing Resolution No. 2026-21 has been duly made by posting true copies in two (2) places that are accessible by the public in said municipality, as determined by Council as follows: 1) Silverton Town Hall lobby area and Council Chambers foyer; and 2) Silverton's official website. Said posting was for a period of fifteen days commencing June 26, 2026.

Meredith L. George

Meredith L. George
Clerk of Council

Exhibit A

Cooperative Agreement for Hamilton County Entitlement Program

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COOPERATION AGREEMENT

for the

HAMILTON COUNTY ENTITLEMENT PROGRAM

Program Years 2027, 2028, 2029

This Agreement between the County of Hamilton, Ohio, hereinafter referred to as "County" and the_____, Ohio, hereinafter referred to as "City/Village".

WITNESSETH:

WHEREAS, the Congress of the United States has enacted the Housing and Community Development Act of 1974, as amended, (hereinafter called the "Act"), which has as its primary objective, the development of viable urban communities, and whereby federal assistance will be provided for the support of community development activities which are directed toward the following specific objectives:

1) The elimination of slums and blight and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities of importance to the welfare of the community, principally persons of low and moderate income;

2) The elimination of conditions which are detrimental to health, safety, and public welfare, through code enforcement, demolition, interim rehabilitation assistance, and related activities;

3) The conservation and expansion of the Nation's housing stock in order to provide a decent home and suitable living environment for all persons, but principally those of low and moderate income;

4) The expansion and improvement of the quantity and quality of community services, principally for persons of low and moderate income, which are essential for sound community development and for the development of viable urban communities;

5) A more rational utilization of land and other natural resources and the better arrangement of residential, commercial, industrial, recreation, and other needed activity centers;

6) The reduction of the isolation of income groups within communities and geographical areas and the promotion of an increase in the diversity and vitality of

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neighborhoods through the spatial deconcentration of housing opportunities for persons of lower income and the revitalization of deteriorating or deteriorated neighborhoods to attract persons of higher income;

7) The restoration and preservation of properties of special value for historic, architectural, or esthetic reasons;

8) The alleviation of physical and economic distress through the stimulation of private investment and downtown revitalization in Neighborhood Business Districts.

WHEREAS, both the City/Village and the County are desirous of entering into community development activities within Hamilton County, which are directed toward the above and specific objectives, and for that reason, desirous of seeking such federal funding as may be available to them pursuant to the Act; and

WHEREAS, the Act contemplates and encourages the joining together by agreement of counties and municipalities with populations less than 50,000, for the purpose of carrying out the objectives of the Act;

WHEREAS, municipalities and counties in Ohio have authority under Section 307.15 of the Ohio Revised Code (ORC) to enter into agreements whereby a Board of County Commissioners undertakes, and is authorized by the contracting City/Village, to exercise any power, perform any function, or render any service, on behalf of the City/Village which such City/Village may exercise, perform or render; and

WHEREAS, the City/Village and the County each have the authority to carry out the kinds of activities which are the objectives of the Act pursuant to Section 303.26 of the Ohio Revised Code, et Seq.; and

WHEREAS, the County has authority under Section 307.85(A) of the Ohio Revised Code to cooperate with other governmental agencies in operating any federal program enacted by the United States Congress; and

WHEREAS, the City/Village and the County have agreed that it is in the best interest of carrying out the objectives of the Act within Hamilton County that the City/Village and the County should join together in both the CDBG, ESG, and HOME Investment Partnership Programs.

IT IS AGREED BETWEEN PARTIES THAT:

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1. This Agreement covers Program Years 2027, 2028, and 2029 from October 1, 2027 through September 30, 2030, of both the Community Development Block Grant (CDBG) Entitlement Program and the HOME Investment Partnership Program. By executing this Agreement and participating in the Hamilton County Programs, the City/Village understands that it may not apply for grants under the Small Cities or State CDBG Program for fiscal years during the period in which it participates, and that it may receive a formula allocation under the HOME Program only through the urban county. Even if the urban county does not receive a HOME formula allocation, the participating unit of local government cannot form a HOME consortium with other local governments except for Hamilton County. The County shall also prepare and submit an application for "ESG" funds as they are made available. The City/Village may receive a formula allocation under the ESG Program only through the Urban County if funds become available.

2. The County shall prepare and submit an application to the Secretary of Housing and Urban Development for grants under the terms of the Housing and Community Development Act of 1974, as amended. These applications shall set forth a summary of a community development plan which identifies community development needs, demonstrates a comprehensive strategy for meeting those needs, and specifies both short and long term community development objectives, which have been developed in accordance with area wide development planning and national urban growth policies, and otherwise conforms with Section 104 of the Act. The community development plan described above shall hereinafter be called the "Plan".

3. The City/Village may prepare applications of recommended projects and activities for community development within its boundaries, of which the activities and objectives must be in accordance with the objectives of the Act. These applications shall be submitted to the Hamilton County Community & Economic Development, which will be the reviewing agency for all proposed activities and objectives to be included in the Plan. The Hamilton County Community & Economic Development shall make recommendations to the Board of County Commissioners for the contents of the plan and for recommended priorities among these various projects and activities which may be submitted. Final approval of projects and activities to be included in the plan is the responsibility of the Board of County Commissioners. It is also understood between the parties that the County has the authority and responsibility to make decisions concerning the contents of the applications, and that the projects and activities for which approval and urban county formula funding is sought under these applications shall be in conformance with the purposes of the Act and the Plan.

4. If projects or activities with the City/Village are approved and funded, pursuant to the applications, the County will have the responsibility and authority for the overall implementation of the programs and for the proper use of the urban county formula funds and any and all program income generated from the expenditure of these funds in accordance with the requirements of the Act.

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5. The County shall develop and maintain a uniform administrative procedure for the development of applications and the distribution of urban county formula funds. These procedures will of necessity reflect the requirements of the Secretary of Housing and Urban Development and the regulations which the secretary may develop for the distribution and expenditure of urban county formula funds.

6. The City/Village authorizes the County to do on behalf of the City/Village, in accordance with the conditions of this agreement, all things which the City/Village could do for itself in the making of the application for, and the expenditure of, urban county formula funds.

7. The City/Village and the County agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing.

8. Pursuant to 24 CFR 570.501 (b), the City/Village shall be subject to the same requirements as subrecipients, including the requirement of a written agreement, where applicable in accordance with 24 CFR 570.503.

9. If a City/Village is a subrecipient, it must inform the County of any income generated by the expenditure of CDBG funds and return such income to the County within thirty (30) days of its receipt, unless other specific arrangements have been negotiated and agreed to by the City/Village and the County. The City/Village shall maintain and supply such records and supporting documentation to the County to assure program income is being accurately reported and correctly expended. Any program income that is on hand or received subsequent to close out of the activity shall be paid to the County within thirty (30) days.

10. For any real property acquired or improved in whole or in part using CDBG funds, the City/Village agrees:

    a) To notify the County within thirty (30) days of any proposed modification or change in the use of real property from that planned at the time of acquisition or improvement including disposition.

    b) To reimburse the County in an amount equal to the current Fair Market Value (less any portion thereof attributable to expenditures of non-CDBG funds) of the property acquired or improved with CDBG funds that is sold or transferred for a use which does not qualify under CDBG regulations.

    c) To return to the County (as provided in Section 8 and Section 9 above) all program income generated from the disposition, transfer, or rent of property acquired or improved with CDBG funds.

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11. Both the County and City/Village agree to take all actions necessary to assure compliance with the urban county's certification under section 104(b) of Title I of the Housing and Community Development Act of 1974 and the grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964, and the implementing regulations at 24 CFR part 1, and the Fair Housing Act, and the implementing regulations at 24 CFR part 100, and will affirmatively further fair housing.

12. Both the County and City/Village agree to comply with section 109 of Title I of the Housing and Community Development Act of 1974, and the implementing regulations at 24 CFR part 6, which incorporates Section 504 of the Rehabilitation Act of 1973, and the implementing regulations at 24 CFR part 8, Title II of the Americans with Disabilities Act, and the implementing regulations at 28 CFR part 35, the Age Discrimination Act of 1975, and the implementing regulation at 24 CFR part 146, Section 3 of the Housing and Urban Development Act of 1968, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and the implementing regulations at 49 CFR Part 24, Section 104(d) of Housing and Community Development Act of 1974, and the implementing regulations at 24 CFR Part 42 and other applicable laws.

13. Both the County and City/Village agree to affirmatively further fair housing. Further, no funding shall be made for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with the county's fair housing certification.

14. The City/Village agrees to cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities.

15. The City/Village has adopted and is enforcing:

    a) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

    b) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions.

16. This agreement shall remain in effect for Program Years 2027, 2028, and 2029 and cannot be terminated, until CDBG, ESG, and HOME funds, as well as any program income received are expended, and the funded activities are completed, and that the county and participating unit of local government cannot terminate or withdraw from the cooperation agreement while it remains in effect, except if the County fails to qualify as an urban county or if the County does not receive a grant in any year of this period, in which cases this agreement is null and void.

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17. Any amendments to the Housing and Community Development Act of 1974, as currently amended, necessitating a change to this agreement, shall be incorporated by a formal amendment to this agreement. Failure by either party to adopt an amendment incorporating all changes necessary to meet the requirements set forth in the Urban County Qualification Notice applicable for the year in which the next qualification is scheduled, shall automatically terminate the agreement following the expenditure of all CDBG funds allocated for use in the City/Village's jurisdiction, and that such failure to comply will void the automatic renewal of such qualification period.

18. This agreement shall be automatically renewed for one successive three-year qualification period unless either party exercised the option to terminate the agreement at the end of the urban county qualification period. If the City/Village fails to exercise that option before the end of the urban county qualification period it will not have the opportunity to exercise that option until the end of the subsequent urban county qualification period. Such termination will be accepted only of it is submitted in writing before the end of each qualification period and a copy of that notice must be submitted to the HUD Columbus Field Office. Hamilton County will notify the City/Village by the date specified in HUD's Urban County Qualification Notice, of its right not to participate and to terminate the Agreement. City/Village and County agree to adopt any amendment to the agreement incorporating changes necessary to meet the requirements for cooperation agreements set forth in an Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period, and to submit such amendment to HUD as provided in the urban county qualification notice, and that such failure to comply will void the automatic renewal for such qualification period.

19. The city/village may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act.

HAMILTON COUNTY:

_____ _____

President Witness

_____

Vice President

_____

Member

CITY/VILLAGE: VILLAGE OF PARTICIPATING COMMUNITY