

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAVAJO AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND CERTIFYING THAT SAID APPLICATION MEETS TO LOW-AND MODERATE BENEFIT REQUIREMENTS OF THE STATE CDBG PROGRAM.

WHEREAS, the County of Navajo is desirous of undertaking community development activities; and

WHEREAS, the State of Arizona is administering the Community Development Block Grant Program; and

WHEREAS, the State CDBG program requires that 60% of CDBG funds requested benefit low- and moderate-income persons for activities justified or benefiting low- and moderate-income persons; and

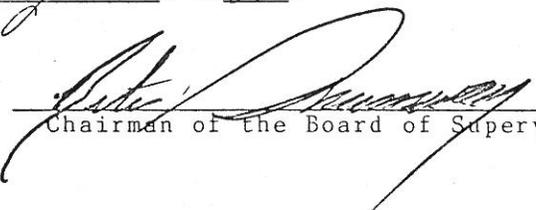
WHEREAS, the State CDBG program requires that 51% of CDBG funds requested benefit low- and moderate-income persons for activities justified or aiding in the prevention or elimination of slum or blight; and

WHEREAS, a grantee of State CDBG funds is required to comply with the program guidelines and Federal Statutes and regulations.

NOW, THEREFORE, BE IT RESOLVED THAT the County of Navajo application for State CDBG funds meets the requirements of low- and moderate-income benefits for activities justified or benefiting low- and moderate-income persons and for activities justified as aiding in the prevention or elimination of slum or blight; and

THAT, the County of Navajo will comply with all State CDBG program guidelines, Federal Statutes and regulations applicable to the State CDBG program and the assurances contained in the application.

Passed and adopted by the Board of Supervisors of Navajo County this 17<sup>th</sup> day of May, 1983.

  
Chairman of the Board of Supervisors

ATTEST:

  
Clerk of the Board

APPROVED AS TO FORM:  
17 17/1

## CERTIFICATIONS

The applicant hereby assures and certifies that:

- a. It possesses legal authority to apply for the grant, and to execute the proposed program.
- b. Its governing body has duly adopted or passed as an official act a resolution authorizing the filing of the application, including all understandings, assurances, statutes, regulations and orders contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- c. Prior to submission of its application, the applicant has adopted a resolution authorizing the submission.
- d. Its chief executive officer or other officer of applicant approved by the State:
  1. Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 (NEPA) and other provisions of Federal law, as specified at 24CFR 58.1(a)(3) and (a)(4), which further the purposes of NEPA insofar as the provisions of such Federal law apply to this program.
  2. Is authorized and consents on behalf of the applicant and himself to accept the jurisdiction of the federal and State courts for the purpose of enforcement of his responsibilities as such as official.
- e. It will comply with the regulation, policies, guidelines and requirements of OMB Circulars No. A-102, Revised, and A-87 as they relate to the application, acceptance, and use of funds under this program.
- f. It will administer and enforce the labor standard requirements of the Davis-Bacon Act, as amended, 40 U.S.C., 276a-276a-5.
- g. It will comply with the provisions of Executive Order 11296, relating to evaluation of flood hazards and Executive Order 11288 relating to the prevention, control and abatement of water pollution.
- h. It will require every building or facility (other than a privately owned residential structure) designed, constructed, or altered with funds provided under this Part to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A-117.1-R 1971, subject to the

exceptions contained in 41 CFR 101-19.604. The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

i. It will comply with:

- (1) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and the regulations issued pursuant thereto (24 DFR Part 1), which provides that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program of activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits.
- (2) Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-284), as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services.
- (3) Section 109 of the Housing and Community Development Act of 1974, and the regulations issued pursuant thereto (24 DFR Part 570.601), which provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds provided under this Part.
- (4) Executive Order 11063 on equal opportunity in housing and nondiscrimination in the sale or rental of housing building with Federal assistance.
- (5) Executive Order 11246, and the regulations issued pursuant thereto (24 CFR Part 130 and 41 CFR Chapter 60), which provides that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of Federal or federally assisted construction contracts. Contractors and subcontractors on Federal and federally assisted construction contracts shall take affirmative action to

insure fair treatment in employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation and selection for training and apprenticeship.

- j. It will comply with Section 3 of the Housing and Urban Development Act of 1968, as amended, requiring that to the greatest extent feasible opportunities for training and employment be given to lower-income residents of the project area and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part by, persons residing in the area of the project.
- k. It will
  - (1) Comply with Title II (Uniform Relocation Assistance) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;
  - (2) Provide relocation payments and offer relocation assistance as described in Section 205 of the Uniform Relocation Assistance Act to all persons displaced as a result of acquisition of real property for an activity assisted under the State-administered Community Development Block Grant Program. Such payments and assistance shall be provided in a fair and consistent and equitable manner than insures that the relocation process does not result in different or separate treatment of such persons on account of race, color, religion, national origin, sex, or source of income;
  - (3) Assure that, within a reasonable period of time prior to displacement, comparable decent, safe and sanitary replacement dwellings will be available to all displaced families and individuals and that the range of choices available to such persons will not vary on account of their race, color, religion, national origin, sex, or source of income; and
  - (4) Inform affected persons of the relocation assistance, policies and procedures set forth in the regulations at 24 CFR Part 42 and ss 570.602(a).
- m. It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
- n. It will comply with the provisions of the Hatch Act which limits the political activity of employees.

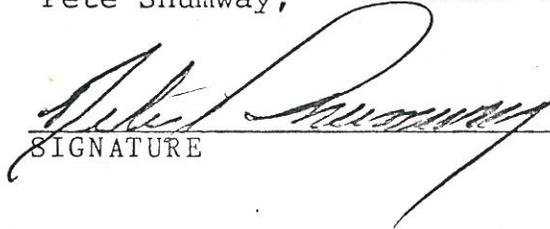
- o. It will give representatives of the State, the Secretary of HUD, the Inspector General, and the General Accounting Office access to all books, accounts, records, reports, files and other papers, things, or property belonging to it or in use by it pertaining to the administration of State CDBG assistance.
- p. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the program are not listed on the Environmental Protection Agency's (EPA) list of violating facilities and that it will notify the State of the receipt of any communication from the Director of the EPA office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.
- q. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973. Pub. L. 93-234, 87 Stat., 975, approved December 31, 1973. Section 103 (a) required, on and after March 2, 1974, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area, that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.

The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal assistance.

- r. It will, in connection with its performance of environmental assessments under the National Environment Policy Act of 1969, comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470), Executive Order 11593, and the Preservation of Archaeological and Historical Data Act of 1966 (16 U.S.C. 469a-1, et seq.) by:
  - (1) Consulting with the State Historic Preservation Officer to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects by the proposed activity; and
  - (2) Complying with all requirements established by the State to avoid or mitigate adverse effects upon such properties.
- s. That the proposed program has been developed so as to give maximum feasible priority to activities which will benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight; the projected use of funds may also include activities which the grantee certifies are designed to meet other community development needs having a

particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs.

CERTIFIED BY: **Pete Shumway,** Chairman of Board of Supervisors

  
SIGNATURE

5-17-82  
DATE