

\_\_\_\_\_ Date: \_\_\_\_\_  
The Beard Legal Group-City Solicitors

RESOLUTION NO. 9973  
For consideration on August 9, 2017  
Submitted by Mrs. Stanton & Mr. Williams

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE CITY SOLICITOR TO PREPARE, AND EXECUTE ON BEHALF OF THE CITY OF JOHNSTOWN THE CONTRACT/AGREEMENTS FOR RETENTION OF THE AUDITING FIRM OF ERNST & YOUNG LLP (PITTSBURGH), TO CONDUCT A FORENSIC AUDIT OF ALL CITY OF JOHNSTOWN ECONOMIC DEVELOPMENT LOAN PROGRAMS, INCLUDING BUT NOT LIMITED TO (1) THE FEDERALLY FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT (JOBS DEVELOPMENT REVOLVING LOAN PROGRAM; (2) THE FORMER FEDERAL URBAN DEVELOPMENT ACT GRANT (UDAG REVOLVING LOAN PROGRAM), (3) THE COMMONWEALTH OF PENNSYLVANIA ENTERPRISE ZONE PROGRAM LOAN FUNDING (A/K/A ENTERPRISE LOAN PROGRAM; A/K/A KEYSTONE COMMUNITIES PROGRAM AND/OR AS NAMED/DESIGNATED BY THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE CALENDAR YEARS BEGINNING ON JANUARY 1, 2002 THRU DECEMBER 31, 2002, AND EACH FOLLOWING YEAR THRU DECEMBER 31, 2014; AND FOR THE PERIOD BEGINNING ON JANUARY 1, 2015 THRU APRIL 7, 2015, under the terms and conditions stipulated in Ordinance No. 5228, passed finally by the May 16, 2017 City of Johnstown Ballot Referendum; and at expenditure/cost in the accepted amount of \$90,000 plus reasonable out of pocket expenses, with the Director of Finance authorized to debit the 2017 City of Johnstown Budget General Fund Expenditure line item.01-405-31-049 Non-Dept. Professional Services-Auditing, and/or by executed Transfers of Funds to meet the total required Contracted/Agreed financial obligations, pursuant to Home Rule Charter ARTICLE X. FINANCIAL PROCEDURES, § 11.10-1010. Administration of the Budget. (d) Transfer of Appropriations

Resolution No. 9973

Page (2)

PASSED FINALLY ON:

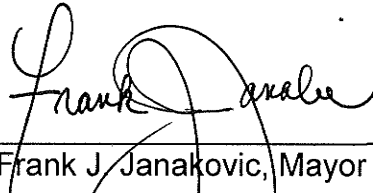
August 9, 2017

By the following vote~

Yeas: Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Williams (5)

Nays: Mr. Vizza. (1)

Abstentions: Mayor Janakovic. (1)



Frank J. Janakovic, Mayor



Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9973** as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.

/s/  
Arch Liston, City Manager

\_\_\_\_\_  
The Beard Legal Group-City Solicitors Date: \_\_\_\_\_

RESOLUTION NO. 9974  
For consideration on August 9, 2017  
Submitted by Councilperson Stanton & Williams

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE CITY SOLICITOR TO CONTACT THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA'S DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT REQUESTING, PURSUANT TO THE ACT OF JULY 10, 1987 (P.L. 246, NO 47, KNOWN AS THE, KNOWN AS THE MUNICIPALITIES FINANCIAL RECOVERY ACT, AND MORE SPECIFICALLY, SECTION 224.1 TITLED: 'PERFORMANCE OF COORDINATOR. (a) REVIEW OF COORDINATOR.

WHEREAS, the Commonwealth of Pennsylvania's Municipalities Financial Recovery Act, of July 10, 1987 (P.L.246, No.47), as amended further by , HOUSE BILL No. 1773 Session of 2013, states and includes, but not limited to:

*Section 224.1. Performance of coordinator. (a) Review of coordinator.--Beginning on July 1, 2015, the secretary, or his designee, shall conduct an annual review of each coordinator appointed under section 221 to assess whether: (1) The coordinator's performance has been in compliance with the requirements of the coordinator's contract, if any, and the provisions of this act. (2) The coordinator has been ineffective in providing assistance necessary to develop and implement the plan. (b) Termination of coordinator.--An unfavorable review under this section may constitute grounds for termination of the coordinator's contract; and*

WHEREAS, the City of Johnstown having been designated as a Distressed Municipality, under provisions of the 'Act", on August 21, 1992, the City's governing body presently is currently considering a Seventh (7<sup>th</sup>) Amended Recovery Plan, introduced in Council on July 12, 2017 as Bill 20 of 2017; and

WHEREAS, on or about January of 2016, the Secretary of Pennsylvania's DCED, designated/appointed Grass Roots Solutions as Recovery Coordinator, and renewed such appointment on/or about February of 2017, and

WHEREAS, the City of Johnstown is governed by a Home Rule Charter, having been approved by the May 18, 1993 City of Johnstown's Ballot Referendum, and becoming effective January 1, 1994, and

WHEREAS, THE Home Rule Charter is specific in the governance of City Affairs, and not subject to discretion, change or amendment, unless first thru submission and approval by the registered electorate of the City of Johnstown as a Voter Ballot referendum, and

WHEREAS, Grass Roots Solutions Recovery Coordinator Deborah Grass has in certain matters, attempted to circumvent language, provisions and mandates of the City's Home Rule Charter in proposing and/or requiring Administrative and Financial action contrary to "Charter Law", and

WHEREAS, Grass Roots Solutions Recovery Coordinator Deborah Grass, in the presentation of the now pending Seventh (7<sup>th</sup>) Amended Recovery Plan, has submitted numerous Initiatives, if accepted by Council, would be in direct conflict with the City's Home Rule Charter, and the Cambria County Court of Common Pleas approved and ordered October 2016 executed Stipulation Settlement Dkt. 2016-3199 requiring "The City of Johnstown, a Municipal Government, its elected and appointed officials, including the named respondents in this matter, agree that pursuant to the Home Rule Charter of the City of Johnstown, that all provisions and requirements contained in ARTICLE X. FINANCIAL PROCEDURES will be adhered to, unless and until such time the "Charter" is further amended by an approved Ballot Voter Referendum, and

WHEREAS, Grass Roots Solutions Recovery Coordinator Deborah Grass, in the presentation of the now pending Seventh (7<sup>th</sup>) Amended Recovery Plan, has submitted numerous Initiatives which are included and have been part of and binding in the City's Home Rule Charter, and

WHEREAS, Grass Roots Solutions Recovery Coordinator Deborah Grass, in the presentation of the now pending Seventh (7<sup>th</sup>) Amended Recovery Plan, has submitted numerous Initiatives requiring enactment by Ordinance of the City Council, which currently exist as Ordinances previously adopted by actions of past and current members of council,

WHEREAS, Grass Roots Solutions Recovery Coordinator Deborah Grass, in the presentation of the now pending Seventh (7<sup>th</sup>) Amended Recovery Plan, contains reference to Ordinances which do not exist, and have not existed or were repealed, and

WHEREAS, Grass Roots Solutions Recovery Coordinator Deborah Grass, in the presentation of the now pending Seventh (7<sup>th</sup>) Amended Recovery Plan, contains errors and omissions as to factual dates of actions by city Council, and

WHEREAS, Grass Roots Solutions Recovery Coordinator Deborah Grass, in the presentation of the now pending Seventh (7<sup>th</sup>) Amended Recovery Plan, contains non-factual and/or misinformation as to prior years City fiscal issues and actions taken.

WHEREAS, and if City Council accepts and adopts Bill 20 of 2017, absent correction and revisions, Council Members and the City of Johnstown, would be in violation of the City's Home Rule Charter, and subjected to legal actions via Petitioning for an Action in Mandamus in and before the Cambria County Court of Common Pleas.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL of the City of Johnstown, that the City Solicitor contact the Pennsylvania DCED, PURSUANT TO THE ACT OF JULY 10, 1987 (P.L. 246, NO 47, KNOWN AS THE, KNOWN AS THE MUNICIPALITIES FINANCIAL RECOVERY ACT, AND MORE SPECIFICALLY, SECTION 224.1 TITLED: 'PERFORMANCE OF COORDINATOR. (a) REVIEW OF COORDINATOR.

PASSED FINALLY ON:

August 9, 2017

By the following vote~

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich,  
Mr. Vizza, Mr. Williams. (7)

Nays: None (0)



Frank J. Janakovic, Mayor  
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9974 as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.

/s/

Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA  
RESOLUTION NO. 9975

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, APPROVING DONALD ROBERTSON'S REQUEST TO PURCHASE ONE YEAR, ONE MONTH, TWO WEEKS, AND THREE DAYS OF MILITARY SERVICE COMPLETED PRIOR TO EMPLOYMENT WITH THE CITY OF JOHNSTOWN TO INCREASE HIS LENGTH OF SERVICE TO THE CITY FOR POLICE PENSION CALCULATIONS.

WHEREAS, Ordinance 4460 of the Administrative Code of the City of Johnstown, passed finally on April 13, 1998, requires City Council's approval of a police officer's request for credit of up to five years of military service, where the member is making contributions to the Police Pension Fund and served in the Armed Forces of the United States after September 1, 1940, and who was not a member of the Police Pension Fund prior to such military service, upon payment to the Pension Fund of an amount equal to that which he or she would have paid had he or she been a member during the period for which he or she desires credit, and upon his or her payment to the Pension Fund of an additional amount as the equivalent of the contribution of the employer on account of such military service; and

WHEREAS, the purchase of prior military service is further authorized by the Pennsylvania Municipal Retirement Law, as amended, 53 P.S. § 881.305; and

WHEREAS, the current collective bargaining agreement between the City of Johnstown and the Fraternal Order of Police further authorizes the purchase of up to a maximum of five years of military service to extend the length of service to the City of Johnstown for purposes of measuring pension benefits, pending payments of necessary pension contributions; and

WHEREAS, Donald Robertson has satisfactorily provided documentation in support of his request to purchase one year, one month, two weeks, and three days of military service performed prior to his employment with the City of Johnstown in 1993, and the Pension Board has approved his request; and

WHEREAS, Donald Robertson shall make total contributions to the Pension Fund in the amount of \$1,834.20; and

WHEREAS, the City of Johnstown's Administrative Code nonetheless requires City Council's approval of Donald Robertson's request for credit of one year, one month, two weeks, and three days of military service.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes and approves Donald Robertson's request for credit of one year, one month, two weeks, and three days of military service to increase his length of service to the City for police pension calculations.


ADOPTED:

August 9, 2017

By the following vote:

Yeas: Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams,  
Mayor Janakovic. (7)

Nays: None (0)



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Frank J. Janakovic, Mayor  
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9975** as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.

/s/  
Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9976

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN AND EXECUTE ALL AGREEMENTS, MORTGAGES, GUARANTEES AND ALL OTHER LOAN CLOSING DOCUMENTS FOR JJG PROPERTIES LLC.

WHEREAS, the City of Johnstown received a loan application from JJG Properties LLC for the requested amount of \$50,000.00 to be used to acquire a property located at 407 Main Street, Johnstown, PA 15901; and

WHEREAS, the City of Johnstown's Loan Review Committee met and approved the loan application during a Public Meeting on June 30, 2017; and

WHEREAS, all loan closing documents have been reviewed and approved by Beard Legal Group; and

WHEREAS, Resolution 9966 was previously passed without the relevant documents attached; and

WHEREAS, it is the desire of Council to rescind Resolution 9966 and adopt the instant Resolution relevant attached said loan closing documents and related agreement;

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized and directed to sign all Agreements, Mortgages, Guarantees and all other loan closing documents for JJG Properties LLC and that Resolution No. 9966 is hereby rescinded.

ADOPTED:

August 9, 2017

By the following vote:

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic,  
Mr. Johncola. (7)

Nays: None (0)



Frank J. Janakovic, Mayor  
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9976 as the same passed by the City Council of the City of Johnstown, Pennsylvania.

  /s/    
Arch Liston, City Manager



CITY OF JOHNSTOWN, PENNSYLVANIA  
RESOLUTION NO. 9977

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A HOME PROGRAM SUB-RECIPIENT AGREEMENT AWARDING FUNDS TO THE NORTHERN CAMBRIA COMMUNITY DEVELOPMENT CORPORATION FOR THE REHABILITATION OF TWO SINGLE FAMILY HOMES IN THE CITY OF JOHNSTOWN AND TO TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE SAME.

WHEREAS, the CITY is a Participating Jurisdiction for HOME Investment Partnership Program Funds from the U.S. Department of Housing and Urban Development (HUD), hereinafter known as the "grantor agency," under Title II of the National Affordable Housing Act of 1990, Public Law 101-625; and

WHEREAS, the CITY serves as the Grantee of HOME Program funds and there are required HOME funds reserved for the development of affordable housing for Community Housing Development Organizations (CHDOs), which were allocated for in the CITY's 2017 Budget; and

WHEREAS, the Northern Cambria Community Development Corporation, a private non-profit corporation, having its principal place of business at 4200 Crawford Avenue, Suite 200, Northern Cambria, PA 15714, (hereinafter referred to as the "NCCDC") has satisfied all required criteria and therefore is and has been certified as a Community Housing Development Organization (CHDO); and

WHEREAS, NCCDC has applied for and been approved by City Administration to receive CHDO set-aside funds under the HOME Program, in accordance with the Program's criteria and requirements; and

WHEREAS, the City desires to enter into the agreement attached to this Resolution and provide the NCCDC to receive \$209,646.00 in HOME Program funds for the purposes of the proposed rehabilitation of the property identified in said Agreement, and to authorize the City Manager to take any and all necessary actions to execute said Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized and directed to sign and enter a HOME Program sub-recipient agreement providing a grant to the Northern Cambria Community Development Corporation in the amount of \$209,646.00, and to take any and all actions necessary to effectuate same.

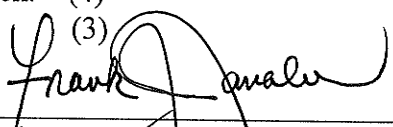
ADOPTED:

August 9, 2017

By the following vote:

Yeas: Mr. Vitovich, Mayor Janakovic, Mr. Johncola, Mrs. Mock. (4)

Nays: Mr. Vizza, Mr. Williams, Mrs. Stanton. (3)

  
\_\_\_\_\_  
Frank J. Janakovic, Mayor  
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9977 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.

/s/  
\_\_\_\_\_  
Arch Liston, City Manager

# CITY OF JOHNSTOWN, PENNSYLVANIA

## RESOLUTION NO. 9978

A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA  
AUTHORIZING THE CITY MANAGER TO EXECUTE THE SALE OF THE 2004 PIERCE FIRE ENGINE  
TO COAL RUN VILLAGE VOLUNTEER FIRE DEPARTMENT FOR THE AMOUNT OF \$70,000

WHEREAS, The City of Johnstown Fire Department has advertised the sale of spare apparatus utilizing a national broker, Brindlee Mountain Fire Apparatus; and

WHEREAS, as a condition of this award, the City must contribute 10 percent of the sale price; and.

WHEREAS, the City has received an offer of \$70,000.00 from Coal Run Village Fire Department; and.

WHEREAS, the Fire Department shall make necessary changes to its current inventory reflecting the sale of equipment; and

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Johnstown, that the City Manager is hereby authorized and directed to execute, on behalf of the City of Johnstown, a sale agreement with the Coal Run Village Volunteer Fire Department of 98 Church Street Pikeville, Kentucky for \$70,000.00.

ADOPTED:

August 9, 2017

By the following vote:

Yeas: Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich. (7)

Nays: None (0)



Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9978** as the same adopted by the City Council of the City of Johnstown, Pennsylvania

/s/

Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA  
RESOLUTION NO. 9979

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE RETENTION OF, AND HEREBY RETAINING WEISS BURKHARDT KRAMER LLC FOR LIMITED REPRESENTATION WITH REGARD TO INVESTIGATION OF A PERSONNEL MATTER.

WHEREAS, the City has identified a need for legal counsel in relation to a complaint addressed to City Council; and

WHEREAS, the City Solicitor's Office has identified that a possible conflict could arise in the future from its representation in said matter;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the firm of Weiss Burkhardt & Kramer LLC is hereby retained for a limited purpose of providing legal services in relation to a personnel matter and complaint received by City Council in June and July of 2017 at a rate of \$155.00 per hour, and further authorizing Weiss Burkhardt & Kramer LLC to take any and all such actions necessary to render said services to counsel.

ADOPTED:

August 9, 2017

By the following Vote:

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich, Mr. Vizza. (5)

Nays: None (0)

Abstain: Mr. Williams, Mrs. Stanton. (2)



Frank J. Janakovic, Mayor  
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. ~~9979~~ as the same by the City Council of the City of Johnstown, Pennsylvania.

/s/  
Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9980

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE TASK ORDER NO. 41 TO THE EADS GROUP, INC. FOR THE DESIGN, BIDDING, CONSTRUCTION ADMINISTRATION, PREPARATION OF FUNDING APPLICATIONS, PREPARATION OF PERMIT APPLICATIONS, ADMINISTRATION OF FUNDING, AND INSPECTION SERVICES OF THE BROAD STREET INTERCEPTOR LATERAL REHABILITATION PROJECT.

WHEREAS, City Council of the City of Johnstown has entered into an agreement with the EADS Group, Inc. for professional services dated April 10, 2012; and

WHEREAS, City Council of the City of Johnstown has entered into a Consent Order and Agreement with the Pennsylvania Department of Environmental Protection, and

WHEREAS, City Council of the City of Johnstown desires to maintain compliance with Consent Order and Agreement; and

WHEREAS, the Broad Street Interceptor Lateral Rehabilitation Project, is a recommended capital improvement project for 2017-2019; and

WHEREAS, it is the judgement of City Council that The EADS Group, Inc. be authorized to pursue the design, bidding, construction administration, preparation of funding applications, preparation of permit applications, administration of funding, and inspection services of the Broad Street Interceptor Lateral Rehabilitation Project, for a total estimate of compensation for services of \$81,000.

NOW THEREFORE BE IT RESOLVED, CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZES THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY FOR THE EXECUTION OF TASK ORDER NO. 41 TO THE EADS GROUP, INC. FOR ENGINEERING SERVICES RELATED TO THE DESIGN, BIDDING, CONSTRUCTION ADMINISTRATION, PREPARATION OF FUNDING APPLICATIONS, PREPARATION OF PERMIT APPLICATIONS, ADMINISTRATION OF FUNDING, AND INSPECTION SERVICES FOR THE BROAD STREET INTERCEPTOR LATERAL REHABILITATION PROJECT.

ADOPTED:

August 9, 2017

By the following vote:

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich, Mr. Vizza. (5)

Nays: Mrs. Stanton, Mr. Williams. (2)



Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9980** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.

/s/ \_\_\_\_\_

Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA  
RESOLUTION NO. 9981

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, ACCEPTING AND ACKNOWLEDGING THE FIVE (5) YEAR CAPITAL PROGRAM SUBMITTED BY THE CITY MANAGER TO THE CITY COUNCIL ON JULY 12, 2017.

WHEREAS, the City of Johnstown's Home Rule Charter requires that the City Manager prepare and submit to the City Council a five (5) year capital program on/or before August 1<sup>st</sup> of each year, which is the date falling at least three (3) months prior to the final date for submission of the City's budget for the forthcoming year; and

WHEREAS, the City Manager duly submitted the attached Capital Plan to the City Council at a City Workshop Session of City Council that was duly advertised on July 12, 2017, with 7 out of 9 Council members present and likewise noted on the City Agenda for the July 12, 2017 City Council meeting; and

WHEREAS the attached Capital Plan was submitted to all members of Council at the Workshop Session and discussed in a presentation made by the City Manager and the City Finance Director about the capital plan, at that time;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, hereby acknowledges the attached 5-year Capital Plan submitted by the City Manager to City Council on July 12, 2017.

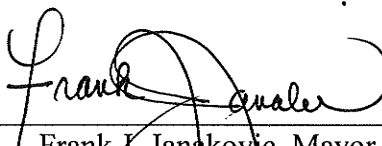
ADOPTED:

August 9, 2017

By the following Vote:

Yeas: Mr. Johncola, Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic. (5)

Nays: Mrs. Stanton, Mr. Williams. (2)



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Frank J. Janakovic, Mayor  
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9981 as the same by the City Council of the City of Johnstown, Pennsylvania.

/s/ \_\_\_\_\_  
Arch Liston, City Manager

# CITY OF JOHNSTOWN, PENNSYLVANIA

## RESOLUTION NO. 9982

**A RESOLUTION**, of the City Council of the City of Johnstown, Pennsylvania, approving the FY 2017 Annual Action Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs applications.

**WHEREAS**, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to communities in the prevention or elimination of slums or urban blight, or activities which will benefit low- and moderate-income persons, or other urgent community development needs; and

**WHEREAS**, under the HOME Investment Partnerships Program created by the National Affordable Housing Act of 1990 (NAHA) and amended by the Housing and Community Development Act of 1992, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to participating jurisdictions to expand the supply of decent, safe, sanitary, and affordable housing; and

**WHEREAS**, the U.S. Department of Housing and Urban Development has advised the City of Johnstown that under Fiscal Year 2017, the City is eligible to apply for an entitlement grant under the Community Development Block Grant (CDBG) Program in the amount of \$1,135,887 and \$175,557 under the HOME Investment Partnerships Program (HOME); and

**WHEREAS**, in addition to the entitlement funds, the City expects to receive approximately \$50,000 in CDBG program income; and

**WHEREAS**, the City of Johnstown's Department of Economic and Community Development has prepared a FY 2017 Annual Action Plan which proposes how the entitlement grant funds will be expended to address the housing and community development needs identified in the City's Five Year Consolidated Plan; and

**WHEREAS**, a draft of the FY 2017 Annual Action Plan was on public display from Monday, July 10, 2017 through Tuesday, August 8, 2017, and the City held a series of public hearings on the said Plan and the comments of various agencies, groups, and residents were taken into consideration in the preparation of the final document.

**NOW, THEREFORE**, be it resolved by the City Council of the City of Johnstown, Cambria County, Pennsylvania, and it is hereby resolved by the authority of the same, as follows:

**SECTION 1.** That the FY 2017 Annual Action Plan for the FY 2017 CDBG and HOME Programs are hereby in all respects APPROVED.

**SECTION 2.** That the City is COGNIZANT of the conditions that are imposed in the undertaking and carrying out of the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs with Federal financial assistance, including those relating to (a) the relocation of site occupants, (b) the prohibition of discrimination because of race, color, age, religion, sex, disability, familial status, or national origin, and (c) other assurances as set forth under the certifications.

**SECTION 3.** That the City Manager or his designee, on behalf of the City of Johnstown, Pennsylvania, is AUTHORIZED to file an Application for financial assistance with the U.S. Department of Housing and Urban Development, which has indicated its willingness to make available funds to carry out the CDBG Program in the amount of \$1,135,887; and the HOME Program in the amount of \$175,557; and is further AUTHORIZED to act as the representative of the City of Johnstown to sign any and all documents in regard to these programs.

**SECTION 4.** That the City Manager or his designee, on behalf of the City of Johnstown, Pennsylvania, is AUTHORIZED to provide assurances and/or certifications as required by the Housing and Community Development Act of 1974, as amended; and any other supplemental or revised data which the U.S. Department of Housing and Urban Development may request in review of the City's Application.

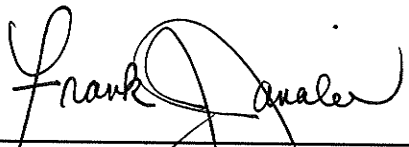
**ADOPTED:**

By the following vote:

August 9, 2017

Yeas: Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr. Johncola,  
Mrs. Mock. (6)

Nays: Mrs. Stanton. (1)

  
\_\_\_\_\_  
Frank J. Janakovic, Mayor  
Peter Vizza, Deputy Mayor

**ATTEST:**

I do hereby certify that the preceding is a true and correct copy of Resolution No. 9982 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.

/s/  
\_\_\_\_\_  
Arch Liston, City Manager