

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, AUTHORIZING THE CITY
MANAGER TO ENTER INTO A MEMORANDUM OF
UNDERSTANDING WITH THE COUNTY OF FRESNO FOR
JOINT PROCUREMENT OF SERVICES USING
HOMELESS EMERGENCY AID PROGRAM (HEAP)
GRANT FUNDS

WHEREAS, the City of Fresno has received \$3,105,519 in HEAP grant funds
from the State; and

WHEREAS, the Fresno-Madera Continuum of Care has received \$9,501,363 in
HEAP grant funds; and

WHEREAS, the State required a community planning process to coordinate use
of HEAP grant funds; and

WHEREAS, coordination of HEAP grant funds by the City and County of Fresno
will result in reduced costs to the City and greater funding availability for projects
addressing homelessness; and

WHEREAS, the City desires to enter into a Memorandum of Understanding with
the County for joint procurement of services using HEAP grant funds, provided the City
retains certain controls.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as
follows:

1. The Council hereby delegates to the City Manager, with consultation from
the Council sub-committee on HEAP funds, the authority to negotiate and execute a
Memorandum of Understanding with the County of Fresno for joint procurement of

services using HEAP grant funds, provided all contracts involving use of City HEAP grant funds by a service provider (Service Provider) shall include the following provisions unless expressly exempted by the City Council:

a. On a monthly basis, Service Provider shall submit to City, in a form acceptable to City, a performance report summarizing the number of unduplicated persons served, including race, ethnicity, and income data. The performance report shall be submitted within ten days of the close of each month. Service Provider shall keep daily activity logs which shall be submitted to City upon request.

b. Service Provider shall retain all records, project files, financial records, and any other documents related to services provided with City HEAP grant funds for a period of three years after final disposition, or longer if notified in writing by City to extend the retention period. City shall monitor and evaluate Service Provider's performance under any agreement using HEAP grant funds to determine compliance with these provisions and HEAP grant requirements. Service Provider shall cooperate with City and any auditors authorized by City and shall make available all information, documents, and records reasonably requested and shall provide City the reasonable right of access to both records and personnel during normal business hours for the purpose of assuring compliance with the agreement and evaluating performance.

c. City may suspend or terminate the agreement if Service Provider materially fails to comply with any of the terms of the agreement. If, through any cause, Service Provider fails to fulfill in a timely and proper manner its obligations

under the agreement, ineffectively or improperly uses funds provided under the agreement, or if Service Provider violates any of the covenants agreements, or stipulations of the agreement, City shall have the right to terminate the agreement by giving written notice to Service Provider of such termination and specifying the effective date thereof, at least five days after the date of the notice. In such event, all finished and unfinished documents and reports prepared by Service Provider under the agreement shall, at the option of City, become its property and Service Provider shall be entitled to receive just and equitable payment for any satisfactory work completed subject to the limitations of the agreement.

2. Prior to bringing a proposed project to Council, City staff shall engage in inclusionary community engagement, which shall include, at a minimum, notice to everyone within 1,000 feet of a proposed project, and informational meetings.

3. Any contract purporting to expend City HEAP grant funds shall not be effective unless duly approved by the City Council.

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2019.

AYES :
NOES :
ABSENT :
ABSTAIN :

YVONNE SPENCE, MMC CRM
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Laurie Avedisian-Favini [Date]
Assistant City Attorney