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**OFFICE**

# MEMO

To: HARRISBURG CITY COUNCIL  
From: Kirk Petroski, City Clerk  
LEGISLATIVE APPROVAL FORM

Date:

LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. -2020      RESOLUTION NO. -2020

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR'S OFFICE ON:

  
\_\_\_\_\_  
Deputy City Solicitor

9-8-20  
\_\_\_\_\_  
Date

Requested by Department/Bureau: Mayor + Engineering  
Department/Bureau Contact Person: E. Palanuse + W. Martin

For Action on or before:

The attached was received in the Office of the City Clerk for introduction on

\_\_\_\_\_

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

**RESOLUTION NO. \_\_\_\_ - 2020**

Moved by: \_\_\_\_\_

A Resolution authorizing the City of Harrisburg to facilitate the completion of certain improvements in the ongoing MulDer Square project to be funded through the Commonwealth of Pennsylvania's Redevelopment Assistance Capital Program ("RACP") under an award made to the Redevelopment Authority of the City of Harrisburg; and otherwise approving the related "RACP Reimbursement Agreement" between the City and the Redevelopment Authority to advance reimbursable project costs in a sum no greater than three million dollars (\$3,000,000.00), in a manner consistent with the terms and conditions of the RACP grant.

**WHEREAS**, the Redevelopment Authority of the City of Harrisburg ("HRA") has been approved for a Redevelopment Assistance Capital Program ("RACP") grant for up to three million dollars (\$3,000,000.00) for certain improvements being undertaken as part of ongoing MulDer Square project; and

**WHEREAS**, the RACP grant will be made to HRA, with the City of Harrisburg being the intended sub-grantee; and

**WHEREAS**, the parties intend for the City to manage and carryout the construction project(s), from the commencement of a public bidding process through completion of any project(s) authorized under the RACP grant award; and

**WHEREAS**, the Commonwealth has designed RACP to be a reimbursement program, requiring a grantee on any approved RACP-funded construction project to secure advance project funding in order to maintain eligibility for the reimbursement of project costs; and

**WHEREAS**, accordingly, the proposed reimbursement agreement provides that HRA as a grantee shall cause the City as the sub-grantee to be reimbursed from RACP funds for project costs expended pursuant to the agreement upon the City's provision of all necessary documentation to satisfy the program requirements of the RACP grant; and

**WHEREAS**, in order to secure reimbursements from this grant funding, the City will be undertaking the direct or indirect issuance of the required public bid documents, directly contracting for all construction and otherwise eligible related project services and administering project expenditures in the manner required as an RACP sub-grantee; and

**WHEREAS**, the Council for the City of Harrisburg hereby finds that the best interests of the City shall be served by entering into an RACP Reimbursement Agreement between the City and HRA, a true and correct thereof being attached hereto as "Exhibit A," as the Agreement shall

provide access to otherwise unavailable funds to assist in the completion of ongoing public improvements and, thereby, lessen the long term financial burden on local taxpayers; and

**WHEREAS**, the Council's authorization provided herein shall be and now hereby is made expressly conditioned upon HRA providing the City Engineer with a fully executed RACP grant agreement with the Commonwealth of Pennsylvania, and no expenditure by or on behalf of the City under the "RACP Reimbursement Agreement" may be made prior to the City's receipt thereof.

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF HARRISBURG**, that the City is authorized to enter into an RACP Reimbursement Agreement with the Redevelopment Authority of the City of Harrisburg and, thereby, advance reimbursable project costs in a sum no greater than three million dollars (\$3,000,000.00) for the ongoing development of MulDer Square, for any eligible project(s) or parts thereof, in a manner that satisfies the terms and conditions of the Redevelopment Assistance Capital Program and, thereby, qualifies for reimbursement of those expenditures from the RACP award made to the Redevelopment Authority.

**BE IT FUTHER RESOLVED**, that the foregoing authorization shall be and now hereby is made expressly conditioned upon the Redevelopment Authority providing the City Engineer with a fully executed copy of the related RACP grant agreement with the Commonwealth of Pennsylvania, with no expenditure by or on behalf of the City which would be subject to the RACP Reimbursement Agreement to be made prior to the City's receipt thereof.

**BE IT FUTHER RESOLVED**, that the foregoing authorization shall be and now hereby is made expressly conditioned upon the review and certification of the City Solicitor to the Mayor and City Engineer that the RACP grant agreement between the Redevelopment Authority and the Commonwealth of Pennsylvania shall not commit or otherwise subject the City of Harrisburg to additional financial obligations above and beyond the funds subject to reimbursement.

**BE IT FURTHER RESOLVED** that the Mayor, City Controller, City Engineer and other appropriate City officials are authorized and directed to take all steps necessary to further effectuate the purpose of this Resolution.

I second this resolution \_\_\_\_\_