

O-2021-10

AN ORDINANCE

ENDORING THE SUBSTANTIAL AMENDMENT TO THE CITY OF LAKEWOOD 2019 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND DECLARING AN EMERGENCY

WHEREAS, the City of Lakewood (the "City") is an entitlement community and receives Community Development Block Grant ("CDBG") funds;

WHEREAS, CDBG funds are appropriated by the U.S. Department of Housing and Urban Development ("HUD"), and the City Manager or the City Manager's designee, as the official representative, is authorized to submit documents and assurances as may be required to administer the programs and expend the CDBG funds;

WHEREAS, on April 8, 2019, the City Council approved the City's 2019 Annual Action Plan for the use of CDBG funds and recommended funding based on community needs and priorities;

WHEREAS, on May 11, 2020, the City Council approved an amendment to City's 2019 Annual Action Plan to include \$533,236 allocated through the March 27, 2020 Coronavirus Aid, Relief and Economic Security Act ("CARES Act") to fund CDBG-eligible activities to assist the Lakewood community with immediate and long-term needs associated COVID-19;

WHEREAS, the City now desires to amend the 2019 Annual Action Plan to include \$738,364 allocated through the March 27, 2020 Coronavirus Aid, Relief and Economic Security Act ("CARES Act") to fund CDBG-eligible activities to assist the Lakewood community with needs associated COVID-19;

WHEREAS, in accordance with the CARES Act, public notice of the proposed Substantial Amendment to the Annual Action Plan was published in the Denver Post from April 22, 2021, through April 30, 2021, with no citizen comments to date;

WHEREAS, the CARES Act was adopted to provide emergency relief to address the economic fallout resulting from the novel Coronavirus, and, therefore, the City Council desires to adopt this ordinance as an emergency ordinance in order to make such funding available as quickly as reasonably possible;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Endorsement. The City Council hereby endorses the amended allocation amount and activities listed in the attached Exhibit A to be funded through the 2019 Community Development Block Grant Program.

SECTION 2. Certification. The City hereby certifies that:

- a. The programs identified are eligible for funding and address required national objectives for the CDBG program;
- b. The City has a citizen participation plan that provides for and encourages citizen participation and provides citizens with reasonable and timely access to local meetings, information and records relating to the City's use of CDBG funds;
- c. The City has developed a Consolidated Plan that identifies the City's housing, supportive service and community development priority needs for the years 2015-2019; and
- d. The City has developed an Annual Action Plan for the projected use of CDBG funds to principally benefit low- and moderate-income persons, address identified community development and housing needs, or aid in the prevention or elimination of slum or blight.

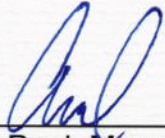
SECTION 3. City Manager Authority. The City Manager is hereby authorized to execute contracts on behalf of the City in furtherance of the goals of this ordinance and the CARES Act without seeking City Council Approval, including contracts in amounts of Fifty Thousand Dollars (\$50,000) or more.

SECTION 4. Emergency; Effective Date. This ordinance is necessary for the immediate preservation of the City of Lakewood's peace, health and safety to immediately conduct activities to prevent, prepare for, and respond to Coronavirus impacts as set forth in Exhibit A hereto. In light of the foregoing, the City Council hereby declares an emergency and as such, this emergency ordinance shall be in full force and effect immediately upon adoption on second reading.

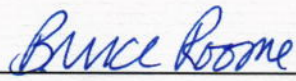
SECTION 5. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a virtual regular meeting of the Lakewood City Council on the 24th day of May, 2021; published by title in the Denver Post and in full on the City of Lakewood's website, [www.lakewood.org](http://www.lakewood.org), on the 28th day of May, 2021; set for public hearing to be held on the 14th day of June, 2021; read, finally passed and adopted by the City Council on the 14th day of June, 2021; and signed by the Mayor on the 15<sup>th</sup> day of June, 2021.

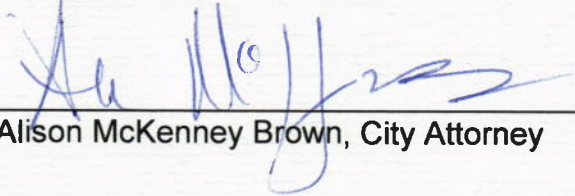


  
\_\_\_\_\_  
Adam Paul, Mayor

ATTEST:

  
\_\_\_\_\_  
Bruce Roome, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Alison McKenney Brown, City Attorney

**EXHIBIT A  
2019 AMENDED FUNDING AND ACTIVITIES**

**Community Development Block Grant (CDBG-COVID)**

---

\$738,364 will be allocated to CDBG-eligible activities to respond to Coronavirus impacts to include the following:

- Emergency housing assistance (motel vouchers, emergency shelter beds)
- Limited rental and mortgage assistance
- Eviction prevention
- Case management
- COVID-19 testing
- COVID-19 vaccinations
- Respite for compromised and chronically ill people
- Low- and moderate-income resident services
- Personal protective equipment
- Physical and mental health assistance
- Deposit and moving costs
- Food access
- Utilities
- Child-care
- Transportation
- Employment assistance