

Presented by the Manager
Introduced July 17, 1975
Referred to:

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 324

A RESOLUTION AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE FARMERS HOME ADMINISTRATION, U. S. DEPARTMENT OF AGRICULTURE, FOR THE PURPOSE OF REFURBISHING THE DOUGLAS INDUSTRIAL DOCK, AND AUTHORIZING HIM TO ENTER INTO SUCH NON-DISCRIMINATION AND EQUAL OPPORTUNITY AGREEMENTS, AND DO SUCH OTHER ACTS AS ARE NECESSARY TO OBTAIN FUNDS UNDER SAID GRANT.

WHEREAS, the City and Borough of Juneau (hereinafter called public body) desires to obtain financial assistance from the Farmers Home Administration, U. S. Department of Agriculture, pursuant to Section 310 B of the Consolidated Farm and Rural Development Act, for the purpose of refurbishing the Douglas dock, providing a derrick hoist, sewer connections, parking and related facilities (herein referred to as the facility), and

WHEREAS, the Farmers Home Administration requires as a condition to and in consideration of receiving such financial assistance that an appropriate resolution be adopted;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU:

1. That no private business enterprises shall be allowed to use or occupy the facilities if such use or occupancy would be calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of private business enterprises but this limitation shall not be construed to prohibit use and enjoyment of the facility by such private business enterprises in the case of an expansion of existing business entity through the establishment of a new branch, affiliate, or subsidiary if the establishment of such branch, affiliate, or subsidiary will not result in the increase in unemployment in the area of original location or in any other area where such entity conducts branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

2. That no private business enterprises shall be allowed to use or occupy the facilities if such use or occupancy would be calculated to or

Resolution 324

is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, where there is not sufficient demand for such goods, materials, or commodities, or the availability of services or facilities in the area, where there is not sufficient demand for such goods, materials, commodities, services, or facilities, to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

3. That prior to allowing the use or occupancy of the facilities by any private business enterprise, the public body shall clear such use or occupancy with the Manpower Administration, Department of Labor, Washington, D. C., by submitting information required by the Department of Labor for certification under the Act. The public body agrees to make no final commitment with any private business enterprise regarding such use or occupancy if the Department of Labor issues a negative certification under the Act. The public body shall obtain prior clearance in this matter for a period of three years after the date of an affirmative certification by the Department of Labor on the application for financial assistance now pending before the Farmers Home Administration.

4. That the manager is hereby authorized to enter into an equal opportunity agreement substantially in the form set forth in FHA Form 400-1 (Rev. 6-26-72) and to enter into a non-discrimination agreement in substantially the form set forth in FHA Form 400-4 (12-29-64).

5. That the manager is authorized and directed to execute such agreements in the name and on behalf of the city and borough, to forward such agreements and to execute or have executed and forward any other necessary documents to the Farmers Home Administration or other federal agencies as directed by the Farmers Home Administration, to keep such records and do such acts as are otherwise required in the performance of such agreement and to execute such requisitions as may be required for payment from the Farmers Home Administration of funds pursuant to the grant agreement.

Adopted and effective this 17th day of July, 1975.

Attest:

Wm R Macomber
Mayor

Elmer J. Emery
Clerk

CERTIFICATION

I, the undersigned Clerk of the City and Borough of Juneau, do hereby certify that the foregoing resolution was duly adopted at a meeting of the Assembly of the City and Borough of Juneau duly called and held on the _____ day of _____ 1975, by the following vote:

YEAS _____

NAYS _____

ABSENT _____

and that such resolution has not been rescinded or amended in any way.

DATED this 17th day of July, 1975.

Clerk