**Government of Puerto Rico**

**Autonomous Municipality of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**City Council**

**Resolution No. \_\_\_ Series \_\_\_-\_\_\_**

**AUTHORIZING THE MAYOR OF THE AUTONOMOUS MUNICIPALITY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_, OR HIS/HER AUTHORIZED REPRESENTATIVE, TO APPEAR ON BEHALF OF THE MUNICIPALITY IN THE GRANTING OF AGREEMENTS TO PARTICIPATE IN PROGRAMS AND TO RECEIVE FUNDS UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM MANAGED BY THE DEPARTMENT OF HOUSING OF THE GOVERNMENT OF PUERTO RICO .**

**WHEREAS:**  In September of 2017, Hurricanes Irma and María, category 4 and 5 hurricanes, respectively, devastated the electric power, aqueduct and sewer, and telecommunication systems in Puerto Rico, in addition to the damages to public and private structures, among others.

**WHEREAS:** As a result of these damages, the United States Department of Housing and Urban Development (HUD), allocated one billion five hundred million dollars ($1,500,000,000.00) to the Government of Puerto Rico under the CDBG-DR Program for the Island’s recovery (Public Law 115-56/83 FR 5844).

**WHEREAS:** The Government of Puerto Rico designated the Department of Housing as administrator of the CDBG-DR funds in a letter dated February 23, 2018, and sent to Honorable Benjamin Carson, HUD Secretary.

**WHEREAS:** On August 14, 2018, the Federal Government made an additional allocation of eight billion two hundred and twenty million dollars ($8,220,000,000.00) to the Government of Puerto Rico to continue recovery efforts (83 FR 40314).

**WHEREAS:** On September 20, 2018, the Governor of Puerto Rico and the HUD Secretary signed the Grant Agreement.

**WHEREAS:** The Puerto Rico Department of Housing has created programs in the areas of housing, planning, infrastructure, and economic development to address the needs related to the damages caused by Hurricanes Irma and María that are not covered by other funds.

**WHEREAS:** Act No. 107-2020, as amended, 21 L.P.R.A. § 7001 *et seq*., known as the Puerto Rico Municipal Code, provides that municipal governments “shall have all corresponding natural and assigned powers to exercise the authority inherent in their purposes and duties.” Art. 1.008.

**WHEREAS:** Furthermore, municipal governments shall have the authority to “[e]xercise the Legislative and the Executive Power in all municipal matters that will contribute to the wellbeing of the community and its economic, social, and cultural development, to protect the health and safety of people, and to foster citizenship and solidarity among communities and in the development of works and activities of collective interest, subject to applicable laws.” Art. 1.008 (o).

**WHEREAS:** Municipalities also have the authority to “[e]nter into covenants, agreements, and contracts with the Federal Government and with the agencies, departments, public corporations, and instrumentalities of the Government of Puerto Rico and its municipalities, as well as to develop municipal public works and facilities and to provide public services in accordance with all applicable federal or state laws, to promote the feasibility of the work or project to be undertaken, and to delegate powers. Any public department or instrumentality that agrees to delegate power to the municipalities shall be required to transfer them the necessary fiscal and human resources to assume said responsibilities, unless the municipality certifies that it has its own resources. The establishment of covenants, agreements, and contracts shall not require prior approval from the City Council, unless said approval is an indispensable requirement of the federal or state law or program.” 1.008 (q) .

**WHEREAS:** The Autonomous Municipality of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ understands that, in the best interest of the Municipality and considering the compelling interest of citizens to receive the necessary aid and to receive the best possible service from their municipal government, it will benefit the Municipality to participate as subrecipient of CDBG-DR program funds managed by the Department of Housing of the Government of Puerto Rico .

**THEREFORE: BE IT RESOLVED BY THE CITY COUNCIL OF THE AUTONOMOUS MUNICIPALITY OF \_\_\_\_\_\_\_\_\_\_\_:**

**SECTION 1:** Hon. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Mayor of the Autonomous Municipality of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, or its authorized representative, is hereby authorized to represent the Autonomous Municipality of \_\_\_\_\_\_\_\_\_ in all dealings or transactions related to the Municipality’s participation in programs under the CDBG-DR funds managed by the Department of Housing of the Government of Puerto Rico .

**SECTION 2:** Hon. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Mayor of the Autonomous Municipality of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, or its authorized representative, is further authorized to sign agreements and amendments that will create a contractual relationship with the Department of Housing of the Government of Puerto Rico or that will modify said relationship, with regard to the CDBG-DR Program, to provide services or receive assistance for the Municipality’s recovery efforts in the aftermath of Hurricanes Irma and María.

**SECTION 3:** The provisions of this Resolution are independent and severable from each other, and if any section, paragraph, sentence, or clause herein is declared invalid by any court of competent jurisdiction, said decision shall not affect the remaining provisions of this Resolution.

**SECTION 4:** This Resolution shall take effect immediately after its approval.

**SECTION 5:** A copy of this Resolution shall be sent to the corresponding municipal and state departments and agencies.

**Approved by the City Council of the Autonomous Municipality of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, on this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_ of 20\_\_.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Hon. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Chairman Secretary**

**Signed by the Honorable Mayor of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, on this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_ of 20\_\_.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Hon. \_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Mayor**