

GOBIERNO DE PUERTO RICO
MUNICIPIO AUTÓNOMO DE AIBONITO
LEGISLATURA MUNICIPAL
AIBONITO, PUERTO RICO

ORDENANZA NÚM. 2

SERIE 2018-2019

PROYECTO DE ORDENANZA NÚM. 02-08-2019

ORDENANZA DE LA LEGISLATURA MUNICIPAL DE AIBONITO, PUERTO RICO, PARA AUTORIZAR AL ALCALDE, HON. WILLIAM ALICEA PÉREZ, A FORMALIZAR UN ACUERDO DE COLABORACIÓN CON UNITED CLERGY TASK FORCE, INC. PARA DESARROLLAR UN PLAN PILOTO DIRIGIDO A LA REHABILITACIÓN DE VIVIENDAS Y OTRAS ACTIVIDADES QUE PROMUEVAN ZONAS NECESITADAS, A TRAVÉS DE ASIGNACIONES DE LA FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) Y EL DEPARTAMENTO DE VIVIENDA Y DESARROLLO URBANO FEDERAL (HUD); Y PARA OTROS FINES

POR CUANTO: La Corporación Sin Fines de Lucro denominada como "UNITED CLERGY TASK FORCE, INC.", sometió ante la consideración del Municipio de Aibonito un Acuerdo de Colaboración para establecer un Plan Piloto dirigido a rehabilitar viviendas y otras actividades que promuevan zonas necesitadas en nuestro Municipio.

POR CUANTO: Los fondos para el desarrollo de este Plan Piloto provendrán de asignaciones de la Federal Emergency Management Agency, conocida como FEMA y del Departamento de Vivienda y Desarrollo Urbano del Gobierno Federal, conocido como HUD, mediante propuesta sometida y administrada por United Clergy Task Force, Inc.

POR CUANTO: United Clergy Task Force, Inc. es una entidad sin fines de lucro dedicada a ofrecer una gama de servicios a la comunidad con el propósito de mejorar el desarrollo educativo, social, cognitivo y físico de los niños de Puerto Rico, proporcionando viviendas económicas, recursos de energía sustentables y otros servicios que van dirigidos a mejorar la calidad de vida de nuestros ciudadanos.

POR CUANTO: El Gobierno Municipal de Aibonito ha determinado que es útil y conveniente para el interés público la formalización de un acuerdo de colaboración con United Clergy Task Force, Inc. para establecer en

Aibonito un plan piloto dirigido a rehabilitar viviendas y otras actividades que promuevan zonas necesitadas en nuestro Municipio.

POR CUANTO: El Artículo 2.001, Inciso (r) de la Ley Núm. 81 de 30 de agosto de 1991, según enmendada, mejor conocida como Ley de Municipios Autónomos del Estado Libre Asociado de Puerto Rico de 1991, (21 L.P.R.A. Secc. 4051) faculta al gobierno municipal para contratar con cualquier persona natural o jurídica la administración delegada de instalaciones para brindar servicios públicos y la operación de programas o instalaciones municipales donde el municipio requiera la participación de personas naturales o jurídicas externas para la viabilidad de los proyectos y programas. Además dicha disposición legal establece que la formalización de la contratación requerirá la aprobación previa de la legislatura municipal. La mencionada disposición de ley, lee como sigue:

“§ 4051. *Poderes.*

Los municipios tendrán los poderes necesarios y convenientes para ejercer todas las facultades correspondientes a un gobierno local y lograr sus fines y funciones. Además de lo dispuesto en este subtítulo o en cualesquiera otras leyes, los municipios tendrán los siguientes poderes:

(a) ...

(r) Contratar con cualquier agencia pública y con cualquier persona natural o jurídica, para el desarrollo, administración y operación conjunta, coordinada o delegada de instalaciones para brindar servicios públicos y para la construcción, reparación y mantenimiento de instalaciones municipales. Tales actividades incluirán la contratación de proyectos conjuntos con entidades públicas o privadas, con o sin fines de lucro, para la construcción y el desarrollo de viviendas de interés social, el desarrollo y la operación de programas o instalaciones municipales y cualesquiera otras donde el municipio requiera la participación de personas naturales o jurídicas externas para la viabilidad de los proyectos y programas. La formalización de la contratación requerirá la aprobación previa de la legislatura municipal”

POR TANTO: Ordénese por la Honorable Legislatura Municipal de Aibonito, Puerto Rico, lo siguiente:

Sección I^{ra}: Se autoriza al Alcalde, Hon. William Alicea Pérez a formalizar un acuerdo de colaboración con United Clergy Task Force, Inc. dirigido a rehabilitar viviendas y otras actividades que promuevan zonas necesitadas en nuestro Municipio. Los fondos para el desarrollo de este plan piloto provendrán de asignaciones de la Federal Emergency Management Agency, conocida como FEMA y del Departamento de Vivienda y Desarrollo Urbano del Gobierno

Federal, conocido como HUD. El acuerdo de colaboración aquí autorizado tendrá una vigencia de cinco (5) años.


Sección 2da: Esta Ordenanza entrará en vigor inmediatamente después de su aprobación. Copia de la misma se remitirá a las agencias concernidas.

Aprobado por la Legislatura Municipal de Aibonito, Puerto Rico, el 27 de agosto de 2018.


Hon. Edgardo J. Medina Rolón
Presidente Legislatura Municipal


Michelle M. Colón Rivera
Secretaria Legislatura Municipal

Aprobado por el Alcalde de Aibonito, Puerto Rico, el 30 de agosto de 2018.


Hon. William Alicea Pérez
Alcalde

CERTIFICACIÓN

Yo, Michelle M. Colón Rivera, Secretaria de la Legislatura Municipal del Municipio Autónomo de Aibonito, Puerto Rico:

CERTIFICO: Que la que antecede es copia fiel y exacta de la Ordenanza Número 2, Serie 2018-2019, adoptada en Sesión Ordinaria el 27 de agosto de 2018, titulada:

ORDENANZA DE LA LEGISLATURA MUNICIPAL DE AIBONITO, PUERTO RICO, PARA AUTORIZAR AL ALCALDE, HON. WILLIAM ALICEA PÉREZ, A FORMALIZAR UN ACUERDO DE COLABORACIÓN CON UNITED CLERGY TASK FORCE, INC. PARA DESARROLLAR UN PLAN PILOTO DIRIGIDO A LA REHABILITACIÓN DE VIVIENDAS Y OTRAS ACTIVIDADES QUE PROMUEVAN ZONAS NECESITADAS, A TRAVÉS DE ASIGNACIONES DE LA FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) Y EL DEPARTAMENTO DE VIVIENDA Y DESARROLLO URBANO FEDERAL (HUD); Y PARA OTROS FINES.

Certifico además, que la misma fue aprobada por los votos afirmativos de los siguientes Legisladores presentes en dicha sesión:

Hon. Edgardo J. Medina Rolón
Hon. Carlos R. Colón Miranda
Hon. Guillermo N. Morales Rivera
Hon. Santos Soliván Rolón
Hon. Miguel A. Bisbal Vázquez
Hon. Tomás Alvarado Colón

Hon. Carmen M. Ayala Rosado
Hon. Gerardo Zayas Martínez
Hon. Humberto Cruz Fuentes
Hon. Ramón E. Meléndez Negrón
Hon. Marta V. González Rodríguez

Y con el voto en contra: Hon. José A. Veguilla Cartagena y Hon. José A. De La Texera Rojas.

Y con la inhibición: Ninguno.

Que la misma fue aprobada por el Alcalde, Hon. William Alicea Pérez, el 30 de agosto de 2018.

Y, PARA QUE ASÍ CONSTE expido la presente con mi firma y sello del Municipio Autónomo de Aibonito, hoy, 30 de agosto de 2018.

Michelle M. Colón Rivera
Secretaria Legislatura Municipal

Memorandum of Understanding

between

United Clergy Task Force, Inc. ("UCTF")

and

The Municipality of Aibonito, Puerto Rico

This Memorandum of Understanding (hereinafter "Agreement"), effective as of _____, 2018 (the "Effective Date"), by and between United Clergy Task Force, Inc. ("UCTF"), a New York not-for-profit organization comprised of over 50 houses of worship in the Tri-state area, and the Municipality of Aibonito, Puerto Rico, establishes a working relationship between UCTF and the Municipality of Aibonito with respect to: the development of schools for early childhood education for children ages 0-4 years old, affordable single and multi-unit housing for families in need, places of worship, economic development, employment training, certification and Union jobs, overall sustainable design and master planning to meet the town necessities, developing a hybrid power plant/micro-grid from clean/renewable energy sources for emergency situations and sustainability purposes, provide institutional scale solar kitchens (suitable for schools, hospitals, churches, etc.), and supply a minimum of two (2) Megawatts of power to Aibonito, Puerto Rico, to be donated to this municipality as part of this agreement.. Both UCTF and Municipality of Aibonito, Puerto Rico, are referred to herein as the "Parties."

I. MISSION

The mission of UCTF is to enhance the educational, social, cognitive and physical development of children throughout the Island of Puerto Rico. UCTF seeks to inspire children and parents to learn about themselves and the diversity of their surroundings, promote employment, training, literacy, the arts, communication, and science. Provide affordable housing, sustainable energy resources, including solar kitchens, and places of worship welcome to all.

The mission of the UCTF is to provide early childhood education, affordable housing, social and economic development programs, certified Union employment training in the fields of Electric, Plumbing and Construction, a minimum of three (3) separate employment training centers on the Island of Puerto Rico, for individuals from different municipalities to have access, obtain certification and be eligible for Union jobs. Through the training and employment component of this Pilot, UCTF will address workforce issues such as wage inequality, minority and gender representation.

Together, the Parties fully support the Missions of each of the Parties and believe it is advisable and in the interests of the residents of the Municipality of Aibonito, Puerto Rico, their young children and families to permit UCTF to lead this Pilot Program with the participation of the Municipality of Aibonito, Puerto Rico. Accordingly, the Parties hereto, operating under this Agreement, agree as follows:

II. PURPOSE AND SCOPE

UCTF and the Municipality of Aibonito, Puerto Rico intend (i) UCTF shall choose the locations in and outside of the Municipality of Aibonito, Puerto Rico; (ii) the Parties shall build, renovate and or lease for the express purpose of providing early childhood education, certified employment training, and Union jobs; create affordable and sustainable housing; develop hybrid power plant/micro-grid from clean/renewable energy sources for emergency situations and sustainability purposes; (iii) UCTF will develop long term solutions, such as the purchase and shipping of institutional scale solar kitchens (suitable for schools, hospitals, churches, etc.) as well as seek the ability to manufacture solar kitchens on the island (bringing jobs from India), creating permanent economic development on site; (iv) UCTF shall participate in the design and construction of the schools, housing, and employment centers, master planning for areas in need, allot and distribute funds necessary for the different projects, and economically choose the staff required for its completion, including attorneys, architects and design professionals; (v) the Parties agree the schools' exhibit and educational areas, in and out doors, shall be designed for a target audience of young children, ages 0-4, young families and caregivers; and employment training centers shall also offer overnight rooms to participants, with minimal to no resources, traveling from other Municipalities.

III. RESPONSIBILITIES

UCTF shall be primarily responsible for:

- Funding the cost of the Pilot and ongoing operations; it being understood the Pilot will be funded with monies provided by (FEMA, HUD, AFL-CIO Housing Investment Trust, etc.) and those obtained by UCTF through various fundraising activities.
- Such monies may only be used to fund the Pilot. Funds will be administered by UCTF. Decisions on how funds are spent to be determined by UCTF in consultation with the Municipality of Aibonito, Puerto Rico. All funds raised for the Pilot shall be disbursed as needed to complete each individual project, and upon receipt of satisfactory documentation confirming the use of such monies.
- Payment of reasonable, regular maintenance and insurance costs associated with the occupation and use of the schools, housing, and employment training centers. With respect to building, renovation, leasing costs, UCTF will secure the necessary funds.
- Hiring architectural consultancy teams experienced in housing, schools, employment training centers, master planning and the various architectural programs that define the town and its uses.
- Clearing the location(s) of any currently existing, debris and/or dividers.
- Schematic design to construction documents of employment training centers with overnight rooms to accommodate, low-income to no income, participants traveling from other Municipalities. In consultation with, and subject to the approval of the construction company shall:

- prepare, or cause to be prepared, schematic design to construction documents for the construction at the location;
- prepare a timeline and budget(s) for construction and/or renovation of the schools, housing, employment centers; and other architectural programs described on this MOU
- prepare an estimated schedule of maintenance and insurance costs for the schools, housing, and employment training centers; and other architectural programs described on this MOU
- negotiate all construction plans with contractors and suppliers; and
- Provide David Aviles, UCTF Executive Director with a temporary office and parking space for duration of the completion of the project(s).

UCTF and the Municipality of Aibonito, Puerto Rico, shall jointly:

- Engage architects, contractors, legal and other professionals deemed necessary to complete the Pilot, understanding (1) UCTF will render the final decision;
- Rely upon the largest Council of Churches in Puerto Rico;
- Enable the use of outdoor space for classes and a playground area to conduct sports and social programs;
- Assist the school(s) in obtaining the approvals for appropriate and very visible signage (e.g., flags);
- Promote the arts, including art classes sponsored by the New York Met. school(s), affordable housing, sustainable energy, employment training centers and union jobs;
- To the extent advisable and appropriate, co-sponsor events involving fundraising, education and employment training and opportunities;
- Work to identify potential sources of funding for the needs of the Municipality of Aibonito, Puerto Rico;
- Work to identify potential programs that may benefit both the Municipality of Aibonito, Puerto Rico, and its residents;
- Coordinate social programs;
- Work to Identify Sites for Sustainable Development of Renewable Energy Sources (Solar, Wind, Hydro, Geothermal, and Biogas from Municipal/Agricultural Waste)
- Work to Identify Sites for Institutional scale solar kitchens (suitable for schools, hospitals, churches, etc.) as well as seek locations with the ability to manufacture solar kitchens on the island (bringing jobs from India), creating permanent economic development on site.

IV. TERMS OF UNDERSTANDING

The term of this Agreement is for a period of five (5) years from the Effective Date and may be extended upon written mutual agreement. It shall be reviewed at least semiannually to ensure it is fulfilling its purpose and to make any necessary revisions.

V. AUTHORIZATION

The signing of this Agreement is not a formal undertaking. It implies that the Parties will strive to reach, to the best of their abilities, the objectives stated herein.

IN WITNESS WHEREOF, the Parties agree to the foregoing and have caused this Agreement to be executed by their duly authorized representatives.

By: David Aviles, Executive Director UCTF

By: 
Municipality of Aibonito, Puerto Rico
William Alicea Pérez, Mayor