

HOUSING AUTHORITY RESOLUTION NO. 2012-XX

A RESOLUTION OF THE COSTA MESA HOUSING AUTHORITY ACCEPTING THE HOUSING ASSETS AND FUNCTIONS OF THE COSTA MESA REDEVELOPMENT AGENCY

WHEREAS, the Costa Mesa Redevelopment Agency, City of Costa Mesa, California ("Agency") was formed to execute and implement the Redevelopment Plan for the Costa Mesa Downtown Project, pursuant to the provisions of the California Community Redevelopment Law, Health & Safety Code Section 33000, et seq. ("CRL"); and

WHEREAS, on December 29, 2011, in California Redevelopment Association v. Matosantos, Case No. S194861, the California Supreme Court upheld AB X1 26, which dissolves all of the redevelopment agencies in California, and invalidated AB X1 27, which would have allowed redevelopment agencies to remain in existence if they opted in to the "Voluntary Alternative Redevelopment Program" ("Program"); and

WHEREAS, the City of Costa Mesa is a municipal corporation of the State of California ("City"); and

WHEREAS, the Costa Mesa Housing Authority ("CMHA") is a California housing authority formed and existing pursuant to the Housing Authorities Law, Health and Safety Code §34200, et seq. ("HAL"); and

WHEREAS, pursuant to Health and Safety Code Section 34176, the City may elect to assume the housing assets and functions previously performed by the Agency or allow transfer of those assets and functions to the CMHA; and

WHEREAS, the City Council declined to assume such housing assets and functions and stated its desire that the CMHA assume all rights, powers, assets, liabilities, duties, and obligations associated with the housing activities of the former Agency; and

WHEREAS, pursuant to Health and Safety Code Section 34176, if the City has declined to retain the responsibility for performing housing functions previously performed by the former Agency, all rights, powers, assets, liabilities, duties, and obligations associated with the housing activities of the Agency, excluding amounts in the low and moderate income Housing Fund, shall be transferred to the local housing authority; and

WHEREAS, the CMHA does hereby accept said responsibility and assets.

NOW, THEREFORE, BE IT RESOLVED by the Costa Mesa Housing Authority as follows:

1. CMHA accepts the assets and responsibilities and assumes the housing functions previously performed by the Costa Mesa Agency for Community Development pursuant to Section 34176.

2. The Chief Executive Officer and Executive Director are hereby authorized to take any action necessary to implement this resolution and the transfer of those assets and responsibilities.

3. The CMHA Secretary shall certify to the adoption of this Resolution.

PASSED AND ADOPTED by the Costa Mesa Housing Authority at a special meeting this 17th day of January 2012.

AYES:

NOES:

ABSTAIN:

ABSENT:

Chair
Costa Mesa Housing Authority

ATTEST:

Housing Authority Secretary

APPROVED AS TO FORM:

Housing Authority Counsel

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF COSTA MESA)

I, _____, Secretary of the Costa Mesa Housing Authority, do hereby certify that the foregoing Resolution No. _____ was introduced and adopted at a regular meeting of the Housing Authority held on the 17th day of January 2012 by the following vote of the members thereof:

AYES: MEMBERS:
NOES: MEMBERS:
ABSENT: MEMBERS:
ABSTAIN: MEMBERS:

COSTA MESA HOUSING AUTHORITY

Housing Authority Secretary