

RESOLUTION NO. 12-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING THAT THERE IS A NEED FOR A HOUSING AUTHORITY TO FUNCTION IN THE CITY, DECLARING THAT THE MEMBERS OF THE CITY COUNCIL SHALL BE THE COMMISSIONERS OF THE HOUSING AUTHORITY AND DESIGNATING THE FIRST INTERIM CHAIRMAN OF THE HOUSING AUTHORITY

WHEREAS, the Housing Authorities Law is codified in California Health & Safety Code Sections 34200, *et seq.* ("Law"); and

WHEREAS, Section 34240 of the Law provides that in every city, including the City of Costa Mesa ("City"), there is a public body corporate and politic known as the housing authority of the city ("Housing Authority"); and

WHEREAS, Section 34240 of the Law additionally provides that the Housing Authority shall not transact business or exercise its power unless the City Council, as the governing body of the City, declares by Resolution that there is a need for a Housing Authority to function in the City; and

WHEREAS, Section 34242 of the Law provides for the adoption of a Resolution declaring that there is a need for a Housing Authority to function in the City if the City Council finds either or both that: (1) unsanitary or unsafe inhabited dwelling accommodations exist in the City; or (2) there is a shortage of safe or sanitary dwelling accommodations in the City available to persons of low income at rentals they can afford; and

WHEREAS, Section 34290 of the Law provides that the City Council may declare by Resolution that the City Council shall be the Commissioners of the Housing Authority; and

WHEREAS, Section 34277 of the Law provides that the Mayor of the City shall designate the interim Chairman of the Housing Authority from among the Housing Authority Commissioners, and thereafter the Housing Authority shall select his/her successor among its commissioners; and

NOW, THEREFORE, the City Council of the City of Costa Mesa, California does hereby resolve as follows:

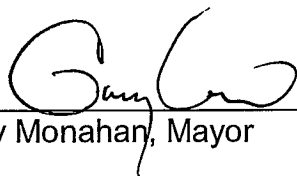
Section 1. Findings. The City Council finds that there exist in the City unsanitary and unsafe inhabited dwelling accommodations and a shortage of decent, safe, sanitary and affordable dwelling accommodations in the City that are available to persons of low income.

Section 2. Need for Housing Authority. There is a need for a Housing Authority to function in the City, and the Housing Authority hereby is permitted to transact any business and exercise any power inferred thereon by the provisions of the Law.

Section 3. City Councilmembers to Serve as Housing Authority Commissioners. Pursuant to Section 34290 of the Law, the City Council finds that the appointment of the members of the City Council, as the Commissioners of the Housing Authority will serve the public interest and promote the public safety and welfare in an effective manner and, therefore, the members of the City Council are hereby declared to be Commissioners of the Housing Authority and all the rights, powers, duties, privileges and immunities that are adjusted by the Law and such a Housing Authority shall be vested in such Commissioners, except as otherwise provided by the Law.

Section 4. Designation of Interim Chairman. The Mayor of the City shall serve as the interim Chairman of the Housing Authority, until a permanent Chairman is selected.

PASSED AND ADOPTED this 17th day of January, 2012.



Gary Monahan, Mayor

ATTEST:

APPROVED AS TO FORM:



Julie Folcik, City Clerk



Thomas P. Duarte, City Attorney

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

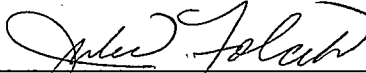
I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 12-3 and was duly passed and adopted by the City Council of the City of Costa Mesa at a special joint meeting held on the 17th day of January, 2012, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: MONAHAN, RIGHEIMER, BEVER, LEECE,
MENSINGER

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 18th day of January, 2012.



JULIE FOLCIK, CITY CLERK

(SEAL)

