

RESOLUTION NO. 2003-105

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN BERNARDINO DECLARING THAT THERE IS A NEED TO CREATE A CITY HOUSING AUTHORITY IN THE COMMUNITY ("SAN BERNARDINO CITY HOUSING AUTHORITY") AND DECLARING THE MAYOR AND COMMON COUNCIL TO BE COMMISSIONERS OF THE SAN BERNARDINO CITY HOUSING AUTHORITY**

WHEREAS, the Mayor and Common Council is the governing body of the City of San Bernardino ("City"); and

WHEREAS, the Mayor and Common Council desire to adopt a Resolution declaring that there is a need for a City Housing Authority ("Authority") to function and operate within the City and has found that either of the following conditions exist within the City: (1) that unsanitary or unsafe inhabited dwelling accommodations exist in the City; and (2) that there is a shortage of safe or sanitary dwelling accommodations in such City available to persons of low income at rental rates they can afford; and

WHEREAS, Authority means a public corporation created pursuant to Section 34200 of the Health and Safety Code of the State of California (the "Housing Authorities Law"); and

WHEREAS, Section 34201 of the Health and Safety Code of the State of California has declared that there exist in the State unsanitary or unsafe dwelling accommodations and that persons of low income are forced to reside in such accommodations; that within the State there is a shortage of safe or sanitary dwelling accommodations available at rents which persons of low income can afford and that such persons are forced to occupy overcrowded and congested dwelling accommodations; that these conditions cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals, and welfare of the residents of the State and impair economic values; and that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public

1 health and safety, fire and accident protection, and other public services and facilities; and that  
2 these slum areas cannot be cleared, nor can the shortage of safe and sanitary dwellings for  
3 persons of low income be relieved through the operation of private enterprise, and that the  
4 construction of housing projects for persons of low income would therefore not be competitive  
5 with private enterprise; and that the clearance, replanning, and reconstruction of the areas in  
6 which unsanitary or unsafe housing conditions exist and the providing of safe and sanitary  
7 dwelling accommodations are public uses and purposes for which public money may be spent  
8 and private property acquired and are governmental functions of State concern; and that it is in  
9 the public interest that work on such projects be commenced as soon as possible in order to  
10 relieve unemployment which now constitutes an emergency; and the necessity in the public  
11 interest and that the provisions of the Section 34201 are declared as a matter of legislative  
12 determination; and

13 WHEREAS, in order to rectify the deficient housing and neighborhood conditions as  
14 noted above, the Mayor and Common Council desire to establish the San Bernardino City  
15 Housing Authority; and

16 WHEREAS, Section 34250 of the Health and Safety Code of the State of California,  
17 states that a housing authority may contract with a redevelopment agency for the necessary staff  
18 services associated with or required by an authority and in such case, the governing body shall  
19 be vested with all of the rights, powers, duties and privileges and immunities in an authority;  
20 and

21 WHEREAS, the Mayor and Common Council desire to have the San Bernardino City  
22 Housing Authority contract with the Redevelopment Agency of the City of San Bernardino  
23 (“Agency”) to provide necessary staff services associated with the day to day activities,  
24 functions and management of the San Bernardino City Housing Authority.

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1 NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED  
2 BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN BERNARDINO, AS  
3 FOLLOWS:

4 Section 1. The Mayor and Common Council hereby find and determine that the  
5 facts and circumstances set forth in the Recitals hereof are true and correct in all respects. The  
6 Mayor and Common Council acknowledge that the Staff report as presented to the Mayor and  
7 Common Council upon the adoption of this Resolution regarding reasons for the creation of the  
8 San Bernardino City Housing Authority is in the best interest of the citizens of the City.

9 Section 2. The Mayor and Common Council hereby declare that there is a need for a  
10 housing authority on the basis that unsanitary or unsafe inhabited dwelling accommodations  
11 exist in the City.

12 Section 3. The Mayor and Common Council, the governing body of the City,  
13 hereby declare themselves to be the Commissioners of the San Bernardino City Housing  
14 Authority.

15 Section 4. The Mayor and Common desire to have the San Bernardino City Housing  
16 Authority contract with the Agency for any necessary staff services associated with or required  
17 by the San Bernardino City Housing Authority, and in such case, the governing body of the  
18 Agency, shall be vested with all of the rights, powers, duties and privileges and immunities of  
19 the San Bernardino City Housing Authority.

20 Section 5. This Resolution shall take effect upon its adoption and execution in the  
21 manner as required by the City Charter.

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I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Mayor and Common Council of the City of San Bernardino at a jt. reg. meeting thereof, held on the 5th day of May, 2003, by the following vote to wit:

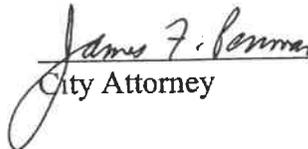
<u>Council Members:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
ESTRADA	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
LONGVILLE	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
MCGINNIS	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
DERRY	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
SUAREZ	<u>      </u>	<u>      </u>	<u>      </u>	<u>X</u>
ANDERSON	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
MC CAMMACK	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>

  
Rachel G. Clark, City Clerk

The foregoing resolution is hereby approved this 7th day of May, 2003.

  
Judith Valles, Mayor  
City of San Bernardino

Approved as to form and Legal Content:

By:   
City Attorney