

RESOLUTION NO. 12-01

**A RESOLUTION OF THE CITY OF MONTCLAIR HOUSING AUTHORITY ELECTING FOR THE MONTCLAIR HOUSING AUTHORITY TO SERVE AS THE SUCCESSOR HOUSING AGENCY TO THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH**

**WHEREAS**, the City of Montclair Redevelopment Agency ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Montclair ("City"); and

**WHEREAS**, Part 1.85 of the Community Redevelopment Law ("Part 1.85") as adopted by ABX1 26 ("AB 26") provides for the statewide dissolution of all redevelopment agencies, including the Agency, and provides that, thereafter, a successor agency will administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

**WHEREAS**, the City Council of the City of Montclair created the Montclair Housing Authority ("Montclair Housing Authority") on July 18, 2011; and

**WHEREAS**, Section 34176(b)(3) of the Health and Safety Code, added by Part 1.85, allows a local housing authority in the territorial jurisdiction of the former redevelopment agency to elect to retain the responsibility for performing housing functions previously performed by a redevelopment agency with all rights, powers, assets, liabilities, duties, and obligations associated with the housing activities of the agency to be transferred to a local housing authority; and

**WHEREAS**, the City Council has authorized the transfer of such housing responsibilities to the Montclair Housing Authority pursuant to City Council Resolution No. 12-2934; and

**WHEREAS**, the Montclair Housing Authority desires to affirm and make its election to become the successor housing agency pursuant to Part 1.85; and

**WHEREAS**, the Montclair Housing Authority has duly considered all other related matters and has determined that the Montclair Housing Authority's election to serve as successor housing agency to the Agency is in the best interests of the City and Agency and the health, safety, and welfare of its residents and in accord with the public purposes and provisions of applicable state and local laws and requirements.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Montclair Housing Authority does hereby find and determine as follows:

**Section 1.** The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

**Section 2.** The Montclair Housing Authority hereby elects to serve as the Successor Housing Agency to the Agency; such election is made pursuant to Part 1.85, Chapter 3 of AB 26 and accepts such election described under Health and Safety Code Section 34176(b)(3).

**Section 3.** This Resolution shall be effective immediately upon adoption.

**Section 4.** The Secretary shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED this 12th day of January, 2012.

Paul M. Eaton

Chairman

ATTEST:

Yvonne L. Smith

Secretary

I, Yvonne L. Smith, Secretary of the Montclair Housing Authority, DO HEREBY CERTIFY that Resolution No. 12-01 was duly adopted by the Montclair Housing Authority Board of Directors at a regular meeting thereof held on the 12th day of January, 2012, and that it was adopted by the following vote, to-wit:

- AYES: Ruh, Raft, Eaton
- NOES: None
- ABSTAIN: None
- ABSENT: Dutrey, Paulitz

Yvonne L. Smith

Yvonne L. Smith  
Secretary