

(HA-89-3)  
HOUSING AUTHORITY OF  
THE CITY OF SAN DIEGO  
RESOLUTION NO. 00445  
ADOPTED ON JULY 5, 1988

WHEREAS, the United States Housing Act of 1937 provides that there shall be local determination of the need for low-rent housing to meet needs not being adequately met by private enterprise; and

WHEREAS, under the provisions of the United States Housing Act of 1937 (the Act), the Secretary of Housing and Urban Development is authorized to provide financial assistance to public housing agencies for such housing; and

WHEREAS, the Housing Authority of The City of San Diego (the Housing Authority) recognizes a great need for adequate housing for low-income persons in San Diego; and

WHEREAS, funds are available from the U.S. Department of Housing and Urban Development (HUD) from time-to-time for publicly-owned housing under the acquisition and/or new construction methods of production; and

WHEREAS, the State of California Constitution, Article XXXIV, requires that low-rent housing projects must be approved by a majority of the voters; and

WHEREAS, the voters of The City of San Diego gave the required approval for 2,500 publicly-owned, low-rent units for low-income persons by approving Proposition K on the general election ballot of November 2, 1976, by a plurality of 68.4%; and

WHEREAS, HUD has notified the Housing Authority that it has been invited to submit an application for fund reservations for low-rent public housing; and

WHEREAS, the San Diego Housing Commission has approved and submitted to HUD applications for up to one hundred units of low-rent public housing; and

WHEREAS, HUD requires that the Housing Authority support and authorize the applications to HUD for up to one hundred units of low-rent public housing; NOW, THEREFORE,

BE IT RESOLVED, by the members of the Housing Authority of The City of San Diego as follows:

1. That the Housing Authority hereby determines that within its area of operation there is a need for low-income housing to

meet needs not being adequately met by private enterprise.

2. That the Acting Executive Director of the San Diego Housing Commission is hereby authorized to have prepared one or more applications and/or proposals for public housing assistance for development of up to one hundred (100) dwelling units; and the Acting Executive Director of the San Diego Housing Commission is hereby authorized to sign said applications and/or proposals on behalf of the Housing Authority and to submit them to HUD, said dwelling units to be provided as follows: by acquisition up to fifty dwelling units, and by new construction up to fifty dwelling units. Since one of the applications is for new construction only, if HUD cannot approve new construction pursuant to 6(h) of the Act, the application will be rejected.

3. When an Annual Contributions Contract (ACC) is forwarded by HUD to the Housing Authority for execution by the Housing Authority, the Chairman or Vice Chairman is hereby authorized to execute such ACC on behalf of the Housing Authority and the Secretary is hereby authorized to impress and attest the official Housing Authority seal on each ACC counterpart and submit to HUD executed counterparts and related documents as required by HUD.

4. The Chairman or Vice Chairman is hereby authorized to execute on behalf of the Housing Authority a General Depository Agreement(s) and/or Savings Depository Agreement(s) each in the form approved by HUD; and the Secretary is hereby authorized to impress and attest the official Housing Authority seal on each counterpart and submit to HUD executed counterparts and related documents as required by HUD.

5. Funding for Project Development:

(a) In order to fund the Development Cost of Housing projects pursuant to this resolution or any other resolution as may be required by HUD, the Housing Authority hereby authorizes the issuance of obligations in its name at such times, in such amounts, and on such terms and conditions as HUD may direct or approve in accordance with the ACC.

(b) The Chairman or Vice Chairman is hereby authorized to prepare and execute such Housing Authority obligations; and the Secretary is hereby authorized to impress and attest the official Housing Authority seal, deliver the obligations to HUD or such other lenders as HUD may direct, and accept payment therefor or cause payment to be made as directed or approved by HUD in accordance with the ACC.

(c) Each such Housing Authority obligation shall be secured in such manner as may be provided and/or required by HUD in accordance with the ACC. All proceeds from such Housing Authority obligations shall be deposited and used only as approved by HUD in accordance with the ACC.

6. In connection with the development and operation of any program or activity receiving Federal financial assistance under the United States Housing Act of 1937, regardless of when such program or activity or any portion thereof was or is initially covered by a contract, the Housing Authority will comply with all requirements imposed by Title VI of the Civil Rights Act of 1964, Public law 88-352, 78 Stat. 241; all the requirements under the applicable regulations of the U.S. Department of Housing and Urban Development issued thereunder, 24 CFR, 841 or 24 CFR 805 as appropriate and all HUD regulations relating to the operation of public housing projects.

7. That the Housing Authority is authorized to own, and the Housing Commission is authorized to manage, the dwelling units allocated by the Secretary of Housing and Urban Development under the Public Housing Program for The City of San Diego.

8. That the Executive Director of the San Diego Housing Commission is hereby authorized to take all necessary action to complete and submit to the U.S. Department of Housing and Urban Development one or more development programs for the above-described projects, including but not limited to, entering into contracts for services in connection with site selection, architecture, engineering and all other predevelopment activities.

9. All terms used in this resolution which are defined in the Annual Contributions Contract shall have the meaning given to them in the Annual Contributions Contract.

10. This resolution shall take effect immediately.

APPROVED: John W. Witt, General Counsel

By

Harold O. Valderhaug

Deputy Counsel

HOV:ps:559

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Or.Dept:Hsg.Comm.

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