

FAIRFIELD HOUSING AUTHORITY

RESOLUTION NO. HA2020-06

RESOLUTION OF THE FAIRFIELD HOUSING AUTHORITY EXTENDING THE TIME FOR THE FAIRFIELD HOUSING AUTHORITY (AS HOUSING SUCCESSOR TO THE FORMER FAIRFIELD REDEVELOPMENT AGENCY) TO RETAIN PROPERTIES FOR THE DEVELOPMENT OF HOUSING AFFORDABLE TO PERSONS AND FAMILIES OF LOW AND MODERATE INCOME PURSUANT TO HEALTH AND SAFETY CODE SECTION 34176.1

WHEREAS, the former Fairfield Redevelopment Agency (the “Former Agency”) acquired the parcels identified on Exhibit A, attached hereto and incorporated herein, in the City of Fairfield for development of low and moderate income housing utilizing moneys from the Former Agency’s Low and Moderate Income Housing Fund, as authorized by Health and Safety Code Section 33334.2 (the “Properties”); and

WHEREAS, the Former Agency was dissolved on February 1, 2012 pursuant to AB X1 26, and the Fairfield Housing Authority became the housing successor to the Former Agency (the “Housing Successor”); and

WHEREAS, pursuant to Health and Safety Code Section 34176(b), all of the housing assets of the Former Agency, including the Properties, transferred to the Fairfield Housing Authority, as Housing Successor, in accordance with the California Department of Finance (“DOF”) letter dated September 5, 2012, approving as housing assets certain items included on the Housing Assets Transfer Form, including the Properties; and

WHEREAS, Health and Safety Code Section 33334.16 provides that for each interest in real property acquired using moneys from the Low and Moderate Income Housing Fund, a redevelopment agency shall, within five years from the date it first acquired the property interest for the development of housing affordable to persons and families of low and moderate income, initiate activities consistent with the development of the property for that purpose. Health and Safety Code Section 33334.16 further provides that If such activities have not been initiated within this period, the legislative body may, by resolution, extend the period during which the agency may retain the property for one additional period not to exceed five years. The resolution shall affirm the intention of the legislative body that the property be used for the development of housing affordable to persons and families of low and moderate income. Finally, Health and Safety Code Section 33334.16 provides that in the event that physical development of the property for this purpose has not begun by the end of the extended period, or if the agency does not comply with this requirement, the property shall be sold and the moneys from the sale, less reimbursement to the agency for the cost of the sale, shall be deposited into the agency’s Low and Moderate Income Housing Fund; and

WHEREAS, Health and Safety Code Sections 33007 and 33002 define the “legislative body” as the City Council of the City; and

WHEREAS, Health and Safety Code Section 34176.1(e) provides that with respect to interests in real property acquired by a former redevelopment agency prior to February 1, 2012, the time periods described in Section 33334.16 shall be deemed to have commenced on the date that the DOF approved the property as a housing asset. As set forth above, the DOF approved the Properties as housing assets on September 5, 2012; and

WHEREAS, the City Council desires to extend the period during which the Fairfield Housing Authority, as Housing Successor, may retain the Properties for development of housing affordable to persons and families of low and moderate income.

NOW, THEREFORE, THE FAIRFIELD HOUSING AUTHORITY HEREBY RESOLVES:

Section 1. The above recitals are true and correct and are a substantive part of this Resolution.

Section 2. The City Council affirms the Council's intention that the Properties be used for the development of housing affordable to persons and families of low and moderate income. Accordingly, the period during which the Housing Successor may retain the Properties is hereby extended until September 5, 2022.

Section 3. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 4th day of August, 2020, by the following vote:

AYES: COMMISSIONERS: PRICE / BERTANI / MOY / TIMM / VACCARO

NOES: COMMISSIONERS: _____

ABSENT: COMMISSIONERS: _____

ABSTAIN: COMMISSIONERS: _____

CHAIRPERSON

ATTEST:

SECRETARY