

**FAIRFIELD HOUSING AUTHORITY**

**RESOLUTION NO. HA2021-10**

**RESOLUTION OF THE FAIRFIELD HOUSING AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO AND EXECUTE FORMATION DOCUMENTS TO ENABLE THE FORMATION OF A NONPROFIT PUBLIC BENEFIT CORPORATION TO BE KNOWN AS FAIRFIELD HOUSING AND COMMUNITY DEVELOPMENT CORPORATION (FHCD) AND UPDATING THE FISCAL YEAR 2021-2022 BUDGET**

**WHEREAS**, the Fairfield Housing Authority (the "FHA") is a duly formed housing authority of the State of California, and is vested with the responsibilities set forth in Division 24, Part 2, Article 4 (Sections 34310-34334) of the California Health and Safety Code; and

**WHEREAS**, in this resolution (the "Resolution") when it states the FHA will act, the commission is authorizing such action on behalf of the FHA and deems such action to be in the best interest of the FHA; and

**WHEREAS**, the FHA desires to form a nonprofit public benefit corporation to be known as Fairfield Housing and Community Development Corporation (the "FHCD"); and

**WHEREAS**, the FHA desires that the FHCD's purpose be to support the activities of the FHA including but not limited to providing affordable housing within its jurisdiction, and to participate in entities such a limited liability companies and limited partnerships that may be needed in the future to facilitate the construction and operation of affordable housing; and

**WHEREAS**, the FHA desires to enter into any and all documents necessary to effectuate the formation of the FHCD including but not limited to any articles of incorporation and bylaws (the "Formation Documents"); and

**WHEREAS**, by agenda report (the "Agenda Report") accompanying this Resolution the FHA has been provided with additional information upon which the actions set forth in this Resolution are based; and

**WHEREAS**, funding was not allocated in the City's approved 2021-2022 Budget thus requiring an adjustment in the amount of \$50,000 to cover the funding of the FHCD; and

**WHEREAS**, the revised appropriation constitutes an update to the 2021-2022 Budget approved pursuant to Resolution 2021-126.

**NOW, THEREFORE, THE FAIRFIELD HOUSING AUTHORITY HEREBY RESOLVES:**

Section 1. That the FHA finds and determines that the above recitals are true and correct and have served, together with the Agenda Report, as a basis in part, for the actions of the FHA set forth below.

Section 2. That the FHA approves the formation of the FHCDC with a board of directors in such form as reflects the interest of the FHA after consultation with FHA special legal counsel.

Section 3. That the FHA authorizes the executive director of the FHA, or the deputy executive director of the FHA, or their designee (collectively, the "Authorized Officer") acting alone on behalf of the FHA, to enter into and execute the Formation Documents, all in such form as is recommended by FHA special legal counsel, and approved by an Authorized Officer, such approval to be conclusively evidenced by the execution by an Authorized Officer of such documents, and to take any other actions, necessary to enable the formation of the FHCDC, and to do any and all other activities contemplated in this Resolution.

Section 4. That to the extent that any actions authorized herein have already been performed, such actions are hereby ratified and approved.

Section 5. The City Council hereby approves that appropriation of \$50,000 in unrestricted fund balance in Housing Authority Fund to cover costs associated with the execution of this Resolution.

Section 6. That this Resolution shall take immediate effect upon adoption.

**PASSED AND ADOPTED** this 7<sup>th</sup> day of September, 2021, by the following vote:

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

NOES: COMMISSIONERS: \_\_\_\_\_

ABSENT: COMMISSIONERS: \_\_\_\_\_

ABSTAIN: COMMISSIONERS: \_\_\_\_\_

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
ASSISTANT SECRETARY