

MEETING DATE: 07.23.12

AGENDA ITEM: (1) Adoption of a City Council Resolution Approving the Transfer to the Culver City Housing Authority of the Rights and Obligations Under the Section 8 Annual Contributions Contract with the United States Department of Housing and Urban Development; and (2) Adoption of a Resolution by the Culver City Housing Authority Approving the Transfer to the Housing Authority of the Rights and Obligations of the City of Culver City Under the Section 8 Annual Contributions Contract with the United States Department of Housing and Urban Development

ATTACHMENTS

- | | <u>Pages</u> |
|---|--------------|
| 1. City Council Resolution No. 2012-R___ approving the transfer to the Culver City Housing Authority of the Rights and Obligations of the City under the Section 8 Annual Contributions Contracts with the United States Department of Housing and Urban Development. | 1-2 |
| 2. Housing Authority Resolution No. HA 2012-___ approving the transfer to the Housing Authority of the Rights and Obligations of the City of Culver City under the Section 8 Annual Contributions Contracts with the United States Department of Housing and Urban Development from the City. | 3-4 |

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RESOLUTION OF THE CITY COUNCIL OF CULVER CITY, CALIFORNIA
APPROVING THE TRANSFER TO THE CULVER CITY HOUSING
AUTHORITY OF THE RIGHTS AND OBLIGATIONS OF THE CITY UNDER
THE SECTION 8 ANNUAL CONTRIBUTIONS CONTRACT WITH THE
UNITED STATES DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT.

WHEREAS, the City of Culver City in its capacity as a public housing agency (PHA) under the Section 8 Tenant Based Assistance: Housing Choice Voucher Program ("Section 8 Program") previously entered into a Master Section 8 Annual Contributions Contract dated as of February 24, 1976 with the United States Department of Housing and Urban Development (HUD) as supplemented by periodic funding agreements with HUD ("Annual Contributions Contract"); and

WHEREAS, the Annual Contributions Contract commits HUD to make payments to the City, over a specified term, for housing assistance payments to owners and for the City's administrative fee and obligates the City to administer the Section 8 Program in accordance with HUD regulations and requirements; and

WHEREAS, the Culver City Housing Authority (the "Authority") is a public housing authority, established and authorized to act pursuant to the Housing Authorities Law of the State of California; and

WHEREAS, the City desires to designate the Authority to serve as the PHA and to administer the Section 8 Program under the Annual Contributions Contract; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, the City Council of the City of Culver City DOES HEREBY
RESOLVE, as follows:

1 1. The City Council has received and heard all oral and written objections to
2 matters pertaining to this transaction, and all such oral and written objections are hereby
3 overruled.

4 2. The City Council hereby finds and determines that the foregoing recitals are
5 true and correct.

6 3. The City Council hereby approves and authorizes the transfer of the Section
7 8 Program to the Authority and delegates to the Authority all of the powers, functions and
8 obligations of the City under the Annual Contributions Contract.

9 4. The City Council hereby approves of and authorizes an assignment by the
10 City to the Authority of the City's rights and interests in the Annual Contributions Contract,
11 including but not limited to the City's right to receive payments from HUD with respect to the
12 Section 8 Program.

13 5. The City Manager or designee is hereby authorized and directed to take all
14 reasonable and necessary actions and sign on behalf of the City all reasonable and
15 necessary documents and instruments first approved in writing by the City Attorney to carry
16 out the transfer from the City to the Authority of the Annual Contributions Contract and the
17 City's rights and obligations with respect to the Section 8 Program.

18 6. This Resolution shall take effect immediately upon its adoption.

19
20 APPROVED AND ADOPTED, this ____ day of _____, 2012.

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22 _____
23 ANDREW WEISSMAN, MAYOR
24 City of Culver City, California

25 ATTEST:

26 APPROVED AS TO FORM:

27 _____
28 MARTIN R. COLE, City Clerk

29 _____
30 CAROL A. SCHWAB, City Attorney

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2 2. The Authority Board hereby finds and determines that the foregoing recitals
3 are true and correct.

4 3. The Authority Board hereby approves and accepts the transfer of the Section
5 8 Program to the Authority and the delegation to the Authority of all of the powers, functions
6 and obligations of the City under the Annual Contributions Contract.

7 4. The Authority Board hereby approves and accepts the assignment by the
8 City to the Authority of the City's rights and interests in the Annual Contributions Contract,
9 including but not limited to the City's right to receive payments from HUD with respect to the
10 Section 8 Program.

11 5. The Executive Director or designee is hereby authorized and directed to take
12 all reasonable and necessary actions and sign on behalf of the Authority all reasonable and
13 necessary documents and instruments first approved in writing by the Authority's General
14 Counsel to carry out the transfer from the City to the Authority of the Annual Contributions
15 Contract and the City's rights and obligations with respect to the Section 8 Program.

16 6. This Resolution shall take effect immediately upon its adoption.

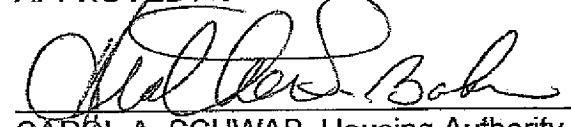
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18 APPROVED AND ADOPTED, this ____ day of _____, 2012.

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21 _____
ANDREW WEISSMAN, Chairperson
Culver City Housing Authority

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23 ATTEST:

24 APPROVED AS TO FORM:

25 _____
MARTIN R. COLE, Secretary

26 for _____
CAROL A. SCHWAB, Housing Authority
Counsel

27 A12-00396