

RESOLUTION NO. ~~2005-013~~

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF **FEB 22 2005**

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO FINDING THE CURRENT HOUSING ELEMENT IS IN COMPLIANCE WITH THE GOVERNMENT CODE, THE AGENCY HAS NOT HAD A MAJOR VIOLATION IN THE PAST THREE YEARS ACCORDING TO THE STATE CONTROLLER, AND THE AGENCY HAS NOT ACCUMULATED AN EXCESS SURPLUS IN ITS LOW- AND MODERATE-INCOME HOUSING FUND

WHEREAS, the Redevelopment Agency of the City of Sacramento (the "Agency") has prepared an amendment to the Redevelopment Plan for the Merged Downtown Redevelopment Project (the "Plan Amendment") in compliance with the California Community Redevelopment Law (Health and Safety Code, Sections 33000, *et seq.*); and

WHEREAS, Section 33333.10 (h) of the California Community Redevelopment Law (the "CRL") states that the Agency may not approve the Plan Amendment until certain findings are made; and

WHEREAS, the current Housing Element of the Sacramento General Plan is in substantial compliance with the requirements of Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code; and

WHEREAS, the Agency has not during the past three fiscal years prior to the adoption of the proposed Plan Amendment been included in the report sent by the State Controller to the Attorney General pursuant to subdivision (b) of CRL Section 33080.8 as an agency that has a "major violation" pursuant to Section 33080.8 of the CRL as confirmed in a conversation with and an e-mail from Betty Moya at the State Controller's Office on November 24, 2004 verifying that the Agency is not on the State Controllers list for audit findings; and

WHEREAS, the Department of Housing and Community Development has confirmed the Agency has not accumulated an excess surplus, as defined by Section 33334.12 of the Government Code, in its low- and moderate-income housing fund; as a written request by the Agency and provision of the information requested by the HCD was issued and not responded to within 90 days after receipt of the written request, therefore pursuant to subdivision (h) of CRL Section 33333.10 compliance with this requirement shall be deemed confirmed,

NOW, THEREFORE, be it resolved by the Redevelopment Agency of the City of Sacramento as follows:

Section 1: The Agency finds the current Housing Element to be in conformance with the Government Code. The State Department of Community Development has found that the Housing

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Element of the Sacramento General Plan is in substantial compliance with the requirements of Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code.

Section 2: The Agency finds it has not during the past three fiscal years prior to the adoption of the proposed Plan Amendment been included in the report sent by the State Controller to the Attorney General pursuant to subdivision (b) of CRL Section 33080.8 as an agency that has a "major violation" pursuant to Section 33080.8 of the CRL.

Section 3: The Agency finds it has not accumulated an "excess surplus", as defined by Section 33334.12 of the Government Code, in its low- and moderate-income housing fund.

Section 4: The Secretary shall certify to the passage and adoption of this resolution, and it shall thereupon take effect and be in force.

ADOPTED, SIGNED AND APPROVED this 22nd day of February, 2005.

HEATHER FARGO

ATTEST:

CHAIR

SHIRLEY CONCOLINO

SECRETARY

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