

## RESOLUTION NO. 2015-0005

Adopted by the Housing Authority of the City of Sacramento

May 12, 2015

### APPROVING THE EXECUTION AND DELIVERY OF A THIRD AMENDMENT TO JOINT EXERCISE OF POWERS AGREEMENT RELATED TO THE SACRAMENTO CITY FINANCING AUTHORITY, AND AUTHORIZING CERTAIN OTHER RELATED ACTIONS

#### BACKGROUND:

- A. Under the Community Redevelopment Law set forth in sections 33000 through 33855 of the California Health and Safety Code (the "**Law**"), the Sacramento City Council created the former Redevelopment Agency of the City of Sacramento (the "**Former RDA**"), which was authorized to transact business and exercise its powers in accordance with the Law. Upon the dissolution of the Former RDA on February 1, 2012, under Assembly Bill XI 26 ("**AB 26**"), the City of Sacramento (the "**City**") agreed to serve as the successor agency to the Former RDA (the "**Agency**").
- B. The Joint Exercise of Powers Act, set forth in sections 6500 through 6599.3 of the California Government Code (the "**Act**"), authorizes two or more public agencies to jointly exercise by agreement any power common to them. In accordance with the Act, the City and the Former RDA entered into the Joint Exercise of Powers Agreement dated as of October 1, 1989 (the "**Original JPA**"), by which they created and established the Sacramento City Financing Authority for the purposes set forth in the Original JPA and to exercise the powers described in the Original JPA (the "**Authority**"). The City and the Former RDA subsequently amended the Original JPA by entering into the First Amendment to Joint Exercise of Powers Agreement dated as of April 1, 1999 (the "**First Amendment**"), and the Second Amendment to Joint Exercise of Powers Agreement dated as of April 1, 1999 (the "**Second Amendment**"). The Original JPA, the First Amendment, and the Second Amendment are collectively the "**Amended JPA.**"
- C. The Housing Authority of the City of Sacramento (the "**Housing Authority**") desires to enter into a Third Amendment to Joint Exercise of Powers Agreement that is substantially in the form on file with the Clerk of the Sacramento Housing and Redevelopment Agency (the "**Clerk**"), a copy of which is attached to this resolution (the "**Third Amendment**"), in order to substitute the Housing Authority for the Agency as a member of the Authority.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO RESOLVES AS FOLLOWS:**

- Section 1. The statements in paragraphs A, B, and C of the Background are true.
- Section 2. The proposed form of the Third Amendment on file with the Clerk is hereby approved. The Chairperson and the Executive Director of the Housing Authority, or the designee of either of them (each an “**Authorized Officer**”), are each hereby authorized and directed, on the Housing Authority’s behalf, to sign and deliver the Third Amendment, which must be substantially in the form on file with the Clerk, with such changes as the signing Authorized Officer may require or approve with the concurrence of legal counsel to the Housing Authority, such approval to be conclusively evidenced by the execution and delivery of the Third Amendment.
- Section 3. The Clerk or the Clerk’s designee is hereby authorized to attest the signature of the Authorized Officer who signs the Third Amendment.
- Section 4. Each Authorized Officer acting alone is hereby authorized and directed to do all things and to sign and deliver all documents he or she deems necessary or desirable to implement the Third Amendment and otherwise carry out, give effect to, and comply with this resolution; and all such actions previously taken by an Authorized Officer are hereby ratified.
- Section 5. This resolution takes effect when adopted.

Adopted by the Housing Authority of the City of Sacramento on May 12, 2015, by the following vote:

Ayes: Members Ashby, Carr, Guerra, Hansen, Harris, Schenirer, and Warren

Noes: None

Abstain: None

Absent: Member Jennings and Mayor Johnson

Attest:

**Shirley Concolino** Digitally signed by Shirley Concolino  
DN: cn=Shirley Concolino, o=City of Sacramento, ou=City  
Clerk, email=sconcolino@cityofsacramento.org, c=US  
Date: 2015.05.21 16:43:51 -07'00'

Shirley Concolino, Secretary