

RESOLUTION NUMBER 4385

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ESTABLISHING A HOUSING AUTHORITY IN ACCORDANCE WITH THE CALIFORNIA HOUSING AUTHORITIES LAW

WHEREAS, the California Housing Authorities Law, codified as Health and Safety Code Section 34200, *et seq.*, authorizes the establishment of a housing authority in every city, but that the authority shall not transact any business or exercise its powers unless, by resolution, the governing body of the city declares there is a need for an authority to function in it; and

WHEREAS, per Health & Safety Code Section 34242, the governing body of a city may adopt a resolution declaring there is a need for a housing authority if it finds either: (a)°the existence of insanitary and unsafe inhabited dwelling accommodations in the city, or (b)°a shortage of safe or sanitary dwelling accommodations in the city available to persons of low income at rentals they can afford; and

WHEREAS, per Health & Safety Code Section 34243, in determining whether dwelling accommodations are unsafe or insanitary, the governing body of a city may take into consideration the following factors: (a) degree of overcrowding, (b) percentage of land coverage, (c) availability of light, air, space, and access to inhabitants of such dwelling accommodations, (d) size and arrangement of rooms, (e) sanitary facilities, and (f) the extent to which conditions exist in such buildings which endanger life or property by fire or other causes; and

WHEREAS, according to the studies conducted and data gathered for the 2008-2014 Update of the Housing Element of the General Plan of the City of Perris, insanitary and unsafe inhabited dwelling accommodations exist and there is a shortage of safe and sanitary dwelling accommodations available to persons of low income at rentals they can afford within the City of Perris (“City”); and

WHEREAS, as a result of the foregoing, there is a need for a housing authority to function in the City to provide safe and sanitary housing opportunities for its residents.

THE CITY COUNCIL OF THE CITY OF PERRIS HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1. All of the above recitals are true and correct and are incorporated herein by reference.

Section 2. The City Council finds that insanitary and/or unsafe inhabited dwelling accommodations exist in the City. This finding is supported by the following facts, according to the City’s 2008-2014 Update of the Housing Element of the General Plan:

A. Nearly 58% of all households in the City experience housing problems. Housing problems include, but are not limited to, housing units with physical defects such as lack of complete plumbing or kitchen facilities, overcrowded conditions, or overpayment for housing.

B. An estimated 135 housing units in the City lack either complete plumbing or kitchen facilities, representing approximately 1% of the City's housing stock that is substandard and that will require substantial rehabilitation.

C. An estimated 574 housing units in the City are 50 years or older, and an estimated 2,122 housing units are between 30 to 50 years old, representing approximately 18.5% of the City's housing stock that may be in need of major housing rehabilitation.

Section 3. The City Council finds that there is a shortage of safe or sanitary dwelling accommodations in the City available to persons of low income at rentals they can afford. This finding is supported by the following facts, according to the City's 2008-2014 Update of the Housing Element of the General Plan:

A. Approximately 2,829 households in the City are considered extremely or very low income (earning less than 50% of the median income for Riverside County). Of the very low income households, 80.3% experience housing problems, as defined above. Approximately 2,271 households in the City are considered low income (earning between 50% to 80% of the median income for Riverside County). Of the low income households, 70.2% experience housing problems.

B. Approximately 76% of all very low income households in the City are overpaying for housing, with 77% of very low income rental households overpaying for rental housing. Approximately 52.6% of low income households in the City are overpaying for housing, with 39% of low income rental households overpaying for rental housing. Overpaying for housing is defined as paying greater than 30% of household income for housing.

C. Approximately 8% of all rental housing units in the City have four or more bedrooms, despite the fact that 27.2% of all rental households are comprised of five or more persons. This represents a disparity between the number of larger rental units available and the number of larger households in the City, and the need for more larger rental units in the City.

D. Approximately 26% of all households are considered overcrowded, including 30% of all rental households that are considered overcrowded.

Section 4. The housing authority established by this Resolution shall be known as the Perris Housing Authority.

Section 5. The Perris Housing Authority shall be vested with all the rights, powers, duties, privileges and immunities established by the California Housing Authorities Law.

Section 6. Pursuant to California Health and Safety Code Section 34290, the City Council does hereby declare that its members shall serve as the commissioners of the Perris Housing Authority and shall have all the rights, powers, duties, privileges and immunities vested by the California Housing Authorities Law. The City Council shall also appoint two tenants within the City as additional commissioners, one of whom shall be 62 years or older, within one year that the Perris Housing Authority has tenants or tenants who are 62 years or older.

Section 7. The terms of office and succession of Perris Housing Authority Commissioners shall be concurrent with and identical to the terms of each City Council member's seat.

Section 8. Pursuant to Health & Safety Code Section 34274, each Commissioner shall be entitled to a per diem payment for attendance at not more than four (4) Perris Housing Authority meetings per month at a rate of Fifty Dollars (\$50.00) per meeting. Additionally, Commissioners shall receive necessary traveling and subsistence expenses which may be incurred in the discharge of the duties of a Housing Authority Commissioner.

Section 9. The Mayor of the City shall designate, from among the Commissioners, the first Chairperson. Successor Chairpersons, as well as a Vice Chairperson, shall be selected by the Commissioners, from among their members. The Vice Chairperson shall serve as the Chairperson in the absence or incapacity of the Chairperson.

Section 10. If any provision(s) of this resolution or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this resolution are declared to be severable. The City Council hereby declares that they would have adopted this resolution and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

Section 11. The City Clerk shall certify to the adoption of this resolution, and shall cause the same to be posted in the manner required by law.

ADOPTED, SIGNED and APPROVED this 29th day of March, 2011.

Daryl R. Busch, Mayor

ATTEST:

Judy L. Haughney, C.M.C., City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 4385 was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the 29th day of March, 2011, and that it was so adopted by the following vote:

AYES: EVANS, LANDERS, YARBROUGH, BUSCH

NOES: NONE

ABSENT: ROGERS

ABSTAIN: NONE

Judy L. Haughney, C. M.C., City Clerk