

**RESOLUTION NO. 2010-08**

**A RESOLUTION BY THE CITY OF WASHINGTON, KANSAS, DELEGATING ALL POWERS CONFERRED UNDER THE KANSAS MUNICIPAL HOUSING LAW UNDER ARTICLE 17 OF KANSAS STATUTES ANNOTATED TO THE HOUSING AUTHORITY OF THE CITY OF WASHINGTON, KANSAS, AND FURTHER, RATIFIES ANY PREVIOUS ANNUAL CONTRIBUTIONS, CONTRACTS OR RELATED AMENDMENTS THERETO WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT CONCERNING PUBLIC HOUSING IN THE CITY OF WASHINGTON.**

**WHEREAS**, the City created said Housing Authority in 1966 under Kansas State Municipal Housing Statutes; and

**WHEREAS**, Under Chapter 17 Article 23 referred to as the Kansas Municipal Housing Law, the municipality may delegate to the authority, any or all of the powers conferred on the municipality by this law, and may authorize it to employ an executive director, technical experts and such other officers, agents and employees, permanent and temporary, as it may require, and to delegate to one or more of its agents or employees such powers or duties as the authority may deem proper; and

**WHEREAS**, The powers under Kansas Municipal Housing Law may be delegated by a municipality to the housing authority as vested in the commissioners thereof, that authorizes the municipality to prepare, carry out, and operate housing projects and to provide for the construction, reconstruction, improvement, extension, alteration or repair of any housing project or any part thereof; to arrange or contract for the furnishing by any person or agency, public or private, of services, privileges, works, or facilities for, or in connection with, a housing project or the occupants thereof to agree to any conditions attached to federal financial assistance, and to comply with any conditions which the federal government may have attached to its financial aid of the project; to own and operate housing projects for low-income families, to issue revenue bonds, borrow money from the federal government, and acquire real property by eminent domain, to own, sell, lease, exchange, transfer, assign, pledge or dispose of any real or personal property or any interest therein as any part of the property of the housing authority established under this law and all other provisions as promulgated under the Law; and

**WHEREAS**, the City is desirous to delegate, authorize and empower the Housing Authority, as vested in the commissioners, all powers conferred under the Law including, but not limited to, the power to prepare, carry out, and operate housing projects and to provide for the construction, reconstruction, improvement, extension, alteration or repair of any housing project or any part thereof; to arrange or contract for the furnishing by any person or agency, public or private, of services, privileges, works, or facilities for, or in connection with, a housing project or the occupants thereof to agree to any conditions attached to federal financial assistance, and to comply with any conditions which the federal government may have attached to its financial aid of the project, to own and operate housing projects for low-income individuals and senior citizens, to issue revenue bonds, borrow money from the federal government, and acquire real property by eminent domain, to own, sell, lease, exchange, transfer, assign, pledge or dispose of any real or personal property or any interest therein as any part of the property of a housing authority, borrowing money or accepting contributions, grants or other financial assistance from the federal government for or in aid of any housing project within its area of operation, to take over, lease or manage any project or undertaking constructed or owned by the federal government, to comply with such conditions and enter into such contracts, covenants, mortgages, trust indentures, leases or agreements as may be necessary, convenient or desirable. It is the purpose and intent of this resolution to authorize the housing authority, as an agent of the City, to do any and all things necessary or desirable to secure the financial aid or cooperation of the federal government in the undertaking, construction, maintenance or

operation of any housing project by such municipality. Notwithstanding the provisions of any other law, the housing authority shall include in any contract for financial assistance with the federal government, any provisions which the federal government may require as conditions to its financial aid of a housing project, not inconsistent with the purposes of the Law; and

**WHEREAS**, the City shall rely on said Housing Authority, as an agent of the municipality, to operate under State laws governing the operation of a Municipal Housing Authority and comply with any provisions which the federal government may require as conditions to its financial aid of a housing project, not inconsistent with the purposes of the Law;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WASHINGTON, KANSAS:**

That the City of Washington hereby delegates to the Housing Authority of the City of Washington, Kansas, all of the powers conferred on the municipality by the Kansas Municipal Housing Law; and

**Be it further resolved** that the City of Washington, Kansas, hereby ratifies all previous Annual Contribution Contract agreements and any amendments to the Annual Contribution Contracts signed by the Housing Authority.

This Resolution shall be effective immediately.

ADOPTED by the governing body of the City and signed by the Mayor this 7<sup>th</sup> day of September, 2010.

(SEAL)

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Harold H. Jones, Jr., Mayor

ATTEST:

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Denise M. Powell, City Clerk