

## **RESOLUTION 11-13**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLIAMS AUTHORIZING THE USE OF LOW AND MODERATE INCOME HOUSING FUND MONIES OUTSIDE THE WILLIAMS REDEVELOPMENT PROJECT AREA**

WHEREAS, the City Council of the City of Williams (“City”) and the City of Williams Redevelopment Agency (“Agency”) have undertaken proceedings to adopt a Redevelopment Plan (“Redevelopment Plan”) for the Williams Redevelopment Project Area (“Project Area”) pursuant to the provisions of the Community Redevelopment Law (Health and Safety Code Section 33000, et seq.) (“CRL”); and

WHEREAS, the purpose of the proposed Redevelopment Plan is to create the Project Area to alleviate physical and economic blighting conditions and to promote economic development within the Project Area; and

WHEREAS, Health and Safety Code Section 33334.2(a) provides that not less than 20 percent of all taxes that are allocated to the Agency pursuant to Health and Safety Code Section 33670 shall be used by the Agency for the purpose of increasing, improving and preserving the supply of low- and moderate-income housing available at affordable housing cost to persons and families of low or moderate income; and

WHEREAS, Health and Safety Code Section 33334.3 provides that the funds reserved for the purpose of increasing, improving, and preserving the supply of low- and moderate-income housing shall be held in a separate Low and Moderate Income Housing Fund (“LMIHF”) until used; and

WHEREAS, Health and Safety Code Section 33334.2(g) provides that the Agency may use the funds from the LMIHF inside or outside the Project Area upon a determination that such use will be of benefit to the Project Area; and

WHEREAS, City staff has determined that the use of funds from the LMIHF outside of the Project Area will be of benefit to the Project Area because housing units exist outside of the Project Area and such use of funds from the LMIHF will enable the Agency to increase, improve and preserve the supply of low- and moderate-income housing available at affordable housing cost to employees and patrons of the Project Area; and

WHEREAS, City staff has determined that the City Council’s approval of the use of funds from the LMIHF outside of the Project Area is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to the CEQA Guidelines, California Code of Regulations Title 14, Chapter 3 (“State CEQA Guidelines”) Section 15378(b), because such approval constitutes the creation of a funding mechanism or other governmental fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

**THEREFORE, THE CITY COUNCIL OF THE CITY OF WILLIAMS, CALIFORNIA RESOLVES AS FOLLOWS:**

Section 1. The recitals set forth above are true and correct and incorporated herein.

Section 2. The City Council hereby determines that the City Council's approval of the use of funds from the LMIHF outside the Project Area is categorically exempt pursuant to State CEQA Guidelines Section 15378(b). The City Council hereby directs City staff to file a notice of exemption with the Colusa County Clerk within three (3) days from the adoption of this Resolution.

Section 3. Based upon the staff report accompanying this Resolution, and such other oral and written evidence as presented to the City Council, the City Council finds and determines that the use of funds from the LMIHF outside the Project Area will be of benefit to the Project Area because housing units exist outside of the Project Area and such use of funds from the LMIHF will enable the Agency to increase, improve and preserve the supply of low- and moderate-income housing available at affordable housing cost to employees and patrons of the Project Area.

Section 4. This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the City Council of the City of Williams this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by the following vote

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Angela Plachek-Fulcher, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Charles Bergson, City Clerk

\_\_\_\_\_  
Ann M. Siprelle, City Attorney