

RESOLUTION NO. 2135

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RICHMOND, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF HUD-REQUIRED DISPOSITION DOCUMENTS AFFECTING THE SITE WHICH SERVES PROJECT NUMBER CA010000002 (HACIENDA PROJECT)**

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**WHEREAS**, the Richmond Housing Authority (“PHA”) has entered into a Consolidated Annual Contributions Contract (the “ACC”) with the United States of America, acting through the U.S. Department of Housing and Urban Development (“HUD”);

**WHEREAS**, pursuant to the ACC, PHA requested HUD approval of the sale of certain disposition property owned by PHA (the “**Disposition Property**”), and HUD, as documented in the letter from HUD to PHA dated January 16, 2015, as amended January 9, 2020, and as amended March 11, 2021, as thereafter amended (collectively, the “**Approval Letter**”), agreed to such sale on the terms and conditions set forth in the Approval Letter;

**WHEREAS**, the Disposition Property is currently encumbered by a Declaration of Trust in favor of HUD, and HUD must execute, and PHA must record, a Release of Declaration of Trust (the “**Release**”) prior to any transfer or encumbrance of the Disposition Property;

**WHEREAS**, HUD has conditioned its approval for the transfer of the Disposition Property on the condition that such property be operated as 148 units reserved for families at or below 80% of AMI for a period of not less than 30 years (the “**Use Requirement**”), and that such Use Requirement be evidenced by a use agreement (the “**Use Agreement**”) recorded in the official records of the county where the Disposition Property is located;

**WHEREAS**, HUD has further conditioned its approval for the transfer of the Disposition Property on the condition that any proceeds realized from the transfer of the Disposition Property be used solely for purposes authorized under, and in accordance with, Section 18 of the Act, 24 CFR Part 970, the Approval Letter and/or all other applicable HUD notices and other guidance in effect at the time of such approval, as evidenced by a Disposition Agreement (the Release, the Use Agreement and the Disposition Agreement, together with such other documents as HUD deems necessary, are collectively referred to herein as the “**HUD-Required Disposition Documents**”); and

**WHEREAS**, it is deemed to be in the best interests of PHA to execute and deliver, or cause to be executed and delivered, the HUD-Required Disposition Documents and any additional instruments required by HUD to complete the disposition.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RICHMOND, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA THAT** the PHA hereby approves the disposition and the form and substance of the HUD-Required Disposition Documents, and the transactions contemplated thereby;

**BE IT FURTHER RESOLVED THAT** that Nannette Beacham, Executive Director of PHA, acting alone on behalf of PHA, is hereby authorized and directed on behalf and in the name of PHA to execute and deliver the HUD-Required Disposition Documents, in substantially the form presented to PHA, with such changes therein as Nannette Beacham may approve as necessary or desirable, with such approval to be evidenced conclusively by the execution and delivery of the HUD-Required Disposition Documents;

**BE IT FURTHER RESOLVED THAT** that the actions taken by Nannette Beacham, Executive Director of PHA, acting alone on behalf of PHA, in connection with the execution and delivery by PHA of the HUD-Required Disposition Documents be, and hereby are, ratified, confirmed and approved, as the acts and deeds of PHA; and

**BE IT FURTHER RESOLVED THAT** that Nannette Beacham, Executive Director of PHA, acting alone on behalf of PHA, is hereby authorized, directed and empowered, on behalf of PHA and in its name, to take all such other actions and to execute, acknowledge, deliver, file and record any applications, certificates, agreements, other instruments or documents, or amendments or supplements thereto, or to do and to cause to be done any and all other acts and things as Nannette Beacham may in her sole discretion deem necessary or appropriate in order to carry out and perform the purposes and intent of the foregoing resolutions, the taking of such actions or the execution, acknowledgment, delivery, filing or recording of any such instruments, documents or certificates to be conclusive evidence of the necessity and appropriateness thereof; and that any and all acts authorized hereunder are, in all respects, ratified, confirmed, approved and adopted as the acts and deeds of PHA.

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The foregoing resolution was passed and adopted by the Commissioners of the Housing Authority of the City of Richmond at a special meeting thereof held on April 20, 2021, by the following vote:

AYES: Commissioners Bates, Jimenez, Martinez, McLaughlin, Willis, Vice Chairperson Johnson III, and Chairperson Butt.  
NOES: None.  
ABSTENTIONS: None.  
ABSENT: Housing Authority Tenant Commissioner Scott.

THOMAS K. BUTT  
Chairperson

[SEAL]

Attest:

PAMELA CHRISTIAN  
Secretary

Approved as to form:

TERESA STRICKER  
City Attorney

State of California }  
County of Contra Costa : ss.  
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 2135** finally passed and adopted at a Special Housing Authority Meeting held on April 20, 2021.

  
CLERK OF THE HOUSING AUTHORITY