

## **RESOLUTION NO. 2019-126**

### **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO REPEALING THE DELEGATION OF AUTHORITY OF THE BOARD OF GOVERNORS OF THE HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO TO THE SAN BERNARDINO COUNTY HOUSING COMMISSION**

On Tuesday, August 6, 2019, on motion of Supervisor Gonzales, duly seconded by Supervisor Rutherford and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

**WHEREAS**, the San Bernardino County Board of Supervisors established the Housing Authority of the County of San Bernardino pursuant to Sections 34240 and 34290 of the California Health and Safety Code (Board of Supervisors Resolution adopted June 23, 1941); and

**WHEREAS**, the San Bernardino County Board of Supervisors did declare itself to be the commissioners of said Housing Authority pursuant to Section 34290(b) of the Health and Safety Code (Board of Supervisors Resolution No. 2014-60 adopted May 6, 2014); and

**WHEREAS**, the San Bernardino County Board of Supervisors determined that the commissioners of the Housing Authority of the County of San Bernardino shall be known as and referred to, collectively, as the Board of Governors of the Housing Authority of the County of San Bernardino and, individually, each a Governor of the Housing Authority of the County of San Bernardino (Board of Supervisors Resolution No. 2014-60 adopted May 6, 2014); and

**WHEREAS**, the Board of Governors serves to govern the Housing Authority of the County of San Bernardino; and

**WHEREAS**, the Board of Supervisors of the County of San Bernardino did adopt its Ordinance No. 4246 creating a Housing Commission in San Bernardino County, pursuant to Section 34291 of the California Health and Safety Code; and

**WHEREAS**, the Board of Supervisors of the County of San Bernardino did adopt its Resolutions Nos. 2014-105 on May 20, 2014 (repealed by Resolution No. 2017-163), 2017-163 on July 25, 2017, and 2017-163 A-1 on August 22, 2017, delegating certain powers and authority of the Board of Governors to the San Bernardino County Housing Commission; and

**WHEREAS**, the Board of Supervisors of the County of San Bernardino did adopt its Resolution No. 2019-111 on July 9, 2019 stating that in addition to all members of the Board of Supervisors of the County of San Bernardino, the Board of Governors of the Housing Authority shall include two tenant members; and

**WHEREAS**, to conform with federal law (Title 42 of the United States Code section 1437 and Title 24 of the Code of Federal Regulations section 964.415) all decisions must be made by the governing board containing not less than one tenant member and with the addition of tenant members to the governing body items can no longer be delegated to the Housing Commission for final approval since the tenant commissioners will be sitting on the governing board; and

**WHEREAS**, the United States Department of Housing and Urban Development requires the Board of Governors of the Housing Authority take action on all items without unnecessary delay; and

**WHEREAS**, the Board of Supervisors of the County of San Bernardino has determined that it is in the best interest of the Housing Authority of the County of San Bernardino to no longer delegate powers and authority to the San Bernardino County Housing Commission.

**NOW, THEREFORE, BE IT RESOLVED, ORDERED AND FOUND** by the Board of Supervisors of the County of San Bernardino that:

1. The Board of Governors of the Housing Authority shall no longer delegate any powers or authority to the San Bernardino County Housing Commission.
2. Resolutions Nos. 2017-163 adopted on July 25, 2017 and 2017-163 A-1 adopted on August 22, 2017, are hereby repealed.
3. This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: SUPERVISORS: Robert A. Lovingood, Janice Rutherford, Dawn Rowe,  
Curt Hagman, Josie Gonzales

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

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STATE OF CALIFORNIA                    )  
                                                          )           ss.  
COUNTY OF SAN BERNARDINO        )

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of August 6, 2019. Item #54 jll

LYNNA MONELL  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy

