

RESOLUTION #2012-10-15/2
RESOLUTION ESTABLISHING THE HOUSING AND COMMUNITY DEVELOPMENT
CORPORATION OF THE CITY OF DWIGHT

WHEREAS, Kansas Statutes, 12-17,114 et seq. 12-17,121 et seq. and 17-2337 et seq. (the "Authorizing Statutes"), authorizes cities to establish housing and community development authorities with specified powers and obligations carrying out urban and economic revitalization programs and projects, and housing projects; and

WHEREAS, the City Council of the City of Dwight, Kansas (the "Council") hereby declares in substance that a need for urban and economic revitalization programs and projects, and housing projects exists in the City of Dwight, Kansas (the "City"); and

WHEREAS, the Council has determined that it is in the best interest of the City to establish a housing and community development authority in order to preserve and create jobs, enhance its tax base, implement certain housing initiatives, to promote the general welfare of the people of the City of and to assume responsibility for carrying out urban and economic revitalization programs and projects and housing projects within the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY:

1. That the Housing and Community Development Corporation of the City (the "HCDC") is hereby established by adoption of this Resolution (the "Enabling Resolution") pursuant to the Authorizing Statute.

2. That the HCDC shall act as (an/the) agent of the City in planning and carrying out community development programs and activities approved by the Mayor and Council under the federal housing and community development act of 1974 and as agent to perform all acts, except the development of the general plan of the City, which may be otherwise performed by the Planning Commission.

3. That the HCDC shall be governed by a board of directors ("Directors") consisting of nine (9) members, and all of whom shall be appointed by the Mayor with the approval of the Council. The term of Directors appointments shall be governed by the Authorizing Statute and HCDC Bylaws.

4. That the HCDC shall annually submit its operating budget to the Council for review by the Council. Within sixty (60) days of appointment and confirmation of the first Board of Directors of the HCDC, pursuant to the paragraph 2 hereof, the Directors shall submit for Council approval a temporary operating budget covering the period from the date of such submittal until the following January 1. The HCDC shall submit for review by the Council, a proposed operating budget for the following full calendar year and shall do so in accordance with Council directions.

5. That the City Administration may provide such City staff to the HCDC as the HCDC may request; provided that the City Administration may require reasonable reimbursement by the HCDC for costs associated with the provision of such staff, and provided that nothing in this paragraph shall preclude the HCDC from hiring such personnel as the HCDC may from time to time determine necessary.

6. That all financial books, records, accounts and reports of the HCDC shall be prepared, presented and/or retained by the Finance Department of the City, in which case the department shall have the responsibility for administering the finances of the HCDC as it does, the finances of the City; provided that the City Administration may require reasonable reimbursement by the HCDC for costs associated with the provision of such services by the Finance Department.

7. That the Council does hereby declare its intent to transfer certain real estate located in the above-described District to the HCDC by separate resolutions and separate deeds, such property to be accepted and used by the HCDC in accordance with the Authorizing Statute.

8. That the HCDC is required to have prior approvals by the Council before specific actions are taken with respect to the following: (a) acquisition of City of Dwight owned land or property; (b) issuance of public debt; (c) expenditures of any public funds; (d) amendments, deletions or additions to the HCDC Bylaws.

APPROVED BY THE GOVERNING BODY OF THE CITY OF DWIGHT, KANSAS, this 15th day of October, 2012.

APPROVED _____
GALEN JOHNSON, MAYOR

ATTEST _____
LISA LEE, CITY CLERK