

5-9-05

5-23-05

ORDINANCE NO. M-3704

AN ORDINANCE of the City Council of the City of Vancouver, authorizing the Housing Authority of the City of Vancouver to exercise specified powers of a Public Development Authority within the City of Vancouver, providing for an effective date.

WHEREAS, RCW 35.82.070(12) provides that a city may authorize a housing authority to exercise the powers of a public corporation, commission or authority (collectively, a “public development authority”) under RCW 35.21.730 through .759; and

WHEREAS, public development authorities, and housing authorities exercising the powers of public development authorities, have useful statutory powers including the power to acquire, own, lease, and sell real property, and execute and administer federal programs without creating financial obligations applicable to the City; and

WHEREAS, the City desires that the Housing Authority of the City of Vancouver (the “Authority”) assist in the acquisition, redevelopment and/or disposal of real property not within the boundaries of any currently existing community renewal or public development authority area in order to enhance the economic vitality and living conditions within this area;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. The recitals set forth above are hereby incorporated as if set forth herein in full.

Section 2. Pursuant to RCW 35.82.070(12), the City of Vancouver requests and authorizes the Authority to exercise any powers of a public corporation, commission or authority under chapter 35.21 RCW, specifically those powers authorized by RCW 35.21.730 through .759. The Authority is authorized to exercise public development authority powers within the City, but not within the boundaries of any currently existing community renewal or public development authority area, in connection with the acquisition, redevelopment and/or disposal of real property, or as may be further authorized by subsequent ordinance or resolution of the City.

Section 3. Pursuant to RCW 35.21.730(5) no acts or omissions of the Authority deriving from this grant of authority shall be attributable to the City and any liability incurred by the Authority in the exercise of this grant of authority is limited to the assets and properties of the Authority without recourse to the City's assets or credit.

Section 4. The City Council ratifies and confirms all prior actions by officers or employees of the City or of the Housing Authority of the City of Vancouver consistent with the provisions of this ordinance.

Section 5. If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance and the same shall remain in full force and effect.

Section 6. This ordinance shall become effective five (5) days after final passage.

Read First Time: 5-9-05

PASSED BY THE FOLLOWING VOTE:

AYES: Councilmembers Smith, Leavitt, Harris, Tonkovich
Jollota

NAYS: Councilmembers Stewart

ABSENT: Councilmembers Pollard

Read Second Time: 5-23-05

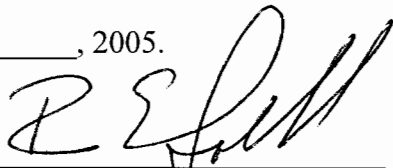
PASSED BY THE FOLLOWING VOTE:

AYES: Councilmembers Smith, Leavitt, Harris, Tonkovich
Jollota, Mayor Pollard

NAYS: Councilmembers Stewart

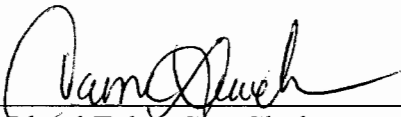
ABSENT: Councilmembers none

SIGNED THIS 23rd day of May, 2005.

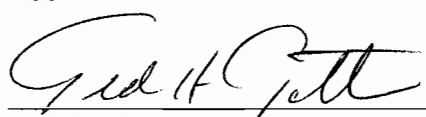


Royce E. Pollard, Mayor

Attest:



R. Lloyd Tyler, City Clerk
By: Carrie Lewellen, Deputy

Approved as to form


Ted H. Gathe, City Attorney