

(O.79-123)

ORDINANCE NO. 12515  
(New Series)

DEC 5 1978

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 8,  
DIVISION 20 OF THE SAN DIEGO MUNICIPAL CODE TO  
PROVIDE FOR THE CREATION AND FUNCTIONS OF THE  
SAN DIEGO HOUSING COMMISSION.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1: That Chapter IX, Article 8 of the San Diego Municipal Code be amended by amending Section 98.29 to read as follows:

SEC. 98.29 SAN DIEGO HOUSING COMMISSION

(a) Creation of Commission: There is hereby created a Commission to act as a Housing Commission under the Housing Authority Law of the State of California. The name of the Commission shall be the San Diego Housing Commission.

(b) Definitions: As used in this article, the following definitions apply:

- (1) "City" shall mean the City of San Diego;
- (2) "City Council" shall mean the City Council of the City of San Diego;
- (3) "Commission" shall mean the San Diego Housing Commission;
- (4) "Housing Authority" shall mean the Housing Authority of the City of San Diego, a public entity;

**CORRECTED COPY**

(5) "Mayor" shall mean the Mayor of the City of San Diego;

(6) "Member" shall mean a member of the San Diego Housing Commission;

(7) "Person of low income" shall mean a group or family which lacks the amount of income which is necessary as determined by the Housing Authority to enable it without financial assistance to live in decent, safe, sanitary dwellings without overcrowding.

(c) Investigatory and Advisory Functions of the Commission: The investigatory and advisory functions of the San Diego Housing Commission shall include, but not necessarily be limited to, the following:

(1) Investigate living, dwelling and housing conditions in the City of San Diego and the means and methods of improving such conditions.

(2) Determine where there is a shortage of decent, safe and sanitary dwelling accommodations for persons of low income.

(3) Engage in research, studies and experiments on the subject of housing.

(4) Make recommendations to the Housing Authority for changes or revisions in policies of the Housing Authority.

(5) Review and recommend revisions to personnel policies and procedures.

(6) Review and recommend action on annual administrative and operating budgets.

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(7) Perform such other functions as may be delegated from time to time to the Commission by the Housing Authority.

(8) Review and make recommendations on all matters to come before the Housing Authority prior to their action, except emergency matters and matters which the Commission, by resolution, excludes from Commission review and recommendation.

(d) Administrative Functions of the Commission:  
The administrative functions of the Commission shall include the following:

(1) Approve plans and specifications, authorize advertisements for bids and proposals, accept and reject bids and proposals, and approve expenditures for goods, services, public works, land clearance, loans, grants, claims, leases and other interests in real property less than a fee ownership or leases in excess of five years and other contracts and agreements; however, the programs, projects or activities for which such expenditures shall have been previously approved by the Housing Authority, or the expenditures shall be for items included in budgets previously approved by the Housing Authority.

(2) Approve submission of applications for funds where such applications do not constitute a binding agreement to accept such funds, if awarded; and approve contracts for the receipt of such funds

if the program, project or activity for which such funds are received has been previously approved by the Housing Authority.

(3) Approve guidelines for the administration of programs previously approved and funded by the Housing Authority.

(4) Approve agreements assigning the rights and obligations of a party to a contract with the Housing Authority, to a new party.

(5) Approve conflict of interest codes prior to adoption by the Housing Authority.

(6) Approve lease forms, grievance procedures, occupancy policies, rent and utility schedules, tenant council agreements and other HUD-required documents for the administration of public housing and rent subsidy programs.

(7) Act upon such other matters as the Housing Authority may from time to time delegate by resolution to the Commission.

(e) Finality of Actions:

(1) All actions of the Commission taken pursuant to Section D. shall be final seven (7) days after action by the Commission, except for actions of the Commission for which a review by the Housing Authority has been requested pursuant to this Section.

(2) One or more of the persons set forth below, in the manner set forth below, may elect to refer a matter to the Housing Authority for final

action, within seven (7) days after the date of the action:

- a. The Commission, by motion.
- b. The Executive Director of the Housing Authority, by notifying the Chairperson of the Commission.
- c. A member of the City Council or the City Manager, by written notice to the Executive Director.

(3) If a matter is referred to the Housing Authority for final action, the Executive Director shall promptly set the matter on the next available agenda of the Housing Authority, and the action taken by the Commission shall be advisory.

(f) Appointment of Commission Members: The Commission shall consist of seven (7) members who shall be appointed by the Mayor with the approval of the City Council. Four members shall constitute a quorum and the affirmative vote of four members shall be necessary for any action by the Commission.

(1) Two (2) commissioners appointed pursuant to this section shall be tenants of housing authority units. At least one (1) commissioner so appointed shall be over 62 years of age.

(2) The term of office of each member shall be four (4) years, except that the terms of office of the members first appointed shall be determined as follows:

- a. One member shall have an initial

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term of one (1) year.

b. Two members shall have initial terms of two (2) years.

c. Two members shall have initial terms of three (3) years.

d. Two members shall have an initial term of four (4) years.

(3) Vacancies occurring during a term shall be filled for the unexpired term by the Mayor with the approval of the City Council. A member shall hold office until his successor has been appointed and qualified.

(4) A member shall not be an elective officer or an employee of the city.

(5) Each member shall receive as compensation the sum of Fifty Dollars (\$50.00) for each Commission meeting attended; provided that the total compensation for each member shall not exceed One Hundred Dollars (\$100.00) in any one month. In addition, each member shall receive necessary travel and subsistence expenses incurred in the discharge of his duties. Any member may waive compensation by filing a written waiver of compensation form with the Executive Director.

(6) For inefficiency, neglect of duty, or misconduct in office, a member may be removed upon the affirmative vote of a majority vote of the members of the City Council.

(g) Organization of the Commission: At its first

meeting the Commission shall determine the time, place and frequency of its meetings. The Commission may adopt rules of procedure for the conduct of its business and may do any other thing necessary or proper to carry out its functions.

Section 2: This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By   
Harold O. Valderhaug, Deputy

HOV:  
11/3/78  
Or.Dept.: Mayor's Office

DEC 5 1978

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_  
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<del>XXXXXXXX</del> Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By E. J. Cook, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

NOV 13 1978

DEC 5 1978

, and on \_\_\_\_\_

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By E. J. Cook, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 12515 Adopted DEC 5 1978



(7) Perform such other functions as may be delegated from time to time to the Commission by the Housing Authority.

(8) Review and make recommendations on all matters to come before the Housing Authority prior to their action, except emergency matters and matters which the Commission, by resolution, excludes from Commission review and recommendation.

(d) Administrative Functions of the Commission:  
The administrative functions of the Commission shall include the following:

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(2) Approve submission of applications for funds where such applications do not constitute a binding agreement to accept such funds, if awarded; and approve contracts for the receipt of such funds

*This page has been corrected - 12.27.78*

ATTORNEYS:

San Diego, City of  
10th Floor, City Admin. Bldg.  
202 C St.  
San Diego, Ca 92101  
Attn: Earnest H. Cook

1979 JAN 12 AM 8:51  
SAND

CERTIFICATE OF PUBLICATION

No. 12515

IN THE MATTER OF

PROVIDE FOR THE CREATION AND FUNCTIONS  
OF THE SAN DIEGO HOUSING COMMISSION

(REPRINTED WITH CORRECTIONS)  
ORDINANCE NO. 12515

*(New Series)*  
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- (1) Investigate living, dwelling and housing conditions in the City of San Diego and the means and methods of improving such conditions.
- (2) Determine where there is a shortage of decent, safe and sanitary dwelling accommodations for persons of low income.
- (3) Engage in research, studies and experiments on the subject of housing.
- (4) Make recommendations to the Housing Authority for changes or revisions in policies of the Housing Authority.
- (5) Review and recommend revisions to personnel policies and procedures.
- (6) Review and recommend action on annual administrative and operating budgets.
- (7) Perform such other functions as may be delegated from time to time to the Commission by the Housing Authority.
- (8) Review and make recommendations on all matters to come before the Housing Authority prior to their action, except emergency matters and matters which the Commission, by resolution, excludes from Commission review and recommendation.

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- (1) Approve plans and specifications, authorize advertisements for bids and proposals, accept and reject bids and proposals, and approve expenditures for goods, services, public works, land clearance, loans, grants, claims, leases and other interests in real property less than a fee ownership or leases in excess of five years and other contracts and agreements; however, the programs, projects or activities for which such expenditures are made shall have been previously approved by the Housing Authority, or the expenditures shall be for items included in budgets previously approved by the Housing Authority.
- (2) Approve submission of applications for funds where such applications do not constitute a binding agreement to accept such funds, if awarded; and approve contracts for the receipt of such funds if the program, project or activity for which such funds are received has been previously approved by the Housing Authority.

I, PATRICIA M. SPAULDING, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1969, Decree No. 14894; and the

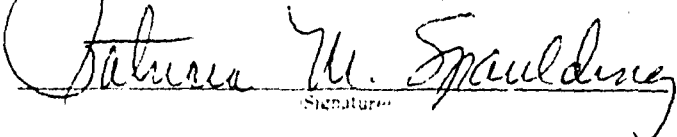
(REPRINTED WITH CORRECTIONS)  
ORDINANCE NO. 12515  
(NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following dates, to-wit:

December 20, 1978

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 2nd day of Jan, 1979

  
Signature

27 <sup>5</sup>/<sub>8</sub> - 167.68

... of a party to a contract with the Housing Authority, to a contract by

(6) Approve conflict of interest codes prior to adoption by the Housing Authority.

(7) Approve lease, purchase, improvement, assignment, purchase, utility, sublease, tenant council agreements and other HUD-required documents for the administration of public housing and rent subsidy programs.

(8) Act upon such other matters as the Housing Authority may from time to time delegate by resolution to the Commission of Priority of Actions.

(9) All actions of the Commission taken pursuant to Section D. shall be final seven (7) days after action by the Commission except for actions of the Commission for which a review by the Housing Authority has been requested pursuant to this section.

(10) One or more of the persons set forth below, in the person set forth below, may elect to refer a matter to the Housing Authority for its action, within seven (7) days after the date of the action:

- The Commission, by action.
- The Executive Director of the Housing Authority, by notifying the Chairperson of the Commission.
- A member of the City Council or the City Manager, by written notice to the Executive Director.

(11) If a matter is referred to the Housing Authority for its action, the Executive Director shall promptly set the matter on the next available agenda of the Housing Authority, and the action taken by the Commission shall be advisory.

(12) Appointment of Commission Members: The Commission shall consist of seven (7) members who shall be appointed by the Mayor with the approval of the City Council. Four members shall constitute a quorum and the affirmative vote of four members shall be necessary for any action by the Commission.

(13) Two (2) commissioners appointed pursuant to this section shall be tenants of housing authority units. At least one (1) commissioner appointed shall be over 65 years of age.

(14) The term of office of each member shall be four (4) years, except that the terms of office of the members first appointed shall be determined as follows:

- One member shall have an initial term of one (1) year.
- Two members shall have initial terms of two (2) years.
- Two members shall have initial terms of three (3) years.
- Two members shall have an initial term of four (4) years.

(15) Vacancies occurring during a term shall be filled for the unexpired term by the Mayor with the approval of the City Council. A member shall hold office until his successor has been appointed and qualified.

(16) A member shall not be an elective officer or an employee of the city.

(17) Each member shall receive as compensation the sum of Fifty Dollars (\$50.00) for each Commission meeting attended provided that the total compensation for each member shall not exceed One Hundred Dollars (\$100.00) in any one meeting. In addition, each member shall receive necessary travel and other expenses incurred in the discharge of his duties. Any member may waive compensation by filing a written waiver of compensation form with the Executive Director.

(18) For absence without notice of duty, or attendance in office, a member may be removed upon the affirmative vote of a majority vote of the members of the City Council.

(19) Organization of the Commission: At its first meeting the Commission shall determine the time, place and frequency of its meetings. The Commission may adopt rules of procedure for the conduct of its business and may do any other thing necessary or proper to carry out its functions. This ordinance shall take effect and be in force on the date that it goes into effect after its passage.

Enacted on November 12, 1978.  
 Passed and adopted by the Council of The City of San Diego on December 5, 1978.

TESTIFIED BY:  
 PETE WILSON,  
 Mayor of The City of San Diego, California.  
 CHARLES E. ANGLINO,  
 City Clerk of The City of San Diego, California.

WITNESSED BY:  
 J. J. ...  
 ...