

ORDINANCE NUMBER O- 16721 (NEW SERIES)

ADOPTED ON OCT 06 1986

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 8, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 98.0301 RELATING TO THE SAN DIEGO HOUSING COMMISSION TO REMOVE THE RESTRICTION REGARDING THE APPOINTMENT OF ELECTIVE OFFICERS TO THE COMMISSION AND FURTHER PROVIDE FOR REMOVAL OF COMMISSION MEMBERS WITHOUT CAUSE IN SITUATIONS WHERE COMMISSION MEMBERS ARE BEING REPLACED BY MEMBERS OF THE CITY COUNCIL.

WHEREAS, the City Council of The City of San Diego has determined, pursuant to the authority in Section 34291 of the Health and Safety Code of the State of California, to modify the ordinance relating to the San Diego Housing Commission; NOW, THEREFORE,

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

Section 1. That Chapter IX, Article 8, Division 3, of the San Diego Municipal Code be and the same is hereby amended by deleting subsection 98.0301(f) (4) and subsections (f) (5) and (f) (6) are hereby renumbered (f) (4) and (f) (5) respectively.

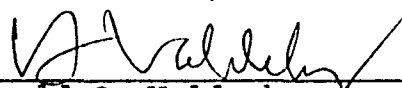
Section 2. That subsection (f) (5) is hereby amended to read as follows:

Any member may be removed for inefficiency, neglect of duty, or misconduct in office, upon the affirmative vote of a majority of the members of the City Council. Furthermore, any member, other than the two low-income tenant members, may

be removed at any time without cause in order to replace such member with a member of the City Council.

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 City Attorney

HOV:ps
9/19/86
9/22/86 REV.1
Or.Dept:Atty
O-87-61
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(O-87-61)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 8, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 98.0301 RELATING TO THE SAN DIEGO HOUSING COMMISSION TO PROVIDE FOR NOT MORE THAN FIVE MEMBERS OF THE CITY COUNCIL BEING APPOINTED TO THE HOUSING COMMISSION AND FURTHER PROVIDING FOR REMOVAL OF COMMISSION MEMBERS WITHOUT CAUSE IN SITUATIONS WHERE COMMISSION MEMBERS ARE BEING REPLACED BY MEMBERS OF THE CITY COUNCIL.

WHEREAS, the City Council of The City of San Diego has determined, pursuant to the authority in Section 34291 of the Health and Safety Code of the State of California, to modify the ordinance relating to the San Diego Housing Commission; NOW, THEREFORE,

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

Section 1. That Chapter IX, Article 8, Division 3, of the San Diego Municipal Code be and the same is hereby amended by deleting subsection 98.0301(f)(4) and subsections (f)(5) and (f)(6) are hereby renumbered (f)(4) and (f)(5) respectively.

Section 2. That subsection (f)(5) is hereby amended to read as follows:

Any member may be removed for inefficiency, neglect of duty, or misconduct in office, upon the affirmative vote of a majority of the members of the City Council. Furthermore, any member, other than the two low-income tenant members, may

be removed at any time without cause in order to replace such member with a member of the City Council.

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APPROVED: John W. Witt, City Attorney

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Deputy City Attorney

HOV:ps
9/19/86
Or.Dept:Atty
O-87-61
Form=o.none

**DIVISION 3
SAN DIEGO HOUSING COMMISSION
(Added 9-30-85 by 0-16511 N.S.)**

SEC. 98.0301 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.
- (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.
- (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.

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(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 two (2) members who are tenants of Housing Authority units shall be two (2) years and as set forth in Section 34272 of the Health and Safety Code of the State of California.

(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.

~~no member shall not be an elective officer or an employee of the city.~~

* * (5) (4) 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) (5) 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.

(Old SEC. 98.29)

(Added 12-3-68 by Ord. 9925 N.S.)

(Amended 10-21-69 by Ord. 10160 N.S.)

(Amended 4-21-70 by Ord. 10272 N.S.)

(Amended 3-24-76 by Ord. 11817 N.S.)

(Amended 3-20-78 by Ord. 12319 N.S.)

(Amended 12-5-78 by Ord. 12515 N.S., which changed title to SAN DIEGO HOUSING COMMISSION.)

(Amended 8-6-84 by Ord. 0-16236 N.S.)

(Amended and renumbered 9-30-85 by 0-16511 N.S.)

SEC. 98.0302 RELOCATION APPEALS BOARD

(a) Creation of Membership: There is hereby created a Relocation Appeals Board which shall consist of five (5) members who shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the Council. The members shall serve two (2) year terms and each member shall serve until his successor is duly appointed and qualified. The members shall be appointed in such a manner that the terms of not more than three (3) members shall expire in any year. The expiration date shall be October 1. Initial appointments to the Board shall be made after the effective date of this ordinance, and be effected so that the expiration date of the terms of three (3) members shall be October 1, 1975 and two (2) members on October 1, 1974. During October of each year, the Mayor may designate one (1) member as Chairman; however, in the absence of such designation, the Board shall, on or after November 15, select from among their members a Chairman.

(b) Qualifications. All members of the Relocation Appeals Board shall be electors of the City of San Diego and shall be specially qualified to act as a Board member by reason of training and experience in real estate, human relations, housing, urban development, redevelopment, or other relevant business or profession.

(c) Meetings. The Relocation Appeals Board shall meet regularly on the second Tuesday in November of each year or more often if necessary for the transaction of business. It shall establish its own rules and procedures necessary for the conduct of its business.

Three (3) members of the Relocation Appeals Board shall constitute a quorum. The affirmative vote of not less than three (3) members shall be necessary for any action by the Board.

(d) Functions.

1. The Relocation Appeals Board shall promptly hear all complaints relating to relocation brought by persons displaced by City action, and in those cases relating to redevelopment projects shall determine if the Redevelopment Agency has complied with those provisions of Chapter 4 of Part 1 of Division 24 of the Health and Safety Code (Sections 33300 et seq.) which relate to relocation and also, where applicable, federal regulations.

2. The Relocation Appeals Board shall, after a public hearing, transmit its findings and recommendations to the City Council, or, in those cases relating to a redevelopment project, to the Redevelopment Agency.

(Old SEC. 98.30)

(Added 10-16-73 by Ord. 11140 N.S.)

(Amended and renumbered 9-30-85 by 0-16511 N.S.)

OCT 06 1986

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By *Maureen O'Connor*, 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

SEP 23 1986

OCT 06 1986

, 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 *Maureen O'Connor*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-16721** Adopted **OCT 06 1986**

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CITY CLERK

1906 SEP 22 PM 3:33

SAN DIEGO, CALIF. *C.H.*

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CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C STREET
12TH FLOOR
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE

ORDINANCE NUMBER O-16721 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 8, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 98.0301 RELATING TO THE SAN DIEGO HOUSING COMMISSION TO REMOVE THE RESTRICTION REGARDING THE APPOINTMENT OF ELECTIVE OFFICERS TO THE COMMISSION AND FURTHER PROVIDE FOR REMOVAL OF COMMISSION MEMBERS WITHOUT CAUSE IN SITUATIONS WHERE COMMISSION MEMBERS ARE BEING REPLACED BY MEMBERS OF THE CITY COUNCIL.

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

INTRODUCED ON SEPTEMBER 23, 1986

Passed and Adopted by the Council of The City of San Diego on OCTOBER 6, 1986

AUTHENTICATED BY: MAUREEN O'CONNOR

Mayor of The City of San Diego, CA

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, CA

(SEAL)

By MAYDELL L. PONTECORVO, Deputy.

Pub. October 20

50153

THOMAS D. KELLEHER

I, _____, 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, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-16721

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

OCTOBER 20, 1986.

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

Dated at San Diego, California this 20 day of OCT., 19 86.

(Signature)

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7 3/4" x \$ 10.24 = \$ 79.36