

RESOLUTION NUMBER R- 309057

DATE OF FINAL PASSAGE JUN 25 2014

ITEM # 338

6/17/14

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO HOUSING COMMISSION FOR THE PROVISION OF HOMELESS SHELTERS AND SERVICES AND AUTHORIZING EXECUTION OF THE MOU AND LIMITED AMENDMENTS BY THE CITY OF SAN DIEGO.

WHEREAS, on June 29, 2010, the City Council of the City of San Diego (City Council) approved Resolution No. R-305962 and the Housing Authority of the City of San Diego (Housing Authority) approved Housing Authority Resolution (HAR) No. 1473 authorizing the transfer of responsibility for the operation of the City's homeless shelters and services programs to the San Diego Housing Commission (Housing Commission) and authorizing the transfer of the administration of the Emergency Shelter Grants Program to the Commission, effective July 1, 2010 and in accordance with a memorandum of understanding for Fiscal Years 2011 and 2012 (Original MOU) contingent upon receipt of Emergency Shelter Grants funds from the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, on June 27, 2011, the City Council approved Resolution No. R-306884 and the Housing Authority approved HAR No. 1527, approving the First Amendment to the Original MOU between the City and the Housing Commission, extending its term until June 30, 2013; and

WHEREAS, on July 31, 2012, the City Council approved Resolution No. R-307656 and the Housing Authority approved HAR No. 1564, approving the Second Amendment to the Original MOU between the City and the Housing Commission, extending its term until June 30, 2014; and

WHEREAS, on September 25, 2012, the City Council approved Resolution No. R-307701 and the Housing Authority approved HAR No. 1566, approving the Third Amendment to the Original MOU between the City and the Housing Commission, approving the "set-aside" of Community Development Block Grant (CDBG) public services funds in a total amount not to exceed \$1,318,078 to assist in covering the cost of the operation of the Neil Good Day Center, Cortez Hill Family Center, Veterans' Emergency Winter Shelter and the Connections Housing (PATH) Interim Bed Program, contingent upon an annual CDBG Grant allocation from HUD and upon City Council approval each fiscal year; and

WHEREAS, the Original MOU, as modified by three amendments, between the City and the Housing Commission, which assigns the responsibility for the operation of the City's homeless shelters and services programs to the Housing Commission, will expire on June 30, 2014; and

WHEREAS, on April 24, 2012, the City Council adopted Resolution No. R-307396, authorizing the Mayor or his designee to execute an agreement with the Housing Commission for the administration of the Emergency Solutions Grants (ESG) program, formerly the Emergency Shelter Grants program; and

WHEREAS, the resulting Fiscal Year 2012 MOU between the City and the Housing Commission regarding the ESG Program (2012 ESG MOU) will expire on September 30, 2014; and

WHEREAS, it is the desire of the City and the Housing Commission to terminate the 2012 ESG MOU on June 30, 2014, three months prior to its expiration date, without affecting funding allocations previously approved under the 2012 ESG MOU for the benefit of the Housing Commission. Specifically, the Housing Commission was authorized by City Council Resolution No. 307396 to administer City ESG funds, and in the event that there are ESG funds

left unspent at the end of FY 2014, the City and the Housing Commission acknowledge that, pursuant to ESG regulations, those unspent funds carry over to FY 2015, to be expended as permitted by ESG regulations, notwithstanding the termination of the 2012 ESG MOU; and

WHEREAS, the City's Five-Year Consolidated Plan (FY15 – FY19 Con Plan) estimated that as of January 24, 2013, there were 8,879 homeless persons located within the County of San Diego and 5,733 homeless persons within the City's jurisdictional limits; and

WHEREAS, one of the six goals identified in the City's FY15 – FY19 Con Plan is to “assist individuals and families to stabilize in permanent housing after experiencing a housing crisis or homelessness by providing client-appropriate housing and supportive service solutions;” and

WHEREAS, the City submits to HUD an Annual Affordable Housing Fund Action Plan (Annual Action Plan) that serves as the City's application to HUD for grant funds under four federal entitlement programs: (1) CDBG; (2) ESG; (3) HOME Investment Partnerships Program (HOME); and (4) Housing Opportunities for Persons with AIDS (HOPWA); and

WHEREAS, the City's Annual Action Plans outline the goals and objectives defined by the City's Five-Year Consolidated Plans, specify the federal entitlement program funds dedicated to specific programs and projects, and provide estimated project deliverables; and

WHEREAS, the City's Annual Action Plans have historically included “homeless shelter and service programs,” including but not limited to: Connections Housing (PATH) Interim Bed Program, Cortez Hill Family Center, Neil Good Day Center, Single Adult Emergency Winter Shelter, and Veterans' Emergency Winter Shelter; and

WHEREAS, the City has historically dedicated a portion of its annual CDBG allocation, ESG allocation and, at times, General Fund, to the operation, management, and oversight of the homeless shelters and services referenced in its Annual Action Plans; and

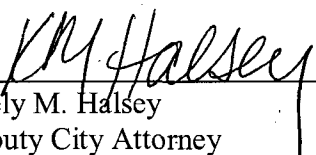
WHEREAS, the City desires to continue to assign to the Housing Commission the responsibility of managing and monitoring the contracts for the operation of the various homeless shelter and service programs, as described and defined in Annual Action Plans and City budget documents; and

WHEREAS, the City and the Housing Commission are seeking to clarify roles and responsibilities of City and Housing Commission in oversight and administration of the City's homeless shelter and services programs; NOW, THEREFORE,

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

1. That the 2014 MOU between the City and the Housing Commission, on file with the City Clerk as RR- 309057, is approved.
2. That the Mayor, or designee, is authorized to execute the 2014 MOU, and any and all amendment(s) thereto, on behalf of the City in a form approved by the City Attorney, and to take all actions necessary to implement these approvals.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Keely M. Halsey  
Deputy City Attorney


KMH:als  
6/3/2014  
Or. Dept: SDHC  
Doc. No.: 798513

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 17 2014.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 6/25/14  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 17 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 25 2014

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By *Mary Fernandez*, Deputy

Office of the City Clerk, San Diego, California

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