

ORDINANCE NUMBER O- 21532 (NEW SERIES)DATE OF FINAL PASSAGE JAN 13 2023

AN ORDINANCE AMENDING CHAPTER 9, ARTICLE 8,
DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 98.0301, RELATING TO
QUALIFICATIONS OF THE SAN DIEGO HOUSING
COMMISSION BOARD OF COMMISSIONERS.

WHEREAS, on November 4, 2021, the Independent Budget Analyst issued IBA Report 21-25 titled "Comparative Analysis of Housing Authority Structures in California" containing, among other things, a comparative review of the required expertise for other housing authorities' boards; and

WHEREAS, on February 15, 2022, the Council of the City of San Diego (Council) established a temporary standing committee, called the Select Committee on San Diego Housing Commission Oversight and Reform, to provide oversight and consider reforms to the governance and structure of the San Diego Housing Commission (Housing Commission); and

WHEREAS, on July 25, 2022, the Select Committee on San Diego Housing Commission Oversight and Reform voted to initiate amendments to the San Diego Municipal Code to establish minimum qualifications for members appointed to serve on the Housing Commission Board of Commissioners, excluding tenant commissioners; and

WHEREAS, the Office of the City Attorney has drafted this Ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

Section 1. That Chapter 9, Article 8, Division 3 of the San Diego Municipal Code is amended by amending section 98.0301 as follows:

Article 8: Housing

Division 3: San Diego Housing Commission and Relocation Appeals Board

§ 98.0301 San Diego Housing Commission

(a) through (e) [No change in text.]

(f) *Appointment of Members.* The *Board of Commissioners* shall consist of seven *members* who shall be appointed by the Mayor subject to City Council confirmation.

(1) [No change in text.]

(2) Each *member*, except the two *members* appointed pursuant to section 98.0301(f)(1), shall have at least five years of experience in one or more of the following areas: real estate finance, affordable housing, homelessness, workforce development, healthcare, nonprofit, education, or community-based organizations.

City Council may make an exception to this requirement when a person with unique qualifications, but without the required experience, is available to serve as a *member*. When nominating a person who does not have the required experience, the Mayor shall provide information to City Council regarding the nominee's unique qualifications to be a *member*.

(3) The term of office of each *member* shall be four years, except that the terms of office of the two *members* appointed pursuant to section 98.0301(f)(1) shall be two years as set forth in California

Health and Safety Code section 34272. A *member* shall hold office until the *member's* successor has been appointed and confirmed.

- (4) Vacancies occurring during a term shall be filled for the unexpired term by appointment made by the Mayor subject to City Council confirmation. Whenever the Mayor does not appoint a *member* within 45 days after a vacancy occurs, the Council shall make such appointment.
- (5) Each *member* shall receive as compensation the sum of \$50 for each meeting of the *Board of Commissioners* attended, provided that the total compensation for each *member* shall not exceed \$100 in any one month. In addition, each *member* shall receive necessary travel and incidental expenses related to *member* duties. Any *member* may waive compensation by filing a written waiver of compensation form with the *Commission President*.
- (6) For inefficiency, neglect of duty, or misconduct in office, a *member* may be removed by majority vote of the City Council.

(g) through (h) [No change in text.]

Section 2. That a full reading of this Ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this Ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Justin R. Bargar
Justin R. Bargar
Deputy City Attorney

JRB:cw
11/14/2022
Or.Dept: Council District 3
Doc. No.: 3042521

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JAN 10 2023

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 1/13/23
(date)

[Signature]
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 9, ARTICLE 8,
DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 98.0301, RELATING TO
QUALIFICATIONS OF THE SAN DIEGO HOUSING
COMMISSION BOARD OF COMMISSIONERS.

Article 8: Housing

Division 3: San Diego Housing Commission and Relocation Appeals Board

§ 98.0301 San Diego Housing Commission

(a) through (e) [No change in text.]

(f) Appointment of *Members*. The *Board of Commissioners* shall consist of
seven *members* who shall be appointed by the Mayor subject to
City Council confirmation.

(1) [No change in text.]

(2) Each member, except the two members appointed pursuant to
section 98.0301(f)(1), shall have at least five years of experience in
one or more of the following areas: real estate finance, affordable
housing, homelessness, workforce development, healthcare,
nonprofit, education, or community-based organizations.
City Council may make an exception to this requirement when a
person with unique qualifications, but without the required

experience, is available to serve as a *member*. When nominating a person who does not have the required experience, the Mayor shall provide information to City Council regarding the nominee's unique qualifications to be a *member*.

- (2)(3) The term of office of each *member* shall be four years, except that the terms of office of the two *members* appointed pursuant to section 98.0301(f)(1) shall be two years as set forth in California Health and Safety Code section 34272. A *member* shall hold office until the *member's* successor has been appointed and confirmed.
- (3)(4) Vacancies occurring during a term shall be filled for the unexpired term by appointment made by the Mayor subject to City Council confirmation. Whenever the Mayor does not appoint a *member* within 45 days after a vacancy occurs, the Council shall make such appointment.
- (4)(5) Each *member* shall receive as compensation the sum of \$50 for each meeting of the *Board of Commissioners* attended, provided that the total compensation for each *member* shall not exceed \$100 in any one month. In addition, each *member* shall receive necessary travel and incidental expenses related to *member* duties. Any *member* may waive compensation by filing a written waiver of compensation form with the *Commission President*.

~~(5)~~(6) For inefficiency, neglect of duty, or misconduct in office, a
member may be removed by majority vote of the City Council.

(g) through (h) [No change in text.]

JRB:cw
11/14/2022
Or.Dept: Council District 3
Doc. No.: 3042515

Passed by the Council of The City of San Diego on JAN 10 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 13 2023

AUTHENTICATED BY:

(Seal)

TODD GLORIA

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By [Signature], 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

DEC 05 2022

, and on JAN 13 2023

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21592