



THE CITY OF SAN DIEGO  
**REPORT TO THE CITY COUNCIL**

DATE ISSUED: May 4, 2011 REPORT NO: 11-069

ATTENTION: Public Safety & Neighborhood Services Committee  
 Agenda of May 11, 2011

SUBJECT: 2010-2015 San Diego Regional Analysis of Impediments to Fair  
 Housing Choice (AI)

**REQUESTED ACTION:**

Adopt the 2010 -2015 San Diego Regional Analysis of Impediments (AI) to Fair Housing Choice in order for City staff to submit this final document to HUD for approval.

**STAFF RECOMMENDATION:**

Approve the Requested Action.

**BACKGROUND:**

The Community Development Block Grant (CDBG) Program is administered by the CDBG Program staff of the City Planning and Community Investment Department's Economic Development Division. As a recipient of Federal housing and community development funds, the City of San Diego is required to affirmatively further the fair housing objectives of Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, as amended. The CDBG Program Office also administers the City of San Diego Fair Housing Program.

It is required that all HUD participating jurisdictions prepare and conduct an analysis of impediments to fair housing choice once every five (5) years.

The 2010-2015 San Diego Regional Analysis of Impediments to Fair Housing Choice (AI), (Attachment A), presents a demographic profile of San Diego County and its jurisdictions, assesses the extent of housing needs among specific income groups, analyzes fair housing trends and evaluates the availability of a range of housing choices for residents. This report provides an analogy of the conditions in the private market and public sector that may limit the range of housing choices that impede a person's access to housing. While this report also assesses the nature and extent of housing discrimination, the focus is on identifying impediments that may prevent equal housing access and developing solutions to mitigate or remove such impediments. As the lead jurisdiction within the County and of this document, the City of San Diego was solely responsible for finalization and submittal of the AI. All participating jurisdictions have had their reports approved and are awaiting our Council's decision to submit to HUD for approval. (Attachment B - Signature Page).

In late 2008 and early 2009, the County of San Diego and CDBG entitlement jurisdictions contracted with Veronica Tam and Associates, LLC, (VTA) to assist in the development of a Plan, goals and objectives, milestones and timetables. In August 2010, the City of San Diego contracted with Veronica Tam and Associates, LLC. Preparation for the AI included the review of previous Fair Housing reports, Housing Elements, regional planning documents, and housing industry research of the participating jurisdictions. Interviews were conducted with jurisdictional staff, housing providers, and members of private housing industry, fair housing service providers, and oversight agencies.

In November 2009, the preparation of all the Plans and/or reports required by HUD for their Entitlement Programs was transferred from the San Diego Housing Commission (SDHC) to the City of San Diego's CDBG Program office. The due date to HUD for the Regional AI was December 31, 2009. Due to the transfer of responsibilities to the City's CDBG program office, HUD granted the region an extension. A draft AI was presented to HUD in February 2010. In April 2010, the City received notification that HUD had considered the draft AI unacceptable. Reasons cited were that the regional and/or jurisdiction(s)-specific impediments stated in the draft carried over from the previous 2005-2010 AI, had not been addressed or were not addressed satisfactorily. As a corrective measure, HUD urged municipalities to collaborate in the development of the AI to achieve a more comprehensive look at the regional area of San Diego and to develop appropriate actions based upon the impediments that needed to be overcome regionally. April 2010 through June 2010, participating jurisdictions coordinated with the Consultant to meet HUD's requirements.

In July, 2010, the CDBG office completed the required thirty (30) day public comment period. A special period for review was extended to August 27, 2010 to allow the Council members and representatives from each District, an opportunity to review and/or comment on the draft.

In order to address HUD's concerns that the draft AI was unacceptable, the City of San Diego's CDBG Program staff called a meeting on November 22, 2010 with the lead representatives from the other participating jurisdictions throughout the County. Each participating jurisdiction was requested to submit their respective fair housing data by December 22, 2010 to the CDBG Program office. All data received was compiled and incorporated into the AI, then presented to HUD for review.

The reason for the delay in completing the AI was due to the following: transfer of responsibilities to the City of San Diego's CDBG staff (learning the new role and the responsibilities); coordinating/meeting with the other 17 participating jurisdictions (to understand HUD's concerns); and meeting with HUD staff (either at their Los Angeles field office or via a telephone conference call) to ensure our edits and/or revisions matched their requests. In addition to those delays, the City of San Diego received public comment from the 30-day public review period that was extended to August 27, 2010. Due to the nature of the latest public comments received, the consultant was required to research the City's history on land-use zoning code regulations in order to respond to the comment(s), which compounded the delay. This included but was not limited to impediments related to various land use policies, zoning provisions, and the development regulations that may affect availability of the range of housing choices for San Diegans.

CDBG staff has prepared a Fair Housing Action Plan (FHAP), as a HUD requirement, to implement and monitor actions (Chapter 9). The FHAP includes proposed regional and city actions over the five-year period. The FHAP builds upon the previous analyses and presents a list of specific actions jurisdictions in the region are planning to undertake in order to address the impediments. This is the City's first FHAP and illustrates our commitment to affirmatively further fair housing.

An analysis of the impediments to fair housing indicates that the affordable housing choices available to low income groups or families are limited. Some property owners are still unwilling to rent to families with children, seniors or the disabled and discrimination against other protected classes is evident within San Diego. The socio-economic profile of San Diego, coupled with the shortage of housing, necessitates that sufficient affordable housing options be available for the protected class. The City is dedicated to affirmatively furthering fair housing by contracting its fair housing services to an agency that best meets the fair housing needs of the city identified in the AI. Therefore, a Request for Proposal (RFP) is being issued in order to solicit competitive proposals. The City of San Diego allocated \$523,869.00 for an RFP for a fair housing services provider. The RFP evaluation process is currently underway. The selected contractor for the RFP will be required to incorporate the information contained in the AI with their scope of work in order to develop effective strategies that promote fairness in housing and recommend follow-up action(s) to apply to San Diego specifically and will extend regionally. The city expects to complete the RFP process and award a bidder in early summer (2011).

On behalf of the region, the CDBG Program office requests that the City Council adopt the 2010-2015 San Diego Regional Analysis of Impediments (AI) to Fair Housing Choice in order for City staff to submit this final document to HUD for approval

FISCAL CONSIDERATIONS:

None. Expenses related to the preparation of the AI are paid for with CDBG funds.

EQUAL OPPORTUNITY CONTRACTING:

This action does not authorize entering into any contract or agreement; however, future contracts or agreements associated with this action will be subject to the City's Equal Opportunity Contracting (San Diego Ordinance No. 18173, Section 22.2701 through 22.2708) and Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Sections 22.3501 through 22.3517).

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

None.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The City's draft 2010-2015 San Diego Regional Analysis of Impediments to Fair Housing Choice public hearing was noticed in the Union Tribune, El Latino and the Voice and Viewpoint community newspapers, posted at all libraries and on the City's CDBG program webpage ([www.sandiego.gov/cdbg/general](http://www.sandiego.gov/cdbg/general)). The public had the opportunity to comment for the thirty (30) day required public comment period which was July 1, 2010 through July 30, 2010, and





# SIGNATURE PAGE

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AN ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

I, \_\_\_\_\_, hereby certify that this San Diego Regional Analysis of Impediments to Fair Housing Choice represents \_\_\_\_\_'s conclusions about impediments to fair housing choice, as well as actions necessary to address any identified impediments.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

