



SAN DIEGO  
HOUSING  
COMMISSION

## REPORT TO THE CITY COUNCIL

**DATE ISSUED:** July 11, 2016

**REPORT NO:** CCR16-009

**ATTENTION:** Honorable Council President Sherri Lightner and Members of the City Council  
For the Agenda of July 27, 2016

**SUBJECT:** San Diego Municipal Code Section 98.0301 and 98.0302 Amendments Related to the  
San Diego Housing Commission and Relocation Appeals Board

**COUNCIL DISTRICT:** Citywide

### **REQUESTED ACTION**

That the San Diego City Council approve proposed amendments to San Diego Municipal Code Chapter 9, Article 8, Division 3 related to the San Diego Housing Commission and Relocation Appeals Board.

### **STAFF RECOMMENDATION**

That the San Diego City Council approve revisions to San Diego Municipal Code Sections 98.0301 and 98.0302 to update specific sections and streamline the Housing Commission's administrative processes.

### **SUMMARY**

Over the past several months, Housing Commission staff, General Counsel and the San Diego City Attorney's Office have been drafting proposed revisions to San Diego Municipal Code Chapter 9, Article 8, Division 3, Sections 98.0301 and 98.0302 to reflect current State law, update language and streamline administrative processes.

The proposed changes include language updates, clarifications, and definition amendments, as well as a change in the way matters would be processed for hearing before the Housing Commission Board of Commissioners (Board) and the Housing Authority of the City of San Diego. The changes in process would streamline approvals associated with: acquiring, selling or leasing real property, rehabilitating and maintaining Housing Commission-owned property, the award of capital improvement projects and the acquisition of goods and services, and other actions taken by the Housing Commission Board by making such actions final, without Housing Authority Action, unless any member of the City Council acting as the Housing Authority requested review of the Housing Commission Board action, as described below.. Actions upon the annual budget of the Housing Commission; changes to major policies of the Housing Commission; actions approving Memoranda of Understanding with unions; any and all matters involving the issuance of Multifamily Housing Revenue Bonds; and any other matters that either the City Council or the Housing Authority of the City of San Diego (Housing Authority) directs to come before the Housing Authority would continue to require Housing Authority action. Proposed amendments would provide the Housing Authority with the ability to review and hear ANY matter upon which the Housing Commission Board takes an action. Any matter would be heard by the Housing Authority if any City Council Member sitting as a Housing Authority Member requests that any matter be reviewed by the full Housing Authority within seven days of the date of approval of any matter by the Housing Commission Board. In addition, the Mayor may request that any matter be heard by the full

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Housing Authority by requesting that review, within seven days of the date of the approval of any matter by the Housing Commission Board.

***Proposed Changes:***

1. Technical cleanup of the ordinance is being proposed and has been drafted by the City Attorney's Office, specifically including language concerning the appointment of tenant Commissioners, as required by State and applicable Federal law, and clarifying definitions and other cleanup improvements [This was a change requested by the City Auditor]; and
2. Under the revised ordinance, any action involving the following matters must be heard by the Housing Authority, after a recommendation is made by the Housing Commission Board:
  - a. Budget approval;
  - b. Any change or adoption of new major policy;
  - c. The approval of a Memorandum of Understanding (MOU) between labor unions and the Housing Commission;
  - d. Any and all Multifamily Housing Revenue Bond inducement resolutions and bond-related matters. In addition, the City Council will continue to hold all Tax Equity and Fiscal Responsibility Act hearings;
  - e. Commission policies;
  - f. Any subject matter for which the Executive Director of the Housing Authority provides written notification to the Housing Commission Chairperson;
  - g. Any subject matter determined to be advisory only by City Council or Housing Authority resolution; and
  - h. Any matter that any Housing Authority or City Council Member, or the Mayor, requests be heard by the full Housing Authority, within seven days of the date of the Housing Commission Board's action.

Reasons for the changes are multifaceted. First, many of the matters heard by the Housing Commission Board are time-sensitive. Requiring items to be heard by both the Housing Authority and the Housing Commission Board extends the time for approval and, in some cases, delays projects and hinders the ability to create additional affordable housing in a timely manner. Second, over the years, a very high percentage of all matters decided by the Housing Commission Board and thereafter heard by the Housing Authority have been placed upon a consent agenda and approved with no discussion. As for other matters that are on the adoption agenda, they are always approved and often times unanimously. Since 2009, no decision that was made by the Housing Commission Board has been reversed or revised by the Housing Authority. Attachment 2 provides the results of all action items heard by the Housing Authority from 2009 through June 14, 2016. All were approved and the vast majority of them unanimously. Third, having two hearings results in additional time delay, additional costs and administrative work for both City of San Diego and Housing Commission staff, which can adversely impact the acquisition, disposition and/or development of affordable housing. Fourth, under the new procedures, any matter that is acted upon by the Housing Commission Board may be reviewed and potentially reversed by the Housing Authority by a request of only one Housing Authority or City Council member or the Mayor. San Diego Municipal Code section 98.0301(e) currently requires three Councilmembers to request that a matter be reviewed by the Housing Authority.

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That requirement is being reduced to only one Housing Authority or City Council member. In addition, the current code does not allow the Mayor to request review by the entire City Council, sitting as the Housing Authority.

The proposed changes will expedite the work of the Housing Commission, without relinquishing any needed review by the Housing Authority. At any time, if one Housing Authority or City Council member wants to review a decision made by the Housing Commission Board, it will be heard by the entire Housing Authority. History suggests this review process will be utilized infrequently; however, the safeguard is included to provide the Housing Authority oversight, if and when it determines such review and oversight is required.

***Change in Housing Authority Approval Process for Matters Brought Before the Housing Commission Board:*** The Housing Commission is one of only 39 public housing authorities, out of 3,400 in the nation, to receive the “Moving to Work” status from the U.S. Department of Housing and Urban Development (HUD). This designation allows flexibility to use allocated Federal funds to create innovative, cost-effective approaches to provide housing assistance to low-income families and to directly address the needs of the city of San Diego. Specifically, the Housing Commission has received approval from HUD for the broader use of funds and single fund flexibility to develop innovative initiatives, including purposes such as the acquisition and rehabilitation of affordable housing units. This increased flexibility allows the Housing Commission to fund acquisitions and rehabilitation projects to add units to the affordable housing stock and address urgent maintenance and capital needs on Housing Commission-owned properties. The Portfolio Management Department prepared a Fiscal Year 2017 Capital Expenditures Plan (Plan) to rehabilitate 87 Housing Commission-owned properties with a proposed budget allocation of \$16,398,637. The Plan will require numerous contracts to be awarded in a timely manner as funding sources have expenditure deadlines. The work included in the Plan is in addition to the Housing Commission’s ongoing routine and re-occurring construction projects.

Per the approved Statement of Procurement Policy, the Housing Commission Board has authority to approve all contract expenditures valued at \$250,000 or less, with the exception of maintenance and capital improvements and services, such as case management and referrals for homeless San Diegans, from nonprofits or agencies, such as the City of San Diego or the County of San Diego. The Housing Commission’s approval authority for those contracts and agreements is \$500,000 or less. Any contracts and/or agreements exceeding those amounts must currently be approved by the Housing Authority. Processing times to obtain the required approvals add four to six weeks to the contract award and execution timeline. Long processing times impact cost, schedule and staff time. Throughout the years, most of these contracts have been placed on the Housing Authority consent agenda, after Housing Commission Board approval, and even those on the adoption agenda have all been approved.

The time saved by changing the way matters will be processed for hearing before the Housing Authority after Housing Commission Board approval will reduce the contract award timeline and improve staff’s ability to award contracts due to a more efficient contracting process. It will also facilitate quicker project start and completion dates, which minimizes the impact on the property residents. To ensure transparency, these projects will be posted on the Housing Commission’s website with dollar values and anticipated bid dates and will be updated on a quarterly basis. Bid results will be provided to the Housing Commission Board and Housing Authority on a quarterly basis. The proposed change in the ordinance will allow the Housing Commission Board to approve contracts of any amount, provided that

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the amount to fund the contract has been included within a Housing Authority approved budget. In addition, even after approval of a contract by the Housing Commission Board, the Mayor and/or any one member of the Housing Authority or City Council may request a review of the action by the Housing Authority Board, provided that the request is received within seven days of the date of the approval of the action by the Housing Commission Board.

The proposed revisions to the Municipal Code providing for the requested streamlining is similar to actions approved by the City Council via Ordinance (O-20148) to streamline its Capital Improvement Program by raising the authority limits requiring City Council approval. City Council raised threshold amounts for goods and services and consultant contracts requiring City Council approval via Ordinance (O-20364 and O-20443) to streamline those processes as well.

The chart below reflects current authority limits of the Housing Commission President and CEO, Housing Commission Board, and City of San Diego Public Works and Purchasing and Contracting Department staff that does not require prior approval by the governing body (Housing Commission Board, Housing Authority, and City Council).

	<b>San Diego Housing Commission</b> <i>President &amp; Chief Executive Officer</i>	<b>San Diego Housing Commission</b> <i>Board</i>	<b>City of San Diego</b> <i>Deputy Director Public Works</i>	<b>City of San Diego</b> <i>Director Public Works</i>	<b>City of San Diego</b> <i>Purchasing Agent</i>
Goods and Services	\$100,000 or less	\$250,000 or less			\$3 Million
Construction	\$100,000 or less	\$250,000 or less	\$10 Million	\$30 Million	
Maintenance and Capital Improvements	\$100,000 or less	\$500,000 or less*	\$10 Million	\$30 Million	
Consultants	\$100,000 or less	\$250,000 or less			\$250,000
Architectural /Engineering Consultants	\$100,000 or less	\$250,000 or less			\$1 Million
Services from Non-Profit or Agency	\$100,000 or less	\$500,000 or less			\$1 Million

\* The Housing Commission Board has been delegated authority to approve contracts for maintenance, modernization and improvements at Housing Commission owned and/or managed properties pursuant to Resolution by the San Diego City Council on December 4, 2009, Resolution No. R-305431.

Between the beginning of Fiscal Year 2012 on July 1, 2011, and March 11, 2016, the Housing Commission Board unanimously approved 110 contract award action requests valued at \$53,348,898. Individual contract amounts ranged from approximately \$100,000 to \$2.9 million. All actions were approved unanimously – 63 on the consent agenda, with the remaining 47 unanimously approved on the adoption agenda. The requests were to enter into agreements, contracts and award grant funds.

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***Housing Commission Board  
Contract Award Approvals  
FY2012-March 2016***

Total Items	110
Consent Agenda	63
Non-Consent	47
Unanimous Vote Non-Consent	47

During the same period, the Housing Commission Board forwarded 35 contract award actions valued at \$28,281,815 for Housing Authority approval in accordance with the Statement of Procurement Policy. All actions were also approved unanimously - 14 on the consent agenda, with the remaining 21 unanimously approved on the adoption agenda without any change in the action taken by the Housing Commission Board.

***Housing Authority  
Contract Award Approvals  
FY2012-March 2016***

Total Items	35
Consent Agenda	14
Non-Consent	21
Unanimous Vote Non-Consent	21

On March 24, 2009, City Council approved Resolution number R-304765 to provide the Housing Commission additional authority to acquire real estate under a simplified process. On April 20, 2010, the City Council approved Resolution number R-305784 to provide the Housing Commission additional authority to sell or otherwise dispose of single family homes and condominiums under the same simplified process. The City Council-approved process allows the Housing Commission Board to make the decision on any acquisition or disposition of property. A notice of that action is provided to each member of the City Council who have seven days to request a review of the decision or actions by the Housing Commission Board. None of the matters heard and decided by the Housing Commission Board were requested to be heard by the entire Housing Authority membership. In addition, on June 30, 2015, the City Council approved a new Hotel Metro Disposition policy (Resolution number R-309828), which permitted the Housing Commission Board to approve a sale of the Hotel Metro for \$6.1 million on April 8, 2016. After approval, each Councilmember was given notice of the approval and told of the right to review the action by the entire Housing Authority. None of the Councilmembers (Housing Authority Members) requested that the matter be heard, and the escrow for the sale of the property closed before the end of April of 2016, providing the Housing Commission with \$6.1 million, of which approximately \$3 million has been earmarked for The 1,000 Homeless Veterans Initiative of HOUSING FIRST – SAN DIEGO, the Housing

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Commission's Homelessness Action Plan. Had this matter been required to obtain Housing Authority approval, the escrow closing and the ability of the Housing Commission to utilize the \$6.1 million dollars would have been delayed by a period of four to six weeks.

Any actions of the Housing Commission as a result of this streamlining shall only be final seven days after Housing Commission Board approval, giving the Housing Authority or City Council members the opportunity to ask that any matter be forwarded to the full Housing Authority Board for review and approval. Should any member of the Housing Authority or City Council desire to review the proposed actions, it can elect to do so within seven days of the receipt of written notice. If no request is received by the Housing Commission's President & CEO within the stated time period, the action of the Housing Commission shall then be final.

On May 6, 2016 the Housing Commission Board voted unanimously to recommend the San Diego City Council approve the proposed revisions to the San Diego Municipal Code Sections 98.0301 and 98.0302.

#### **AFFORDABLE HOUSING IMPACT**

Approval of the recommended action will significantly improve the Housing Commission's ability to address the needs of dozens of Housing Commission-owned properties in a timely manner, thereby improving the quality of low-income residents' lives.

#### **FISCAL CONSIDERATIONS**

This action does not have any fiscal impact.

#### **PREVIOUS COUNCIL and/or COMMITTEE ACTION**

On December 10, 2014, the San Diego City Council adopted Ordinance Number O-20331 amending San Diego Municipal Code Chapter 9, Article 8, Division 3, Section 98.0301(f) to include an alternative method to appoint Housing Commission members if the Mayor does not take action to fill appointments within 45 days of a vacancy.

On April 25, 1994 the San Diego City Council adopted Ordinance Number O-18062 amending the San Diego Municipal Code Chapter 9, Article 8, Division 3, Section 98.0301 to add language to the Section 98.301(a) to include definitions and add administrative functions.

On September 30, 1985, the San Diego City Council adopted Ordinance Number O-16511 amending the San Diego Municipal Code Chapter 9, Article 8 to include three Division titles: Division 1, Housing Code, Division 2, Mobile Home Parks and Special Occupancy Parks, and Division 3, San Diego Housing Commission.

On December 5, 1978, the San Diego City Council adopted Ordinance Number O-12515 to create the San Diego Housing Commission.

#### **KEY STAKEHOLDERS and PROJECTED IMPACTS**

Key stakeholders include the Housing Commission Board, staff, property residents, contractors and potential individuals and businesses interested in doing business with the Housing Commission.

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**ENVIRONMENTAL REVIEW**

The proposed Municipal Code revisions are not a project as defined by the California Environmental Quality Act (CEQA) Section 21065 and State CEQA Guidelines Section 15378(b)(2), as they are general policy and procedure making activities of a governmental entity. The determination that this activity is not subject to CEQA, pursuant to Section 15060(c)(3), is not appealable and a Notice of Right to Appeal the Environmental Determination (NORA) is not required. These activities contemplated are exempt under the National Environmental Policy Act pursuant to Part 58.34(a)(3) of Title 24 of the Code of Federal Regulations.

Respectfully submitted,

*Jeff Davis*

Jeff Davis  
Executive Vice President & Chief of Staff  
San Diego Housing Commission

Approved by,

*Richard C. Gentry*

Richard C. Gentry  
President & Chief Executive Officer  
San Diego Housing Commission

Attachments: 1. Proposed Revised Ordinance - Strikeout  
2. San Diego Housing Authority Meeting Results - 2009 to Date

Hard copies are available for review during business hours in the main lobby of the San Diego Housing Commission offices at 1122 Broadway, San Diego, CA 92101 and at the Office of the San Diego City Clerk, 202 C Street, San Diego, CA 92101. You may also review complete docket materials on the San Diego Housing Commission website at [www.sdhc.org](http://www.sdhc.org).





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 SECTIONS 98.0301 AND 98.0302 RELATING TO THE SAN DIEGO HOUSING COMMISSION AND THE RELOCATION APPEALS BOARD.

**Article 8: Housing**

**Division 3: San Diego Housing Commission and Relocation Appeals Board**

**§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. The San Diego Housing Commission is granted all rights, powers, and duties of a Housing Authority pursuant to the provisions of ~~the California Health and Safety Code section 34200 et seq.,~~ except those expressly retained by the Housing Authority of ~~the~~ City of San Diego in this section.
- (b) ~~Definitions:~~ As used in this article, the following definitions apply:
- (1) ~~“City” shall mean the City of San Diego;~~

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(21) “City Council” shall mean the City Council of the City of San Diego;

(32) “Commission” shall mean the San Diego Housing Commission, a public agency created pursuant to State the California Health and Safety Code;

(3) “Commission President” shall mean the President and Chief Executive Officer of the Commission;

(4) “Housing Authority Executive Director” shall mean Commission President who also serves ex officio as the Executive Director of the Housing Authority.

(45) “Housing Authority” shall mean the Housing Authority of the City of San Diego, a state agency created pursuant to ~~section 34200 et seq. of the State~~ California Health and Safety Code section 34200 et seq.;

(56) [No change in text.]

(67) “Member” shall mean a ~~member~~ commissioner of the San Diego Housing Commission;

(78) “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, and sanitary dwellings without overcrowding without financial assistance.

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

(1) through (6) [No change in text.]

(7) Perform such other functions as may be delegated from time to time to the Commission by that the Housing Authority or City Council delegates to the Commission by resolution.

(8) [No change in text.]

(d) ~~Administrative Functions of the Commission.~~ The Commission's administrative functions ~~of the Commission~~ shall include the following:

(1) [No change in text.]

(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 Commission, or the Housing Authority, when such matters have been determined by the Housing Authority.

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

(4) [No change in text.]

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- (5) ~~Approve~~ Review conflict of interest codes ~~prior to adoption by the Housing Authority~~ and submit proposed conflict of interest codes for City Council approval in accordance with California Government Code section 32011.
- (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 may be delegated to the Commission by the Housing Authority or City Council ~~may from time to time delegate by resolution to the Commission.~~
- (8) Notwithstanding Section 98.0301(d)(1) through (7), the actions of the Housing Commission upon the following administrative matters Act upon all other administrative matters in accordance with federal, state, and local laws and regulations, except the matters set forth below in sections 98.0301(d)(8)(A)-(E), and except as provided in section 98.0301(e), in which case, the Commission's actions shall be advisory only, and shall be referred for final action at the next available Housing Authority agenda:
- (A) Approval of any proposed acquisition, sale, or lease of real property for a term in excess of five (5) years The Commission's annual budget;

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(B) Approval of any development project or rehabilitation loan commitment involving the expenditure of more than \$250,000 by the Housing Commission Bond issuances and actions related to Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearings;

(C) Approval of any contract for acquisition of goods or services (other than a construction contract for a development project) involving the expenditure of more than \$100,000 by the Housing Commission Memoranda of Understandings between unions representing Commission employees and the Commission;

(D) The establishment or approval of any new major Amendment or adoption of any major Commission policy relating to the method of operations of the Housing Commission; and

(E) Any other matters for which the Commission has been specifically determined to be advisory only by City Council or Housing Authority resolution.

The recommendation of the Housing Commission on these matters shall be referred for final action at the next available agenda of the Housing Authority. By resolution passed by majority vote, the City Council may, at any time, add, delete or otherwise modify the items on which the Housing Commission is advisory.

(e) Finality of Actions:

- (1) All Commission actions ~~of the Commission~~ taken pursuant to Section 98.0301(d) shall be final seven (7) days after action by the Commission, except for Commission actions taken on the matters set forth in of the Commission for which a review by the Housing Authority has been requested pursuant to Sections 98.0301(ed)(8)(A)-(E), and except for those actions which require final action by the Housing Authority pursuant to as provided in Section 98.0301(de)(12)-(8).
- (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 the Commission's final action, before or within seven (7) days after the date of the Commission action:
- (A) The Commission, by ~~motion~~ affirmative vote.
- (B) The Housing Authority Executive Director of the Housing Authority, by notifying the Chairperson of the Commission.
- (C) ~~Three (3)~~ Any members of the City Council or Housing Authority, or the City Manager, by written notice to the Housing Authority Executive Director and Commission President.

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- (3) If a matter is referred to the Housing Authority for final action, the Housing Authority 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 confirmation. ~~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~~ members appointed pursuant to this section shall be tenants of ~~housing authority~~ Commission-owned units, including limited liability companies in which the Commission is the sole member, and/or a recipient of housing assistance pursuant to HUD's tenant-based housing choice voucher program (Section 8). At least one (1) ~~commissioner~~ member so appointed shall be over 62 years of age. So long as required by federal law, at least one member shall be a recipient of housing assistance in the tenant-based housing choice voucher program (Section 8). Members appointed pursuant to this section 98.0301(f)(1) are referred to as "tenant commissioners."
- (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~~ that are tenants of ~~Housing Authority units~~ commissioners shall be two (2)

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years, and as set forth in ~~Section 34272 of the California~~ Health and Safety Code ~~of the State of California~~ section 34272.

(3) Vacancies occurring during a term shall be filled for the unexpired term by the Mayor with ~~the approval of the City Council~~ confirmation. Whenever the Mayor does not appoint a member within ~~forty-five~~ (45) days after a vacancy occurs, the Council shall make such appointment. A member shall hold office until ~~his~~ the member's successor has been appointed ~~and qualified~~.

(4) Each member shall receive as compensation the sum of ~~Fifty Dollars (\$50)~~ 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~~ incidental 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~~ Commission President.

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

(g) Organization of the Commission: ~~At its first meeting t~~ The Commission shall determine the time, place, and frequency of its meetings. Four members shall constitute a quorum and the affirmative vote of four members shall be necessary for any action by the Commission. The



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Commission may adopt rules of procedure for the conduct of its business and ~~may do anything other thing else~~ necessary or proper to carry out its functions in accordance with federal, state, and local laws and regulations.

- (h) Indemnification of Members: ~~To the fullest extent that Commission would itself be permitted by law, under California Government Code sections 825, 995, and 995.2 and to the extent that insurance and other resources available to Commission are inadequate, City shall indemnify members of the Commission, including former members, against all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred by them in connection with any threatened, pending or completed action or proceeding, whether civil or administrative civil actions brought against them in their individual or official capacities, or both, and pay judgments and settlements for claims against the Members for matters arising out of acts or omissions occurring within the scope of their service to the Commission provided that the member cooperates and assists with the defense. Expenses shall include, without limitation, attorney's fees and any expenses of establishing a right to indemnification. City shall, where indemnification is warranted as provided above, advance expenses incurred by a member in defending any such proceeding, before final disposition thereof, on receipt by City of an undertaking on behalf of that member that the advance will be repaid unless it is ultimately determined that the member is entitled to be indemnified by City for those~~

~~expenses.~~ Any indemnification shall not include punitive or exemplary damages.

**§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~~ with City Council confirmation. The members shall serve two (2) year terms and each member shall serve until ~~his~~ the member's 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 ~~C~~hairman; however, in the absence of such designation, the Board shall, on or after November 15, select from among ~~their~~ its members a ~~C~~hairman.
- (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 Relocation Appeals a Board member by reason of training and experience in real estate, human relations, housing, urban development, redevelopment, or other relevant business or profession.

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- (c) Meetings. The Relocation Appeals Board shall meet regularly to transact business 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 Relocation Appeals 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.~~

HKV:nja  
[Date]  
Or.Dept: SDHC  
Doc. No.: 1066770\_2



## HOUSING AUTHORITY MEETING RESULTS

### All Action Items

Year	Total Action Items*	Unanimous Approval	Notes
2016	13	13	
2015	31	31	
2014	34	34	
2013	29	27	<ul style="list-style-type: none"> <li>•Housing Impact Fee Municipal Code Amendment (5-4).</li> <li>•Village at Zion Loan Recommendation (5-2)</li> </ul>
2012	37	37	
2011	32	31	•MOU with SEIU Local 221 (5-3)
2010	42	39	<ul style="list-style-type: none"> <li>•MOU with SEIU Local 221 (7-1)</li> <li>•Temporary Employment Agency Services Contract Amendment (6-1)</li> <li>•Family Justice Center Lease Arrangements/Tenant Improvements at Smart Corner (7-1)</li> </ul>
2009	31	27	<ul style="list-style-type: none"> <li>•City Auditor's Performance Audit Report (6-2)</li> <li>•Loan for 15<sup>th</sup> &amp; Commercial Special Needs Housing (7-1)</li> <li>•Proposed FY10 Budget (7-1)</li> <li>Contract for Temporary Employment Agency Services (5-3)</li> </ul>
<b>Total</b>	<b>242</b>	<b>232</b>	

\*Action Items include bond authorizations, acquisition and/or disposition of property, loans, grant applications, contract awards, finance plans, annual budgets and budget amendments, policy approvals, memorandum of understandings, municipal code amendments, etc.