



Good Neighbors

San Diego
Housing Commission

MINUTES

**SAN DIEGO HOUSING COMMISSION
MINUTES OF THE REGULAR MEETING
APRIL 23, 2004 9:00 A.M.
CITY ADMINISTRATION BUILDING
SAN DIEGO, CALIFORNIA**

ATTENDANCE

Present: Commissioners Salas, Grinchuk, Knight, Tumminia and Yip. Also present were Chief Executive Officer Elizabeth Morris and Charles Christensen, General Counsel. Commissioners Adams-Brooks and Cramer were absent.

10 CALL TO ORDER

Chair Salas called the meeting to order at 9:14 a.m.

20 PUBLIC COMMENT

None.

30 COMMISSIONER COMMENTS

None.

40 REPORT BY THE CHIEF EXECUTIVE OFFICER

Chief Policy Advisor Susan Tinsky presented two informational reports; 1) Allocation of Proposition 46 Revenues and Other Affordable Housing Funding Sources; 2) Affordable Housing Task Force Recommendations update.

50 APPROVAL OF THE MINUTES

MOTION BY YIP TO APPROVE CORRECTED AUGUST 15, 2004 REGULAR MEETING MINUTES. SECONDED BY TUMMINIA AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH ADAMS-BROOKS AND CRAMER ABSENT.



MOTION BY TUMMINIA TO APPROVE FEBRUARY 27, 2004 & MARCH 19, 2004 REGULAR MEETING MINUTES. SECONDED BY YIP AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH ADAMS-BROOKS AND CRAMER ABSENT.

CONSENT AGENDA

MOTION BY TUMMINIA TO APPROVE THE FOLLOWING ITEMS ON CONSENT:

100 HCR04-26 Award of contract for kitchen/bathroom upgrades and exteriors improvements at 8816-8972 Mira Mesa Blvd. (Council District 5)

Recommendation: Seek Housing Authority approval of award of a contract to S&L Specialty Contracting, Inc. for \$277,791 and authorize the Chief Executive Officer to execute the contract and expend the contingency, if necessary, for items not anticipated in the original scope of work.

101 HCR04-27 Award of contract for various exterior upgrades at 4479 Altadena Avenue, 4450-4465 ½ Georgia Street and 4081-4087 ½ Florida Street (Council District 3)

Recommendation: Seek Housing Authority approval of award of a contract to Nautilus General Contractors, Inc. for \$484,999 and authorize the Chief Executive Officer to execute the contract and expend the contingency, if necessary, for items not anticipated in the original scope of work.

SECONDED BY GRINCHUK AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH ADAMS-BROOKS AND CRAMER ABSENT.

102 HCR04-28 Award of contract for the Fulton Street sound wall retrofit (Council District 6)

Contracts Analyst Maurcell Gresham provided a staff report.

Commissioner Grinchuk asked why only one bidder. Mr. Gresham replied only one bidder applied for this project. Assets Manager Steve Snyder added the scope of the project requires a "Class A" contractor's license making it very difficult to get participation from other bidders.

MOTION BY GRINCHUK TO APPROVE AWARD OF THE CONTRACT TO SOUTHLAND CONSTRUCTION AND AUTHORZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE THE CONTRACT AND EXPEND THE CONTINGENCY. SECONDED BY KNIGHT AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH ADAMS-BROOKS AND CRAMER ABSENT.

103 HCR04-20 Contract for Legal Services (General Counsel) (Citywide)

Senior Program Analyst Rob Albrecht gave a staff report.

MOTION BY GRINCHUK TO **RECOMMENDATION NO. 1:** SEEK HOUSING AUTHORITY APPROVAL OF A THREE-YEAR LEGAL SERVICES CONTRACT WITH THE LAW FIRM OF CHRISTENSEN SCHWERDTFEGER & SPATH;
RECOMMENDATION NO. 2: SEEK HOUSING AUTHORITY APPROVAL TO MODIFY THE SUBJECT CONTRACT, FOR UP TO \$100,000 PER INCIDENT, AS NEEDED TO COVER COSTS ASSOCIATED WITH NON-ROUTINE LITIGATION AND SPECIAL ASSIGNMENTS UNDERTAKEN AT THE DIRECTION OF THE BOARD AND AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO MAKE SUCH MODIFICATIONS AS NECESSARY AND PROVIDE A REPORT TO THE BOARD ON A PERIODIC BASIS. SECONDED BY YIP AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH ADAMS-BROOKS AND CRAMER ABSENT.

104 HCR04-17 Fiscal Year 2004 Section 8 Program Funding

Counsel made the following disclosure for incorporation into the record: Commissioner Knight has no conflict and is permitted to vote and participate in the matter. Under the provisions of Government Code Section 1091.5 (a)(3) and (5), there is a non-interest in the matter of discussion and proposed action. In addition, pursuant to the provisions of 2 California Code of Regulations, Section 18707.4 (a)(1) through (4), because the action affects the Commissioner in the same manner as it affects the public generally and there is no conflict requiring abstention under the Fair Political Practices Act. Further there is no conflict under the provisions of 24 CFR 982.16 for Commissioner Knight.

Commissioner Grinchuk abstained from participation and voting on this matter: He abstained pursuant to the applicable provisions of Government Code Section 87103. The Commissioner interest, if any, is a remote interest under the applicable provisions of Government Code, including but not limited to, Sections 1091 and 1091.5 (a)(4).

Chief Operating Officer Carrol Vaughan provided a staff report.

Alan Pentico, Director of Public Affairs with the San Diego County Apartment Association (SDCAA), expressed support for staff's recommendation and encouraged the Housing Commission to formulate a contingency program to ensure apartment owners are paid. Chair Salas encouraged SDAA to write letters to congressional members.

MOTION BY YIP TO ACCEPT THE RECOMMENDATION THAT THE CURRENT SECTION 8 CONTRACT OBLIGATIONS CONTINUE TO BE MET FOR THE DURATION OF THE FISCAL YEAR, AND THAT STAFF BE DIRECTED TO CONTINUE TO SEEK HUD CONTRACT AMENDMENT APPROVAL, ENGAGE ADVOCACY GROUPS AND PREPARE A SPECIFIC CONTINGENCY FUNDING

PLAN. SECONDED BY TUMMINIA AND CARRIED A UNANIMOUS VOTE OF 4-0 WITH GRINCHUK ABSTAINING. ADAMS-BROOKS AND CRAMER ABSENT.

105 HCR04-23 Workshop on the Affordable Housing Development Process

This item is trailed to the next Housing Commission Meeting.

106 HCR04-25 Proposed Fiscal Year 2005 Budget

Finance Manager Ed Mauk provided a staff report.

Commissioner Yip asked if based on the FY05 Balance Sheet are we in better financial position than last year. Mr. Mauk stated that due to the uncertainty with HUD funding, it is too difficult to project at this point. We will not know for certain until the Year-End Settlement Statements are completed in August.

Chair Salas asked if we would be getting any direction from HUD before the next Housing Commission Meeting that would require revisions to this budget. Ms. Vaughan stated we are not certain of the adjustment factor and the date when the adjustment applies. Adding that she would update the board of any changes that might be needed.

Chair Salas asked that this item be trailed to the next Housing Commission Meeting on May 14, 2004.

MOTION BY TUMMINIA THE PROPOSED FISCAL YEAR 2005 BUDGET BE TRAILED TO THE NEXT HOUSING COMMISSION MEETING. SECONDED YIP AND CARRIED A UNANIMOUS VOTE OF 5-0 WITH ADAMS-BROOKS AND CRAMER ABSENT.

CLOSED SESSION

The Commission convened in closed session with the following agenda:

- a. Conference with Labor Negotiators-Pursuant to Government Code Section 54957.6:

Agency Representatives: Carrol Vaughan for the San Diego Housing Commission Employee Organization: Social Services Union, Local 535, AFL-CIO

INFORMATIONAL ONLY, NO ACTION TAKEN

- b. Conference with Legal Counsel-Existing Litigation-Government Code Section 54956.9 (c)

1. **Erica Jackson v. San Diego Housing Commission, et al.**;
SDSC No.: GIC 824020;

INFORMATIONAL ONLY, NO ACTION TAKEN

2. **San Diego Unified School District v. City of San Diego Housing Authority, et al.**; SDSC No.: GIC 824968-1
3. **San Diego Unified School District v. Housing Authority of the City of San Diego**, et al.; SDSC No.: GIC 818607-1
4. **San Diego Unified School District v. Housing Authority of the City of San Diego, et al.**; SDSC No.: GIC 818608-1
5. **San Diego Unified School District v. Housing Authority of the City of San Diego, et al.**; SDSC No.: GIC 818606-1

BY A VOTE OF 5-0 WITH ADAMS-BROOKS ABSENT AND CRAMER ASBSENT DIRECTIONS WERE GIVEN TO COUNSEL CONCERNING POTENTIAL SETTLEMENT.

6. **San Diego Housing Commission vs. Gerard Jordon Pitman, Jr. et. al.**; San Diego Superior Court Case No. GIC 828066.

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ADJOURNMENT

Chair Salas adjourned the regular meeting at 11:45 a.m.

Respectfully submitted,

Angie Risotti
Executive Assistant to CEO

**Signature on File
With Original Document**

Approved by,

Elizabeth C. Morris
Chief Executive Office