



SAN DIEGO HOUSING COMMISSION
MINUTES

**SAN DIEGO HOUSING COMMISSION
MINUTES OF THE REGULAR MEETING
NOVEMBER 17, 1997
CITY ADMINISTRATION BUILDING
202 C STREET, 12TH FLOOR
SAN DIEGO, CALIFORNIA**

Attendance: Present: Chairman Arthur, Commissioners Akili, Dick, Tumminia and Oxberry. Also present were: Ms. Elizabeth C. Morris, Executive Director and Charles Christensen, General Counsel. Absent: Commissioner Macias.

10 CALL TO ORDER

Chair Arthur called the meeting to order at 9:12 a.m.

20 PUBLIC COMMENT

Mr. Mel Shapiro commented that the law requires two subsidized tenants sit on the Housing Commission Board and that Commissioner Macias is no longer a subsidized tenant. Mr. Shapiro inquired of General Counsel whether or not another subsidized tenant would be appointed and, if Commissioner Macias' votes were legal while voting as a nonsubsidized tenant.

Mr. Christensen responded that Ms. Macias was appointed as one of the two assisted members of the Housing Commission Board and, that she was appointed for a specific term, during which term she is allowed to vote on matters before the Commission until her term expires or until her successor is appointed. Mr. Christensen also responded that Commissioner Macias' votes are legal, even though she is presently not a housing resident.

30 COMMISSIONER COMMENTS

40 REPORT BY THE EXECUTIVE DIRECTOR

Executive Director Elizabeth Morris publicly acknowledged the promotion of Nancy Williams to Program Manager of Research and Policy Development. Ms. Morris commended Ms. Williams for her outstanding efforts in organizing the NAHRO

Conference, which was recently held in San Diego. Ms. Williams will be overseeing programs such as Special Needs and HOME, along with assisting the Commission in setting policies related to these and other agency programs.

50 APPROVAL OF THE MINUTES

Approval of the Minutes of the meeting of November 3, 1997.

MOTION BY TUMMINIA TO APPROVE MINUTES OF THE MEETING OF NOVEMBER, 1997.

SECOND BY OXBERRY.

MOTION CARRIED UNANIMOUSLY ON A 4-0 VOTE WITH MACIAS, DICK AND AKILI BEING ABSENT.

ADOPTION AGENDA - CONSENT

MOTION WAS MADE BY NOTTLEY TO APPROVE THE FOLLOWING ITEMS ON CONSENT:

100 HCR97-160 - Revisions to Public Housing Occupancy Plan (Citywide)

Recommendation: It is recommended that the Housing Commission recommend that the Housing Authority adopt the proposed revisions to the Public Housing Occupancy Plan to comply with changes in HUD regulations.

101 HCR97- 162 - Award of Contract for Office Supplies

Recommendation: That the Housing Commission authorize award of a one-year contract, effective December 1, 1997 through November 30, 1998, with option to renew for one (1) additional year period, to Office Depot, Inc.

MOTION SECONDED BY TUMMINIA.

MOTION CARRIED UNANIMOUSLY ON A VOTE OF 4-0, WITH MACIAS, DICK AND AKILI BEING ABSENT.

CLOSED SESSION

Commissioner Dick arrived.

- I. **Public Employee Performance Evaluation - pursuant to Government Code Sections 54954.5(e) and 54957:**

Title: Executive Director

This item was the last item to be discussed. Commissioner Akili arrived prior to the discussion.

THIS ITEM WAS CONTINUED TO THE DECEMBER 8, 1997 HOUSING COMMISSION MEETING BY A VOTE OF 6-0, WITH COMMISSIONER MACIAS BEING ABSENT.

II. Conference with Legal Counsel - existing litigation, pursuant to California Government Code Section 54956.9(a) and 54954.5(c):

- (a) San Diego Housing Commission, a public agency vs. Horizon Capital Group LP/Uptown Property Management, a California corporation; Joseph Daneshgar, an individual; and Does 1 through 50, inclusive
San Diego Municipal Court Case No.: 596768

INFORMATIONAL ONLY. NO ACTION TAKEN.

- (b) San Diego Housing Commission, a public agency vs. Home Park Village Apartments, an unknown entity; JONRO Properties, a California limited liability corporation; and Does 1 through 50, inclusive
San Diego Municipal Court Case No.: 596769

INFORMATIONAL ONLY. NO ACTION TAKEN.

- (c) San Diego Housing Commission, a public agency vs. San Diego Investors, Inc., a California corporation dba Harbor Ridge; JW Apartment Realty, Inc., a California partnership; and Does 1 through 50, inclusive
San Diego Municipal Court Case No.: 596767

INFORMATIONAL ONLY. NO ACTION TAKEN.

- (d) San Diego Housing Commission, a public agency vs. Gunner Mouritzen, an individual; and Does 1 through 50, inclusive
San Diego Municipal Court Case No.: 596766

INFORMATIONAL ONLY. NO ACTION TAKEN.

- (e) San Diego Housing Commission, a public agency vs. Creekside Villa Apartments, a California limited partnership; Barbara Barsky, an individual; Morley Barsky, an individual; Richard Kuebler, an individual; John B. Walsh, an individual; Trabajadores de la Raza, Inc., dba Casa Familiar, a California nonprofit public benefit corporation; and Does 1 through 50, inclusive
San Diego Superior Court Case No.: 712828

MOTION BY OXBERRY TO GIVE DIRECTION TO COUNSEL TO PROCEED.

SECOND BY NOTTLEY.

MOTION CARRIED BY A VOTE OF 4-0-1, WITH MACIAS AND AKILI ABSENT, AND DICK ABSTAINING.

- (f) San Diego Housing Commission, a public agency vs. Park Haven Apartments No. 1, a California general partnership; Parkhaven Apartments No. 2, a California general partnership; Park Haven Apartments No. 3, a California general partnership; Park Haven Apartments No. 1, Ltd., a California limited partnership; John B. Walsh, an individual; Elden E. Vanover, an individual; Joe Rosa, an individual; Diedrich & Vanover, a general partnership; Trabajadores de la Raza, Inc., dba Casa Familiar, a California nonprofit public benefit corporation; and Does 1 through 50, inclusive
San Diego Superior Court Case No.: 712827

MOTION BY OXBERRY TO GIVE DIRECTION TO COUNSEL TO PROCEED.

SECOND BY NOTTLEY.

MOTION CARRIED BY A VOTE OF 4-0-1, WITH MACIAS AND AKILI ABSENT, AND DICK ABSTAINING.

- (g) Robert L. Meekins, an individual vs. San Diego Housing Commission
San Diego Superior Court Case No.: 712865

INFORMATIONAL ONLY. NO ACTION TAKEN.

- (h) HAR Construction, Inc., a California corporation vs. San Diego Housing Commission, a political subdivision of the United States Government; and Does 1 through 10, inclusive
San Diego Superior Court Case No.: SBM021361

THE COMMISSION BY A VOTE OF 5-0, WITH MACIAS AND AKILI BEING ABSENT, GAVE INSTRUCTIONS TO COUNSEL TO SETTLE THIS MATTER.

III. Conference with Legal Counsel - anticipated litigation pursuant to Government Code Section 54956.9(c) and 54954.5(c):

a. More than (1) matter.

INFORMATIONAL ONLY. NO ACTION TAKEN.

ADJOURNMENT

Chair Arthur adjourned the meeting at 11:20 a.m.

Respectfully submitted,

Approved by,

**Signature Available with
Original Document**

Rob Albrecht
Administrative Assistant

Elizabeth C. Morris
Executive Director

ECM:ra