

HOUSING AUTHORITY OF  
THE CITY OF SAN DIEGO  
RESOLUTION NO. HA- **1564**

DATE OF FINAL PASSAGE **JUL 31 2012**

A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SAN DIEGO AUTHORIZING THE SAN DIEGO HOUSING COMMISSION TO APPROVE AND EXECUTE THE SECOND AMENDMENT BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO HOUSING COMMISSION REGARDING MANAGEMENT AND OVERSIGHT OF THE NEIL GOOD DAY CENTER AND TO ENTER INTO A MONTH-TO-MONTH CONTRACT WITH ALPHA PROJECT FOR THE HOMELESS TO OPERATE THE NEIL GOOD DAY CENTER IN FISCAL YEAR 2013 UNTIL SUCH TIME IN FISCAL YEAR 2013 AS AN OPERATOR IS SELECTED PURSUANT TO A COMPETITIVE BID PROCESS.

WHEREAS, on June 29, 2010, the Council of the City of San Diego and the Housing Authority of the City of San Diego authorized City staff and the San Diego Housing Commission (Commission), respectively, to execute that certain Memorandum of Understanding (MOU) to administer the City's homeless services; and

WHEREAS, the MOU became effective July 1, 2010 through June 30, 2012; and

WHEREAS, on June 27, 2011, the Council of the City of San Diego adopted Resolution No. R-306884 and the Housing Authority of the City of San Diego adopted Housing Authority Resolution (HAR) No. 1527, approving the First Amendment to the MOU between the City and the Commission, which among other things, extended the term of the MOU until June 30, 2013; and

WHEREAS, it is contemplated pursuant to the First Amendment to the MOU that all future amendments renewing the MOU would be approved no less than one fiscal year prior to

the expiration of the then-current term or extension in order to ensure availability and allocation of funding; and

WHEREAS, the First Amendment to the MOU amended Section 3 of the MOU so that the City would dedicate 100 percent of Emergency Shelter Grant funds to the shelter and service programs; and

WHEREAS, the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) consolidates three of the separate homeless assistance programs administered by U.S. Department of Housing and Urban Development (HUD) under the McKinney-Vento Homeless Assistance Act into a single grant program, and replaces the Emergency Shelter Grant program with the Emergency Solutions Grant program; and

WHEREAS, previously HUD allowed 100 percent of Emergency Shelter Grant funds to be used for shelter and services for the homeless, the HEARTH Act only allows 60 percent of Emergency Solutions Grant funds to be used for such purposes and the other 40 percent to be used for homeless prevention and re-housing activities; and

WHEREAS, HUD has recently determined that only grantees such as the City, not the Commission, may draw down Emergency Shelter Grant and Emergency Solutions Grant funds from HUD's Integrated Disbursement and Information System (IDIS); and

WHEREAS, pursuant to the MOU, among other things, the Commission administers the Neil Good Day Center (Center), located in downtown San Diego, which offers a day center for homeless individuals, providing various services including case management, showers, laundry, and mail and message service; and

WHEREAS, the City has budgeted and intends to appropriate \$550,000 in revenue from the General Fund for the operation of the Center in the Fiscal Year 2013 Appropriations Ordinance; and

WHEREAS, with regard to the \$550,000 in revenue from the General Fund budgeted for the operation of the Center, the Commission will execute a month-to-month agreement with Alpha Project for the Homeless (Alpha Project), to be effective July 1, 2012, in an amount not to exceed \$500,000 with the remaining balance of \$50,000 to be used for the Commission's staffing and administrative expenses related to its oversight of the Center; and

WHEREAS, such a month-to-month agreement with Alpha Project will allow the Commission to procure an operator for the Center using a competitive bid process at the Commission's earliest opportunity; and

WHEREAS, upon the receipt of responses to the Request for Proposal (RFP) the Commission intends to enter into a contract for the operation of the Center for the balance of Fiscal Year 2013 with the selected operator using the balance of the funds appropriated for FY 2013. In addition, the contract shall provide for four (4) one year options, in favor of the Commission, exercisable only by the Commission, to extend the services, in subsequent fiscal years, but dependent upon funding availability; and

WHEREAS, the Commission seeks the approval of the Housing Authority of the City of San Diego to allow the President and Chief Executive Officer of the Commission to enter into a contract with the selected operator for the balance of Fiscal Year 2013 with the contract having four (4) one year options, exercisable by the Commission, to extend services for subsequent fiscal years, dependent upon funding availability; and

WHEREAS, in light of the Commission's commitment to utilize its own funds in the amount of \$402,000 to exclusively fund the Single Adult Winter Shelter and the need for the Commission to also provide upfront payments for the operation of the Veterans Winter Shelter, Cortez Hill Family Shelter, and Connections Housing for Fiscal Year 2013, the Commission is seeking an advance of the General Fund monies for the oversight and operation of the Center in the total amount of \$550,000 to be advanced on a quarterly basis, which procedure is set forth in more detail in the Second Amendment to the MOU, in order to administer these programs efficiently and to ensure the ability to pay for the operation of these various programs and services in a timely manner; and

WHEREAS, despite the fact that the Consolidated Plan Advisory Board at its meeting on July 11, 2012 took a 4-2 vote recommending against automatically setting aside a portion of each of the City's fiscal year allocations of Community Development Block Grant (CDBG) funding from HUD to pay for the cost of operating the Center and other homeless programs, City staff, at the request of the Commission, is seeking a waiver of paragraph 16 of Council Policy 700-02 to have the City's CDBG Program staff set aside CDBG funds off the top for such purpose without requiring any matching funds in order to ensure future funding for the operation of the Center, Cortez Hill Family Shelter, Veterans Winter Shelter, and Connections Housing; and

WHEREAS, the City and Commission wish to renew the MOU in addition to amending the MOU to add language to extend the term of the MOU; to allow the City to expend and provide an advance on a quarterly basis of General Fund revenue appropriated for the oversight and operation of the Neil Good Day Center (Center) to the Commission; and, to add or clarify other provisions in the MOU related to the foregoing recitals; and

WHEREAS, Alpha Project is and has been the operator of the Center since July 1, 2010;  
and

WHEREAS, the Commission desires through a sole source justification for Alpha Project to continue to operate the Center for Fiscal Year 2013 until such time as an operator can be selected through a competitive bid process; NOW, THEREFORE,

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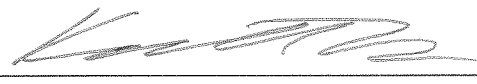
BE IT RESOLVED, by the Housing Authority of the City of San Diego, as follows:

1. That the Second Amendment to the MOU between the City and the Commission in the form attached to Housing Authority Report, HAR 12-036 is approved.
2. That the San Diego Housing Commission President and Chief Executive Officer (President and CEO) or a designee is authorized to execute the Second Amendment to the MOU, a copy of which is attached to Housing Authority Report, HAR 12-036.
3. That the Commission is authorized to enter into a month-to-month contract effective July 1, 2012, as approved by General Counsel of the Commission, with Alpha Project in an amount not to exceed \$500,000 for the operation of the Neil Good Day Center in Fiscal Year 2013, but only until such time as an operator for the Neil Good Day Center has been procured by the Commission using a competitive bid process, at which time the month-to-month contract with Alpha Project will terminate.
4. That the President and CEO or designee, is authorized to execute the month-to-month contract with Alpha Project, in a form as approved by the General Counsel of the Commission.
5. That the President and CEO is authorized to enter into a contract with the operator selected as a result of the Commission's RFP for the balance of Fiscal Year 2013, using the balance of the funds appropriated for the operation of Neil Good Day Center for Fiscal Year

2013 and that such contract shall contain four (4) one year options, exercisable by the Commission, in its sole discretion, to extend services for subsequent fiscal years, dependent upon funding availability.

6. That the President and CEO or designee is further authorized to make funding reallocations from SDHC reserves to SDHC Local Funds in the amount of \$402,000 to fund the Single Adult Winter Shelter and that the \$550,000 in General Funds are substituted for \$550,000 CDBG Funds in the FY 2013 Housing Authority Approved Budget, and the President and CEO is further authorized to substitute the planned funding sources with other funding sources available, should the operational need arise and/or should such action be to the benefit of the San Diego Housing Commission and its mission. Any funding substitutions will be memorialized and ratified in an Information Report at the next Housing Commission Board Meeting.

APPROVED: JAN I. GOLDSMITH, General Counsel

By   
FOR Leslie FitzGerald  
Chief Deputy General Counsel

LAF/KRS:nja  
07/17/12  
07/24/12  
Or.Dept:SDHC  
Companion to: R-2013-43  
Doc. No. 401937\_4

Passed and adopted by the Housing Authority of the City of San Diego on July 31, 2012 by the following vote:

	Yeas	Nays	Excused	Not Present
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl DeMaio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**AUTHENTICATED BY:**

**Anthony Young**


Chair of the Housing Authority  
of the City of San Diego, California

**Richard C. Gentry**

Executive Director of the Housing Authority  
of the City of San Diego, California

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of  
RESOLUTION NO. **1564** passed and adopted by the Housing Authority of the City of San  
Diego, California on July 31, 2012.

By:

  
**Pari Ryan**  
Deputy Secretary of the Housing Authority  
of the City of San Diego, California