

HOUSING AUTHORITY OF
THE CITY OF SAN DIEGO

RESOLUTION NUMBER HA- 1931

DATE OF FINAL PASSAGE December 6, 2021

A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SAN DIEGO APPROVING A THIRD AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO HOUSING COMMISSION FOR OVERSIGHT AND ADMINISTRATION OF THE CITY OF SAN DIEGO'S COVID-19 HOUSING STABILITY ASSISTANCE PROGRAM (HSAP), AUTHORIZING THE SAN DIEGO HOUSING COMMISSION TO ACCEPT AND EXPEND FEDERAL AMERICAN RESCUE PLAN ACT (ARPA) AND STATE CORONAVIRUS RELIEF FUNDS TO SUPPORT HSAP, AND APPROVING RELATED ACTIONS.

WHEREAS, on January 29, 2021, California Governor Gavin Newsom (Governor Newsom) signed California Senate Bill (SB) 91 into law to provide additional relief to residential tenants experiencing financial hardship as a result of the COVID-19 pandemic; and

WHEREAS, on February 22, 2021, in response to the COVID-19 pandemic, the Council of the City of San Diego (Council) pursuant to San Diego Resolution R-313439 (Feb. 25, 2021) (Resolution R-313439), and the Housing Authority of the City of San Diego (Housing Authority) pursuant to Housing Authority Resolution HA-1900 (Resolution HA-1900), authorized the City of San Diego's COVID-19 Housing Stability Assistance Program (HSAP), which provides rental assistance or utility assistance, or both, to low income households experiencing financial hardship due to the ongoing COVID-19 pandemic; and

WHEREAS, on March 12, 2021, the City of San Diego (City) and the San Diego Housing Commission (Housing Commission) entered into a Memorandum of Understanding (MOU) for the Housing Commission to administer HSAP and abide by federal and state requirements as authorized by Resolution R-313439 and Resolution HA-1900; and

WHEREAS, the City received initial funding for HSAP from the United States Department of Treasury in the amount of \$42,333,563, an additional \$44,877,753.57 in COVID-19 relief, as approved by SB 91, and \$5,000,000 in federal Coronavirus Aid, Relief, and Economic Security (CARES) Act Community Development Block Grant (CDBG-CV); and

WHEREAS, SB 91 provides the following rental assistance: landlords may receive eighty percent (80%) of tenants' arrears for the period of April 1, 2020 through March 31, 2021; if the remaining twenty percent (20%) is forgiven by the landlord, landlords may receive twenty-five percent (25%) of rent from April 2021 through June 2021; or HSAP may provide twenty-five percent (25%) of tenants' arrears directly to the tenant and twenty-five percent (25%) of the tenants' upcoming monthly rent for April 2021 through June 2021; and

WHEREAS, on June 28, 2021, Governor Newsom signed California Assembly Bill (AB) 832 into law allowing HSAP to pay one hundred percent (100%) of past due and prospective rent for qualifying households affected by the COVID-19 pandemic; and

WHEREAS, in March 2021, the federal American Rescue Plan Act (ARPA) was enacted, providing \$54,539,063.20 in federal funds to the City that will continue to support HSAP; and

WHEREAS, the City received an additional \$5,610,840.67 in Coronavirus Relief funds that the City transferred to the Housing Commission for administration of HSAP; and

WHEREAS, the Council and Housing Commission entered into a First Amendment to the MOU to include additional federal funding allocated to the City from the State and ARPA funding and to incorporate the AB 832 guidelines; and

WHEREAS, the City and the Housing Commission entered into a Second Amendment to the MOU to include additional ARPA funding, reflect federal and state changes in the administration guidelines, and to remove the \$5,000,000 of CDBG-CV to be reallocated to the City's CDBG unobligated fund for a future eviction prevention activity; and

WHEREAS, the City and the Housing Commission desire to further amend the MOU to include additional ARPA funding; NOW, THEREFORE,

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

1. The Housing Commission President & Chief Executive Officer (President & CEO), or designee, is authorized and directed to sign the Third Amendment to the Memorandum of Understanding between the City of San Diego and the San Diego Housing Commission for the Administration of the COVID-19 Housing Stability Assistance Program (Third Amendment) to provide emergency rental assistance and/or utility assistance to households in the City of San Diego with low income that experience financial hardship and allow additional related funds added to HSAP without further amendment to the MOU upon appropriation by the City of San Diego and budget approval by the Housing Authority of the City of San Diego (Housing Authority) for amounts in excess of \$500,000.

2. The Housing Commission is authorized to amend the Housing Commission Fiscal Year 2022 Budget for an amount not to exceed \$27,000,000 in ARPA funds allocated by the State of California to the City of San Diego to be administered by the Housing Commission for HSAP.

3. The President & CEO, or designee, is authorized to modify HSAP, if necessary, without further action by the Board of Commissioners of the Housing Commission (Housing Commission Board) or the Housing Authority, but only if and to the extent that such changes comply with the terms of the Third Amendment, are necessary to fulfill funding requirements, and comply with federal and state funding requirements.

4. The President & CEO, or designee, is authorized to substitute approved sources with any other available funds as deemed appropriate, contingent upon budget availability, without further action by the Housing Commission Board or the Housing Authority, but only if and to the extent funds are determined to be available for such purposes and upon the advice of Housing Commission General Counsel.

5. The President & CEO, or designee, is authorized to execute any documents and instruments that are necessary and appropriate to implement this Resolution, in a form approved by Housing Commission General Counsel, and to take such actions necessary and appropriate to implement these approvals without further action of the Housing Commission Board or the Housing Authority.

6. The Housing Commission staff will notify the Housing Authority and the San Diego City Attorney's Office about any subsequent amendments or modifications to the COVID-19 Housing Stability Assistance Program and other required documents, including amendments to any documents.

APPROVED: MARA W. ELLIOTT, General Counsel

By /s/ Hilda R. Mendoza
Hilda R. Mendoza
Deputy General Counsel

HRM:jep
11/10/2021
Or.Dept: SDHC
Doc. No.: 2813001

Passed and adopted by the Housing Authority of the City of San Diego on December 6, 2021, by the following vote:

	Yeas	Nays	Excused	Not Present
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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. **1931** passed and adopted by the Housing Authority of the City of San
Diego, California on December 6, 2021.

By:



Scott Marshall

Deputy Secretary of the Housing Authority
of the City of San Diego, California