



REPORT TO THE HOUSING AUTHORITY AND THE SAN DIEGO CITY COUNCIL

DATE ISSUED: June 30, 2021

REPORT NO: HAR21-015

ATTENTION: Chair and Members of the San Diego City Council and
the Housing Authority of the City of San Diego
For the Agenda of July 27, 2021

SUBJECT: Approval of an 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; Authorization for the San Diego Housing Commission to Accept and Expend Additional Funds from the Federal American Rescue Plan Act and State Coronavirus Relief Funds to Support the Program; and Approval of Related Actions

COUNCIL DISTRICT: Citywide

REQUESTED ACTION

Authorize an amendment to the Memorandum of Understanding between the San Diego Housing Commission (Housing Commission) and the City of San Diego (City) for the Housing Commission to continue to oversee and administer the City's COVID-19 Housing Stability Assistance Program with new funding and authorize the Housing Commission to accept and expend additional funds to administer the program.

STAFF RECOMMENDATION

That the Housing Authority of the City of San Diego (Housing Authority) take the following actions:

- 1) Authorize the San Diego Housing Commission (Housing Commission) to execute an amendment to the Memorandum of Understanding (MOU) between the Housing Commission and the City of San Diego for the Housing Commission to continue to oversee and administer the City of San Diego's COVID-19 Housing Stability Assistance Program with new funding to provide emergency rental assistance and/or utility assistance to households with low income in the City of San Diego that experience financial hardship;
- 2) Authorize the Housing Commission to amend its Fiscal Year 2022 budget in the amount of \$54,539,063.20 in federal American Rescue Plan Act (ARPA) funds allocated directly to the City of San Diego to be administered by the Housing Commission and an additional \$5,610,840.67 in federal funds allocated by the State of California to the City of San Diego through the State of California's Coronavirus Relief Fund to provide rental assistance and/or utility assistance to households with low income in the City of San Diego that experience financial hardship and to cover administrative expenses in accordance with federal and state funding requirements;

June 30, 2021

Authorization of an Amendment to the Memorandum of Understanding and Expenditure of Funds for the City of San Diego's COVID-19 Housing Stability Assistance Program

Page 2

- 3) Authorize the Housing Commission's President & CEO, or designee, to modify the COVID-19 Housing Stability and Assistance Program, if necessary, without further action by the Housing Commission's Board of Commissioners (Board) or the Housing Authority, but only if and to the extent that such changes comply with the terms of the executed amended MOU and are necessary to fulfill federal and state funding requirements;
- 4) Authorize the Housing Commission's President & CEO, or designee, to substitute approved funding sources with any other available funds as deemed appropriate, contingent upon budget availability, and further authorize the President & CEO, or designee, to take such actions as are necessary, convenient and/or appropriate to implement this approval and delegation of authority by the Housing Commission upon advice of the General Counsel; and
- 5) Authorize the Housing Commission's President & CEO, or designee, to execute all necessary documents and instruments that are necessary and/or appropriate to implement these approvals, in a form and format approved by General Counsel, and to take such actions necessary and/or appropriate to implement these approvals.

SUMMARY

On February 22, 2021, the City Council (Agenda Item No. 603; Resolution No. 313439) and Housing Authority (Report No. HAR21-010; Resolution No. HA-1900) authorized the City of San Diego COVID-19 Housing Stability Assistance Program (HSAP), which the Housing Commission administers, to provide rental assistance and/or utility assistance to households with low income experiencing financial hardship due to the ongoing COVID-19 pandemic.

The Housing Commission launched the online application portal for HSAP on March 15, 2021. As of July 1, 2021, 13,965 applications have been submitted and 12,146 additional applications have been started and are pending completion. The application remains open at covidassistance.sdhc.org, and additional applications are submitted daily.

The Housing Commission began disbursing payments in late April 2021 to help qualifying households. As of June 30, 2021, the Housing Commission has disbursed \$24,068,905.59 to assist 4,884 qualifying households. Additional payments are disbursed each weekday in accordance with the Housing Commission's posted operating hours.

Funding for HSAP included federal funds allocated directly to the City of San Diego from the U.S. Department of the Treasury and federal funds the State of California allocated to the City of San Diego, as approved in State Senate Bill (SB) 91, signed into law on January 29, 2021. In its February 22, 2021, approval, the Housing Authority authorized the expenditure of \$44,877,753.57 in federal funds the State allocated to the City, with a percentage of these funds to be expended on administrative costs. On June 23, 2021, the State transferred \$50,488,594.24 to the City of San Diego for HSAP, which included separate, additional funding for administrative expenses in addition to the block grant amount for assistance payments. As a result, the City of San Diego has received \$5,610,840.67 in additional funding from the state, for which the Housing Commission requests Housing Authority approval to expend on HSAP assistance payments and administrative expenses in accordance with State funding requirements.

Under the terms of SB 91, landlords may receive 80 percent of their tenants' arrears for the period of April 1, 2020, to March 31, 2021, if they agree to forgo the remaining 20 percent. They also may receive

June 30, 2021

Authorization of an Amendment to the Memorandum of Understanding and Expenditure of Funds for the City of San Diego's COVID-19 Housing Stability Assistance Program

Page 3

25 percent of rent for the months of April through June 2021. If a landlord declines this provision, the program can pay 25 percent of the tenants' arrears directly to the tenant and 25 percent of the tenant's upcoming monthly rent for the three months of April through June 2021.

In April and May 2021, the Housing Commission sent letters to the U.S. Department of the Treasury, California Governor Gavin Newsom and California State lawmakers, advocating updates to the State regulations that apply to HSAP. These recommended updates include allowing payments of 100 percent of tenants' rent arrears and 100 percent of prospective rent for the time periods specified in SB 91. On June 28, 2021, California Governor Gavin Newsom signed into law Assembly Bill (AB) 832, which allows programs like HSAP to pay 100 percent of past-due and prospective rent for qualifying households affected by the pandemic. AB 832 also extended the statewide eviction moratorium through September 30, 2021.

With the implementation of the updates from AB 832, the Housing Commission anticipates fully expending all of the Coronavirus Relief Funds allocated to HSAP to help current HSAP applicants. The Housing Commission would use any unexpended funds as well as additional funding to assist the additional households that submit new applications each day for help from HSAP. Funding regulations allow a longer period of time to expend \$5 million in federal Coronavirus Aid, Relief, and Economic Security (CARES) Act Community Development Block Grant (CDBG) funds previously awarded to the City of San Diego, so the expenditure of Coronavirus Relief Funds, with earlier deadlines, is being prioritized.

In March 2021, the U.S. Congress enacted ARPA, which President Joe Biden signed into law on March 11, 2021. The City of San Diego has received an allocation of \$54,539,063.20 in ARPA funds directly from the U.S. Department of the Treasury. These funds would support the continued operation of HSAP to help additional households that need help paying their rent and utilities to avoid being displaced from their homes.

Currently, City of San Diego renters cannot be evicted for nonpayment of rent due to COVID-19.

If the actions proposed in this report are approved, the Housing Commission will continue to administer HSAP pursuant to the proposed amended MOU between the Housing Commission and the City of San Diego and federal and state regulations.

In 2020, the Housing Commission administered the City of San Diego's COVID-19 Emergency Rental Assistance Program, which disbursed more than \$13.7 million in previously allocated federal funds to provide one-time payments to qualifying households, helping more than 3,700 low-income households in the City of San Diego pay their rent.

AFFORDABLE HOUSING IMPACT

With the authorization to expend \$54,539,063.20 in federal funds allocated directly to the City of San Diego and \$5,610,840.67 in additional federal funds allocated by the State of California to the City of San Diego, the City's COVID-19 Housing Stability Assistance Program will continue to help prevent housing displacement among low-income households. This program will help eligible households pay past-due, unpaid and prospective rent and past-due utilities due to financial hardship.

June 30, 2021

Authorization of an Amendment to the Memorandum of Understanding and Expenditure of Funds for the City of San Diego's COVID-19 Housing Stability Assistance Program

Page 4

EQUAL OPPORTUNITY/CONTRACTING/EQUITY ASSURANCE

The Housing Commission will continue to ensure the COVID-19 Housing Stability Assistance Program is implemented equitably and in accordance with the Nondiscrimination section of the HSAP Implementation Plan.

FISCAL CONSIDERATIONS

The funding proposed by this action was not included in the Housing Commission's Housing Authority-approved Fiscal Year 2022 Budget. Approving this action will authorize the Housing Commission to expend up to \$54,539,063.20 of federal American Rescue Plan Act (ARPA) funds allocated directly to the City of San Diego and \$5,610,840.67 in federal funds allocated by the State of California to the City of San Diego through the State of California's Coronavirus Relief Fund to oversee and administer the City of San Diego's COVID-19 Housing Stability Assistance Program.

Funding Sources

ARPA – Federal Allocation to the City of San Diego:	\$54,539,063.20
State Coronavirus Relief Fund Allocation	\$ 5,610,840.67
Total:	\$60,149,903.87

Funding Uses

COVID-19 Housing Stability Assistance Program Payments:	\$51,484,860.16
COVID-19 Housing Stability Assistance Program Administration:	\$ 8,665,043.71
Total:	\$60,149,903.87

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION

On October 13, 2020, the San Diego City Council unanimously approved the allocation of \$5,000,000 in Coronavirus Aid, Relief, and Economic Security (CARES) Act Community Development Block Grant (CDBG) funds to support the City of San Diego COVID-19 Emergency Rental Assistance Program (Resolution No. R-313256).

On December 8, 2020, due to technical difficulties, the San Diego City Council and the Housing Authority continued to December 15, 2020, a report requesting authorization to execute an amended MOU between the Housing Commission and the City of San Diego to continue the oversight and administration of the City's COVID-19 Emergency Rental Assistance Program and to take related actions.

On December 15, 2020, the San Diego City Council and the Housing Authority returned to staff a report requesting authorization to execute an amended MOU between the Housing Commission and the City of San Diego (City) to continue the oversight and administration of the City's COVID-19 Emergency Rental Assistance Program and to take related actions.

On February 22, 2021, the San Diego City Council (Agenda Item No. 603; Resolution No. 313439) and Housing Authority (Report No. HAR21-010; Resolution No. HA-1900) authorized the City of San Diego COVID-19 Housing Stability Assistance Program (HSAP), which the Housing Commission administers, to provide emergency rental assistance and/or utility assistance to households with low income experiencing financial hardship due to the ongoing COVID-19 pandemic.

June 30, 2021

Authorization of an Amendment to the Memorandum of Understanding and Expenditure of Funds for the City of San Diego's COVID-19 Housing Stability Assistance Program

Page 5

KEY STAKEHOLDERS and PROJECTED IMPACTS

Stakeholders for this project include households with low income in the City of San Diego experiencing financial hardship due to the COVID-19 pandemic, landlords and property owners for these households, and the Housing Commission. This action is expected to have a positive impact on the community by helping qualifying households pay past-due or upcoming rent and utilities to assist with preventing housing displacement.

ENVIRONMENTAL REVIEW

This activity is not a project as defined by the California Environmental Quality Act (CEQA) Section 21065 and CEQA Guidelines Section 15378(b)(5), as it is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment. 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.

Federal funds constitute a portion of the funding for the project. A final reservation of federal funds shall occur only upon satisfactory completion of environmental review and receipt by the City of San Diego of a release of funds from the U.S. Department of Housing and Urban Development under 24 CFR Part 58 of the National Environmental Policy Act (NEPA). The parties agree that the provision of any federal funds to the project is conditioned on the City of San Diego's determination to proceed with, modify or cancel the project based on the results of subsequent environmental review under NEPA. Final NEPA approval from the City of San Diego was obtained on June 28, 2021.

Respectfully submitted,

Azucena Valladolid

Azucena Valladolid
Executive Vice President
Rental Assistance & Workforce Development
San Diego Housing Commission

Approved by,

Jeff Davis

Jeff Davis
Deputy Chief Executive Officer
San Diego Housing Commission

Attachment: Draft Amended Memorandum of Understanding

Docket materials are available in the "Governance & Legislative Affairs" section of the San Diego Housing Commission website at www.sdhc.org.

**FIRST AMENDMENT TO
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**

This First Amendment to 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 ("**First Amendment**") is dated as of _____, **2021**, for reference purposes only, and is entered into by and between the CITY OF SAN DIEGO, a municipal corporation ("**City**"), and the SAN DIEGO HOUSING COMMISSION, a public agency ("**Commission**"). City and Commission are sometimes referred to in this First Amendment, each individually, as a "**Party**" or, collectively, as the "**Parties**." This First Amendment is entered into by City and Commission with reference to the following recited facts (each, a "**Recital**"):

RECITALS

WHEREAS, on or about February 22, 2021, the City Council and the Housing Authority approved resolutions HA-1900 and R-313439, authorizing the City and Commission to enter into a Memorandum of Understanding for the administration of the COVID-19 Housing Stability Assistance Program ("**HSAP MOU**") and authorizing the transfer of \$92,211,316.57, which consists of \$42,333,563 in Coronavirus Relief Funds allocated directly to the City, \$44,877,753.57 in federal funds allocated by the State of California ("**State**") to the City minus \$683,417.57 in administrative costs retained by the State, and \$5,000,000 of CDBG-CV funds from the City to the Commission; and authorizing the Commission to accept and expend those funds to administer the COVID-19 Housing Stability Assistance Program ("**HSAP Program**").

WHEREAS, on March 12, 2021, the City and Commission entered into the HSAP MOU to provide for the administration of the HSAP Program to provide emergency rental and utility assistance for persons experiencing hardships due to the COVID-19 pandemic.

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

WHEREAS, the City received an additional \$5,610,840.67 in Coronavirus Relief funds from the State that the City anticipates transferring to the Commission for administration of the HSAP Program.

WHEREAS, on June 28, 2021, California Governor Gavin Newsom signed into law Assembly Bill (“AB”) 832, which allows HSAP to pay 100 percent of past-due and prospective rent for qualifying households affected by the pandemic and also extended the statewide eviction moratorium through September 30, 2021.

WHEREAS, the Parties now desire to amend the HSAP MOU to include additional federal funding allocated to the City from State and the ARPA and the AB 832 guidelines.

NOW, THEREFORE, City and the Commission agree to amend the terms of the HSAP MOU as follows:

1. **Incorporation of Recitals.** The Recitals set forth above are true and correct and are incorporated into this First Amendment by this reference, as though fully set forth in this First Amendment.
2. **City Responsibility Modifications.** HSAP MOU Section C.1. is hereby deleted and replaced in its entirety with the following:
 1. Payment of funds for the Operation of the HSAP Program. The City shall provide the following funding for the administration of the HSAP Program as set forth herein:

<u>Funding Source</u>	<u>Dollar Amount*</u>
<u>Coronavirus Relief Fund – Federal Allocation to the City of San Diego</u>	<u>\$42,333,563.02</u>
<u>Coronavirus Relief Fund – State Allocation to the City of San Diego</u>	<u>\$44,877,753.57</u>
<u>CARES Act CDBG Funds – Federal Allocation to the City of San Diego</u>	<u>\$ 5,000,000.00</u>
<u>Additional Coronavirus Relief Fund – State Allocation to the City</u>	<u>\$ 5,610,840.67</u>
<u>ARPA</u>	<u>\$54,539,063.20</u>
<u>TOTAL</u>	<u>\$152,361,220.46</u>

*includes admin

3. **Acknowledgement of Funding Sources Modifications.** HSAP MOU Section E is hereby amended to add the American Rescue Plan Act of 2021 as a funding source. Guidelines and regulations relating to ARPA are hereby incorporated into Section E of the HSAP MOU. All other portions of Section E of the HSAP MOU remain unchanged and are in full force and effect.
4. **Amendment To Exhibit A, HSAP Program Guidelines.** Exhibit A to the HSAP MOU is hereby deleted and replaced in its entirety with the Exhibit A attached to this First Amendment.

5. **Confirmation of MOU.** The HSAP MOU, as amended by this First Amendment, is in all respects confirmed and all of the terms, provisions and conditions of the MOU, as amended by this First Amendment, shall be and remain in full force and effect.

6. **Entire MOU.** The HSAP MOU, as amended by this First Amendment, represents the entire understanding between the Parties as to the subject matter of the HSAP MOU, as so amended.

7. **Counterparts.** This First Amendment may be signed by the authorized representatives of the Parties in multiple counterpart originals (including facsimile or electronic counterpart originals), each of which shall be deemed an original, and all such counterpart originals, when taken together, shall constitute one agreement.

8. **Principles of Interpretation.** No inference in favor of or against any Party shall be drawn from the fact that such Party has drafted any part of this First Amendment. The Parties have both participated substantially in the negotiation, drafting, and revision of this First Amendment, with advice from legal and other counsel and advisers of their own selection. A word, term or phrase defined in this First Amendment may be used in the singular, plural, past tense or future tense, regardless of how it is defined, all in accordance with ordinary principles of English grammar, which shall govern all language in this First Amendment. The words "include" and "including" in this First Amendment shall be construed to be followed by the words: "without limitation." Every reference to any document, including this First Amendment, refers to such document, as modified from time to time (excepting any modification that violates the HSAP MOU), and includes all exhibits, schedules, addenda and riders to such document. Every reference to a law, statute, regulation, order, form or similar governmental requirement in this First Amendment refers to each such requirement as amended, modified, renumbered, superseded or succeeded, from time to time.

9. **Governing Law.** The procedural and substantive laws of the State of California shall govern the interpretation and enforcement of this First Amendment, without application of conflicts of laws principles or statutes.

10. **Binding on Successors and Assigns.** This First Amendment shall be binding upon and inure to the benefit of the Parties and their respective legal representatives, successors and assigns.

11. **No Other Representations or Warranties.** Except as expressly set forth in this First Amendment, no Party makes any representation or warranty material to this First Amendment to any other Party.

12. **Incorporation of Defined Terms.** All terms, phrases and words indicated to be defined terms by initial capitalization in this First Amendment that are not specifically defined in this First Amendment (if any) shall have the meaning ascribed to the same term, phrase or word in the HSAP MOU.

[Remainder of page intentionally blank. Signatures on following page.]

**SIGNATURE PAGE
TO**

**FIRST AMENDMENT TO 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**

IN WITNESS WHERE OF, City and Commission sign and enter into this First Amendment, by and through the signatures of their respective authorized representatives, as follow:

CITY:

The City of San Diego, a
municipal corporation

COMMISSION:

San Diego Housing Commission, a public
body

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

MARA W. ELLIOTT
City Attorney

CHRISTENSEN & SPATH LLP
A California Limited Liability Partnership

By: _____
Marguerite Middaugh
Deputy City Attorney

By: _____
Charles B. Christensen
General Counsel

**FIRST AMENDMENT TO
EXHIBIT A
FOR THE ADMINISTRATION OF THE COVID-19 HOUSING STABILITY
ASSISTANCE PROGRAM**

The City of San Diego Housing Stability Assistance Program (HSAP) will help pay rent and utilities for households with low income (up to 80 percent of San Diego's Area Median Income [AMI]). Under the State's requirement, the program would prioritize: below 50 percent of AMI or unemployed for 90 days. Rental arrears must be prioritized.

HSAP will allow landlords to receive 100 percent of their eligible tenants' arrears for the period beginning April 1, 2020 plus 100 percent of prospective rent, with a combined maximum of 18 months including any previous assistance received through HSAP using Coronavirus Relief Funds.

In addition to rental assistance, the COVID-19 Housing Stability Assistance Program will include assistance to pay for past-due, unpaid utilities, such as electricity, gas, water and sewer, trash removal, internet and energy costs, such as fuel oil. Utilities paid by the landlord are considered rent.

To be eligible for assistance through the City of San Diego COVID-19 Housing Stability Assistance Program, households must meet the following criteria:

- Tenant has a City of San Diego address.
- Household income is at or below 80 percent of AMI, with priority for households at or below 50 percent of AMI. (The U.S. Department of Housing and Urban Development establishes the AMI levels each year; 80 percent of AMI is currently \$92,400 per year for a family of four.)
- Household has an obligation to pay rent.
- At least one member of the household has a reduction of income or other financial hardship due to, or during the COVID-19 pandemic.
- Household experienced or is at risk of experiencing homelessness or housing instability.

The Commission will administer the Housing Stability Assistance Program pursuant to this HSAP MOU between the Commission and the City, the Implementation Plans as agreed to by both Parties, and federal and state regulations. An online application portal will be available on the Commission's website for residents to apply and submit required documents. The Commission will also be contracting with community-based organizations to help with community outreach and to assist households with their applications, especially those without internet access. The Commission anticipates continuing to contract with 211 San Diego to provide customer service and application assistance to households seeking information or assistance from the Housing Stability Assistance Program.

HOUSING AUTHORITY OF
THE CITY OF SAN DIEGO

RESOLUTION NUMBER HA-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SAN DIEGO APPROVING AN 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, in response to the COVID-19 pandemic, on February 22, 2021, the Council of the City of San Diego (City Council) pursuant to City Council Resolution No. R-313439, and the Housing Authority of the City of San Diego (Housing Authority) pursuant to Housing Authority Resolution No. 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, the City of San Diego (City) received initial funding for HSAP from the U.S. Department of Treasury in the amount of \$42,333,563 and an additional \$44,877,753.57 in COVID-19 relief, as approved by Senate Bill (SB) 91; and

WHEREAS, SB 91 provides the following options: landlords may receive 80 percent (80%) of tenants' arrears for the period of April 1, 2020 through March 31, 2021 if the remaining twenty percent (20%) is forgiven; 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, California Governor Gavin Newsom signed Assembly Bill (AB) 832 into law on June 28, 2021, allowing HSAP to pay one-hundred percent (100%) of past due and prospective rent for qualifying households affected by the 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 anticipates transferring to the Housing Commission for administration of HSAP; and

WHEREAS, the City and the Housing Commission entered into a Memorandum of Understanding (MOU) for the Housing Commission to administer HSAP and abide by federal and state requirements; and

WHEREAS, the City and the Housing Commission desire to amend the MOU to reflect the programmatic changes from AB 832 and allow the Housing Commission to provide continued administration of HSAP (Amendment); 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 Amendment.
2. The Housing Commission is authorized to amend the Housing Commission Fiscal Year 2022 Budget for an amount not to exceed \$60,149,903.87 in ARPA funds and Coronavirus Relief funds, as allocated by the City for HSAP.

3. The President & CEO, or designee, is authorized to modify HSAP, if necessary, without further action by the Board of Commission of the Housing Commission (Housing Commission Board) or the Housing Authority of the City of San Diego (Housing Authority), but only if and to the extent that such changes comply with the terms of the 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 funding 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.

APPROVED: MARA W. ELLIOTT, General Counsel

By _____
Katherine A. Malcolm
Deputy General Counsel

KAM:soc
07/14/2021
Or.Dept: SDHC
Doc. No.: 2709633



The City of San Diego
Item Approvals

Item Subject: Approval of an 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; Authorization for the San Diego Housing Commission to Accept and Expend Additional Funds to Support the Program; and Approval of Related Actions.

Contributing Department	Approval Date
DOCKET OFFICE	07/09/2021
FINANCE	07/14/2021

Approving Authority	Approver	Approval Date
HOUSING COMMISSION FINAL DEPARTMENT APPROVER	MARSHALL, SCOTT	07/08/2021
CITY ATTORNEY	MALCOLM, KATE	07/14/2021
EXECUTIVE VICE PRESIDENT	DAVIS, JEFF	07/14/2021