

MINUTES

**SAN DIEGO HOUSING COMMISSION
MINUTES OF THE REGULAR MEETING
MAY 15, 2009, 9:00 AM
SMART CORNER
SAN DIEGO, CALIFORNIA**

ATTENDANCE

Present were Chair Sal Salas and Commissioners Jennifer Adams-Brooks, Sam Guillen, Gary Gramling and Allen Sims. Also present were Chuck Christensen, General Counsel and President and CEO Richard Gentry. Commissioner Khadija Basir was absent.

10 CALL TO ORDER

Chair Salas called the meeting to order at 9:08 a.m.

20 PUBLIC COMMENT

None

30 COMMISSIONER COMMENT

Chair Salas commented on his recent trip to the annual PNWRC (Pacific Northwest West Region Chapter of NAHRO) Conference in Idaho, stating he gave a presentation on Opting Out of Public Housing and that it was a good conference.

40 REPORT BY PRESIDENT & CHIEF EXECUTIVE OFFICER

Mr. Gentry introduced and welcomed Maria Velasquez as the Vice President of Communications. Mr. Gentry mentioned that the City of San Diego will be receiving about \$9.4 million dollars from the Neighborhood Stabilization Program (NSP) and a news conference was being held today. He stated that in addition the Housing Commission will be applying for additional funding; and that the NSP II application is due July 17, 2009. He also mentioned that the Housing Commission recently applied for Standards and Poor rating, an on-site visit was recently held and the rating is due next month. He stated that the preliminary comments were very good and will come back to the board in June or July with the rating.

50 APPROVAL OF THE MINUTES

MOTION BY GUILLEN TO APPROVE THE FEBRUARY 20, 2009 REGULAR MEETING MINUTES. SECONDED BY GRAMLING AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH BASIR ABSENT.

CONSENT AGENDA

MOTION BY GUILLEN TO APPROVE THE FOLLOWING ITEMS ON CONSENT:

103 HCR09-045 Contract for Legal Services (General Counsel) (Citywide)

Recommendations:

- 1) That the Housing Commission seek Housing Authority approval of a three-year legal services contract with the law firm of Christensen & Spath (Attachment 1). The contract includes an option to renew for up to two additional one-year periods.
- 2) That the Housing Commission seeks Housing Authority authorization 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. Upon approval by the Housing Authority, authorize the President and Chief Executive Officer to make such modifications as necessary and provide a report to the Board on a periodic basis. Modifications will be limited to the amount budgeted in legal reserves.

104 HCR09-044 Architectural Services for Design and Construction Monitoring at the Smart Corner (District 2)

Recommendations:

- 1) That the Housing Commission approves the A/E contract to Davis Davis Architects, Inc. in an amount not to exceed \$70,000 for the design and construction monitoring of the Economic Development Academy/Housing Help Here spaces at the Smart Corner.
- 2) Authorize that the President and Chief Executive Officer or designee be authorized to execute contract documents, in a form approved by General Counsel, and all necessary documents.

SECONDED BY GRAMLING AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH BASIR ABSENT.

ACTION AGENDA

100 HCR09-047 Election of Housing Commission Officers and Standing Committees

MOTION BY GUILLEN TO APPROVE HOUSING COMMISSIONERS SELECTION OF OFFICERS AND COMMITTEE MEMBERS FOR ALL VACANT POSITIONS FOR THE REMAINDER OF THE CALENDAR YEAR 2009. SECONDED BY GRAMLING AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH BASIR ABSENT.

101 HCR09-046 Award of Contract for Exterior Improvements at Various Housing Commission Sites (District 2 & 3)

Project Manager Maucell Grisham gave a staff report.

Commissioners asked various questions regarding prevailing wages, tenant relocations and completion timelines.

MOTION BY GUILLEN TO APPROVE THE FOLLOWING RECOMMENDATIONS: 1) APPROVE THE AWARD OF A CONTRACT TO INDUSTRIAL COATING AND RESTORATION SERVICE, INC., IN THE AMOUNT OF \$128,500 FOR EXTERIOR IMPROVEMENTS AT VARIOUS HOUSING COMMISSION SITES LOCATED IN THE CITY OF SAN DIEGO; AND 2) AUTHORIZE THE PRESIDENT & CHIEF EXECUTIVE OFFICER OR DESIGNEE TO EXECUTE THE CONTRACT (ATTACHMENT 1) AND EXPEND UP TO A TEN PERCENT CONTINGENCY (\$12,850) IF NECESSARY, FOR ITEMS NOT ANTICIPATED IN THE ORIGINAL SCOPE OF WORK. SECONDED BY GRAMLING AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH BASIR ABSENT.

102 HCR09-035 REVISION TO STATEMENT OF PROCUREMENT POLICY (203.100)

Project Manager Pat Zamora gave a staff report.

Commissioners asked questions regarding HUD guidelines for procurement policies.

MOTION BY SIMS TO APPROVE THE AMENDMENT TO PO203.100 STATEMENT OF PROCUREMENT POLICY. SECONDED BY GUILLEN AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH BASIR ABSENT.

105 HCR09-033 Amendment and Additional Funding of Contracts to Provide Professional Services for the Commission's Development of Additional Affordable Housing (Citywide)

Supervising Project Manager Wendy DeWitt gave a staff report.

MOTION BY ADAMS-BROOKS TO APPROVE ADDITIONAL FUNDING TO THE FOLLOWING FIRMS, IN THE AMOUNTS INDICATED, FOR THE TERMS INDICATED, TO ENABLE THE FIRMS TO CONTINUE PROVIDING PREVIOUSLY CONTRACTED SERVICES TO THE HOUSING COMMISSION AND ASSIST STAFF

IN THE ANALYSIS AND SELECTION OF ADDITIONAL AFFORDABLE HOUSING UNITS UNDER THE COMMISSION'S AFFORDABLE HOUSING DEVELOPMENT PROGRAM. SECONDED BY SIMS AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH BASIR ABSENT.

106 HCR09-032 Affordable Housing Fund Fiscal Year 2010 Annual Plan (Citywide)

Program Analyst Lisa Wolf gave a staff report.

Commissioner asked numerous questions regarding the allocation of funds to the various programs.

Chair Salas asked that voting on this item be tabled until after Item 107 was heard.

MOTION BY GRAMLING TO APPROVE AND FORWARD THE ANNUAL PLAN, TO CITY COUNCIL FOR APPROVAL WITH INSTRUCTION ON ATTACHMENT 1 THAT \$100,000 BE MOVED FROM REHABILITATION TO HOMEOWNERSHIP. SECONDED BY SIMS AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH BASIR ABSENT.

107 HCR09-036 Proposed Fiscal Year 2010 Budget

Executive Vice President and COO Carrol Vaughan gave a staff report.

MOTION BY ADAMS-BROOKS TO APPROVE THE FOLLOWING RECOMMENDATIONS: 1) HOUSING COMMISSION AND HOUSING AUTHORITY ADOPTION OF THE \$279.4 MILLION FY10 PROPOSED ACTIVITY BASED BUDGET (ATTACHMENT 1); 2) HOUSING AUTHORITY DELEGATION TO THE HOUSING COMMISSION TO AMEND THE FY10 BUDGET FOR AMOUNTS UP TO \$250,000 CONSISTENT WITH PRIOR DELEGATION OF THE HOUSING AUTHORITY AND WITH ADOPTED POLICIES, PROGRAMS AND ACTIVITIES. NOTE: THE EXCEPTION TO THE \$250,000 LEVEL IS POLICY 300.103, REAL ESTATE ACQUISITION POLICY. ON MARCH 24, 2009 THE HOUSING AUTHORITY DELEGATED AUTHORITY TO THE HOUSING COMMISSION BOARD AND THE PRESIDENT AND CEO TO FINANCE, ACQUIRE AND CREATE ADDITIONAL AFFORDABLE HOUSING UNITS, SUBJECT TO THE HOUSING AUTHORITY REVIEW; AND 3) HOUSING COMMISSION CONTINUED DELEGATION OF AUTHORITY TO THE PRESIDENT & CEO TO AMEND THE FY10 BUDGET FOR AMOUNTS UP TO \$100,000 CONSISTENT WITH POLICIES, PROGRAMS AND ACTIVITIES APPROVED BY THE HOUSING COMMISSION AND HOUSING AUTHORITY. SECONDED BY GUILLEN AND CARRIED ON A UNANIMOUS VOTE OF 5-0 WITH BASIR ABSENT.

CLOSED SESSION

The San Diego Housing Commission convened in closed session.

- a. Conference with Legal Counsel-Existing Litigation pursuant to subdivision (c) of 54954.5 Government Code and subdivision (a) of Section 54956.9:

San Diego Housing Commission v. Mohamad Mahboodi
San Diego Superior Court, Case No. 37-2008-00078385-CU-OR-CTL

In re Mohamad J. Mahboodi
United States Bankruptcy Court, Southern District of California
Bankruptcy Petition No. 09-04348-JM13

DIRECTIONS TO COUNSEL CONCERNING RESOLUTION OF THE CASES BY A VOTE OF 5-0.

- b. Conference with Legal Counsel-Anticipated Litigation pursuant to subdivision (c) of 54954.5 Government Code and subdivision (c) of Section 54956.9:

Anticipated litigation against the California Department of Transportation.

DIRECTIONS TO COUNSEL CONCERNING FILING OF ANTICIPATED LITIGATION AS NECESSARY BY A VOTE 5-0.

- c. Conference with Legal Counsel-Existing Litigation pursuant to subdivision (c) of 54954.5 Government Code and subdivision (a) of Section 54956.9:

Abdulali Ali v. San Diego Housing Commission
San Diego Superior Court, Case No. 37-2008-00096873-CU-WM-CTL

INFORMATIONAL ONLY. NO ACTION WAS TAKEN.

- d. Conference with Legal Counsel-Anticipated Litigation pursuant to subdivision (c) of 54954.5 Government Code and subdivision (c) of Section 54956.9:

Anticipated Litigation against EV, LLC, EV II, LLC, LB PPD LLC and/or PPD San Diego Project Owner I.

DIRECTIONS TO COUNSEL BY A VOTE OF 5-0.

- e. Negotiation with Real Property Negotiator pursuant to subdivision (b) of 54954.5 Government Code and Section 54956.8:

DIRECTIONS TO REAL ESTATE NEGOTIATOR BY A VOTE OF 5-0.

ADJOURNMENT

Chair Salas adjourned the regular meeting at 1:00 p.m.

Respectfully submitted,



Angie Risotti

Executive Assistant to the President and CEO

Approved by,



Richard C. Gentry
President and CEO