

## **HOUSING COMMISSION AGENDA**

**SAN DIEGO HOUSING COMMISSION  
REGULAR MEETING AGENDA  
FEBRUARY 19, 2010, 9:00 A.M.  
SMART CORNER  
4<sup>TH</sup> FLOOR CONFERENCE ROOM  
1122 BROADWAY  
SAN DIEGO, CALIFORNIA**

**Assistance for the Disabled:** Agendas, reports and records are available in alternative formats upon request. Please call the Housing Commission Docket Coordinator at least five days prior to the meeting at **578-7564 (voice) or 398-2440 (TTY)**.

**Questions Regarding Agenda Items:** For specific questions regarding any item on the Housing Commission agenda, please contact **Lisette Diaz at 578-7564**. Internet access to agendas and reports is available at <http://sdhc.net/CommissionAgenMinRpts.shtml>.

### **ITEMS**

#### **10     CALL TO ORDER**

Commissioners Jennifer Adams-Brooks, Khadija Basir, Gary Gramling, Sam Guillen, Allen Sims, Roberta Spoon and Jim Waring

#### **20     PUBLIC COMMENT**

At this time individuals may address the Commission on any subject in its area of responsibility on any matter not presently pending before the Commission. Communications are limited to three minutes. Pursuant to the Brown Act, the Commission can take no action. Please fill out a **SPEAKER REQUEST FORM** and submit it to the secretary prior to the meeting.

#### **30     COMMISSIONER COMMENTS**

#### **40     REPORT BY THE PRESIDENT AND CHIEF EXECUTIVE OFFICER**

#### **ADOPTION AGENDA – CONSENT**

Members of the public may cause an item to be pulled from the Consent Agenda by submitting a Speaker Request Form prior to the meeting. The item will then be discussed separately and public testimony taken.

100    **HCR10-023**    Award of Contract for Architectural/Green Sustainability Consulting Services

**Recommendations:**

- 1) That the Housing Commission approve the architectural services contract to Carrier Johnson, Inc. in the amount of \$99,400 for the creation of architectural green/energy sustainability standards for the Housing Commission's programs.
- 2) Authorize the President and Chief Executive Officer or designee to execute the contract with Carrier Johnson, Inc. in a form approved by General Counsel substantially similar to the form appearing as Attachment No. 1, including all other necessary documents.

101    **HCR10-024**    Agreement Between the City Redevelopment Agency and Housing Commission for the Lead Safe San Diego Program

**Recommendation:** That the Housing Commission recommend the Housing Authority take the following actions:

1. Approve an agreement between the Agency and Commission for Commission's administration of \$150,000 of Low and Moderate Income Housing Set Aside Funds pursuant to the Program terms and conditions; and
2. Authorize President and Chief Executive Officer of the Housing Commission, or designee, to execute such agreement and any and all related documents with the Agency.

102    **HCR10-029**    Establish a Standing Real Estate Committee

**Recommendation:** That the Commission Board establish an advisory Real Estate Standing Committee and appoint members of that Committee, including but not limited to Commissioners, to serve for the calendar year 2010, or until further action by the Board, as the Board may determine to deal with estate finance, acquisitions, dispositions, and other real estate matters.

103    **HCR10-033**    Increased Loan for Arbor Crest Apartments (Council District 3)

**Recommendations:** That the Board of Commissioners recommends that the Housing Authority of the City of San Diego approve the following:

1. A \$2,487,000 residual receipts loan to Florida Street Housing Associates, L.P. as gap financing for the development of 83 units of affordable rental housing. This is in addition to the original permanent loan of \$4,900,000 which was used by the developer to

acquire the land and brings the total loan amount to \$7,387,000.

2. Authorization for the President and Chief Executive Officer of the Housing Commission, or designee, to execute necessary documents, including amending, if necessary, the affordability matrix contained in the existing Declaration of Covenants, Conditions and Restrictions recorded with the original Housing Commission Loan.

**104     HCR10-020     Family Justice Center Lease Arrangements/Authorization to complete Tenant Improvements at Smart Corner (District 2)**

**Recommendations:** That the HC recommends that the Housing Authority authorize the President and Chief Executive Officer (CEO) of the SDHC to take the following actions:

- 1) Execute lease documents between the SDHC and the City of San Diego for the FJC, for the entire second floor office space at the Smart Corner building in a form that substantially conforms with Attachment 1. The lease would have a ten year initial term and two (2) five year options to renew.
- 2) Execute construction and furniture supply contracts to complete tenant improvements for the Housing Opportunities Collaborative (HOC) and Economic Development Academy (EDA) on the first floor in an amount not to exceed One Million Eight Hundred Seventeen Thousand Eight Hundred Three and No/100 Dollars (\$1,817,803).
- 3) Execute construction and furniture supply contracts to complete tenant improvements on the second floor for FJC in an amount not to exceed One Million Five Hundred Fifty Five Thousand One Hundred Twenty and No/100 Dollars (\$1,555,120).
- 4) Perform such other acts and execute such other documents as are necessary to finalize the lease, complete the construction and pay real estate commissions to Studley, the City's broker, and to CB Richard Ellis as referenced within the lease agreement and the commission agreements between the parties, upon the final approval of the lease by the Housing Authority and the City Council.

**105     HCR10-117     Proposed San Diego Housing Commission Real Estate Disposition Policy**

**Recommendation:** That the Board of Commissioners of the San Diego Housing Commission (the "Board of Commissioners") recommend approval to both the City Council and the Housing Authority of a new Housing Commission Disposition Policy. The proposed policy will expedite the sale and/or disposition of single family homes and condominium units by vesting the President and Chief Executive Officer (CEO) of the Housing

Commission with the authority to sell or otherwise dispose of single family homes or condominium units without waiting for approval from the Commission's Board of Commissioners or the Housing Authority. These actions by the CEO are subject to review by both the Board of Commissioners and the Housing Authority of the City of San Diego (the "Housing Authority").

106    **HCR10-004**    Hotel Churchill Time Extension Request and Request for Subordination to New Debt (Council District 2)

**Recommendations:** That the Housing Commission approves the following:

1. Retroactively, a five day time extension to February 19, 2010, the date of the Commission meeting.
2. A 30-day time extension to allow the Owner additional time to obtain funding for the rehabilitation work or deny the Owners time extension request.

**CLOSED SESSION**

It is anticipated that the San Diego Housing Commission will convene in closed session on Friday, February 19, 2010 at 9:00 a.m. with the following agenda:

- I.     **Announcement by Counsel of the Matters to be discussed in Closed Session and the basis upon which each will be discussed, as referenced within the Brown Act, including the introduction, identification and designation of labor negotiators as referenced in Item IV c. below.**
- II.    **Public Testimony and Comment, if any, concerning any matter on the Closed Session Agenda.**
- III.   **Commissioner public comments, if any.**
- IV.    **Commission will convene in closed session to consider the following agenda:**
  - a.    **Conference with Legal Counsel - Pending Litigation pursuant to subdivision (a) of 54954.5 Government Code and subdivision (a) of Section 54956.9:**

*San Diego Housing Commission v. J&J Properties, LLC*  
San Diego Superior Court, Case No. GIC-858807

*J&J Properties, LLC v. San Diego Housing Commission*

**San Diego Superior Court, Case No. GIC-858800**

**Counsel's Description of General Nature of Closed Session:**  
**Counsel will seek direction.**

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

*Number of cases: Three (3) or more*

**Counsel's Description of General Nature of Closed Session:**

**The Commission will discuss potential exposure to litigation based on existing facts and circumstances arising out of the application for variance and/or waiver of the inclusionary housing requirements to a condominium conversion project and a separate matter dealing with an employment dispute with an existing employee and a third matter dealing with the Chollas Creek Project.**

- c. **Conference with Labor Negotiators-Pursuant to Government Code Section 54957.6:**

**Agency Representatives: Rick Gentry, Carrol M. Vaughan, Terry Whitesides, Tina Holmes and/or Charles B. Christensen for the San Diego Housing Commission**

**Employee Organization: Social Services Union, Local 221, AFL-CIO**

**Counsel's Description: Labor Negotiator will seek direction from the Commission concerning labor negotiations.**

**V. Announcement of Actions Taken in Closed Session.**

**VI. Adjournment.**

**INFORMATIONAL REPORTS**

- HCR10-030**    Second Quarter FY 2010 Investment Report
- HCR10-031**    Renewal of Banking Services Contract
- HCR10-025**    Activity Performance Report – Second Quarter FY 2010 (Citywide)
- HCR10-022**    Multifamily Bond Program - Annual Status Report for Calendar Year 2009
- HCR10-028**    Hotel Sandford - Proforma Update