



SAN DIEGO
HOUSING
COMMISSION

Regular Housing Commission Meeting of
January 20, 2012

AGENDA

**SAN DIEGO HOUSING COMMISSION
REGULAR MEETING AGENDA
JANUARY 20, 2012, 9:00 A.M.
SMART CORNER
4TH 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 **619.578.7547 (voice) or 619.398.2440 (TTY)**.

Questions Regarding Agenda Items: For specific questions regarding any item on the Housing Commission agenda, please contact **Pari Ryan 619.578.7547**. Internet access to agendas and reports is available at www.sdhc.org/Media-Center/SDHC-Meetings/Housing-Commission-Meetings/.

ITEMS

10 CALL TO ORDER

Commissioners Khadija Basir, Gary Gramling, Sam Guillen, Ben Moraga, 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 & 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



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public testimony taken.

50 APPROVAL OF THE MINUTES

December 9, 2011 Regular Meeting

100 HCR12-001 Award of Contract for Sound Attenuation and Energy Efficiency Upgrades at Maya Apartments

1. That the Housing Commission recommend that the Housing Authority approve the award of a construction contract to Stronghold Engineering in the amount of \$2,291,027 for Sound Attenuation and Energy Efficiency Upgrades at Maya Apartments, a Housing Commission-owned property.
2. Following final approvals of the contract award by the Housing Commission, authorize the President & Chief Executive Officer, or designee, to execute the contract (Attachment), in a form approved by General Counsel, and all necessary documents, and to expend up to ten percent contingency (\$229,103) if necessary, for items not anticipated in the original scope of work. Authorize the President and Chief Executive Officer, or designee, to perform such acts as are necessary to implement these approvals.

101 HCR12-003 Juniper Gardens Loan Request

That the San Diego Housing Commission (“Housing Commission”) and Housing Authority of the City of San Diego (“Housing Authority”):

1. Approve a residual receipts loan to Wakeland in an amount up to \$2,844,132 to be used as gap financing for the rehabilitation of 39 units of affordable rental housing and one manager’s unit, contingent upon Wakeland obtaining all necessary third-party funding commitments, including 9 percent tax credits.
2. Authorize the President & Chief Executive Officer of the Housing Commission, or designee:
 - a. To execute all necessary documents and instruments to effectuate the transaction and implement the project, in a form approved by General Counsel; and
 - b. To adjust financing terms/conditions as necessary for consistency with requirements of other funding sources or to accommodate market changes, not to exceed the maximum Housing Commission loan amount of \$2,844,132.



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102 HCR12-016 Application for Mortgage Credit Certificate Allocation

Housing Commission recommends the Housing Authority approve the submission of an application and pay required deposits to the California Debt Limit Allocation Committee (“CDLAC”) for up to a \$25 million MCC allocation during calendar year 2012.

103 HCR12-017 Proposed Fiscal Year 2012 Budget Revision

Housing Commission recommends the Housing Authority approve the following revisions to the Fiscal Year 2012 Homeownership budget for the purchase of foreclosed properties under the Neighborhood Stabilization Program (“NSP”) and authorizes the President and Chief Executive Officer to revise the budget to include program income funds generated through the resale of these acquisitions for first time homebuyers, rehabilitation, additional acquisitions and administrative costs. The revisions to the Homeownership activities are:

1. The addition of \$242,505 of NSP carryover and payoff funds to site acquisition;
2. The transfer of \$168,561 from loans and grants to site acquisition; and
3. The transfer of \$555,188 of excess NSP administrative funds from reserves to site acquisition.

104 HCR12-018 Grant Application Ratification – HUD Lead-Based Paint Hazard Control Grant

That the San Diego Housing Commission (“Housing Commission”) Board ratifies:

1. Submittal of an application, due January 18, 2012, in response to HUD’s 2012 Notice of Funding Availability (“NOFA”) for the three-year Lead-Based Paint Hazard Control Grant in the amount of \$2.5 million, and approve up to \$532,000 in matching funds from either Housing Commission local funds or in collaboration with third parties. Tentatively the Housing Commission has secured commitments of funds from the following:

Environmental Health Coalition	\$ 25,000
City of San Diego Code Enforcement	\$ 25,000
MAAC Project	\$ 25,000
Campesinos Unidos	\$ 25,000
Richard Heath & Associates	<u>\$ 75,000</u>
Total Committed to Date	\$175,000

2. The President & Chief Executive Officer, or designee, to execute all necessary documents to implement the grant(s); and
3. Amendment of the Fiscal Year 2012 budget to include the HUD funding, if awarded.



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105 HCR12-020 Assignment of Smart Corner Cricket Wireless Lease

That the President & Chief Executive Officer or designee be authorized to approve the assignment of the Smart Corner Cricket Wireless retail space lease from K & A Pacific, Inc. to Amistar, Inc., a California corporation, and to execute necessary assignment documents in a form approved by General Counsel to the San Diego Housing Commission (“Housing Commission”) and to perform such acts as are necessary and appropriate to implement this approval.

106 HCR12-002 Sustainability Guidelines

That the Housing Commission Board adopt the Sustainability Development Guidelines as presented.

107 HCR12-010 Ratifying the Actions of Housing Development Partners of San Diego (“HDP”) and Appoint Board Members

1. That the Housing Commission Board of Commissioners ratify HDP’s re-adoption of its original corporate bylaws adopted on July 16, 1990 as the operative bylaws of HDP;
2. That the Housing Commission Board of Commissioners recommend HDP amend Section 4.02(b) of HDP’s bylaws to require the two at-large directors be residents of the County of San Diego, instead of the City of San Diego and Section 8.01 to require that any amendment to the Bylaws that proposes a change in the method of nominating directors be approved by a two-thirds (2/3) vote of the Housing Commission Board of Commissioners;
3. That the Housing Commission Board of Commissioners confirm the appointment of Commission Chair Gramling, Commissioner Spoon, President & Chief Executive Officer Gentry, and Mr. Henderson; and
4. That the Housing Commission Board of Commissioners appoint Mr. Salas as an at-large member of HDP’s board of directors.

108 HCR12-011 Ratify the Actions of HDP Mason Housing Corporation and Appoint Board Members

1. That the San Diego Housing Commission Board of Commissioners ratify HDP Mason Housing Corporation’s adoption of corporate bylaws as adopted on December 8, 2011, as the operative bylaws of HDP Mason Housing Corporation;
2. That the San Diego Housing Commission Board of Commissioners confirm the appointment of Commission Chair Gary Gramling, Commissioner Roberta Spoon,



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President/Chief Executive Officer Mr. Richard Gentry, and Mr. Robert Henderson to the board of directors of HDP Mason Housing Corporation; and

3. That the Housing Commission Board of Commissioners appoint Mr. Sal Salas as the second at-large members of HDP Mason Housing Corporation's board of directors.

109 HCR12-014 San Diego Housing Commission's Business Systems Strategic Plan

1. Recommend approval of the Housing Commission's Business Systems Strategic Plan supporting the migration of PeopleSoft and Emphasys software to Yardi's Enterprise Management Software system Agency-wide.
2. Authorize the President & Chief Executive Officer ("CEO"), or designee, to execute a purchase agreement with Yardi, under a General Services Agreement (GSA) Schedule 70 contract, to expand the Housing Commission's existing Yardi Enterprise Management Software system and associated implementation services, as well as additional non-Yardi consultants/contractors/temps, for the Housing Commission at a one-time cost of \$1,657,475.
3. Approve an amendment to the FY12 budget in the amount of \$459,380, transferring the funds required from Reserves to Information Technology to support the additional right to use software licenses, migration, expansion and implementation of the Yardi system.
4. Authorize the President & CEO, or designee, to execute amendments/extensions in one-year increments for the Software License and Service Agreement (Purchase Agreement), as approved as to form by General Counsel, for a maximum of ten years of amendments/extensions, which compensation for amendments/extensions shall be based on the prior year's cost, plus an escalation percentage cap equal to the Consumer Price Index, and, if necessary, cost for an increase in additional SDHC units support, utilizing funds that have been approved through the Housing Commission and Housing Authority annual budget process.
5. Authorize the President & CEO, or designee, in a form approved by General Counsel, to execute all necessary documents to complete this action.
6. Authorize the President & CEO, or designee, to perform such actions as are necessary and/or appropriate to implement these approvals.

110 HCR12-021 Parker-Kier Rehabilitation Budget Modification

1. The Housing Commission recommends the Housing Authority approve a modification of a previously-approved rehabilitation budget from \$3,635,587 to \$3,903,889, a change of



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\$268,302, plus a contingency of 5 percent of the foregoing amount equal to \$195,195, totaling \$463,497, for increased construction costs as described in this Report.

2. Authorize the President & Chief Executive Officer (“CEO”), or designee, to execute the contract modification documents and any and all other necessary documents in connection with the Parker-Kier Development project in a form approved by General Counsel, and further authorize the President & CEO, or designee, to take such actions as are necessary and appropriate to implement these approvals and to complete the project.
3. Authorize the President & CEO to amend the FY2012 Budget as necessary and as approved by this action of the Housing Authority.

111 HCR12-022 Otay Villas/Adaptable Housing Preservation Plan

That the San Diego Housing Commission (“Housing Commission”) and Housing Authority of the City of San Diego (“Housing Authority”):

1. Ratify the submission of a Mixed Finance Rental Term Sheet to the California Department of Housing and Community Development (“State HCD”) and to the Department of Housing and Urban Development (“HUD”) for the conversion of six (6) Housing Commission owned assets to public housing (2420 44th Street, 3222 Camulos Street, 3919 Mason Street, 605 Picador Boulevard, 5385 Trojan Avenue, and 4095 Valeta Street).
2. Authorize an amendment to the Housing Commission’s Annual Contributions Contract with HUD to include these six properties as one public housing project.
3. Authorize the recordation of a HUD Declaration of Trust, with a term of 40 years, restricting these six properties at the rent and income levels required under the HUD public housing program.
4. Ratify the Community Development Block Grant (“CDBG”) contract awarded for the rehabilitation of 605 Picador Boulevard in the amount of \$1,231,878.
5. Approve a three-phased Rehabilitation Plan with a total budget not to exceed \$10,337,012 for the six properties using CDBG funds of \$1,231,878, Public Housing Repositioning fees and excess Public Housing Reserves of 2,515,541, Capital Replacement Housing Factor (“RHF”) Funds of \$3,589,593 and a private bank loan of \$3,000,000.
6. Authorize Phase I of the Rehabilitation Plan using \$1,231,878 of CDBG funds and up to \$1,826,562 of Local Funds. Should items 1, 2, 3 & 5 not be approved, this property remains a State site and Local Funds are the only eligible source of funds for the rehabilitation.



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7. Award a construction contract to Hugo Alonso, Inc. for Phase I of the Rehabilitation Plan in the amount of \$2,780,400 plus up to ten percent contingency (\$278,040), if necessary, for items not anticipated in the original scope of work.
8. Authorize the President & Chief Executive Officer (“CEO”), or designee, to execute the contract documents and any and all other necessary or convenient documents required to implement the above actions in connection with the Otay Villas project in a form approved by General Counsel, and further authorize the President and CEO, or designee, to take such actions as are necessary, convenient and/or appropriate to implement these approvals and to complete the project.

112 HCR12-004 Workshop Discussion: Analysis of Affordable Housing Construction Costs

This will be a workshop on the Analysis of Affordable Housing Construction Costs study by Keyser Marston & Associates.

There will not be any official action taken during this meeting of January 20, 2012.

113 HCR12-005 Workshop Presentation and Discussion: Moving to Work (MTW) Initiative Update and Proposed Fiscal Year 2013 MTW Annual Plan

This will be a workshop on the Moving to Work (MTW) Initiative Update and the Proposed Fiscal Year 2013 MTW Annual Plan.

There will not be any official action taken during this meeting of January 20, 2012.

CLOSED SESSION

It is anticipated that the San Diego Housing Commission will meet in open session and will identify its Agency Representatives for Item IV.B. below, and thereafter convene in closed session on Friday, January 20, 2012, 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.
- 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:



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A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
pursuant to subdivision (c) of 54954.5 of the Government Code:

Initiation of litigation pursuant to subdivision (c) of Section 54956.9:
One (1) matter.

Counsel's Description of General Nature of Closed Session:

Counsel will discuss potential initiation of litigation related to the
rehabilitation of Parker Kier, 2172 Front Street, San Diego, California.

B. CONFERENCE WITH LABOR NEGOTIATORS - Pursuant to Government
Code Section 54957.6:

Agency Representatives: Rick Gentry, Jennifer Adams-Brooks, Tina Holmes,
Charles B. Christensen and Joel Mason for the San Diego Housing
Commission

Employee Organization: Social Services Union, Local 221, ALF-CIO

Counsel Description: Agency Representatives will seek direction from the
Commission concerning labor negotiations.

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Negotiation
with Real Property Negotiator pursuant to subdivision (b) of 54954.5
Government Code and Section 54956.8:

Property: Apartment Complex, 4920 Mt. Abernathy Avenue, San Diego,
California, 92117-5022; APN 361-261-36-00

Agency Negotiator: Rick Gentry, Jennifer Adams Brooks, Debbie Ruane, Ann
Kern and Ryan Granito of the San Diego Housing Commission and Counsel
Charles B. Christensen and Walter F. Spath

Negotiating Parties: John McEvoy, 4290 Mount Abernathy LP and the San
Diego Housing Commission

Under Negotiation: Real Property Negotiator(s) will seek direction from the
Commission concerning price and terms of payment.

Counsel Description: The Agency Negotiators will seek direction from the
Board concerning potential acquisition of real property.



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- V. Announcement of Actions Taken in Closed Session.
- VI. Adjournment.

INFORMATIONAL REPORTS

HCR12-012 Agency Financial Statements – October 2011 (Unaudited)

**HCR12-013 Real Estate Finance Plan Update as of December 2011
Addendum # 2 to HCR11-121**

HCR12-019 Multifamily Bond Program - Annual Status Report for Calendar Year 2011

HCR12-028 Notice of Settlement of Pending Litigation-2nd Quarter FY 2012