



SAN DIEGO
HOUSING
COMMISSION

SPECIAL MEETING AGENDA

SAN DIEGO HOUSING COMMISSION
SPECIAL MEETING AGENDA
JULY 9, 2021, 9:00 A.M.
VIDEO CONFERENCE
SAN DIEGO, CALIFORNIA 92101

Chair Stefanie Benvenuto
Vice Chair Ryan Clumpner
Commissioner Margaret Davis
Commissioner Johanna Hester
Commissioner Kellee Hubbard
Commissioner Eugene “Mitch” Mitchell

COVID- 19 PUBLIC SERVICE ANNOUNCEMENT REGARDING SDHC BOARD OF COMMISSIONERS MEETING ACCESS AND PUBLIC COMMENT:

Until further notice, San Diego Housing Commission (SDHC) Board of Commissioners (Board) meetings will be conducted pursuant to the provisions of [California Executive Order N-29-20](#), which suspends certain requirements of the Ralph M. Brown Act.

During the current State of Emergency and in the interest of public health and safety, most—and most likely all—of the SDHC Commissioners, General Counsel and staff will be participating in SDHC Board meetings by video conference. In accordance with the Executive Order, there will be no members of the public in attendance at the SDHC Board meetings. We are providing alternatives to in-person attendance for viewing and participating in SDHC Board meetings.

In lieu of in-person attendance, members of the public may participate and provide comments in the following manner:

Phone-in Testimony

When the comment period for Non-Agenda Public Comment is introduced, or when the comment period is introduced for the specific Agenda Item on which you would like to comment, please call the following toll-free number: **(833) 610-2513**. Wait until you are called upon to speak. Then state your name for the record and the item you are commenting on, and make your comments within the time allotted by the SDHC Board. When your time has ended, please hang up your call. If you wish to speak on other items on the Agenda or for other comment periods, please call back when those items or comment periods are introduced. Please monitor the meeting through livestreaming on SDHC’s website. Click on “Watch the Video” near the bottom of the SDHC Board of Commissioners page on the website:

<https://www.sdhc.org/governance-legislativeaffairs/sdhc-board-of-commissioners/>



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Written Comment through Webform:

Written Comment on Agenda Items must be submitted using the SDHC Board meeting [public comment webform](#), and indicating the agenda item number for which you wish to submit your comment. Only comments submitted no later than **4 p.m. the day prior to the meeting** using the public comment webform will be eligible to be read into the record. If you submit more than one form per item, only one will be read into the record. All other comments submitted, including those received after 4 p.m. the day prior and before 8 a.m. the day of the meeting, will be provided to the SDHC Commissioners and posted online with the meeting materials. All comments are limited to 1,250 characters (approximately 200 words). Comments submitted after 8 a.m. the day of the meeting but before the item is called will be submitted into the written record for the relevant item.

Non-Agenda Written Public Comment must be submitted using the SDHC Board meeting [public comment webform](#), checking the appropriate box, no later than **8 a.m. the day of the meeting** to be eligible to be read into the record. The first 30 comments received by 8 a.m. will be read into the record. The maximum number of comments to be read into the record on a single issue will be 16. All other comments submitted, including those received after 8 a.m. the day of the meeting, will be provided to the SDHC Commissioners. All comments are limited to 1,250 characters (approximately 200 words).

Closed Session Written Public Comment must be submitted using the SDHC Board meeting [public comment webform](#) no later than **4 p.m. the day prior to the posted meeting** to be eligible to be read into the record. All other comments submitted, including those received after 4 p.m. the day prior and before 8 a.m. the day of the meeting, will be provided to the SDHC Commissioners and posted online with the meeting materials. All comments are limited to 1,250 characters (approximately 200 words).

If you have an attachment to your comment, you may send it to sdhcdocketinfo@sdhc.org, and it will be distributed to the SDHC Commissioners.

Viewing the Meeting

The public may view and listen to the SDHC Board meetings through livestreaming on SDHC's website. Click on "Watch the Video" near the bottom of the SDHC Board of Commissioners page on the website: <https://www.sdhc.org/governance-legislativeaffairs/sdhc-board-of-commissioners/>

Assistance for the Disabled: Agendas, reports and records are available in alternative formats upon request. Please contact SDHCdocketinfo@sdhc.org, (619) 578-7550 (voice) or (619) 398-2440 (TTY) at least five days prior to the meeting.

Questions Regarding Agenda Items: For specific questions regarding any item on the San Diego Housing Commission agenda, please contact SDHCdocketinfo@sdhc.org or (619) 578-7550. Internet access to agendas and reports is available at <https://www.sdhc.org/governance-legislative-affairs/sdhc-board-of-commissioners/meetings/>



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ITEMS

10 CALL TO ORDER

20 NON-AGENDA PUBLIC COMMENT

At this time, individuals may address the San Diego Housing Commission (Housing Commission) on any subject in its area of responsibility that is not presently pending before the Housing Commission. Pursuant to the Brown Act, the Housing Commission can take no action.

30 COMMISSIONER COMMENTS

40 REPORT BY THE PRESIDENT & CHIEF EXECUTIVE OFFICER

50 APPROVAL OF THE MINUTES

June 11, 2021, Special Meeting [Minutes](#)

ADOPTION AGENDA

All of the actions of the San Diego Housing Commission Board of Commissioners (Housing Commission Board) listed in the agenda are final seven days after Housing Commission Board action unless the Housing Authority of the City of San Diego asks to review the decision of the Housing Commission Board within the seven-day period.

100 [HCR21-075 Approval of the Contract between the San Diego Housing Commission and St. Vincent de Paul Village to operate the City of San Diego Day Center for Persons Experiencing Homelessness](#)

That the San Diego Housing Commission (Housing Commission) Board of Commissioners (Board) take the following actions:

- 1) Approve the execution of a six-month, non-competitive, sole source agreement under Procurement Policy 9.4 with St. Vincent De Paul Village to operate the City of San Diego Day Center for Adults Experiencing Homelessness (Day Center) at 299 17th Street, San Diego, 92101, for a term of July 1, 2021, through December 31, 2021, with a budget of \$400,000, on terms and conditions as set forth in the Agreement, as it may be amended upon advise of the Housing Commission's General Counsel;
- 2) Authorize the President & Chief Executive Officer (President & CEO), or designee, to execute all necessary documents and instruments that are necessary and/or appropriate to implement these approvals, in a form approved by General Counsel, and to take such actions necessary and/or appropriate to implement these approvals; and
- 3) Authorize the President & CEO, or designee, to substitute funding sources and/or increase

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compensation by not more than 20 percent of the total agreement amount for the proposed agreement, if necessary, without further action by the Housing Commission Board, but only if and to the extent that funds are determined to be available for such purposes.

101 HCR21-051 Approval of an Amendment to the Fiscal Year 2022 Operating Agreement with People Assisting The Homeless (PATH) for the City of San Diego Coordinated Street Outreach Program

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

- 1) Authorize an amendment to the Fiscal Year 2022 operating agreement between the Housing Commission and People Assisting The Homeless (PATH) to incorporate up to an additional \$1,000,000 funded through an allocation from the City of San Diego Homeless Strategies Department General Fund to the Housing Commission, under the terms set forth in the Coordinated Street Outreach Memorandum of Understanding (MOU) between the City of San Diego and the Housing Commission;
- 2) Authorize the Housing Commission's President & Chief Executive Officer (President & CEO), or designee, to execute all documents and instruments 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; and
- 3) Authorize the Housing Commission's President & CEO, or designee, to substitute funding sources and/or increase compensation by not more than 20 percent of the total agreement amount for the proposed agreement, if necessary, without further action by the Housing Commission's Board of Commissioners (Board), but only if and to the extent that funds are determined to be available for such purposes.

102 HCR21-059 San Diego Housing Commission Strategic Plan FY2022 – FY2024

That the San Diego Housing Commission (Housing Commission) take the following actions:

- 1) Approve the proposed Housing Commission Strategic Plan Fiscal Year (FY) 2022 – FY 2024 (Attachment 1) as the guiding document for the Housing Commission's focus, goals and actions over the next three years; and
- 2) Authorize the President and Chief Executive Officer (President & CEO), or designee, to continue with the necessary strategic management steps to implement the Strategic Plan, which will include annual updates to the Housing Commission Board.

103 **HCR21-074 Loan Recommendation, Preliminary Bond Authorization, and Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing for Levant Senior Cottages Affordable Housing**

Seven-day advance notice of San Diego Housing Commission hearing of the following matter has been provided to the Housing Authority Members pursuant to the provisions of San Diego Municipal Code Section 98.0301(e)(4)(a)(b) for Staff Recommendation No. 1.

Preliminary Bond Authorization and Tax Equity and Fiscal Responsibility Act (TEFRA) hearings are scheduled to be heard by the San Diego Housing Commission (Housing Commission) Board of Commissioners on July 9, 2021, at 9 a.m. Any two members of the Housing Authority of the City of San Diego (Housing Authority) or San Diego City Council (City Council) may request that these hearings not take place and instead be heard by the Housing Authority and City Council by giving notice to the Housing Commission's President & Chief Executive Officer, or designee, within seven days of the date of this notice.

That the San Diego Housing Commission (Housing Commission) take the following actions as described in this report:

- 1) Approve a Housing Commission residual receipts loan in an amount not to exceed \$6,000,000 to Levant Senior Cottages L.P., a California limited partnership formed by Wakeland Housing and Development Corporation (Wakeland), to finance the proposed acquisition and new construction of Levant Senior Cottages (Levant Senior) at 6950 Levant Street, San Diego, with 126 affordable rental housing units that will remain affordable for 55 years for seniors age 55 and older with income of 25 percent to 50 percent of San Diego's Area Median Income (AMI) and one unrestricted manager's unit.

The Housing Commission's proposed loan will be contingent upon the developer receiving all necessary third-party funding commitments as described in this report. Such third-party funding commitments will be subject to the Housing Commission's General Counsel's approval.

- 2) Authorize the Housing Commission's President and Chief Executive Officer (President & CEO), or designee, to:
 - a. Execute all necessary documents and instruments to effectuate the transaction and implement the project, in a form approved by the General Counsel, and to take such actions as are necessary, convenient, and/or appropriate to implement the approvals upon advice of the General Counsel;
 - b. Adjust financing terms/conditions, as necessary, for consistency with requirements of other funding sources or to accommodate market changes that may occur, provided that the proposed \$6,000,000 maximum Housing Commission loan amount may not increase; and
 - c. Substitute approved funding sources with any other available funds as deemed appropriate, contingent upon budget availability, and further authorize the President



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& 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.

- 3) Approve the following steps to issue up to \$35,000,000 of Housing Authority of the City of San Diego tax-exempt Multifamily Housing Revenue Bonds and \$5,697,296 of taxable bonds Levant Senior:
 - a. Issue a bond inducement resolution (Declaration of Official Intent) for up to \$35,000,000 in tax-exempt Multifamily Housing Revenue Bonds for the acquisition and new construction of Levant Senior by Levant Senior Cottages L.P;
 - b. Authorize an application (and subsequent applications if necessary) to the California Debt Limit Allocation Committee (CDLAC) for an allocation of authority to issue tax-exempt private activity bonds in an amount up to \$35,000,000 for Levant Senior;
 - c. Approve the bond financing team of Jones Hall as Bond Counsel and Ross Financial as Bond Financial Advisor; and
- 4) Authorize the Housing Commission President & CEO, or designee, to execute any and all documents that are necessary to effectuate the transaction and implement these approvals in a form approved by the General Counsel and the Bond Counsel, and to take such actions as are necessary, convenient, and/or appropriate to implement these approvals upon advice of the General Counsel and/or the Bond Counsel.
- 5) Hold a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing, and adopt a resolution approving the issuance of tax-exempt Multifamily Housing Revenue Bonds in an amount up to \$35,000,000 to facilitate acquisition and new construction of Levant Senior.

104 HCR21-042 Loan Recommendation, Preliminary Bond Authorization, and Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing for Cortez Hill Apartments

Seven-day advance notice of San Diego Housing Commission hearing of the following matter has been provided to the Housing Authority Members pursuant to the provisions of San Diego Municipal Code Section 98.0301(e)(4)(a)(b) for Staff Recommendation No. 1.

Preliminary Bond Authorization and Tax Equity and Fiscal Responsibility Act (TEFRA) hearings are scheduled to be heard by the San Diego Housing Commission (Housing Commission) Board of Commissioners on July 9, 2021, at 9 a.m. Any two members of the Housing Authority of the City of San Diego (Housing Authority) or San Diego City Council (City Council) may request that these hearings not take place and instead be heard by the Housing Authority and City Council by giving notice to the Housing Commission's President & Chief Executive Officer, or designee, within seven days of the date of this notice.



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That the San Diego Housing Commission (Housing Commission) take the following actions, as described in this report:

- 1) Approve a Housing Commission residual receipts loan in an amount not to exceed \$5,000,000 to Beech Street Housing Associates L.P., a California limited partnership, formed by Community Housing Works (CHW), to finance the proposed acquisition and new construction of Cortez Hill Apartments, an 88-unit affordable rental housing development at 1449 Ninth Avenue in the Cortez Hill neighborhood in downtown San Diego, with 87 units that will remain affordable for 55 years for households with income of 30 percent to 40 percent of San Diego Area Median Income (AMI) and one unrestricted manager's unit.

The Housing Commission's proposed loan would be contingent upon the developer receiving all necessary third-party funding commitments as described in this report. Such third-party funding commitments will be subject to the Housing Commission General Counsel's approval.

- 2) Authorize the Housing Commission's President and Chief Executive Officer (President & CEO), or designee, to:
 - a. Execute all necessary documents and instruments to effectuate the transaction and implement the project, in a form approved by General Counsel, and to take such actions as are necessary, convenient, and/or appropriate to implement the approvals upon advice of the General Counsel;
 - b. Adjust financing terms/conditions, as necessary, for consistency with requirements of other funding sources or to accommodate market changes that may occur, provided that the proposed \$5,000,000 maximum Housing Commission loan amount may not increase; and
 - c. 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.
- 3) Approve the following steps to issue Housing Authority of the City of San Diego (Housing Authority) tax-exempt Multifamily Housing Revenue Bonds for Cortez Hill Apartments:
 - a. Issue a bond inducement resolution (Declaration of Official Intent) for up to \$24,600,000 in Multifamily Housing Revenue Bonds for the acquisition and new construction of Cortez Hill Apartments by Beech Street Housing Associates L.P.;
 - b. Authorize an application (and subsequent applications, if necessary) to the California Debt Limit Allocation Committee (CDLAC) for an allocation of authority to issue tax-exempt private activity bonds in an amount up to \$24,600,000 for Cortez Hill Apartments;
 - c. Approve the financing team of Jones Hall as Bond Counsel and Ross Financial as Bond Financial Advisor; and



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- 4) Authorize the Housing Commission President & CEO, or designee, to execute any and all documents that are necessary to effectuate the transaction and implement these approvals in a form approved by General Counsel and Bond Counsel, and to take such actions as are necessary, convenient and /or appropriate to implement these approvals upon the advice of General Counsel and/or the Bond Counsel.
- 5) Hold a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing, and adopt a resolution approving the Housing Authority's issuance of Multifamily Housing Revenue Bonds in an amount up to \$24,600,000 for the acquisition and new construction of Cortez Hill Apartments.

105 HCR21-077 Preliminary Bond Authorization and Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing for Merge 56 Affordable Apartments

Preliminary Bond Authorization and Tax Equity and Fiscal Responsibility Act (TEFRA) hearings are scheduled to be heard by the San Diego Housing Commission (Housing Commission) Board of Commissioners on July 9, 2021, at 9 a.m. Any two members of the Housing Authority of the City of San Diego (Housing Authority) or San Diego City Council (City Council) may request that these hearings not take place and instead be heard by the Housing Authority and City Council by giving notice to the Housing Commission's President & Chief Executive Officer, or designee, within seven days of the date of this notice.

That the San Diego Housing Commission (Housing Commission) take the following actions, as described in this report.

- 1) Approve the following steps to issue up to \$16,000,000 in Housing Authority of the City of San Diego (Housing Authority) tax-exempt Multifamily Housing Revenue Bonds to facilitate a to-be-formed California limited partnership's (formed by Rise Urban Partners a Delaware LLC) development of the Merge 56 Affordable Apartments (Merge 56 Affordable), which will be part of a larger, to-be-developed Merge 56 master-planned community at Carmel Mountain Road and south of Ted Williams Parkway/State Route 56 in the Torrey Highlands subarea community plan, which will consist of 47 units affordable for 55 years for individuals and families earning 30 percent to 60 percent of San Diego's Area Median Income (AMI), including one restricted manager's unit:
 - a. Issue a bond inducement resolution (Declaration of Official Intent) for up to \$16,000,000 in tax-exempt Multifamily Housing Revenue Bonds supporting the development of Merge 56 Affordable by a limited partnership to be formed by Rise Urban Partners LLC;
 - b. Authorize an application (and subsequent applications, if necessary) to the California Debt Limit Allocation Committee (CDLAC) for an allocation of authority to issue tax-exempt private activity bonds in an amount up to \$16,000,000 for Merge 56 Affordable; and
 - c. Approve the financing team of Kutak Rock as the Bond Counsel and CSG Advisors as the Financial Advisor.

- 2) Authorize the Housing Commission's President & Chief Executive Officer (President & CEO), or designee, to execute any and all documents that are necessary to effectuate the transaction and implement these approvals in a form approved by General Counsel and Bond Counsel and to take such actions as are necessary, convenient, and/or appropriate to implement these approvals upon advice of General Counsel and/or the Bond Counsel.
- 3) Hold a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing and adopt a resolution approving the issuance of tax-exempt Multifamily Housing Revenue Bonds in an amount up to \$16,000,000 to facilitate the development of Merge 56 Affordable.

106 [HCR21-076 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](#)

That the San Diego Housing Commission (Housing Commission) recommend that the Housing Authority of the City of San Diego (Housing Authority) and San Diego City Council (City Council) take the following actions:

Housing Authority:

- 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;
- 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;



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- 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.

City Council:

Authorize the City of San Diego to execute an amendment to the Memorandum of Understanding between the Housing Commission and the City of San Diego for the Housing Commission to oversee and administer the City of San Diego's COVID-19 Housing Stability Assistance Program to provide rental assistance and/or utility assistance to households with low income in the City of San Diego that experience financial hardship.

107 [HCR21-078](#) [Workshop & Discussion: Homelessness System Performance Dashboards](#)

An informational workshop will be presented on System Performance Dashboards the San Diego Housing Commission's (Housing Commission) Homeless Housing Innovations Division developed with support from the Information Technology Department to provide publicly available reporting on performance of City of San Diego and Housing Commission-funded homelessness services and housing programs.

CLOSED SESSION

It is anticipated that the San Diego Housing Commission will convene in closed session on Friday, July 9, 2021, 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 comments, if any.**
- IV. **Commission will convene in closed session to consider the following agenda:**



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A. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Government Code Section 54956.9(a):

San Diego Superior Court Case No. 37-2019-00027875

Affordable Housing Coalition of San Diego County vs. City of San Diego

Counsel will seek direction from the Board concerning the case.

B. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Government Code Section 54956.9(a):

San Diego Superior Court Case No. 37-2020-000026053

***SDHC vs. Bosa Development Broadway Block LLC, an entity of
unknown origin; Irvine Residential Highrise LLC***

Counsel will seek direction from the Board concerning the case.

C. CONFERENCE WITH LEGAL COUNSEL—INITIATION OF LITIGATION

Government Code Section 54956.9(c):

One matter

V. Announcement of Actions Taken in Closed Session.

VI. Adjournment.

INFORMATIONAL REPORTS

HCR21-060

HCR21-061

HCR21-071

HCR21-072

HCR21-073

Investment Report - Third Quarter Fiscal Year 2021

Agency Financial Statements - Third Quarter Fiscal Year 2021 (Unaudited)

Status of Loan Portfolio – Fiscal Year 2021 Third Quarter

May 2021 Reporting Update for the City of San Diego's Bridge Shelter Programs

May 2021 Reporting Update for City of San Diego's Storage Connect Center I