

**HOUSING AUTHORITY OF THE CITY OF SAN DIEGO
SPECIAL MEETING MINUTES
MONDAY, SEPTEMBER 12, 2022
CITY COUNCIL CHAMBERS – 12TH FLOOR**

The Special Meeting of the Housing Authority of the City of San Diego was called to order at 3:23 p.m.

ATTENDANCE

Present:

Council President Sean Elo-Rivera, District 9
Councilmember Joe LaCava, District 1
Councilmember Jennifer Campbell, District 2
Councilmember Stephen Whitburn, District 3
Council President Pro Tem Monica Montgomery Steppe, District 4
Councilmember Marni von Wilpert, District 5
Councilmember Chris Cate, District 6
Councilmember Raul Campillo, District 7

Not present:

Councilmember Vivian Moreno, District 8

DISCUSSION AGENDA:

ITEM 1: HAR22-026 Settlement of a Lawsuit brought by the San Diego Housing Commission, the Housing Authority of the City of San Diego and the City of San Diego against Jim Neil, Kidder Mathews of California, Inc., Kidder Mathews, Inc., RT San Diego, LLC and Chatham RIMC, LLC; San Diego County Superior Court Case No. 37-2021-00033006-CU-BC-CTL.

Meghan Wharton, Senior Deputy City Attorney, City of San Diego, presented the request for approval.

Motion by Councilmember von Wilpert to take the following staff-recommended actions. Seconded by Councilmember LaCava and passed by a vote of 8-0.

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

Housing Authority:

- 1) Authorize the Housing Commission's President and Chief Executive Officer (President & CEO), or designee, to execute the Settlement Agreement attached to this report on behalf of the Housing Commission in a final form as approved by counsel for the Housing Authority.
- 2) Authorize the Executive Director of the Housing Authority, or designee, to execute the Settlement Agreement attached to this report on behalf of the Housing Authority in a final form as approved by counsel for the Housing Authority.

- 3) Authorize the Housing Commission's President & CEO, or designee, on behalf of the Housing Commission, to accept \$845,000.00 from Kidder Mathews, Inc. and Jim Neil.
- 4) Authorize the Housing Commission's President & CEO, or designee, to execute all necessary documents and instruments that are necessary and/or appropriate to implement the Settlement Agreement in a final form as approved by counsel for the Housing Authority. Housing Commission staff will notify the Housing Authority and the City Attorney's Office about any subsequent amendments or modifications to the transaction, and other required documents, including amendments to any documents.

City Council:

- 1) Authorize the Mayor, or designee, to execute the Settlement Agreement attached to this report on behalf of the City of San Diego in a final form as approved by counsel for the Housing Authority.
- 2) Authorize the Mayor, or designee, on behalf of the City of San Diego, to accept \$155,000.00 from Kidder Mathews, Inc. and Jim Neil.
- 3) Authorize the Mayor, or designee, to execute all necessary documents and instruments that are necessary and/or appropriate to implement the Settlement Agreement in a final form as approved by counsel for the Housing Authority.

Council President Elo-Rivera adjourned the Housing Authority meeting at 3:24 p.m. to reconvene as the City Council. The Housing Authority meeting reconvened at 3:54 p.m.

ITEM 2: HAR22-024 Authorization for the San Diego Housing Commission (Housing Commission) to Accept Additional Federal Emergency Rental Assistance (ERA1) Funds Allocated by the U.S. Department of the Treasury and Authorization to Expend These Funds to Repay State of California Rental Assistance (SRA) Program Emergency Rental Assistance Short-Term Cash Flow Loan Funds Awarded to the City of San Diego Pursuant to State Senate Bill 115 for the COVID-19 Housing Stability Assistance Program

Jeff Davis, Interim President and Chief Executive Officer, San Diego Housing Commission; Azucena Valladolid, Executive Vice President, Rental Assistance and Workforce Development, San Diego Housing Commission; and Angela Nazareno Clark, Program Manager, Economic Development Department, City of San Diego, presented the request for approval.

Lori Saldaña and Joy Sunyata commented in favor.

Motion by Councilmember LaCava to take the following staff-recommended actions. Seconded by Councilmember von Wilpert and passed by a vote of 8-0.

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

- 1) Authorize the Housing Commission (Housing Commission) to amend its Fiscal Year 2023 budget in the amount of \$5,019,573.68 in federal ERA1 funds, which the U.S. Department of the Treasury allocated directly to the City, to be administered by the Housing Commission to

support the COVID-19 Housing Stability Assistance Program (HSAP), in accordance with federal and state funding requirements.

- 2) Authorize the Housing Commission to accept and expend \$5,019,573.68 in federal ERA1 funds to repay a portion of the SRA Emergency Rental Assistance Short-Term Cash Flow Loan Fund balances pursuant to SB 115, contingent on the U.S. Department of the Treasury authorizing the use of ERA1 funds for this purpose.
- 3) Authorize the Housing Commission's President and Chief Executive Officer (President and CEO), or designee, to modify HSAP, if necessary, but only if and to the extent that such changes comply with the terms of the executed amended Memorandum of Understanding (MOU) between the Housing Commission and the City for the oversight and administration of HSAP and are necessary to fulfill federal and state funding requirements. Housing Commission staff will notify the Housing Authority and the City Attorney's Office about any subsequent amendments or modifications to HSAP and other required documents, including amendments to any documents.
- 4) Authorize the Housing Commission's President and CEO, or designee, to execute all documents and instruments that are necessary to implement these approvals, in a form and format approved by General Counsel, and to take such actions necessary and appropriate to implement these approvals, provided that a copy of the documents, signed as to form by General Counsel, are submitted to each Commissioner of the Housing Commission's Board of Commissioners.

Adjournment

Council President Elo-Rivera adjourned the meeting of the Housing Authority at 3:56 p.m.