

City of Sacramento

Legislation Text

File #: 2020-00019, **Version:** 1

Title:

(City Council / Housing Authority) Commitment to Housing Authority/Sacramento Housing and Redevelopment Agency Focused Meetings

File ID: 2020-00019

Location: Citywide

Recommendation:

Adopt 1) a City Council Resolution confirming the commitment to hold meetings concurrently with the Housing Authority to focus on the business of the Housing Authority and/or the Sacramento Housing and Redevelopment Agency (SHRA); and 2) a Housing Authority Resolution confirming the commitment to hold meetings concurrently with the City Council to focus on the business of the Housing Authority and/or SHRA.

Contact: La Shelle Dozier, Executive Director, (916) 440-1319, Brad Nakano, General Counsel, (916) 440-1330, Sacramento Housing and Redevelopment Agency

Presenter: None.

Attachments:

- 1-Description/Analysis
- 2-City Council Resolution
- 3-Housing Authority Resolution

Description/Analysis

Issue Detail: The Sacramento Housing and Redevelopment Agency (SHRA), a joint powers authority (JPA), operates as an independent legal entity consisting of: 1) the City of Sacramento; 2) the County of Sacramento; 3) the Housing Authority of the City of Sacramento; and 4) the Housing Authority of the County of Sacramento. SHRA serves as a staffing entity for both the City and County Housing Authorities and implements various other delegated activities. City Council established a Housing Authority for the City of Sacramento (Housing Authority) in July of 1939. From 1939 to 1971,

the Housing Authority Board was comprised of members appointed by City Council. In 1972, City Council appointed itself to be the Board of the Housing Authority.

Though City Council serves a dual role as both the governing board of the City and the Housing Authority Board, California law designated housing authorities as entities independent from the cities and counties within which they were created. This separation allows, among other things, for the Housing Authority to enter into contracts with the federal government.

In 1981, the City and County Housing Authorities delegated certain organizational operations to the Sacramento Housing and Redevelopment Commission (SHRC). The role of SHRC is to serve as an advisory body to the Housing Authorities of the City and County on matters related to Housing Authority projects and programs. SHRC is comprised of five members appointed by the City and six members appointed by the County. California law requires that Housing Authorities incorporate resident input, either as members of the Housing Authority Board, or as members of SHRC. Specifically, state law requires the appointment of two residents who each must be public housing residents, with one of the residents over 62 years of age. Since 1981, SHRC has fulfilled this important requirement for the City and County of Sacramento by including the two members on its board. SHRC also fulfills similar requirements for resident participation required by federal law.

In addition to appointing resident members to SHRC's board, California law provides that SHRC's function shall be to review and make recommendations on all matters to come before the Housing Authority Board prior to Housing Authority Board action. Further, City Council may provide for further functions of SHRC, by ordinance or resolution, and may delegate any of its functions as the Housing Authority Board to SHRC. In this spirit, the Housing Authority Board, by Housing Authority Resolution No. HA 81-098 dated October 20, 1981, delegated to SHRC all of the Housing Authority Board's powers, duties and responsibilities pursuant to the California law, except the following which were retained by the Housing Authority Board (Board's Reserved Powers):

- Budget actions;
- Policies and procedures;
- Auditor's contracts;
- Executive Director appointment;
- Job classifications and wage schedules;
- Initial proposals for purchase and construction of housing units;
- Initial site decisions for the location of housing units;
- Changes or assignments to disposition and development contracts; and
- Resolutions of necessity for eminent domain.

SHRC, in summary, reviews and/or approves the following actions:

Review Prior to Action by the Housing Authority/City Council	Approve Pursuant to Delegated Authority from the Housing Authority
Property Acquisition/Disposition/Term Leases 12 months or longer	SHRA Fees and Charges
1-Year and 5-Year Action Plan for Federal Funds	SHRA Contracts
SHRA Audit	Public Housing Agency Annual Plan and 5-Year Plan
SHRA Budget	ACOP
Choice Neighborhood Initiative Grant	Admin Plan
Density Bonus	Authorization for Executive Director to Execute Contracts
Eminent Domain	
Housing Trust Funds	
Mixed Income Housing Ordinance	
Mortgage Revenue Bonds	
Personnel Policies and Job Classifications	
Residential Hotel Ordinance	
SB2 State Housing Funds	

Additionally, SHRA, in its role as the City’s staffing entity for devising, proposing, conducting, evaluating, and administering the City’s public social service, capital, and revitalization programs, has been delegated authority to administer the following activities on behalf of the City: Consolidated Plan Federal funding (beginning in 1995 with City Council Resolution No. 95-331 dated June 13, 1995); Housing Trust Fund (City Code 18.56.430); Mixed Income Housing ordinance (City Code 17.712); Affordable Housing Preservation ordinance (City Code 5.148); and Residential Hotel Ordinance (Sacramento City Code 18.20) (City Programs).

Public Meetings of the Housing Authority - SHRA Focused Meetings

The Housing Authority, as one of its many duties as an independent public entity, is required to hold public meetings to conduct business and direct and approve SHRA actions that fall within the Board’s Reserved Powers. In order to satisfy such duty, the Housing Authority has held its meetings concurrently with regular City Council meetings.

It is acknowledged that the powers and duties of the Housing Authority are separate, distinct and different from the powers of the City. Consequently, staff is recommending holding public meetings focused solely on business of the Housing Authority and to consider SHRA’s implementation of the Board’s Reserved Powers (SHRA Focused Meetings). It is envisioned that SHRA Focused Meetings

will provide the public greater transparency and clarity than continuing to hold public meetings of the Housing Authority concurrently with regular City Council meetings. SHRA shall make all agreements available to the public through the Clerk of the Housing Authority in accordance with the Ralph M. Brown Act.

City Council Meetings Held Concurrently with SHRA Focused Meetings

Activities delegated to SHRA such as (i) One-Year Action Plan allocation process for Federal funding, (ii) application and award of Choice Neighborhoods grants, (iii) Housing Trust Funds (iv) Mixed Income Housing Ordinance; (v) Residential Hotel Ordinance; (vi) issuance of mortgage revenue bonds; (vii) Housing Trust Fund; (viii) Mixed Income Housing ordinance; (ix) Affordable Housing Preservation ordinance; and (x) Residential Hotel Ordinance (collectively City Approved Business) require SHRA to obtain approval and authorization from City Council. City Council meetings to consider and approve City Approved Business would achieve substantial scheduling and transparency efficiencies by holding meetings concurrently with SHRA Focused Meetings. As such, staff is recommending that, to the greatest extent possible, all City Approved Business be conducted by the City during SHRA Focused Meetings. This will allow the Housing Authority Board, City Council, and the public to focus solely on business of the Housing Authority and SHRA.

Policy Considerations: None

Economic Impacts: None

Environmental Considerations: The proposed action is not considered a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines § 15378.

Sustainability Considerations: None

Rationale for Recommendation: The actions recommended in this report enable the Housing Authority and City Council to focus on SHRA's implementation of the powers delegated to it as administrator of the Board's Reserved Powers and City Approved Business.

Financial Considerations: None

LBE - M/WBE and Section 3 requirements: None