



San Bernardino County

Legislation Text

File #: 742, Agenda Item #: 54

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

August 6, 2019

FROM

GARY McBRIDE, Chief Executive Officer, County Administrative Office

SUBJECT

Ordinance Repealing Chapter 47 of the San Bernardino County Code Relating to the San Bernardino County Housing Commission

RECOMMENDATION(S)

1. Adopt Resolution repealing the prior 2017 delegation of authority from the Board of Governors of the Housing Authority to the San Bernardino County Housing Commission.
2. Consider a proposed ordinance to repeal Chapter 47 of the San Bernardino County Code relating to the San Bernardino County Housing Commission.
3. Make alterations, if necessary, to proposed ordinance.
4. Approve introduction of proposed ordinance.
5. Read title only of proposed ordinance, waive reading of entire text and **SCHEDULE FOR FINAL ADOPTION ON TUESDAY, AUGUST 20, 2019**, on the Consent Calendar.

(Presenter: Gary McBride, Chief Executive Officer, 387-5417)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Operate in a Fiscally-Responsible and Business-Like Manner.

Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The Housing Authority of the County of San Bernardino (HACSB) is a separate legal entity with an annual budget of over \$100 million, which operates on a federal fiscal year cycle.

BACKGROUND INFORMATION

Approval of the recommended actions will conform the structure of the HACSB to state and federal law. The recommendations will approve a resolution to no longer delegate any powers or authority from the Board of Governors of the Housing Authority (Board of Governors) to the County Housing Commission and consider an ordinance to repeal Chapter 47 of the San Bernardino County Code to no longer have a San Bernardino County Housing Commission.

On May 6, 2014 (Item No. 80), the Board of Supervisors (Board) declared itself to be the commissioners of HACSB who were referred to as the Board of Governors and amended the Bylaws of the HACSB. The Board

also adopted an ordinance (adding Chapter 47 to the County Code) to create the San Bernardino County Housing Commission (Housing Commission) to be an advisory body subordinate to the Board of Governors. Under the County Code, the Housing Commission consists of five non-tenant members and two tenant members.

On May 20, 2014 (Item No. 43) the Board approved Resolution No. 2014-105 delegating certain responsibility to the Housing Commission. On July 25, 2017 (Item No. 23), the Board rescinded Resolution No. 2014-105 and approved a new Resolution No. 2017-163 that expanded the delegation of authority to the Housing Commission, but the Board of Governors still retained full authority over budget, vouchers, legal counsel and legal actions, bonds, and the acquisition and disposition of real property. On August 22, 2017 (Item No. 28), the Board delegated to the Housing Commission authority to approve contracts in an initial amount not to exceed \$750,000 and amendments in an amount not to exceed \$250,000 annually.

To conform with federal law all decisions must be made by the governing board containing not less than one tenant member. On July 9, 2019 (Item No. 14), the Board approved the addition of two tenant members to the Board of Governors pursuant to Title 42 of the United States Code section 1437, Title 24 of the Code of Federal Regulations section 964.415 and California Health and Safety Code section 34271. Those tenant board members have been appointed, taken their oaths of office, and will assume their seats as full board members commencing with this meeting.

With this addition of tenant members to the governing body, items can no longer be delegated to the Housing Commission for final approval. The Board of Governors will make all the decisions and approve all board items for the HACSB.

Approval of the resolution will repeal all authority of the Board of Governors previously delegated to the Housing Commission. Adoption of the ordinance will repeal Chapter 47 of the County Code and the Housing Commission will no longer exist.

As directed by the Board on July 9, 2019, staff will be returning to the Board with proposed options regarding the future structure of the HACSB and seeking further direction regarding the structure of the HACSB.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Julie J. Surber, Principal Assistant County Counsel, 387-5455) on July 12, 2019; Finance (Jessica Trillo, Administrative Analyst, 387-4222 and Kathleen Gonzalez, Administrative Analyst, 387-5412) on July 18, 2019; Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on July 19, 2019.