



**REPORT TO COUNCIL AND  
HOUSING AUTHORITY  
City of Sacramento**  
915 I Street, Sacramento, CA 95814-2671  
[www.CityofSacramento.org](http://www.CityofSacramento.org)

Consent  
**April 22, 2014**

**Honorable Mayor and Members of the City Council  
Chair and Members of the Housing Authority Board**

**Title: Authorization and Consent to the Appointment of the Sacramento Housing and Redevelopment Agency Executive Director as the Executive Director of the Human Rights/Fair Housing Commission**

**Location/Council District: Citywide**

**Recommendation:** Adopt 1) a **Housing Authority Resolution** a) consenting to the appointment of the SHRA Executive Director to serve as the Executive Director of the Human Rights/Fair Housing Commission to oversee the winding-down of Commission operations, including the authority to pay CalPERS liabilities; and b) consenting to SHRA to execute and carry out the wind-down services for the Commissions operations, and to amend the SHRA budget accordingly. 2) A **City Council Resolution** a) authorizing and consenting to the appointment of the SHRA Executive Director to serve as the Executive Director of the Human Rights/Fair Housing Commission to oversee the winding-down of Commission operations, including the authority to pay CalPERS liabilities; and b) authorizing SHRA to execute a Memorandum of Understanding with the Human Rights/Fair Housing Commission to provide wind-down services for Commission operations.

**Contact:** La Shelle Dozier, Executive Director, (916) 440-1319, Geoffrey Ross, Program Manager, (916) 440-1393

**Presenters:** None

**Department:** Sacramento Housing and Redevelopment Agency

Authorization for the Sacramento Housing and Redevelopment Agency's Executive Director to serve as the Human Rights/Fair Housing Commission Executive Director

**Description/Analysis**

**Issue:** Federal and State laws make it illegal to discriminate in the provisions of housing based on a person's membership in a protected class (race, color, religion, sex, national origin, familial status, ancestry, sexual orientation, gender identity, disability or source of income). As a recipient of federal funding, such as Community Development Block Grant (CDBG), grantees are required to certify they will affirmatively further fair housing as a condition of receiving funds. The City is a CDBG grantee with administrative responsibilities falling to SHRA. The federal requirements to affirmatively further fair housing have been and continue to be met by SHRA. The mediation and fair housing counseling services provided to City residents by the Human Rights/Fair Housing Commission (Commission) are not mandated to meet Federal requirements.

Commission's History, Organizational Structure and Purpose

In 1963, Sacramento County created a Human Relations Commission as a not for profit organization, which ultimately evolved into the City of Sacramento/County of Sacramento Human Rights/Fair Housing Commission (Commission). A Joint Powers Authority (JPA) approved by both entities in 1981 and a revision to the County Code in 2006 formally implemented these changes. In 2008, the City of Sacramento and the County expanded the JPA to include the cities of Elk Grove, Citrus Heights and Rancho Cordova. Currently, the Commission is governed by two legal authorities. Chapter 2.28 of the County Code lays out the responsibilities and governing structure for the Commission that it provides services in the unincorporated County and the City of Sacramento. In addition, the JPA between the County and cities of Sacramento, Citrus Heights, Elk Grove and Rancho Cordova created and defined the roles and governance structure of a Regional Human Rights/Fair Housing Commission.

At the Citrus Heights City Council meeting on February 13, 2014, the City Council voted unanimously to withdraw from the JPA. With the withdrawal of Citrus Heights, the current JPA includes the cities of Elk Grove, Rancho Cordova and Sacramento, as well as Sacramento County. The organizational structure includes a Governing Board with five members each from the City and County of Sacramento and one member from each of the other JPA member cities. There is also an Advisory Board with representatives from each JPA member along with the Executive Director.

In Fiscal Year 2008-09, funding for the Commission started to decrease due to local jurisdictions' budget constraints. In Fiscal Year 2012-13, the cities of Citrus Heights and Rancho Cordova, suspended funding and due to federal cuts the City and County of Sacramento stopped funding Commission activities with its Community Development Block Grant Funds and instead funded Commission activities with general funds. The City of Sacramento chose to suspend funding the Commission with its General Funds in Fiscal Year 2013-14. Elk Gove

Authorization for the Sacramento Housing and Redevelopment Agency's Executive Director to serve as the Human Rights/Fair Housing Commission Executive Director

allocated \$2,500 to the Commission in Fiscal year 2013-14 for fair housing training and fair housing audit tests/report services however the Commission declined to enter into the contract due to the estimated cost of providing the services exceeding the amount of the funding.

Although the JPA member-cities are no longer funding the Commission, they still have representation on the Governing Board with the exception of Citrus Heights.

Commission's Services

Currently, with limited funding and minimal staffing, the Commission is no longer able to provide the full range of non-court services it once provided to residents. The Commission also operates the Dispute Resolution programs for the Unlawful Detainer Advisory Program, the Small Claims and Unlawful Detainer Mediation Programs and the Good Neighbor Hotline as part of its court services. These court contracts expire June 30, 2014 and a new Request for Proposals will be issued in the next few months for those services.

Wind Down of Commission Operations

On March 6, 2014, the City and County of Sacramento had a two-by-two meeting consisting of City Council members Steve Cohn and Darrell Fong; Board of Supervisor members Phil Serna and Jimmie Yee; SHRA Executive Director, La Shelle Dozier; Sacramento City Manager, John Shirey; and County Executive, Brad Hudson. At the conclusion of the meeting all attendees were in concurrence with the recommendations in this report.

The organization is facing a number of complex issues requiring additional administrative, legal, and financial expertise. Due to the complexity of the issues, the County Board of Supervisors recommended the appointment of SHRA's Executive Director, as Executive Director of the Commission's operations and the ongoing management of the JPA.

The Governing Board of the Commission accepted the Sacramento County Board of Supervisors recommendation to wind-down services and to appoint SHRA's Executive Director as the Commission's Executive Director at its meeting on March 27, 2014, and will discontinue operations at the end of the current fiscal year. The primary issue regarding the cessation of Commission business is an outstanding CalPERS liability estimated at \$2.67 million. This CalPERS liability is largely a City and County of Sacramento liability, the payment of which will be the primary activity of ongoing JPA operations after June 30, 2014.

**Policy Considerations:** No policy changes are being recommended.

**Economic Impacts:** Not applicable.

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**Environmental Considerations:**

**California Environmental Quality Act (CEQA):** This activity is not a project as defined by the California Environmental Quality Act (CEQA) Section 21065 and State CEQA Guidelines Section 15378(b)(5), as it is an organizational or administrative related activity of government that will not result in direct or indirect physical changes in the environment.

**Sustainability Considerations:** not applicable

**Other: (NEPA Findings):** The National Environmental Policy Act (NEPA) does not apply as federal funds are not involved.

**Rationale for Recommendation:** The recommendations contained in this report allow the wind-down of the Commission.

**Financial Considerations:** On January 31, 2012, the City Council voted to fund the Commission with \$45,000 from the General Fund for the six month period, beginning January 1, 2012 through June 30, 2012. For FY 12/13 the City Council voted to fund the Commission with an additional amount of \$74,304 from the General Fund for the twelve month period, beginning July 1, 2012 through June 30, 2013 to fund the Commission operations. No additional funding is needed for Fiscal Year 2013-14, based an agreement by the County of Sacramento to cover the remaining costs for the year.

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**M/WBE and Section 3 Considerations:** The activities discussed in this staff report do not involve federal funding; therefore, there are no M/WBE or Section 3 requirements.

Respectfully Submitted by:



LA SHELLE DOZIER  
Executive Director

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**Attachments**

- 1 Housing Authority Resolution
- 2. City Council Resolution

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Approved as to form:



Agency Counsel

## **RESOLUTION NO. 2014-**

**Adopted by the Housing Authority of the City of Sacramento**

on date of

### **CONSENT OF THE APPOINTMENT OF THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY'S EXECUTIVE DIRECTOR AS THE EXECUTIVE DIRECTOR OF THE HUMAN RIGHTS/FAIR HOUSING COMMISSION AND RELATED ACTIONS**

#### **BACKGROUND**

- A. Due to funding constraints, the Human Rights/Fair Housing Commission (Commission) needs to wind down its affairs by the end of this fiscal year. However, due to on-going liabilities, as part of the wind down, the Executive Director of the Commission will complete an assessment of the Commission's remaining responsibilities.
- B. The County of Sacramento agrees to assist in funding the reduced operations of the Commission and to appoint the Executive Director of the Sacramento Housing and Redevelopment Agency (SHRA) as the Executive Director of the Commission.
- C. This activity is not a project as defined by the California Environmental Quality Act (CEQA) Section 21065 and State CEQA Guidelines Section 15378(b)(5), as it is an organizational or administrative related activity of government that will not result in direct or indirect physical changes in the environment.
- D. The National Environmental Policy Act (NEPA) does not apply as federal funds are not involved.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE HOUSING AUTHORITY OF THE CITY RESOLVES AS FOLLOWS:**

- Section 1. All evidence presented having been duly considered, the above **facts**, including but not limited to the environmental facts, are found to be true and accurate.

**Consent of the Appointment of the Sacramento Housing and Redevelopment Agency's Executive Director as the Executive Director of the Human Rights/Fair Housing Commission and Related Actions**

**Section 2.** The Housing Authority Board consents to the appointment of the SHRA Executive Director to serve as the Executive Director of the Human Rights/Fair Housing Commission to oversee the winding-down of Commission operations, including the authority to pay CalPERS liabilities.

**Section 3.** The Housing Authority Board consents to SHRA executing a Memorandum of Understanding with the Commission to carry out the wind-down services for the Commissions operations, and to amend the SHRA budget accordingly.

## **RESOLUTION NO. 2014 –**

**Adopted by the Sacramento City Council**

on date of

### **AUTHORIZATION OF AND CONSENT TO THE APPOINTMENT OF THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY'S EXECUTIVE DIRECTOR AS THE EXECUTIVE DIRECTOR OF THE HUMAN RIGHTS/FAIR HOUSING COMMISSION AND RELATED ACTIONS**

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- C. This activity is not a project as defined by the California Environmental Quality Act (CEQA) Section 21065 and State CEQA Guidelines Section 15378(b)(5), as it is an organizational or administrative related activity of government that will not result in direct or indirect physical changes in the environment.
- D. The National Environmental Policy Act (NEPA) does not apply as federal funds are not involved.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. All evidence presented having been duly considered and as stated in the above recitals, including the environmental recitals, are found to be true and correct.

**Consent of the Appointment of the Sacramento Housing and Redevelopment Agency's Executive Director as the Executive Director of the Human Rights/Fair Housing Commission and Related Actions**

**Section 2.** To authorize and consent to the appointment of the SHRA Executive Director to serve as the Executive Director of the Human Rights/Fair Housing Commission (Commission) to oversee the winding-down of Commission operations, including the authority to pay CalPERS liabilities.

**Section 3.** SHRA is authorized to execute a Memorandum of Understanding with the Commission to provide wind-down services for Commission operations.