

Boards of Commissioners Meeting

December 15, 2015



CELEBRATING

75

YEARS
FRESNO HOUSING

AGENDA

O (559) 443-8400

F (559) 445-8981

1331 Fulton Mall

Fresno, California 93721

TTY (800) 735-2929

www.fresnohousing.org

Regular Joint Meeting of the Boards of Commissioners of the Fresno Housing Authority

5pm December 15, 2015

1331 Fulton Mall, Fresno, CA 93721

Interested parties wishing to address the Boards of Commissioners regarding this meeting's Agenda Items, and/or regarding topics not on the agenda but within the subject matter jurisdiction of the Boards of Commissioners, are asked to complete a "Request to Speak" card which may be obtained from the Board Secretary (Tiffany Mangum) at 4:45 p.m. You will be called to speak under Agenda Item 3, Public Comment.

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made at least one (1) full business day prior to the meeting. Please call the Board Secretary at (559) 443-8475, TTY 800-735-2929.

5pm Board Meeting

PAGE #

1. Call to Order and Roll Call

2. Approval of agenda as posted (or amended)

3. Public Comment

This is an opportunity for the members of the public to address the Boards of Commissioners on any matter within the subject matter jurisdiction of the Boards of Commissioners that is not listed on the Agenda. At the start of your presentation, please state your name, address and/or the topic you wish to speak on that is not on the agenda. Presentations are limited to a total of three (3) minutes per speaker.

4. POTENTIAL CONFLICTS OF INTEREST – *Any Commissioner who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter. (Gov. Code section 87105)*

5. Election of 2016-2017 Officers – City Board of Commissioners

6. Consent Agenda

- | | |
|---|----|
| a. Consideration of the minutes of November 17, 2015 | 4 |
| b. Consideration of the Internal Revenue Code Section 42
Utility Allowance Schedule – Mixed Finance | 14 |
| c. Consideration of the Internal Revenue Code Section 42
Utility Allowance Schedule - Low-Income Public
Housing | 19 |
| d. Consideration of the Internal Revenue Code Section 42
Utility Allowance Schedule - Housing Choice Voucher | 22 |
| e. Consideration of Contract Extension – IT Services | 40 |
| f. Consideration of the OMS Operations Contract –
Parlier Migrant | 43 |

7. Informational

- | | |
|---|----|
| a. Update on Leasing Activities | 51 |
| b. Leveraging the HCV Program to Improve Quality
Housing: Abatement Analysis | 52 |
| c. Real Estate Development Update | 53 |

8. Action

- | | |
|--|----|
| a. Consideration of the Contract Award – Grounds
Maintenance Services | 54 |
| b. Consideration of Legal Services Contract – General
Counsel | 60 |
| c. Consideration of Legal Services Contract – Human
Resources | 65 |
| d. Consideration of Legal Services Contract – HUD Matters | 70 |
| e. Consideration of Legal Services Contract – Affordable
Housing | 75 |
| f. Consideration of the 2016 Operating and Housing
Assistance Payments Budgets | 80 |
| g. Consideration of a Written Statement on the HUD
Proposed Rule on Smoke Free Public Housing | 86 |

9. Executive Director's Report

98

10. Closed Session

PUBLIC EMPLOYMENT

Title: CEO/Executive Director

11. Report on Closed Session Matters**12. Adjournment**

Minutes of the Joint Meeting
Of the Boards of Commissioners of the
HOUSING AUTHORITIES OF THE CITY AND COUNTY OF FRESNO

Tuesday, November 17, 2015

5:00 P.M.

The Boards of Commissioners of the Housing Authorities of the City and County of Fresno met in a regular joint session on Tuesday, November 17, 2015, at the offices of HACCF, located at 1331 Fulton Mall, Fresno, California.

1. The meeting was called to order at 5:06 p.m. by Board Chair, Commissioner Scharton of the Board of Commissioners of the Housing Authority of the City of Fresno. Roll call was taken by Monique Narciso, Administrative Assistant for the Executive Office, and the Commissioners present and absent were as follows:

COMMISSIONERS PRESENT: CRAIG SCHARTON, Chair
 ADRIAN JONES, Vice Chair
 RUEBEN SCOTT
 STEVEN BEDROSIAN
 KARL JOHNSON
 JORGE AGUILAR

COMMISSIONERS ABSENT: None.

The meeting was called to order at 5:06 p.m. by Board Chair, Commissioner Sablan, of the Board of Commissioners of the Housing Authority of Fresno County. Roll call was taken by Monique Narciso, Administrative Assistant for the Executive Office, and the Commissioners present and absent were as follows:

COMMISSIONERS PRESENT: STACY SABLAN, Chair
 RENEETA ANTHONY, Vice Chair
 NANCY NELSON
 LEE ANN EAGER
 VENILDE MILLER
 JOEY FUENTES

COMMISSIONERS ABSENT: JIM PETTY

Also, in attendance were the following: Preston Prince, CEO/Executive Director; Tracewell Hanrahan, Deputy Executive Director; Jim Barker, Chief Finance Officer; Ken Price, Baker

Manock and Jensen - General Counsel; and Tiffany Mangum, Special Assistant to the CEO/Executive Director.

2. APPROVAL OF AGENDA AS POSTED (OR AMENDED)

Preston Prince, CEO/Executive Director recommended to the Boards to add action item 7(j) Consideration of the Parlier Migrant Center 2015/2016 OMS Rehabilitation Contract.

No public comment.

Commissioner Scott motioned for the City Board's approval to add the action item on the agenda. This action was seconded by Commissioner Jones, and by unanimous vote of the Board of Commissioners for the City, consideration of the Parlier Migrant Center 2015/2016 OMS Rehabilitation Contract was added to the agenda.

Commissioner Anthony motioned for the County Board's approval to add the action item on the agenda. This action was seconded by Commissioner Eager, and by unanimous vote of the Board of Commissioners for the County, consideration of the Parlier Migrant Center 2015/2016 OMS Rehabilitation Contract was added to the agenda.

Preston Prince recommended reorganizing the agenda to as follows: Items 7(a, b, c, d, i, e, h, g, f, and j).

No public comment.

Commissioner Jones motioned for the City Board's approval of the agenda as amended. This action was seconded by Commissioner Scott, and by unanimous vote of the Board of Commissioners for the City, the agenda was approved as amended.

Commissioner Anthony motioned for the County Board's approval of the agenda as amended. This action was seconded by Commissioner Nelson, and by unanimous vote of the Board of Commissioners for the County, the agenda was approved as amended.

3. PUBLIC COMMENT

Eric Payne, resident of West Fresno, wanted to thank the Boards for addressing the concern of homeless youth in West Fresno. Mr. Payne announced his support for the memorandum of understanding regarding the partnership between the Housing Authority and Economic Opportunities Commission (EOC) providing grant opportunities for the Homeless Youth Program.

There was no further comment.

POTENTIAL CONFLICTS OF INTEREST

This was the time for any Commissioner who had a potential conflict of interest to identify the item and recuse themselves from discussing and voting on the matter per Government Code section 87105.

Commissioner Scott announced his conflict of interest with items 7(g) and 7(h), involving Fresno Edison Apartments.

4. CONSENT AGENDA

a. Consideration of the minutes of October 27, 2015

No public comment.

Commissioner Jones motioned for the City Board's approval of the consent agenda. This action was seconded by Commissioner Bedrosian, and by unanimous vote of the Board of Commissioners for the City, the consent agenda was approved.

Commissioner Anthony motioned for the County Board's approval of the consent agenda. This action was seconded by Commissioner Eager, and by unanimous vote of the Board of Commissioners for the County, the consent agenda was approved.

5. INFORMATIONAL

a. Update on Leasing Activities

Juan Lopez, Senior Quality Assurance Analyst, presented an update on the final leasing rates. Mr. Lopez also provided an overview of the 3rd quarter 2015 voucher utilization, the 3rd quarter 2015 HAP utilization, HAP Reserves, and the 2015 HAP projections.

b. 2015 3rd Quarter Budget Results

Michael Van Putten, Budget Analyst, presented the 2015 3rd quarter budget results to the Boards. Mr. Van Putten announced that the Agency performed better than projected within this 9-month period and explained a couple of shortfalls the Agency experienced.

Tracewell Hanrahan, Deputy Executive Director, provided the Boards additional clarification regarding terms on the addendums provided.

c. 2016 Operating and HAP Budget Review

Michael Van Putten presented the 2016 operating and HAP budget review to the Boards. Mr. Van Putten's presentation included updates and refinements to the first draft presented at the October 27th Board meeting and addressed the year-end projections for 2015.

There was some conversation amongst staff and Board members concerning Predevelopment revenue and the budget.

Commissioner Aguilar joined the meeting.

d. Leveraging the HCV Program to Improve Quality Housing: Abatement Analysis

Aurora Ibarra, Assisted Housing Manager, presented an Abatement Analysis update which covered the units that have failed inspections for owner-related items and snapshots of abatements currently in process. Ms. Ibarra provided additional information on repeat owners in the abatement process. Additionally, Ms. Ibarra gave an update to the Boards on the Policy and Procedures of the HCV program.

Commissioner Scharton requested more information about the HCV program outside of the Abatement Analysis, along with additional data and feedback in the next staff update.

e. Real Estate Development Update

Michael Duarte, Director, Planning & Community Development, acknowledged the Planning & Community Development Staff's hard work on the current projects. Mr. Duarte presented updates on Firebaugh Gateway, Edison Plaza Apartments, and the Parc Grove Commons North East.

f. Overview of Homeless Initiatives Programs

Doreen Eley, Assisted Housing Manager, presented an overview of Homeless Initiative Programs. The overview included programs such as Shelter Plus Care, Renaissance Programs, Rapid Rehousing, and Coordinated Entry programs that are highlighted in HUD's Continuum of Care (CoC) funding program. Ms. Eley also added information regarding action items on the agenda and the Agency's intention to partner with Fresno Economic Opportunities Commission for three permanent supportive housing programs that include Project Phoenix, Project Homestead and Project Hearth.

6. ACTION

a. Consideration of Application Submission – Continuum of Care Program Funding

Doreen Eley recommended submitting the application for the Continuum of Care Program Funding.

No public comment.

Commissioner Scott motioned for the City Board's approval to submit an application for the Continuum of Care Program Funding. This action was seconded by Commissioner Johnson, and by unanimous vote of the Board of Commissioners for

the City, the submission of the application for the Continuum of Care Program Funding was approved.

Commissioner Anthony motioned for the County Board's approval to submit an application for the Continuum of Care Program Funding. This action was seconded by Commissioner Eager, and by unanimous vote of the Board of Commissioners for the County, the submission of the application for the Continuum of Care Program Funding was approved.

b. Consideration of a Permanent Supportive Housing Partnership – Fresno EOC Project Phoenix

Doreen Eley recommended the Boards adopt the attached resolutions authorizing the partnership with EOC in administering the Project Phoenix program.

No public comment.

Commissioner Jones motioned for the City Board's approval to adopt the resolutions authorizing the partnership with EOC in administering the Project Phoenix program. This action was seconded by Commissioner Bedrosian, and by unanimous vote of the Board of Commissioners for the City, the resolutions authorizing the partnership with EOC in administering the Project Phoenix program was approved.

Commissioner Anthony motioned for the County Board's approval to adopt the resolutions authorizing the partnership with EOC in administering the Project Phoenix program. This action was seconded by Commissioner Nelson, and by unanimous vote of the Board of Commissioners for the County, the resolutions authorizing the partnership with EOC in administering the Project Phoenix program was approved.

c. Consideration of a Permanent Supportive Housing Partnership – Fresno EOC Project Homestead and Project Hearth

Doreen Eley recommended the Boards adopt the attached resolution authorizing the partnership with EOC in administering the Project Homestead and Project Hearth programs.

No public comment.

Commissioner Jones motioned for the City Board's approval to adopt the resolution authorizing the partnership with EOC in administering the Project Homestead and Project Hearth program. This action was seconded by Commissioner Bedrosian, and by unanimous vote of the Board of Commissioners for the City, the resolution authorizing the partnership with EOC in administering the Project Homestead and Project Hearth programs was approved.

Commissioner Anthony motioned for the County Board's approval to adopt the resolution authorizing the partnership with EOC in administering the Project Homestead and Project Hearth programs. This action was seconded by Commissioner Eager, and by unanimous vote of the Board of Commissioners for the County, the resolution authorizing the partnership with EOC in administering the Project Homestead and Project Hearth programs was approved.

d. Consideration of the Drought Housing Relocation Assistance Program – County of Fresno

Angie Nguyen, Director of Strategic Initiatives and Housing Programs, recommended the Boards authorize the partnership with the Department of Social Services (DSS) in administering the Drought Housing Relocation Assistance Program (DHRAP) for to households affected by dry wells due to the drought in Fresno County.

Commissioner Sablan recused herself from this action due to a potential conflict of interest.

No public comment.

Commissioner Scott motioned for the City Board's approval to adopt the resolution authorizing the partnership with DSS in administering DHRAP. This action was seconded by Commissioner Aguilar, and by unanimous vote of the Board of Commissioners for the City, the resolution authorizing the partnership with DSS in administering DHRAP was approved.

Commissioner Eager motioned for the County Board's approval to adopt the resolution authorizing the partnership with DSS in administering DHRAP. This action was seconded by Commissioner Nelson, and by unanimous vote of the Board of Commissioners for the County, the resolution authorizing the partnership with DSS in administering DHRAP was approved.

e. Consideration of Omnibus Resolutions – Firebaugh Gateway

This item was originally labeled as item 7(i) on the Agenda.

Michael Duarte presented to the Boards a recommendation to adopt the amended omnibus resolutions in connection with Firebaugh Gateway.

No public comment.

Commissioner Scott motioned for the City Board's approval to adopt the amended omnibus resolutions in connection with Firebaugh Gateway. This action was seconded by Commissioner Johnson, and by unanimous vote of the Board of Commissioners for the City, the motion to adopt the amended omnibus resolutions in connection with Firebaugh Gateway was approved.

Commissioner Eager motioned for the County Board's approval to adopt the amended omnibus resolutions in connection with Firebaugh Gateway. This action was seconded by Commissioner Miller, and by unanimous vote of the Board of Commissioners for the County, the motion to adopt the amended omnibus resolution in connection with Firebaugh Gateway was approved.

f. Consideration of Contract Award for General Contracting Services – Firebaugh Gateway

This item was originally labeled as item 7(e) on the Agenda.

Michael Duarte presented to the Boards the recommendation to award the General Contracting services contract for the Firebaugh Gateway development to Ashwood Construction, Inc.

No public comment.

Commissioner Scott motioned for the City Board's approval to move forward with the contract for general contracting services of Firebaugh Gateway. This action was seconded by Commissioner Bedrosian, and by unanimous vote of the Board of Commissioners for the City, the recommendation to award with the contract for general contracting services of Firebaugh Gateway to Ashwood Construction was approved.

Commissioner Nelson motioned for the County Board's approval to move forward with the contract for general contracting services of Firebaugh Gateway. This action was seconded by Commissioner Eager, and by unanimous vote of the Board of Commissioners for the County, the recommendation to award with the contract for general contracting services of Firebaugh Gateway to Ashwood Construction was approved.

g. Consideration of Omnibus Resolutions – Fresno Edison Apartments

This item was originally labeled as item 7(h) on the Agenda.

Michael Duarte presented to the Boards the recommendation to adopt the amended omnibus resolutions in connection with Fresno Edison Apartments.

Commissioner Scott recused himself from this action due to a conflict of interest.

No public comment.

Commissioner Bedrosian motioned for the City Board's approval to adopt the amended omnibus resolutions in connection with Fresno Edison Apartments. This action was seconded by Commissioner Johnson, and by unanimous vote of the Board of Commissioners for the City, the motion to adopt the amended omnibus resolutions in connection with Fresno Edison Apartments was approved.

Commissioner Eager motioned for the County Board's approval to adopt the amended omnibus resolutions in connection with Fresno Edison Apartments. This action was seconded by Commissioner Anthony, and by unanimous vote of the Board of Commissioners for the County, the motion to adopt the amended omnibus resolutions in connection with Fresno Edison Apartments was approved.

h. Consideration of Contract Award for General Contracting Services – Fresno Edison Apartments

This item was originally labeled as item 7(g) on the Agenda.

Michael Duarte presented to the Boards the recommendation to award the General Contracting services contract for the Fresno Edison Apartments development to Johnston Contracting.

Ken Price, General Counsel, clarified the amended language on the resolution. The original language was “desires to enter into a contract with Johnston Contracting for General Contracting services at said project in the amount of \$11,116,829” and was amended language is “in its capacity as managing member of Fresno Edison Apartments AGP, LLC, the Administrative General Partner of Fresno Edison Apartments, LP, desires to enter into a contract with Johnston Contracting for General Contracting services at said project in the amount of \$11,116,829.”

No public comment.

Commissioner Jones motioned for the City Board's approval to award the contract for general contracting services of Fresno Edison Apartments to Johnston Contracting. This action was seconded by Commissioner Aguilar, and by unanimous vote of the Board of Commissioners for the City, the recommendation to award the contract for general contracting services of Fresno Edison Apartments was approved.

Commissioner Anthony motioned for the County Board's approval to award the contract for general contracting services of Fresno Edison Apartments to Johnston Contracting. This action was seconded by Commissioner Nelson, and by unanimous vote of the Board of Commissioners for the County, the recommendation to award the contract for general contracting services of Fresno Edison Apartments was approved.

i. Consideration of the Funding Application Submissions – Parc Grove Commons Northeast

This item was originally labeled as item 7(f) on the Agenda.

Christina Husbands, Community Development Manager, presented the recommendation for the Board to approve the submission of funding applications for Parc Grove Commons Northeast. Ms. Husbands' presentation indicated that the

various financing sources under consideration are the 9% tax credits Affordable Housing Program application, City of Fresno HOME funds, the Veterans Housing and Homeless Prevention Program and other grants, operating subsidies and/or private loans and other such sources as determined by the CEO/Executive Director.

Commissioner Jones motioned for the City Board's approval to consider the funding application submissions for Parc Grove Commons Northeast. This action was seconded by Commissioner Bedrosian, and by unanimous vote of the Board of Commissioners for the City, the consideration of the funding application submissions for Parc Grove Commons Northeast was approved.

Commissioner Eager motioned for the County Board's approval to consider the funding application submissions for Parc Grove Commons Northeast. This action was seconded by Commissioner Anthony, and by unanimous vote of the Board of Commissioners for the County, the consideration of the funding application submissions for Parc Grove Commons Northeast was approved.

No public comment.

- j. Consideration of the Parlier Migrant Construction and Rehabilitation Contract # 15-OMS-10671.

This item was added to the original posted agenda; approved in item 2.

Tracewell Hanrahan presented the recommendation for the Boards to adopt the attached resolution approving the Parlier Migrant Center 2015/2016 OMS Rehabilitation Contract No. 15-OMS-10671.

Commissioner Anthony motioned for the County Board's approval to adopt the Parlier Migrant Center 2015/2016 OMS Rehabilitation Contract. This action was seconded by Commissioner Fuentes, and by unanimous vote of the Board of Commissioners for the County, the recommendation to adopt the Parlier Migrant Center 2015/2016 OMS Rehabilitation Contract was approved.

7. EXECUTIVE DIRECTOR'S REPORT

In addition to the written Director's report, the following items were announced:

- Preston Prince announced his 8 year anniversary with the Agency.
- Mr. Prince reflected on his 5 year NAHRO Leadership experience to the Boards and thanked them for their support.
- Commissioner Bedrosian was present for the Viking Village Grand Opening on Wednesday, October 28, 2015 at 1:00 p.m.

- Commissioner Sablan was present for the Marion Villas Grand Opening on November 12, 2015 at 11:00 a.m.; the Agency was presented with a resolution from the Valley State Legislators recognizing the Agency's 75th anniversary.
- The Executive Committee meeting will be on November 24, 2015 at 3:30 p.m. followed by the Special Board Meeting at 5:00 p.m.
- California Apartment Association Mark of Distinction Award was awarded Rosanne Dominguez as the Administrative Employee of the Year.
- AJ Johnston left the Ed Corps and Brandi Johnson will now be working with Ed Corps along with Communications for 6 months.
- Introduced the Business Operations Analyst Jeremy Matthews to the Boards.
- Preston will be out of office during the week of Thanksgiving.

8. CLOSED SESSION

This item was removed from the Agenda.

9. REPORT ON CLOSED SESSION ITEMS

This item was removed from the Agenda.

10. ACTION

- a. Consideration of Amendment to CEO/Executive Director Contract.

This item was moved to the next Board meeting.

11. ADJOURNMENT

There being no further business to be considered by the Boards of Commissioners for the Housing Authorities of the City and County of Fresno, the meeting was adjourned at approximately 7:14 p.m.

Preston Prince, Secretary to the Boards of Commissioners




BOARD MEMO

1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO:	Boards of Commissioners Fresno Housing Authority	DATE:	12/11/2015
FROM:	Preston Prince  CEO/Executive Director	BOARD MEETING:	12/15/2015
AUTHOR	Toni Bustamante Manager, Quality Assurance & Special Projects	AGENDA ITEM:	6b
RE:	Mixed Finance and Internal Revenue Code Section 42 2016 Proposed Utility Allowance Schedules		

Executive Summary

This memo provides the annual update to the Utility Allowance (UA) schedules for Low Income Housing Tax Credit (LIHTC) developments and site specific mixed finance LIHTC properties that include Low Income Public Housing (LIPH) and/or Housing Choice Voucher (Section 8) . The UA schedules will be made available to developers, including the Fresno Housing Authority (FH), of LIHTC properties throughout Fresno County. The California Tax Credit Allocation Committee (CTCAC) has provided guidance to LIHTC developers for estimates of utility allowances to refer to the local public housing authority or an energy consumption model estimate calculated using the most recent version of the California Utility Allowance Calculator developed by the California Energy Commission. The average monthly consumption estimates for electricity and natural gas were developed by the Nelrod Company utilizing HUD's Utility Schedule Model (HUSM). This model enables the user to calculate utility schedules by housing type after inputting utility rate information. The Internal Revenue Service (IRS) uses this model to determine utilities for its LIHTC program.

Projects developed under the Internal Revenue Code (IRC) Section 42, LIHTC program, similar to U.S. Dept. of Housing and Urban Development (HUD), United States Department of Agriculture (USDA) and several other agencies' programs, require the implementation of a utility (electric, gas, and water/sewer/garbage) allowance for use in calculating individual tenant subsidies for affordable housing. Due to the complexity of the data required to develop the utility allowances, we have used the services of the Nelrod Company of Fort Worth, Texas, to develop these allowances.

The Nelrod Company has prepared eight (8) utility allowance schedules and two (2) charts for Fresno City and County as follows:

LIHTC Utility Allowance Schedules (2) for Energy Efficient Units and S/8 utility Allowances (4) for Non-Energy-Efficient units

Multi-Family Low-Rise (1 to 4 units) Existing Rehab	Energy Efficient only (others will use Section 8 utility allowances)	Electric/Gas
Multi-Family Mid-Rise (5 or more units) Existing Rehab	Energy Efficient only (others will use Section 8 utility allowances)	Electric/Gas
Apartment (Multi-Family, 0-5 BR)	Non-Energy Efficient (Section 8 utility allowances)	Electric/Gas
Apartment (Multi-Family, 6-7 BR)	Non-Energy Efficient (Section 8 utility allowances)	Electric/Gas
Detached House (Single Family, 0-5 BR)	Non-Energy Efficient (Section 8 utility allowances)	Electric/Gas
Detached House (Single Family, 6-7 BR)	Non-Energy Efficient (Section 8 utility allowances)	Electric/Gas

Site Specific Mixed Finance Schedules (2) and Charts (2).

Pacific Gardens Tax Credit	Apartment/ Energy Efficient	Electric/Gas
Pacific Gardens Public Housing	Apartment/ Energy Efficient	
Yosemite Village Tax Credit	Row House/TownHouse & Semi –Detached/ Duplex /Detached	Electric/Gas
Yosemite Village Public Housing	Row House/TownHouse & Semi –Detached/ Duplex /Detached	Electric/Gas

Note: Parc Grove Commons II, Parc Grove North, and Kerman Acre are other Site Specific Mixed Finance property whose LIHTC Utility Allowance Schedules have been resubmitted to Nelrod for further analysis and will be presented at a future Board Meeting

Recommendation

It is recommended that the Boards of Commissioners of the Fresno Housing Authority adopt the attached utility allowance rates for new construction, rehabilitation multi-family complexes and mixed finance projects in Fresno County for units developed under IRC Section 42 (LIHTC), to be effective January 1, 2016 (public housing units effective February 1, 2016). The eight (8) schedules and two (2) charts to be adopted are those aforementioned.

Fiscal Impact

No Fiscal Impact.

Background Information

Owners of properties financed with Low Income Housing Tax Credits (LIHTC) must limit rents and incomes to no more than 60% of the Area Median Income (AMI) numbers published annually by HUD. Owners must include the cost of all resident paid utilities in the gross rent charged. To do this, they must obtain annual utility cost estimates for buildings in their LIHTC affordable housing property. Owners may obtain annual allowances from Public Housing Authorities that have jurisdiction, or in California, owners may utilize the California Utility Allowance Calculation developed by the California Energy Commission, for a particular area or they may obtain an estimate from the local utility company, if possible, based on building units with similar size and construction to buildings in the property. In addition, most owners elect percentages below 60% AMI - ranging from 30% to 60% of AMI. The same utility cost estimate numbers apply to the maximum gross rent limit elected by the owner and must therefore be deducted from that limit to obtain the net rent paid by households. The Utility Allowance schedule must be updated on a yearly basis or 10% increase. According to the Internal Revenue Section 1.42-10, for the Low-Income Housing Tax Credit Program, utility allowances must be reviewed and updated at least once during each calendar year. The annual review must take into account any changes in utility rates as well as any changes such as energy conservation measures which may affect the energy consumption of the building. Similar to the LIHTC program, the Low Income Public Housing (LIPH) program and Housing Choice Voucher (Section 8) program provide requirements for a utility allowance in determining tenant rents. A site specific utility allowance study is conducted on sites that have mixed finance. Mixed finance projects are funded with LIHTC, Public Housing and/or Housing Choice Voucher (Section 8).

RESOLUTION NO. _____
BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO

RESOLUTION ADOPTING MIXED FINANCE AND INTERNAL REVENUE CODE
SECTION 42 LIHTC UTILITY ALLOWANCE SCHEDULES FOR 2016

WHEREAS, projects developed under the Internal Revenue Code (IRC) Section 42, Low Income Housing Tax Credit (LIHTC) program, similar to U.S. Dept. of Housing and Urban Development, United States Department of Agriculture (USDA) and several other agencies' programs, require the implementation of a utility (electric, gas, and water/sewer/garbage) allowance for use in calculating individual tenant subsidies for affordable housing; and

WHEREAS, the annual update to the Utility Allowance (UA) schedule for LIHTC developments and site specific mixed-finance LIHTC properties that include Low Income Public Housing (LIPH) and/or Housing Choice Voucher (Section 8); and

WHEREAS, the utility allowance schedules are made available to developers and owners, including the Fresno Housing Authority (FH), of LIHTC properties throughout Fresno City; and

WHEREAS, due to the complexity of the data required to develop the utility allowances, the services of Nelrod Company of Fort Worth, Texas have been utilized to develop these allowances and provided eight (8) utility allowance schedules and two (2) charts dated September 2015.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno do hereby adopt the eight (8) utility allowance schedules and two (2) charts for new construction, rehabilitation multi families complexes and mixed-finance projects in Fresno City for units developed under Internal Revenue Code Section 42 (LIHTC), as prepared by the Nelrod Company.

PASSED AND ADOPTED THIS 15th day of December, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners

RESOLUTION NO. _____
BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE COUNTY OF FRESNO

RESOLUTION ADOPTING MIXED FINANCE AND INTERNAL REVENUE CODE
SECTION 42 LIHTC UTILITY ALLOWANCE SCHEDULES FOR 2016

WHEREAS, projects developed under the Internal Revenue Code (IRC) Section 42, Low Income Housing Tax Credit (LIHTC) program, similar to U.S. Dept. of Housing and Urban Development, United States Department of Agriculture (USDA) and several other agencies' programs, require the implementation of a utility (electric, gas, and water/sewer/garbage) allowance for use in calculating individual tenant subsidies for affordable housing; and

WHEREAS, the annual update to the Utility Allowance (UA) schedule for LIHTC developments and site specific mixed-finance LIHTC properties that include Low Income Public Housing (LIPH) and/or Housing Choice Voucher (Section 8); and

WHEREAS, the utility allowance schedules are made available to developers and owners, including the Fresno Housing Authority (FH), of LIHTC properties throughout Fresno County; and

WHEREAS, due to the complexity of the data required to develop the utility allowances, the services of Nelrod Company of Fort Worth, Texas have been utilized to develop these allowances and provided eight (8) utility allowance schedules and two (2) charts dated September 2015.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the County of Fresno do hereby adopt the eight (8) utility allowance schedules and two (2) charts for new construction, rehabilitation multi families complexes and mixed-finance projects in Fresno County for units developed under Internal Revenue Code Section 42 (LIHTC), as prepared by the Nelrod Company.

PASSED AND ADOPTED THIS 15th day of December, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners



1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO: Board of Commissioners **DATE:** 12/8/2015
Second line available
FROM: Preston Prince *P. Prince* **BOARD MEETING:** 12/15/2015
CEO/Executive Director
AUTHOR Toni Bustamante **AGENDA ITEM:** 6c
Manager,
Quality Assurance &
Special Projects
RE: Low Income Public Housing (LIPH)
2016 Proposed Utility Allowance Schedules

Executive Summary

In accordance with 24 CFR 965.507, public housing authorities (PHA) shall review at least annually the basis on which utility allowances have been established for public housing units and, if reasonably required in order to continue adherence to the standards stated in §965.505, shall establish revised allowances. The review shall include all changes in circumstances (including completion of modernization and/or other energy conservation measures implemented by the PHA) indicating probability of a significant change in reasonable consumption requirements and changes in utility rates.

For the 2015 review the agency contracted with The Nelrod Company for a utility allowance study for each unit type listed on the attached charts for public housing units in the City and County of Fresno.

Based on the results of the annual review, changes will be implemented effective February 1, 2016 to allow for a 60 day notice for public housing residents.

The Nelrod Company has prepared two (2) utility allowance charts; one for Fresno City complexes and one for Fresno County complexes, per attached.

Recommendation

It is recommended that the Board of Commissioners of the Fresno Housing Authority adopt the attached utility allowance rates for the Low Income Public Housing (LIPH) properties effective February 1, 2016 to allow for a 60 day notice for public housing residents.

Fiscal Impact

No Fiscal Impact

RESOLUTION NO. _____
BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO

**RESOLUTION ADOPTING LOW INCOME PUBLIC HOUSING UTILITY ALLOWANCE
SCHEDULES FOR 2016**

WHEREAS, a Public Housing Agency (PHA), as required by the U.S. Dept. of Housing and Urban Development (HUD), must implement a utility (electric, gas, medical equipment and water/sewer/garbage) allowance for use in calculating individual tenant rent for the Low Income Public Housing (LIPH) program; and

WHEREAS, a PHA must review its schedule of utility allowances each year, and must revise its allowance for a utility category if there has been a change of 10 percent or more in the utility rate since the last time the utility allowance was revised; and

WHEREAS, the utility allowance schedules are made available to participating families and owners; and

WHEREAS, due to the complexity of the data required to develop the utility allowances, the services of The Nelrod Company of Fort Worth, Texas have been utilized to develop these allowances and provided one (1) utility allowance charts in a report dated September 2015. Chart 1 for City of Fresno public housing sites.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno do hereby adopt the one (1) utility allowance chart for families who participate in the Low Income Public Housing program in Fresno City, as prepared by the Nelrod Company in September 2015 and effective February 1, 2016 to allow for a 60 day notice for public housing residents.

PASSED AND ADOPTED THIS 15th day of December, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners

RESOLUTION NO. _____
BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE COUNTY OF FRESNO

RESOLUTION ADOPTING LOW INCOME PUBLIC HOUSING UTILITY ALLOWANCE
SCHEDULES FOR 2016

WHEREAS, a Public Housing Agency (PHA), as required by the U.S. Dept. of Housing and Urban Development (HUD), must implement a utility (electric, gas, medical equipment and water/sewer/garbage) allowance for use in calculating individual tenant rent for the Low Income Public Housing (LIPH) program; and

WHEREAS, a PHA must review its schedule of utility allowances each year, and must revise its allowance for a utility category if there has been a change of 10 percent or more in the utility rate since the last time the utility allowance was revised; and

WHEREAS, the utility allowance schedules are made available to participating families and owners; and

WHEREAS, due to the complexity of the data required to develop the utility allowances, the services of The Nelrod Company of Fort Worth, Texas have been utilized to develop these allowances and provided one (1) utility allowance charts in a report dated September 2015. Chart 2 for County of Fresno public housing sites.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the County of Fresno do hereby adopt the one (1) utility allowance charts for families who participate in the Low Income Public Housing program in Fresno County, as prepared by the Nelrod Company in September 2015 and effective February 1, 2016 to allow for a 60 day notice for public housing residents.

PASSED AND ADOPTED THIS 15th day of December, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners



BOARD MEMO

1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO:	Boards of Commissioners Fresno Housing Authority	DATE:	12/11/2015
FROM:	Preston Prince <i>P. Prince</i> CEO/Executive Director	BOARD MEETING:	12/15/2015
AUTHOR	Joseph De George Analyst-Quality Assurance	AGENDA ITEM:	6d
RE:	New Utility Allowance for Single and Multi-Family Units HCV Program (Section 8)		

Executive Summary

In accordance with 24 CFR 982.517(c), Public Housing Agencies (PHAs) must review Utility Allowance (UA) schedules annually and revise allowance for utility categories where a change of 10% or more in the utility rate has occurred since the previous UA schedule revision.

- PG&E and Southern California Gas Rates. For the 2015 review the agency contracted with The Nelrod Company for a utility allowance study regarding Pacific, Gas, and Electric, and Southern California Gas rates for each category listed on form HUD-52667 - Allowance for Tenant-Furnished Utilities and Other Services. Gas and Electric rates changed by at least 10 percent and, therefore, Nelrod has provided updated schedules. It should be noted that even though base rates changed by more than 10 percent, the individual categories will not necessarily change by that same rate. A comparison chart has also been provided to show changes from 2015 to 2016.
- Water, Garbage, and Sewer Rates. Quality Assurance staff collected information regarding current water, garbage, and sewer rates for the cities within Fresno County. Several rate changes met the 10% change threshold and have been noted in the attachments.

Based on the results of our annual review, changes have been made to the attached UA schedules as listed below, and are effective January 1, 2016, for new contracts or at recertification for existing contracts:

1. **Single family** for tenant-furnished utilities as reflected in HUD-52667, and water, sewer, and garbage.

2. **Multi family** for tenant-furnished utilities as reflected in HUD-52667, and water, sewer, and garbage.
3. Utility allowances for medical equipment.

Recommendation

It is recommended that the Board of Commissioners of the Fresno Housing Authority adopt the attached utility allowance rates for the Housing Choice Voucher Program (Section 8) effective January 1, 2016.

Fiscal Impact

No Fiscal Impact

Attachments:

- Attachment A: HUD Forms 52667, Single-Family and Multi-Family and Medical Equipment Allowances
- Attachment B: Comparison Chart – Forms 52667
- Attachment C: Utility Rate Comparison Chart – PGE and SoCal Gas
- Attachment D: Water/Sewer/Garbage Rates and Changes

RESOLUTION NO. _____
BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO

RESOLUTION ADOPTING HOUSING CHOICE VOUCHER UTILITY ALLOWANCE
SCHEDULES FOR 2016

WHEREAS, a Public Housing Agency (PHA), as required by the U.S. Dept. of Housing and Urban Development (HUD), must implement a utility (electric, gas, medical equipment and water/sewer/garbage) allowance for use in calculating individual tenant subsidies for affordable housing in the Housing Choice Voucher (HCV) program; and

WHEREAS, a PHA must review its schedule of utility allowances each year, and must revise its allowance for a utility category if there has been a change of 10 percent or more in the utility rate since the last time the utility allowance was revised; and

WHEREAS, the utility allowance schedules are made available to participating families and owners; and

WHEREAS, due to the complexity of the data required to develop the utility allowances, the services of The Nelrod Company of Fort Worth, Texas have been utilized to develop these allowances and provided two (2) utility allowance schedules in a report dated September 2015 and two (2) charts dated September 2015.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno hereby adopt the two (2) utility allowance schedules and two (2) charts for families who participate in the Housing Choice Voucher program in Fresno City and County, as prepared by the Nelrod Company in September 2015, and further authorize they be effective January 1, 2016.

PASSED AND ADOPTED THIS 15th day of December, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners

RESOLUTION NO. _____
BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO COUNTY

**RESOLUTION ADOPTING HOUSING CHOICE VOUCHER UTILITY ALLOWANCE
SCHEDULES FOR 2016**

WHEREAS, a Public Housing Agency (PHA), as required by the U.S. Dept. of Housing and Urban Development (HUD), must implement a utility (electric, gas, medical equipment and water/sewer/garbage) allowance for use in calculating individual tenant subsidies for affordable housing in the Housing Choice Voucher (HCV) program; and

WHEREAS, a PHA must review its schedule of utility allowances each year, and must revise its allowance for a utility category if there has been a change of 10 percent or more in the utility rate since the last time the utility allowance was revised; and

WHEREAS, the utility allowance schedules are made available to participating families and owners; and

WHEREAS, due to the complexity of the data required to develop the utility allowances, the services of The Nelrod Company of Fort Worth, Texas have been utilized to develop these allowances and provided two (2) utility allowance schedules in a report dated September 2015 and two (2) charts dated September 2015.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County hereby adopt the two (2) utility allowance schedules and two (2) charts for families who participate in the Housing Choice Voucher program in Fresno City and County, as prepared by the Nelrod Company in September 2015, and further authorize they be effective January 1, 2016.

PASSED AND ADOPTED THIS 15th day of December, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners

Celebrating 75 Years! Fresno Housing Authority

1331 Fulton Mall, Fresno, California 93721 (559) 443-8400 TTY (800) 735-2929

Allowances for Tenant Furnished Utilities and other Services

U.S. Department of Housing and Urban
Development
Office of Public and Indian Housing

OMB Approval No. 2577-0189
(exp. 09/30/2017)

Locality: Housing Authorities of the City & County of Fresno, CA		Unit Type: Apartment (Multi-Family)		Date (mm/dd/yyyy) 1/1/2016			
Utility or Service		Monthly Dollar Allowances					
		0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating	a. Natural Gas	\$8.00	\$9.00	\$11.00	\$13.00	\$14.00	\$16.00
	b. Bottle Gas/Propane						
	c. Electric	\$10.00	\$12.00	\$15.00	\$18.00	\$21.00	\$24.00
	e. Oil / Other						
Cooking	a. Natural Gas	\$3.00	\$3.00	\$4.00	\$6.00	\$7.00	\$8.00
	b. Bottle Gas/Propane						
	c. Electric	\$6.00	\$7.00	\$9.00	\$10.00	\$12.00	\$14.00
Other Electric (Climate Control, Lights, & Appliances)		\$16.00	\$19.00	\$27.00	\$34.00	\$42.00	\$51.00
Air Conditioning		\$7.00	\$8.00	\$13.00	\$18.00	\$23.00	\$27.00
Water Heating	a. Natural Gas	\$8.00	\$9.00	\$13.00	\$16.00	\$18.00	\$20.00
	b. Bottle Gas/Propane						
	c. Electric	\$12.00	\$14.00	\$21.00	\$26.00	\$30.00	\$33.00
	d. Oil / Other						
Water		N/A	N/A	N/A	N/A	N/A	N/A
Sewer		N/A	N/A	N/A	N/A	N/A	N/A
Trash Collection		N/A	N/A	N/A	N/A	N/A	N/A
Range / Microwave Tenant-supplied		\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00
Refrigerator Tenant-supplied		\$13.00	\$13.00	\$13.00	\$13.00	\$13.00	\$13.00
Other—specify: SoCal Gas Fee \$4.08		\$4.00	\$4.00	\$4.00	\$4.00	\$4.00	\$4.00
Actual Family Allowances		Utility or Service per month cost					
To be used by the family to compute allowances. Complete below for the actual unit rented. Name of Family _____ Address of Unit _____ Number of Bedrooms _____		Heating \$					
		Cooking \$					
		Other Electric \$					
		Air Conditioning \$					
		Water Heating \$					
		Water \$					
		Sewer \$					
		Trash Collection \$					
		Range / Microwave \$					
		Refrigerator \$					
Other \$							
Other \$							
Total \$							



The Nelrod Company Revised 9/2015

form HUD-52667 (09/14)
ref. Handbook 7420.8

Celebrating 75 Years! Fresno Housing Authority

1331 Fulton Mall, Fresno, California 93721 (559) 443-8400 TTY (800) 735-2929

Allowances for Tenant Furnished Utilities and other Services

U.S. Department of Housing and Urban
Development
Office of Public and Indian Housing

OMB Approval No. 2577-0189
(exp. 09/30/2017)

Locality: Housing Authorities of the City & County of Fresno, CA		Unit Type: Apartment (Multi-Family)		Date (mm/dd/yyyy) 1/1/2016																														
Utility or Service		Monthly Dollar Allowances																																
		6 BR	7 BR																															
Heating	a. Natural Gas	\$18.00	\$18.00																															
	b. Bottle Gas/Propane																																	
	c. Electric	\$26.00	\$28.00																															
	e. Oil / Other																																	
Cooking	a. Natural Gas	\$8.00	\$9.00																															
	b. Bottle Gas/Propane																																	
	c. Electric	\$15.00	\$16.00																															
Other Electric (Climate Control, Lights, & Appliances)		\$56.00	\$62.00																															
Air Conditioning		\$30.00	\$32.00																															
Water Heating	a. Natural Gas	\$22.00	\$23.00																															
	b. Bottle Gas/Propane																																	
	c. Electric	\$36.00	\$38.00																															
	d. Oil / Other																																	
Water		N/A	N/A																															
Sewer		N/A	N/A																															
Trash Collection		N/A	N/A																															
Range / Microwave Tenant-supplied		\$12.00	\$12.00																															
Refrigerator Tenant-supplied		\$13.00	\$13.00																															
Other—specify: SoCal Gas Fee \$4.08		\$4.00	\$4.00																															
Actual Family Allowances		<table border="1"> <thead> <tr> <th>Utility or Service</th> <th>per month cost</th> </tr> </thead> <tbody> <tr><td>Heating</td><td>\$</td></tr> <tr><td>Cooking</td><td>\$</td></tr> <tr><td>Other Electric</td><td>\$</td></tr> <tr><td>Air Conditioning</td><td>\$</td></tr> <tr><td>Water Heating</td><td>\$</td></tr> <tr><td>Water</td><td>\$</td></tr> <tr><td>Sewer</td><td>\$</td></tr> <tr><td>Trash Collection</td><td>\$</td></tr> <tr><td>Range / Microwave</td><td>\$</td></tr> <tr><td>Refrigerator</td><td>\$</td></tr> <tr><td>Other</td><td>\$</td></tr> <tr><td>Other</td><td>\$</td></tr> <tr><td>Total</td><td>\$</td></tr> </tbody> </table>					Utility or Service	per month cost	Heating	\$	Cooking	\$	Other Electric	\$	Air Conditioning	\$	Water Heating	\$	Water	\$	Sewer	\$	Trash Collection	\$	Range / Microwave	\$	Refrigerator	\$	Other	\$	Other	\$	Total	\$
Utility or Service	per month cost																																	
Heating	\$																																	
Cooking	\$																																	
Other Electric	\$																																	
Air Conditioning	\$																																	
Water Heating	\$																																	
Water	\$																																	
Sewer	\$																																	
Trash Collection	\$																																	
Range / Microwave	\$																																	
Refrigerator	\$																																	
Other	\$																																	
Other	\$																																	
Total	\$																																	
Name of Family																																		
Address of Unit																																		
Number of Bedrooms																																		



The Nelrod Company Revised 9/2015

form HUD-52667 (09/14)
ref. Handbook 7420.8

Celebrating 75 Years! Fresno Housing Authority

1331 Fulton Mall, Fresno, California 93721 (559) 443-8400 TTY (800) 735-2929

Allowances for Tenant Furnished Utilities and other Services

U.S. Department of Housing and Urban
Development
Office of Public and Indian Housing

OMB Approval No. 2577-0189
(exp. 09/30/2017)

Locality: Housing Authorities of the City & County of Fresno, CA		Unit Type: Detached House (Single-Family)		Date (mm/dd/yyyy) 1/1/2016			
Utility or Service		Monthly Dollar Allowances					
		0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating	a. Natural Gas	\$19.00	\$23.00	\$25.00	\$28.00	\$30.00	\$33.00
	b. Bottle Gas/Propane						
	c. Electric	\$21.00	\$25.00	\$28.00	\$32.00	\$35.00	\$39.00
	d. Oil / Other						
Cooking	a. Natural Gas	\$3.00	\$3.00	\$4.00	\$6.00	\$7.00	\$8.00
	b. Bottle Gas/Propane						
	c. Electric	\$6.00	\$7.00	\$9.00	\$10.00	\$12.00	\$14.00
Other Electric (Climate Control, Lights, & Appliances)		\$25.00	\$29.00	\$40.00	\$52.00	\$67.00	\$83.00
Air Conditioning		\$10.00	\$12.00	\$19.00	\$26.00	\$33.00	\$40.00
Water Heating	a. Natural Gas	\$8.00	\$9.00	\$13.00	\$16.00	\$18.00	\$20.00
	b. Bottle Gas/Propane						
	c. Electric	\$12.00	\$14.00	\$21.00	\$26.00	\$30.00	\$33.00
	d. Oil / Other						
Water		N/A	N/A	N/A	N/A	N/A	N/A
Sewer		N/A	N/A	N/A	N/A	N/A	N/A
Trash Collection		N/A	N/A	N/A	N/A	N/A	N/A
Range / Microwave Tenant-supplied		\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00
Refrigerator Tenant-supplied		\$13.00	\$13.00	\$13.00	\$13.00	\$13.00	\$13.00
Other—							
specify: SoCal Gas Fee \$4.08		\$4.00	\$4.00	\$4.00	\$4.00	\$4.00	\$4.00
Actual Family Allowances		Utility or Service per month cost					
To be used by the family to compute allowances. Complete below for the actual unit rented. Name of Family Address of Unit Number of Bedrooms		Heating \$					
		Cooking \$					
		Other Electric \$					
		Air Conditioning \$					
		Water Heating \$					
		Water \$					
		Sewer \$					
		Trash Collection \$					
		Range / Microwave \$					
		Refrigerator \$					
Other \$							
Other \$							
Total \$							



The Nelrod Company Revised 9/2015

form HUD-52667 (09/14)
ref. Handbook 7420.8

Celebrating 75 Years! Fresno Housing Authority

1331 Fulton Mall, Fresno, California 93721 (559) 443-8400 TTY (800) 735-2929

Allowances for Tenant Furnished Utilities and other Services

U.S. Department of Housing and Urban
Development
Office of Public and Indian Housing

OMB Approval No. 2577-0189
(exp. 09/30/2017)

Locality: Housing Authorities of the City & County of Fresno, CA		Unit Type: Detached House (Single-Family)		Date (mm/dd/yyyy) 1/1/2016		
Utility or Service		Monthly Dollar Allowances				
		6 BR	7 BR			
Heating	a. Natural Gas	\$35.00	\$38.00			
	b. Bottle Gas/Propane					
	c. Electric	\$43.00	\$46.00			
	d. Oil / Other					
Cooking	a. Natural Gas	\$8.00	\$9.00			
	b. Bottle Gas/Propane					
	c. Electric	\$15.00	\$16.00			
Other Electric (Climate Control, Lights, & Appliances)		\$92.00	\$101.00			
Air Conditioning		\$43.00	\$46.00			
Water Heating	a. Natural Gas	\$22.00	\$23.00			
	b. Bottle Gas/Propane					
	c. Electric	\$36.00	\$38.00			
	d. Oil / Other					
Water		N/A	N/A			
Sewer		N/A	N/A			
Trash Collection		N/A	N/A			
Range / Microwave Tenant-supplied		\$12.00	\$12.00			
Refrigerator Tenant-supplied		\$13.00	\$13.00			
Other—						
specify: SoCal Gas Fee \$4.08		\$4.00	\$4.00			
Actual Family Allowances				Utility or Service		per month cost
To be used by the family to compute allowances. Complete below for the actual unit rented. Name of Family _____ Address of Unit _____ Number of Bedrooms _____				Heating		\$
				Cooking		\$
				Other Electric		\$
				Air Conditioning		\$
				Water Heating		\$
				Water		\$
				Sewer		\$
				Trash Collection		\$
				Range / Microwave		\$
				Refrigerator		\$
		Other		\$		
		Other		\$		
		Total		\$		



The Nelrod Company Revised 9/2015

form HUD-52667 (09/14)
ref. Handbook 7420.8

Medical Equipment Allowances

Pacific Gas & Electric Company

Item	Hours per Day	Wattage	Monthly kWh	Energy Charge	Utility Allowance
Oxygen Concentrator	18	400	219	0.1077	\$24.00
Nebulizer	2	75	5	0.1077	\$1.00
Electric Hospital Bed	0.2	200	1	0.1077	\$1.00
Alternating Pressure Pad	24	70	51	0.1077	\$5.00
Low Air-Loss Mattress	24	120	88	0.1077	\$9.00
Power Wheelchair/Scooter	3	360	33	0.1077	\$4.00
CPAP Machine	10	30	9	0.1077	\$1.00

Oxygen Concentrator

Use per day varies, assume 12-14 hours a day.

The 5-Liter model uses 400 W, the 3-Liter model uses 320 W.

Nebulizer

A medicine delivery system used mostly for pediatric care.

Used 4-6 times a day for 20 minutes at a time at 75W.

Semi/Fully Electric Hospital Bed

Use depends on adjustments. 200 W.

Alternating Pressure Pad

An air-filled mattress overlay.

Used 24 hours a day for someone who is bed-ridden.

Low Air-Loss Mattress

Takes the place of mattress - air-filled pressurized mattress.

Cycles air around every 15-20 minutes.

Power Wheelchairs and Scooters

Need to be charged approximately 8 hours every 3 days.

Batteries are 120 V, 3 Amp, 360 W.

CPAP Machine

Used for Sleep Apnea. Machines run only at night for people who have a tendency to stop breathing at night. At maximum pressure they use 40 Watts. On average - 30 Watts.

Celebrating 75 Years! Fresno Housing Authority

1331 Fulton Mall, Fresno, California 93721 (559) 443-8400 TTY (800) 735-2929

Apartment (Multi-Family)										
Utility or Service		0			1			2		
		1/2015	9/2015	Difference	1/2015	9/2015	Difference	1/2015	9/2015	Difference
Heating	a Natural Gas	\$9	\$8	(\$1)	\$10	\$9	(\$1)	\$12	\$11	(\$1)
	b Bottle Gas/Propane									
	c Electric	\$9	\$10	\$1	\$11	\$12	\$1	\$14	\$15	\$1
	d Electric Heat Pump	\$4	\$0	(\$4)	\$4	\$0	(\$4)	\$6	\$0	(\$6)
	e Oil/Other									
Cooking	a Natural Gas	\$4	\$3	(\$1)	\$4	\$3	(\$1)	\$4	\$4	\$0
	b Bottle Gas/Propane									
	c Electric	\$5	\$6	\$1	\$6	\$7	\$1	\$8	\$9	\$1
Other Electric (Climate Credit, Lights, & Appliances)		\$13	\$16	\$3	\$16	\$19	\$3	\$23	\$27	\$4
Air Conditioning		\$6	\$7	\$1	\$7	\$8	\$1	\$12	\$13	\$1
Water Heating	a Natural Gas	\$8	\$8	\$0	\$10	\$9	(\$1)	\$13	\$13	\$0
	b Bottle Gas/Propane									
	c Electric	\$11	\$12	\$1	\$13	\$14	\$1	\$19	\$21	\$2
	d Oil/Other									
Water		N/A								
Sewer										
Trash Collection										
Range / Microwave Tenant-purchasing/leasing		\$12	\$12	\$0	\$12	\$12	\$0	\$12	\$12	\$0
Refrigerator Tenant-purchasing/leasing		\$13	\$13	\$0	\$13	\$13	\$0	\$13	\$13	\$0
Other Specify:	CA Climate Credit \$-4.13	(\$5)	(\$4)	\$1	(\$5)	(\$4)	\$1	(\$5)	(\$4)	\$1
	SoCal Gas Fee \$4.08	\$4	\$4	\$0	\$4	\$4	\$0	\$4	\$4	\$0

Celebrating 75 Years! Fresno Housing Authority

1331 Fulton Mall, Fresno, California 93721 (559) 443-8400 TTY (800) 735-2929

Apartment (Multi-Family)														
3			4			5			6			7		
1/2015	9/2015	Difference	1/2015	9/2015	Difference	1/2015	9/2015	Difference	1/2015	9/2015	Difference	1/2015	9/2015	Difference
\$13	\$13	\$0	\$15	\$14	(\$1)	\$17	\$16	(\$1)	\$19	\$18	(\$1)	\$20	\$18	(\$2)
\$16	\$18	\$2	\$19	\$21	\$2	\$22	\$24	\$2	\$24	\$26	\$2	\$26	\$28	\$2
\$7	\$0	(\$7)	\$8	\$0	(\$8)	\$9	\$0	(\$9)	\$9	\$0	(\$9)	\$10	\$0	(\$10)
\$6	\$6	\$0	\$7	\$7	\$0	\$8	\$8	\$0	\$9	\$8	(\$1)	\$10	\$9	(\$1)
\$9	\$10	\$1	\$11	\$12	\$1	\$13	\$14	\$1	\$14	\$15	\$1	\$15	\$16	\$1
\$30	\$34	\$4	\$37	\$42	\$5	\$45	\$51	\$6	\$49	\$56	\$7	\$50	\$62	\$12
\$16	\$18	\$2	\$21	\$23	\$2	\$25	\$27	\$2	\$27	\$30	\$3	\$29	\$32	\$3
\$17	\$16	(\$1)	\$20	\$18	(\$2)	\$21	\$20	(\$1)	\$23	\$22	(\$1)	\$25	\$23	(\$2)
\$24	\$26	\$2	\$28	\$30	\$2	\$30	\$33	\$3	\$33	\$36	\$3	\$35	\$38	\$3
N/A														
\$12	\$12	\$0	\$12	\$12	\$0	\$12	\$12	\$0	\$12	\$12	\$0	\$12	\$12	\$0
\$13	\$13	\$0	\$13	\$13	\$0	\$13	\$13	\$0	\$13	\$13	\$0	\$13	\$13	\$0
(\$5)	(\$4)	\$1	(\$5)	(\$4)	\$1	(\$5)	(\$4)	\$1	(\$5)	(\$4)	\$1	(\$5)	(\$4)	\$1
\$4	\$4	\$0	\$4	\$4	\$0	\$4	\$4	\$0	\$4	\$4	\$0	\$4	\$4	\$0

Celebrating 75 Years! Fresno Housing Authority

1331 Fulton Mall, Fresno, California 93721 (559) 443-8400 TTY (800) 735-2929

Detached House (Single-Family)											
Utility or Service			0			1			2		
			1/2015	9/2015	Difference	1/2015	9/2015	Difference	1/2015	9/2015	Difference
Heating	a	Natural Gas	\$21	\$19	(\$2)	\$24	\$23	(\$1)	\$27	\$25	(\$2)
	b	Bottle Gas/Propane									
	c	Electric	\$19	\$21	\$2	\$22	\$25	\$3	\$26	\$28	\$2
	d	Electric Heat Pump	\$8	\$0	(\$8)	\$9	\$0	(\$9)	\$10	\$0	(\$10)
	e	Oil/Other									
Cooking	a	Natural Gas	\$4	\$3	(\$1)	\$4	\$3	(\$1)	\$4	\$4	\$0
	b	Bottle Gas/Propane									
	c	Electric	\$5	\$6	\$1	\$6	\$7	\$1	\$8	\$9	\$1
Other Electric (Climate Credit, Lights, & Appliances)			\$21	\$25	\$4	\$26	\$29	\$3	\$35	\$40	\$5
Air Conditioning			\$9	\$10	\$1	\$11	\$12	\$1	\$17	\$19	\$2
Water Heating	a	Natural Gas	\$8	\$8	\$0	\$10	\$9	(\$1)	\$13	\$13	\$0
	b	Bottle Gas/Propane									
	c	Electric	\$11	\$12	\$1	\$13	\$14	\$1	\$19	\$21	\$2
	d	Oil/Other									
Water			N/A								
Sewer											
Trash Collection											
Range / Microwave Tenant-purchasing/leasing			\$12	\$12	\$0	\$12	\$12	\$0	\$12	\$12	\$0
Refrigerator Tenant-purchasing/leasing			\$13	\$13	\$0	\$13	\$13	\$0	\$13	\$13	\$0
Other Specify:		CA Climate Credit \$-4.13	(\$5)	(\$4)	\$1	(\$5)	(\$4)	\$1	(\$5)	(\$4)	\$1
		SoCal Gas Fee \$4.08	\$4	\$4	\$0	\$4	\$4	\$0	\$4	\$4	\$0

Celebrating 75 Years! Fresno Housing Authority

1331 Fulton Mall, Fresno, California 93721 (559) 443-8400 TTY (800) 735-2929

Detached House (Single-Family)														
3			4			5			6			7		
1/2015	9/2015	Difference	1/2015	9/2015	Difference	1/2015	9/2015	Difference	1/2015	9/2015	Difference	1/2015	9/2015	Difference
\$30	\$28	(\$2)	\$32	\$30	(\$2)	\$35	\$33	(\$2)	\$38	\$35	(\$3)	\$40	\$38	(\$2)
\$29	\$32	\$3	\$32	\$35	\$3	\$36	\$39	\$3	\$39	\$43	\$4	\$42	\$46	\$4
\$12	\$0	(\$12)	\$13	\$0	(\$13)	\$14	\$0	(\$14)	\$14	\$0	(\$14)	\$15	\$0	(\$15)
\$6	\$6	\$0	\$7	\$7	\$0	\$8	\$8	\$0	\$9	\$8	(\$1)	\$10	\$9	(\$1)
\$9	\$10	\$1	\$11	\$12	\$1	\$13	\$14	\$1	\$14	\$15	\$1	\$15	\$16	\$1
\$46	\$52	\$6	\$60	\$67	\$7	\$75	\$83	\$8	\$84	\$92	\$8	\$92	\$101	\$9
\$24	\$26	\$2	\$30	\$33	\$3	\$36	\$40	\$4	\$39	\$43	\$4	\$42	\$46	\$4
\$17	\$16	(\$1)	\$20	\$18	(\$2)	\$21	\$20	(\$1)	\$23	\$22	(\$1)	\$25	\$23	(\$2)
\$24	\$26	\$2	\$28	\$30	\$2	\$30	\$33	\$3	\$33	\$36	\$3	\$35	\$38	\$3
N/A														
\$12	\$12	\$0	\$12	\$12	\$0	\$12	\$12	\$0	\$12	\$12	\$0	\$12	\$12	\$0
\$13	\$13	\$0	\$13	\$13	\$0	\$13	\$13	\$0	\$13	\$13	\$0	\$13	\$13	\$0
(\$5)	(\$4)	\$1	(\$5)	(\$4)	\$1	(\$5)	(\$4)	\$1	(\$5)	(\$4)	\$1	(\$5)	(\$4)	\$1
\$4	\$4	\$0	\$4	\$4	\$0	\$4	\$4	\$0	\$4	\$4	\$0	\$4	\$4	\$0

Comparison of Previous and Current Utility Rates

Section 8 HCV Program

HOUSING AUTHORITIES OF THE CITY & COUNTY OF FRESNO, CA

NOTE: Bold print indicates additions or changes and gray print indicates removal.

(There are many ways to determine a 10% change in utility rates and charges.

We have chosen to use a simple aggregate of the absolute value of the percentage of change.)

ELECTRIC

UPDATE 2015

Pacific Gas & Electric Company (CARE) Description	Measurement	Rates		Difference	
		12/2014	9/2015	Amount	Percent
Baseline Charge (Tier 1)	per kwh	0.09830	0.10741	0.00911	
Excess Baseline (101%-130%) (Tier 2)	per kwh	0.11216	0.12830	0.01614	
Excess Baseline (over 130%) (Tier 3)	per kwh	0.15667	0.16467	0.00800	
Energy Commission Tax	per kwh	0.00029	0.00029	0.00000	
Tier 1 Total		0.09859	0.10770	0.00911	9%
Tier 2 Total		0.11245	0.12859	0.01614	14%
Tier 3 Total		0.15696	0.16496	0.00800	5%
California Climate Credit*	per month	-\$4.97	-\$4.13		
Total		-\$4.97	-\$4.13	\$0.84	17%
Territory R		Total % of Change Tier-1			26%

Summer: May - Oct, baseline 484 (15.6 per day), Winter: Nov - Apr, baseline 341 (11 per day)

*Semi-annual climate credit changed from \$29.82 to \$24.76

NATURAL GAS

Pacific Gas & Electric Company (CARE) Description	Measurement	Rates		Difference	
		12/2014	9/2015	Amount	Percent
Baseline Charge (Tier 1)	per therm	0.94912	0.86757	-0.08155	
Excess Baseline (Tier 2)	per therm	1.25246	1.23227	-0.02019	
G-PPPS Surcharge	per therm	0.06075	0.06634	0.00559	
G-SUR Surcharge	per therm	0.00542	0.00303	-0.00239	
CPUC Reimbursement Fee	per therm	0.00069	0.00069	0.00000	
Tier 1 Total		1.01598	0.93763	-0.07835	-8%
Tier 2 Total		1.31932	1.30233	-0.01699	-1%
Territory R		Total % of Change Tier-1			8%

Summer: Apr - Oct, baseline 13 (.43 per day), Winter: Nov - Mar, baseline 56 (1.82 per day)

Southern California Gas Company (CARE) Description	Measurement	Rates		Difference	
		12/2014	9/2015	Amount	Percent
Baseline Charge (Tier 1)	per therm	0.93347	0.83117	-0.10230	
20% CARE Discount (Tier 1)	per therm	-0.18669	-0.16623	0.02046	
Non-Baseline Charge (Tier 2)	per therm	1.19347	1.09117	-0.10230	
20% CARE Discount (Tier 2)	per therm	-0.23869	-0.21823	0.02046	
G-PPPS Surcharge	per therm	0.06098	0.07526	0.01428	
G-SRF Surcharge	per therm	0.00068	0.00068	0.00000	
Tier 1 Total		0.99513	0.90711	-0.08802	-9%
Tier 2 Total		1.25513	1.16711	-0.08802	-7%
Customer Charge (.16438 per day)	per month	\$5.10	\$5.10		
20% CARE Discount	per month	-\$1.02	-\$1.02		
Total		\$4.08	\$4.08	\$0.00	0%
Climate Zone 2		Total % of Change Tier-1			9%

Summer: May - Oct, baseline 15 (.473 per day), Winter: Nov - Apr, baseline 57 (1.823 per day)

Celebrating 75 Years! Fresno Housing Authority

1331 Fulton Mall, Fresno, California 93721 (559) 443-8400 TTY (800) 735-2929

Multi-Family Utility Comparison				
Locality	Utility	Fiscal Year 2015	Fiscal Year 2016	Percent Change
Biola	Water	\$ 33.00	\$ 35.00	6%
	Trash	\$ 12.68	\$ 18.84	49%
	Sewer	\$ 43.90	\$ 43.90	0%
Caruthers	Water	\$ 35.00	\$ 40.00	14%
	Trash	\$ 43.24	\$ 48.24	12%
	Sewer	\$ 35.00	\$ 35.00	0%
Clovis	Water	\$ 16.80	\$ 16.80	0%
	Trash	\$ 67.96	\$ 66.56	-2%
	Sewer	\$ 56.40	\$ 57.66	2%
Coalinga	Water	\$ 21.43	\$ 23.81	11%
	Trash	\$ 24.91	\$ 23.56	-5%
	Sewer	\$ 15.68	\$ 15.68	0%
Del Rey	Water	\$ 16.73	\$ 16.73	0%
	Trash	\$ 15.40	\$ 15.40	0%
	Sewer	\$ 42.47	\$ 42.47	0%
Firebaugh	Water	\$ 23.18	\$ 24.11	4%
	Trash	\$ 23.77	\$ 23.77	0%
	Sewer	\$ 49.95	\$ 49.95	0%
Fowler	Water	\$ 16.24	\$ 16.24	0%
	Trash	\$ 26.08	\$ 26.72	2%
	Sewer	\$ 26.28	\$ 26.28	0%
Fresno	Water	\$ 24.09	\$ 24.17	0%
	Trash	\$ 32.98	\$ 32.98	0%
	Sewer	\$ 25.75	\$ 25.75	0%
Huron	Water	\$ 25.51	\$ 27.44	8%
	Trash	\$ 23.72	\$ 23.90	1%
	Sewer	\$ 26.00	\$ 26.00	0%
Kerman	Water	\$ 21.88	\$ 22.44	3%
	Trash	\$ 17.83	\$ 18.10	2%
	Sewer	\$ 18.39	\$ 19.14	4%
Kingsburg	Water	\$ 26.27	\$ 29.63	13%
	Trash	\$ 27.20	\$ 27.20	0%
	Sewer	\$ 24.77	\$ 26.28	6%
Laton	Water	\$ 27.50	\$ 28.00	2%
	Trash	\$ 18.53	\$ 18.86	2%
	Sewer	\$ 40.00	\$ 41.00	2%
Mendota	Water	\$ 34.45	\$ 34.45	0%
	Trash	\$ 15.44	\$ 16.60	8%
	Sewer	\$ 31.00	\$ 31.00	0%
Orange Cove	Water	\$ 36.50	\$ 36.50	0%
	Trash	\$ 20.42	\$ 20.42	0%
	Sewer	\$ 24.20	\$ 24.20	0%

Celebrating 75 Years! Fresno Housing Authority

1331 Fulton Mall, Fresno, California 93721 (559) 443-8400 TTY (800) 735-2929

Parlier	Water	\$ 18.50	\$ 18.50	0%
	Trash	\$ 21.86	\$ 21.86	0%
	Sewer	\$ 27.50	\$ 27.50	0%
Pinedale	Water	\$ 16.56	\$ 19.87	20%
	Trash	\$ 32.98	\$ 32.98	0%
	Sewer	\$ 25.75	\$ 25.75	0%
Reedley	Water	\$ 38.11	\$ 39.76	4%
	Trash	\$ 27.65	\$ 27.65	0%
	Sewer	\$ 48.15	\$ 49.35	2%
Riverdale	Water	\$ 37.00	\$ 41.25	11%
	Trash	\$ 14.25	\$ 14.00	-2%
	Sewer	\$ 39.00	\$ 39.00	0%
San Joaquin	Water	\$ 44.93	\$ 44.93	0%
	Trash	\$ 13.45	\$ 13.45	0%
	Sewer	\$ 37.68	\$ 47.78	27%
Sanger	Water	\$ 26.85	\$ 26.85	0%
	Trash	\$ 29.00	\$ 29.00	0%
	Sewer	\$ 39.86	\$ 39.86	0%
Selma	Water	\$ 59.09	\$ 62.55	6%
	Trash	\$ -	\$ -	0%
	Sewer	\$ -	\$ -	0%
Squaw Valley	Water	\$ -	\$ -	0%
	Trash	\$ 49.85	\$ 49.85	0%
	Sewer	\$ -	\$ -	0%

Celebrating 75 Years! Fresno Housing Authority

1331 Fulton Mall, Fresno, California 93721 (559) 443-8400 TTY (800) 735-2929

Single-Family Utility Comparison				
Locality	Utility	Fiscal Year 2015	Fiscal Year 2016	Percent Change
Biola	Water	\$ 33.00	\$ 35.00	6%
	Trash	\$ 12.68	\$ 18.84	49%
	Sewer	\$ 43.90	\$ 43.90	0%
Caruthers	Water	\$ 35.00	\$ 40.00	14%
	Trash	\$ 43.24	\$ 48.24	12%
	Sewer	\$ 35.00	\$ 35.00	0%
Clovis	Water	\$ 16.80	\$ 16.80	0%
	Trash	\$ 67.96	\$ 66.56	-2%
	Sewer	\$ 56.40	\$ 57.66	2%
Coalinga	Water	\$ 21.43	\$ 23.81	11%
	Trash	\$ 24.91	\$ 23.56	-5%
	Sewer	\$ 15.68	\$ 15.68	0%
Del Rey	Water	\$ 16.73	\$ 16.73	0%
	Trash	\$ 15.40	\$ 15.40	0%
	Sewer	\$ 42.47	\$ 42.47	0%
Firebaugh	Water	\$ 24.50	\$ 25.48	4%
	Trash	\$ 23.77	\$ 23.77	0%
	Sewer	\$ 49.95	\$ 49.95	0%
Fowler	Water	\$ 16.24	\$ 16.24	0%
	Trash	\$ 24.34	\$ 26.72	10%
	Sewer	\$ 26.28	\$ 26.28	0%
Fresno	Water	\$ 22.24	\$ 24.17	9%
	Trash	\$ 32.98	\$ 32.98	0%
	Sewer	\$ 25.75	\$ 25.75	0%
Huron	Water	\$ 21.39	\$ 21.94	3%
	Trash	\$ 23.72	\$ 23.90	1%
	Sewer	\$ 26.00	\$ 26.00	0%
Kerman	Water	\$ 24.65	\$ 25.22	2%
	Trash	\$ 18.26	\$ 18.53	1%
	Sewer	\$ 30.11	\$ 30.86	2%
Kingsburg	Water	\$ 28.62	\$ 29.63	4%
	Trash	\$ 27.20	\$ 27.20	0%
	Sewer	\$ 24.77	\$ 26.28	6%
Laton	Water	\$ 27.50	\$ 28.00	2%
	Trash	\$ 18.53	\$ 18.86	2%
	Sewer	\$ 40.00	\$ 41.00	2%
Mendota	Water	\$ 34.45	\$ 34.45	0%
	Trash	\$ 15.44	\$ 16.60	8%
	Sewer	\$ 31.00	\$ 31.00	0%
Orange Cove	Water	\$ 36.50	\$ 36.50	0%
	Trash	\$ 20.42	\$ 20.42	0%
	Sewer	\$ 24.20	\$ 24.20	0%

Celebrating 75 Years! Fresno Housing Authority

1331 Fulton Mall, Fresno, California 93721 (559) 443-8400 TTY (800) 735-2929

Parlier	Water	\$ 18.50	\$ 18.50	0%
	Trash	\$ 21.86	\$ 21.86	0%
	Sewer	\$ 27.50	\$ 27.50	0%
Pinedale	Water	\$ 16.56	\$ 19.87	20%
	Trash	\$ 32.98	\$ 32.98	0%
	Sewer	\$ 25.75	\$ 25.75	0%
Reedley	Water	\$ 38.11	\$ 39.76	4%
	Trash	\$ 33.54	\$ 33.54	0%
	Sewer	\$ 48.15	\$ 49.35	2%
Riverdale	Water	\$ 37.00	\$ 41.25	11%
	Trash	\$ 14.25	\$ 14.00	-2%
	Sewer	\$ 39.00	\$ 39.00	0%
San Joaquin	Water	\$ 44.93	\$ 44.93	0%
	Trash	\$ 13.45	\$ 13.45	0%
	Sewer	\$ 37.68	\$ 47.78	27%
Sanger	Water	\$ 26.85	\$ 26.85	0%
	Trash	\$ 29.00	\$ 29.00	0%
	Sewer	\$ 39.86	\$ 39.86	0%
Selma	Water	\$ 59.09	\$ 62.55	6%
	Trash	\$ 29.00	\$ 30.25	4%
	Sewer	\$ 26.26	\$ 26.28	0%
Squaw Valley	Water	\$ -	\$ -	0%
	Trash	\$ 49.85	\$ 49.85	0%
	Sewer	\$ -	\$ -	0%

BOARD MEMO

O (559) 443-8400
 F (559) 445-8981

1331 Fulton Mall
 Fresno, California 93721
 TTY (800) 735-2929

www.fresnohousing.org

TO: Boards of Commissioners

Fresno Housing Authority

FROM: Preston Prince

CEO/Executive Director

DATE: December 11, 2015

BOARD MEETING: Dec. 15, 2015

AGENDA ITEM: 6e

AUTHOR: Bobby Coulter

SUBJECT: Extension of the Information Technology Services Contract

Executive Summary

The purpose of this memo is to seek the Boards' approval to extend the Agency's Information Technology ("IT") Services contract from 1/1/16 – 12/31/16. The Agency currently has a contract with California Municipal Technologies Incorporated ("CMTi") to perform these services.

Fiscal Impact

The Agency would like to extend its contract with CMTi for an annual amount not to exceed \$483,600, which is nearly fourteen (14) percent lower than the amount approved for IT services in 2015. Staff was able to negotiate the lower rate by absorbing some responsibilities within the Agency's Administrative Services Department. The requested amount is included in the 2016 Operations Budget.

Recommendation

It is recommended that the Boards of Commissioners authorize the CEO/Executive Director to extend the contract with CMTi from 1/1/16 – 12/31/16 in the amount of \$483,600.

Background

In July of 2012, the Agency published an RFP to solicit for IT Services. The RFP method considers both technical factors and price when evaluating a proposal, and allows for discussions with offerors concerning the proposal submitted and the negotiation of contract price. Awards were made on the basis of the proposal that represented the best overall value to the Agency, considering price and other factors (technical expertise, past experience, quality of proposed staffing, etc.) set forth in the solicitation and not solely the lowest price. As a result of the RFP, the Agency received 3 proposals from local IT Services agencies. After all proposals were evaluated, the Agency entered an IT Services contract with CMTi in December 2012, followed by two one-year contract extensions in December 2013 and 2014. Procurement guidelines allow the Agency to enter into one year extensions of the contract for up to four years. This extension will be the third one-year extension with CMTi.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO

RESOLUTION AUTHORIZING THE EXTENSION OF THE INFORMATION
TECHNOLOGY SERVICES CONTRACT

WHEREAS, the Housing Authority of the City of Fresno (the "Agency") has a contract with California Municipal Technologies Incorporated ("CMTi") to provide information technology services; and

WHEREAS, the term of the aforementioned contract ends December 31, 2015 with an option to extend for another term; and

WHEREAS, the Agency has been fully satisfied with the service it has received under the contract with CMTi; and

WHEREAS, the Agency desires to maintain the continuity of the aforementioned services pertaining to work in progress; and

WHEREAS, the Agency desires to exercise its option to extend the contract with CMTi for information technology services for one year, beginning January 1, 2016, for an amount not to exceed \$483,600; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno does hereby approve the one-year contract extension of the information technology services contract with CMTi and authorizes Preston Prince, CEO/Executive Director or his designee, to execute all documents in connection therewith.

PASSED AND ADOPTED THIS 15th DAY OF DECEMBER, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO COUNTY

RESOLUTION AUTHORIZING THE EXTENSION OF THE INFORMATION
TECHNOLOGY SERVICES CONTRACT

WHEREAS, the Housing Authority of Fresno County (the "Agency") has a contract with California Municipal Technologies Incorporated ("CMTi") to provide information technology services; and

WHEREAS, the term of the aforementioned contract ends December 31, 2015 with an option to extend for another term; and

WHEREAS, the Agency has been fully satisfied with the service it has received under the contract with CMTi; and

WHEREAS, the Agency desires to maintain the continuity of the aforementioned services pertaining to work in progress; and

WHEREAS, the Agency desires to exercise its option to extend the contract with CMTi for information technology services for one year, beginning January 1, 2016, for an amount not to exceed \$483,600; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County does hereby approve the one-year contract extension of the information technology services contract with CMTi and authorizes Preston Prince, Executive Director/CEO or his designee, to execute all documents in connection therewith.

PASSED AND ADOPTED THIS 15th DAY OF DECEMBER, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners



BOARD MEMO

1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO: Boards of Commissioners
Fresno Housing Authority
FROM: Preston Prince *P. Prince*
CEO/Executive Director
DATE: 12/11/2015
BOARD MEETING: 12/15/2015
AUTHOR: Shaneece Childress
District Manager
AGENDA ITEM: 6f
RE: Parlier Migrant Center – Contract No. 15-OMS -10540
2015/2016 - 2016/2017 Fiscal Year Operations Contract

Executive Summary

The purpose of this memo is to request Board of Commissioners approval of Operations Contract No. 15-OMS-10540 for fiscal years 2015/2016 and 2016/2017 with the California Department of Housing and Community Development (HCD). The contract will provide funding for the operation of the Parlier Migrant Center. Previously the contract periods were for one year; however, in 2013 HCD revised this process to include two fiscal years per contract.

This year the proposed contract was held with HCD for legal review and additional discussion on contract provisions, including reimbursement processes. Staff has reviewed and agreed to the language changes within the contract and present the proposed contract for Board approval. This contract will provide operational funding retroactively from July 1, 2015 through June 30, 2017.

This contract enables the Housing Authority to continue to provide housing services for migrant farm workers and their families in Parlier. This past season, the Parlier Migrant Center operated at full capacity during the peak of the season (132 units). The typical operating period is 180 days; however, the Parlier Migrant Center requests an operating extension to eight months, from April to November. This extension of the operating period allows families who are still employed to remain in housing until their employment season concludes.

Financial Impact:

Approval of this contract in the total amount of \$1,059,693.00 enables receipt of funding from the California Department of Housing and Community Development (HCD) to support the operating budget outlined in the attached Operating Contract budget. The budgeted amount for fiscal year 2015/2016 is inclusive of a non-renewable water conservation grant in the amount of \$104,105.

RECOMMENDATION:

It is recommended that the Boards of Commissioners of the Fresno Housing Authority adopt the attached resolution approving the Parlier Migrant Center Operations Contract No. 15-OMS-10540 for fiscal years 2015/2016 – 2016/2017, in the total amount of \$1,059,693.00, and authorize Preston Prince, CEO/Executive Director to execute the contract as received from the California Department of Housing and Community Development.

Attachment: Operating Contract Budget

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF
THE HOUSING AUTHORITY OF FRESNO COUNTY

RESOLUTION APPROVING THE 2015-2017 FISCAL YEAR OPERATION AND
MAINTENANCE CONTRACT BETWEEN THE STATE OF CALIFORNIA DEPARTMENT
OF HOUSING AND COMMUNITY DEVELOPMENT AND THE HOUSING AUTHORITY
OF FRESNO COUNTY CONTRACT NO. 15-OMS-10540
FOR THE PARLIER MIGRANT CENTER

WHEREAS, California Department of Housing and Community Development has provided an Operations and Maintenance Contract for the 2015-2017 Fiscal Years for the Parlier Migrant Center; and

WHEREAS, the Housing Authority of Fresno County acting through its Board of Commissioners desires to approve this Operation and Maintenance Contract for the 2015-2017 operation at the Parlier Migrant Center.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing Authority of Fresno County hereby approves the Operation and Maintenance Contract # 15-OMS 10540 in the amount of \$1,059,693.00 and authorizes Preston Prince, CEO/Executive Director, to execute said contract, and any amendments to said contract, on behalf of the Housing Authority of Fresno County.

PASSED AND ADOPTED THIS 15TH DAY OF DECEMBER, 2015 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Signed: _____

Stacy Sablan, Chairman
Board of Commissioners of the
Housing Authority of Fresno County

STATE OF CALIFORNIA
STANDARD AGREEMENT
STD 213 (Rev 06/03)

AGREEMENT NUMBER 15-OMS-10540
REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

CONTRACTOR'S NAME

Fresno County Housing Authority

2. The term of this Agreement is: **Upon HCD Approval through 06/30/2017**

3. The maximum amount of this Agreement is: **\$1,059,693.00**

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A - Authority, Purpose and Scope of Work	2
Exhibit A1 - Legal Description	1
Exhibit B - Budget Detail and Payment Provisions	4
Exhibit B-1 - Year One Operating Budget	2
Exhibit B-2 - Year Two Operating Budget	2
Exhibit C - State of California General Terms and Conditions*	GTC - 610
Exhibit D - Office of Migrant Services Terms and Conditions	6
Exhibit E - Special Terms and Conditions	0

TOTAL NUMBER OF PAGES ATTACHED: **17 pages**

Items shown with an Asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at <http://www.documents.dgs.ca.gov/ols/GTC-610.doc>

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc)

Fresno County Housing Authority

BY (Authorized Signature)

DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

ADDRESS

PO Box 11985, Fresno, CA 93776

STATE OF CALIFORNIA

AGENCY NAME

Department of Housing and Community Development

BY (Authorized Signature)

DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

Lindy Suggs, Contracts Manager, Business & Contract Services Branch

ADDRESS

2020 W. El Camino Ave, Sacramento, CA 95833

California Department of
General Service
Use Only

☒ Exempt per: SCM 4.04.A.3 (DGS
Memo dated 6/12/81)

EXHIBIT B-1

YEAR ONE OPERATING CONTRACT BUDGET

Contract No. 15-OMS-10540		
Term: 07/01/2015 - 06/30/2016		
	CONTRACTOR FUNDS	STATE FUNDS
A. CENTER PERSONNEL		
101 Permanent Salaries/Wages	\$	\$ \$114,376.00
102 Temporary Salaries/Wages		\$ -
103 Personnel Benefits		\$ 62,767.00
SUBTOTAL	\$ 0.00	\$ \$177,143.00
B. OPERATING EXPENSES		
201 Center Office Supplies	\$	\$ \$ 1,500.00
202 Household Supplies		\$ 1,000.00
203 Communications		\$ 2,500.00
204 Travel		\$ 250.00
205 Auto Repairs/Maintenance		\$ 1,500.00
206 Gas/Oil		\$ 1,500.00
207 Minor Equipment Repair/Maintenance		\$ 400.00
208 Purchases Under \$150		\$ 150.00
209 Major Equipment Repair/Maintenance		\$ -
211 Equipment Rental		\$ 600.00
212 Electricity and Gas		\$ 91,800.00
213 Garbage, Trash		\$ 19,280.00
214 Sewer, Water		\$ 72,000.00
215 Other Costs		\$ 10,000.00
SUBTOTAL	\$ 0.00	\$ 202,480.00
C. MAINTENANCE EXPENSES		
301 Electrical/Plumbing/Paint/Solar Supplies	\$	\$ \$ 10,000.00
302 Lumber and Materials		\$ 6,500.00
303 Grounds Maintenance		\$ 25,000.00
304 Minor Rehabilitation		\$ 6,585.00
304a Water Conservation Grant (WCGP)		\$104,105.00
SUBTOTAL	\$ 0.00	\$ \$152,190.00
D. CONTRACTOR ADMINISTRATION		
401 Administrative Support Services	\$	\$ \$ 43,436.00
402 Travel		\$ 150.00
403 Audit		\$ 6,500.00
SUBTOTAL	\$ 0.00	\$ \$ 50,086.00
E. DEBT SERVICE & REPLACEMENT		
501 Reserves	\$	\$ \$ -
502 Payment		\$ -
SUBTOTAL	\$ 0.00	\$ 0.00
TOTAL	\$ 0.00	\$ 581,899.00

THIS IS NOT AN INVOICE

48

EXHIBIT B-2

YEAR TWO OPERATING CONTRACT BUDGET

Contract No. 15-OMS-10540		
Term: 07/01/2016 - 06/30/2017		
	CONTRACTOR FUNDS	STATE FUNDS
A. CENTER PERSONNEL		
101 Permanent Salaries/Wages	\$	\$ 114,376.00
102 Temporary Salaries/Wages		0.00
103 Personnel Benefits		62,767.00
SUBTOTAL	\$ 0.00	\$ 177,143.00
B. OPERATING EXPENSES		
201 Center Office Supplies	\$	\$ 1,500.00
202 Household Supplies		1,000.00
203 Communications		2,500.00
204 Travel		250.00
205 Auto Repairs/Maintenance		1,500.00
206 Gas/Oil		1,500.00
207 Minor Equipment Repair/Maintenance		400.00
208 Purchases Under \$150		150.00
209 Major Equipment Repair/Maintenance		0.00
211 Equipment Rental		600.00
212 Electricity and Gas		91,800.00
213 Garbage, Trash		19,280.00
214 Sewer, Water		72,000.00
215 Other Costs		10,000.00
SUBTOTAL	\$ 0.00	\$ 202,480.00
C. MAINTENANCE EXPENSES		
301 Electrical/Plumbing/Paint/Solar Supplies	\$	\$ 10,000.00
302 Lumber and Materials		6,500.00
303 Grounds Maintenance		25,000.00
304 Minor Rehabilitation		6,585.00
SUBTOTAL	\$ 0.00	\$ 48,085.00
D. CONTRACTOR ADMINISTRATION		
401 Administrative Support Services	\$	\$ 43,436.00
402 Travel		150.00
403 Audit		6,500.00
SUBTOTAL	\$ 0.00	\$ 50,086.00
E. DEBT SERVICE & REPLACEMENT		
501 Reserves	\$	\$
502 Payment		
SUBTOTAL	\$ 0.00	\$ 0.00
TOTAL	\$ 0.00	\$ 477,794.00

THIS IS NOT AN INVOICE

EXHIBIT B-2

Contract No. 15-OMS-10540		
Term: 07/01/2016 - 06/30/2017		
	CONTRACTOR FUNDS	STATE FUNDS
F. APPROVED REHABILITATION ACTIVITIES		
Routine painting of 5% of units	\$	\$ 1,750.00
Replace Swamp Cooler pads at 30 units (small)		1,530.00
Replace Swamp Cooler pads at 46 units (large)		3,305.00
TOTAL LINE 304	\$ 0.00	\$ 6,585.00
G. APPROVED EQUIPMENT REPAIR AND MAINTENANCE		
None	\$	\$
TOTAL LINE 209	\$ 0.00	\$ 0.00



1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO: Boards of Commissioners **DATE:** 12/11/2015
Fresno Housing Authority
FROM: Preston Prince *P.P.* **BOARD MEETING:** 12/15/2015
CEO/Executive Director
AUTHOR Tracewell Hanrahan **AGENDA ITEM:** 7a
Deputy Executive Director
RE: Update on Leasing and Housing Assistance
Payments (HAP) Pacing for the Housing Choice
Voucher (HCV) Program

Executive Summary

Staff is finalizing leasing rates as well as HAP funding and reserve levels, and will be bringing up to date leasing information to the Boards during the December meeting.



BOARD MEMO

1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO:	Boards of Commissioners Fresno Housing Authority	DATE:	12/11/15
FROM:	Preston Prince <i>P. Prince</i> CEO/Executive Director	BOARD MEETING:	12/15/15
AUTHOR	Tracewell Hanrahan Deputy Executive Director	AGENDA ITEM:	7b
RE:	Leveraging the HCV Program to Improve Quality Housing		

Executive Summary

Staff will be presenting an update on the overall abatement analysis conducted this year. In addition, staff will include a recap of the collaborations with Code Enforcement and Law Enforcement officials and an update on the implementation of the new owner disallowance policy.



BOARD MEMO

1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO:	Boards of Commissioners Fresno Housing Authority	DATE:	12/11/2015
FROM:	Preston Prince <i>P.P.</i> CEO/Executive Director	BOARD MEETING:	12/15/2015
AUTHOR	Michael Duarte Director, Planning & Community Development	AGENDA ITEM:	7c
RE:	Real Estate Development Update		

Executive Summary

Staff will give an overview of all projects within the development and pre-development stages.

Recommendation

None at this time. Information only.



1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO: Boards of Commissioners
Fresno Housing Authority
DATE: 12/11/2015
FROM: Preston Prince *P. Prince*
CEO/Executive Director
BOARD MEETING: 12/15/2015
AUTHOR: Caleb Brooks
Procurement Coordinator
AGENDA ITEM: 8a
RE: Consideration of Contracts for Grounds Maintenance Services

Summary

The purpose of this memo is to update the Boards of Commissioners on the status of the Agency's Grounds Maintenance Services RFP, and to request approval to proceed with contract awards to landscape maintenance contractors Central Valley Lawnsapes, J & H Landscape Gardening, and the Fresno Economic Opportunities Commission to provide weekly, year-round, and routine grounds maintenance at the Agency's properties across the County and City of Fresno. Each agreement will be for an initial one-year term, with four (4) optional one-year extensions, for a total of five years.

In June of 2015, the Agency published an RFP to solicit proposals from qualified landscape maintenance contractors to perform routine grounds keeping including mowing, trimming, and general cleaning at FH properties throughout the County and City. In response, the Agency received proposals from four landscaping companies: Briner and Sons, Central Valley Lawnsapes, Fresno EOC, and J & H Landscape Gardening.

The RFP methodology considers both price and technical factors when evaluating a proposal. Proposers had the opportunity to bid on 42 separate pricing lots, with each lot receiving its own price evaluation to determine the best overall value at each location. In the case of this RFP, cost was the most heavily weighted factor, with consideration also being given to technical approach and capabilities, previous successful performance, and Section 3 Business Concern status. Based on this assessment and following the compilation of scores, the selection committee consisting of staff from Assisted Housing, Property Management, and Asset Management, recommended awarding a contract to the firm who scored highest in each lot or site. The attachment identifies which site will be assigned to each successful bidder.

Anticipated Fiscal Impact

The Agency would like to enter into contracts for initial terms of one year, with the option to renew for up to four (4) additional one (1) year periods. The annual Not-To-Exceed contract amounts are listed in the table below.

Term Year	Central Valley Lawnsapes	J & H Landscapes	Fresno EOC
Year 1	\$502,239	\$38,860	\$3,600
Year 2 (1 st Option)	\$502,239	\$38,860	\$3,600
Year 3 (2 nd Option)	\$502,239	\$38,860	\$3,600
Year 4 (3 rd Option)	\$502,239	\$38,860	\$3,600
Year 5 (4 th Option)	\$502,239	\$38,860	\$3,600
TOTAL (Potential)	\$2,511,195	\$194,300	\$18,000

Recommendation

It is recommended that the Boards of Commissioners authorize the CEO/Executive Director to execute the contracts with Central Valley Lawnsapes, J & H Landscapes, and Fresno EOC in the amounts listed above.

RESOLUTION NO.____
BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO

RESOLUTION APPROVING AWARD AND EXECUTION OF CONTRACTS FOR
GROUNDS MAINTENANCE SERVICES.

WHEREAS, the Housing Authority of the City of Fresno recently solicited proposals from qualified firms to provide grounds maintenance services; and

WHEREAS, Central Valley Lawnscares, J & H Landscapes, and Fresno Economic Opportunities Commission are responsive and responsible firms who provided qualifications and prices that are most advantageous to the Housing Authority of the City of Fresno, pursuant to the procurement guidelines of the U.S. Dept. of Housing and Urban Development (HUD); and

WHEREAS, the Housing Authority of the City of Fresno desires to enter into contracts with Central Valley Lawnscares, J & H Landscapes, and Fresno Economic Opportunities Commission for grounds maintenance services for one year, beginning January 1, 2016, for an amount not to exceed \$502,239, \$38,860, and \$3,600, respectively; and

WHEREAS, the term of said contracts will expire December 31, 2016, and will be renewable for up to four additional one-year terms at the discretion of the Boards, and pursuant to HUD procurement guidelines;

NOW THEREFORE, BE IT RESOLVED that Preston Prince, as CEO/Executive Director of the Housing Authority of the City of Fresno, or his designee, is hereby empowered and

authorized to execute on behalf of the Housing Authority of the City of Fresno the
aforementioned contracts and supporting documents with Central Valley Lawnsapes,
J & H Landscapes, and Fresno Economic Opportunities Commission for grounds maintenance
services.

PASSED AND ADOPTED THIS 15th day of December, 2015. I, the undersigned, hereby
certify that the foregoing Resolution was duly adopted by the governing body with the
following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners

RESOLUTION NO.____
BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE COUNTY OF FRESNO

RESOLUTION APPROVING AWARD AND EXECUTION OF CONTRACTS FOR
GROUNDS MAINTENANCE SERVICES.

WHEREAS, the Housing Authority of the County of Fresno recently solicited proposals from qualified firms to provide grounds maintenance services; and

WHEREAS, Central Valley Lawnsapes, J & H Landscapes, and Fresno Economic Opportunities Commission are responsive and responsible firms who provided qualifications and prices that are most advantageous to the Housing Authority of the County of Fresno, pursuant to the procurement guidelines of the U.S. Dept. of Housing and Urban Development (HUD); and

WHEREAS, the Housing Authority of the County of Fresno desires to enter into contracts with Central Valley Lawnsapes, J & H Landscapes, and Fresno Economic Opportunities Commission for grounds maintenance services for one year, beginning January 1, 2016, for an amount not to exceed \$502,239, \$38,860, and \$3,600, respectively; and

WHEREAS, the term of said contracts will expire December 31, 2016, and will be renewable for up to four additional one-year terms at the discretion of the Boards, and pursuant to HUD procurement guidelines;

NOW THEREFORE, BE IT RESOLVED that Preston Prince, as CEO/Executive Director of the Housing Authority of the County of Fresno, or his designee, is hereby empowered and

authorized to execute on behalf of the Housing Authority of the County of Fresno the
aforementioned contracts and supporting documents with Central Valley Lawnsapes,
J & H Landscapes, and Fresno Economic Opportunities Commission for grounds maintenance
services.

PASSED AND ADOPTED THIS 15th day of December, 2015. I, the undersigned, hereby
certify that the foregoing Resolution was duly adopted by the governing body with the
following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners



BOARD MEMO

1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO: Boards of Commissioners
Fresno Housing Authority
FROM: Preston Prince *P. Prince*
CEO/Executive Director
DATE: 12/11/2015
BOARD MEETING: 12/15/2015
AUTHOR: Jim Barker
Chief Financial Officer
AGENDA ITEM: 8b
RE: Extension of General Legal Services Contracts

Summary

The purpose of this memo is to seek the Boards' approval to extend the Agency's General Legal Services contracts from 1/1/16 to 12/31/16. The Agency currently has contracts with two different firms to provide General Legal Services: Baker, Manock, and Jensen PC of Fresno, CA and Ballard Spahr LLP of Baltimore, MD. The Agency feels it is advantageous to have contracts with both a local and a national legal firm, given the combination of both local and national issues with which the Agency commonly encounters.

Fiscal Impact

Though the requirements of future legal services are difficult to anticipate, based on historical use, the Agency would like to extend its contract with Baker, Manock, and Jensen PC for an annual amount not to exceed \$300,000 and extend its contract with Ballard Spahr LLP for an annual amount not to exceed \$150,000. The 2016 Operations Budget includes funding for legal services expenditures.

Recommendation

It is recommended that the Boards of Commissioners authorize the CEO/Executive Director to extend the contracts of Baker, Manock, and Jensen PC, and Ballard Spahr LLP from 1/1/16 to 12/31/16 in the amounts of \$300,000 and \$150,000, respectively.

Background

In August of 2013, the Agency published an RFP to solicit for a variety of legal services. As a result of the RFP, the Agency received proposals from 15 legal firms (both local and national). Firms had the option to submit a proposal to provide various legal services including general legal, human resources legal services, affordable housing development legal services, matters related to HUD, and other legal services as needed. After all proposals were evaluated, the Agency entered into General Legal Services contracts with Baker, Manock, and Jensen PC and Ballard Spahr LLP in February 2014. The first extension was approved by the Boards of Commissioners on 11/19/14 for the period of 1/1/15 to 12/31/15. This is the second extension covering the period noted above. Following this extension, there are two optional extension periods remaining.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF THE CITY OF FRESNO

RESOLUTION AUTHORIZING THE EXTENSION OF GENERAL LEGAL SERVICES
CONTRACTS

WHEREAS, the Housing Authority of the City of Fresno (the "Agency") procured and subsequently entered into a contract with Baker, Manock, & Jensen PC and Ballard Spahr LLP in February 2014 for general legal services; and

WHEREAS, Baker, Manock, & Jensen PC and Ballard Spahr LLP were the responsive and responsible firms who provided qualifications and prices that are the most advantageous to the Agency, pursuant to the procurement guidelines of the U.S. Dept. of Housing and Urban Development (HUD); and

WHEREAS, the Agency desires to maintain the continuity of the aforementioned services pertaining to cases in progress; and

WHEREAS, the Agency desires to exercise its option to extend the contracts with Baker, Manock, & Jensen PC and Ballard Spahr LLP for general legal services for one year, beginning January 1, 2016, for an annual amount not to exceed \$300,000 and \$150,000, respectively; and

WHEREAS, the term of said contracts will expire December 31, 2016, and will be renewable for up to two additional one-year terms at the discretion of the Boards, and pursuant to HUD procurement guidelines;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno do hereby approve the one-year contract extension of the general legal services contracts with Baker, Manock, & Jensen PC and Ballard Spahr LLP and authorize Preston Prince, CEO/Executive Director or his designee, to execute all documents in connection therewith.

PASSED AND ADOPTED THIS 15th DAY OF DECEMBER, 2015. I, the undersigned,
herby certify that the foregoing Resolution was duly adopted by the governing body with the
following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF FRESNO COUNTY

RESOLUTION AUTHORIZING THE EXTENSION OF GENERAL LEGAL SERVICES
CONTRACTS

WHEREAS, the Housing Authority of Fresno County (the "Agency") procured and subsequently entered into a contract with Baker, Manock, & Jensen PC and Ballard Spahr LLP in February 2014 for general legal services; and

WHEREAS, Baker, Manock, & Jensen PC and Ballard Spahr LLP were the responsive and responsible firms who provided qualifications and prices that are the most advantageous to the Agency, pursuant to the procurement guidelines of the U.S. Dept. of Housing and Urban Development (HUD); and

WHEREAS, the Agency desires to maintain the continuity of the aforementioned services pertaining to cases in progress; and

WHEREAS, the Agency desires to exercise its option to extend the contracts with Baker, Manock, & Jensen PC and Ballard Spahr LLP for general legal services for one year, beginning January 1, 2016, for an annual amount not to exceed \$300,000 and \$150,000, respectively; and

WHEREAS, the term of said contracts will expire December 31, 2016, and will be renewable for up to two additional one-year terms at the discretion of the Boards, and pursuant to HUD procurement guidelines;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County do hereby approve the one-year contract extension of the general legal services contracts with Baker, Manock, & Jensen PC and Ballard Spahr LLP, and authorize Preston Prince, CEO/Executive Director or his designee, to execute all documents in connection therewith.

PASSED AND ADOPTED THIS 15th DAY OF DECEMBER, 2015. I, the undersigned,
herby certify that the foregoing Resolution was duly adopted by the governing body with the
following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners



BOARD MEMO

1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO: Boards of Commissioners
Fresno Housing Authority
FROM: Preston Prince *P. Prince*
CEO/Executive Director
DATE: 12/11/2015
BOARD MEETING: 12/15/2015
AUTHOR: Jim Barker
Chief Financial Officer
AGENDA ITEM: 8c
RE: Extension of Human Resources Legal Services Contract

Summary

The purpose of this memo is to seek the Boards' approval to extend the Agency's Legal Services contract for Human Resources from 1/1/16 to 12/31/16. The Agency currently has a contract with Atkinson, Andelson, Loya, Ruud & Romo to perform these services.

Fiscal Impact

Though the requirements of future legal services are difficult to anticipate, based on historical use, the Agency would like to extend its contract with Atkinson, Andelson, Loya, Ruud & Romo for an annual amount not to exceed \$150,000. The 2016 Operations Budget includes funding for legal services expenditures.

Recommendation

It is recommended that the Boards of Commissioners authorize the CEO/Executive Director to extend the contract of Atkinson, Andelson, Loya, Ruud & Romo from 1/1/16 to 12/31/16 in an amount not to exceed \$150,000.

Background

In August of 2013, the Agency published an RFP to solicit for a variety of legal services. As a result of the RFP, the Agency received proposals from 15 legal firms (both local and national). Firms had the option to submit a proposal to provide various legal services including general legal, human resources legal services, development of affordable housing legal services, matters relating to HUD, and other legal services as needed. After all proposals were evaluated, the Agency entered into a contract for legal counsel services for Human Resources matters with Atkinson, Andelson, Loya, Ruud & Romo in April 2014. The first extension was approved by the Boards of Commissioners on 11/19/14 for the period of 1/1/15 to 12/31/15. This is the second extension covering the period noted above. Following this extension, there are two optional extension periods remaining.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF THE CITY OF FRESNO

**RESOLUTION AUTHORIZING THE EXTENSION OF LEGAL SERVICES FOR HUMAN
RESOURCES CONTRACTS**

WHEREAS, the Housing Authority of the City of Fresno (the "Agency") procured and subsequently entered into a contract with Atkinson, Andelson, Loya, Ruud & Romo in April 2014 for legal services relating to human resources; and

WHEREAS, Atkinson, Andelson, Loya, Ruud & Romo was the responsive and responsible firm who provided qualifications and prices that are the most advantageous to the Agency, pursuant to the procurement guidelines of the U.S. Dept. of Housing and Urban Development (HUD); and

WHEREAS, the Agency desires to maintain the continuity of the aforementioned services pertaining to cases in progress; and

WHEREAS, the Agency desires to exercise its option to extend the contract with Atkinson, Andelson, Loya, Ruud & Romo for human resources legal services for one year, beginning January 1, 2016, for an annual amount not to exceed \$150,000; and

WHEREAS, the term of said contract will expire December 31, 2016, and will be renewable for up to two additional one-year terms at the discretion of the Boards, and pursuant to HUD procurement guidelines;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno do hereby approve the one-year contract extension of the human resources legal services contract with Atkinson, Andelson, Loya, Ruud & Romo and authorize Preston Prince, CEO/Executive Director, or his designee, to execute all documents in connection therewith.

PASSED AND ADOPTED THIS 15th DAY OF DECEMBER, 2015. I, the undersigned,
herby certify that the foregoing Resolution was duly adopted by the governing body with the
following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF FRESNO COUNTY

**RESOLUTION AUTHORIZING THE EXTENSION OF LEGAL SERVICES FOR HUMAN
RESOURCES CONTRACTS**

WHEREAS, the Housing Authority of Fresno County (the "Agency") procured and subsequently entered into a contract with Atkinson, Andelson, Loya, Ruud & Romo in April 2014 for legal services relating to human resources; and

WHEREAS, Atkinson, Andelson, Loya, Ruud & Romo was the responsive and responsible firm who provided qualifications and prices that are the most advantageous to the Agency, pursuant to the procurement guidelines of the U.S. Dept. of Housing and Urban Development (HUD); and

WHEREAS, the Agency desires to maintain the continuity of the aforementioned services pertaining to cases in progress; and

WHEREAS, the Agency desires to exercise its second option to extend the contract with Atkinson, Andelson, Loya, Ruud & Romo for human resources legal services for one year, beginning January 1, 2016, for an annual amount not to exceed \$150,000; and

WHEREAS, the term of said contract will expire December 31, 2016, and will be renewable for up to two additional one-year terms at the discretion of the Boards, and pursuant to HUD procurement guidelines;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the County of Fresno do hereby approve the one-year contract extension of the human resources legal services contract with Atkinson, Andelson, Loya, Ruud & Romo and authorize Preston Prince, CEO/Executive Director, or his designee, to execute all documents in connection therewith.

PASSED AND ADOPTED THIS 15th DAY OF DECEMBER, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners




BOARD MEMO

1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO: Boards of Commissioners
Fresno Housing Authority

FROM: Preston Prince 
CEO/Executive Director

AUTHOR Jim Barker
Chief Financial Officer

DATE: 12/11/2015

BOARD MEETING: 12/15/2015

AGENDA ITEM: 8d

RE: Extension of the Legal Services Contract for Matters
Relating to the U.S. Department of Housing and Urban
Development (HUD)

Summary

The purpose of this memo is to seek the Boards' approval to extend the Agency's legal services contract for matters relating to HUD from 1/1/16 to 12/31/16. The Agency currently has a contract with Ballard Spahr LLP to perform these services.

Fiscal Impact

Though the requirements of future legal services are difficult to anticipate, based on historical use, the Agency would like to extend its contract with Ballard Spahr LLP for an annual amount not to exceed \$50,000. The 2016 Operations Budget includes funding for legal services expenditures.

Recommendation

It is recommended that the Boards of Commissioners authorize the CEO/Executive Director to extend the contract of Ballard Spahr LLP from 1/1/16 to 12/31/16 in the amount of \$50,000.

Background

In August of 2013, the Agency published an RFP to solicit for a variety of legal services. As a result of the RFP, the Agency received proposals from 15 legal firms (both local and national). Firms had the option to submit a proposal to provide various legal services including general legal, human resources legal services, development of affordable housing legal services, matters relating to HUD, and other legal services as needed. After all proposals were evaluated, the Agency entered into a legal counsel services contract for matters relating to HUD with Ballard Spahr LLP in April 2014. The first extension was approved by the Boards of Commissioners on 11/19/14 for the period of 1/1/15 to 12/31/15. This is the second extension covering the period noted above. Following this extension, there are two optional extension periods remaining.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO

RESOLUTION AUTHORIZING THE EXTENSION OF THE LEGAL SERVICES
CONTRACT ON MATTERS RELATED TO THE U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT (HUD)

WHEREAS, the Housing Authority of the City of Fresno (the "Agency") procured and subsequently entered into a contract with Ballard Spahr LLP in April 2014 for legal counsel services on matters related to HUD; and

WHEREAS, Ballard Spahr LLP was the responsive and responsible firm who provided qualifications and prices that are the most advantageous to the Agency, pursuant to the procurement guidelines of the U.S. Dept. of Housing and Urban Development (HUD); and

WHEREAS, the Agency desires to maintain the continuity of the aforementioned services pertaining to cases in progress; and

WHEREAS, the Agency desires to exercise its option to extend the legal services contract with Ballard Spahr LLP for matters related to HUD for one year, beginning January 1, 2016, for an annual amount not to exceed \$50,000; and

WHEREAS, the term of said contract will expire December 31, 2016, and will be renewable for up to two additional one-year terms at the discretion of the Boards, and pursuant to HUD procurement guidelines;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno do hereby approve the one-year contract extension for legal services on matters related to HUD with Ballard Spahr LLP and authorize Preston Prince, CEO/Executive Director or his designee, to execute all documents in connection therewith.

PASSED AND ADOPTED THIS 15th DAY OF DECEMBER, 2015. I, the undersigned,
herby certify that the foregoing Resolution was duly adopted by the governing body with the
following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF FRESNO COUNTY

**RESOLUTION AUTHORIZING THE EXTENSION OF THE LEGAL SERVICES
CONTRACT ON MATTERS RELATING TO THE U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT (HUD)**

WHEREAS, the Housing Authority of Fresno County (the "Agency") procured and subsequently entered into a contract with Ballard Spahr LLP in April 2014 for legal counsel services on matters related to HUD; and

WHEREAS, Ballard Spahr LLP was the responsive and responsible firm who provided qualifications and prices that are the most advantageous to the Agency, pursuant to the procurement guidelines of the U.S. Dept. of Housing and Urban Development (HUD); and

WHEREAS, the Agency desires to maintain the continuity of the aforementioned services pertaining to cases in progress; and

WHEREAS, the Agency desires to exercise its second option to extend the legal services contract with Ballard Spahr LLP for matters related to HUD for one year, beginning January 1, 2016, for an annual amount not to exceed \$50,000; and

WHEREAS, the term of said contract will expire December 31, 2016, and will be renewable for up to two additional one-year terms at the discretion of the Boards, and pursuant to HUD procurement guidelines;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County do hereby approve the one-year contract extension of the legal services contract on matters related to HUD with Ballard Spahr LLP and authorize Preston Prince, CEO/Executive Director or his designee, to execute all documents in connection therewith.

PASSED AND ADOPTED THIS 15th DAY OF DECEMBER, 2015. I, the undersigned,
herby certify that the foregoing Resolution was duly adopted by the governing body with the
following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners



BOARD MEMO

1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO: Boards of Commissioners
Fresno Housing Authority
FROM: Preston Prince *PP*
CEO/Executive Director
DATE: 12/11/2015
BOARD MEETING: 12/15/2015
AUTHOR: Jim Barker
Chief Financial Officer
AGENDA ITEM: 8e
RE: Extension of Legal Services Contract Related to the
Development of Affordable Housing

Summary

The purpose of this memo is to seek the Boards' approval to extend the Agency's legal services contract related to the development of affordable housing from 1/1/16 to 12/31/16. The Agency currently has a contract with Ballard Spahr LLP to perform these services.

Fiscal Impact

Though the requirements of future legal services are difficult to anticipate, based on historical use, the Agency would like to extend its contract with Ballard Spahr LLP for an annual amount not to exceed \$600,000. The majority of the legal costs associated with affordable housing are allocated to real estate development projects and are not funded by the housing authority directly. The 2016 Operations Budget includes funding for legal services expenditures.

Recommendation

It is recommended that the Boards of Commissioners authorize the CEO/Executive Director to extend the legal services contract of Ballard Spahr LLP from 1/1/16 to 12/31/16 for an amount not exceed \$600,000 for matters related to the development of affordable housing.

Background

In August of 2013, the Agency published an RFP to solicit for a variety of legal services. As a result of the RFP, the Agency received proposals from 15 legal firms (both local and national). Firms had the option to submit a proposal to provide various legal services including general legal, human resources legal services, development of affordable housing legal services, matters relating to HUD, and other legal services as needed. After all proposals were evaluated, the Agency entered into a legal services contract for matters related to the development of affordable housing with Ballard Spahr LLP in April 2014. The first extension was approved by the Boards of Commissioners on 11/19/14 for the period of 1/1/15 to 12/31/15. This recommendation would be the second extension covering the period noted above. Following this extension, there are two optional extension periods remaining.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF THE CITY OF FRESNO

**RESOLUTION AUTHORIZING THE EXTENSION OF THE LEGAL SERVICES
CONTRACT FOR MATTERS RELATED TO THE DEVELOPMENT OF AFFORDABLE
HOUSING**

WHEREAS, the Housing Authority of the City of Fresno (the “Agency”) procured and subsequently entered into a legal services contract with Ballard Spahr LLP in April 2014 for matters related to the development of affordable housing; and

WHEREAS, Ballard Spahr LLP was the responsive and responsible firm who provided qualifications and prices that are the most advantageous to the Agency, pursuant to the procurement guidelines of the U.S. Dept. of Housing and Urban Development (HUD); and

WHEREAS, the Agency desires to maintain the continuity of the aforementioned services pertaining to cases in progress; and

WHEREAS, the Agency desires to exercise its option to extend the legal services contract with Ballard Spahr LLP for matters related to the development of affordable housing for one year, beginning January 1, 2016, for an annual amount not to exceed \$600,000; and

WHEREAS, the term of said contract will expire December 31, 2016, and will be renewable for up to two additional one-year terms at the discretion of the Boards, and pursuant to HUD procurement guidelines;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno do hereby approve the one-year contract extension of the legal services contract for the development of affordable housing with Ballard Spahr LLP and authorize Preston Prince, CEO/Executive Director or his designee, to execute all documents in connection therewith.

PASSED AND ADOPTED THIS 15th DAY OF DECEMBER, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO COUNTY**

**RESOLUTION AUTHORIZING THE EXTENSION OF THE LEGAL SERVICES
CONTRACT FOR THE DEVELOPMENT OF AFFORDABLE HOUSING**

WHEREAS, the Housing Authority of Fresno County (the "Agency") procured and subsequently entered into a contract with Ballard Spahr LLP in April 2014 for development of affordable housing related legal counsel services; and

WHEREAS, Ballard Spahr LLP was the responsive and responsible firm who provided qualifications and prices that are the most advantageous to the Agency, pursuant to the procurement guidelines of the U.S. Dept. of Housing and Urban Development (HUD); and

WHEREAS, the Agency desires to maintain the continuity of the aforementioned services pertaining to cases in progress; and

WHEREAS, the Agency desires to exercise its option to extend the legal services contract with Ballard Spahr LLP for matters related to the development of affordable housing for one year, beginning January 1, 2016, for an annual amount not to exceed \$600,000; and

WHEREAS, the term of said contract will expire December 31, 2016, and will be renewable for up to two additional one-year terms at the discretion of the Boards, and pursuant to HUD procurement guidelines;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County do hereby approve the one-year contract extension for legal services related to the development of affordable housing with Ballard Spahr LLP and authorize Preston Prince, CEO/Executive Director or his designee, to execute all documents in connection therewith.

PASSED AND ADOPTED THIS 15th DAY OF DECEMBER, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners



BOARD MEMO

1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO: Boards of Commissioners **DATE:** 12/11/2015
Fresno Housing Authority
FROM: Preston Prince *P. Prince* **BOARD MEETING:** 12/15/2015
CEO/Executive Director
AUTHOR: Michael van Putten **AGENDA ITEM:** 8f
Budget Analyst
RE: 2016 Budget Adoption

Executive Summary

The purpose of this memo is to provide information to the Boards of Commissioners regarding the Agency's 2016 annual budgets for Operations and Housing Assistance Payments. This budget sets forth the expected revenues and expenses for Fresno Housing by program, department, and division. The attachment provided with this memo shows the consolidation of all the programmatic budgets combined into six Agency divisions. Each budget, separately and together as a whole, is intended to ensure that the Fresno Housing Authority remains fiscally sound while investing in the Agency's future, and delivering services in accordance with our mission statement.

The recommended operating budget (shown below) has revenues of \$36.42 million and expenses of \$35.01 million, resulting in total net income of approximately \$1.41 million. Of the 1.41 million in net income, \$360 thousand is unrestricted and will be added to the Agency's unrestricted reserves by the end of 2016. As always, the Agency's mission has remained at the forefront of our minds throughout this budgeting process; that of ensuring long-term fiscal stability, preserving key assets, and improving our residents' quality of life.

2015 v 2016 Budget	2015 Budget	2016 Budget	2015 v 2016 Budget	
	Total	Total	Fav/(Unfav)	
OPERATING BUDGET				
INCOME				
ADMIN & MANAGEMENT FEES	13,927,050	13,283,110	(643,941)	-4.6%
RENTAL INCOME	6,196,338	6,174,018	(22,320)	-0.4%
HUD GRANTS	5,315,523	5,125,259	(190,264)	-3.6%
MISCELLANEOUS	6,302,927	8,099,255	1,796,328	28.5%
GRANT FUNDING (Non-HUD)	2,039,258	2,016,317	(22,940)	-1.1%
SOFTWARE, EQUIP & OCCUPANCY	1,573,147	1,722,820	149,674	9.5%
SALES OF INVESTMENTS/ASSETS	5,000	-	(5,000)	-100.0%
INTERNAL EQUITY TRANSFER	-	-	-	
Total Income:	35,359,243	36,420,780	1,061,537	3.0%
EXPENSES				
Salaries & Benefits	14,789,893	15,861,831	(1,071,939)	-7.2%
Administrative Overhead	14,470,522	13,433,757	1,036,764	7.2%
Fleet & Facilities	4,803,824	4,550,675	253,148	5.3%
TRAVEL, TRAINING, STAFF DEVELOPMENT	429,947	589,799	(159,852)	-37.2%
Other	595,461	575,284	20,177	3.4%
Total Expenses:	35,089,646	35,011,347	78,299	0.2%
Net Operating Income:	269,596	1,409,433	1,139,836	
Unrestricted Funds	(663,804)	359,959	1,023,763	80

Housing Assistance Payments

Housing Assistance Payments (HAP) are the subsidies paid to landlords on behalf of residents participating in the Housing Choice Voucher program (formerly known as “Section 8”) and the Shelter Plus Care program. Funds available for 2016 are based on the 2015 FYE HAP payment level multiplied by the proration set by HUD. In this final budget we have projected the HAP proration to be 100%, therefore in the details below the “HAP Rental Assistance” for the 2016 Budget matches the “HAP Payments” for the 2015 FYE Projections. The agency expects to use 99% of the Funds we are eligible for leaving \$795 thousand to be added to HUD-Held restricted reserves. These reserves are in HUD’s possession and are only given to us upon request in the event of a funding shortfall.

HAP	2015 Budget	2016 Budget
	Total	Total
HAP BUDGET		
HAP RENTAL ASSISTANCE	80,849,643	80,286,451
HAP PAYMENTS	79,627,255	79,491,812
HUD-Held Reserves	1,222,388	794,639

Budget Highlights and Assumptions

The highlights of the 2016 budget and the assumptions used in developing the Fresno Housing Authority’s Operating Budget are as follows:

- Overall revenues are up primarily due to higher levels of developer fees, which is partially offset by the anticipated reduction of admin fees in Section 8 due to lower prorations.
- Developer fees are budgeted at \$5.07 million. The spike in developer fees for FY 2016 is due to the timing of distribution from the large number of projects closed in 2013 and 2015. This increase in revenue will not be ongoing as we are projecting between \$2 million and \$3 million in 2017 and 2018 respectively.
- Administrative fee revenue is conservatively budgeted at 69.5% of eligibility for the Housing Choice Voucher program. Once final appropriations are complete the proration level is likely to fall between 70% and 74%.
- Operating subsidy for the public housing program is budgeted at 83% of eligibility for FY 2016 and is based on currently awarded information from HUD and NAHRO.
- The FY 2016 operating expenditures are projected to be \$35.01 million, which is relatively flat from 2015, representing a slight decrease of \$78 thousand (0.2%) from the FY 2015 level of \$35.09 million.

Recommendation

It is recommended that the Boards of Commissioners of the Fresno Housing Authority adopted the 2016 Annual Operating Budget, and the 2016 Annual Housing Assistance Payments Budget.

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO**

Resolution Number:

**RESOLUTION ADOPTING THE 2016 HOUSING AUTHORITY'S ANNUAL OPERATING BUDGET
AND THE 2016 HOUSING ASSISTANCE PAYMENTS BUDGET**

WHEREAS, the Annual Operating Budget and the Housing Assistance Payments Budget for the Fresno Housing Authority for the fiscal year beginning January 1, 2016 and ending December 31, 2016 has been presented for adoption before the Board of Commissioners of the Housing Authority of the City of Fresno at its open public meeting on December 15, 2015; and

WHEREAS, the Annual Operating Budget as presented for adoption reflects total revenues of \$36,420,780 and total expenses of \$35,011,347; and

WHEREAS, the Housing Assistance Payments Budget as presented for adoption reflects total revenues of \$80,286,457 and total expenses of \$79,491,812; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno adopt the Annual Operating Budget and the Housing Assistance Payments Budget beginning on January 1, 2016 and ending on December 31, 2016.

PASSED AND ADOPTED THIS 15th day of December, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Preston Prince, Secretary of the Boards of Commissioners

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO COUNTY**

Resolution Number:

**RESOLUTION ADOPTING THE 2016 HOUSING AUTHORITY'S ANNUAL OPERATING BUDGET
AND THE 2016 HOUSING ASSISTANCE PAYMENTS BUDGET**

WHEREAS, the Annual Operating Budget and the Housing Assistance Payments Budget for the Fresno Housing Authority for the fiscal year beginning January 1, 2016 and ending December 31, 2016 has been presented for adoption before the Board of Commissioners of the Housing Authority of Fresno County at its open public meeting on December 15, 2015; and

WHEREAS, the Annual Operating Budget as presented for adoption reflects total revenues of \$36,420,780 and total expenses of \$35,011,347; and

WHEREAS, the Housing Assistance Payments Budget as presented for adoption reflects total revenues of \$80,286,451 and total expenses of \$79,491,812; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County adopt the Annual Operating Budget and the Housing Assistance Payments Budget beginning on January 1, 2016 and ending on December 31, 2016.

PASSED AND ADOPTED THIS 15th day of December, 2015. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Preston Prince, Secretary of the Boards of Commissioners

2015 v 2016 Budget

OPERATING BUDGET
INCOME
ADMIN & MANAGEMENT FEES
RENTAL INCOME
HUD GRANTS
MISCELLANEOUS
GRANT FUNDING (Non-HUD)
SOFTWARE, EQUIP & OCCUPANCY
SALES OF INVESTMENTS/ASSETS
INTERNAL EQUITY TRANSFER
Total Income:
EXPENSES
SALARIES (inc temps)
BENEFITS & TAXES
Salaries & Benefits
ADMIN, ACCTG, MANAGEMENT, PILOT FEES
PROFESSIONAL/ADMINISTRATIVE FEES
SOFTWARE, EQUIPMENT & OCCUPANCY
OTHER
OFFICE SUPPLIES, ADVERT., SUBSCRIPTIONS
INSURANCE
PAYMENTS TO EXTERNAL PROP MGRS
Administrative Overhead
LANDSCAPING, REPAIRS, SECURITY, ETC.
UTILITIES, GARBAGE, SEWER, ETC.
AUTO COSTS
Fleet & Facilities
TRAVEL, TRAINING, STAFF DEVELOPMENT
DEBT RELATED COSTS
Other
Total Expenses:
Net Operating Income:
Unrestricted Funds

2015 Budget						
Core	Inst	P&CD	AHD	HSM	Aff	Total
5,053,326	-	-	8,402,808	470,917	-	13,927,050
-	-	-	-	4,486,003	1,710,335	6,196,338
-	-	-	364,608	4,950,915	-	5,315,523
155,100	1,490,852	3,698,475	795,788	135,412	27,300	6,302,927
-	-	-	154,534	1,884,724	-	2,039,258
1,573,147	-	-	-	-	-	1,573,147
5,000	-	-	-	-	-	5,000
-	-	-	-	-	-	-
6,786,572	1,490,852	3,698,475	9,717,737	11,927,971	1,737,635	35,359,243
2,833,479	104,827	1,036,229	4,160,199	2,273,466	29,825	10,438,024
1,024,412	45,827	385,812	1,721,299	1,157,839	16,679	4,351,868
3,857,891	150,654	1,422,040	5,881,498	3,431,305	46,504	14,789,893
-	411,000	-	2,895,012	1,987,176	4,760	5,297,948
1,630,800	76,098	1,117,295	443,273	511,669	5,362	3,784,497
860,534	-	155,311	1,129,716	184,556	4,161	2,334,277
542,000	547,152	-	152,500	887,661	4,235	2,133,549
160,050	-	19,100	145,500	104,977	2,930	432,557
20,969	50,111	4,101	22,959	152,390	18,173	268,704
-	-	-	-	-	218,991	218,991
3,214,354	1,084,361	1,295,807	4,788,960	3,828,428	258,611	14,470,522
178,900	-	-	-	1,464,632	512,250	2,155,782
161,411	-	-	-	2,103,610	145,315	2,410,335
30,300	-	22,800	61,750	121,627	1,230	237,707
370,611	-	22,800	61,750	3,689,868	658,795	4,803,824
291,838	-	30,310	52,347	55,118	334	429,947
-	-	-	20,000	245,689	329,772	595,461
-	-	-	20,000	245,689	329,772	595,461
7,734,694	1,235,014	2,770,957	10,804,556	11,250,408	1,294,016	35,089,646
(948,122)	255,838	927,518	(1,086,819)	677,563	443,619	269,596
(948,122)	-	927,518	(1,086,819)	-	443,619	(663,804)

2016 Budget							2015 v 2016 Budget	
Core	Inst	P&CD	AHD	HSM	Aff	Total	Fav/(Unfav)	
5,116,353	60,000	-	7,645,319	461,437	-	13,283,110	(643,941)	-4.6%
-	-	-	-	4,211,185	1,962,833	6,174,018	(22,320)	-0.4%
-	-	-	335,144	4,790,115	-	5,125,259	(190,264)	-3.6%
491,636	1,247,750	5,332,917	873,341	115,036	38,575	8,099,255	1,796,328	28.5%
-	-	-	244,317	1,772,001	-	2,016,317	(22,940)	-1.1%
1,722,820	-	-	-	-	-	1,722,820	149,674	9.5%
-	-	-	-	-	-	-	(5,000)	-100.0%
-	-	-	-	-	-	-	-	
7,330,810	1,307,750	5,332,917	9,098,121	11,349,774	2,001,408	36,420,780	1,061,537	3.0%
3,332,533	-	1,058,408	4,274,289	2,428,404	6,077	11,099,711	(661,686)	-6.3%
1,266,647	-	379,155	1,834,875	1,277,875	3,569	4,762,121	(410,252)	-9.4%
4,599,180	-	1,437,563	6,109,163	3,706,279	9,646	15,861,831	(1,071,939)	-7.2%
-	411,000	-	2,911,080	2,026,500	4,760	5,353,341	(55,393)	-1.0%
1,152,800	42,000	1,127,149	324,139	501,825	6,300	3,154,213	630,284	16.7%
970,817	-	150,833	1,023,979	213,735	1,691	2,361,055	(26,778)	-1.1%
546,000	374,885	-	82,000	484,262	10,635	1,497,782	635,767	29.8%
219,779	-	21,800	167,250	92,767	9,191	510,787	(78,230)	-18.1%
21,724	50,000	5,413	19,135	133,253	22,392	251,917	16,787	6.2%
-	-	-	-	-	304,663	304,663	(85,672)	-39.1%
2,911,120	877,885	1,305,195	4,527,584	3,452,341	359,632	13,433,757	1,036,764	7.2%
263,300	-	-	-	1,452,337	562,365	2,278,002	(122,220)	-5.7%
126,050	-	-	-	1,705,287	199,788	2,031,125	379,210	15.7%
45,358	-	18,900	63,220	111,570	2,500	241,548	(3,841)	-1.6%
434,708	-	18,900	63,220	3,269,194	764,653	4,550,675	253,148	5.3%
358,700	-	39,114	134,647	56,851	487	589,799	(159,852)	-37.2%
-	-	-	-	245,500	329,784	575,284	20,177	3.4%
-	-	-	-	245,500	329,784	575,284	20,177	3.4%
8,303,709	877,885	2,800,772	10,834,614	10,730,166	1,464,202	35,011,347	78,299	0.2%
(972,899)	429,865	2,532,145	(1,736,493)	619,608	537,206	1,409,433	1,139,836	
(972,899)	-	2,532,145	(1,736,493)	-	537,206	359,959	1,023,763	

Draft 1 v. Draft 2 v. Draft 3

OPERATING BUDGET
INCOME
ADMIN & MANAGEMENT FEES
RENTAL INCOME
HUD GRANTS
MISCELLANEOUS
GRANT FUNDING (Non-HUD)
SOFTWARE, EQUIP & OCCUPANCY
SALES OF INVESTMENTS/ASSETS
INTERNAL EQUITY TRANSFER
Total Income:
EXPENSES
SALARIES (inc temps)
BENEFITS & TAXES
Salaries & Benefits
ADMIN, ACCTG, MANAGEMENT, PILOT FEES
PROFESSIONAL/ADMINISTRATIVE FEES
SOFTWARE, EQUIPMENT & OCCUPANCY
OTHER
OFFICE SUPPLIES, ADVERT., SUBSCRIPTIONS
INSURANCE
PAYMENTS TO EXTERNAL PROP MGRS
Administrative Overhead
LANDSCAPING, REPAIRS, SECURITY, ETC.
UTILITIES, GARBAGE, SEWER, ETC.
AUTO COSTS
Fleet & Facilities
TRAVEL, TRAINING, STAFF DEVELOPMENT
DEBT RELATED COSTS
Other
Total Expenses:
Net Operating Income:
Unrestricted Funds

2016 Budget (as of 10/27/2015)							2016 Budget (as of 11/17/2015)							2016 Budget (as of 12/15/2015)							1st Draft 2016 Budget v. 2nd Draft 2016 Budget		1st Draft 2016 Budget v. 3rd Draft 2016 Budget		2nd Draft 2016 Budget v. 3rd Draft 2016 Budget	
Core	Inst	P&CD	AHD	HSM	Aff	Total	Core	Inst	P&CD	AHD	HSM	Aff	Total	Core	Inst	P&CD	AHD	HSM	Aff	Total	Fav/(Unfav)		Fav/(Unfav)		Fav/(Unfav)	
4,862,271	60,000	-	7,645,316	456,070	-	13,023,656	5,520,004	60,000	-	7,645,319	456,077	-	13,681,400	5,116,353	60,000	-	7,645,319	461,437	-	13,283,110	657,744	5.1%	259,454	2.0%	(398,291)	-2.9%
-	-	-	-	5,087,003	1,962,833	7,049,836	-	-	-	-	5,087,003	1,962,833	7,049,836	-	-	-	-	4,211,185	1,962,833	6,174,018	-	0.0%	(875,818)	-12.4%	(875,818)	-12.4%
-	-	-	335,137	4,790,115	-	5,125,252	-	-	-	335,144	4,790,115	-	5,125,259	-	-	-	335,144	4,790,115	-	5,125,259	7	0.0%	7	0.0%	-	0.0%
72,913	1,647,750	5,021,853	751,440	115,096	38,575	7,647,627	72,651	1,247,750	5,332,917	870,569	115,036	38,575	7,677,498	491,636	1,247,750	5,332,917	873,341	115,036	38,575	8,099,255	29,871	0.4%	451,628	5.9%	421,757	5.5%
-	-	-	243,539	1,819,760	-	2,063,300	-	-	-	243,545	1,819,760	-	2,063,305	-	-	-	244,317	1,772,001	-	2,016,317	5	0.0%	(46,982)	-2.3%	(46,988)	-2.3%
1,668,341	-	-	-	-	-	1,668,341	1,668,343	-	-	-	-	-	1,668,343	1,722,820	-	-	-	-	-	-	2	0.0%	54,480	3.3%	54,478	3.3%
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
6,603,524	1,707,750	5,021,853	8,975,432	12,268,044	2,001,408	36,578,011	7,260,998	1,307,750	5,332,917	9,094,577	12,267,992	2,001,408	37,265,641	7,330,810	1,307,750	5,332,917	9,098,121	11,349,774	2,001,408	36,420,780	687,630	1.9%	(157,231)	-0.4%	(844,861)	-2.3%
3,283,016	-	1,045,055	4,126,898	2,354,361	5,976	10,815,307	3,256,993	-	1,047,640	4,487,297	2,356,212	5,976	11,154,118	3,332,533	-	1,058,408	4,274,289	2,428,404	6,077	11,099,711	(338,811)	-3.1%	(284,404)	-2.6%	54,407	0.5%
1,253,812	-	376,757	1,789,504	1,244,947	3,544	4,668,564	1,243,273	-	377,201	1,868,700	1,244,956	3,544	4,737,675	1,266,647	-	379,155	1,834,875	1,277,875	3,569	4,762,121	(69,111)	-1.5%	(93,557)	-2.0%	(24,446)	-0.5%
4,536,828	-	1,421,812	5,916,402	3,599,309	9,520	15,483,871	4,500,265	-	1,424,842	6,355,997	3,601,168	9,520	15,891,793	4,599,180	-	1,437,563	6,109,163	3,706,279	9,646	15,861,831	(407,922)	-2.6%	(377,961)	-2.4%	29,961	0.2%
-	411,000	-	2,911,075	2,026,500	4,760	5,353,335	-	411,000	-	2,911,075	2,026,500	4,760	5,353,335	-	411,000	-	2,911,080	2,026,500	4,760	5,353,341	(0)	0.0%	(6)	0.0%	(6)	0.0%
1,230,800	36,000	627,149	224,139	504,875	6,300	2,629,263	1,230,800	42,000	1,127,149	224,139	501,825	6,300	3,132,213	1,152,800	42,000	1,127,149	324,139	501,825	6,300	3,154,213	(502,950)	-19.1%	(524,950)	-20.0%	(22,000)	-0.7%
891,615	-	150,833	1,027,950	210,999	1,691	2,283,088	887,097	-	150,833	1,018,913	211,299	1,691	2,269,832	970,817	-	150,833	1,023,979	213,735	1,691	2,361,055	13,255	0.6%	(77,967)	-3.4%	(91,223)	-4.0%
546,000	493,432	-	82,000	893,262	10,635	2,025,329	546,000	372,113	-	82,000	894,262	10,635	1,905,010	546,000	374,885	-	82,000	484,262	10,635	1,497,782	120,320	5.9%	527,547	26.0%	407,228	21.4%
220,390	-	21,800	155,750	90,117	9,191	497,248	220,390	-	21,800	167,250	92,767	9,191	511,398	219,779	-	21,800	167,250	92,767	9,191	510,787	(14,150)	-2.8%	(13,539)	-2.7%	611	0.1%
21,645	50,000	5,413	19,214	136,134	22,392	254,798	21,556	50,000	5,413	19,035	133,074	22,392	251,470	21,724	50,000	5,413	19,135	133,253	22,392	251,917	3,328	1.3%	2,881	1.1%	(447)	-0.2%
-	-	-	-	-	304,663	304,663	-	-	-	-	-	-	304,663	-	-	-	-	-	-	304,663	-	0.0%	-	0.0%	-	0.0%
2,910,450	990,432	805,195	4,420,128	3,861,887	359,632	13,347,724	2,905,843	875,113	1,305,195	4,422,412	3,859,727	359,632	13,727,921	2,911,120	877,885	1,305,195	4,527,584	3,452,341	359,632	13,433,757	(380,197)	-2.8%	(86,033)	-0.6%	294,164	2.1%
171,700	-	-	-	1,412,707	586,615	2,171,022	171,700	-	-	-	1,452,337	562,365	2,186,402	263,300	-	-	-	1,452,337	562,365	2,278,002	(15,380)	-0.7%	(106,980)	-4.9%	(91,600)	-4.2%
126,050	-	-	-	2,029,972	199,788	2,355,810	126,050	-	-	-	2,062,969	199,788	2,388,807	126,050	-	-	-	1,705,287	199,788	2,031,125	(32,997)	-1.4%	324,685	13.8%	357,682	15.0%
45,358	-	18,900	63,220	111,167	2,500	241,145	45,358	-	18,900	63,220	111,570	2,500	241,548	45,358	-	18,900	63,220	111,570	2,500	241,548	(403)	-0.2%	(403)	-0.2%	-	0.0%
343,108	-	18,900	63,220	3,553,846	788,903	4,767,977	343,108	-	18,900	63,220	3,626,876	764,653	4,816,757	434,708	-	18,900	63,220	3,269,194	764,653	4,550,675	(48,780)	-1.0%	217,302	4.6%	266,082	5.5%
358,455	-	39,114	134,500	56,590	487	589,146	358,455	-	39,114	134,500	56,590	487	589,146	358,700	-	39,114	134,647	56,851	487	589,799	-	0.0%	(653)	-0.1%	(653)	-0.1%
-	-	-	-	245,500	329,784	575,284	-	-	-	-	245,500	329,784	575,284	-	-	-	-	245,500	329,784	575,284	-	0.0%	-	0.0%	-	0.0%
-	-	-	-	245,500	329,784	575,284	-	-	-	-	245,500	329,784	575,284	-	-	-	-	245,500	329,784	575,284	-	0.0%	-	0.0%	-	0.0%
8,148,972	990,432	2,285,021	10,534,511	11,315,132	1,488,326	34,764,002	8,107,671	875,113	2,788,051	10,976,130	11,389,861	1,464,076	35,600,901	8,303,709	877,885	2,800,772	10,834,614	10,730,166	1,464,202	35,011,347	(836,899)	-2.4%	(247,345)	-0.7%	589,553	1.7%
-	-	-	-	(73,030)	24,250	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(1,545,448)	717,318	2,736,832	(1,559,079)	952,912	513,082	1,814,009	(846,673)	432,637	2,544,866	(1,881,553)	878,130	537,332	1,664,741	(972,899)	429,865	2,532,145	(1,736,493)	619,608	537,206	1,409,433	(149,268)	-	(404,576)	-	(255,308)	-
(1,545,448)	-	2,736,832	(1,559,079)	-	513,082	145,387	(846,673)	-	2,544,866	(1,881,553)	-	537,332	353,973	(972,899)	-	2,532,145	(1,736,493)	-	537,206	359,959	208,586	-	214,572	-	5,987	-



1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

TO: Boards of Commissioners **DATE:** 12/11/2015
Fresno Housing Authority
FROM: Preston Prince *P. Prince* **BOARD** 12/15/2015
CEO/Executive Director **MEETING:**
AUTHOR Tiffany Mangum **AGENDA** 8g
Special Assistant **ITEM:**
RE: Consideration of a Written Statement on the HUD
Proposed Rule on "Instituting Smoke-Free Public
Housing"

Executive Summary

On November 17, 2015, the U.S. Department of Housing and Urban Development posted the Proposed Rule on "Instituting Smoke-Free Housing." This rule would require Public Housing Agencies (PHAs) administering a public housing program to implement a smoke-free policy, prohibiting the use of lit tobacco products in all housing units, with the exception of mixed-finance units, indoor common areas, and administrative office buildings of PHAs. Under this proposed rule, PHAs would have up to 18 months from the effective date of this rule, to adopt policies compliant with the provisions of this rule.

Currently, the proposed rule is available on the Federal Register # 2015-29346, and is available for public comment until January 19, 2016.

The National Association of Housing and Redevelopment Officials (NAHRO) has released a statement on the proposed rule as follows:

"NAHRO and its members understand the benefits of smoke-free public housing. Although NAHRO encourages its members to consider implementing smoke-free policies for federally assisted housing units, the decision to do so is best left to the discretion of individual public housing agencies (PHAs). Many of our members have already implemented smoke-free policies of their own volition through mechanisms that make sense for the communities they serve. PHAs are best equipped to institute practical policies to protect resident health based on previous guidance from HUD and their own local knowledge. We look forward to submitting comments on the proposed rule and working with HUD on this important issue."

This item is being proposed for consideration by the Boards of Commissioners for the purpose of the Boards determining their desire to issue a joint written statement on this matter.

A draft letter has been prepared in response to HUD's proposed rule, and is attached to this memorandum. The Boards may consider use of this draft letter or a variation of the letter for official submission to NAHRO, who is acting on behalf of member agencies impacted by this proposed rule.

Recommendation

It is recommended the Boards of Commissioners consider a written statement, in response to HUD's proposed rule on "Instituting Smoke-Free Housing"; and further authorize the CEO/Executive Director to sign and submit statement on behalf of the Boards of Commissioners.

Fiscal Impact

None at this time.



1331 Fulton Mall
Fresno, California 93721

(559) 443-8400
TTY (800) 735-2929

www.fresnohousing.org

December _____, 2015

Mr. Eric Oberdorfer
Policy Advisor for Public and Affordable Housing
NAHRO
630 Eye Street
Washington, DC

Dear Mr. Oberdorfer:

On behalf of the Boards of Commissioners, I am writing to provide comments from Fresno Housing concerning HUD's Instituting Smoke-Free Public Housing Proposed Rule contained as 24 CFR Parts 965 and 966 (Docket #FR 5597-P-02 RIN 257-AC97).

Fresno Housing's Boards adopted a tobacco-free policy in September of 2011 for all of our low-income public housing properties. At that time, our Boards held extensive deliberations on the impact of the policy on those residents with mental illness, as well as whether the policy should be extended to include our entire housing portfolio.

According to the Federal Center for Disease Control and Prevention, February 8, 2013, Morbidity and Mortality Weekly Report (MMWR): *"Nationally, nearly 1 in 5 adults (or 45.7 million adults) have some form of mental illness, and 36% of these people smoke cigarettes. In comparison, 21% of adults without mental illness smoke cigarettes. (Mental illness is defined here as diagnosable mental, behavioral, or emotional conditions and does not include developmental and substance use disorders.)"*

There are other troubling statistics from the MMWR:

- 31% of all cigarettes are smoked by adults with mental illness.
- 40% of men and 34% of women with mental illness smoke.
- 48% of people with mental illness who live below the poverty level smoke, compared with 33% of those with mental illness who live above the poverty level"

Fresno Housing believes the proposed policy disproportionately affects persons who are mentally ill and those who may suffer from addiction. The individuals who are diagnosed with mental and emotional disorders, and/or substance addiction, disproportionately represent those persons who have tobacco addictions.

We are also concerned if the policy is expanded to other parts of HUD, particularly CPD, and would apply to our permanent supportive housing sites, currently serving homeless individuals with chronic mental illness. In addition to focusing on Housing First, we focus on Harm Reduction. While we recognize the health impacts from smoking, we also recognize the role smoking plays in the recovery of some individuals. We do not want to evict someone back into homelessness while we are trying to address trauma and illness within someone's life.

Our request is for HUD to allow each Housing Authority to determine what is best for their community. It is recommended the current policy remain at the local level instead of implementing a federal policy banning smoking, as detailed within the proposed ruling. At the minimum, PHAs must have the ability to reasonably accommodate smoking from those individuals who will face homelessness if evicted due to smoking.

Please contact me at pprince@fresnohousing.org or 559-443-8475 if you have any further questions regarding these comments.

Sincerely,

Preston Prince
CEO/Executive Director

transportation, storage, or wholesale or retail distribution of such device; or

(B) A practitioner, such as a physician, licensed by law to use or order the use of such device; and

(ii) The device must be sold only to or on the prescription or other order of such practitioner for use in the course of his professional practice.

(2) The label of the device shall bear the statement "Caution: Federal law restricts this device to sale by or on the order of a _____", the blank to be filled with the word "physician" or with the descriptive designation of any other practitioner licensed by the law of the State in which he practices to use or order the use of the device.

(3) Any labeling, as defined in section 201(m) of the FD&C Act, whether or not it is on or within a package from which the device is to be dispensed, distributed by, or on behalf of the manufacturer, packer, or distributor of the device, that furnishes or purports to furnish information for use of the device contains adequate information for such use, including indications, effects, routes, methods, and frequency and duration of administration and any relevant hazards, contraindications, side effects, and precautions, under which practitioners licensed by law to employ the device can use the device safely and for the purposes for which it is intended, including all purposes for which it is advertised or represented. This information will not be required on so-called reminder-piece labeling which calls attention to the name of the device but does not include indications or other use information.

(4) All labeling, except labels and cartons, bearing information for use of the device also bears the date of the issuance or the date of the latest revision of such labeling.

Dated: November 10, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015-29275 Filed 11-16-15; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 965 and 966

[Docket No. FR 5597-P-02]

RIN 2577-AC97

Instituting Smoke-Free Public Housing

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Proposed rule.

SUMMARY: This proposed rule would require each public housing agency (PHA) administering public housing to implement a smoke-free policy. Specifically, this rule proposes that no later than 18 months from the effective date of the final rule, each PHA must implement a policy prohibiting lit tobacco products in all living units, indoor common areas in public housing, and in PHA administrative office buildings (in brief, a smoke-free policy for all public housing indoor areas). The smoke-free policy must also extend to all outdoor areas up to 25 feet from the housing and administrative office buildings. HUD proposes implementation of smoke-free public housing to improve indoor air quality in the housing, benefit the health of public housing residents and PHA staff, reduce the risk of catastrophic fires, and lower overall maintenance costs.

DATES: *Comment Due Date:* January 19, 2016.

ADDRESSES: Interested persons are invited to submit comments regarding this proposed rule. All communications must refer to the above docket number and title. There are two methods for submitting public comments.

1. *Submission of Comments by Mail.* Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW., Room 10276, Washington, DC 20410-0500.

2. *Electronic Submission of Comments.* Interested persons may submit comments electronically through the Federal eRulemaking Portal at www.regulations.gov. HUD strongly encourages commenters to submit comments electronically. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt by HUD, and enables HUD to make comments immediately available to the public. Comments submitted electronically through the www.regulations.gov Web site can be viewed by other commenters and interested members of the public. Commenters should follow the instructions provided on that site to submit comments electronically.

Note: To receive consideration as public comments, comments must be submitted through one of the two methods specified above. Again, all submissions must refer to the docket number and title of the rule.

No Facsimile Comments. Facsimile (fax) comments are not acceptable.

Public Inspection of Public Comments. All properly submitted

comments and communications submitted to HUD will be available for public inspection and copying between 8 a.m. and 5 p.m., weekdays, at the above address. Due to security measures at the HUD Headquarters building, an advance appointment to review the public comments must be scheduled by calling the Regulations Division at 202-708-3055 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number via TTY by calling the toll-free Federal Relay Service at 800-877-8339. Copies of all comments submitted are available for inspection and downloading at www.regulations.gov.

FOR FURTHER INFORMATION CONTACT:

Leroy Ferguson, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410-0500; telephone number 202-402-2411 (this is not a toll-free number). Persons who are deaf or hard of hearing and persons with speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at 800-877-8339.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Purpose of the Proposed Rule

The purpose of the proposed rule is to require PHAs to, within 18 months of the final rule, establish a policy prohibiting lit tobacco products, as such term is proposed to be defined in § 965.653(c), inside all indoor areas of public housing, including but not limited to living units, indoor common areas, electrical closets, storage units, and PHA administrative office buildings and in all outdoor areas within 25 feet of the housing and administrative office buildings (collectively, "restricted areas"). As further discussed in this rule, such a policy is expected to improve indoor air quality in public housing, benefit the health of public housing residents and PHA staff, reduce the risk of catastrophic fires, and lower overall maintenance costs.

B. Summary of Major Provisions of the Proposed Rule

This proposed rule would apply to all public housing, other than dwelling units in mixed-finance buildings. PHAs would be required, within 18 months of the effective date of the final rule, to establish policies prohibiting lit tobacco products in all restricted areas. PHAs may, but would not be required to, further restrict smoking to outdoor dedicated smoking areas outside the restricted areas, create additional restricted areas in which smoking is

prohibited (e.g., near a playground), or, alternatively, make their entire grounds smoke-free.

PHAs would also be required to document their smoke-free policies in their PHA plans, a process that requires resident engagement and public meetings. The prohibition on lit tobacco would also be included in a tenant's lease, which may be done either through an amendment process or as tenants renew their leases annually.

C. Costs and Benefits of This Proposed Rule

The costs to PHAs of implementing smoke-free policies may include training, administrative, legal, and enforcement costs. Of these costs, HUD expects that the expense of additional enforcement efforts may be the highest. The costs of implementing a smoke-free policy as proposed by this rule are

minimized by the fact that HUD guidance already exists on many of the topics covered by the smoke-free policy proposed to be required by this rule; that hundreds of PHAs have already voluntarily implemented smoke-free policies; and that infrastructure already exists for enforcement of lease violations, and violation of the smoke-free policy would be a lease violation. In addition, time spent by PHA staff on implementing and enforcing the smoke-free policy will be partially offset by the time that staff no longer have to spend mediating disputes among residents over smoking in secondhand smoke infiltration within living units. Given the existing HUD guidance, initial learning costs associated with implementation of a smoke-free policy may not be significant. For the hundreds of PHAs that are already implementing voluntary smoke-free policies, there will

be minimal costs for these PHAs, and, generally, only if their existing policies are not consistent with the minimum requirements for smoke-free policies proposed by this rule.

The benefits of smoke free policies, however, could be considerable. Over 700,000 units would be affected by this rule (including over 500,000 units inhabited by elderly households or households with a non-elderly person with disabilities), and their non-smoking residents would have the potential to experience health benefits from a reduction of exposure to secondhand smoke. PHAs will also benefit from a reduction of damage caused by smoking, and residents and PHAs both gain from seeing a reduction in injuries, deaths, and property damage caused by fires. Estimates of these and other rule-induced impacts are summarized in the following table:

Impact	Source	Amount (discount rates in parentheses)
Cost (potentially recurring but concentrated during first few years of the rule's implementation).	PHA Compliance	\$3.2 million.
Cost (recurring)	Smoker Inconvenience	\$209 million.
Cost (recurring)	Enforcement	Not quantified.
Benefit (recurring)	PHA Reduced Maintenance	\$16 to \$38 million.
Benefit (recurring)	PHA Reduced Fire Risk	\$32 million.
Benefit (annualized over 10 to 50 years)	Non-Smoker Health	Less than: \$148 to \$447 million (3%) \$70 to \$137 million (7%).
Benefit (recurring)	Non-Smoker Well-Being (PHA residents who do not live in units with smokers).	\$96 to \$275 million.
Benefit (recurring)	Smoker Health	Not quantified.
Partially Quantified Net Benefits (recurring)	See above	Less than: –\$19 to \$302 million (3%) –\$97 to –\$8 million (7%)

For additional details on the costs and benefits of this rule, please see the Regulatory Impact Analysis (RIA) for this rule, which can be found at www.regulations.gov, under the docket number for this rule. Information on how to view the RIA is included below.

II. Background

A. The Effects of Smoking on Health

Tobacco smoking has been determined to be a cause of diseases of nearly all organs in the body, and research continues to newly identify diseases caused by smoking, including diabetes mellitus, rheumatoid arthritis, and colorectal cancer. In addition to causing multiple diseases and cancers, tobacco smoking has many other adverse effects on the body, including inflammation and impairment to the immune system.¹

Adverse effects of tobacco use are not limited to the smoker. The U.S. Surgeon General estimates that exposure to secondhand tobacco smoke (i.e., the smoke that comes from burning tobacco products and is exhaled by smokers) is responsible for the death of 41,000 adults non-smokers in the United States each year from lung cancer and heart disease.² Secondhand smoke (SHS) contains hundreds of toxic chemicals and is designated as a known human carcinogen by the U.S. Environmental Protection Agency, the U.S. National Toxicology Program, and the International Agency for Research on Cancer.³ Exposure to SHS can also cause sudden infant death syndrome and respiratory symptoms such as cough and wheeze, middle ear infections, and slowed lung growth and reduced lung function in children, and

increased risk of stroke in adults.⁴ The Surgeon General has concluded that there is no risk-free level of exposure to SHS, and that eliminating smoking in indoor spaces fully protects nonsmokers from exposure to secondhand smoke. Separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate exposures of nonsmokers to secondhand smoke.⁵

The effects of SHS are especially damaging in children and unborn fetuses. The Surgeon General estimates that SHS is responsible for the death of hundreds of newborns from Sudden Infant Death Syndrome (SIDS) each year.⁶ Lead in SHS is also a significant source of lead in house dust and children's blood. The CDC confirmed the association between SHS exposure

⁴ 2014 Surgeon General's Report, footnote 1.

⁵ U.S. Dept. of Health and Human Services, "The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General," (2006), available at <http://www.surgeongeneral.gov/library/reports/secondhandsmoke/fullreport.pdf>.

⁶ *Id.*

¹ Office of the Surgeon General, "The Health Consequences of Smoking—50 Years of Progress," (2014), available at <http://www.surgeongeneral.gov/library/reports/50-years-of-progress/full-report.pdf>.

² *Id.*

³ American Cancer Society, "Secondhand Smoke," <http://www.cancer.org/cancer/cancercauses/tobaccocancer/secondhand-smoke>.

and blood-lead levels in youth and adults, concluding that youth with SHS exposure had blood lead levels high enough to result in adverse cognitive outcomes.⁷

Approximately half of the U.S. population is protected from SHS exposure through statewide, municipal, and federal laws prohibiting smoking in indoor areas of public places and worksites, including bars and restaurants. However, an estimated 58 million Americans remain exposed to secondhand smoke, including 15 million children ages 3 to 11. The home is the primary source of exposure for children.⁸ Because SHS moves throughout buildings, individuals living in multiunit housing can be exposed to SHS even if no one smokes in their households. Surveys of multiunit housing residents indicate that 26 to 64 percent of residents reported SHS incursions into their units from external sources (e.g., hallways or adjacent apartments), and 65 to 90 percent of the residents experiencing such incursions were bothered by them.⁹

The movement of contaminants from SHS within buildings has also been documented through direct measurements of fine particles (an environmental marker of SHS) in indoor air. SHS can move both from external hallways into apartments and between adjacent units.¹⁰ A study of public housing documented lower concentrations of SHS contaminants in buildings covered by smoke-free policies (i.e., policies prohibiting the smoking of tobacco products in all indoor spaces) compared to buildings without these policies.¹¹ Analysis of

data from the National Health and Nutrition Examination Survey (NHANES) demonstrated evidence of greater SHS exposure among children (aged 6 to 18) living in multiunit housing through measurements of cotinine (a metabolite of nicotine) in their blood.¹² The study demonstrated that children living in non-smoking households in apartments had 45 percent higher levels of cotinine in their blood compared to children living in non-smoking households in detached homes. CDC researchers analyzed NHANES data over the period from 1999–2012 and reported that one of four nonsmokers (approximately 58 million people) continue to be exposed to SHS, with the highest exposures among children, non-Hispanic blacks, renters, and those living in poverty.¹³

The Surgeon General concluded in 2006 that separating smokers and nonsmokers, building ventilation, and cleaning the air cannot eliminate exposure to SHS; that can only be accomplished by eliminating smoking from indoor spaces.¹⁴

B. The Financial Costs of Smoking

Beyond the increased costs associated with higher healthcare expenses, tobacco smoking can have profound financial impacts on PHAs and owners of other multiunit properties. Smoking is the leading cause of fire deaths in multiunit properties.¹⁵ In 2011, smoking caused 17,600 residential fires resulting in 490 civilian deaths, 1,370 injuries, and \$516 million in direct property damage.¹⁶ Smoking is especially dangerous in units where a household member is receiving oxygen for medical purposes. Research conducted by the U.S. Fire Protection Association found that for fire deaths during the period from 2007–2011 in which oxygen

administration equipment was cited as being involved in the ignition, 82 percent involved smoking materials as the heat source.¹⁷

Smoking is also associated with higher maintenance costs for landlords of multiunit housing. Smoking indoors increases the cost of rehabilitating a housing unit because of the need for additional cleaning, painting, and repair of damaged items at unit turnover compared to non-smoking units. The cost of cleaning and renovating a smoking unit adds up quickly, and smaller properties generally pay more per unit than larger properties when repairing smoking damage. A survey of public and subsidized housing managers found that the additional cost of rehabilitating the units of smokers averaged \$1,250 to \$2,955 per unit, depending on the intensity of smoking.¹⁸ A study conducted in California found that the owners of multiunit housing could save over \$18 million per year if the operators of all multiunit housing in the state adopted smoke-free building policies.¹⁹ Researchers from the CDC estimated that a nationwide smoke-free public housing policy would result in an estimated annual cost savings of \$152.91 million, including \$42.99 million in reduced renovation costs and \$15.92 million in averted fire losses.²⁰

Self-imposed rules prohibiting smoking in individual households (referred to as smoke-free home rules) are becoming increasingly common in the United States. CDC researchers found that the prevalence of smoke-free home rules among U.S. households increased from 43 percent in 1992–1993 to 83 percent in 2010–2011, including an increase among households with at least one adult smoker, implying that the smokers in these households agree to smoke outside of the home.²¹ Two

⁷ Patricia Richter et al., “Trends in Tobacco Smoke Exposure and Blood Lead Levels Among Youth and Adults in the United States: The National Health and Nutrition Examination Survey, 1999–2008,” *Preventing Chronic Disease*, (December 19, 2013), available at http://www.cdc.gov/pcd/issues/2013/pdf/13_0056.pdf.

⁸ 2006 Surgeon General’s Report, footnote 5; David M. Homa et al., “Vital Signs: Disparities in Nonsmokers’ Exposure to Secondhand Smoke—United States, 1999–2012,” *Morbidity and Mortality Weekly Report* (February 6, 2015), available at http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6404a7.htm?s_cid=mm6404a7_w.

⁹ Kimberly Snyder et al., “Smoke-free Multiunit Housing: A Review of the Scientific Literature,” *Tobacco Control* (2015), available at <http://tobaccocontrol.bmj.com/content/early/2015/01/07/tobaccocontrol-2014-051849.short-rss=1>.

¹⁰ Brian A. King et al., “Secondhand Smoke Transfer in Multiunit Housing,” *12 Nicotine and Tobacco Research* 1133 (2010), available at <http://ntr.oxfordjournals.org/content/12/11/1133>.

¹¹ Elizabeth T. Russo, et al., “Comparison of Indoor Air Quality in Smoke-Permitted and Smoke-Free Multiunit Housing: Findings from the Boston Housing Authority,” *10 Nicotine and Tobacco Research* 1093 (2014), available at http://ntr.oxfordjournals.org/content/early/2014/08/25/ntr.ntu146.abstract?utm_source=rss&utm_medium=rss&utm_campaign=comparison-of-indoor-air-quality-in-smoke-permitted-and-smoke-free-multiunit-housing-findings-from-the-boston-housing-authority.

medium=rss&utm_campaign=comparison-of-indoor-air-quality-in-smoke-permitted-and-smoke-free-multiunit-housing-findings-from-the-boston-housing-authority.

¹² Karen M. Wilson et al., “Tobacco-Smoke Exposure in Children Who Live in Multiunit Housing,” *127 Pediatrics* 85 (2011), available at <http://pediatrics.aappublications.org/content/127/1/85.full.pdf+html>.

¹³ David M. Homa et al., “Disparities in Nonsmokers Exposure to Secondhand Smoke in the United States, 1999–2012,” *Mortality and Morbidity Weekly Report*, Early Release, 64 (February 3, 2015), available at <http://www.cdc.gov/mmwr/pdf/wk/mm64e0203a1.pdf>.

¹⁴ U.S. Dept. of Health and Human Services. See footnote note 2.

¹⁵ U.S. Fire Administration, *Residential Structure and Building Fires*, http://www.usfa.fema.gov/downloads/pdf/publications/residential_structure_and_building_fires.pdf.

¹⁶ Marty Ahrens, Ntl. Fire Protection Assn., “Home Structure Fires,” (April 2013), available at <http://www.nfpa.org/~media/Files/Research/NFPA%20reports/Occupancies/oshomes.pdf>.

¹⁷ John R. Hall, Jr., Ntl. Fire Protection Assn., “The Smoking-Material Fire Problem,” (July 2013), available at <http://www.nfpa.org/~media/Files/Research/NFPA%20reports/Major%20Causes/oshsmoking.pdf>.

¹⁸ Ntl. Ctr. For Healthy Hsg., “Reasons to Explore Smoke-Free Housing,” (Early Fall 2009), available at http://www.nchh.org/portals/00/contents/nchh_green_factsheet_smokefree.pdf.

¹⁹ Michael K. Ong et al., “Estimates of Smoking-Related Properties Costs in California Multiunit Housing,” *102 Am J Public Health* 490 (2012), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3487653/>.

²⁰ Brian King et al., “National and State Cost Savings Associated With Prohibiting Smoking in Subsidized and Public Housing in the United States,” *Preventing Chronic Disease* (October 2014), available at http://www.cdc.gov/pcd/issues/2014/pdf/14_0222.pdf.

²¹ Brian A. King et al., “Prevalence of Smokefree Home Rules—United States, 1992–1993 and 2010–2011,” *Morbidity and Mortality Weekly Report*

national surveys discussed by the CDC researchers identified voluntary smoke-free home rules among residents of multiunit housing in over 70 percent of those surveyed. Additionally, CDC researchers, reviewing published studies, found that the majority of residents in multiunit housing expressed support for a complete smoke-free building policy in six of eight reviewed studies.²² The findings from these national and local surveys suggest that a smoke-free rule will be supported by a majority of public housing residents and will help those residents who already have a smoke-free home rule in place achieve the desired goal of eliminating the presence of SHS in their homes.

C. Moving to Smoke-Free Public Housing Units

HUD determined that the advantages of smoke-free housing policies were sufficient to warrant action by HUD to promote the voluntary adoption of smoke-free policies by PHAs and the owners/operators of federally subsidized multifamily properties. In 2009, HUD's Office of Public and Indian Housing published a notice that strongly encouraged PHAs to adopt smoke-free policies in at least some of the properties that they managed (this notice was reissued in 2012).²³ HUD's Office of Housing issued a similar program notice in 2010 that encouraged owners/operators of subsidized multifamily properties to adopt smoke-free policies (also reissued in 2012).²⁴ The notices describe the advantages of smoke-free policies, identify required and recommended actions in implementing smoke-free policies, and provide links to resources (e.g., smoking cessation assistance for residents). In June 2012, HUD published more detailed information on smoke-free housing policies for residents and the providers of subsidized housing, referred to as "smoke-free toolkits."²⁵

In October 2012, HUD also published a **Federal Register** notice that solicited feedback on the HUD's smoke-free

housing initiative, specifically seeking information on topics such as best practices and practical strategies from housing providers who have implemented smoke-free policies, potential obstacles to policy implementation and how these could be overcome, suggestions for supporting housing providers and residents to facilitate policy implementation, and feedback from housing providers who have decided not to implement smoke-free policies.²⁶ HUD received many comments in response to this solicitation, largely from public health organizations and State and local health departments, expressing support for the concept and citing the great health risks posed by smoking and SHS.²⁷

In 2014, HUD released additional guidance for PHAs and owners/agents of subsidized multifamily properties on implementing smoke-free policies. This guidance incorporates some of the feedback that HUD received from the 2012 **Federal Register** notice and includes summaries of interviews with nine early implementers of smoke-free housing policies, including administrators of public housing, subsidized multifamily housing, and market rate housing.²⁸ The guidance includes best practices around enforcement, especially graduated enforcement to assist residents with compliance and prevent evictions.

As a result of these combined actions, over 500 PHAs have implemented smoke-free policies in at least one of their buildings. While this voluntary effort has been highly successful, it has also resulted in a scattered distribution of smoke-free policies, with the greatest concentration in the Northeast, West, and Northwest, which also results in unequal protection from SHS for public housing residents. HUD recognizes that additional action is necessary to truly eliminate the risk of SHS exposure to public housing residents, reduce the risk of catastrophic fires, lower overall maintenance costs, and implement uniform requirements to ensure that all public housing residents are equally protected.

Therefore, HUD is proposing to require PHAs to implement smoke-free policies within public housing except for dwelling units in a mixed-finance

project. Public housing is defined as low-income housing, and all necessary appurtenances (e.g., community facilities, public housing offices, day care centers, and laundry rooms) thereto, assisted under the U.S. Housing Act of 1937 (the 1937 Act), other than assistance under section 8 of the 1937 Act.

While the smoke-free policy will also apply to scattered sites and single family properties, this requirement would not extend to public housing units that are part of a mixed-finance project because the PHA may not be the primary owner, and non-public housing units may be contained within the building. While smoking in single family units does not lead to smoke intrusion to adjacent units, the risk of fire and the increased unit turnover costs remain. Further, including all public housing units covered by this proposed rule means that all tenants will be treated equally and be subject to the same lease requirements. This prohibition on smoking would cover all types of lit tobacco products, including but not limited to cigarettes, cigars, and pipes. While the prohibition does not specifically cover waterpipe tobacco smoking (referred to as hookahs), such smoking involves lit charcoal and results in heating tobacco to temperatures high enough to produce secondhand smoke that contains harmful toxins.²⁹ For this reason, HUD is seeking comment on whether to include a prohibition on waterpipe tobacco in the final rule.

The prohibition on the use of lit tobacco products in this proposal does not include electronic nicotine delivery systems (ENDS), including electronic cigarettes ("e-cigarettes"). The absence of a prohibition on the use of e-cigarettes in this rule should not be read as an endorsement of e-cigarettes as an acceptable health alternative to cigarettes. The aerosol from ENDS typically contains nicotine derived from tobacco plants, and may contain other hazardous and potentially hazardous constituents such as formaldehyde and lead.³⁰ Accidental ingestion of nicotine liquid used in ENDS can cause acute nicotine toxicity in children, accounting

(Sept. 5, 2014), available at <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6335a1.htm>.

²² Kimberly Snyder *et al.*, *supra* note 9.

²³ PIH Notices 2009–21, "Non-Smoking Policies in Public Housing" and 2012–25, "Smoke-Free Policies in Public Housing", available at http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/notices/pih.

²⁴ Housing Notices 2010–21, "Optional Smoke-Free Housing Policy Implementation" and 2012–22, "Further Encouragement for O/As to Adopt Optional Smoke-Free Housing Policies," available at http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/notices/hsg.

²⁵ See: <http://portal.hud.gov/hudportal/HUD?src=/smokefreetoolkits1>.

²⁶ 77 FR 60712, "Request for Information on Adopting Smoke-Free Policies in PHAs and Multifamily Housing" (October 4, 2012).

²⁷ All public comments submitted on the October 4, 2012, notice can be found under docket 5597–N–01 in the www.regulations.gov portal at <http://www.regulations.gov/#/docketDetail;D=HUD-2012-0103>.

²⁸ See: <http://portal.hud.gov/hudportal/documents/huddoc?id=SFGuidanceManual.pdf>.

²⁹ See World Health Organization. Advisory note: waterpipe tobacco smoking: 2nd edition (2015), available at http://www.who.int/tobacco/publications/prod_regulation/waterpipescondedition/en/.

³⁰ See Offerman, F.J. The hazards of e-cigarettes. June, 2014. ASHRAE Journal. See also National Institute for Occupational Safety and Health, "Promoting Health and Preventing Disease and Injury Through Workplace Tobacco Policies," Current Intelligence Bulletin 67 (2015), available at http://www.cdc.gov/niosh/docs/2015-113/pdfs/fy15_cib-67_2015-113_v3.pdf.

for an increasing proportion of exposure calls to poison control centers.³¹ ENDS may also present an additional enforcement challenge for PHAs that are implementing smoke-free policies because the user may appear to be smoking a conventional cigarette. In light of growing health concerns regarding exposure to the aerosol of these products among non-users, especially children and pregnant women, HUD is seeking additional comments on the issue of ENDS, and may prohibit the use of these products in public housing in the final rule. HUD encourages PHAs that already have smoke-free policies to consider whether ENDS should be included in their smoke-free policies.

In proposing this policy, it is important for HUD to clarify that HUD's proposal does not prohibit individual PHA residents from smoking. PHAs should continue leasing to persons who smoke. This rule is not intended to contradict HUD's goals to end homelessness and help all Americans secure quality housing. Rather, HUD is proposing a prohibition on smoking inside public housing living units and indoor common areas, public housing administrative office buildings, public housing community rooms or community facilities, public housing day care centers and laundry rooms, in outdoor areas within 25 feet of the housing and administrative office buildings, and in other areas designated by a PHA as smoke-free (collectively, "restricted areas"). PHAs will have the discretion to establish outside designated smoking locations outside of the required 25 feet perimeter, which may include partially enclosed structures, to accommodate smoking residents, to establish additional smoke-free areas (such as around a playground), or, alternatively, to make their entire grounds smoke-free. In addition, section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act provides the participant the right to seek a reasonable accommodation, including requests from residents with mobility-impairment or mental disability. A request for a reasonable accommodation from an eligible participant must at least be considered, and granted in appropriate circumstances. To assist PHAs, HUD will work with its Office of Fair Housing and Equal Opportunity to develop guidance on accommodating persons with a disability related to

smoke-free policies. The guidance will be informed by comments on the proposed rule and issued in advance of the final rule.

The benefits of this proposed regulatory action may be substantial, and beneficiaries include both PHAs and residents of public housing. Over 700,000 units would be affected by this rule (including over 500,000 units inhabited by elderly households or households with a non-elderly person with disabilities), and their residents would have the potential to experience health benefits from a reduction of exposure to secondhand smoke. There are also over 775,000 children in these units. PHAs will benefit from a reduction of damage and renovation costs caused by smoking. Both residents and PHAs will gain from reducing deaths, injuries, and property damage caused by fires. The costs to PHAs of implementing the smoke-free policy proposed by this rule may include training, administrative, legal, and enforcement costs. Of these costs to PHAs, HUD expects that the expense of additional enforcement efforts may be the highest. The costs of implementing the smoke-free policy proposed by this rule are minimized by the fact that HUD guidance already exists on many of the topics covered by the proposed regulatory changes, and that over 500 PHAs have already implemented smoke-free policies. Given the existence of this HUD guidance, initial learning costs associated with implementation of a smoke-free policy as proposed by this rule may not be significant.

There may be costs to residents as a result of eviction, particularly for persons with disabilities, and especially those with mobility impairments. HUD recognizes that this rule could adversely impact those with mobility impairment or particular frailties that prevent them from smoking in designated areas. As mentioned above, HUD will develop guidance on reasonable accommodation, and HUD solicits public comment on how to mitigate these potential adverse impacts.

HUD recognizes that PHAs developing smoke-free housing policies may need technical assistance in writing the policies, engaging residents, and assisting residents who want to stop smoking. HUD will continue to provide free webinars and training sessions addressing these and related topics. PHAs are encouraged to work with their State HUD office, State and local tobacco prevention and cessation programs, state and community health organizations, and the Environmental Protection Agency's community-based asthma program network

(www.asthmacommunitynetwork.org). CDC provides funding and technical assistance to State tobacco prevention and control programs and prevention and smoking cessation programs in every state and the District of Columbia (see http://www.cdc.gov/tobacco/stateandcommunity/tobacco_control_programs/ntcp/index.htm). Contact information for local organizations will be provided through HUD's Web site on a page dedicated to smoke-free resources that is under development.

D. Discussions With Stakeholders

In addition to the October 2012 **Federal Register** notice soliciting information on adopting smoke-free policies in HUD subsidized housing, in March 2015, HUD reached out to organizations representative of the interests and concerns of PHAs to solicit feedback on moving forward with smoke-free policies in public housing. The organizations expressed support for smoke-free policies but also requested that any regulations requiring smoke-free policies allow sufficient flexibility for PHAs to tailor such policies to their local conditions. In this rule, HUD has strived to provide such flexibility.

III. This Proposed Rule—Summary of Changes

Applicability (§ 965.651)

As stated above, this proposal would apply to all PHAs of any size and Moving-to-Work (MTW) agencies, but it would only apply to public housing, and would not apply to dwelling units in a mixed-finance project. Public housing is defined as low-income housing, and all necessary appurtenances (e.g., community facilities, public housing offices, day care centers and laundry rooms) assisted under the U.S. Housing Act of 1937 (the 1937 Act), other than assistance under section 8 of the 1937 Act.

Requirements (§ 965.653)

In § 965.653, HUD provides that a PHA's smoke-free policy must prohibit all "lit tobacco products." HUD proposes to define "lit tobacco products" as all lit tobacco products that involve the ignition and burning of tobacco leaves such as cigarettes, cigars, and pipes. HUD is proposing to require that PHAs prohibit all lit tobacco products not only in dwelling units, but also within indoor common areas and in outdoor areas within 25 feet of the housing and any PHA administrative office buildings (the "restricted areas"). Outside of these areas, PHAs would be permitted to limit smoking to outdoor

³¹ CDC. Notes from the field: Calls to Poison Centers for Exposures to Electronic Cigarettes—United States, September 2010–February 2014. *MMWR* 2014;63:292–93.

designated smoking areas, which may include partially enclosed structures to accommodate residents who smoke, or, alternatively, to make their entire grounds smoke-free. PHAs that are not making the entire grounds smoke-free are encouraged to work with their residents to identify outdoor designated smoking areas that are accessible within the grounds of the public housing or administrative office buildings, that are not frequented by children (e.g., not a playground), and that are situated in a way that minimizes nonsmoking residents' exposure to secondhand smoke. While not required, a designated smoking area with shade and benches may assist residents with compliance.

Implementation (§ 965.653)

HUD is proposing to provide PHAs 18 months from the effective date of the final rule to implement smoke-free public housing, as proposed by this rule. HUD believes that 18 months will provide PHAs sufficient time to conduct resident engagement, to hold any public meetings that are required to amend their PHA plans, and to incorporate the required new lease provisions during tenants' recertifications or at a date before the policy is fully effective. PHAs that already have a smoke-free policy in effect will be required to review their existing policies for compliance with the requirements of this rule, as presented in the final rule, and amend their policies as necessary in the same timeframe of 18 months from the effective date of the final rule in order to implement smoke-free public housing, consistent with the requirements of the final rule.

In addition, HUD is proposing to require PHAs to amend their PHA plans to incorporate the smoke-free policy. If the PHA determines the imposition of a smoke-free policy is a significant amendment to the PHA plan, the PHA must conduct public meetings in accordance with standard PHA Plan amendment procedures, and these meetings must be held in accessible buildings and provided in accessible formats, as necessary, for persons with disabilities and those who are limited in English proficiency. HUD would recommend that all PHAs conduct meetings with residents to fully explain the smoke-free building requirements and to best determine which outside areas, if any, to designate as smoking areas and to accommodate the needs of all residents.

Lease Provisions (§ 966.4)

HUD believes that the best way to implement smoke-free policies is to incorporate the prohibition on indoor

smoking in the leases each tenant must sign. This will allow PHAs to use enforcement mechanisms already in place and provide an additional notification of the policy to tenants. HUD expects PHAs to follow the PIH administrative grievance procedures during enforcement of their smoke-free housing policies. Because some tenants may not be recertified before the policy takes effect, PHAs may require that all remaining leases be amended, or may establish their own schedule for lease amendments, provided that all leases are amended by the effective date of the policy.

IV. Specific Questions for Comments

While HUD welcomes comments on all aspects of this proposed rule, HUD is seeking specific comment on the following questions:

1. What barriers that PHAs could encounter in implementing smoke-free housing? What costs could PHAs incur? Are there any specific costs to enforcing such a policy?
2. Does this proposed rule adequately address the adverse effects of smoking and secondhand smoke on PHAs and PHA residents?
3. Does this proposed rule create burdens, costs, or confer benefits specific to families, children, persons with disabilities, owners, or the elderly, particularly if any individual or family is evicted as a result of this policy?
4. For those PHAs that have already implemented a smoke-free policy, what exceptions to the requirements have been granted based on tenants' requests?
5. For those PHAs that have already implemented a smoke-free policy, what experiences, lessons, or advice would you share based on your experiences with implementing and enforcing the policy?
6. For those PHAs that have already implemented a smoke-free policy, what tobacco cessation services were offered to residents to assist with the change? Did you establish partnerships with external groups to provide or refer residents to these services?
7. Are there specific areas of support that HUD could provide PHAs that would be particularly helpful in the implementation of the proposed rule?
8. Should the policy extend to electronic nicotine delivery systems, such as e-cigarettes?

9. Should the policy extend to waterpipe tobacco smoking? Does such smoking increase the risk of fire or property damage?

V. Findings and Certifications

Executive Order 12866, Regulatory Planning and Review

The Office of Management and Budget (OMB) reviewed this proposed rule under Executive Order 12866 (entitled "Regulatory Planning and Review"). OMB determined that this rule was economically significant under the order. The docket file is available for public inspection in the Regulations Division, Office of General Counsel, U.S. Department of Housing and Urban Development, 451 7th Street SW., Room 10276, Washington, DC 20410-0500. The initial Regulatory Impact Analysis (RIA) prepared for this rule is also available for public inspection in the Regulations Division and may be viewed online at www.regulations.gov, under the docket number above, or on HUD's Web site at http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/ia/. Due to security measures at the HUD Headquarters building, an advance appointment to review the public comments must be scheduled by calling the Regulations Division at (202) 708-3055 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number via TTY by calling the Federal Relay Service at (800) 877-8339.

Information Collection Requirements

The information collection requirements contained in this proposed rule have been submitted to the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2577-0226. In accordance with the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless the collection displays a currently valid OMB control number.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) establishes requirements for federal agencies to assess the effects of their regulatory actions on state, local, and tribal governments and the private sector. This rule will not impose any federal mandates on any state, local, or tribal governments or the private sector within the meaning of UMRA.

Environmental Review

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR part 50 that

implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The Finding is available for public inspection during regular business hours in the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW., Room 10276, Washington, DC 20410-0500. Due to security measures at the HUD Headquarters building, please schedule an appointment to review the Finding by calling the Regulations Division at 202-708-3055 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number via TTY by calling the Federal Relay Service at 800-877-8339.

Impact on Small Entities

The Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. This rule prohibits smoking of tobacco in all indoor areas of and within 25 feet of any public housing and administrative office buildings for all PHAs, regardless of size.

There are 2334 “small” PHAs (defined as PHAs with fewer than 250 units), which make up 75 percent of the public housing stock across the country. Of this number, approximately 378 have already instituted a voluntary full or partial policy on indoor tobacco smoking.

HUD anticipates that implementation of the policy will impose minimal additional costs, as creation of the smoke-free policy only requires amendment of leases and the PHA plan, both of which may be done as part of a PHA’s normal course of business. Additionally, enforcement of the policy will add minimal incremental costs, as PHAs must already regularly inspect public housing units and enforce lease provisions. Any costs of this rule are mitigated by the fact that PHAs have up to 18 months to implement the policy, allowing for costs to be spread across that time period.

While there are significant benefits to the smoke-free policy requirement, the majority of those benefits accrue to the public housing residents themselves, not to the PHAs. PHAs will realize monetary benefits due to reduced unit turnover costs and reduced fire and fire prevention costs, but these benefits are variable according to the populations of

each PHA and the PHA’s existing practices.

Finally, this rule does not impose a disproportionate burden on small PHAs. The rule does not require a fixed expenditure; rather, all costs should be proportionate to the size of the PHA implementing and enforcing the smoke-free policy.

Therefore, the undersigned certifies that this rule will not have a significant impact on a substantial number of small entities.

Notwithstanding HUD’s view that this rule will not have a significant effect on a substantial number of small entities, HUD specifically invites comments regarding any less burdensome alternatives to this rule that will meet HUD’s objectives as described in the preamble.

Executive Order 13132, Federalism

Executive Order 13132 (entitled “Federalism”) prohibits an agency from publishing any rule that has federalism implications if the rule either imposes substantial direct compliance costs on state and local governments or is not required by statute, or the rule preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the Executive Order. This final rule does not have federalism implications and does not impose substantial direct compliance costs on state and local governments nor preempt state law within the meaning of the Executive Order.

Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance number for the Public Housing program is 14.872.

List of Subjects

24 CFR Part 965

Government procurement, Grant programs-housing and community development, Lead poisoning, Loan programs-housing and community development, Public housing, Reporting and recordkeeping requirements, Utilities.

24 CFR Part 966

Grant programs-housing and community development, Public housing, Reporting and recordkeeping requirements.

Accordingly, for the reasons stated in the preamble, HUD proposes to amend 24 CFR parts 965 and 966 as follows:

PART 965—PHA-OWNED OR LEASED PROJECTS—GENERAL PROVISIONS

■ 1. The authority citation for 24 CFR part 965 continues to read as follows:

Authority: 42 U.S.C. 1547, 1437a, 1437d, 1437g, and 3535(d). Subpart H is also issued under 42 U.S.C. 4821-4846.

■ 2. Add subpart G to read as follows:

Subpart G—Smoke-Free Public Housing

965.651 Applicability
965.653 Smoke-free public housing
965.655 Implementation

Subpart G—Smoke-Free Public Housing

§ 965.651 Applicability.

This subpart applies to public housing units, except for dwelling units in a mixed-finance project. Public housing is defined as low-income housing, and all necessary appurtenances (e.g., community facilities, public housing offices, day care centers, and laundry rooms) thereto, assisted under the U.S. Housing Act of 1937 (the 1937 Act), other than assistance under section 8 of the 1937 Act.

§ 965.653 Smoke-free public housing.

(a) *In general.* PHAs must design and implement a policy prohibiting the use of lit tobacco products in all public housing living units and interior common areas (including but not limited to hallways, rental and administrative offices, community centers, day care centers, laundry centers, and similar structures), as well as in outdoor areas within 25 feet from public housing and administrative office buildings (collectively, “restricted areas”) in which public housing is located.

(b) *Designated smoking areas.* PHAs may limit smoking to designated smoking areas on the grounds of the public housing or administrative office buildings, which may include partially enclosed structures, to accommodate residents who smoke. These areas must be outside of any restricted areas, as defined in paragraph (a) of this section. Alternatively, PHAs may choose to create additional smoke-free areas outside the restricted areas or to make their entire grounds smoke-free.

(c) *Lit tobacco products.* Lit tobacco products are those that involve the ignition and burning of tobacco leaves, such as cigarettes, cigars, and pipes. A PHA’s smoke-free policy must, at a minimum, include a prohibition on the use of all lit tobacco products.

§ 965.655 Implementation.

(a) *Amendments.* PHAs are required to implement the requirements of this subpart by amending each of the following:

(1) All applicable PHA plans, according to the provisions in 24 CFR part 903.

(2) Tenant leases, according to the provisions of 24 CFR 966.4.

(b) *Deadline.* All PHAs must be in full compliance, with effective policy amendments, by [INSERT, AT THE FINAL RULE STAGE, THE DATE THAT IS 540 DAYS AFTER THE EFFECTIVE DATE OF THE FINAL RULE].

PART 966—PUBLIC HOUSING LEASE AND GRIEVANCE PROCEDURE

■ 3. The authority section for 24 CFR part 966 continues to read as follows:

Authority: 42 U.S.C. 1437d and 3535(d).

■ 4. In § 966.4, revise paragraphs (f) (12) (i) and (ii) to read as follows:

§ 966.4 Lease Requirements.

* * * * *

(f) * * *
(12) * * *

(i) To assure that no tenant, member of the tenant's household, or guest engages in:

(A) *Criminal activity.* (1) Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents;

(2) Any drug-related criminal activity on or off the premises; or

(B) *Civil activity.* For any units covered by 24 CFR part 965, subpart G, any smoking of lit tobacco products in restricted areas, as defined by 24 CFR 965.653(a), or in other outdoor areas that the PHA has designated as smoke-free.

(ii) To assure that no other person under the tenant's control engages in:

(A) *Criminal activity.* (1) Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents;

(2) Any drug-related criminal activity on the premises; or

(B) *Civil activity.* For any units covered by 24 CFR part 965, subpart G, any smoking of lit tobacco products in restricted areas, as defined by 24 CFR 965.653(a), or in other outdoor areas that the PHA has designated as smoke-free.

* * * * *

Dated: October 22, 2015.

Lourdes Castro Ramírez,

Principal Deputy Assistant Secretary for Public and Indian Housing.

[FR Doc. 2015-29346 Filed 11-16-15; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG-123640-15]

RIN 1545-BM86

Administration of Multiemployer Plan Participant Vote on an Approved Suspension of Benefits Under MPRA; Hearing

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of public hearing on proposed rulemaking.

SUMMARY: This document provides notice of public hearing on proposed regulations relating to the administration of a multiemployer plan participant vote on an approved suspension of benefits under the Multiemployer Pension Reform Act of 2014 (MPRA) that were issued in the Proposed Rules section of the **Federal Register** on September 2, 2015.

DATES: The public hearing is being held on Friday, December 18, 2015, at 10 a.m. The IRS must receive outlines of the topics to be discussed at the public hearing by Monday, November 30, 2015.

ADDRESSES: The public hearing is being held in the IRS Auditorium, Internal Revenue Service Building, 1111 Constitution Avenue NW., Washington, DC 20224.

Send submissions to CC:PA:LPD:PR (REG-123640-15), Room 5205, Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand-delivered Monday through Friday to CC:PA:LPD:PR (REG-123640-15), Couriers Desk, Internal Revenue Service, 1111 Constitution Avenue NW.,

Washington, DC or sent electronically via the Federal eRulemaking Portal at www.regulations.gov (IRS-2015-0041).

FOR FURTHER INFORMATION CONTACT:

Concerning the regulations, the Department of the Treasury MPRA guidance information line at (202) 622-1559; concerning submissions of comments, the hearing and/or to be placed on the building access list to attend the hearing Regina Johnson at (202) 317-6901 (not toll-free numbers).

SUPPLEMENTARY INFORMATION: The subject of the public hearing is the notice of proposed rulemaking (REG-123640-15) that was published in the **Federal Register** on Wednesday, September 2, 2015 (80 FR 53068). The rules of 26 CFR 601.601(a)(3) apply to the hearing. Persons who wish to present oral comments at the hearing and who submitted written comments by November 2, 2015 must submit an outline of the topics to be addressed and the amount of time to be devoted to each topic by Monday, November 30, 2015.

A period of 10 minutes is allotted to each person for presenting oral comments. After the deadline for receiving outlines has passed, the IRS will prepare an agenda containing the schedule of speakers. Copies of the agenda will be made available, free of charge, at the hearing or in the Freedom of Information Reading Room (FOIA RR) (Room 1621) which is located at the 11th and Pennsylvania Avenue NW. entrance, 1111 Constitution Avenue NW., Washington, DC.

Because of access restrictions, the IRS will not admit visitors beyond the immediate entrance area more than 30 minutes before the hearing starts. For information about having your name placed on the building access list to attend the hearing, see the **FOR FURTHER INFORMATION CONTACT** section of this document.

Martin V. Franks,

Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).

[FR Doc. 2015-29289 Filed 11-16-15; 8:45 am]

BILLING CODE 4830-01-P



1331 Fulton Mall
Fresno, California 93721

O (559) 443-8400
F (559) 445-8981
TTY (800) 735-2929

www.fresnohousing.org

EXECUTIVE DIRECTOR'S REPORT

TO: Boards of Commissioners **DATE:** 12/11/2015
Fresno Housing Authority
FROM: Preston Prince *P.P.* **BOARD MEETING:** 12/15/2015
CEO/Executive Director
AUTHOR Staff **AGENDA ITEM:** 9

RE: Executive Director's Report – December 2015

Executive Summary

The Boards of the Fresno Housing Authority have established the four strategic goals as: Place, People, Public, and Partnership. In addition, the following have been outlined as the management goals: Sustainability, Structure, and Strategic Outreach. The following report demonstrates the efforts of the Executive Leadership and Staff to progress towards the realization of these goals.

PLACE

Overview

Fresno Housing seeks to develop and expand the availability of quality affordable housing options throughout the City and County of Fresno by growing and preserving appropriate residential assets and increasing housing opportunities for low-income residents.

November Occupancy

November City Occupancy			98.55%		
CITY	No of Properties	Physical Units	Rentable Units	Vacant Units	Occupancy Percentage
City AMP 1	3	182	180	4	98%
City AMP 2	8	244	243	4	98%
Southeast Fresno RAD	3	193	191	0	100%
Viking Village RAD	1	40	39	0	100%
Pacific Gardens	1	56	55	4	93%
Renaissance Trinity	1	21	20	0	100%
Renaissance Alta Monte	1	30	29	0	100%
Renaissance Santa Clara	1	70	69	0	100%
Total City	19	836	826	12	98.55%

*Pacific Garden move-ins were delayed due to 3rd party inspections.
Occupancy as of 12/9/2015 is 96.36%.

November City Occupancy (GSF Managed) <u>95.60%</u>					
Parc Grove	1	215	213	10	95.3%
Parc Grove - NW	1	148	147	8	94.6%
Yosemite Village	1	69	68	1	98.5%
Total City	3	432	428	19	95.56%

*Parc Grove & PGNW experienced a higher turnover of units than anticipated last month. (GSF is actively marketing the units to achieve 98% occupancy).

November County Occupancy <u>98.54%</u>					
COUNTY	No of Properties	Physical Units	Rentable Units	Vacant Units	Occupancy Percentage
County AMP 1	6	150	144	2	99%
County AMP 2	6	194	192	0	100%
County AMP 3*	3	90	89	4	96%
County AMP 4	4	152	151	1	99%
County AMP 5	2	52	52	2	96%
County AMP 6	5	112	111	2	98%
Granada Commons	1	16	15	0	100%
Total County	27	766	754	11	98.54%

*The Agency stopped leasing at Sunset I & II in CO AMP 3 in preparation for Trailside Relocation.

November County RAD Occupancy <u>99.5%</u>					
SITE	No of Properties	Physical Units	Rentable Units	Vacant Units	Occupancy Percentage
Mendota RAD	1	124	123	1	99.2%
Orange Cove RAD	1	90	69	0	100.0%
Total County RAD	2	214	192	1	99.48%

November County Occupancy <u>98.54%</u>					
SPECIAL PROGRAMS	No of Properties	Physical Units	Rentable Units	Vacant Units	Occupancy Percentage
Mariposa Farm Labor	1	40	40	0	100%
Parlier Farm Labor	1	40	40	0	100%
Orange Cove Farm Labor	1	30	30	14	53%*
Mendota Farm Labor	1	60	60	1	98%
Firebaugh Family Apts.	1	34	34	0	100%
Garland Gardens (CalHFA)	1	51	51	1	98%
Parkside Apartments (CalHFA)	1	50	50	2	96%

Total Special Programs	7	305	305	18	94.10%
-------------------------------	----------	------------	------------	-----------	---------------

*Orange Cove F/L was used as a temp site for Orange Cove RAD relocation. Units are currently being turned.

November City Activities

The Boys and Girls Club reports are not available due to early submission of Director's Report.

November County Activities

COUNTY AMP 2: On Friday, November 13, Office Assistant, Rose Maldonado, and Housing Program Coordinator, Gloria Pulido, attended the Mental Health Workshop provided by Fresno County Department of Behavioral Health at the Cedar Courts Community Center in Fresno. The workshop provided tools for employees to use when faced with clients or other individuals who may be experiencing a mental health crisis.

COUNTY AMP 3: Annual inspections for the Low Income Public Housing (LIPH) properties in Reedley continued through the month in preparation for the upcoming Real Estate Assessment Center (REAC) inspection. The Oak Grove Apartments inspections in Parlier have already been completed; repairs will follow as needed.

COUNTY AMP 6: On Tuesday, November 10, all staff attended a Housing Management (HMD) update meeting at the Cedar Courts Community Center in Fresno. The agenda topics were Enterprise Income Verification (EIV), the Security Policy, 2016 Utility Allowances, and examples of expired forms.

On Friday, November 13, Office Assistant, Theresa Vasquez, attended the Mental Health Workshop provided by the Fresno County Department of Behavioral Health at the Cedar Courts Community Center in Fresno. The workshop focused on individuals having a "first aid" action plan for clients or other people they may encounter who may be experiencing a mental health crisis.

Annual inspections for the Low Income Public Housing (LIPH) properties in Huron and San Joaquin continued through the month in preparation for the upcoming Real Estate Assessment Center (REAC) inspection. Inspections and repairs at the sites will help to ensure these properties address any capital needs, exigent maintenance issues, and structural issues to remain in compliance with HUD standards.

November Special Program Activities

MALDONADO MIGRANT CENTER – KC Construction was awarded the contract to complete concrete repairs throughout the Maldonado Migrant Center in Firebaugh. Construction to resurface and repave the sidewalks, curbs, and parking areas began in November.

MENDOTA RAD – Flyers were distributed on November 13 to all Mendota Rental Assistance Demonstration (RAD) residents by FSS Service Coordinator, Marizol Cortez. The flyer provided information regarding services for employment, personal education, and financial education.

On November 16, On-Site Community Manager, Maria Corrales, conducted a staff meeting. Topics discussed were a review of the attendance and tardiness policy, work orders, vacancies, and accident/incident reporting procedures.

PARLIER MIGRANT CENTER – The Parlier Migrant Center officially closed for the season on November 13. One family was approved by the Office of Migrant Services (OMS) in Sacramento, to stay on until the approximate date of December 20, 2015 due to a Medical Reasonable Accommodation.

The Parlier Migrant Center office Staff has begun the process of file move-outs and end of season report preparation. Maintenance staff has begun planning for unit preparation during the off season.

County Boys & Girls Clubs:

The Boys and Girls Club are reports not available due to early submission of Director's Report.

Wait List Report as of November 30, 2015

LIPH	1-Bdrm.	2-Bdrm.	3-Bdrm.	4-Bdrm.+	Total
City LIPH	14,903	9,498	4,482	925	29,808
County LIPH	18,071	16,723	6,396	686	41,876

Multifamily Developments	1-Bdrm.	2-Bdrm.	3-Bdrm.	4-Bdrm.	Total
Garland-S8N/C		14	118		132
Parkside-S8N/C		13	11	50	74

Tax Credit Properties	1-Bdrm.	2-Bdrm.	3-Bdrm.	4-Bdrm.	Total
Granada:					
tax credit units			12	8	20
subsidized units			75	18	93
Pacific Gardens :					
tax credit units	7	11	9		27
subsidized units	133	73			206
Parc Grove:					
tax credit units	102	67	6	1	176
subsidized units	1,867	1,025	173	63	3,128
Yosemite Village	838	148	59	3	1,048

Development Project Overview

Name of Property	Status	Description/Type	Total Units
Parc Grove Commons Northwest	Permanent Financing	Southeast Corner of Fresno/Clinton Ave Multi-Family	148
City View @ Van Ness	Permanent Financing	802 Van Ness Ave Mixed-Use	45 Units/ 3,000 sf commercial
Kings River Commons	Permanent Financing	2020 E. Dinuba Ave, Reedley, CA Multi-Family	60
Southeast Fresno RAD	Stabilization	Cedar Courts I & II, Inyo Terrace Multi-Family	193
Orange Cove RAD	Stabilization	Kuffel Terrace I & II, Mountain View Multi-Family	90
Mendota RAD	Stabilization	Rios Terrace I & II, Mendota Apts. Multi-Family	124
Viking Village RAD	Stabilization	Multi-Family	40
Marion Villas	Stabilization	Marion & Ellis St, Kingsburg, CA Senior Housing	46
Fulton West/Cedar Heights Scattered Site	Under Construction	541 N. Fulton St and 4532 E. Hamilton Ave Multit-Family	45
Trailside Terrace	Under Construction November 2015	1233 & 1245 G St, Reedley, CA	55
Edison Plaza I	Under Construction November 2015	Walnut/Edison West Fresno, CA	64
Firebaugh Gateway	Under Construction November 2015	1238 & 1264 P St., Firebaugh, CA	30
Shockley Terrace	Pre-Development Received TCAC Award September 2015	2132 Locust St, Selma, CA	48
Lowell Neighborhood	Pre-Development	240-250 N. Calaveras Street and 146 N. Glenn Avenue, Fresno, CA	30

	Received TCAC Award September 2015		
Edison Plaza II	Pre-Development Anticipated March 2016 Application	Walnut/Edison West Fresno	64
Magill Terrace	Pre-Development Anticipated March 2016 Application	401 Nelson, Fowler, CA	60
Memorial Village	Pre-Development Anticipated March 2016 Application	302 K St, Sanger, CA	55
Oak Grove	Pre-Development Anticipated July 2016 Application	Bigger Street and Parlier Avenue, Parlier, CA	81
Parc Grove Commons NE (Homeless Phase)	Pre-Development Anticipated July 2016 Application	Clinton and Angus, Fresno, CA	40

Project Highlights

Firebaugh Gateway, Edison Plaza Phase I and Trailside Terrace all closed financing on December 4, 2015. Notices to proceed with construction on all three developments were issued to the respective general contractors effective December 7, 2015. Groundbreaking events for Edison Plaza Phase I and Firebaugh Gateway are scheduled for the week of December 14th.

PEOPLE

Overview

Fresno Housing works to respect community needs and knowledge – by listening, learning and researching – and respond to issues compassionately, intelligently, intentionally – by developing exceptional programs based on shared expectations.

Resident Services

Consumer Awareness: Federal Trade Commission

Resident Opportunities and Self-Sufficiency (ROSS) program provided Financial Literacy and Fraud Prevention information, to Low-Income Public Housing sites throughout Fresno County. The following information was provided: free credit reports, FICO scores, debt prevention, telecommunication fraud and preventing identity theft/creating an identity theft report. Booklets were provided by the Federal Trade Commission and were available in English and Spanish. The Service Coordinator was available to assist in obtaining free credit reports online.

Kings River Commons – Reedley

Energy Program-Low-Income Home Energy Assistance Program (LIHEAP)

Resident Services continued collaboration with Fresno Economic Opportunities Commission; Low-Income Home Energy Assistance Program (LIHEAP), which helps keep families safe and healthy through initiatives and assist families with energy costs. (LIHEAP) can assist with one payment per program year for electricity, gas, propane, wood or oil for eligible households. Representatives were made available to assist families with program requirements, budget counseling and program enrollment.

Parc Grove Commons/Northwest

Family Engagement-First Five Fresno County

First Five Fresno County returned to Parc Grove Commons/Northwest in November 2015. They facilitated their workshop with enthusiasm and great energy; focusing on learning, playing, singing, and dancing. Parents learned how to create books to use in family reading time. Children drew pictures and the parent(s) attached the pictures to construction paper. The parent(s) wrote a note associated with the picture created by the child. All of the pages were stapled together to make a “book” about their family. The project became a visual tool and a keepsake of the child’s artistic expression.

Parents attending the session indicated they would display the books during the November holiday to share with other family members.

Renaissance at Alta Monte/ Trinity/Santa Clara Holiday Festivities

Resident Services partnered with Department of Behavioral Health and Poverello House to provide holiday meals to residents from Alta Monte, Trinity, and Santa Clara. Poverello House cooked the turkeys and families were served the traditional holiday dishes.

At Trinity, the attendees listened to one of the residents sing Motown-inspired songs.

Attendees enjoyed great food, desserts, playing bingo, and winning prizes. The Event Coordinators succeeded in making the event a warm, festive, and memorable holiday.

Assisted Housing Division

Housing Choice Voucher (HCV) Utilization & Leasing Activity

Date Range 11/01/2015 – 11/30/2015

Current Month Status						YTD		
Program	Current Waiting List	Applicants Pulled	New Vouchers Issued	Total Vouchers Searching	New Vouchers Leased	Applicants Pulled	New Vouchers Issued	New Vouchers Leased
City	45,355	0	*27	75	21	0	737	243
County	43,229	0	*1	35	3	0	188	816

*Vouchers issued were drawn from the waiting list in 2014.

PUBLIC

Overview

Fresno Housing seeks to build support for housing as a key component of vibrant, sustainable communities through public information, engagement, and advocacy that promotes affordable housing and supports the advancement of Fresno's low-income residents.

The efforts of the Boards and staff are ongoing and will be reported as outcomes are achieved.

PARTNERSHIP

Overview

Fresno Housing seeks to collaborate to strengthen its ability to address the challenges facing Fresno communities.

Fresno Housing is exploring several partnerships in the course of pre-development activities.

Project	Organization	Role
Museum and multifamily housing development concept (1857 Fulton Street, Fresno)	African American Historical and Cultural Museum of the San Joaquin Valley	Development partner and service provider.

Hmong Cultural Project – museum/cultural center, communal/event center, housing and relocation site for Fresno Center for New Americans	Fresno Housing Authority Fresno Center for New Americans General Vang Pao Foundation	Planning partner, possible development partner and service provider
Parc Grove Commons Northeast (Veterans Phase)	WestCare	Potential partner in the provision of services to property residents
Highway City multifamily housing development/ Early learning center	Highway City CDC Central Community Church Granville Central Unified School District Economic Opportunities Commission	Planning partners, potential development partner, potential service providers

MANAGEMENT GOALS

The goals of management include our efforts to stabilize, focus, and extend activities to meet the mandate of our mission through good decisionmaking related to Sustainability (staffing, finances, effectiveness, evaluation, technology, facilities); Structure (governance); and Strategic Outreach (communications, image, visibility, public affairs, policy).

Sustainability

Build and maintain an innovative, engaged, visible, and sustainable organization, committed to its mission of providing housing for low-income populations.

Fiscal Services

Budgeting and Internal Reporting

We are now entering the final steps of the budgeting process culminating in the proposed adoption of the 2016 Annual Budget by the Boards of Commissioners. Staff are refining revenue and expense levels across all divisions of the agency as current Federal and Internal information is received. The final draft of the 2016 Budget will be presented to the Boards of Commissioners on December 15th, 2015. All other departmental responsibilities continue as usual.

Asset Management

In November, staff compiled and reviewed with our self-managed and third-party management companies the 2016 property operating budgets. Our annual process of compiling the documents and data necessary to file for our welfare tax exemptions is underway through the deadline of February 2016. We are also continuing to work with our development team in stabilizing our newest (five) projects and monitor the lease-up of two additional projects in various stages of completion.

Business Operations Analyst

The business operations administrative component consists primarily of Fleet and Facilities, Risk Management and Procurement. Risk management activities have focused on Sierra Pointe transitional insurance. Procurement activities have focused on reviews of recent procurement purchases to ensure compliance with the Agency's new procurement policy. The team has completed a 1st draft of procurement procedures to complement the new policy. Fleet and Facilities projects include continued work on facility maintenance, repairs, and upgrades. Regular facility inspection walks have been implemented in order to document needed repairs and improvements. A review of the Agency's mail processing options was completed this month. The review resulted in a decision to continue utilizing a local Presort service. The business operations team has also contributed to Yardi implementation meetings in order to document current processes and recommend improvements for future procedures.

Administrative Services

Procurement

The efforts of the Boards and staff are ongoing and will be reported as outcomes are achieved.

Human Resources

Aysha Hills, Human Resources Analyst, and Lisa Bechtel, Human Resources Manager, attended the Central California Society for Human Resource Management (CCSHRM) Paid Family Leave and Short-Term Disability luncheon presented by the Employment Development Department (EDD). This training provided a detailed overview of the EDD's internal procedures in relation to Paid Family Leave and short-term disability claims and included valuable tips for ensuring efficient communication and coordination between the Human Resources department and the EDD.

In addition, HR Analyst Aysha Hills and HR Assistant Amber Lujano completed training through Paylocity on processes in compliance with the Affordable Care Act (ACA).

Benefits Open Enrollment for the 2016 benefit year ended on November 30, 2015 with full participation from all staff and with no significant changes to benefit enrollment rates for 2016.

The Human Resources department is actively recruiting for positions within the Accounting and Planning and Community Development departments. In this past month, Stephanie Varela was hired on with the Agency as the new Housing Program Coordinator III, Laura Gonzalez-Cortes was hired as the new Housing Program Coordinator II for Special Projects in Housing Management, and Stephanie Miller was hired as a Housing Program Coordinator II for the Housing Choice Voucher (HCV) department.

IT Services

During the month of November, CMTi and other Agency staff submitted a project plan for ConnectHOME on behalf of the Agency.

Bobby Coulter, Information Technology (IT) Services Manager, and Preston Prince, Executive Director/CEO, attended the FResNET brainstorming meeting. FResNET is an initiative to create a resource network website that increases successful navigation of the complex and diverse job seeker and business development system. During this meeting the IT Services Department offered ideas for overcoming the complexity and utilizing existing resources and efforts. Currently, there are many efforts already in motion that tackle part of the same problems and we want to tap into those resources rather than duplicate them.

CMTi completed the Low Income Public Housing Business Process Review and the initial Finance Business Process Review for Yardi EMS. We have secured a resource for data export help. Miguel Morales from IFH Solutions, LLC will assist with getting data out of the current systems and into a format that can be imported into Yardi.

The EMS feedback loop has been successful as evidenced by the marked improvement in user satisfaction. CMTi continues to expect the full implementation of the Yardi system across all Agency departments and sites to go live on September 1, 2016.

CMTi staff completed vital enhancements to ensure the security of high level administrator accounts.

In addition, all RAD sites are now completely managed in the OneSite software which helped with the removal of the existing obsolete data from the Elite software. CMTi also wrote an SQL script that cleaned up all waiting list information for the Mendota and Orange Cove RAD properties.

Structure

Maintain a committed, active, community-based Boards of Commissioners.

The efforts of the Boards and staff are ongoing and will be reported as outcomes are achieved.

Strategic Outreach

Heighten agency visibility, facilitate community dialogue about housing solutions; and build support for the agency and quality affordable housing.

The efforts of the Boards and staff are ongoing and will be reported as outcomes are achieved.