



Boards of Commissioners Meeting

June 27, 2017

BOARDS OF COMMISSIONERS WORKSHOP

4:00 PM

FRESNO HOUSING AUTHORITY COMMISSIONER RETREAT

By: Kenneth J. Price

Baker Manock
& Jensen ^{PC}

ATTORNEYS AT LAW

Overview

- Role of Commissioners
- Legal Duties of Commissioners
 - Governmental duties v. Non-Profit Duties.
 - Duty of Care
 - Duty of Loyalty
- Director Liability & Indemnification Issues
- Basic Legal Requirements
 - “Sunshine” Law Compliance

The Role of the Governing Board

- The right to direct government is the heart of democracy.
- Elected/appointed officials are the most important personnel of a local agency.
- The next most important group of officers is the appointed management.
- The Commissioners and management fulfill fundamentally different roles.

The Role of the Governing Board (cont.)

- To educate and to be educated by the public.
- Setting policy.
- Communicate the wishes of the public to the professional staff and the recommendations of the professional staff to the public by adopting agency policy.

The Role of the Governing Board

- Housing authority commissioners are responsible for:
 - Providing leadership
 - Setting policy
 - Approving budgets
 - Earning support of the community for day-to-day housing authority programs

- Juxtaposed with Authority professional staff:
 - CEO manages operations and reports to the Boards
 - Day-to-day management
 - Hires, supervises, and terminates Authority employees
 - Carry out the policy of the Boards
 - Develops and recommends budgetary priorities
 - Complies with all federal laws and HUD guidelines

Best Practices: The Role of an Individual Board Member

- Keep confidential matters confidential (Brown Act).
- Participate in professional development and commit time and energy to be an informed and effective leader.
- Understand the distinctions between Board and staff roles, and refrain from performing management functions that are the responsibility of the CEO and staff (causes issues with Governmental Immunities).
- Understand that the authority rests with the entire Board as a whole and not with individuals.
- Actively participate in Commission meetings.

Bests Practices: Role of Governing Boards During Meetings

- Do's
 - Know the proposed agenda and review the packet of materials before the meeting.
 - Know and go by the rules. Comply with Brown Act, Board policies.
 - Ask for advice from Authority staff and counsel. Try to request information in advance if possible.
 - Let your CEO (and Tiffany) know in advance if possible when you will miss a meeting.

Role of Governing Boards During Meetings

- Don'ts
 - Don't miss meetings without a reasonable excuse.
 - Don't come to meetings unprepared.
 - Don't monopolize the meeting.
 - Don't deviate from the agenda.
 - Don't restrict public or media participation

Legal Duties of Commissioners

- The role of the “fiduciary”.
 - What is a fiduciary?
 - Someone that stands in a position of trust to another person, with corresponding duties.
- Fiduciary duties exist in corporate law but the principals can carry to governmental service.
- How is a fiduciary supposed to act?
 - Good faith (state of mind – good intentions& honesty).
 - Exercise basic duties of good management (objective standard – prudently, fairly, and with care).

Legal Duties of Commissioners

- Two primary roles:

(1) Put the interest of the organization above your own personal interests; and

(2) Always exercise prudent business judgment.

But, how do we apply each of these roles?

Legal Duties of the Commissioners

*Putting the interest of the organization above
your own personal interests*

- In corporate law, it's called the "Duty of Loyalty."
- For governmental service, it means following the Political Reform Act and the Gov. Code section 1090.

Legal Duties of Commissioners

- Rule: Board member may not participate in a decision if that member's financial interests are affected by the decision.
 - Can be positive or negative
- General Rule: You may not make, participate in, or influence a decision if it may have a reasonably foreseeable financial material impact on you, your immediate family. (Gov. Code section 87100 *et seq.*)
- General Rule: You cannot contract with the agency that you serve. (Gov. Code section 1090 *et seq.*)

Legal Duties of Commissioners

Always exercise prudent business judgment.

- Under corporate structure, a director must act in a manner that he/she believes (i) is in the best interest of the corporation; and (ii) with such care as an ordinarily *prudent* person in a like position would use in similar circumstances. In corporate speak, this is known as the “Duty of Care.”
- *Prudent* means with common sense, practical wisdom, and *informed* judgment.

Legal Duties of Commissioners

- In a governmental context, how does the Duty of Care work?
 - (1) Must act in best interests of the agency.
 - (2) Must be informed about the decisions you take.
 - (3) Must have an open mind.
 - (4) Must use common sense and reason for the votes you make.
 - (5) Do not exceed the scope of your responsibilities.

What if you can't discharge these responsibilities?

Legal Duties of Commissioners

- Consequences of violations
 - Depending upon the violation: Prosecution, fines, disgorgement of profits.
- Potential Loss of Governmental Immunities

Immunities

- Corporations Code has immunities for charitable service.
- Government Code has similar immunities.
- Statutes protect agencies and their officers and employees for reasons of public policy.
- Immunity is created to ensure the risk of liability will not cause agencies to withhold essential services.
- Board members are shielded from vicarious liability claims (Gov. Code section 820.0)
- Immunities for claims involving public property.

Defense of Public Officials - Defense Costs

- If an employee's conduct is within the course and scope of employment and is not fraudulent, corrupt or malicious, the agency must provide for the official's legal defense.
 - However, the duty to defend and duty to pay judgments are two different duties.
- The Agency is not obligated to indemnify Board members for a lawsuit based upon conduct outside the scope of work or where the Board member is accused of committing fraud.

Defense of Public Officials - Judgment

- An agency must indemnify from any judgment based on an official act if:
 - A written request is made at least 10 days prior to trial for the agency to defend;
 - The agency has conducted the defense;
 - The officer cooperated with the defense; and
 - The officer's actions are within the scope of employment and not fraudulent or there was no misconduct.

Defense of Public Officials

- When members of the governing board are named as defendants in a lawsuit, the decision to provide a defense and indemnity is complicated by conflicts of interest law.
- Officer may participate in the decision to provide a defense when the agency is mandated to provide a defense.
 - Official may participate in determining whether the lawsuit arises within the official's course and scope of office.
 - Officer cannot participate when the agency is not required to provide a defense and indemnity.

Transparency Laws

Principles:

- It's the public's business
- Public trusts a process it can see

Types of Laws

- The Ralph M. Brown Act (Government Code Sections 54950, *et seq.*)
- The California Public Records Act

Commonality of Transparency Rules

- Conduct business in open and publicized meetings
- Allow public to participate in meetings
- Allow public inspection of records – Public Records Act

What is a “Legislative Body” of a Local Agency?

- The “governing body of a local agency or any other local body created by state or federal statute.”
- A “local agency” is any city, county, school district, municipal corporation, redevelopment agency, district, political subdivision, or other public agency.
- Also includes standing committees of a legislative body and certain public and private entities.

What is Not a “Legislative Body” under the Brown Act?

- A temporary advisory committee composed solely of less than a quorum of the board. This committee must serve a limited or single purpose, is not perpetual, and will be dissolved once its specific task is completed. (*Ad Hoc* Committee)
- Individual decision makers who are not elected or appointed members of a legislative body.

Public Meetings

- Public agencies must comply with the Brown Act.
- From the perspective of the public, the most important law affecting public agencies mandates public meetings.
- Although not required, some public agencies also record their meetings.
- As such, Commissioners should conduct meetings in a professional manner, and address fellow Commissioners, staff and members of the public in a cordial manner.

Agendas & Notices

- Posting & Notice Requirements
 - If the Authority maintains a website, the meeting agenda must be posted online and in compliance with timelines for posting (72 Hours in Advance)
- Mailed Upon Written Request
- Non-Agenda Items – Brown Act generally prohibits any action or discussion of items not on the posted agenda. There are exceptions.

Types of Meetings

- Regular meetings – Subject to 72-hour posting requirement
- Special meetings – Subject to 24-hour posting requirement & can only discuss discrete items on the agenda
- Emergency meetings – limited to meetings held when prompt action is needed due to actual or threatened disruption of public facilities
- Adjourned meetings

Other Meeting Issues

- Technological Conferencing – the Brown Act allows teleconferencing to meet, receive public comment, deliberate, or conduct a closed session. However, there are specific requirements for conducting teleconferencing.
- Location of the Meetings – should be held within the boundaries of the territory over which the local agency exercises jurisdiction

6 Exceptions to the Meeting Definition

1. **Individual Contacts** (Brown Act recognizes the right to confer with constituents, advocates, consultants, news reporters, local agency staff or a colleague.)
2. **Conferences** – allows a majority of a legislative body to attend a conference or similar gathering open to the public
3. **Community Meetings** – a majority of a legislative body may attend an open and publicized meeting held by another organization to address a topic of community concern

6 Exceptions to the Meeting Definition (cont.)

4. **Other Legislative Bodies** – allows a majority of a legislative body to attend an open & publicized meeting of another body of a local agency or a legislative body of another local agency.
5. **Standing Committees** – authorizes attendance of a majority of the board at an open and noticed meeting of a standing committee (non-members of the committee attend only as observers)

6 Exceptions to the Meeting Definition (cont.)

- 6. Social or Ceremonial Events** – a majority of the legislative body may attend a purely social or ceremonial occasion. (Cannot discuss business amongst themselves, however.)

Public Participation

- Public Comment Section - The public can talk about anything within the jurisdiction of the legislative body, but the legislative body generally cannot act on or discuss an item not on the agenda.
- Allows Commissioners to “briefly respond” to comments or questions from members of the public, provide a reference to staff or other resources for factual information, or direct staff to place the issue on a future agenda.
- If a member of the public wants to address an item on the agenda, he/she can speak when the Authority’s Commissioners consider that item.

Public Participation (cont.)

- The Brown Act protects the public's right to attend, observe and participate in meetings
 - Members of the public cannot be required to sign-in
 - Meetings must be held in public places that do not discriminate
 - Public must be given notice of teleconference location(s)
- Public has the right to record meetings (as long as not disruptive)

Closed Sessions

- Closed session items must be briefly described on the posted agenda and the description must state the specific statutory exemption.
- If action is taken in closed session, there must be an oral or written report in open session of the action taken and how each board commissioner voted.

Closed Sessions (cont.)

- Closed Session may only be held if there is a specific statutory exemption:
 - Litigation – existing, threatened, or initiation of litigation (must have an attorney present or on the phone)
 - Real Estate Negotiations
 - Public Employment – appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee (“personnel exception”)
 - No Discussion of Salary/Compensation in Closed Session
 - Labor Negotiations
 - Student Disciplinary Exception under Education Code
 - Public Security

Confidentiality of Closed Sessions

- The Brown Act prohibits disclosure of confidential information acquired in a closed session by any person present and offers various remedies to address willful breaches of confidentiality.
- Only the legislative body acting as a body may agree to divulge confidential closed session information – the entire body is the holder of the privilege

Violations of the Brown Act

- A majority may not consult outside an agency-convened meeting
 - At conferences
 - Through intermediaries (including staff and others)
 - Through email
 - At community meetings
- Key concept: “collective concurrence”
- Cannot have collective briefings or serial meetings (phone tree)
- Retreats or Workshops of the Legislative Body should be considered “special meetings” and comply with the Brown Act

Remedies

- Invalidation of certain actions of the legislative body
- Civil Action to prevent future violations
 - May be required to record meetings
- Costs & Attorney's Fees
 - May have to pay other's attorney's fees
- Criminal Complaints (must be attendance and action taken in violation of Brown Act)

QUESTIONS

CALL

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or at

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Baker Manock
& Jensen _{PC}

ATTORNEYS AT LAW

BOARDS OF COMMISSIONERS MEETING

5:00 PM

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

4pm - June 27, 2017

Fresno Housing Authority Offices – 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.

4pm – Board Workshop – Commissioners Training (continued from May 17th Board Retreat)

5pm – Board Meeting

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1. **Call to Order and Roll Call**

2. **Acknowledgement and Moment of Reflection in Memoriam of Morris Kyle, former Commissioner**

3. **Acknowledgement of Lee Ann Eager, Reneeta Anthony and Nancy Nelson**

4. **Welcome of New Commissioners**

5. **Approval of agenda as posted (or amended)**

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The Boards of Commissioners may add an item to this agenda if, upon a two-thirds vote, the Boards of Commissioners find that there is a need for immediate action on the matter and the need came to the attention to the Authority after the posting of this agenda.

6. **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.

7. **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)
8. **Consent Agenda**
All Consent Agenda items are considered to be routine action items and will be enacted in one motion unless pulled by any member of the Boards of Commissions or the public. There will be no separate discussion of these items unless requested, in which event the item will be removed the Consent Agenda and considered following approval of the Consent Agenda.
 - a. Consideration of the minutes of February 7, February 27, March 21, and April 25, 2017 47
 - b. Consideration of Modifying Board Minutes 75
9. **Informational**
 - a. Resident Services Presentation – Boys and Girls Clubs of Fresno County 88
 - b. Housing Access and Re-entry 89
 - c. Overview of the Office of Migrant Services (OMS) Partnership and Program 97
 - d. Real Estate Development Update 98
10. **Action**
 - a. Consideration to Accept the Assignment of the Purchase and Sale Agreement – Blackstone/Simpson 122
 - b. Consideration of Out of State Travel – CEO and Commissioners 126
11. **Commissioners’ Report**
12. **Executive Director’s Report** 129
13. **Closed Session**
 CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 (Pursuant to Government Code § 54954.5(b))
 Property: 1616 and 1624 Simpson, 3019 and 3039 N.
 Blackstone Ave., Fresno, CA
 (APNs: 443-104-08 through 10, and 443-104- 23)

Agency Negotiator: Preston Prince
Negotiating parties: Scott Miller and Austin Ewell
Under negotiation: Price and Terms of Sale

PUBLIC EMPLOYMENT
Pursuant to Government Code §54597

14. Report on Closed Session Item(s)

15. Adjournment

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

Tuesday, February 7, 2017

5:00 P.M.

The Boards of Commissioners of the Housing Authorities of the City and County of Fresno met in a special joint session on Tuesday, February 7, 2017 at the offices of HACCF, located at 1331 Fulton Mall, Fresno, California.

- The meeting was called to order at 5:05 p.m. by Board Chair, Commissioner Jones of the Board of Commissioners of the Housing Authority of the City of Fresno. Roll call was taken by Tiffany Mangum, Special Assistant, and the Commissioners present and absent were as follows:

PRESENT: Adrian Jones, Chair
 Steven Bedrosian
 Stacy Vaillancourt
 Caine Christenson

ABSENT: Rueben Scott, Vice Chair
 Virna Santos
 Karl Johnson

- The meeting was called to order at 5:05 p.m. by Board Chair, Commissioner Petty of the Board of Commissioners of the Housing Authority of Fresno County. Roll call was taken by Tiffany Mangum, Special Assistant, and the Commissioners present and absent were as follows:

PRESENT: Jim Petty, Chair
 Reneeta Anthony, Vice Chair
 Stacy Sablan
 Nancy Nelson
 Lee Ann Eager
 Venilde Miller
 Joey Fuentes

ABSENT: None.

2. APPROVAL OF AGENDA AS POSTED

No formal action was taken for this item.

3. PUBLIC COMMENT

There was no public comment.

4. POTENTIAL CONFLICTS OF INTEREST

There were no conflicts of interests disclosed.

5. BOARD WORKSHOP

Mr. Prince stated in the past the Fresno Housing Authority Staff did provide a full budget workshop presentation to the Boards of Commissioners. At the request of the Boards of Commissioners, staff has prepared a more in depth review of financial reporting, budget structure and processes, 2017 budget review, the Agency's organizational structure, and a detailed budget overview. Therefore, Emily De La Guerra, Finance Director, prepared a detailed workshop to assist Commissioners in fully understanding the complexities of the Agency's financial systems and processes.

The Accounting staff presented detailed information to the Boards of Commissioners regarding the 2017 Agency budgets.

Ms. De La Guerra introduced to the board members key Finance staff that put together and maintain the Agency budgets. She also introduced the staff that will be overseeing the Accounting and Finance Department while she is on leave. Steve Nolan, a consultant and former CFO of the Atlanta Housing Authority, who is a great resource with a sound financial perspective; Michael Duarte, Development Director, will also have oversight of the Accounting and Finance Departments, and has a background in Finance. He will be working with Steve Nolan to provide leadership to the Accounting and Finance Department. In addition, she introduced Mr. Michael Mosley who is the Fresno Housing Authority Controller. Mr. Mosley will be responsible of the audits, monthly financial statements, and the general ledgers. Also, Mr. Juan Lopez, Senior Financial Analyst, who was recently hired by the County of Fresno, has done a tremendous amount of work in maintaining the budgets. Ms. De La Guerra also introduced Lucille Kirchman, Senior Accountant, who oversees Financial Data Scheduled (FDS), payroll, responsible for transactions between the two agencies.

Ms. De La Guerra stated the FDS submission to HUD was approved on Monday, February 06, 2017. This is the first time from the six years she worked in the Fresno Housing Authority that FDS was approved on the first submission. She thanked Lucille Kirchman for her great work, to make sure our FDS was approved.

Nerissa Richardson, Accountant, oversees the HCV programs and all the grants the Fresno Housing Authority receives.

Lastly, Arlene Woods, Senior Accountant, is responsible of the thirty plus audits of all the affiliated entities to the Fresno Housing Authority.

Fresno Housing issues a number of different financial reports. Ms. De La Guerra affirmed that the three primary financial reports are the financial statements, the audit and the budgets.

The financial statements are to present the actual financial information at a certain point in time. At the end of the year in December the Financial statements present all the financial activities that happened in the past, such as the balance sheet, and statement of cash flow. These must follow certain rules such as GAAP, GASB, yellowbook, and CFRs. The agency is funded by HUD and is a governmental agency in which the financial statements must follow certain rules.

The audit includes the financial statements and other supplementary information.

Ms. De La Guerra stated the Financial budget is an operational tool used to manage revenue and expenses. Also, external partners use the budget to monitor the operations of the organization. The budgets are used to also make estimates and projections for the future.

She briefly presented the Financial Policies and Financial Reports that are issued internally and externally.

Financial Policies are approved by the Board Commissioners. Financial Policies are to provide guidance and rules on the internal control of the Agency. The Audit Policy determines how the audits are conducted each year. The Investment Policy, which is approved by HUD and the Boards of Commissioners, determine how we manage our cash. Additional, the Financial Policies include: the Conflict of Interest policy, Internal Control Policy, Capitalization Policy, Procurement Policy, Cost Allocation Plan, Delegation of Purchasing Authority, and Check Writing Authorization.

Ms. De La Guerra discussed the different financial reports that are presented to the Boards quarterly and/or annually.

Ms. De La Guerra discussed the various budget types: Operations, Housing Assistance Payments, and the Mixed Finance Housing. Operations is an annual budget for the operational activities of the Fresno Housing Authority that runs from January 1 to December 31, which is the Fresno Housing Authority's annual fiscal year. It includes all programs under the City and County Housing Authorities, but it does not include our Special Purpose Entities or affiliates.

The Housing Assistance Payments (HAP) Budget is an annual budget for the payments made to landlords on behalf of the Housing Choice Voucher and Shelter Plus Care programs, which runs from January 1 to December 31. These are kept separate from the Operations budget due to the highly restricted nature of the funds.

The Mixed Finance Housing budget is an annual Budget for the Single Purpose Entities associated with Limited Partnership developments. Their budget runs from January 1 to December 31. An informational item for the Fresno Housing Boards of Commissioners was presented to the Boards in the January 2017

packet, and are approved by the Boards of Directors for Silvercrest, Inc.

The capital budgets are actually two separate budgets. The first budget is the Annual Expenditure Budget which is an annual budget for capital funds or project reserves that runs from April 1 through March 31. Second, is the Development and Construction Budget, which is a multi-year budget for the financing and construction of our affordable housing developments. This is presented and approved by the Boards during the Omnibus Financial Closings.

Ms. De La Guerra discussed the agency structure in that the Fresno Housing Authority (FH) is two Housing Authorities (HA) operating as one agency, within the City and County of Fresno. The governing body for each Housing Authority is the Board of Commissioners, which appoints an Executive Director to administer the affairs of the Housing Authority, and one administrative staff reports to the Executive Director. Each Housing Authority, the City and County, operates separate programs and activities that accomplish the mission of Fresno Housing. Each program has a separate budget and financial statement that are consolidated in the Agency budget and financial statements.

Ms. De La Guerra briefly discussed the Fresno Housing affiliated entities. The affiliated entities are Instrumentalities, Single Purpose Entities and Corporations, and Affiliates.

For instrumentalities, each Board is a solely comprised of Fresno Housing representatives. It has a strong financial relationship, and is included in the Fresno Housing budget, audit and financial statements.

Single Purpose Entities, Corporations and Limited Partnerships have been created by the Boards to facilitate the development of affordable housing across Fresno County. Each entity has their own budgets, audits and financial statements, which are approved by the Silvercrest Board.

Ms. De La Guerra discussed the timeline of the budget process. She said this will allow an overview of how the Finance Department internally manages the budget. The budget process is divided into different segments which are operations, finance, executive, board and their roles which are planning, preparation and approval. The budget process begins for the Finance Department in July with the planning of the budget process. During the months of September through November, the Operations Department works on the revenue and expenditure budgeting, while the Finance Department compiles funds and the roll-up Budget. This allows the Finance Department to work on the templates needed for new grants. In addition, the Finance Department starts their presentation to the Boards of Commissioners on the Federal and Agency Budgets. During the month of October, the Accounting Department presents to the Boards of Commissioner the first draft of the Budget. After gathering feedback and comments from the first draft presentation, the second draft of the Budget is presented to the Boards during the month of November. During the Month of December, the Finance Department meets with the Boards of Commissioners requesting their approval on the operations and HAP budget. During the month of January, the Finance Department meets with the Boards asking for their approval on the Mixed Finance budgets.

Ms. De La Guerra stated that budgets are adopted and approved on a basis consistent with Generally Accepted Accounting Principles (GAAP). All annual budgets lapse at the end of the year. Multiyear budgets for capital or development projects are adopted for the length of the project.

Next, Ms. De La Guerra presented on the budget reporting and monitoring, indicating that for the internal reporting and monitoring, Finance and Operations staff review financial reports monthly, and the budget to actual report quarterly. For the external reporting and monitoring, Investors and stakeholders request and review budgets regularly and our auditors review budgets and Budget to Actual Reports regularly as well.

Ms. De La Guerra reported on the Agency funding sources. The largest amount of funding is the 34% that comes from HUD Grant income. Housing Choice Voucher Admin Fees earn 75% proration at a 98% lease-up rate. Low Income Public Housing Operating Subsidy earns a 90% proration at a 97% occupancy rate. Net Tenant Income is 18% of the Operating Budget. This is the revenue earned from the tenants' payment from the public housing, affordable housing, migrant housing, etc. programs which increased by 9% in 2017 due to a better economy and higher wages. Developer Fee Revenue is 13% of the Operating Budget. Developer Fees for 7 projects, are expected in 2017.

Ms. De La Guerra briefly talked about the expenses, assumptions and highlights. She stated payroll expenses are 43% of Operating Budget for 231 full-time employees. All staff received a 2% COLA in 2017, 2% CalPERS swap, and there were some changes to the medical benefit rates that were charged to the employees. The next largest expense is the administrative expenses being 35% of the Operating Budget. This includes the developer Fee expenses paid to Co-Development partners. The Admin and Management expenses are increasing due to additional IT costs. Beginning in 2017, the IT team was insourced. The cost is allocated to each of the programs that use IT services. The program expenses are revenues paid to CORE.

Ms. De La Guerra briefly presented Fresno Housing Authority Organizational Structure. The Boards of Commissioners are at the top of the organizational structure. The Legal Counsel, Auditors and Executive Director report directly to the Boards of Commissioners. Reporting to the Executive Director is the Deputy Executive Director. The Deputy Executive Director is followed by the executive leadership- Chief of Staff, Director of Human Resources, Director of Development, and Director of Finance and Administration. The Chief of Staff manages the Housing Choice Voucher Program, Resident Services, Homeless Programs, and Policy and Analysis. In addition, the Director of Human Resources administers Human Resources and Organization Development. The Director of Development manages the Planning and Community Development, Asset Management, Construction Management, and Housing Management division. The Director of Finance and Administration oversees the Accounting and Finance, Information Technology and Systems, and Administrative Services.

A Commissioner requested to have more information about the performance evaluation process.

Ms. De La Guerra stated the Analyst, Senior Analyst, Manager I, Manager II, Senior Manager, Assistant Director, Director, and Chief of Staff receive additional compensation based on their performance. They are also, known as non-represented staff. Each year, based on their performance evaluation, compensation and salary levels are determined. The Coordinator, Senior Specialist, Specialist, and Clerical/Assistant positions are compensated based on a step system. There are five steps. These are also considered to be represented staff.

Commissioner Anthony asked about the detail of the Administrative expenses, the 4100 series (travel

and training.

Ms. De La Guerra indicated it is included on the column under CORE with specific details. She stated the travel expenses is noted on each department's expenses.

Commissioner Anthony requested the 2016 Travel Administrative expenses for the Boards of Commissioners and the executive staff.

Ms. De La Guerra talked about the Administrative function of the agency known as CORE. HUD refers to it as the "COCC" or the "Central Office Cost Center." The CORE division contains all the administrative functions of the Agency, including Human Resources, Executive Office, Commissioners, Communications, Housing Services and Specialized Maintenance, Accounting and Finance, Central Office Building and Warehouse, Procurement, Fleet and Facilities, and IT Services. The revenues for CORE are revenues earned by fees charged to other Fresno Housing Authority programs. For examples, management fees, bookkeeping fees, central office rent charges, IT fees, etc, are fees that all the Fresno Housing Authority programs paid. This revenue under CORE is deemed "unrestricted." Major expenses under CORE include salaries and benefits (57% of total budget), administrative costs (33%) including legal fees, professional and consulting fees, administrative contracts, and software and equipment. CORE employs 62 full-time employees. Ms. De La Guerra stated the Central Office Cost Center is budgeted to receive \$8.2 million in property management, bookkeeping, asset management and other fees from the various program departments of the Fresno Housing Authority, and this revenue is deemed unrestricted once it comes into the Central Office Cost Center.

Ms. De La Guerra briefly presented on instrumentalities, which are a legal entity, wholly-owned and operated by the Fresno Housing Authority. Instrumentalities are used to accomplish specific goals. Housing Relinquished Fund Corporation is to further the supply of affordable housing. Housing Self-Insurance Corporation to insure the agency against losses and deductibles not covered by third party insurance companies. Silvercrest, Inc. acts as the general partner in mixed finance developments. Housing Connections and Compliance, Inc. is an entity created to submit a NOFA application for a HUD Contract Administrator. This is in operational item, in case of dispute with HUD, where there is no expense or revenue generated. Villa Del Mar, Inc. is the original LLC for Villa del Mar, LP. Revenues generated within each entity is restricted to that specific entity. There are no staffing expenses, all are managed by Fresno Housing staff. The entity pays a Management Fee to CORE to cover administrative and accounting costs. Net Income and Cash Flow can be used at the Board of Directors discretion.

Ms. De La Guerra talked about the Planning and Community Development (P and CD) Department, which develops and maintains quality, affordable housing, to creating vibrant neighborhoods across Fresno County. P and CD includes the Real Estate Development department and the Construction Management department. Revenues generated by this department are earned through Developer Fees. Developer Fees are earned at various points of the projects and can be paid out over several years. For the past several years, FH has been increasing the capacity of the Development department, which handles all of our real estate development needs. In addition, FH has a construction management department that handles most of the Agency's construction oversight. As the Master Developer of our real estate, the Development department negotiates and earns a developer fee for each construction project. These fees are earned at various milestones in the project which can span several years. Staff is

projecting to receive \$5.1 million in Fiscal Year 2017, based on our Development Agreements. Major expenses include salary and benefits (40%) and consulting fees (51%). Under P and CD there are 15 full-time employees. Consulting Fees are paid to our development partners when Developer Fees are received by the Fresno Housing. Any net income in this division is considered unrestricted funds.

Ms. Angie Nguyen briefly explained the ROSS and FSS and relationship with the Fresno Housing Ed Corps (Ed Corps).

Commissioner Reneeta Anthony asked if the Ed Corps receives monies from the Fresno Housing Authority. Mr. Prince affirmed with the funds received from the Campaign at the beginning of the year.

Commissioner Anthony wanted to know where the money we paid to the Ed Corps is reflected on the report. Ms. Emily De La Guerra stated the money is reflected on the Parc Grove budget.

The next Division presented was the Assisted Housing division, which contains all of the grant-funded housing services programs, including the Housing Choice Voucher (HCV) program, Homeless programs, Resident Services. All programs are funded by various grants awarded to the Agency by either federal and/or state/local partners including HUD, the State of CA, City of Fresno, County of Fresno, WestCare, etc. The funding provides rental subsidies to over 13,500 eligible families so they have access to quality, affordable housing across Fresno County. Major revenues to the HCV program are Administrative Fees paid by HUD each month. Major expenses include salaries and benefits, and management and bookkeeping fees paid to CORE. HCV employs 72 full-time employees.

Mr. Prince informed the Boards of Commissioners the presentation on the Finance Budget will resume sometime in July.

6. ACTION

- a. Consideration of the Veterans Housing and Homelessness Prevention Loan – Renaissance at Parc Grove

Ms. Christina Husbands presented on this item. She stated the Fresno Housing Authority was awarded the funds in 2016. The closing is expected to take place in March 2017. It is a \$2.6 million loan. The Renaissance at Parc Grove development will provide 41 units of housing for homeless veterans.

Commissioner Bedrosian motioned for the City Board's approval of the loan for the Veterans Housing and Homelessness Prevention funds. This action was seconded by Commissioner Vaillancourt, and by unanimous vote of the Board of Commissioners for the City, this item was approved.

7. 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 8:34 p.m.

Preston Prince, Secretary to the Boards of Commissioners

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

Monday, February 27, 2017

5:00 P.M.

The Boards of Commissioners of the Housing Authorities of the City and County of Fresno met in a special joint session on Monday, February 27, 2017 at the offices of HACCF, located at 1331 Fulton Mall, Fresno, California.

1. The meeting was called to order at 5:03 p.m. by Board Chair, Commissioner Jones of the Board of Commissioners of the Housing Authority of the City of Fresno. Roll call was taken and the Commissioners present and absent were as follows:

COMMISSIONERS PRESENT: ADRIAN JONES, Chair
 STEVEN BEDROSIAN
 KARL JOHNSON
 CAINE CHRISTENSEN

COMMISSIONERS ABSENT: RUEBEN SCOTT, Vice Chair
 STACY VAILLANCOURT
 VIRNA SANTOS

The meeting was called to order at 5:03 p.m. by Board Chair, Commissioner Petty, of the Board of Commissioners of the Housing Authority of Fresno County. Roll call was taken and the Commissioners present and absent were as follows:

COMMISSIONERS PRESENT: JIM PETTY, Chair
 RENEETA ANTHONY, Vice Chair
 STACY SABLAN
 LEE ANN EAGER
 JOEY FUENTES

COMMISSIONERS ABSENT: NANCY NELSON
 VENILDE MILLER

Also, in attendance were the following: Preston Prince, CEO/Executive Director; and Ken Price, Baker Manock and Jensen - General Counsel.

2. APPROVAL OF AGENDA AS POSTED (OR AMENDED)

Commissioner Petty informed a change to the agenda, which was item 8e. He stated on the first page number four: Authorize a request for a Housing Relinquished Fund Corporation (HRFC) loan to the project in the amount of \$500,000, this was increased to \$800, 000.

Despite the Board of Commissioners' eagerness to proceed with voting for the City side, Commissioner Petty concluded that the City side lacked a quorum. However, the county side moved forward with the voting of the items presented to the County Boards of commissioners. During the meeting, commissioner Bedrosian arrived and the County Board of Commissioners resumed the voting.

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

3. PUBLIC COMMENTS

There were no public comments.

4. POTENTIAL CONFLICT OF INTEREST

There were no conflict of interests disclosed.

5. CONSENT AGENDA

a. Consideration of the Agency Salary Schedule for Represented and Non-Represented Classifications

Commissioner Sablan motioned for the County Board's approval of the Agency Salary Schedule for Represented and Non-Represented Classifications. This action was seconded by Commissioner Eager, and by unanimous vote of the Board of Commissioners for the County, the item was approved.

Commissioner Johnson motioned for the City Board's Consideration of the Agency Salary Schedule for Represented and Non-Represented Classifications as posted. This action was seconded by Commissioner Christensen, and by unanimous vote of the Board of Commissioners for the City, the item was approved.

6. BOARD DISCUSSION – 2017 BOARD RETREAT

7. INFORMATIONAL

Commissioner Jim Petty informed the Boards of Commissioners of the modification to the agenda. The information presentation started with 7d. Housing Relinquished Fund Corps Update.

d. Housing Relinquished Fund Corps Update

Mr. Michael Duarte briefly provided an update on the Housing Relinquished Fund Corps. He informed

the Board of the CTCAC 1st Round Tax Credit applications which included the Magill Terrace in Fowler, and Oak Grove in Parlier. He briefly gave information on the five action items the Boards are being asked to vote on. In addition, he presented on the three Finance closings for March 2017, which included Legacy Commons Phase II in Fresno, Memorial Village in Sanger and Renaissance at Parc Grove in Fresno.

e. Real Estate Development Update

The Real Estate development update was given as part of the Housing Relinquished Fund Corp update.

8. ACTION

a. Consideration of Application Submission and Funding Commitments – Magill Terrace (Fowler)

Mr. Duarte presented to the Boards requesting authorization of submission of tax credit application, reduce HRFC commitment to \$2.2 million, and authorize the increase to HAFC seller financing commitment to \$1.24 million.

Commissioner Fuentes motioned for the County Board's approval of the Application Submission and Funding Commitments for Magill Terrace (Fowler). This action was seconded by Commissioner Sablan and by unanimous vote of the Board of Commissioners for the County, this item was approved.

Commissioner Johnson motioned for the City Board's approval of the Application Submission and Funding Commitments for Magill Terrace (Fowler). This action was seconded by Commissioner Bedrosian and by unanimous vote of the Board of Commissioners for the City, the item was approved.

b. Consideration of Application Submission and Funding Commitment – Oak Grove Apartments (Parlier)

In addition, Mr. Duarte requested the Commissioners authorize the submission of the tax credit application for the Oak Grove Apartments in Parlier, authorize a HRFC commitment of \$1.95 million, authorize HAFC seller financing commitment of \$2.34, and approve the HAFC LIPH Capital Funds/Op Reserves commitment of \$685 thousand. Furthermore, the Boards were requested to approve the formation of the LP/LLC, and to enter into MOU with Silvercrest, Inc.

Commissioner Anthony abstained.

Commissioner Eager motioned for the County Board's approval of the actions associated with this item. This action was seconded by Commissioner Fuentes and by unanimous vote of the Board of Commissioners for the County, this item was approved.

Commissioner Johnson motioned for the City Board's approval of the actions associated with this item. This action was seconded by Commissioner Christensen and by unanimous vote of the Board of Commissioners for the City, this item was approved.

c. Consideration of the Omnibus Closing Resolutions and Funding Commitments – Legacy Commons II (formerly Edison II)

Commissioner Eager motioned for the County Board's approval of the Omnibus Closing Resolutions and Funding Commitments – Legacy Commons II (formerly Edison II). This action was seconded by Commissioner Anthony and by unanimous vote of the Board of Commissioners for the County, this item was approved.

Commissioner Bedrosian motioned for the City Board's approval of the Omnibus Closing Resolutions and Funding Commitments – Legacy Commons II (formerly Edison II). This action was seconded by Commissioner Johnson and by unanimous vote of the Board of Commissioners for the City, this item was approved.

d. Consideration of the Omnibus Closing Resolutions and Funding Commitments – Memorial Village (Sanger)

Mr. Duarte informed the Boards about the redevelopment of an existing 35 units Low Income Public Housing site; the demolition of existing units and the new construction of 48 units and a community building. Also, the Boards were informed that Memorial Village is expected to close on March 2017. Furthermore, the project was awarded HOME funds in the amount of \$1.45 million, and a HRFC commitment of \$1.6 million in June 2016. It was also proposed to disencumber HRFC commitment and authorize \$1.34 million of LIPH Op Reserves.

Commissioner Anthony abstained.

Commissioner Sablan motioned for the County Board's approval of the Omnibus Closing Resolutions and Funding Commitments – Memorial Village (Sanger). This action was seconded by Commissioner Fuentes and by unanimous vote of the Board of Commissioners for the County, this item was approved.

Commissioner Christensen motioned for the City Board's approval of the Omnibus Closing Resolutions and Funding Commitments – Memorial Village (Sanger). This action was seconded by Commissioner Bedrosian and by unanimous vote of the Board of Commissioners for the City, this item was approved.

e. Consideration of Omnibus Closing Resolutions and Funding Commitments – Renaissance at Parc Grove (Veterans)

Commissioner Sablan motioned for the County Board's approval of the Omnibus Closing Resolutions and Funding Commitments – Renaissance at Parc Grove (Veterans). This action was seconded by Commissioner Eager and by unanimous vote of the Board of Commissioners for the County, this item was approved.

Commissioner Johnson motioned for the City Board's approval of the Omnibus Closing Resolutions and Funding Commitments – Renaissance at Parc Grove (Veterans). This action was seconded by Commissioner Christensen and by unanimous vote of the Board of Commissioners for the City, the item

was approved.

f. City: Consideration of the Submission of the Section-Eight Management Assessment Program (SEMAP) Certification

Ms. Aurora Ibarra presented on Section Eight Management Assessment Program (SEMAP) under the U.S. Department of Housing and Urban Development (HUD). SEMAP is conducted annually by independent auditors. SEMAP is established to measure management capabilities and identify deficiencies of agencies administering the Housing Choice Voucher Program. HUD uses this tool to measure performance levels by assessing a point value to each of the 14 Indicators, for a total maximum of 145 points. The Housing Authorities must document compliance or noncompliance in these key areas and submit the information to HUD.

Furthermore, Ms. Aurora Ibarra presented that the City HCV program received a high performer status in 2016. Indicator two under Rent Reasonableness received less points than in 2015 due to unit size discrepancies. This indicator received a score of 96.5% and received 15 of the maximum 20 points.

Indicator number fourteen, the FSS enrollment does not apply to the City program.

Ms. Ibarra also indicated the County HCV program received high performer status in 2016. For Indicator number two Rent Reasonableness received less points than in 2015 due to unit size discrepancies. This indicator received a score of 96.0% and received 15 of the maximum 20 points. Indicator number fourteen the FSS Enrollment declined as the number of families enrolled were less than 80% of the mandatory enrollment. The decline in enrollment had to do with the fact that the clients either terminated the program or passed away. On this indicator we received 8 of the maximum 10 points.

Commissioner Jones asked what happened to the FSS participation that is no longer a part of the city HCV program.

Ms. Angie Nguyen responded that it was an internal decision that the contract was not renewed for the City program. Ms. Nguyen added that the program was not able to service every resident enrolled.

Commissioner Jones requested further information regarding discontinuing the FSS contact in the City HCV Program.

Commissioner Bedrosian motioned for the City Board's approval of the Submission of the Section-Eight Management Assessment Program (SEMAP) Certification. This action was seconded by Commissioner Christensen and by unanimous vote of the Board of Commissioners for the City, this item was approved.

g. County: Consideration of the Submission of the Section-Eight Management Assessment Program (SEMAP) Certification

Commissioner Eager motioned for the County Board's approval of the Submission of the Section-Eight

Management Assessment Program (SEMAP) Certification. This action was seconded by Commissioner Sablan and by unanimous vote of the Board of Commissioners for the County, the item was approved.

h. Consideration of Out of State Travel – CEO and Commissioners

Mr. Prince informed the Board of Commissioners that 7a, 7b, 7c, 7h would be addressed on March 2017 Board meeting.

Commissioner Anthony requested the chairs of the Board, to distribute the Travel Information for 2016 at the next meeting.

9. COMMISSIONERS' REPORT

The Commissioners had no information to report at this time.

10. EXECUTIVE DIRECTOR'S REPORT

Mr. Prince informed the Boards of Commissioners that the two Board chairs will be participating in the NAHRO conference. Mr. Prince briefly talked about the NAHRO itinerary. In addition, he stated they will be meeting highly qualified people that will be able to help with the Fresno Housing Authority strategic planning.

Mr. Prince acknowledged Aysha Hills for her promotion to Senior Human Resource Analyst and Bobby Coulter, Senior Manager of Information Technology and System. Laura Solano was hired as a new Training Coordinator, formerly working for the Housing Authority of Santa Clara.

11. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED

LITIGATION

Pursuant to Government Code section 54956.9(d)(2)

12. REPORT ON CLOSED SESSION ITEM(S)

There was no action to report at this time.

13. 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 8:34 p.m.

Preston Prince, Secretary to the Boards of Commissioners

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

Tuesday, March 21, 2017

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, March 21, 2017 at the offices of HACCF, located at 1331 Fulton Mall, Fresno, California.

1. The meeting was called to order at 5:03 p.m. by Board Chair, Commissioner Jones of the Board of Commissioners of the Housing Authority of the City of Fresno. Roll call was taken and the Commissioners present and absent were as follows:

COMMISSIONERS PRESENT: ADRIAN JONES, Chair
 RUEBEN SCOTT, Vice Chair
 STEVEN BEDROSIAN
 KARL JOHNSON
 STACY VAILLANCOURT
 VIRNA SANTOS

COMMISSIONERS ABSENT: CAINE CHRISTENSEN

The meeting was called to order at 5:03 p.m. by Board Chair, Commissioner Petty, of the Board of Commissioners of the Housing Authority of Fresno County. Roll call was taken and the Commissioners present and absent were as follows:

COMMISSIONERS PRESENT: JIM PETTY, Chair
 STACY SABLAN
 NANCY NELSON
 LEE ANN EAGER
 VENILDE MILLER
 JOEY FUENTES

COMMISSIONERS ABSENT: RENEETA ANTHONY, Vice Chair

Also, in attendance were the following: Preston Prince, CEO/Executive Director; and Ken Price, Baker Manock and Jensen - General Counsel.

2. APPROVAL OF AGENDA AS POSTED (OR AMENDED)

No public comments.

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

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

3. PUBLIC COMMENTS

There were no public comments.

4. POTENTIAL CONFLICTS OF INTEREST

There were no conflicts of interest indicated at this time.

5. ACKNOWLEDGEMENT OF DEBORAH WEAVER

Ms. Weaver was acknowledged for her recent retirement and for serving over 16 years with Fresno Housing in the Owner Services Division. Ms. Weaver was acknowledged by the Boards of Commissioners for her service.

6. COMMISSIONERS' REPORT

None.

7. BOARD RETREAT DISCUSSION

Commissioners were informed that the Fall Retreat of the Boards will be on September 21-22, 2017. The Spring Retreat has been confirmed for May 17, 2017, and will be held at the Legacy Commons community room.

8. INFORMATIONAL

a. 2016 Agency Highlights

Ms. Brandi Johnson, Communications Manager, presented this item sharing the 2016 Agency's outcomes, data, and information, including an overview of administrative services

and human resources, construction management, planning and community development, fiscal services, government relations, homeless initiatives, and our various housing programs.

b. Resident Services Presentation – Family Self-Sufficiency/Family Unification Program Demonstration

Sabrina Kelley, Resident Services Manager, presented this item outlining program implementation, and the Agency's efforts over the past 10 years. Additionally, Ms. Kelley gave an overview of the Family Self-Sufficiency program highlighting the program's provision of housing and supportive services to assist families in attaining self-sufficiency. Additional items covered by Ms. Kelley include: the Family Unification Program (FUP), outreach and enrollment, program completion goals and outcomes, resident success measures, and benefits of the program.

c. Waiting List Update (Housing Choice Voucher)

Ms. Angie Nguyen, Chief of Staff, presented on the update of the Housing Choice Voucher Wait List opening. Ms. Nguyen discussed the past data collected regarding the wait list opening, specifically highlighting that more than 50,000 applications were received in the first 30 days. HUD now requires that waiting lists be "manageable," requiring staff to close the Agency's waitlist after a number of days in order to meet this new mandate.

Specifically, the plan will be to open the waitlist online, remain open for up to 2 weeks, continue use of the lottery system, and draw from this pool of pre-applications. A public notice will be distributed to announce the dates, times, and details on how to submit during this pre-application process for the HCV program.

Public Comments:

Eric Payne, west Fresno resident, wanted to indicate concern over the Housing Authority's ability to continue to provide assistance to families throughout our community. Mr. Payne expressed that the President's new proposal to cut funds to HUD programs by approximately \$300 million would have alarming impacts locally and nationally. Mr. Prince responded to the Boards that he recently sent out a Housing Finance article that gives the specific cuts being proposed by the President for all HUD programs.

9. ACTION

a. Consideration of Out of State Travel – CEO and Commissioners

There are a number of opportunities for commissioners for out of state travel, for training and development purposes. Mr. Prince explained upcoming training opportunities, such as NAHRO, CLPHA, etc.

10. EXECUTIVE DIRECTOR'S REPORT

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

- A previous employee, Aryca Williams, during a grand jury hearing, plead guilty to crimes related to fraud within the housing choice voucher program. Approximately 3-4 years ago it came to the attention of staff that suspicious activity had been occurring which lead to an investigation and immediate communication with the HUD Office of Inspector General. The charges ultimately lead to felony charges of embezzlement and other crimes.
- There were several new hires announced from various departments within the agency.
- The Housing Authority was the recipient of a few awards for our housing properties, specifically Rio Villas in Firebaugh and 541 @ South Tower in Fresno.
- Commissioners are asked to submit their Form 700s to Tiffany as soon as possible. The deadline is coming up in the next 1-2 weeks.
- The recruitment for the Deputy Executive Director has commenced and will be culminating soon. There are a couple of Commissioners who will be asked to sit on the interview panel in the coming weeks.
- Commissioner Lee Ann Eager was nominated as "Woman of the Year" in the Fresno Community.
- Commissioner Nelson requested that staff look in to providing an avenue for applicants to submit applications for the wait list via the website, perhaps in our lobby or another venue that will partner with us in granting internet access to those who otherwise do not have access to the internet. Staff will work on this request as well as will continue to assist those who have reasonable accommodations requests.

11. CLOSED SESSION

There were no public comment on these items.

Baker Manock and Jensen, General Counsel to the Boards of Commissioners, disclosed a potential conflict of interest in the matter of the real estate property located at 1616 and 1624 Simpson, and 3019 and 3039 N. Blackstone Ave; thus, leaving the Board Room during the discussion of this item.

The Boards adjourned to closed session at approximately 7:12 p.m.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Pursuant to Government Code § 54954.5(b))

Property: Multiple Addresses* (APNs: 467-245-02T through 12T, 467-262-01T through 04T)

Agency negotiator: Preston Prince

Negotiating parties: Successor Agency to the Redevelopment Agency of the City of Fresno

Under negotiation: Price and Terms of Sale

**811, 813, 823, and 847 Waterman; 537 Inyo; 597 and 659 E. California; 842, 846, 851, 854, and 864 Klette*

Fresno, CA 93706

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Government Code § 54954.5(b))

Property: 1616 and 1624 Simpson, 3019 and 3039 N. Blackstone Ave., Fresno, CA (APNs: 443-104-08 through 10, and 443-104-23)

Agency negotiator: Preston Prince

Negotiating parties: Scott Miller and Austin Ewell

Under negotiation: Price and Terms of Sale

12. REPORT ON CLOSED SESSION ITEM(S)

The Boards convened back in to open session at approximately 7:40 p.m. There was no action to report from closed session.

13. ACTION

Blackstone/Simpson – Authorization to Assume Purchase and Sale Agreement and Submit Funding Application

Commissioner Fuentes motioned for the County Board's approval authorizing staff to assume the purchase and sale agreement and submit the funding application related to the property(ies) at Simpson and Blackstone Avenues. This action was seconded by Commissioner Eager, and by unanimous vote of the Board of Commissioners for the County, the motion was approved.

Commissioner Bedrosian motioned for the City Board's approval authorizing staff to assume the purchase and sale agreement and submit the funding application related to the property(ies) at Simpson and Blackstone Avenues. This action was seconded by Commissioner Johnson, and by unanimous vote of the Board of Commissioners for the City, the motion was approved.

14. 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 7:45 p.m.

Preston Prince, Secretary to the Boards of Commissioners

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

Tuesday, April 25, 2017

5:00 P.M.

The Boards of Commissioners of the Housing Authorities of the City and County of Fresno met in a special joint session on Tuesday, April 25, 2017 at the offices of HACCF, located at 1331 Fulton Mall, Fresno, California.

1. The meeting was called to order at 5:05 p.m. by Board Chair, Commissioner Jones of the Board of Commissioners of the Housing Authority of the City of Fresno. Roll call was taken and the Commissioners present and absent were as follows:

PRESENT: Adrian Jones, Chair
 Steven Bedrosian
 Karl Johnson
 Virna Santos

ABSENT: Stacy Vaillancourt
 Rueben Scott, Vice Chair
 Caine Christenson

The meeting was called to order at 5:05 p.m. by Board Chair, Commissioner Petty of the Board of Commissioners of the Housing Authority of Fresno County. Roll call was taken and the Commissioners present and absent were as follows:

PRESENT: Jim Petty, Chair
 Stacy Sablan
 Nancy Nelson
 Venilde Miller
 Joey Fuentes
 Mary G. Castro

ABSENT: Reneeta Anthony, Vice Chair

Also, in attendance were the following: Angie Nguyen, Chief of Staff; and Ken Price, Baker Manock and Jensen - General Counsel.

2. APPROVAL OF AGENDA AS POSTED (OR AMENDED)

Commissioner Jim Petty stated item 3 “Acknowledgement of Lee Ann Eager” on the agenda was removed.

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

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

3. ACKNOWLEDGEMENT OF Lee Ann Eager

Item was removed from the agenda.

4. PUBLIC COMMENTS

There were no public comments.

5. POTENTIAL CONFLICTS OF INTEREST

There were no conflicts of interest.

6. CONSENT AGENDA

- a. City: Charge-off Uncollectible Accounts to Collection Losses for the 1st Quarter 2017
- b. County: Charge-off Uncollectible Accounts to Collection Losses for the 1st Quarter 2017
- c. Consideration of the Recruitment and Selection Policy
- d. Consideration of the Revised Conflict of Interest Code
- e. Consideration of the Contract Renewal – California Employment Development Department
- f. Consideration of Services Agreement – CalWORKS – Fresno County Department of Social Services

No public comments.

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

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

7. INFORMATIONAL

- a. Resident Services Presentation – Helm Home

Ms. Angie Nguyen introduce Ms. Deanna Mathies and Ms. Maria Ceballos Tapia guests from the Helm Home Play and Learn Center. Ms. Nguyen stated Fresno Unified School District and the Fresno Housing

Authority partnered with the support of The David and Lucile Packard Foundation to open the Helm Home Play and Learn Center in November of 2016. The partnership was developed with the intent of it being a 10 year investment.

Ms. Nguyen informed that Boards that the focus is to provide services to inform care providers such as the aunt, grandparents, and stay at home parents, enhancing the development of the children. The center provides resources such as Play and Learn, Lending Toy Library, and Parent workshop. These resources and services are provided to parents and care providers that care for a child under the age of three.

The Fresno Housing Authority will cover the operations costs of the Helm Home Play and Learn Center, as well as some of the outreach costs.

The guest presenters, Ms. Deanna Mathies and Ms. Maria Ceballos Tapia, spoke on behalf of the center, identifying the mission to enhance the skills of parents, extended family, and other informal caregivers. Their efforts are gathered around the idea of improving the quality of adult-child interactions in all settings, to ensure children grow to be healthy, ready for kindergarten, and able to reach their fullest potential.

Ms. Tapia further explained the background of the site staff as being former educators, including experience in working with the migrant family population. The staff takes responsibility for connecting families to appropriate resources as well as providing educational supports.

Fresno Housing staff assured the Boards that the tracking process for housing authority participants is being reviewed to ensure we are able to track participants without compromising their privacy on matters such as housing assistance.

b. HAP Pacing Report – 1st Quarter 2017

Ms. Aurora Ibarra Senior Manager from the Assisted Housing Division, presented the Housing Assistance payment (HAP) utilization Quarter 1, Voucher Utilization Quarter 1, and Leasing update.

Commissioner Jim Petty asked if the 343 VASH vouchers are being utilized. Ms. Ibarra responded the reports given to the Board members show the VASH information separate from the HCV City voucher utilization. She added VA is a hard population to house, HUD's SEMAP does not grade on VASH. In addition, Commissioner Petty asked if the 343 VASH voucher are all city vouchers. Ms. Nguyen confirmed that all VASH are in the City's housing program.

In addition, Ms. Doreen Eley stated they are requesting the VA to increase their number of referrals. Ms. Eley stated they have asked the VA for twelve or more referrals each month. Ms. Angie Nguyen added they are encouraging the VA to follow the Fresno Housing Authority criteria.

Furthermore, Ms. Ibarra said the benchmark of 98% of voucher utilization has been set for SEMAP. She added that internally, the staff strived for 99% utilization to capture maximum Administrative Fees. Also, in 2016, the City housing program ended the year at 102.4%, with a year-end utilization rate of 99.11%. On the other hand, the County ended December at 97% with a year-end utilization rate of 98.7%.

Ms. Aurora Ibarra presented on the HCV waiting list and standing of the program. It is expected the waiting list will open sometime in May 2017. The Board Room will be open with laptops during the week of the HCV waiting list opening, giving residents the opportunity to use a computer to apply. Ms. Aurora stated that a public notice will announce dates, times, detailed information regarding the process. Special assistance will be available for reasonable accommodation requests. Ipads will be available in the

lobby. Computer access will also be available at our site-based community rooms. In addition, a partner packet will be created and distribute to our partners with Internet shortcuts and training materials. Lastly, there will be a YouTube channel with “How-To” videos on how to apply.

Commissioner Karl Johnson asked when will the ipads be available for residents. Mr. Bobby Coulter, stated that ipads will be available on May 5, 2017, and will remain in the lobby permanently.

8. ACTION

Michael Duarte gave a brief explanation on the Rental Assistance Demonstration (RAD) program and a short presentation on the action items. RAD is a financial tool administered by HUD for Housing Authorities, allowing them to leverage public and private debt and equity in order to reinvest in their public housing stock. Additionally, after HUD reviews a public housing agency’s (PGAs) RAD application, HUD issues a Commitment to enter into a Housing Assistance Payment (CHAP), allowing PHAs to begin their RAD conversion process.

RAD’s first implementation notice was in July 2012, with submissions due in October 2012. The first phase of RAD allowed for unit versions of up to 60,000 units nationwide, of which Fresno submitted for 500 units – 25% of the agency’s portfolio.

In 2015, the RAD unit conversion cap increased to 185,000 units, modifying their strategy to allow for maximum flexibility in site selection for future conversions. Fresno received an award for the City’s portfolio for 426 units, and the County’s portfolio for 748 units. Subsequently, Fresno Housing submitted for an extension to apply for conversion of additional properties. That extension was granted through May 2017. Thus, with no binding commitment to proceed with the proposed conversions, and no penalties for not converting, Mr. Duarte is requesting the Boards’ approval for the conversion of additional units, as noted in the following action items.

There was no public comment.

a. Consideration of Submission of Rental Assistance Demonstration Application to HUD – Firebaugh LIPH

Commissioner Fuentes motioned for the County Board’s approval of the Submission of Rental Assistance Demonstration application to HUD for the Firebaugh LIPH. This action was seconded by Commissioner Nelson, and by unanimous vote of the Board of Commissioners for the County, the item was approved.

Commissioner Johnson motioned for the City Board’s approval of the Submission of Rental Assistance Demonstration Application to HUD – Firebaugh LIPH. This action was seconded by Commissioner Bedrosian, and by unanimous vote of the Board of Commissioners for the City, the item was approved.

b. Consideration of Submission of Rental Assistance Demonstration Application to HUD – Huron LIPH

Commissioner Sablan motioned for the County Board’s approval of the Submission of Rental Assistance Demonstration Application to HUD – Huron LIPH. This action was seconded by Commissioner Fuentes, and by unanimous vote of the Board of Commissioners for the County, the item was approved.

Commissioner Bedrosian motioned for the City Board’s approval of the Submission of Rental Assistance Demonstration Application to HUD – Huron LIPH. This action was seconded by Commissioner Johnson, and by unanimous vote of the Board of Commissioners for the City, the item was approved.

- c. Consideration of Submission of Rental Assistance Demonstration Application to HUD – Highway City LIPH

Commissioner Nelson motioned for the County Board's approval of the Submission of Rental Assistance Demonstration Application to HUD – Highway City LIPH. This action was seconded by Commissioner Miller, and by unanimous vote of the Board of Commissioners for the County, the item was approved.

Commissioner Santos motioned for the City Board's approval of the Submission of Rental Assistance Demonstration Application to HUD – Highway City LIPH. This action was seconded by Commissioner Bedrosian, and by unanimous vote of the Board of Commissioners for the City, the item was approved.

- d. Consideration of Submission of Rental Assistance Demonstration Application to HUD – Wedgewood Commons LIPH

Commissioner Sablan motioned for the County Board's approval of the Submission of Rental Assistance Demonstration Application to HUD – Wedgewood Commons LIPH. This action was seconded by Commissioner Miller, and by unanimous vote of the Board of Commissioners for the County, the item was approved.

Commissioner Bedrosian motioned for the City Board's approval of the Submission of Rental Assistance Demonstration Application to HUD – Wedgewood Commons LIPH. This action was seconded by Commissioner Johnson, and by unanimous vote of the Board of Commissioners for the City, the item was approved.

- e. Consideration of Submission of Rental Assistance Demonstration Application to HUD – Pinedale LIPH

Commissioner Fuentes motioned for the County Board's approval of the Submission of Rental Assistance Demonstration Application to HUD – Pinedale LIPH. This action was seconded by Commissioner Nelson, and by unanimous vote of the Board of Commissioners for the County, the item was approved.

Commissioner Bedrosian motioned for the City Board's approval of the Submission of Rental Assistance Demonstration Application to HUD – Pinedale LIPH. This action was seconded by Commissioner Johnson, and by unanimous vote of the Board of Commissioners for the City, the item was approved.

- f. Consideration of Submission of Rental Assistance Demonstration Application to HUD – Southwest Fresno (Fairview) LIPH

Commissioner Fuentes motioned for the County Board's approval of the Submission of Rental Assistance Demonstration Application to HUD – Southwest Fresno (Fairview) LIPH. This action was seconded by Commissioner Miller, and by unanimous vote of the Board of Commissioners for the County, the item was approved.

Commissioner Bedrosian motioned for the City Board's approval of the Submission of Rental Assistance Demonstration Application to HUD – Southwest Fresno (Fairview) LIPH. This action was seconded by Commissioner Johnson, and by unanimous vote of the Board of Commissioners for the City, the item was approved.

- g. Consideration of Submission of Rental Assistance Demonstration Application to HUD – Desoto Gardens

Commissioner Nelson motioned for the County Board's approval of the Submission of Rental Assistance Demonstration Application to HUD – Desoto Gardens LIPH. This action was seconded by Commissioner Fuentes, and by unanimous vote of the Board of Commissioners for the County, the item was approved.

Commissioner Bedrosian motioned for the City Board's approval of the Submission of Rental Assistance Demonstration Application to HUD – Desoto Gardens LIPH. This action was seconded by Commissioner Johnson, and by unanimous vote of the Board of Commissioners for the City, the item was approved.

h. Consideration of Out of State Travel – CEO and Commissioners

Ms. Mangum handed out an Amendment to the Out of State Travel for the CEO and Commissioners.

Ms. Mangum presented on the Out-of-State Travel request for the CEO and/or Commissioners. She requested ratification for the CLPHA Strategic Planning Meeting on April 23, 2017 and April 24, 2017, as Mr. Prince recently returned from this trip.

Furthermore, Ms. Mangum reiterated the other noted travel and conference items required the Boards' approval.

Commissioner Sablan motioned for the County Board's approval of the Out of State Travel – CEO and Commissioners. This action was seconded by Commissioner Nelson, and by unanimous vote of the Board of Commissioners for the County, the item was approved.

Commissioner Johnson motioned for the City Board's approval of the Out of State Travel – CEO and Commissioners. This action was seconded by Commissioner Bedrosian, and by unanimous vote of the Board of Commissioners for the City, the item was approved.

9. COMMISSIONERS' REPORT

Commissioner Jones stated the call for proposals ended on May 12, 2017 for the NAHRO National Conference: "Building Bridges to the Future" in Pittsburg, PA in October 2017. Ms. Jones shared that NAHRO is working to better equip the Commissioners to become better Commissioners.

Commissioner Sablan thanked and congratulated the Fresno Housing staff for their work on completing, organizing, and executing the grand opening of Rio Villas in Firebaugh, which was a success. She stated she is looking forward to the future development work in her community.

Additionally, Commissioner Sablan stated that she and Commissioner Scott enjoyed being on the interview panel for the Deputy Executive Director candidates. She stated she enjoyed hearing that the candidates visited the properties to observe the developments and visit with the residents of Fresno Housing.

10. EXECUTIVE DIRECTOR'S REPORT

In addition to the written report, the following was announced:

Ms. Nguyen stated that the Fresno Housing Authority Executive Director has conducted the interviews for the Deputy Executive Director position, stating that the top three candidates for the Deputy Executive Director position will be scheduled to meet with the Fresno Housing Authority Directors. The meeting is for the Directors to provide feedback and share with the candidates their role in the agency.

A Fresno Housing Authority staff member, Veronica Renteria, from the Resident Services Program, has a son who wanted to make a difference and help the homeless in our community. The staff call him Bean. Bean wanted to start a drive and collect pillows to give to the homeless, wanting the homeless to have something to rest their heads. This project was named the Bean Project, which collected 120 pillows. Another staff member, Adam Smith prepared an award for Bean, highlighting his great contribution to the community. The pillows were donated to a local nonprofit agency Wings of Fresno. Wings of Fresno collects household goods and partners with local service providers to assist clients with moving into a move-in-ready home. These providers will ensure the pillows are distributed to those in need.

Digibus visited our Oak Grove site, where a training was conducted, having the largest turnout with 45 residents present. Ms. Nguyen congratulated Ms. Irma Garcia, Resident Services Coordinator, and Mr. Bobby Coulter for making this training possible. The turnout contributed to us reaching our goal of 5 participants for the year. Additionally, Ms. Nguyen stated the Fresno County Library also contributed to such a great response from residents and we are looking forward to their support with the opening of the HCV waiting list.

Ms. Nguyen reviewed the HUD Compliance Review letter. HUD contacted the Fresno Housing Authority sometime in March, requesting the items listed in the letter. HUD is requesting the documents by April 2017, and will be conducting the audit in May. However, the onsite audit will be conducted in August.

Ms. Nguyen said HUD is requesting an interview with the Board of Commissioners. She said this the first time HUD is conducting interviews. She said from her past experience at the NAHRO Conference and Housing Committee, HUD is taking a special interest in conducting the interview to review the Commissioners' are engaged, review the information shared are understood, and to review the relationship with the CEO Executive Director. She stated the interest from HUD is to ensure the roles of the Board of Commissioners and the agency is cohesive.

Please save the following dates:

- May 10, 2017 the Renaissance of Parc Grove groundbreaking. Secretary Vito Imbasciani from the Department of Veterans Affairs and Congressman Jim Costa are expected to attend. The Policy conversation for the Homeless will take place at Parc Grove,.
- May 15, 2017; the grand opening of Legacy Commons and the ground breaking Phase II of Legacy Commons.
- Local Board Retreat is on May 17, 2017 from 9:00am to 2pm.
- May 25, 2014 TCAP will be hosting a workshop at Cueva de Oso in Selma.

Also, Ms. Nguyen presented the new hires or promotion.

- New hires: Maricela Diaz, Office Assistance II for the Quality Assurance, and Rizza Pedrigal, Accountant.
- Promotions: Aurora Ibarra, Senior Manager-HCV, Cassie Morgan, Senior Data Analyst, Hilda Reeves, Senior Manager-Housing Management.

Public Comments:

Eric Payne resident from West Fresno formerly welcome the newest Commissioner Mary G. Castro from Fresno State. He sated he enjoyed hearing from her and that he is looking forward great work from her.

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 6:41 pm.

Preston Prince, Secretary to the Boards of Commissioners

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TO: Boards of Commissioners

Fresno Housing Authority

FROM: Preston Prince

CEO



DATE: June 22, 2017

BOARD MEETING: June 27, 2017

AGENDA ITEM: 8b

AUTHOR: Tiffany Mangum

SUBJECT: Consideration of Modifying Board Minutes

Executive Summary

Meeting minutes are a critical part of a public agency's operations. They are intended to provide the public with a record of actions taken by the agency's board. At a minimum, minutes should include the date, time and location of the meeting, a listing of which commissioners in attendance and absent, matters to be considered along with a clear description of each motion considered by the boards, each Commissioner's vote, and a record of any public comment made during the meeting.

The Fresno Housing Authority maintains a policy of transparency for all activities and complies with the Brown Act. Presently, the agency uses the "narrative" approach to recording minutes, which requires the preparer of the minutes to effectively summarize each comment made during the Commission meeting. This approach can be useful because it can provide the public with descriptions of the commissioners' deliberations for each item. However, the agency's meetings can be lengthy and the subject matters are complex. As a result, the narrative approach to recording meeting minutes can be difficult to navigate and may not accurately reflect the comments made at the meeting. This is because the staff person who prepares the minutes must interpret and summarize all of the comments made during the course of the meeting. Moreover, such comments may not even be relevant to the underlying action taken by the commissioners.

After reviewing this matter with legal counsel, staff is recommending the agency convert its approach from narrative minutes to "action" minutes. Under this new approach, agency minutes will contain the following items:

1. The day and time of the meeting;
2. A list of commissioners attending and absent;
3. A description of each item on the agenda;
4. A description of each motion made during the meeting as well as the name of the Commissioner making the motion and the second;

5. The result of each action taken, including the vote of each member and the identity and reason for those recusing or abstaining from the action; and
6. The name of any public making comments and a brief summary of those comments.

Additionally, consistent with current agency policy, all staff reports prepared for each meeting and other materials distributed during the meeting would be included in the record of the meeting. The agency records audio of all full commission meetings and retains those recording for a period of no more than 6 months. The Boards may desire to extend the time period for the agency to maintain these records. However, legal counsel has advised that the retention of such tapes should be limited to a defined period (i.e. 6 months, one-year, five years). Agency minutes along with resolutions are never discarded.

Staff is attaching a copy of sample of actions minutes currently used by the Palo Alto City Council. The action minutes would generally track this format.

Recommendation

Authorize staff to prepare “action minutes” as opposed to “narrative minutes” for the Boards of Commissioners and standing committee meetings.

Fiscal Impact

None at this time.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF THE CITY OF FRESNO

**RESOLUTION AUTHORIZING STAFF TO PREPARE “ACTION MINUTES” AS OPPOSED
TO “NARRATIVE MINUTES” FOR THE BOARDS OF COMMISSIONERS AND
STANDING COMMITTEE MEETINGS**

WHEREAS, the Housing Authority of the City of Fresno, California (“the Authority”) seeks to maintain its standard of transparency and compliance with the provisions of the Ralph M. Brown Act; and,

WHEREAS, the minutes of the Authority are critical to the operations of the agency, and its record of actions taken by the Board; and,

WHEREAS, the Board desires to convert its approach from narrative minutes to “action” minutes for the purposes of maintaining an accurate record of all activity of the Boards; and,

WHEREAS, said approach to preparing minutes of the Authority’s Board, is consistent with current practices of maintaining Board records, including staff reports, supporting memorandums, presentations, etc.;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno, California, hereby authorizes the CEO/Executive Director, and/or his designee, to prepare “action minutes” for the Board of Commissioners and all other standing committee meetings, as part of the ongoing record of Board action and activities.

PASSED AND ADOPTED THIS 27th DAY OF JUNE, 2017. 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 STAFF TO PREPARE “ACTION MINUTES” AS OPPOSED
TO “NARRATIVE MINUTES” FOR THE BOARDS OF COMMISSIONERS AND
STANDING COMMITTEE MEETINGS**

WHEREAS, the Housing Authority of Fresno County, California (“the Authority”) seeks to maintain its standard of transparency and compliance with the provisions of the Ralph M. Brown Act; and,

WHEREAS, the minutes of the Authority are critical to the operations of the agency, and its record of actions taken by the Board; and,

WHEREAS, the Board desires to convert its approach from narrative minutes to “action” minutes for the purposes of maintaining an accurate record of all activity of the Boards; and,

WHEREAS, said approach to preparing minutes of the Authority’s Board, is consistent with current practices of maintaining Board records, including staff reports, supporting memorandums, presentations, etc.;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County, California, hereby authorizes the CEO/Executive Director, and/or his designee, to prepare “action minutes” for the Board of Commissioners and all other standing committee meetings, as part of the ongoing record of Board action and activities.

PASSED AND ADOPTED THIS 27th DAY OF JUNE, 2017. 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



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
May 22, 2017

The City Council of the City of Palo Alto met on this date in the Community Meeting Room at 5:05 P.M.

Present: DuBois, Filseth, Fine, Holman, Kniss arrived at 6:35 P.M., Kou, Scharff, Tanaka, Wolbach arrived at 5:13 P.M.

Absent:

Palo Alto Youth Council

Present: Antony, Ashoke, Bahl, Cheng, Hristov, Ilegart, Kao, Keyani, Kumar, Li, Pujji, Qi, Quigley, Sales, Tadimeti, Yu

Absent: Ji, Sandhu

Parks and Recreation Commission

Present: Cribbs Warner, Greenfield, LaMere, McCauley, McDougall, Moss, Reckdahl

Absent:

Study Session

1. Joint Study Session With the Palo Alto Youth Council.

Council took a break from 5:58 P.M. to 6:07 P.M.

2. Joint Study Session With the Parks and Recreation Commission.

Council took a break from 7:04 P.M. to 7:14 P.M. and reconvened in the Council Chambers.

Agenda Changes, Additions and Deletions

None.

ACTION MINUTES

Minutes Approval

3. Approval of Action Minutes for the May 8, 2017 Council Meeting.

MOTION: Vice Mayor Kniss moved, seconded by Council Member Wolbach to approve the Action Minutes for the May 8, 2017 Council Meeting.

MOTION PASSED: 9-0

Consent Calendar

MOTION: Mayor Scharff moved, seconded by Vice Mayor Kniss to approve Agenda Item Numbers 4-6.

4. Preliminary Approval of the Downtown Business Improvement District (BID) 2017-2018 Annual Report; Resolution 9679 Entitled, "Resolution of the Council of the City of Palo Alto Declaring an Intention to Levy an Assessment Against Businesses Within the BID for Fiscal Year 2018 and Setting a Time and Place for a Public Hearing on June 12, 2017 at 6:00 PM or Thereafter, in the City Council Chambers."
5. Approval of Amendment Number 3 to Professional Services Contract Number C15157200 With Walker Parking Consultants for the Design of a Downtown Automated Parking Guidance System Extending the Contract Term Through June 30, 2018.
6. Resolution 9680 Entitled, "Resolution of the Council of the City of Palo Alto Amending Utility Rate Schedule D-1 (General Storm and Surface Water Drainage) to Implement the Storm Water Management Fee Approved by Palo Alto Property Owners via Mail Ballot Election on April 11, 2017."

MOTION PASSED: 9-0

Action Items

7. Parks, Trails, Natural Open Space and Recreation Master Plan.

MOTION: Council Member DuBois moved, seconded by Vice Mayor Kniss to direct Staff to strengthen the language of Programs 6.C.1, 6.C.2, and 6.C.3 to minimize private, exclusive use and when such uses are allowed, charge significant fees.

ACTION MINUTES

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "and include specific outreach language."

MOTION AS AMENDED RESTATED: Council Member DuBois moved, seconded by Vice Mayor Kniss to direct Staff to strengthen the language of Programs 6.C.1, 6.C.2, and 6.C.3 to minimize private, exclusive use and when such uses are allowed, charge significant fees and include specific outreach language.

MOTION AS AMENDED PASSED: 7-2 Fine, Tanaka no

Council took a break from 8:59 P.M. to 9:04 P.M.

8. Comprehensive Plan Update: Review of the Draft Business & Economics Element Recommended by the Citizens Advisory Committee (Continued from May 15, 2017).

MOTION: Mayor Scharff moved, seconded by Council Member Wolbach to direct Staff to prepare a revised draft of the Business and Economics Element for referral to the Planning and Transportation Commission.

AMENDMENT: Council Member Tanaka moved, seconded by Mayor Scharff to add to the Motion, "including the following change, replace in Policy B-6.1, 'small office' with 'office.'"

SUBSTITUTE AMENDMENT: Council Member Wolbach moved, seconded by Mayor Scharff to add to the Motion, "including the following change, replace in Policy B-6.1, 'containing' with 'prioritizing' and add to Policy B-6.1, 'start ups' after 'small office.'" (New Part A)

SUBSTITUTE AMENDMENT PASSED: 9-0

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "add to Policy B-4.2, 'start-ups' after 'small businesses.'" (New Part B)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "add to Program B4.2.1, 'start-ups' after 'small businesses.'" (New Part C)

ACTION MINUTES

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "add to Policy B-4.3, 'and start-ups' after 'small businesses.'" (New Part D)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "add to Policy B-3.1, 'adds real accounting of unfunded pension liability and unfunded benefit costs.'" (New Part E)

AMENDMENT: Vice Mayor Kniss moved, seconded by Council Member DuBois to add to the Motion, "replace in Program B1.1.1, 'direct the Palo Alto Office of Economic Development to' with 'direct the City Manager to.'" "

AMENDMENT RESTATED: Vice Mayor Kniss moved, seconded by Council Member DuBois to add to the Motion, "replace in Program B1.1.1, 'direct the Palo Alto Office of Economic Development to implement the' with 'implement an.'" "

SUBSTITUTE AMENDMENT: Council Member Holman moved, seconded by Council Member XX to add to the Motion, "replace in Program B1.1.1, 'direct the Palo Alto Office of Economic Development to implement the Economic Development Policy, as periodically amended, to guide business development' with 'the Palo Alto Office of Economic Development implements the Economic Development Policy, as periodically amended to guide business activities.'" "

SUBSTITUTE AMENDMENT FAILED DUE TO THE LACK OF A SECOND

AMENDMENT RESTATED: Vice Mayor Kniss moved, seconded by Council Member DuBois to add to the Motion, "replace in Program B1.1.1, 'direct the Palo Alto Office of Economic Development to implement the' with 'implement an.'" (New Part F)

AMENDMENT PASSED: 7-2 Fine, Holman no

AMENDMENT: Council Member Filseth moved, seconded by Council Member Holman to add to the Motion, "remove Policy B-2.3."

AMENDMENT RESTATED: Council Member Filseth moved, seconded by Council Member Holman to add to the Motion, "add to Policy B-2.3, 'with a priority on neighborhood quality of life.'" (New Part G)

AMENDMENT PASSED: 9-0

ACTION MINUTES

AMENDMENT: Council Member Filseth moved, seconded by Mayor Scharff to add to the Motion, "remove Programs B4.6.2 and B4.6.3."

AMENDMENT TO THE AMENDMENT: Council Member Holman moved, seconded by Vice Mayor Kniss to replace in the Amendment, "remove Programs B4.6.2 and" with "replace in Program B4.6.2, 'study the impacts of on-line shopping on local traditional' with 'consider the impacts of on-line shopping on brick and mortar' and remove Program."

AMENDMENT TO THE AMENDMENT FAILED: 4-5 Holman, Kniss, Kou, Wolbach yes

AMENDMENT SPLIT FOR THE PURPOSE OF VOTING

AMENDMENT1 RESTATED: Council Member Filseth moved, seconded by Mayor Scharff to add to the Motion, "remove Program B4.6.2."

AMENDMENT2 RESTATED: Council Member Filseth moved, seconded by Mayor Scharff to add to the Motion, "remove Program B4.6.3."

SUBSTITUTE AMENDMENT1: Council Member Wolbach moved, seconded by Vice Mayor Kniss to add to the Motion, "replace in Program B4.6.2, 'study' with 'consider' and 'develop' with 'consider.'"

SUBSTITUTE AMENDMENT1 FAILED: 2-7 Kniss, Wolbach yes

AMENDMENT1 RESTATED: Council Member Filseth moved, seconded by Mayor Scharff to add to the Motion, "remove Program B4.6.2." (New Part H)

AMENDMENT1 PASSED: 7-2 Holman, Wolbach no

AMENDMENT2 RESTATED: Council Member Filseth moved, seconded by Mayor Scharff to add to the Motion, "remove Program B4.6.3." (New Part I)

AMENDMENT2 PASSED: 6-3 Kniss, Tanaka, Wolbach no

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "replace in Policy B-5.1, 'flexibility' with 'efficiency.'" (New Part J)

AMENDMENT: Council Member Filseth moved, seconded by Mayor Scharff to add to the Motion, "remove Policy B-5.3."

ACTION MINUTES

SUBSTITUTE AMENDMENT: Council Member Wolbach moved, seconded by Vice Mayor Kniss to add to the Motion, "replace in Policy B-5.3, 'strengthen the role of the Office of' with 'focus on.'" (New Part K)

SUBSTITUTE AMENDMENT PASSED: 7-2 Filseth, Holman no

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECOND to add to the Motion, "clean up and potentially merge Policies B-6.5 and B-6.6 for consistency and confirm if these Policies belong in the Business and Economics Element." (New Part L)

AMENDMENT: Council Member DuBois moved, seconded by Council Member Kou to add to the Motion, "replace Goal B-2 with, 'a thriving business environment that is compatible with Palo Alto's residential character and natural environment.'" "

INCORPORATED INTO THE AMENDMENT WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Amendment, "complements and" after "environment that" and replace in the Amendment, "character" with "neighborhoods."

AMENDMENT AS AMENDED RESTATED: Council Member DuBois moved, seconded by Council Member Kou to add to the Motion, "replace Goal B-2 with, 'a thriving business environment that complements and is compatible with Palo Alto's residential neighborhoods and natural environment.'" (New Part M)

AMENDMENT AS AMENDED PASSED: 6-3 Fine, Scharff, Tanaka no

AMENDMENT: Council Member DuBois moved, seconded by Council Member Holman to add to the Motion, "replace Policy B-2.4 with, 'consider a variety of planning and regulatory tools including growth limits, to ensure change is compatible with the needs of Palo Alto neighborhoods.'" (New Part N)

AMENDMENT PASSED: 5-4 Fine, Kniss, Scharff, Tanaka no

AMENDMENT: Council Member Holman moved, seconded by Council Member DuBois to add to the Motion, "add to Policy B-7.7, 'discourage zoning actions that could increase the cost of business space' after 'outdated space.'" "

AMENDMENT FAILED: 4-5 DuBois, Filseth, Holman, Kou yes

ACTION MINUTES

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "replace in Goal B-5, 'flexibility' with 'efficiency' and replace in Subsection Flexibility and Predictability, 'flexibility' with 'efficiency.'" (New Part O)

AMENDMENT: Council Member Holman moved, seconded by Council Member Kou to add to the Motion, "include in Policy B-1.7, 'on an ongoing basis, evaluate opportunities for City involvement in public/private partnerships, including public investment in infrastructure and other improvements, siting of public art, and modification of land use regulations and other development controls.'" "

AMENDMENT FAILED: 3-6 DuBois, Holman, Kou yes

AMENDMENT: Council Member Holman moved, seconded by Council Member XX to add to the Motion, "replace in Policy B-4.4, 'a mix of' with 'a prioritization of.'" "

AMENDMENT FAILED DUE TO THE LACK OF A SECOND

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "replace in Subsection Retail, 'retail sales tax provides approximately five percent of total revenues' with 'retail sales tax provides approximately XX percent of general fund revenues' and direct Staff to include the correct percentage." (New Part P)

MOTION AS AMENDED RESTATED: Mayor Scharff moved, seconded by Council Member Wolbach to direct Staff to prepare a revised draft of the Business and Economics Element for referral to the Planning and Transportation Commission including the following changes:

- A. Replace in Policy B-6.1, "containing" with "prioritizing" and add to Policy B-6.1, "start-ups" after "small office;" and
- B. Add to Policy B-4.2, "start-ups" after "small businesses;" and
- C. Add to Program B4.2.1, "start-ups" after "small businesses;" and
- D. Add to Policy B-4.3, "and start-ups" after "small businesses;" and
- E. Add to Policy B-3.1, "adds real accounting of unfunded pension liability and unfunded benefit costs;" and

ACTION MINUTES

- F. Replace in Program B1.1.1, "direct the Palo Alto Office of Economic Development to implement the" with "implement an;" and
- G. Add to Policy B-2.3, "with a priority on neighborhood quality of life;" and
- H. Remove Program B4.6.2; and
- I. Remove Program B4.6.3; and
- J. Replace in Policy B-5.1, "flexibility" with "efficiency;" and
- K. Replace in Policy B-5.3, "strengthen the role of the Office of" with "focus on;" and
- L. Clean up and potentially merge Policies B-6.5 and B-6.6 for consistency and confirm if these Policies belong in the Business and Economics Element; and
- M. Replace Goal B-2 with, "a thriving business environment that complements and is compatible with Palo Alto's residential neighborhoods and natural environment;" and
- N. Replace Policy B-2.4 with, "consider a variety of planning and regulatory tools including growth limits, to ensure change is compatible with the needs of Palo Alto neighborhoods;" and
- O. Replace in Goal B-5, "flexibility" with "efficiency" and replace in Subsection Flexibility and Predictability, "flexibility" with "efficiency;" and
- P. Replace in Subsection Retail, "retail sales tax provides approximately five percent of total revenues" with "retail sales tax provides approximately XX percent of general fund revenues" and direct Staff to include the correct percentage.

MOTION AS AMENDED PASSED: 9-0

Inter-Governmental Legislative Affairs

None.

ACTION MINUTES

Council Member Questions, Comments and Announcements

Council Member DuBois reported his attendance along with approximately 130 attendees at the Rail Program Community Workshop this past Saturday. He expressed his appreciation to Staff for running the meeting well. He shared his attendance at the Barron Park May Fete Festival at Bol Park on Sunday.

Council Member Filseth requested an update from Staff regarding AB1250, which would regulate cities' ability to contract.

James Keene, City Manager shared Charter Cities, such as Palo Alto, may be exempt from AB1250. He announced that Staff will return with more information regarding AB1250.

Council Member Tanaka reported meeting with United States Secretary of Transportation Elaine Chao, Peninsula Corridor Joint Powers Board (Caltrain) Chair Jeff Gee, and Millbrae City Council Member Wayne Lee in Washington, D.C. He reported feeling encouraged following the meeting, but read the next morning that additional federal Caltrain funding was not forth coming. He shared that he met with Norman Mineta, former United States Secretary of Transportation who encouraged persistence with the Department of Transportation regarding Caltrain funding. Council Member Tanaka commented that federal funding would be important as Palo Alto considers grade separations along the Caltrain Corridor.

Vice Mayor Kniss announced her attendance at the Rail Program Community Workshop. She requested a copy of the City's original rail study.

Adjournment: The meeting was adjourned at 11:13 P.M.

BOARD MEMO

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www.fresnohousing.org

TO: Boards of Commissioners

Fresno Housing Authority

FROM: Preston Prince

CEO/Executive Director

DATE: June 22, 2017

BOARD MEETING: June 27, 2017

AGENDA ITEM: 9a

AUTHOR: Angelina Nguyen

SUBJECT: Boys and Girls Club – Mid-Year Update

Executive Summary

This memo serves as a placeholder for Luis Flores, Director of Operations for the Boys and Girls Club of Fresno County to present at the Board Meeting on Tuesday, June 27, 2017. Mr. Flores will provide a mid-year update on Boys and Girls Club activities.

BOARD MEMO

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TO: Boards of Commissioners

DATE: June 22, 2017

Fresno Housing Authority

BOARD MEETING: June 27, 2017

FROM: Preston Prince



AGENDA ITEM: 9b

CEO/Executive Director

AUTHOR: Angie Nguyen

SUBJECT: Housing Access & Reentry

Executive Summary

Introductory discussion on opportunities to improve access to housing for families facing potential barriers to reunification and stability imposed by existing policies.

While Fresno Housing (FH) believes its policies allow flexibility and discretion, there is a desire to explore greater flexibility to target populations that may otherwise be subject to disparate impact. Such opportunities may be created through community partnerships, grant opportunities, agency policy, and/or demonstration/pilot programs.

Recommendation

No recommendation or Board action requested at this time. Informational item only.

Fiscal Impact

No fiscal impact determined at this time. Informational item only.

Background Information

The Department of Housing and Urban Development (HUD) has been an active member of the Federal Interagency Reentry Council comprised of several Federal agencies that discuss and act on “collateral consequences” that individuals and their families may face because they or a family member has been incarcerated or has been involved with the criminal justice system. In November 2015, HUD issued Notice PIH 2015-19 titled Guidance for Public Housing Agencies and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions. The notice served as a reminder to PHAs of obligations to ensure admissions and occupancy requirements complied with applicable fair housing and civil rights acts and that adoption of “one strike” policies were not required. Some best practices and peer examples were also noted.



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

Public and Indian Housing

Special Attention of:
Public Housing Agency Directors
Public Housing Hub Offices Directors
Public Housing Field Office Directors
Resident Management Corporations
All Multifamily Hub Directors
All Multifamily Program Center Directors

Notice PIH 2015-19

Issued: November 2, 2015

Expires: This notice remains in effect until amended, superseded, or rescinded.

Subject: Guidance for Public Housing Agencies (PHAs) and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions

1. Background

For the past five years HUD has been an active member of the Federal Interagency Reentry Council. This Council, made up of more than 23 Federal Agencies, meets on a regular basis to act on issues that affect the lives of those released from incarceration. An important aspect of the Reentry Council's work has been to have each Federal Agency identify and address "collateral consequences" that individuals and their families may face because they or a family member has been incarcerated or has had any involvement with the criminal justice system.¹

In 2011, former HUD Secretary Shaun Donovan issued a letter to public housing authorities (PHAs) across the country emphasizing the importance of providing "second chances" for formerly incarcerated individuals.² Secretary Donovan urged PHAs to adopt admission policies that achieve a sensible and effective balance between allowing individuals with a criminal record to access HUD-subsidized housing and ensuring the safety of all residents of such housing. A year later, Secretary Donovan encouraged owners of HUD-assisted multifamily properties ("owners") to do the same and reiterated HUD's goal of "helping ex-offenders gain access to one of the most fundamental building blocks of a stable life – a place to live." HUD has also previously stressed the troubling relationship between housing barriers for individuals with criminal records and homelessness, stating that "the difficulties in reintegrating into the community increase the risk of homelessness for released prisoners, and homelessness in turn

¹ For more information on the initiatives of the Council members, see <https://csgjusticecenter.org/nrrc/projects/firc/snapshots/>.

² Letter from Shaun Donovan, Secretary, United States Department of Housing and Urban Development, to Public Housing Authority Executive Directors (June 17, 2011), available at http://usich.gov/resources/uploads/asset_library/Rentry_letter_from_Donovan_to_PHAs_6-17-11.pdf.

increases the risk of subsequent re-incarceration.”³

At a time when an estimated 100 million (or nearly one in three) Americans have some type of criminal record,⁴ HUD remains committed to the goal of providing second chances to formerly incarcerated individuals where appropriate and to ensuring that individuals are not denied access to HUD-subsidized housing on the basis of inaccurate, incomplete, or otherwise unreliable evidence of past criminal conduct. With those aims, and in response to requests from housing providers and prospective tenants for guidance from HUD regarding the proper use of criminal records in housing decisions, HUD is issuing this notice.

2. Purpose

The purpose of this Notice is to inform PHAs and owners of other federally-assisted housing that arrest records may not be the basis for denying admission, terminating assistance or evicting tenants, to remind PHAs and owners that HUD does not require their adoption of “One Strike” policies, and to remind them of their obligation to safeguard the due process rights of applicants and tenants.

The Notice also reminds PHAs and owners of their obligation to ensure that any admissions and occupancy requirements they impose comply with applicable civil rights requirements contained in the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, and Titles II and III of the Americans with Disabilities Act of 1990, and the other equal opportunity provisions listed in 24 CFR 5.105.

Finally, the Notice provides best practices and peer examples for PHAs and owners to review.

3. HUD Does Not Require PHAs and Owners to Adopt “One Strike” Policies

HUD does not require that PHAs and owners adopt or enforce so-called “one-strike” rules that deny admission to anyone with a criminal record or that require automatic eviction any time a household member engages in criminal activity in violation of their lease. Instead, in most cases, PHAs and owners have discretion to decide whether or not to deny admission to an applicant with certain types of criminal history, or terminate assistance or evict a household if a tenant, household member, or guest engages in certain drug-related or certain other criminal activity on or off the premises (in the case of public housing) or on or near the premises (in the case of Section 8 programs).⁵

³ Guidance on Housing Individuals and Families Experiencing Homelessness Through the Public Housing and Housing Choice Voucher Programs, HUD PIH Notice 2013-15 (HA), 8 (June 10, 2013), available at <http://1.usa.gov/1afx3VY>.

⁴ Bureau of Justice Statistics, U.S. Dep’t of Justice, *Survey of State Criminal History Information Systems*, 2012, 3 (Jan. 2014), available at <https://www.ncjrs.gov/pdffiles1/bjs/grants/244563.pdf>.

⁵ HUD regulations outline the limited instances where denial of admission or termination of assistance is required in the public housing, Housing Choice Voucher and Section 8 multifamily programs. See 24 CFR Part 5, subpart I; Part 960, subpart B; Part 966, subpart A; Part 982, subpart L.

In deciding whether to exercise their discretion to admit or retain an individual or household that has engaged in criminal activity, PHAs and owners may consider all of the circumstances relevant to the particular admission or eviction decision, including but not limited to: the seriousness of the offending action; the effect that eviction of the entire household would have on family members not involved in the criminal activity; and the extent to which the leaseholder has taken all reasonable steps to prevent or mitigate the criminal activity. Additionally, when specifically considering whether to deny admission or terminate assistance or tenancy for illegal drug use by a household member who is no longer engaged in such activity, a PHA or owner may consider whether the household member is participating in or has successfully completed a drug rehabilitation program, or has otherwise been rehabilitated successfully.⁶

4. An Arrest is Not Evidence of Criminal Activity that Can Support an Adverse Admission, Termination, or Eviction Decision

Subject to limitations imposed by the Fair Housing Act and other civil rights requirements,⁷ PHAs and owners generally retain broad discretion in setting admission, termination of assistance, and eviction policies for their programs and properties. Even so, such policies must ensure that adverse housing decisions based upon criminal activity are supported by sufficient evidence that the individual engaged in such activity. Specifically, before a PHA or owner denies admission to, terminates the assistance of, or evicts an individual or household on the basis of criminal activity by a household member or guest, the PHA or owner must determine that the relevant individual engaged in such activity.

HUD has reviewed relevant case law and determined that the fact that an individual was arrested is not evidence that he or she has engaged in criminal activity. Accordingly, the fact that there has been an arrest for a crime is not a basis for the requisite determination that the relevant individual engaged in criminal activity warranting denial of admission, termination of assistance, or eviction.

An arrest shows nothing more than that someone probably suspected the person apprehended of an offense. In many cases, arrests do not result in criminal charges, and even where they do, such charges can be and often are dismissed or the person is not convicted of the crime alleged. In fact, in the 75 largest counties in the country, approximately one-third of felony arrests did not result in conviction, with about one-quarter of all cases ending in dismissal.⁸

Moreover, arrest records are often inaccurate or incomplete (e.g., by failing to indicate whether

⁶ See 24 CFR 5.852, 960.203(d), 966.4(l)(5)(vii), 982.310(h) (describing PHA and owner discretion in screening and evictions actions related to criminal activity).

⁷ See 24 CFR 5.852(e) (“admission and eviction decisions must be consistent with fair housing and equal opportunity provisions of [24 CFR 5.105]”); see also 24 CFR 960.202(c)(3), 966.6(l)(vii)(F), 982.310(h)(4), 982.552(c)(2)(v).

⁸ Brian A. Reaves, Bureau of Justice Statistics, U.S. Dep’t of Justice, *Felony Defendants in Large Urban Counties, 2009*, at 22, Table 21 (2013), <http://www.bjs.gov/content/pub/pdf/fdluc09.pdf>.

the individual was prosecuted, convicted, or acquitted), such that reliance on arrests not resulting in conviction as the basis for denying applicants or terminating the assistance or tenancy of a household or household member may result in unwarranted denials of admission to or eviction from federally subsidized housing.⁹

With respect to the Section 8 tenant-based and moderate rehabilitation programs, HUD regulations specifically provide that termination of assistance for criminal activity must be based on a “preponderance of the evidence” that the tenant, or other household member, or guest engaged in such activity. For public housing as well, applicants or tenants may not be denied admission or evicted based on mere suspicion that they, a household member, or guest has engaged in criminal activity. Where PHAs or owners seek eviction, they should be prepared to persuade a court that the eviction is justified based on sufficient evidence of criminal activity in violation of the lease.

For these reasons, a PHA or owner may not base a determination that an applicant or household engaged in criminal activity warranting denial of admission, termination of assistance, or eviction on a record of arrest(s).

Although a record of arrest(s) may not be used to deny a housing opportunity, PHAs and owners may make an adverse housing decision based on the conduct underlying an arrest if the conduct indicates that the individual is not suitable for tenancy and the PHA or owner has sufficient evidence other than the fact of arrest that the individual engaged in the conduct. The conduct, not the arrest, is what is relevant for admissions and tenancy decisions.

An arrest record can trigger an inquiry into whether there is sufficient evidence for a PHA or owner to determine that a person engaged in disqualifying criminal activity, but is not itself evidence on which to base a determination. PHAs and owners can utilize other evidence, such as police reports detailing the circumstances of the arrest, witness statements, and other relevant documentation to assist them in making a determination that disqualifying conduct occurred. Reliable evidence of a conviction for criminal conduct that would disqualify an individual for tenancy may also be the basis for determining that the disqualifying conduct in fact occurred.

5. Protecting the Due Process Rights of Applicants and Tenants

Federal law requires that PHAs provide public housing, project-based Section 8, and Section 8 HCV applicants with notification and the opportunity to dispute the accuracy and relevance of a criminal record *before* admission or assistance is denied on the basis of such record. Public housing and Section 8 applicants also must be afforded the right to request an informal hearing

⁹ See, e.g., U.S. Dep’t of Justice, *The Attorney General’s Report on Criminal History Background Checks* at 3, 17 (June 2006), http://www.justice.gov/olp/ag_bgchecks_report.pdf (reporting that the FBI’s Interstate Identification Index system, which is the national system designed to provide automated criminal history record information and “the most comprehensive single source of criminal history information in the United States,” is “still missing final disposition information for approximately 50 percent of its records”).

or review *after* an application for housing assistance is denied.

As with admissions decisions, federal law requires that PHAs provide public housing, project-based Section 8, and Section 8 HCV tenants with notice and the opportunity to dispute the accuracy and relevance of a criminal record before they evict or terminate the tenant's assistance on the basis of such record. Moreover, PHAs and owners may only terminate the tenancy or assistance of a public housing or project-based Section 8 tenant through either a judicial action in state or local court, or, in the case of a Section 8 HCV participant, through an administrative grievance hearing before an impartial hearing officer appointed by the PHA. In either case, the tenant must be afforded the basic elements of due process, including the right to be represented by counsel, to question witnesses, and to refute any evidence presented by the PHA or owner.

6. Civil Rights Requirements and Consistent Application of Procedures and Standards

PHAs and owners must ensure that any screening, eviction, or termination of assistance policies and procedures comply with all applicable civil rights requirements contained in the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, and Titles II and III of the Americans with Disabilities Act of 1990, and the other equal opportunity provisions listed in 24 CFR 5.105. To that end, a PHA or owner should institute protocols that assure that its procedures and standards are consistently applied and that decisions are made based on accurate information. Inconsistent application of standards or decisions based on partial or inaccurate information may result in liability under federal civil rights laws. See, e.g., *Allen v. Muriello*, 217 F. 3rd 517 (7th Cir. 2000) (allegation that African American applicant for federal housing assistance was given less opportunity to contest erroneous record of criminal activity than two similarly situated white applicants established a prima facie case of discrimination under the Fair Housing Act).

7. Best Practices and Peer Examples

PHAs and owners are encouraged to adopt admissions and continuing occupancy policies based on the best practices highlighted below to guard against unwarranted denial of assistance, termination from program participation, or eviction from federally assisted housing. These best practices incorporate clear standards for using information about criminal history in an admission or continuing participation decision. PHAs and owners are also encouraged to read the Shriver Report entitled "When Discretion Means Denial: A National Perspective on Criminal Records Barriers to Federally Subsidized Housing."

Examples of PHA Best Practices on the Use of Criminal Records

A. Many PHAs have adopted written admission policies that limit their criminal record screening to assessments of conviction records.

Examples of PHA Best Practices on Screening for Criminal Activity

A. Some PHAs allow public housing and Housing Choice Voucher applicants to address and present mitigating circumstances regarding criminal backgrounds prior to admission decisions. In some cases, doing so has produced cost savings due to fewer decision appeals.

B. Some PHAs have adopted lookback periods that limit what criminal conduct is considered during the screening process based on when the conduct occurred and/or the type of conduct. For example, when screening HCV applicants, one PHA has adopted a twelve-month lookback period for drug-related criminal activity and a twenty-four month lookback period for violent and other criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

C. Some PHAs have adopted admission policies that enumerate the specific factors that will be considered when the PHA evaluates an individual's criminal record, including:

- a. Whether the applicant's offense bears a relationship to the safety and security of other residents;
- b. The level of violence, if any, of the offense for which the applicant was convicted;
- c. Length of time since the conviction;
- d. The number of convictions that appear on the applicant's criminal history;
- e. If the applicant is now in recovery for an addiction, whether the applicant was under the influence of alcohol or illegal drugs at the time of the offense; and
- f. Any rehabilitation efforts that the applicant has undertaken since the time of conviction.

D. Some PHAs have implemented pilot programs that allow formerly incarcerated persons who have been released from prison within the past two or three years to be added to an existing voucher of a family member if all involved agree to participate and the formerly incarcerated individual agrees to six months to one year of supportive services with nonprofit partners.

E. One PHA has hired an offender reentry housing specialist who collaborates with a formerly incarcerated individual's parole officer, landlord, and treatment provider to ensure successful reentry into the community.

Example of PHA Best Practices on Evicting and Terminating Assistance for Criminal Activity

A. Some PHAs have adopted policies that list the circumstances that will be considered prior to a termination of the lease on the basis of criminal activity, including:

- a. The seriousness of the offending action, especially with respect to how it would affect other residents;
- b. The extent of participation or culpability of the leaseholder, or other household members, in the offending action, including whether the culpable member is a minor, a person with disabilities, or a victim of domestic violence, dating violence, sexual assault, or stalking;
- c. The effects that the eviction will have on other family members who were not involved in the action or failure to act;

- d. The effect on the community of the termination, or of the PHA's failure to terminate the tenancy;
- e. The effect of the PHA's decision on the integrity of the public housing program;
- f. The demand for housing by eligible families who will adhere to lease responsibilities;
- g. The extent to which the leaseholder has shown personal responsibility and whether they have taken all reasonable steps to prevent or mitigate the offending action; and
- h. The length of time since the violation occurred, the family's recent history, and the likelihood of favorable conduct in the future.

8. Paperwork Reduction Act

The information collection requirements contained in this Notice were approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C 3501-3520). Compliance and Enforcement are covered by OMB controls numbers 2502-0205, 2577-0232, 2577-0220, 2577-0230, and 2577 - 0169. 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 valid control number.

9. Contact Information

If you have questions regarding this Notice, please contact your local HUD Field Office.

/s/

 Lourdes Castro Ramirez
 Principal Deputy Assistant Secretary for
 Public and Indian Housing

/s/

 Edward Golding
 Principal Deputy Assistant Secretary for
 Housing

BOARD MEMO


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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: June 21, 2017

BOARD MEETING: June 27, 2017

AGENDA ITEM: 9c

AUTHOR: Shaneece Childress

SUBJECT: Parlier Migrant Center Overview

Executive Summary

Staff will provide an overview of the Parlier Migrant Center - A program which provides Migrant Farm worker housing. The overview will include information on the regulations, qualifications and program guidelines to participate in the Office of Migrant Services (OMS) program and specifically the Parlier Migrant Center.

Recommendation

None at this time. Informational only.

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Fresno, California 93721

TTY (800) 735-2929

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TO: Boards of Commissioners

Fresno Housing Authority

FROM: Preston Prince



CEO/Executive Director

DATE: June 21, 2017

BOARD MEETING: June 27, 2017

AGENDA ITEM: 9d

AUTHOR: Christina Husbands

SUBJECT: Real Estate Development Update

Executive Summary

Staff may present an overview of current pre-development activities.

Recommendation

None at this time. Informational only.



Development Update

June 27, 2017

Presentation Overview

- Projects Under Construction
 - Cueva de Oso @ William Shockley Plaza (Selma)
 - Paseo 55 (Reedley)
 - Memorial Village (Sanger)
 - Legacy Commons Phase II (Southwest Fresno)
 - Renaissance at Parc Grove (Fresno)
- December 2017 Finance Closing/Construction Start
 - McGill Terrace (Fowler) – 60 units

Presentation Overview Continued

- CTCAC 2nd Round Tax Credit Application
 - Oak Grove (Parlier) – 56 units
- Pre-Development Pipeline
 - Blackstone/Simpson Site (Fresno)
 - California Triangle (Southwest Fresno)

DRAFT

Projects Under Construction

- Cueva de Oso @ William Shockley Plaza (Selma)
 - 48 units; July 2017 projected completion
- Paseo 55 (Reedley)
 - 55 units; August 2017 projected completion
- Memorial Village (Sanger)
 - 48 units; April 2018 projected completion
- Legacy Commons Phase II (Southwest Fresno)
 - 64 units; April 2018 projected completion
- Renaissance at Parc Grove (Fresno)
 - 40 units; April 2018 projected completion

December 2017 Finance Closing – Magill Terrace (Fowler)

- Redevelopment of an existing 20-unit LIPH site; demolition of existing units and new construction of 60 units and a community building
- Awarded \$1.59 million in HOME/AHP funds
- Mogavero Notes Inc. Assoc. awarded architect contract in June 2015
- Acquired adjacent parcels November 2016
- Johnston Contracting awarded GC/CM contract in January 2017
- HRF of \$2.2 million committed Feb 2017
- Received tax credit award June 2017

John Sutter
Middle School

Magill Terrace (Fowler) Aerial

401 East Nelson Street

Jameson Dr

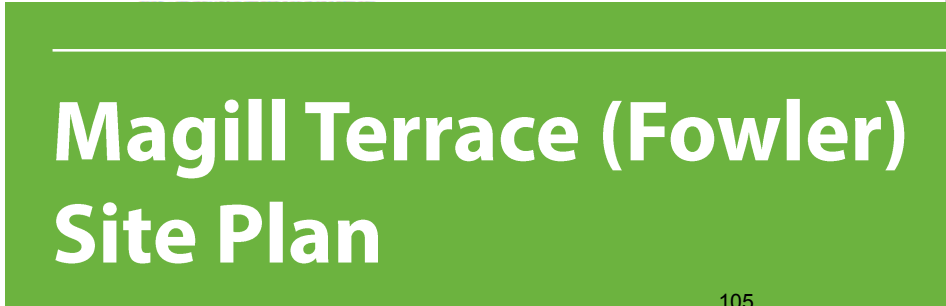
Walnut Grove
Villa Apartments

Harvest At Fowler

Dustin Way

Laker Ln

Christopher Ct



CTCAC 2nd Round Tax Credit Application – Oak Grove (Parlier)

- Proposed redevelopment of an existing 50-unit LIPH site; demolition of existing units and new construction project of 56 units and a community building
- R.L. Davidson awarded architect contract Jan 2017
- Prowest awarded GC/CM contract Jan 2017
- Board authorized HRFC commitment of \$1.95 million Feb 2017
- Board authorized HAFC LIPH Cap/Op Reserves commitment of \$685k and \$2.34 million seller financing Feb 2017
- Received FLHB AHP Award of \$550k June 2017

Oak Grove (Parlier)



Parlier City Hall

Fresno County
Housing Authority

595 Bigger Street

Fett Dr

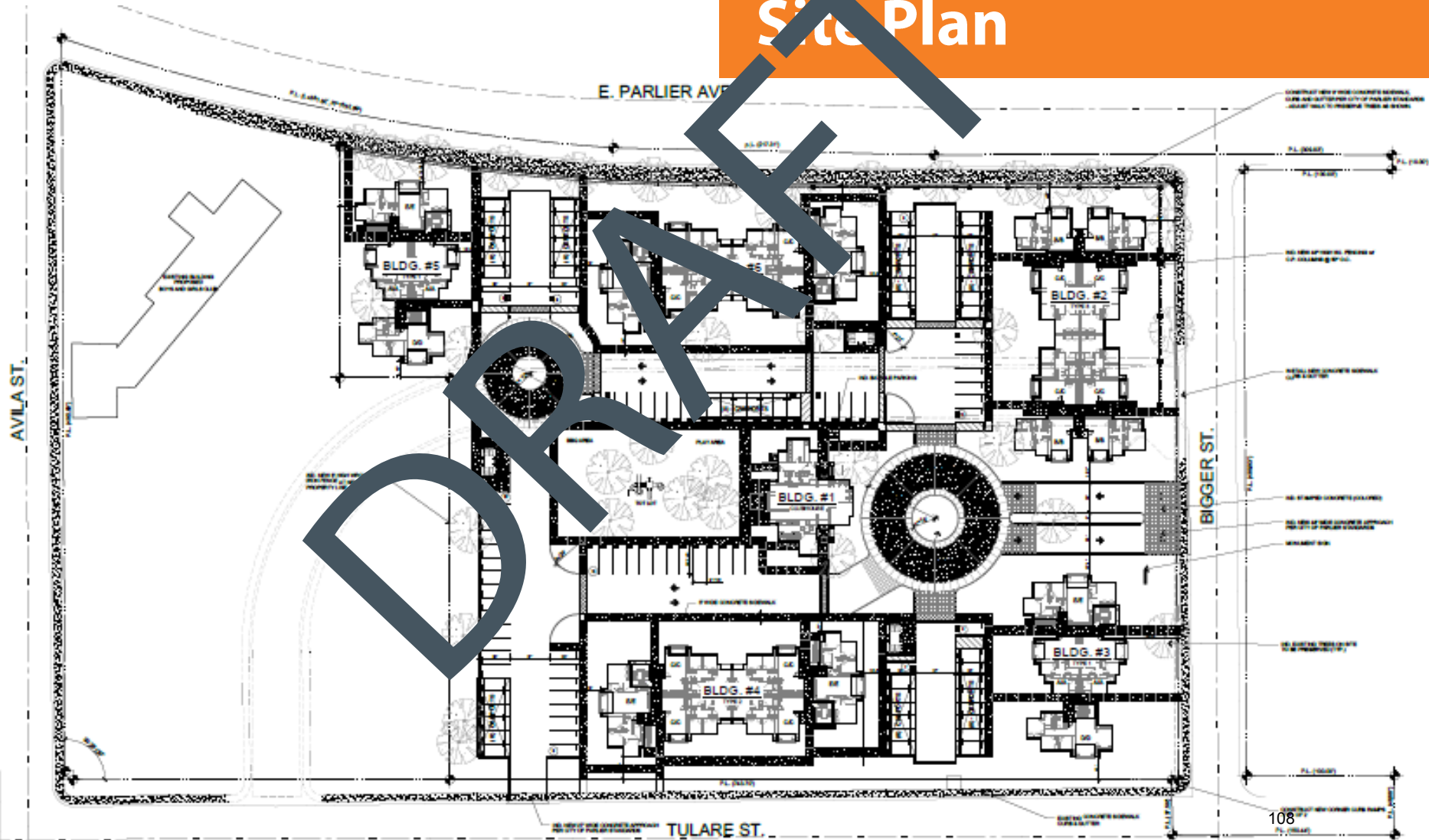
Supertacos

Tulare St

Our Lady Of
Sorrows Church

107

Oak Grove (Parlier) Site Plan



Oak Grove Sources and Uses

Oak Grove Sources and Uses		
Pro Forma Sources and Uses		
Sources of Funds	Amount 2/22/2017	Amount 6/21/2017
HRFC Loan	\$ 1,950,000	\$ 1,400,000
Accrued/ Deferred Interest (HRFC)	\$ 61,204	\$ -
Accrued/ Deferred Interest (Seller Financing)	\$ 79,188	\$ -
FLHB AHP Loan	\$ -	\$ 550,000
Tranche B Loan	\$ -	\$ 462,000
HAFC Capital Funds/Operating Reserves	\$ 685,000	\$ 685,000
LIHTC Equity	\$ 18,099,205	\$ 18,110,324
Total Sources of Funds	\$ 20,874,597	\$ 21,207,324
Uses of Funds	Amount	Amount
Construction Costs	\$ 14,400,000	\$ 14,400,000
Contingency	\$ 742,150	\$ 742,150
Permits/fees/etc.	\$ 204,261	\$ 204,261
Professional Fees	\$ 565,000	\$ 565,000
Relocation	\$ 700,000	\$ 700,000
Loans and other	\$ 2,014,893	\$ 2,014,893
Reserve	\$ 126,821	\$ 126,821
Developer	\$ 2,454,199	\$ 2,454,199
Total Uses of Funds	\$ 20,874,597	\$ 21,207,324
Pro Forma Sources and Uses		
Sources of Funds	Amount	Amount
Seller Financing	\$ 2,340,000	\$ 2,340,000
LIHTC Equity	\$ 300,000	\$ 300,000
Total Sources of Funds	\$ 2,640,000	\$ 2,640,000
Uses of Funds	Amount	Amount
Construction Costs	\$ 2,340,000	\$ 2,340,000
Demolition	\$ 300,000	\$ 300,000
Total Uses of Funds	\$ 2,640,000	\$ 2,640,000

Draft as of 6/21/17

Pre-Development Pipeline

- Blackstone/Simpson (Fresno)
- California Triangle (Southwest Fresno)

DRAFT

Blackstone/Simpson (Fresno)

- Potential for rehabilitation of existing commercial and new construction of up to 50 affordable housing units
- Board approved entering into MOU with Miller-Ewell March 2017
- Board approved Assignment of Purchase and Sale Agreement March 2017
- *Proposed HRFEC commitment of \$1.4 million*
- *Proposed authorization to proceed with acquisition*

Blackstone/Simpson Site (Fresno)

E Simpson Ave

E Simpson Ave

E Simpson Ave

3039 North
Blackstone Ave

International Express

Google

112

Blackstone/Simpson Site (Fresno)



Blackstone/Simpson Site (Fresno)



1-800-345-7334



SCALE IN 1/10 OF AN INCH

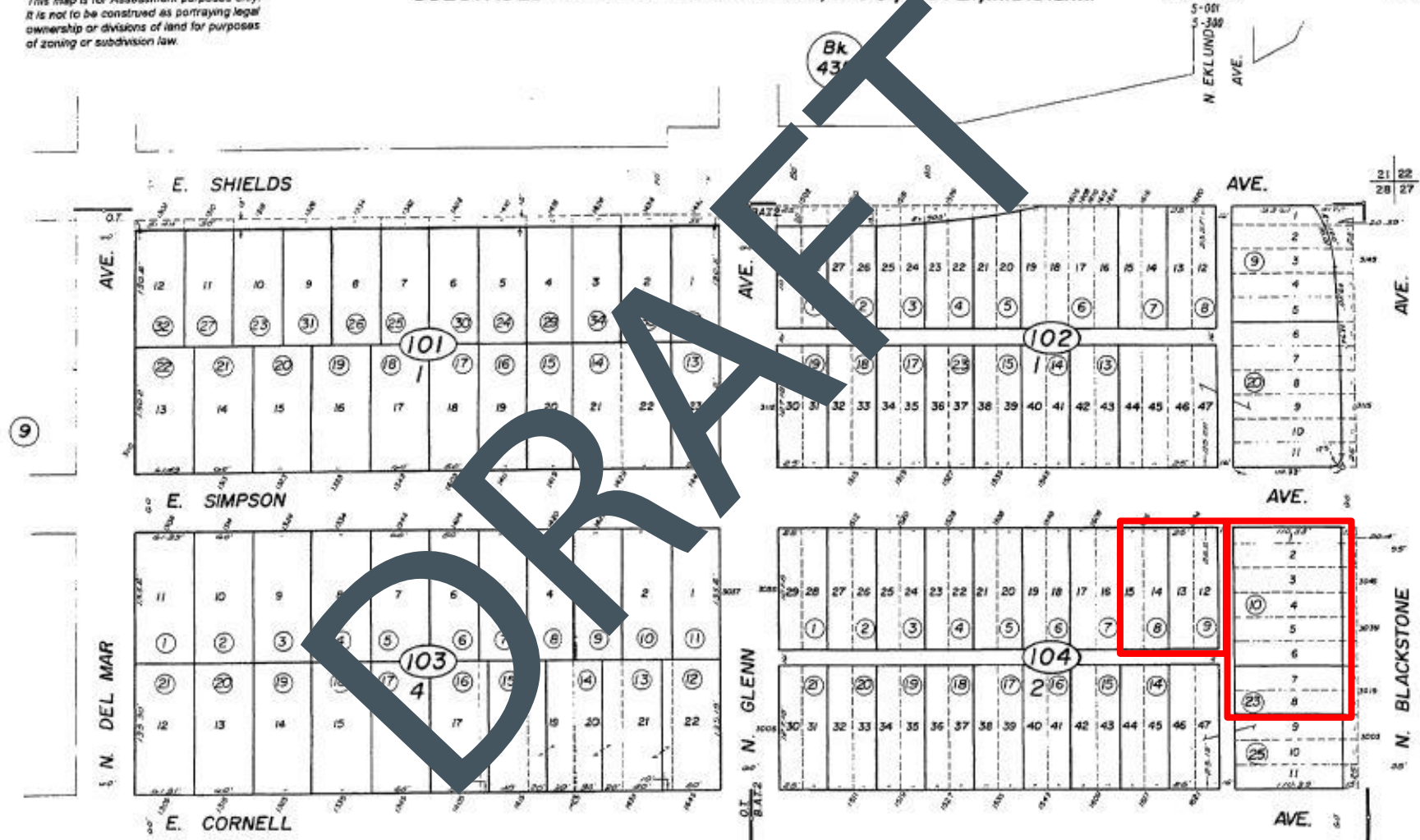
— NOTE —
This map is for Assessment purposes only.
It is not to be construed as portraying legal
ownership or divisions of land for purposes
of zoning or subdivision law.

SUBDIVIDED LAND IN POR. SEC. 28, T.13 S., R.20 E., M.B.D.&M.

Tax Area

443-10

5-001
5-340
N EKLUND
AVE.



Blackstone Avenue Tract No.2-Plat Bk.10, Pg.55
Olufs Tract-Plat Bk.13, Pg.21

Assessor's Map Bk.443-Pg.10

County of Fresno, Calif.

NOTE-Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Blackstone/Simpson Action Items

1. Authorize HRFC commitment of \$1.4 million
2. Authorize Preston Prince, CEO/Executive Director to proceed with acquisition upon reasonable due diligence

DRAFT

California Triangle (Southwest Fresno)

- 15 Parcels totaling approximately 3.4 acres off of California Avenue in Southwest Fresno
- Board approved Purchase and Sale Agreement with Successor Agency to RDA of the City of Fresno May 2017
- Board authorized HRFC funding commitment of \$680,000 May 2017
- Staff performing due diligence; acquisition closing deadline 7/30/17



California Triangle Aerial

Sierra Terrace

California Triangle

California Triangle Aerial



Sierra Terrace

California Triangle

Desoto
I & II

Fairview

Legacy
Commons

Bridges @
Florence

POTTLE

AVE.

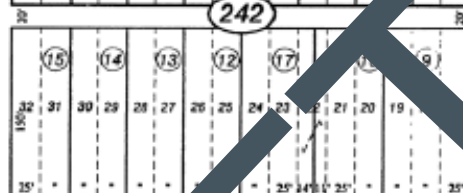
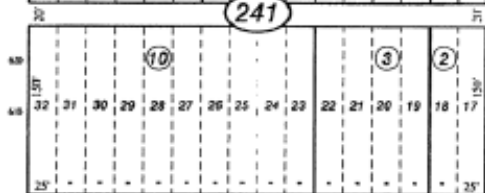
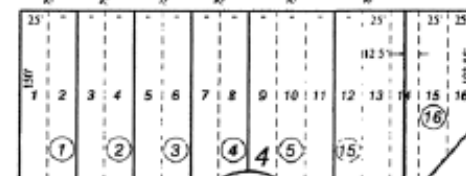
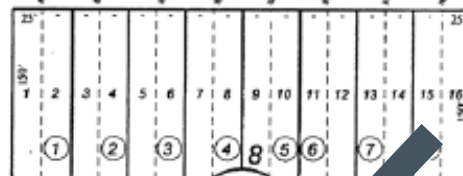
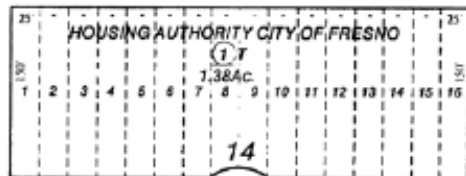
1"=100'

ST. 30

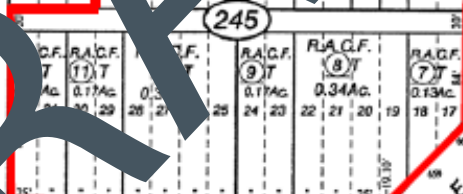
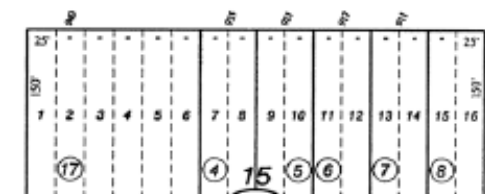
ST. 30

ST. 30

ST. 30
MONO ST.



WATERMAN



KLETTE

AVE.

INYO
E. CALIFORNIA
MAUD
AVE.

S. LEE

Kearney Boulevard Rights - R.S. Bk. 5, Pg. 9
Record of Survey - Bk. 467, Pg. 11

Assessor's Map Bk. 467 - Pg. 24
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

JUN 21 2011

05-24-2011 SH

Questions?

DRAFT

BOARD MEMO

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 TTY (800) 735-2929

www.fresnohousing.org

TO: Board of Commissioners

Fresno Housing Authority

FROM: Preston Prince

CEO/Executive Director

DATE: June 22, 2017

BOARD MEETING: June 27, 2017

AGENDA ITEM: 10a

AUTHOR: Dave Brenner

SUBJECT: Approval of HRFC funding for the acquisition of the real property at Blackstone & Simpson (APN's 443-104-08, 443-104-09, 443-104-10, & 443-104-23)

Executive Summary

The Blackstone & Simpson site is an existing commercial/retail site along the Blackstone corridor in close proximity to Manchester Transit Center on approximately .78 acres in Fresno, CA. The subject property has an existing building with approximately 20,000 SF of office/retail/commercial space. The site is zoned NMX Mixed-Use Neighborhood that will allow for a combination of commercial and multifamily housing. Staff is conducting due diligence for a potential project to explore feasible options for a mixed use project.

In March 2017, the Boards approved entry into an Memorandum of Understanding (MOU) with Scott Miller and Austin Ewell for the acquisition of the property. This action requests Board approval for the assignment, acquisition and funding to complete related due diligence and pre-development work.

Recommendation

It is recommended that the Boards adopt the attached resolutions approving the necessary actions:

1. Authorize Preston Prince, CEO/Executive Director, Tracewell Hanrahan, Deputy Executive Director, and/or their designee, to close on the acquisition of the site pending reasonable due diligence.
2. Approve a loan from the Housing Relinquished Fund Corporation of \$1,400,000 for the acquisition of the subject parcels (APN's: 443-104-08, 443-104-09, 443-104-10, & 443-104-23), related closing costs and predevelopment activities.
3. Provide for other matters related thereto.

Fiscal Impact

The immediate cost of purchasing the property per the terms of the purchase and sale agreement is \$1,100,000. An additional \$300,000 is being requested for the completion of due diligence, other pre-development activities and closing costs for a total of \$1,400,000.

Background Information

The Blackstone & Simpson site (APN's: 443-104-08, 443-104-09, 443-104-10, & 443-104-23) is an existing commercial/retail site along the Blackstone corridor in close proximity to Manchester Transit Center on approximately .78 acres in Fresno, CA. The project site is located in an area of high demand.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF THE CITY OF FRESNO

**RESOLUTION APPROVING ACQUISITION AND FUNDING FOR THE SITE KNOWN AS
BLACKSTONE & SIMPSON (APNs: 443-104-08, 443-104-09, 443-104-10, & 443-104-23),
RELATED PRE-DEVELOPMENT ACTIVITIES, AND OTHER MATTERS RELATED
THERE TO**

WHEREAS, the Housing Authority of the City of Fresno, California (“the Authority”) seeks to expand the development and availability of long-term housing for low and moderate income households residing in the City of Fresno, California (“the City”); and,

WHEREAS, the acquisition of the Blackstone and Simpson site (APNs: 443-104-08, 443-104-09, 443-104-10, & 443-104-23) is in line with the Authority’s development goals; and,

WHEREAS, the Boards approved the execution of an MOU and a purchase and sale assignment agreement with Austin Ewell and Scott Miller on March 21, 2017.

WHEREAS, the agreed upon purchase price for the property is \$1,100,000, excluding closing and partnership costs; and,

WHEREAS, the Authority desires to complete the acquisition of the subject site and continue due diligence and evaluation of project options; and,

WHEREAS, the project requires pre-development funding in preparation for funding applications;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno, California, hereby authorizes Preston Prince, the CEO/Executive Director, Tracewell Hanrahan, Deputy Executive Director, and/or their designee, to adopt the attached resolutions approving \$1,400,000 of HRFC funding for the acquisition of the site, acquisition closing costs and related pre-development activities, and authorize Preston Prince, CEO/Executive Director, Tracewell Hanrahan, Deputy Executive Director, and/or their designee to close on the acquisition of the site pending reasonable due diligence.

PASSED AND ADOPTED THIS 27th DAY OF JUNE, 2017. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the

Reso City – Blackstone/Simpson Acquisition and funding

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 APPROVING HRFC FUNDING AND ACQUISITION OF THE SITE
KNOWN AS BLACKSTONE & SIMPSON (APNs: 443-104-08, 443-104-09, 443-104-10, & 443-
104-23), RELATED PRE-DEVELOPMENT ACTIVITIES, AND OTHER MATTERS RELATED
THERE TO**

WHEREAS, the Housing Authority of Fresno County, California (“the Authority”) seeks to expand the development and availability of long-term housing for low and moderate income households residing in the City of Fresno, California (“the City”); and,

WHEREAS, the acquisition of the Blackstone and Simpson site (APNs: 443-104-08, 443-104-09, 443-104-10, & 443-104-23) is in line with the Authority’s development goals; and,

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WHEREAS, the agreed upon purchase price for the property is \$1,100,000, excluding closing and partnership costs; and,

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NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County, California, hereby authorizes Preston Prince, the CEO/Executive Director, Tracewell Hanrahan, Deputy Executive Director, and/or their designee, to adopt the attached resolutions approving \$1,400,000 of HRFC funding for the acquisition of the site, acquisition closing costs and related pre-development activities, and authorize Preston Prince, CEO/Executive Director, Tracewell Hanrahan, Deputy Executive Director, and/or their designee to close on the acquisition of the site pending reasonable due diligence.

PASSED AND ADOPTED THIS 27th DAY OF JUNE, 2017. 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

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: June 22, 2017

BOARD MEETING: June 27, 2017

AGENDA ITEM: 10b

AUTHOR: Tiffany Mangum

SUBJECT: Consideration of Out of State Travel – CEO and Commissioners

Executive Summary

Out-of-State Travel is requested for the CEO/Executive Director and/or Commissioners* as follows:

Travel/Conference Agenda

Date	Location	Event
10/27-10/29/17	Pittsburg, PA	National NAHRO Conference*

Recommendation

It is recommended the Boards of Commissioners of the Fresno Housing Authority, approve the aforementioned out-of-state travel itinerary and attendee(s).

Fiscal Impact

All travel and conference expenditures are within budget, and funds have been previously approved as part of the FY2017 Operating Budgets submitted and approved in December 2016.

**Commissioners will attend with the CEO.*

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EXECUTIVE DIRECTOR'S REPORT

TO: Boards of Commissioners **DATE:** June 22, 2017
Fresno Housing Authority **BOARD MEETING:** June 27, 2017
FROM: Preston Prince  **AGENDA ITEM:** 12
CEO/Executive Director **AUTHOR:** Staff
SUBJECT: June 2017 Executive Director's Report

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.

The matrix below outlines the Development Pipeline and status of each project.

Name of Property	Status	Description/Type	Total Units
541 @ South Tower and Cedar Heights	Stabilization	541 N. Fulton St and 4532 E. Hamilton Ave, Fresno, CA Multi-Family	45
Rio Villas	Stabilization	1238 & 1264 P St., Firebaugh, CA	30
Legacy Commons Phase I	Stabilization	Walnut/Edison West Fresno, CA	64
Fenix @ Glenn/ Fenix @ Calaveras	Stabilization	240-250 N. Calaveras Street and 146 N. Glenn Avenue,	30

		Fresno, CA	
Cueva de Oso at William Shockley Plaza	Under Construction	1445 Peach Street, Selma, CA	48
Paseo 55	Under Construction	1233 & 1245 G St, Reedley, CA	55

Development Project Overview

Renaissance at Parc Grove	Under Construction	Clinton and Angus, Fresno, CA	40
Legacy Commons Phase II	Under Construction	2255 S. Plumas, Fresno, CA	64
Memorial Village	Under Construction	302 K St, Sanger, CA	48
Magill Terrace	Pre-Dev December 2017 Closing	401 Nelson, Fowler, CA	60
Oak Grove	Pre-Dev June 2017 Application	595 Bigger Street, Parlier, CA	56

Project Highlights

The Oak Grove and Cueva de Oso at William Shockley Plaza (“Cueva de Oso”) developments were both awarded AHP funding from the Federal Home Loan Bank of San Francisco on June 16, 2017. Oak Grove was awarded \$550,000 and Cueva de Oso was awarded \$470,000. US Bank will serve as the project sponsor for both projects.

Magill Terrace officially received a Tax Credit Preliminary Reservation letter on June 7, 2017. Staff is currently reviewing multiple investor proposals. The financial closing and construction start deadline is in December, 2017. Construction drawings are underway and the general contractor, Johnston Contracting, is soliciting preliminary construction bids.

City of Fresno						
Property	Total # of Units	Total Vacant	Current Occupancy	Notice to Vacate	Approved Apps	Net Occupancy
CITY AMP 1 (SW Fresno)						
Sequoia Courts	60	6	90%	0	0	90%
Sequoia Courts Terrace	78	1	99%	2	0	96%
Monte Vista Terrace	44	0	100%	0	0	100%
CITY AMP 2 (SW Fresno)						
Sierra Plaza	70	6	91%	0	0	91%
Fairview Heights	74	2	97%	1	0	96%
Sierra Terrace	26	3	89%	0	0	89%
Desoto II	28	0	100%	0	0	100%
HOP Scattered	7	4	43%	0	0	43%
Mixed Family (Fresno)						
Garland Gardens	51	1	98%	1	1	98%
Cedar Courts & Inyo	193	8	96%	3	4	96%
Viking Village	40	0	100%	0	0	100%
Pacific Garden	56	3	95%	0	0	95%
Yosemite Village	69	1	99%	0	0	99%

City of Fresno Continued						
Property	Total # of Units	Total Vacant	Current Occupancy	Notice to Vacate	Approved Apps	Net Occupancy
CO AMP 1 (Pinedale/Highway City)						
Pinedale Apartments 28-24	50	2	96%	1	0	94%
Pinedale Apartments 28-32	30	1	97%	0	0	97%
DeSoto Gardens	40	1	98%	0	0	98%
Marcelli Terrace	24	1	96%	1	0	92%

Special Programs						
Property	Total # of Units	Total Vacant	Current Occupancy	Notice to Vacate	Approved Apps	Net Occupancy
(Fresno)						
Trinity	20	0	100%	0	0	100%
Alta Monte	29	1	97%	0	0	97%
Santa Clara	69	0	100%	1	0	99%
Sierra Terrace (RAD)	46	2	96%	44	0	RAD To Legacy
Mariposa Meadows	40	0	100%	1	0	98%
Emergency Housing	30	0	100%	0	0	100%

Fresno County						
Property	Total # of Units	Total Vacant	Current Occupancy	Notice to Vacate	Approved Apps	Net Occupancy
CO AMP 2 (Selma/Sanger/Fowler/Del Rey)						
Magill Terrace	20	5	73.68%	15	0	RAD
Del Rey Complex	30	0	100%	0	0	100%
Laton Apartments	20	0	100%	0	0	100%
Wedgewood Commons	64	0	100%	1	0	98%
Sanger HOP	7	2	29%	0	0	29%
CO AMP 3 (Reedley/Parlier/Orange Cove)						
Sunset Terrace	20	0	100%	0	0	100%
Oak Grove Apts	50	2	96%	0	0	RAD
Property	Total # of Units	Total Vacant	Current Occupancy	Notice to Vacate	Approved Apps	Net Occupancy
CO AMP 4 (Firebaugh)						
Mendoza Terrace	50	4	92%	1	0	90%
Mendoza Terrace II	40	4	90%	0	0	90%
Firebaugh Elderly	30	0	100%	0	0	100%
Cardella Courts	32	2	94%	0	0	94%
CO AMP 5 (Kerman/Biola/Mendota)						
Helsem Terrace	40	1	98%	0	0	98%
Biola Apartments	12	1	92%	0	0	92%
CO AMP 6 (Huron/San Joaquin)						
Cazares Terrace	24	0	100%	0	0	100%
Cazares Terrace II	20	1	95%	0	0	95%
Huron Apartments	20	3	85%	0	0	85%
Taylor Terrace	28	4	86%	0	0	86%
San Joaquin Apartments	20	7	65%*	0	0	65%
Mixed Family & Special Programs (County)						
Shockley Terrace	48	48	0%	0	14	Under Construction
Memorial Village	0	0	0%	0	17	Under Construction
Sunset Terrace II	20	4	80%	0	0	80%
Orange Cove RAD	90	1	99%	1	0	99%
Citrus Gardens	30	1	97%	1	0	93%
Orchard Apartment (F/L)	40	1	98%	2	0	93%
Parlier Migrant Center	131	1	99%	0	0	99%
Mendota RAD	124	2	98%	0	0	98%
Mendota Farm Labor	60	2	97%	2	0	93%
Granada Commons	16	0	100%	1	1	100%
Rio Villas	30	0	100%	1	0	97%
Firebaugh Family Apts	34	0	100%	0	0	100%
Maldonado Plaza	64	3	95%	0	1	97%

* A plan to make necessary maintenance repairs and prep for occupancy is underway. Tenant applications are also in process.

CITY ACTIVITIES

A California Tax Credit Allocation Committee (CTCAC) audit was conducted at Yosemite Village on May 9, 2017. This was the first CTCAC audit conducted following Yosemite Villages property management transition into the Fresno Housing management portfolio. From all indications the audit and unit inspections went well.

LEASE UP ACTIVITIES

Lease up and marketing activities continue at Paseo 55 in the city of Reedley and Cuevo de Oso @ William Shockley Plaza in the city of Selma. Staff are working diligently to prepare returning families for the transition to their new communities, as well as qualify new families for any potential vacancies.

QUALITY ASSURANCE DIVISION

During the month of May, quality assurance staff worked with site staff on completing the conversion of Memorial Village and Sierra Terrace (units 161-206) from Low Income Public Housing (LIPH) to Project Based Rental Assistance (PBRA). The effective date of the conversions for both properties was May 1, 2017.

A second round of informational resident meetings were held from May 2 – 4 related to the submissions of additional Rental Assistance Demonstration (RAD) applications for the Fresno Housing Authority portfolio. Meetings were held in southwest Fresno, Sanger, Firebaugh and Huron in preparation of the application submissions. Many residents asked thoughtful questions about the RAD process and what to expect should their complex be converted under RAD.

The following LIPH waiting lists were accepting applications: Desoto Gardens, Fairview Heights Terrace, Sequoia Courts, Sequoia Courts Terrace, Sierra Plaza, Sierra Terrace, Yosemite Village, Del Rey and Firebaugh. On Monday, May, 23, 2017 at 3pm, the Housing Management Division closed the above preliminary waiting lists. These list will periodically re-open when necessary to maintain an adequate and current list of prospective applicants.

HOUSING MANAGEMENT MAINTENANCE DIVISION

Training is being conducted with the maintenance team on safety rules in the work environment. All maintenance staff attended an instructor-led training during the month of May. May's safety topic were personal protective equipment, awareness and attitude. The team appreciate the on-going effort toward increasing overall safety and participate by asking thoughtful questions during the sessions.

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.

Housing Choice Voucher (HCV) Leasing Update

During the month of April, the following leasing activity took place for the HCV city and county programs.

There were a total of 116 applicant families scheduled to attend their initial interviews to determine eligibility for the HCV program. Some families were determined eligible and scheduled to attend mandatory briefings.

Weekly initial briefings were conducted throughout the month and 44 (2 city/42 county) new families were issued city or county vouchers! Some of the families carried over from the previous months' leasing activities and finalized their eligibility in May. The majority of these applicants were pulled in January from the county waiting list and are now in the process of searching

Renaissance at Santa Clara

Albert Jones, Renaissance at Santa Clara resident, was appointed by Governor Brown to the No Place Like Home Program Advisory Committee on May 17, 2017. He was sworn in as a committee member on May 18, 2017 in Sacramento, California. Mr. Jones represents the statewide demographic of residents who experienced homelessness. As part of his responsibilities to the committee, Mr. Jones reviewed, discussed, and provided insight regarding the two billion dollar initiative drafted by Housing and Community Development Department (HCD) of Housing and Urban Development (HUD).



Mr. Albert Jones and Mr. Ben Metcalf, Director of Housing and Community Development, preparing for Mr. Jones' swearing in as NPLH Advisory Committee member.

Renaissance at Trinity

On May 9, 2017, Renaissance at Trinity residents participated in an art class called "Paint and Coffee". Resident Services coordinator, Monique Narciso, instructed the residents in a step-by-step project to create cherry blossom tree portrait. The participants did not need to have any art skills, just a listening

ear, and an open mind! The attendees enjoyed the coffee, pastries, and great conversation. Each person was amazed at the result of the project. Art classes, such as these, inspire community-engagement and encourage creativity which supports positive mental wellness.



Renaissance at Alta Monte

Renaissance at Alta Monte residents participated in a workshop focusing on family reconnections. The participants shared their stories about breaking their relationships with family members, especially their children. A marriage and family therapist joined in the conversation and provided residents with techniques to create dialogue, re-establish relationships, and build from tragedy.

Resident Services

Centro La Familia – Immigration Services

Site(s): Del Rey Apartments and Oak Grove Apartments

A representative from Centro La Familia explained the many services they have to offer. He explained that his program was Immigration Services and all the types of assistance that is available.. FH residents were able to ask individual questions pertaining to their experiences. Brochures and phone numbers were left with residents for future contact. Four (4) residents took advantage of this useful information.

Housing Stability and Education – A Family’s Success

A family consisting of mother and teenaged son found themselves homeless in February 2016. Mom had been diagnosed with cancer, but was fighting bravely. The family received CalWORKs and were referred to the CalWORKs Housing Support Program where they received housing assistance and case management from April – July 2016 at which point the family was able to take over the rent on their own.

This month the teenaged son graduated from Sunnyside High School; the mother thoughtfully chose housing near the school so that her son could continue his education and continue playing for the football team. The son was able to participate in the African American High School Recognition ceremony; in addition, he has been accepted into Reedley College. Thoughtful planning in housing location and providing stability assisted this family in achieving an important educational goal.

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 Housing Choice Department opened the wait list on June 6, 2017 at 10:00 a.m. and closed on June 20, 2017 at 11:59 p.m. A Public Notice was posted in the Fresno Bee on May 28, 2017 announcing the dates, times, and detailed information regarding the process. Public outreach was in collaboration with various media outlets. A total of 36,010 applications were received during this period.

Special assistance was made available for reasonable accommodation requests. Computer access was available at our central office and our site-based community rooms. Staff were available to assist persons requiring reasonable accommodations. The set-up of our lobby has been reconfigured to ease the flow of walk-ins.

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
Renaissance at Parc Grove	WestCare	Partner in the provision of services to property residents
Highway City multifamily housing development/ Community Center	Highway City CDC Central Community Church Granville Central Unified School District Economic Opportunities Commission	Planning partners, potential development partner, potential service providers
Department of Community Services and Development - Low Income Weatherization Program	Association for Energy Affordability Grid Alternatives	Partners in portfolio assessment, project planning and design, and incentive approval
Firebaugh Transit/	UC Davis Center for Sustainable	Research and survey transit needs in

Transportation Study	Transit Fresno Council of Governments	the Firebaugh community, potential pilot transportation project
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MANAGEMENT GOALS

The goals of management include our efforts to stabilize, focus, and extend activities to meet the mandate of our mission through good decision making 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.

Administrative Services

Procurement

Procurement staff has partnered with the Housing Management Department and Maintenance team to evaluate the bids received from for IFB 17002 “Trade Services.” The evaluation stage includes contacting references, interviews, and the evaluating of past experience. The agency was pleased to receive bids from nine vendors for multiple maintenance and repair services to support agency operations. Procurement expects to finalize contracts for trade services in the coming weeks. Facilities staff has partnered with the Downtown Partnership, contractors, and the High Speed Rail Authority to keep staff informed regarding the continual progress of the downtown Fulton Reconstruction and High Speed Rail bridge construction. Staff is pleased to observe progress and increased pedestrian and vehicle access to the central office.

IT Services

The Agency is excited about the addition of Harjeet Brar. Harjeet will take on the role of System Administrator. Harjeet’s background includes working with large companies and small. He has experience working with a lot of the same cloud technologies that the Agency plans to implement in the coming months.

ConnectHome:

Bobby Coulter, Senior Manager – ITS, participated in a panel at the National Digital Inclusion Alliance conference. Fresno shared the panel Housing Authority representatives from San Antonio, Austin and Cuyahoga (Cleveland). The panel focused on how to measure success in digital literacy programs. Fresno’s success has gained nationwide attention due to the fact that our training and connectivity numbers are on par with larger communities with more resources available. The Agency believes this is due in large part to strong community partnerships and an Agency culture that fosters creativity through challenging work.

Human Resources

The Human Resources Department is excited to announce that we have launched a partnership with Fresno State's Craig School of Business Office of Student Professional Development to begin offering internships to their students at our Agency. We have hired our first two interns through this program for the summer 2017 semester. The purpose of these internships is to apply the knowledge and skills they have acquired over their college coursework and use it to gain hands-on experience they can take to the workplace upon graduation. In addition, on Thursday, June 15, we participated in a "Meet the Professionals" event at Fresno State to share current job opportunities with recent graduates, current students and alumnus.

The Human Resources Department coordinated a Workers Compensation Training for 50 supervisors/managers that took place on Wednesday, June 14, 2017. The Human Resources Department worked in conjunction with CHWCA (California Housing Workers' Compensation Authority). Jacquelyn Miller, Manager, Workers Compensation Services for Bickmore and Chris Williams, Risk Manager for Bickmore facilitated the training. Subject matter covered included the workers compensation investigative process, manager/supervisor roles, and required administrative components.

The Human Resources and Communications Teams have been busy planning the second All Staff Event for June 23, 2017 at Parc Grove Commons. Staff will enjoy a BBQ Style Lunch and celebrate our New Hires, Agency Promotions, Years of Service and Stewardship Awards. In addition we will be joined by Dr. Stephen Pimpare. Dr. Pimpare is a professor of the Master in Public Policy program and a Faculty Fellow of the Carsey School of Public Policy. The author of three books, he has served as a senior-level administrator of not-for-profit direct service and advocacy organizations addressing poverty, hunger and homelessness.

The Human Resources Department is currently recruiting for positions within the Planning & Community Development and IT Department.

New Hire/Promotions:

- Harjeet Brar, System Administrator (New Hire)
- Valerie Aguilar, Fiscal Services Intern
- Alfonso Chavez, Communications Intern
- Sandra Torres, CCRH Intern

Structure

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

No activity to report at this time.

Strategic Outreach

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

No activity to report at this time.

