



Housing Authority
of the
City of Alameda

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701 Atlantic Avenue • Alameda, California 94501-2161

AGENDA

REGULAR MEETING OF THE BOARD OF COMMISSIONERS

DATE & TIME

Wednesday, November 16, 2022 - 7:00 PM
Brown Act Training (Board and Staff) - 5:30 PM
Closed Session - 6:15 PM

LOCATION

Independence Plaza, 703 Atlantic Avenue, Alameda, CA

PUBLIC PARTICIPATION

Public access to this meeting is available as follows:

Join Zoom Meeting:

<https://us06web.zoom.us/j/81499349988?pwd=aE5KbzN6WThWa3ZGdDk0TmF4NnpnUT09>

Meeting ID: 814 9934 9988

Passcode: 931660

Persons wishing to address the Board of Commissioners are asked to submit comments for the public speaking portion of the Agenda as follows:

- Send an email with your comment(s) to jpolar@alamedahsg.org and vcooper@alamedahsg.org prior to or during the Board of Commissioners meeting
- Call and leave a message at (510) 871-7435.

When addressing the Board, on agenda items or business introduced by Commissioners, members of the public may speak for a maximum of three minutes per agenda item when the subject is before the Board.

Persons in need of special assistance to participate in the meetings of the Housing Authority of the City of Alameda Board of Commissioners, please contact (510) 747-4325 (voice), TTY/TRS: 711, or jpolar@alamedahsg.org. Notification 48 hours prior to the meeting will enable the Housing Authority of the City of Alameda Board of Commissioners to make reasonable arrangements to ensure accessibility or language assistance.

PLEDGE OF ALLEGIANCE

1. **ROLL CALL**
2. **BOARD COMMISSIONER RECUSALS**



3. Public Comment (Non-Agenda)
4. Closed Session - 6:15 p.m. - Adjournment to Closed Session to Consider:
 - 4.A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8.
Property Location: 89 Maitland Drive, Alameda, CA 94502
Assessor's Parcel Numbers: 74-1035-79-3
Agency Negotiation: Vanessa Cooper, Executive Director and Sylvia Martinez, Director of Housing Development
Negotiating Parties: Housing Authority of the City of Alameda and Transwestern Real Estate Services, Property Owner: Charles R Scott Trust.
Under Negotiation: Investment in Real Property, Price and Terms of Payment
 - 4.B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8.
Property Location 1825 Poggi Street Alameda, CA 94501
Assessor's Parcel Numbers 74-451-1-8
Agency Negotiation Vanessa Cooper, Executive Director and Sylvia Martinez, Director of Housing Development
Negotiating Parties Housing Authority of the City of Alameda and Vue Alameda Owner L.P.
Property Owner Vue Alameda Owner L.P. Under Negotiation Investment in Real Property, Price and Terms of Payment
5. Adjournment of Closed Session
6. RECONVENE REGULAR MEETING - 7:00 p.m.
7. Announcement of Action Taken in Closed Session, if any.
8. Public Comment (Non-Agenda)
9. CONSENT CALENDER
Consent Calendar items are considered routine and will be approved or accepted by one motion unless a request for removal for discussion or explanation is received from the Board of Commissioners or a member of the public.
 - 9.A. Approve Minutes of the Regular Board of Commissioners Meeting held October 19, 2022. **Page 5**
 - 9.B. Accept the Quarterly Overview Report for Executive Department. **Page 11**
 - 9.C. Accept the Quarterly Overview Report for the Housing Programs Department. **Page 15**
 - 9.D. Accept the Monthly Overview Report for Emergency Housing Voucher (EHV). **Page 18**
 - 9.E. Accept the Quarterly Overview Report for Property Operations. **Page 21**
 - 9.F. Accept the Quarterly Overview Report for Housing Development. **Page 25**
 - 9.G. Accept the Quarterly Development Report for Alameda Hotel Conversion. **Page 28**
 - 9.H. Accept the Quarterly Development Report for North Housing PSH I. **Page 30**



- 9.I. Accept the Quarterly Development Report for North Housing PSH II. **Page 34**
- 9.J. Accept the Quarterly Development Report for North Housing Senior Apartments. **Page 38**
- 9.K. Accept the Monthly Development Report for Rosefield Village. **Page 42**
- 9.L. Accept the Quarterly Development Report for Tilden Commons. **Page 44**
- 9.M. Accept Monthly Report on Construction in Progress. **Page 46**
- 9.N. Accept the Quarterly Overview Report For Administrative Services Department. **Page 48**
- 9.O. Accept the Quarterly Financial Report through the Month of September 2022. **Page 57**
- 9.P. Accept the Quarterly Investment Report for Period Ending September 30, 2022. **Page 75**
- 9.Q. Accept the LIHTC Portfolio Asset Management Fiscal Year to Date Financial Report through the Month of June 2022. **Page 87**
- 9.R. Accept the AHA/ AAHC Portfolio Asset Management Fiscal Year to Date Financial Report through the Month of June 2022. **Page 112**
- 9.S. Authorize the Executive Director to negotiate and approve an increase in the contract amount between the Housing Authority of the City of Alameda and Aleshire & Wynder LLP. in the amount of Twenty-Five Thousand Dollars and Zero cents (\$25,000.00) for a total not to exceed amount of Two Hundred and Fifty Thousand dollars and Zero cents (\$250,000.00) and extend the contract for an additional year through October 23, 2023. **Page 135**
- 9.T. Approve the 2021-2022 Housing Successor Agency Report. **Page 138**
- 9.U. Approve 2022-23 Goals for the Executive Director and Approve Changes to the 2014 Contract with the Executive Director. **Page 145**
- 9.V. Accept changes to the contract for at will property management staff. **Page 149**
- 9.W. Accept report from General Counsel on the options for remote meetings after the end of the Emergency designation by the state of California on February 28, 2023. **Page 151**
- 9.X. Authorize the Executive Director to Negotiate and Approve an Extension to and Increase in the Contract Amount Between the Alameda Housing Authority and Liebert Cassidy Whitmore in the Total Not to Exceed Amount of Four Hundred Fifty Thousand Dollars and Zero cents (\$450,000.00) through December 31, 2023. **Page 175**
- 9.Y. Authorize the Executive Director to Negotiate and Approve An Extension to and Increase in the Contract Amount Between the Alameda Housing Authority and Howroyd-Wright Employment Agency, Inc to a Total Not to Exceed Amount of Six Hundred Twenty Five Thousand Dollars and Zero Cents (\$625,000.00) and an extension to 22nd Century Technologies, Inc., both through January 31, 2024. **Page 179**
- 9.Z. Approve the 2023 AHA Operations (Holiday and Office Closure) Calendar. **Page 184**
- 10. AGENDA



- 10.A. Presentation on the Family Self Sufficiency Program. **Page 187**
- 10.B. Adopt Resolution of the Board of Commissioners of the Housing Authority of the City of Alameda Ratifying the Proclamation of a State of Emergency by the Governor of the State of California on March 4, 2021, and Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Commissioners Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361. **Page 199**
11. ORAL COMMUNICATIONS, Non-Agenda (Public Comment)
12. EXECUTIVE DIRECTOR'S COMMUNICATIONS
13. COMMISSIONER COMMUNICATIONS, (Communications from the Commissioners)
14. CONTINUATION OF CLOSED SESSION OF HOUSING AUTHORITY BOARD OF COMMISSIONERS – IF NEEDED
15. Announcement of Action Taken in Closed Session, if any.
16. ADJOURNMENT

* * * Note * * *

- Documents related to this agenda are available on-line at:
<https://www.alamedahsg.org/meetings/>
- Know Your RIGHTS Under The Ralph M. Brown Act: Government's duty is to serve the public, reaching its decisions in full view of the public. The Board of Commissioners exists to conduct the business of its constituents. Deliberations are conducted before the people and are open for the people's review. In order to assist the Housing Authority's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the Housing Authority accommodate these individuals.



DRAFT MINUTES
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
WEDNESDAY, OCTOBER 19, 2022

PLEDGE OF ALLEGIANCE

1. ROLL CALL

Present: Chair Grob, Vice-Chair Tamaoki,
Commissioner Husby, Commissioner Joseph-Brown
Commissioner Kaufman, and Commissioner Sidelnikov

Absent: Commissioner Hadid

2. BOARD COMMISSIONER RECUSALS

Executive Director, Vanessa Cooper stated that legal counsel has confirmed that Commissioners are allowed to vote on the approval of Minutes from meetings of which they were not present.

3. Public Comment (Non-Agenda)

None.

4. Closed Session - 6:00 p.m. - Adjournment to Closed Session to Consider:

Chair Grob called the meeting to order at 6:18 p.m. and announced that the Board would adjourn to Closed Session and return to the Regular Meeting at 7:00 p.m.

4.A. Closed Session: Purpose: Executive Director Evaluation for 2021-22.

4.B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8.

Property Location: 401 Willie Stargell Avenue, Alameda, CA 94501

Assessor's Parcel Numbers: 074-0905-042-03

Agency Negotiators: Vanessa Cooper, Executive Director, Stephanie Shipe, Director of Portfolio Management, and Cheley Quiambao, Asset Manager

Negotiating Parties: Housing Authority of the City of Alameda and Shinsei



Gardens Apartments, L.P.
Property Owner: Shinsei Gardens Apartments, L.P.
Under Negotiation: Exercise of purchase option and right of first refusal.

- 4.C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8.
Property Location: 1825 Poggi Street Alameda, CA 94501
Assessor’s Parcel Numbers: 74-451-1-8
Agency Negotiation: Vanessa Cooper, Executive Director and Sylvia Martinez, Director of Housing Development
Negotiating Parties: Housing Authority of the City of Alameda and Vue Alameda Owner L.P.
Property Owner: Vue Alameda Owner L.P.
Under Negotiation: Investment in Real Property, Price and Terms of Payment

- 5. Adjournment of Closed Session

Chair Grob adjourned Closed Session at 7:20 p.m.

- 6. RECONVENE REGULAR MEETING - 7:00 p.m.

Chair Grob reconvened the Regular Meeting at 7:20 p.m.

- 7. Announcement of Action Taken in Closed Session, if any.

Chair Grob announced that during Closed Session the Board provided feedback to the Executive Director on her annual evaluation, instructed staff to convene and have discussion with RCD in regard to Shinsei Gardens, and heard a staff presentation on 1825 Poggi Street, Alameda.

- 8. Public Comment (Non-Agenda)

None.

- 9. CONSENT CALENDER

Consent Calendar items are considered routine and will be approved or accepted by one motion unless a request for removal for discussion or explanation is received from the Board of Commissioners or a member of the public.

- *9.A. Approve Minutes of the Regular Board of Commissioner Meeting held June 15, 2022 and the Special Board of Commissioners Meeting held September 29, 2022.
- *9.B. Elect a Chair and Vice Chair of the Board of Commissioners.



- *9.C. Authorize the Executive Director or designee to negotiate and execute a 3 year contract with a third party property manager in the amount not to exceed \$2,000,000 for third party management for the following properties: All AHA owned properties.
- *9.D. Accept the Monthly Development Report for Rosefield Village.
- *9.E. Accept the report on the 2022 Landlord Outreach Survey.

Items accepted or adopted are indicated by an asterisk.

Vice-Chair Tamaoki congratulated staff on the positive responses received to the Landlord Outreach Survey questions relating to the landlord relationships and stated that he would like to see more effort dedicated to public awareness of the Ombudsman program. In recognizing the success of the Family Self Sufficiency (FSS) program, Vice-Chair Tamaoki stated that he would like staff to consider the goal of having a private landlord tenant participate in the FSS program, and if this has already been accomplished, consider the goal of expanding to additional private landlord tenants.

Commissioner Sidelnikov moved to accept the Consent Calendar items. A roll call vote was taken, and the motion passed unanimously.

Yes	6	Chair Grob, Vice-Chair Tamaoki, Commissioner Husby, Commissioner Joseph-Brown Commissioner Kaufman, and Commissioner Sidelnikov
Absent	1	Commissioner Hadid

10. AGENDA

10.A. LifeSTEPS Presentation.

Joshua Altieri, Community Relations Manager introduced Candace Williams, Regional Supervisor and Belinda Lee, Regional Director for the Bay Area who provided a presentation that included an overview of the LifeSTEPS program, the services provided to Housing Authority of the City of Alameda (AHA) tenants, and the impact of these services.

The Board and Ms. Cooper expressed gratitude for the services provided by, and the partnership and collaboration with, the LifeSTEPS program.

10.B. Review the Compensation Study and adopt the corresponding resolution to adopt a revised pay schedule and adopt a change to the vacation accrual cap in the Employee Handbook.

Janet Basta, Director of Human Resources and Operations stated AHA periodically completes compensation studies to ensure it remains competitive in the marketplace. The last study was completed by Ralph Andersen &



Associates and all recommendations from the study were accepted and implemented in 2019-2020. This year AHA once again engaged Ralph Andersen & Associates to complete an update to the studies, including all exempt and non-exempt positions with the exception of Resident Management staff; those positions will be addressed separately. Currently public agencies, including AHA, have found it to be challenging to recruit knowledgeable and experienced staff particularly in the exempt and management positions. Using the same methodology and comparator public agencies as in previous years, and this study also included a review of total compensation (salaries and benefits). While three levels of percentiles, 50th, 60th, and 75th, were reviewed, as the 50th percentile level was adopted by the Board in approving the wage range placement and corresponding Pay Schedule in the prior study, and this level was used for the staff recommendation in the current study. If the 50% scenario is adopted by the Board, staff further recommends that the salary levels of individual existing staff be adjusted to the new wage range effective October 23, 2022, to a maximum of a 5% increase to current salary. No positions will be reduced in the level of compensation as part of this change. Still being reviewed are the salary and benefit packages for the Resident Manager and CFO positions. Staff will return to the board at a later meeting with any recommendations for changes at these levels.

In addition, staff is recommending that, effective January 1, 2023, the vacation accrual cap be permanently modified to a maximum of 300 hours for regular employees hired before January 1, 2019 and for all Director positions.

If adopted, the recommended changes to the pay schedule will cost approximately \$120k for the balance of the current fiscal year, including additional PERS contributions. While \$100k was budgeted for these costs, the savings from unfilled positions will cover the gap. As a 300 hour vacation cap was planned for, there will be no immediate fiscal impact if the change to the vacation accrual is approved. Beginning 2024 there could be some increase in expenditures for vacation payouts at the time an employee leaves AHA due to the higher accrual cap.

In response to the Board's questions, Ms. Basta stated that the 50th percentile, rather than the 60th percentile, was used for this year's compensation study in order to remain financially conservative and consistent with what has been previously adopted by the Board. Per the CalPERS regulations all staff must be hired and placed within the approved pay schedule and respective salary range according to their title. Each step within a pay range is 5% apart. To allow for growth AHA generally hires within steps 1 or 2. AHA is allowed some flexibility to hire candidates at a higher step rate, if the candidate discloses that they are currently being compensated at a higher rate than the respective step 1 or 2, or the candidate is extra qualified.

Following further discussion, Vice-Chair Tamaoki moved to adopt the corresponding resolution to adopt a revised pay schedule and adopt a change to the vacation accrual cap in the Employee Handbook and directed staff to



come back to the Board with a recommendation on compensation philosophy which includes possible changes to the future percentile and how to address salary expectations and COLA, and Commissioner Sidelnikov seconded the motion. A roll call vote was taken, and the motion passed unanimously.

Yes 6 Chair Grob, Vice-Chair Tamaoki,
Commissioner Husby, Commissioner Joseph-Brown
Commissioner Kaufman, and Commissioner Sidelnikov

Absent 1 Commissioner Hadid

- 10.C. Adopt Resolution of the Board of Commissioners of the Housing Authority of the City of Alameda Ratifying the Proclamation of a State of Emergency by the Governor of the State of California on March 4, 2021, and Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Commissioners Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361.

Ms. Cooper stated the Governor has agreed to end the state’s emergency status and after February 28, 2023 this resolution will no longer be used to authorize remote teleconference meetings of the Board of Commissioners. A new authorization has been issued to be used after this date, which will be presented during the next Board of Commissioners’ Meeting and is much more restrictive and will require that an in-person quorum is physically present during the meetings. The City of Alameda has also rescinded their emergency order, effective immediately.

Commissioner Sidelnikov moved to adopt Resolution of the Board of Commissioners of the Housing Authority of the City of Alameda Ratifying the Proclamation of a State of Emergency by the Governor of the State of California on March 4, 2021, and Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Commissioners Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361. A roll call vote was taken, and the motion passed unanimously.

Yes 6 Chair Grob, Vice-Chair Tamaoki,
Commissioner Husby, Commissioner Joseph-Brown
Commissioner Kaufman, and Commissioner Sidelnikov

Absent 1 Commissioner Hadid

- 11. ORAL COMMUNICATIONS, Non-Agenda (Public Comment)

None.

- 12. EXECUTIVE DIRECTOR'S COMMUNICATIONS



Ms. Cooper expressed gratitude to the AHA staff for the work performed to help her achieve her annual goals, announced that the annual Brown Act training would take place on November 16, 2022 and requested the attendance of any Board Member who has not taken this training, and that any Board Member who cannot attend please notify staff so that a separate meeting with legal counsel can be arranged.

13. COMMISSIONER COMMUNICATIONS, (Communications from the Commissioners)

The Board congratulated staff on the variety of awards won for the Trust Fund and Rosefield Village project and expressed gratitude for work performed by staff.

14. CONTINUATION OF CLOSED SESSION OF HOUSING AUTHORITY BOARD OF COMMISSIONERS – IF NEEDED

N/A

15. Announcement of Action Taken in Closed Session, if any.

N/A

16. ADJOURNMENT

Chair Grob adjourned the meeting at 8:21 p.m.

Vanessa M. Cooper
Secretary and Executive Director

Carly Grob, Chair
Board of Commissioners



To: Honorable Chair and Members of the Board of Commissioners

From: Janet Basta, Director of Human Resources and Operations

Date: November 16, 2022

Re: Accept the Quarterly Overview Report for Executive Department.

BACKGROUND

This memo provides a high-level overview of agency activities in the prior month for the Executive Department, including Human Resources, housing policy, and MTW.

DISCUSSION

Human Resources and Operations

A summary of unfilled positions that are on the Schedule of Authorized positions is presented below. Positions are listed by department, and information about current and recent recruitment is included. Information is current through the end of October.

Department	Position	Number of Vacant Positions	Recruitment Status	Other Updates
Executive	Deputy Executive Director	1 FTE	Recruiter engaged and initial posting/outreach will start in November.	
	Management Analyst	0 FTE	Position filled; candidate to start in November	
Administration	Risk Manager	1 FTE	Reposted as Risk Manager, interviewing as applications	



			received.	
	Senior Management Analyst	1 FTE	In interview process. May be filled at Senior or regular level.	Open due to promotion earlier in 2022
	Management Analyst	1 FTE	In interview process. May be filled at Senior or regular level.	Open due to turnover
	Program Assistant	1 FTE	In interview process.	Open due to turnover; shared position with HR
Finance		0 FTE		Department is fully staffed
Housing Programs	Assistant Director Housing Programs	0 FTE	Position filled, candidate started in October.	
	Housing Specialist III	0 FTE	Both (2) positions filled; candidates to start in November.	Internal recruitment
	Management Analyst	1 FTE	In interview process	Open due to turnover
	Housing Programs Supervisor	1 FTE	Posted	Open due to internal recruitment
	Housing Specialist II	1 FTE	Will post by end of calendar year	Open due to internal recruitment
	Program Assistant	0 FTE	Candidate started in October	Shared position with Property Operations

Property Operations	Asset Manager	1 FTE	In interview process	Open due to turnover
Housing Development	Project Manager	1 FTE	Will post in November	Open due to turnover
	Assistant Project Manager	1 FTE	Will post in November	Open due to turnover

Summary:
 Total FTE's approved for FY 2023: 52
 Number of vacancies: 11
 Number of active recruitments: 8

While AHA has had some recent success in filling open positions, the job market remains challenging and turnover continues to occur. Staff will be reviewing data, including turnover, in the upcoming months to aid in identifying strategies to address this. Where possible, exit interviews continue to be conducted as well to assist in identifying trends.

Staff celebrations and parking lots events over the summer months included a breakfast in July, an 80th Anniversary celebration with a trivia game in August, and a recognition of National Coffee Day in September. Presentations at staff meetings during this period included AHA's 80th Anniversary, Disability Pride Month, and Hispanic Heritage Month. Additionally, a number of brown bags were held during this time, as typically planned during the summer internship program. Presentations this year included Hints and Tips for Resume Presentation, AHA Finance, Understanding Permanent Supportive Housing, Excel Tips, and an overview of the Housing Choice Voucher and Moving to Work Programs. Staff have also triggered a pre-negotiated, one year extension on the lease at the Southshore location to March 2024. This office houses a number of administrative staff and is not open to the public.

ADA Transition Plan

The Housing Authority of the City of Alameda is working with Sally Swanson Architects to update its ADA Transition Plan and ensure its policies, procedure, practices, and facilities are accessible to persons with disabilities. The report is with Sally Swanson to finalize the draft.

Moving to Work (MTW) Designation

The MTW Supplement to the Annual Plan is posted. It will be posted for 45 days at which time, three public meetings will be held to discuss it. These meetings are on December 5, 6, and 8, 2022. Then the plan will be presented to the Board of Commissioners for discussion and approval.

FISCAL IMPACT

Report only, no financial impact.

CEQA

Not applicable to this item.

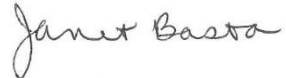
RECOMMENDATION

Accept the Monthly Overview Report for the Executive Department.

ATTACHMENTS

None

Respectfully submitted,

A handwritten signature in cursive script that reads "Janet Basta".

Janet Basta, Director of Human Resources and Operations



PHONE: (510) 747-4300
FAX: (510) 522-7848
TTY/TRS: 711

701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Lynette Jordan, Director of Housing Programs

Date: November 16, 2022

Re: Accept the Quarterly Overview Report for the Housing Programs Department.

BACKGROUND

This memo is a high-level overview of Housing Programs Department (HPD) activities for the months of August, September and October.

DISCUSSION

Funding Update

A review of the Two-Year-Tool (TYT) updated through August 2022 year-end outcomes show the Housing Authority of the City of Alameda (AHA) has \$3.4 mil in HAP reserves and our utilization rate has dropped to 80%, with eight months of HAP and utilization data entered the projection tool, AHA will need to expend HAP funds and raise utilization to expend our full budget authority. Therefore, staff have made the following recommendation to the Executive Director to increase utilization of HAP funds:

- * Issue Vouchers
- * Absorb Port-in vouchers
- * Increase the Payment Standards

Staff have completed the lease-up of Rosefield and plan to issue 100 HCV vouchers. Also, AHA has requested a payment standard increase to 120%, which is currently being reviewed by HUD. Staff have continued to absorb all incoming ports to our jurisdiction. Staff will continue to monitor the utilization and HAP and make the needed adjustments to meet our goal.

Online Recertification Update

Since the Online Recertification portal launched on September 1, 2019, AHA has processed approximately 4K annual recertifications using the Yardi Rentcafe Portal system, unless a Reasonable Accommodation was filed. This online system has allowed AHA participants to complete their annual recertifications online via cell phones,



tablets, laptops, or home computers.

Earlier this year, AHA reinstated our in-person Rent Café Workshops to assist with the online recertification/ interim portal. AHA participants needing assistance or training on how to complete an annual or interim certification through the online portal can attend the workshop where staff can assist at the in-person workshop.

- Annual and Interim recertification processing
- Password and sign on issues
- Uploading documents
- Training on the Rent Cafe portal system
- The workshops are held every other Wednesday at 10 a.m. -11 a.m., at 703 Atlantic Avenue, Alameda, CA 94501 in the Ruth Rambeau Community Room.

Yardi Conference

In August, Yardi held its first conference in over three years in San Diego, California. The Yardi conference is an opportunity for staff to attend training on current and future Yardi platforms, work hands-on with experts in client central troubleshooting and testing upgrades. Staff also have the opportunity to network with colleagues and hear real-time conference updates.

This year the Director of Housing was invited to attend the Executive Briefing and participate in expert panel discussions and help design future Yardi conference content. It was a great opportunity and the staff are glad the conference is back.

FISCAL IMPACT

For report only, no fiscal impact.

CEQA

N/A

RECOMMENDATION

Accept the Quarterly Overview of the Housing Programs Department.

ATTACHMENTS

1. 9-C Attachment 1 -HPD Performance

Respectfully submitted,



Lynette Jordan, Director of Housing Programs

Attachment 1 - Housing Programs Department Performance Report

Month of August, September, October 2022

Item	January	February	March	April	May	June	July	August	September	October	November	December	YTD
HAP spent for month	\$2,876,536	\$ 2,860,902	\$2,864,302	\$ 2,885,311	\$2,768,740	\$2,880,171	\$2,885,025	\$2,848,946	\$2,836,749	\$2,885,743			\$ 28,592,415
Vouchers under lease at start of month	1513	1524	1534	1537	1497	1536	1538	1591	1594	1593			n/a
Vouchers issued during the month	4	7	9	6	7	7	1	5	1	1			48
New units leased in private market	4	0	3	5	4	3	4	3	2	1			29
New units leased in affordable market	0	2	1	1	2	3	0	10	22	3			44
Seeking vouchers	36	43	61	69	83	72	80	78	72	64			658
Port outs leased	0	1	1	0	0	0	0	0	0	1			3
Port ins leased	5	7	6	1	3	2	2	3	2	2			29
Annals completed	98	120	135	172	139	148	146	147	96	29			1230
Interims completed	41	43	48	82	36	35	31	47	21	25			409
Rent Increases completed	15	22	20	35	16	25	20	22	10	18			203
Inspections conducted	168	125	177	126	134	219	78	143	98	30			1288
Inspections passed first time	37	25	37	56	51	105	39	51	59	14			474
Hearings requested	4	12	8	10	14	11	10	3	5	4			81
Hearings held	1	2	3	0	4	2	3	0	1	1			17
End of Participation *	7	3	5	9	5	3	0	3	3	1			39

* includes deaths, over income, voluntary surrender of voucher, etc.1



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Tonya Schuler-Cummins, Principal Management Analyst

Date: November 16, 2022

Re: Accept the Monthly Overview Report for Emergency Housing Voucher (EHV).

BACKGROUND

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (P.L. 117-2, hereafter referred to in this memo as “the ARPA”) into law, which provides over \$1.9 trillion in relief to address the continued impact of the COVID-19 pandemic on the economy, public health, State and local governments, individuals, and businesses.

Section 3202 of the ARPA appropriates \$5 billion for new incremental Emergency Housing Vouchers (EHVs), the renewal of those EHV, and fees for the cost of administering the EHV and other eligible expenses defined by notice to prevent, prepare, and respond to the COVID-19 pandemic to facilitate the leasing of the emergency vouchers, such as security deposit assistance and other costs related to retention and support of participating owners.

Under PIH Notice 2021-15, in May 2021, the Department of Housing and Urban Development (HUD) allocated 70,000 EHV to public housing authorities and issued guidance on the administration of these EHV.

On May 10, 2021, HUD notified the Housing Authority of the City of Alameda (AHA) of its allocation of 57 EHV and Vanessa Cooper, Executive Director, indicated to HUD an acceptance of the 57 EHV on May 13, 2021. This acceptance resulted in the issuance of the budget authority and administrative fees to support 57 EHV on July 1, 2021.

DISCUSSION

Updates

The AHA received 57 vouchers and has received at least one referral for every voucher. Of the 57 vouchers, six (6) were designed for victims of Domestic Violence and five (5) were designed for the Transition Aged Youth (TAY) Category. The other 45 were for homeless families.



Category	Total
Domestic Violence Leased	6
Transition Aged Youth (TAY) Leased	0
Other EHV Leased in City of Alameda	20
Other EHV Leased using Portability	13
Total Leased under All Categories	39

Category	Total
Transition Aged Youth (TAY) Issued Voucher	5
Other EHV Voucher issued and looking in City of Alameda	5
Other EHV Voucher issued and using Portability	9
Total With Voucher	19

Of the six (6) voucher holders searching for units in the City of Alameda, one (1) has turned in a Request for Tenancy Approval. The unit has not passed the Housing Quality Standards inspection. Once it passes, staff will move forward with leasing.

- One family has already exited the program due to death.
- Over-issued one voucher as two are expiring in October and five are expiring in November.

Oakland has requested to absorb three ports and have the AHA absorb three of their ports.

AHA is still meeting with the County to discuss the referral and lease-ups regularly.

FISCAL IMPACT

HUD has provided additional funds for the subsidy, services and administrative work to issue and lease up these vouchers.

CEQA

Not applicable.

RECOMMENDATION

Accept the Monthly Overview Report for EHV.

ATTACHMENTS

None

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tonya Schuler-Cummins', written in a cursive style.

Tonya Schuler-Cummins, Principal Management Analyst



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Stephanie Shipe, Director of Portfolio Management

Date: November 16, 2022

Re: Accept the Quarterly Overview Report for Property Operations.

BACKGROUND

This memo provides a high-level overview of the Property Operations Department's activities for the last quarter and provides a snapshot of data as of the end of the quarter.

DISCUSSION

The attached table (Attachment 1) summarizes property performance of all sites including Housing Authority of the City of Alameda (AHA) owned and managed, affiliate owned, and managed by The John Stewart Company (JSCo). It includes the performance for Rosefield Village in it's first month after achieving 97% Occupancy.

For this quarter, AHA managed Independence Plaza and Anne B Diament. The remainder of the properties are managed third-party by JSCo with staff paying close attention to rent reports, ledger updates, and vacancy applicant information.

VACANCY

The attached table (Attachment 1) reflects twenty-five (25) vacancies out of six hundred eighty-two (682) units for all properties including: AHA owned and managed; affiliate owned; and third party managed by JSCo, as of the end October. Progress is taking place in filling the vacancies. Eleven (11) have move-ins scheduled, twelve (12) files are currently in process, sixteen (16) are turned and ready for occupancy, four (4) are to be filled by AHA and the remainder by JSCo.

Lease up coordination between AHA Property Management, JSCo, and AHA Housing Programs continues with a common goal to fill vacancies as expeditiously as possible. Vacancies that do not have a waitlist are posted on the AHA website and applications are available through contacting the resident managers, as well as GoSection 8, the Section 8 online search engine, and on Craig's List.



RENT COLLECTIONS

The attached table (Attachment 1) provides the collection rate versus budget for all AHA owned and managed, affiliate owned, and managed by The John Stewart Company (JSCo). An explanation for properties with a collection rate below 98% or above 101% is provided below.

The collection rate for Esperanza is 94.3%, Parrot Village & Gardens is 89% and Scattered Sites is 97.5% primarily due to units pending legal, past due balances for residents affected due to COVID-19 and some are unknown due to no current legal repercussions for non-payment of rent. Evictions due to non-payment of rent are currently prohibited by the County eviction moratorium.

The total delinquency (unpaid rent) for the portfolio for current tenants is \$436,562 which is cumulative rent that has been passed due over the past two (2) plus years in the pandemic. This includes approximately \$53,561 in repayments ERAP (the state's COVID rent fund) which is still pending approval or disbursement. The remainder is likely to be lost rent and AHA will need to address this with each household individually. AHA is anticipating that the eviction moratorium will end at the beginning of 2023. All residents with a past due balances have been referred to LifeSTEPS for assistance Property Management and LifeSTEPS continue to engage residents and encourage them to enter into a repayment agreement. There are still a significant number of residents that are not responsive to the notices and referrals. All tenants who owe over \$1000 will be referred to legal counsel for review of their cases by November 30, 2022.

RENT INCREASES

Payment standards for the City of Alameda went down in 2022; therefore, staff did not see many rent increases for our subsidized units. In October 2022, new payment standards were released and there is a slight increase which will allow increases to rents beginning 2023. Generally, rent increases to meet the new payment standard will not impact subsidized residents' rent portion as long as they are not over housed. Rent increases for Independence Plaza will be brought to the Board no later than January 2023.

SOCIAL SERVICES

LifeSTEPS continues to conduct in-person meetings. LifeSTEPS has been providing aid to tenants and households and continues to link them to financial and social service agencies, as needed.

The Food Bank has returned to the farmer's market structure that was being conducted prior to the pandemic and LifeSTEPS has resumed running this program model.

MAINTENANCE

The attached table (Attachment 1) shows the work orders completed for October 2022.

FISCAL IMPACT

Report only, no financial impact.

CEQA

N/A

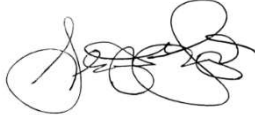
RECOMMENDATION

Accept the Quarterly Overview Report for Property Operations.

ATTACHMENTS

1. 1 - PM - Attachment 1 - Monthly Overview Report for Property Operations

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stephanie Shipe', written in a cursive style.

Stephanie Shipe, Director of Portfolio Management

ATTACHMENT 1

End of October 2022

Property Name	Owned by	Managed by	Total units	Senior or Family	Manager units	Gross Potential Rent	Tenant Rent Collected	Subsidy collected	Total Rent Collected	% collected	Total Delinquency
* Anne B Diament	AHHC	AHA	65	Senior	1	\$ 111,224	\$ 24,248	\$ 83,419	\$ 107,667	96.8%	\$ 39,714
* Independence Plaza	AAHC	AHA	186	Senior	1	\$ 225,009	\$ 134,402	\$ 90,189	\$ 224,591	99.8%	\$ 80,554
China Clipper	AHHC	JSCO	26	Family	1	\$ 48,247	\$ 11,473	\$ 35,903	\$ 47,376	98.2%	\$ 2,347
Eagle Village	AAHC	JSCO	36	Family	1	\$ 87,759	\$ 19,186	\$ 66,870	\$ 86,056	98.1%	\$ 9,046
Esperanza	AAHC	JSCO	120	Family	1	\$ 348,990	\$ 79,710	\$ 249,277	\$ 328,987	94.3%	\$ 55,211
Everett Commons	ICD	JSCO	20	Family	1	\$ 46,268	\$ 7,913	\$ 37,881	\$ 45,794	99.0%	\$ -
Littlejohn Commons	ICD	JSCO	31	Senior	1	\$ 56,242	\$ 10,311	\$ 45,433	\$ 55,744	99.1%	\$ 25,495
Parrot Village & Gardens	AAHC/AHA	JSCO	58	Family	1	\$ 156,516	\$ 25,484	\$ 113,853	\$ 139,337	89.0%	\$ 201,034
Rosefield Village	ICD	JSCO	92	Family	1	\$ 152,556	\$ 88,649	\$ 63,587	\$ 152,236	99.8%	\$ 20,628
Scattered Sites	AHA/AAHC	JSCO	48	Family	0	\$ 99,050	\$ 31,749	\$ 64,841	\$ 96,590	97.5%	\$ 2,534
TOTAL			682		9	\$ 1,331,861	\$ 433,125	\$ 851,253	\$ 1,284,378	96.4%	\$ 436,562

Property Name	Owned by	Vacant units at month end	Vacancy rate %	Units offline for rehab	Vacancy rate excluding offline units	Move ins scheduled in next month	Anticipated move outs next month	Maintenance requests completed	Evictions pending with legal
* Anne B Diament	AHHC	1	1.6%	0	1.6%	1	0	48	1
* Independence Plaza	AAHC	3	1.6%	0	1.6%	1	0	106	2
China Clipper	AHHC	1	4.0%	0	4.0%	1	0	4	
Eagle Village	AAHC	3	8.6%	0	8.6%	0	0	10	
Esperanza	AAHC	5	4.2%	0	4.2%	2	1	38	
Everett Commons	ICD	0	0.0%	0	0.0%	0	0	4	
Littlejohn Commons	ICD	0	0.0%	0	0.0%	0	0	8	
Parrot Village & Gardens	AAHC/AHA	6	10.5%	0	10.5%	3	0	25	3
Rosefield Village	ICD	3	3.3%	2	1.1%	0	0	6	
Scattered Sites	AHA/AAHC	3	6.3%	0	6.3%	3	0	7	
TOTAL		25	3.7%	2	3.7%	11	1	256	6



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Sylvia Martinez, Director of Housing Development

Date: November 16, 2022

Re: Accept the Quarterly Overview Report for Housing Development.

BACKGROUND

This memo provides an overview of the Housing Development departmental activities for the prior quarter.

DISCUSSION

Island City Development

The Housing Authority (AHA) previously made two predevelopment loans to Island City Development (ICD) on behalf of two development projects: North Housing and Rosefield Village. In July 2021, the Alameda Affordable Housing Trust Fund awarded \$7,500,000 and a Letter of Intent for \$2,500,000 (contingent on an award from the Local Housing Trust Fund program of the State of California). Via the Housing Authority reserve policy, additional predevelopment loans are anticipated, but not yet utilized.

The loan balance and project details are discussed in the subsequent project specific Board reports.

Affordable Housing Project Pipeline

Staff has now implemented a quarterly pipeline newsletter system to communicate with interested parties. The first newsletter was issued in late September, and the next is scheduled for early January 2023.

Rosefield Village – An update report on the project is presented as a separate Board item.

North Housing PSH I, PSH II and Seniors – An update report on these projects is presented as a separate Board item.

Tilden Commons (2615 Eagle) - An update report on the project is presented as a separate Board item.

Alameda Hotel Conversion - An update report on the project is presented as a separate Board item.



Feasibility Studies – Utilizing data from recent PNAs, appraisals, and accessibility studies, staff is conducting financial feasibility analyses on three portfolio projects (Independence Plaza, China Clipper, and Esperanza) regarding needs and opportunities for renovation. Staff continues to explore avenues to utilize the AHA's Faircloth voucher allocation, including participating in a working group of housing authorities that are petitioning the State for recognition of this underutilized federal resource as leverage of state funding programs.

Acquisitions

1. Pulte purchases – Two additional condominiums were purchased in October 2022. One more purchase will occur in 2023. Previously purchased units have been leased to low income households, including housing choice voucher holders.
2. 1825 Poggi Street – It is anticipated that this loan will close and the regulatory agreement will be signed by the end of 2022.
3. Staff continues to evaluate potential real estate development and acquisition opportunities throughout Alameda as they become available.

New Funding Opportunities

Staff applied for three projects in the State of California Super NOFA (Notice of Funding Availability) and is awaiting the award decisions. The affordable housing funding year cycle is heavily weighted to the first half of the year, so staff is readying projects for applications in 2023.

Construction in Progress

Staff is prioritizing three items in Construction in Progress (preparation for renovations on portfolio properties) as shared in its monthly report.

Annual Owner Compliance Certification (California Housing Preservation Portal - CaHPP)

Owners of multifamily residential developments that receive governmental assistance under programs defined in [Government Code Section 65863.10\(a\)\(3\)](#) must register their properties and complete an annual certification of compliance with Preservation Notice Law. This registration is required for the first time by 12/31/22. Staff is registering for AHA, AAHC, ICD, and Successor Housing Agency assets. The first year requires considerable documentation research, but it is anticipated that future years will be lighter work, only requiring any additional regulatory agreements to be added.

Staffing

The HD department is recruiting for two staff positions; Project Manager and Assistant Project Manager.

FISCAL IMPACT

N/A

CEQA

N/A


RECOMMENDATION

Accept the Monthly Overview Report for Housing Development.

ATTACHMENTS

None

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Sylvia Martinez', with a stylized flourish at the end.

Sylvia Martinez, Director of Housing Development



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Sylvia Martinez, Director of Housing Development

Date: November 16, 2022

Re: Accept the Quarterly Development Report for Alameda Hotel Conversion.

BACKGROUND

In June 2022, AHA approved a purchase and sale agreement and went into escrow with the owner of the Hawthorn Suites, to convert the extended-stay hotel to residential use and an affordable development. The development will be 50 studio units, with private kitchens and baths. Two small retail spaces along Webster Street will be retained. The development will focus on half of the site, allowing the other half to be retained for future development. The purchase and sale agreement requires a firm commitment in first quarter of 2023 to proceed.

DISCUSSION

Funding

On March 30, 2022, the State of California Department of Housing and Community Development (HCD) published the Super Notice of Funding Availability (Super NOFA) which includes multiple HCD funding programs. On July 12, 2022, staff submitted a Super NOFA Funding Application to the State HCD requesting funds from the Multifamily Housing Program (Non-Tax Credit Set-aside). These funds will require that 25% of the units (13) serve a supportive housing population. Funding awards are expected to be announced in December 2022.

Staff is working to develop a second option for financing this property, and has explored using other state funding programs as well as the Faircloth voucher program. The short timeline of the purchase and sale agreement is a barrier to many kinds of public financing which tend to need long lead times.

Design and Permit

As part of the application process, staff received confirmation that the development will not require CEQA review and is entitled for the planned use. Initial construction scope and budget have been identified based on the recent Physical Needs Assessment and



sustainability and accessibility requirements of the State of California funding programs.

Procurement

Staff is working on procurement for the architect as part of the RFQ for a rehab architect being done for other AHA projects.

Community Outreach

A press release was issued after escrow was opened, and the AHA website now references a newsletter regarding this development. Staff anticipates community outreach meetings will be held in early 2023 if the project moves forward.

FISCAL IMPACT

The Board previously authorized a loan of \$8,000,000 for costs associated with acquisition and development. To date, less than \$125,000 has been spent on studies and deposits.

CEQA

Not Applicable.

RECOMMENDATION

Accept the Quarterly Development Report for Alameda Hotel Conversion.

ATTACHMENTS

None

Respectfully submitted,



Sylvia Martinez, Director of Housing Development



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Tony Weng, Senior Project Manager

Date: November 16, 2022

Re: Accept the Quarterly Development Report for North Housing PSH I.

BACKGROUND

North Housing PSH I is one of the first three projects within North Housing Block A and Block A is the first phase of the larger 12-acre North Housing parcel redevelopment at the former Alameda Naval Air Station (NAS) at the site known as Coast Guard Housing. North Housing PSH I is expected to have 45 units of permanent supportive housing for formerly homeless individuals and households.

The Housing Authority of the City of Alameda (AHA) is leading the development under a homeless accommodation conveyance, alongside partners Alameda Point Collaborative (APC) and Building Futures. Island City Development (ICD) is the developer. On February 21, 2016, the Board authorized acceptance of the Quit Claim deed for conveyance of the property to the Housing Authority. On June 5, 2018, City Council approved the resolution to transfer the North Housing site to the Housing Authority. The North Housing parcel was successfully transferred to Housing Authority ownership on May 30, 2019. The Board approved the Agency's Vision for the North Housing site at its August 2019 meeting. On August 17, 2020, the Planning Board approved the Development Plan, and on September 15, 2020, the City Council approved the Tentative Map.

Please see previous monthly Board reports for project details before this month's update. Documentation of the master planning process may be found at www.northhousing.org.

DISCUSSION

Funding

On February 10, 2022, staff submitted a Community Development Block Grant (CDBG) and a HOME Investment Partnerships Program (HOME) funding application to the City of Alameda for North Housing PSH I. The project received its Conditional Commitment Letter from the City of Alameda dated June 22, 2022, for approximately \$1.26 million in



combined local city loan funds.

On March 10, 2022, staff submitted an Affordable Housing Program (AHP) funding application to the Federal Home Loan Bank of San Francisco. Funding awards were announced in June 2022, and the project was awarded \$660,000 in AHP funds.

On June 1, 2022, staff responded to the Housing Authority of the City of Alameda's Request for Proposals for the Section 8 Project-Based Voucher Program. On June 30, 2022, AHA conditionally awarded twenty (20) Section 8 Project-Based Vouchers (PBV) for North Housing PSH I. The project was previously awarded twenty (20) Section 8 PBV in December 2021. Together, the North Housing PSH I project has a total of forty (40) Section 8 Project-Based Vouchers. The initial Housing Assistance Payment (HAP) Contract for the total of forty (40) PBVs over twenty (20) years is expected to be approximately \$10 million. Staff provided the quarterly report through September 30, 2022 to AHA and requested an extension for the project to enter into an Agreement To Enter Into A Housing Assistance Payment Contract (AHAP) from December 13, 2022 to December 13, 2023. Staff expect this extension would allow the project to secure the necessary financing from the California Tax Credit Allocation Committee in 2023.

On June 30, 2022, staff submitted a Competitive Nine Percent (9%) Low-Income Housing Tax Credit (LIHTC) Application to the California Tax Credit Allocation Committee (CTCAC). Staff received notification that certain documentation was insufficient and submitted an appeal for consideration. On September 28, 2022, CTCAC considered the project's appeal and received a motion to approve the appeal but did not receive a motion to second. The project did not receive a 9% tax credit allocation from CTCAC.

Permit

Staff and the project team submitted for building permit on September 29, 2022. Staff are working with the City of Alameda Building Department on the permit submittal and the fees due to the Building Department related to applicable exemptions for various city fees and taxes.

Procurement

Staff is working on three active procurements: an Owner's Representative, a Prevailing Wage Consultant, and a Debt and Equity Investor for the project. Staff expect to issue the Request for Proposals and/or Qualifications in the next two months.

FISCAL IMPACT

The Board previously authorized a predevelopment loan of \$6,238,000 for costs associated with master planning, carrying costs, demolition, and redevelopment work for the first phase of the North Housing project, which includes 90 units of permanent supportive housing. Funds are disbursed to ICD on an as-needed basis. Per the 2022 Reserve Policy, the Boards approved an additional \$1,262,000 in predevelopment funding. The current total available predevelopment loan balance is \$1,381,446. Please refer to the attached chart summarizing expenses through October 31, 2022

(Attachment 1).

The Board has made the following financial commitments to this development, per the 2021 Reserve policy and the creation of the Alameda Affordable Housing Trust Fund in 2021: \$7,500,000 commitment to the first two permanent supportive housing phases, totaling 90 units; forward commitment of Local Housing Trust Fund matching grant funds of \$2,500,000, once available; approved an option to ground lease the property, at a subsidized rate in 2021.

CEQA

Not Applicable.

RECOMMENDATION

Accept the Quarterly Development Report for North Housing PSH I.

ATTACHMENTS

1. North Housing Expenses Chart Through October 31, 2022

Respectfully submitted,

A handwritten signature in blue ink that reads "Tony Weng". The signature is written in a cursive style with a horizontal line extending to the right.

Tony Weng, Senior Project Manager

North Housing Predevelopment Expenses Chart Through October 31, 2022.

<u>North Housing</u>	<u>Total</u>
12 Acre Site Pre-Development (includes master planning and demolition)	\$4,156,896
First Phase Pre-Development (Block A, includes all three projects)	\$1,422,597
Carrying Costs (see details below)	\$539,061
Grand Total	\$6,118,554

<u>Carrying Costs-Details</u>	
<i>Predevelopment Category</i>	<u>Total</u>
Administrative Expenses (including postage & advertising)	\$1,092
Furniture and Equipment - Fencing	\$65,043
Insurance	\$4,292
On Site Improvements	\$349,557
Legal Expense	\$23,679
Permit & Fees	\$722
Prepaid - Other	\$30,267
Professional Services (Other)	\$34,624
Survey	\$29,785
Grand Total	\$539,061



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Tony Weng, Senior Project Manager

Date: November 16, 2022

Re: Accept the Quarterly Development Report for North Housing PSH II.

BACKGROUND

North Housing PSH II is one of the first three projects within North Housing Block A and Block A is the first phase of the larger 12-acre North Housing parcel redevelopment at the former Alameda Naval Air Station (NAS) at the site known as Coast Guard Housing. North Housing PSH II is expected to have 46 units of permanent supportive housing for formerly homeless individuals and households.

The Housing Authority of the City of Alameda (AHA) is leading the development under a homeless accommodation conveyance, alongside partners Alameda Point Collaborative (APC) and Building Futures. Island City Development (ICD) is the developer. On February 21, 2016, the Board authorized acceptance of the Quit Claim deed for conveyance of the property to the Housing Authority. On June 5, 2018, City Council approved the resolution to transfer the North Housing site to the Housing Authority. The North Housing parcel was successfully transferred to Housing Authority ownership on May 30, 2019. The Board approved the Agency's Vision for the North Housing site at its August 2019 meeting. On August 17, 2020, the Planning Board approved the Development Plan, and on September 15, 2020, the City Council approved the Tentative Map.

Please see previous monthly Board reports for project details before this month's update. Documentation of the master planning process may be found at www.northhousing.org.

DISCUSSION

Funding

On March 30, 2022, the State of California Department of Housing and Community Development (HCD) published the Super Notice of Funding Availability (Super NOFA) which includes multiple HCD funding programs. On July 12, 2022, staff submitted a



Super NOFA Funding Application to the State HCD requesting funds from the Multifamily Housing Program (MHP) and Infill Infrastructure Grant (IIG) Program. Funding awards are expected to be announced in December 2022.

On December 13, 2021, AHA conditionally awarded forty (40) Section 8 Project-Based Vouchers (PBV) for North Housing PSH II. The initial Housing Assistance Payment (HAP) Contract for the total of forty (40) PBVs over twenty (20) years is expected to be approximately \$10 million. Staff provided the quarterly report through September 30, 2022 to AHA and requested an extension for the project to enter into an Agreement To Enter Into A Housing Assistance Payment Contract (AHAP) from December 13, 2022 to December 13, 2023. Staff expect this extension would allow the project to secure the necessary financing from the California Tax Credit Allocation Committee and the California Debt Limit Allocation Committee in 2023.

Permit

Staff and the project team submitted for building permit on September 29, 2022. Staff are working with the City of Alameda Building Department on the permit submittal and the fees due to the Building Department related to applicable exemptions for various city fees and taxes.

Procurement

Staff is working on three active procurements: an Owner’s Representative, a Prevailing Wage Consultant, and a Debt and Equity Investor for the project. Staff expects to issue Request for Proposals and/or Qualifications in the next two months.

FISCAL IMPACT

The Board previously authorized a predevelopment loan of \$6,238,000 for costs associated with master planning, carrying costs, demolition, and redevelopment work for the first phase of the North Housing project, which includes 90 units of permanent supportive housing. Funds are disbursed to ICD on an as-needed basis. Per the 2022 Reserve Policy, the Boards approved an additional \$1,262,000 in predevelopment funding. The current total available predevelopment loan balance is \$1,381,446. Please refer to the attached chart summarizing expenses through October 31, 2022 (Attachment 1).

The Board has made the following financial commitments to this development, per the 2021 Reserve policy and the creation of the Alameda Affordable Housing Trust Fund in 2021: \$7,500,000 commitment to the first two permanent supportive housing phases, totaling 90 units; forward commitment of Local Housing Trust Fund matching grant funds of \$2,500,000, once available; approved an option to ground lease the property, at a subsidized rate in 2021.

CEQA

Not applicable.

RECOMMENDATION

Accept the Quarterly Development Report for North Housing PSH II.

ATTACHMENTS

1. North Housing Expenses Chart Through October 31, 2022

Respectfully submitted,

A handwritten signature in blue ink that reads "Tony Weng". The signature is written in a cursive style with a long horizontal stroke at the end.

Tony Weng, Senior Project Manager

North Housing Predevelopment Expenses Chart Through October 31, 2022.

<u>North Housing</u>	<u>Total</u>
12 Acre Site Pre-Development (includes master planning and demolition)	\$4,156,896
First Phase Pre-Development (Block A, includes all three projects)	\$1,422,597
Carrying Costs (see details below)	\$539,061
Grand Total	\$6,118,554

<u>Carrying Costs-Details</u>	
<i>Predevelopment Category</i>	<u>Total</u>
Administrative Expenses (including postage & advertising)	\$1,092
Furniture and Equipment - Fencing	\$65,043
Insurance	\$4,292
On Site Improvements	\$349,557
Legal Expense	\$23,679
Permit & Fees	\$722
Prepaid - Other	\$30,267
Professional Services (Other)	\$34,624
Survey	\$29,785
Grand Total	\$539,061



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Tony Weng, Senior Project Manager

Date: November 16, 2022

Re: Accept the Quarterly Development Report for North Housing Senior Apartments.

BACKGROUND

North Housing Senior Apartments is one of the first three projects within North Housing Block A and Block A is the first phase of the larger 12-acre North Housing parcel redevelopment at the former Alameda Naval Air Station (NAS) at the site known as Coast Guard Housing. North Housing Senior Apartments is expected to have sixty-four (64) affordable units for seniors aged 62 and over.

The Housing Authority of the City of Alameda (AHA) is leading the development under a homeless accommodation conveyance, alongside partners Alameda Point Collaborative (APC) and Building Futures. Island City Development (ICD) is the developer. On February 21, 2016, the Board authorized acceptance of the Quit Claim deed for conveyance of the property to the Housing Authority. On June 5, 2018, City Council approved the resolution to transfer the North Housing site to the Housing Authority. The North Housing parcel was successfully transferred to Housing Authority ownership on May 30, 2019. The Board approved the Agency's Vision for the North Housing site at its August 2019 meeting. On August 17, 2020, the Planning Board approved the Development Plan, and on September 15, 2020, the City Council approved the Tentative Map.

Please see previous monthly Board reports for project details before this month's update. Documentation of the master planning process may be found at www.northhousing.org.

DISCUSSION

Funding

On March 30, 2022, the State of California Department of Housing and Community Development (HCD) published the Super Notice of Funding Availability (Super NOFA) which includes multiple HCD funding programs. On July 12, 2022, staff submitted a



Super NOFA Funding Application to the State HCD requesting funds from the Multifamily Housing Program (MHP), Infill Infrastructure Grant (IIG) Program, and the Veterans Housing and Homelessness Prevention (VHHP) Program. Under the VHHP program, 25% of the units (16 units) will serve senior homeless veterans. Funding awards are expected to be announced in December 2022.

On June 1, 2022, staff responded to the Housing Authority of the City of Alameda's Request for Proposals for the Section 8 Project-Based Voucher (PBV) Program. On June 30, 2022, AHA conditionally awarded forty (40) Section 8 PBVs for North Housing Senior Apartments. The initial Housing Assistance Payment (HAP) Contract for the total of forty (40) PBVs over twenty (20) years is expected to be approximately \$10 million. Staff provided the quarterly report through September 30, 2022 to AHA as required per the conditional award.

Permit

Staff and the project team submitted for building permit on September 29, 2022. Staff are working with the City of Alameda Building Department on the permit submittal and the fees due to the Building Department related to applicable exemptions for various city fees and taxes.

Procurement

Staff is working on three active procurements: an Owner's Representative, a Prevailing Wage Consultant, and a Debt and Equity Investor for the project. Staff expect to issue the Request for Proposals and/or Qualifications in the next two months.

FISCAL IMPACT

The Board previously authorized a predevelopment loan of \$6,238,000 for costs associated with master planning, carrying costs, demolition, and redevelopment work for the first phase of the North Housing project, which includes 90 units of permanent supportive housing. Funds are disbursed to ICD on an as-needed basis. Per the 2022 Reserve Policy, the Boards approved an additional \$1,262,000 in predevelopment funding. The current total available predevelopment loan balance is \$1,381,446. Please refer to the attached chart summarizing expenses through October 31, 2022 (Attachment 1).

The Board has made the following financial commitments to this development, per the 2022 Reserve policy: \$2,438,000 commitment to North Housing Senior Apartments; approved an option to ground lease the property, at a subsidized rate in 2021.

CEQA

Not applicable.

RECOMMENDATION

Accept the Quarterly Development Report for North Housing Senior Apartments.

ATTACHMENTS

1. North Housing Expenses Chart Through October 31, 2022

Respectfully submitted,

A handwritten signature in blue ink that reads "Tony Weng". The signature is written in a cursive style with a long horizontal stroke at the end.

Tony Weng, Senior Project Manager

North Housing Predevelopment Expenses Chart Through October 31, 2022.

<u>North Housing</u>	<u>Total</u>
12 Acre Site Pre-Development (includes master planning and demolition)	\$4,156,896
First Phase Pre-Development (Block A, includes all three projects)	\$1,422,597
Carrying Costs (see details below)	\$539,061
Grand Total	\$6,118,554

<u>Carrying Costs-Details</u>	
<i>Predevelopment Category</i>	<u>Total</u>
Administrative Expenses (including postage & advertising)	\$1,092
Furniture and Equipment - Fencing	\$65,043
Insurance	\$4,292
On Site Improvements	\$349,557
Legal Expense	\$23,679
Permit & Fees	\$722
Prepaid - Other	\$30,267
Professional Services (Other)	\$34,624
Survey	\$29,785
Grand Total	\$539,061



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TTY/TRS: 711

701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Sylvia Martinez, Director of Housing Development

Date: November 16, 2022

Re: Accept the Monthly Development Report for Rosefield Village.

BACKGROUND

The Housing and Community Development Department provides monthly reports on projects under construction where either the Housing Authority of the City of Alameda (AHA) or Island City Development (ICD) is acting as developer and provides performance guarantees.

The Rosefield Village project includes new construction of 78 units and renovation of 14 units, totaling 92 units, located on the 700 block of Buena Vista Avenue. ICD is the developer. The overall project scope included both the rehabilitation of existing structures and the construction of a new building in the middle of the site. In addition to the 78 units, the new central building includes onsite laundry facilities, property management offices, social service coordination offices, a community room, and a central courtyard with recreation areas. Twelve existing units, in five buildings, on the east and west sides of the new building were renovated, and one house was converted into a duplex. Please see previous monthly Board Reports for project details prior to this month's update.

DISCUSSION

The project received its construction completion and Certificate of Occupancy in August 2022. Currently, only minor warranty work is being done on the site.

Leasing

The project achieved 100% lease up of its tax credit units (89 units, including 23 project based voucher units) as of 10/31/22, which is a major milestone. There are two non-tax credit units, one of which is being prepared for lease up in November, and another that is on hold due to an EBMUD water service upgrade, anticipated for early 2023.

Many staff members in AHA departments in Housing Programs, Portfolio Management and Housing Development contributed meaningfully to this lease up effort, supporting staffing shortfalls of the property manager John Stewart Company (JSCo). All files are



being audited, both through AHA's internal file audit process as well as the investor's review. Thus far, the auditor has only found low-level corrections.

Stabilization and Conversion

The next major steps for the project are to achieve stabilization and to go through conversion to the permanent loan phase. The stabilization includes documentation of three months of stable operations. Conversion requires that all tax credit units be appropriately leased, the stabilization period has passed, and the CPA firm has certified all costs of the project. The CPA review of costs is already underway. It is anticipated that the conversion will occur in first quarter 2023. At that time, AHA will be eligible to receive additional developer fee, and the construction loan will be paid off by investor proceeds and the permanent loan.

FISCAL IMPACT

Until the project converts to the permanent loan, all guarantees are in place. In addition, the project still needs to meet the major milestone of conversion to pay out additional developer fee. At this point, the project continues to be under budget, largely due to construction cost savings.

CEQA

Not applicable.

RECOMMENDATION

Accept the Monthly Development Report for Rosefield Village.

ATTACHMENTS

None

Respectfully submitted,



Sylvia Martinez, Director of Housing Development



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Sylvia Martinez, Director of Housing Development

Date: November 16, 2022

Re: Accept the Quarterly Development Report for Tilden Commons.

BACKGROUND

The Housing Authority purchased the property at 2615 Eagle Avenue in April 2022 in order to develop the site as affordable housing. The Housing Authority anticipates that the site will serve 40-50 families, with up to 25% supportive housing units if required by funding sources. The Housing Authority may use the site for maintenance staff and storage during the remodel of its current maintenance garage.

DISCUSSION

Funding

On April 20, 2022, the Housing Authority approved an option to subsidized ground lease valued at \$2,500,000 to Island City Development, and in May 2022, also agreed to \$500,000 in funding for design and development.

Additional funding for this project requires a more established design and development scheme, planned for 2023.

Design and Permit

As part of the application process, staff received confirmation that the development will not require CEQA review and is entitled for the planned use. The site will have to submit drawings for a ministerial design review process on objective design standards, and for offsite public works approvals.

Procurement

Staff is working on procurement for the architect and design team. Staff expect to issue the Request for Proposals and/or Qualifications by the end of 2022.

Community Outreach

A press release was issued after escrow closed, and the AHA website now references a



quarterly newsletter regarding all pipeline developments. Staff anticipates community outreach meetings will be held in the first quarter of 2023.

FISCAL IMPACT

The Board previously authorized a loan of \$3,000,000 for costs associated with acquisition and development. To date, \$2,630,000 has been spent on acquisition and feasibility studies.

CEQA

Not applicable.

RECOMMENDATION

Accept the Quarterly Development Report for Tilden Commons.

ATTACHMENTS

None

Respectfully submitted,



Sylvia Martinez, Director of Housing Development



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Joseph Nagel, Construction Project Manager

Date: November 16, 2022

Re: Accept Monthly Report on Construction in Progress.

BACKGROUND

There were a number of costs and planned portfolio projects described in the Reserve Policy and other approvals from the May 2022 Housing Authority of the City of Alameda (AHA) Board of Commissioners meeting. Because of the large number of items currently underway, staff will provide a periodic update on Construction In Progress (CIP) activities.

DISCUSSION

1. Independence Plaza-

The Board approved up to \$1,850,000 in funds to complete the Independence Plaza balcony and guardrail repairs are awaiting final approval of the permits from the building department. Permit applications were submitted electronically to the building department on June 16, 2022 for all five (5) buildings (703, 705, 707, 709, 711) and four (4) have been approved and received. Balcony repair work has begun and as of November 2nd, repairs have been completed on 27 of 53 balconies.

Alameda Affordable Housing Corporation (AAHC) was notified that one of the buildings, building 707, is located within the FEMA Special Flood Hazard Area (SFHA). Due to this building being located within the FEMA SFHA, there would be additional documents required (detailed construction cost estimates, and an appraisal of the existing structure). Staff was able to provide a FEMA Flood Survey that showed the building was above the FEMA flood zone. The building department has also requested additional information and detailed plans for this repair. AAHC has contracted with Peoples Associates Structural Engineers, the same firm that provided the structural peer review, to provide any needed additional documentation required by the city building department and assist in expediting the permit process.

2. 701 Office/Maintenance Garage Conversion



- a. Architect RFQ-The RFQ for a design architect was issued on September 19th, 2022. RFI questions were received from 11 firms by the October 21, 2022, deadline and the answers to the RFI questions were issued on October 27th. Final RFQ responses are due on November 14th, 2022.
- b. GC RFP- The RFP for a General Contractor is being drafted. We expect that this RFP will be issued by December 1st, 2022.

3. Tilden Commons – Security & Readiness for AHA Maintenance

At the recently acquired AUSD property at 2615 Eagle Ave., smoke detectors, security alarms and cameras have been installed to properly secure the property. AAHC is currently working with the security system vendor to provide replacement smoke detectors. The smoke detectors originally installed were defective and caused false alarms. We expect the replacements to be delivered and installed by November 2022 as the vendor is facing supply chain issues. When the replacement smoke detectors are installed and operational, the maintenance staff is expected to move in.

4. Physical Needs Assessments

AAHC has contracted with the consulting firm PPA (Physical Property Analysis LLC) to conduct PNA's (Physical Needs Assessments) on the portfolio of properties. All of the assessments have been completed. We have received 4 of the 26 reports and expect the remaining reports by the end of November.

FISCAL IMPACT

The Board has approved these costs from the Construction in Progress section of the 2022 Reserves Policy (May 2022 BOC).

CEQA

None.

RECOMMENDATION

Accept Monthly Report on Construction in Progress.

ATTACHMENTS

None

Respectfully submitted,



Joseph Nagel, Construction Project Manager



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Gregory Kats, Director of Administrative Services

Date: November 16, 2022

Re: Accept the Quarterly Overview Report For Administrative Services Department.

BACKGROUND

The Administrative Services Department manages a number of areas within the Housing Authority of the City of Alameda (AHA); including procurement, information technology, reasonable accommodations, community relations and risk management. This report serves to provide the Board with a quarterly overview of notable developments within these areas of the agency.

DISCUSSION

Procurement - Here are the AHA's current procurement initiatives:

RFP and Contract Templates: Templates are under review, and staff will continue to evaluate the format and processing sequence for RFPs and contracts during Q4. Staff are also researching a variety of procurement tools to increase efficiencies and will keep the Board informed of any changes to procurement processes.

Diversion, Equity, and Inclusion (DEI) initiative: Proposals have been received for DEI consultant services and staff anticipate entering into an agreement before the end of the year.

Internal Training: AHA Procurement Days will continue to be offered on a bi-annual basis to provide updates on best practices for current staff. Additional procurement training will be provided to new staff members on an as-needed basis.

AHA solicitations can be found here: <https://www.alamedahsg.org/contracting-with-aha/>

A summary of notable past, present and upcoming RFPs and ITBs is provided below:



RFP/ITB DESCRIPTION	ORG	STATUS
Background Check	AHA	RFP closed, under review.
Benefits Broker	AHA	RFP closed, under review.
Consultant: Conflict of Interest	AHA	RFP Closed, contract executed.
Consultant: MTW	AHA	RFP Issued, contract executed.
Consultant: PHA Housing	AHA	RFP Closed, contract executed..
Copier Services For the AHA office	AHA	RFP closed, contract executed.
Cost Allocation Method (CAP alternative)	AHA	RFP closed, contract executed.
Diversity, Equity, and Inclusion (DEI) Consulting Services	AHA	RFP closed, under review.
HRIS System (Including payroll)	AHA	RFP closed, contract pending.
Property Management File Audit	AHA	RFP closed, contract executed.
Property Management Services Review	AHA	RFP closed, under review

Reasonable Accommodations

The table below provides a summary of monthly and year-to-date statistics on Reasonable Accommodation (RA) processing as of October 25, 2022.

	New submissions by month	Requests still in process	Closed RAs (letter sent)	Submissions YTD	Closed RAs YTD
January	29	0	29	29	29
February	10	0	10	39	39
March	15	0	15	54	54
April	45	0	45	99	99
May	41	0	41	140	140
June	21	0	21	161	161
July	31	0	31	181	181
August	27	0	27	208	208

September	21	0	21	229	229
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The subsequent table displays the percentage of approved, denied, and closed requests that have been finalized by month. For example, during September 2022 there were twenty-one RAs that had been finalized. Of those twenty-one, eight requests were approved, resulting in a 38%% approval rate.

	Approved	Denied	Closed
January	38%	41%	21%
February	50%	40%	10%
March	67%	20%	13%
April	56%	31%	13%
May	44%	22%	34%
June	48%	33%	19%
July	56%	33%	11%
August	45%	33%	22%
September	38%	33%	29%

The following table provides a year-to-date total of the type of accommodation requests received. The "other" category includes requests such as extensions of time for completing a recertification, reinstating a voucher, and/or providing approval for an assistance animal.

Categories	YTD
Extra Bedroom	40
Live-In Aides	37
Parking	7
Unit Modifications/requests	37
Voucher extension	39
Other - Misc.	69

Staff continues to accept requests via e-mail, fax, in person, by phone, and through the electronic form available on the AHA website; and to complete quality control reviews on reasonable accommodation request processes and outcomes.

Community Relations

The bi-monthly art activities for children living at AHA properties continue to be provided by the nonprofit arts program, Drawbridge, during our third quarter. The Alameda Recreation and Parks Department Mobile Recreation Program re-started in September, and this activity continues to be a favorite of AHA youth. AHA appreciates the City of Alameda providing equitable access to after-school recreation for AHA families. AHA is also grateful for the support from the Alameda Food Bank which continues to provide free water, fruit, and snacks for the youth programs held at the Esperanza housing community.

AHA obtained 18 used bicycles at no charge from Alameda Bicycle (a bike shop on Park Street) with the goal of refurbishing those bikes (with help from Bay Area Bike Mobile) and then distributing the refurbished bicycles to AHA youth. The bicycle event is scheduled for November 19, 2022 in the parking lot at AHA's main office, at the event AHA youth will receive a bicycle, helmet, lock and bicycle safety information. AHA has been conducting outreach to AHA families and to date 14 children have signed up for the event.

LifeSteps now manages the entire food distribution process for AHA properties, which is held on alternating Tuesdays at Anne B. Diament and Independence Plaza. The food is sourced from the Alameda Food Bank and serves AHA households that are not capable of picking up food directly from the Alameda Food Bank food distribution location at 650 West Ranger Avenue.

Communications Summary

To increase community awareness of AHA business activities, AHA utilizes multiple communication channels, including:

1) **Press Releases:** During Q3 AHA distributed three press releases to announce the Webster Street/Hotel Conversion, Alameda Affordable Housing Trust Fund, and the Rosefield Village Grand Opening. The Rosefield Village Grand Opening garnered the most coverage with 203 Associated Press outlets publishing the press release.

2) **AHA newsletters:** During Q3, Housing Choice Voucher Program participants and AHA tenants were mailed (and emailed) the Quarterly Tenant Newsletter. With newsletters for landlords (bi-annually), tenants (quarterly) and vendors (annually), and distributed in October.

3) **Online Communications:** AHA staff continues to use frequent social media postings to highlight AHA accomplishments and other community resources relevant to AHA online audiences.

4) **Public Outreach:** AHA staff continues to expand awareness of AHA program offerings and activities by conducting public presentations for the Alameda City Council, City of Alameda Boards and Commissions (including the Rec & Parks Commission), the Board of the Alameda Unified School District, monthly meetings of AHA landlords, and

quarterly meeting for local community and legal advocates. Internal outreach efforts included an AHA staff training which covered Trauma Informed Care and . The goal of this training was to help AHA staff better understand how the trauma of housing instability can affect people and then use that understanding to provide better customer service to program participants.

Website Re-Design Update

During Q3, both new websites (www.alamedahsg.org and www.islandcitydevelopment.org) were launched in September. Select staff (that are authorized to perform website editing) underwent internal training on the WordPress (back-end) platform in order to learn how to update the system. For website data reporting, the websites will use Google Analytics. In addition to the websites featuring intuitive navigation and being optimized for mobile devices, AHA was pleased to receive positive feedback from Lighthouse Center for the Blind and Visually Impaired, related to the websites being easy to use for those with visual impairments.

Online Data Metrics

The information below tracks AHA's growing digital presence by capturing website analytics, social media metrics, and email activity:

Website Data (for both AHA and ICD)

Data not yet available, as AHA's contract with their previous website data vendor ended in July 2022. Google Analytics (free service) is now capturing website data for both www.alamedahsg.org people and www.islandcitydevelopment.org. Since both websites were launched in mid-September only two weeks of data is available for Q3 report. In the next quarterly report (Q4 2022) full quarterly website data metrics will be added to the reporting.

Facebook Data

Total Followers: 695

Post Reach (Number of people that saw any content on AHA Facebook page): 16,649

LinkedIn Data

Total Followers: 467

Unique Visitors: 238

Impressions Delivered (Total page views by unique visitors in Q3): 7,879

Email Data

Agency Emails Sent out by AHA in Q3: 18,756

Email List Contact Growth (from previous quarter): 1,083

Email Open Rate: 51%

Click Rate: 6%

Ombudsperson Data

The Housing Authority of the City of Alameda Ombudsperson is a solution-oriented community resource available to all AHA tenants, AHA program participants, AHA

landlords, and other community organizations that represent AHA tenants or clients. To expand awareness of the Ombudsman Program with AHA landlords, several outreach activities were conducted in October including; presentation at AHA's annual landlord workshop, email blast, and social media posting.

The Ombudsperson is a community liaison and provides an array of duties, including:

- Resolving AHA tenant or Section 8 complaints.
- Identifying AHA staff members to answer your specific questions.
- Developing and expanding community partnerships.
- Serving as neutral AHA representative to help our clients find resolution.
- Ensures that tenant or landlord concerns are fully addressed.

As of the close of Q3 2022, the Ombudsperson has received 214 inquiries. After approximately 18 months of operation, the Ombudsperson Program has gained valuable data from these inquiries to better serve our participants. The Ombudsperson Program continues coordination with internal departments, primarily the Housing Programs Department and Property Management staff, to quickly identify solutions and resolve participants' issues. Moving forward, the Ombudsperson Program will continue to focus on quickness of response to inquiries and providing accurate, comprehensive and useful information in response to inquiries.

During the upcoming quarter the Ombudsperson Program will focus on conducting increased outreach to AHA landlords, in order to raise awareness about the program and its services, among our owner and property managers. These efforts will include:

- Monthly outreach emails from the Ombudsperson Program to AHA landlords
- Monthly posts promoting the Ombudsperson Program on social media
- Direct mailers regarding the Ombudsperson Program will be sent to AHA landlords.
- The Ombudsperson will continue to participate in AHA's regularly scheduled landlord outreach events, organized HPD.

Total Q3 Ombudsperson Contacts: 15

Contacts from the general public (Non-AHA Landlord/tenant matter): 1

Contacts related to AHA tenant (Potential Lease violation): 1

Contacts related to AHA tenant (Neighbor/Property Management Dispute): 10

Contacts related to AHA tenant (Reasonable Accommodation): 1

Contacts related to AHA tenant (Property Condition): 1

Contacts related to AHA tenant (Rental Payment): 1

Current IT Projects

IT Procedures: Staff is updating and expanding our standard operating procedures for AHA's IT-related operations. A first draft of the newly revised IT equipment tracking

SOP is expected to be put in place in November of 2022.

Multi Factor Authentication: Staff is currently reviewing all agency data systems, in order to develop a plan to implement a comprehensive MFA system as an added layer of security.

Yardi Vendor Café: Staff is in the exploratory phase of using this product as a system for storing and tracking vendor insurance, as well as streamlining invoice processing. The challenge is motivating vendors to use the system to its full potential, as it requires initial vendor interaction with the system, in order to populate the system with the requisite vendor information. Yardi staff has offered to provide AHA with additional resources to assist with the outreach process to our vendor pool.

Hybrid Board Meetings: After making some adjustments for enhanced audio, the AHA Board Meetings have been successful in using the new hybrid technology. We will continue with this format until further notice from the Board.

Software Updates.

Yardi has also been updated with new PHA Reports in order to produce additional dashboard data regarding the agency's "Asset IQ."

IT Training

The Yardi software conference was held from August 31, 2022 – September 2, 2022 and was attended by 3 AHA staff members from Finance, Administration & Housing Programs. Attendees learned about new system features and got a deeper understanding of new and current products and services, including:

- Asset IQ Dashboards that will soon be a part of our Yardi host of products.
- YardiOne features that will be available for installation.
- VendorCafe features that may be helpful in improving our vendor invoice processing and insurance tracking.
- Financial Analytic Reporting tools featuring a new Excel add-in.
- Advanced security features that can be added, including MFA, which was implemented in October.

A training was also given by the Management Analyst in charge of IT, at the August General Staff Meeting, to review agency IT policy. Topics included password protection guidelines, a laptop security overview and Yardi security updates.

Service Tickets

Techordia Service Ticket Requests: July - September 3022

	July	August	September	
Type of Service Request	Qty	Qty	Qty	TOTALS

Access rights	38	52	33	123
Hardware	18	28	26	72
Software	29	63	62	154
On Boarding / Off Boarding	14	7	16	37
On Site Visits	1	7	5	13
Cyber Security	0	3	1	4
TOTAL:	100	160	143	403
Avg Response Time (minutes)	55	15	13	28

- IT Service Ticket Requests were spread across most categories during this period.
- The average response time for this period was less than half an hour, which is in alignment with previous periods.
- Year to Date tickets 2021: 1,093
- Year to Date tickets 2022: 1,075

Below is a chart of tickets between 2021 and 2022:

There were 59 IT-PAN's started during the time period 7/1/2022-9/30/2022.

There were 52 IT-PAN's completed during the time period 7/1/2022-9/30/2022.

Reporting Generated by IT for AHA Departments in Q3

IT provides a range of reports to various departments to assist with managing and monitoring their programs. These include:

- Open Work Orders (Weekly)
- HQS Inspections (Bi-weekly)
- Inspections Audit/Missed Inspections (Bi-weekly)
- DocuSign Usage (Monthly)
- Yardi Access (Monthly)
- KnowBe4 Missed Trainings (Weekly)
- New Vendor Report (Monthly)
- Ring Central user listing
- T-Mobile tablet data usage (Monthly)
- Microsoft User Licenses (Monthly)

FISCAL IMPACT

The fiscal details involved in individual solicitations can be found here:

http://www.alamedahsg.org/working_with_us/business_opportunities.

Non-procurement costs are covered under the approved AHA budget.

CEQA

N/A

RECOMMENDATION

Accept the Quarterly Overview Report on Procurement.

ATTACHMENTS

None

Respectfully submitted,

Greg Kats

Gregory Kats, Director of Administrative Services



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Louie So, Director of Finance

Date: November 16, 2022

Re: Accept the Quarterly Financial Report through the Month of September 2022.

BACKGROUND

This high-level, Finance and Budget Variance Report covers preliminary unaudited financial operating results of July 1, 2022 through September 30, 2022 activity compared to the FY 2023 budget for the same period. Although the audited financial statements are on an accrual basis, the month-to-month financials are on a hybrid accrual and cash basis. The numbers presented are subject to change based on the adjustments from the final audited financial statement report by the independent financial auditors. On May 18, 2022, the Board of Commissioners approved a one-year operating budget for the period covering fiscal year July 1, 2022 through June 30, 2023. The Housing Authority of the City of Alameda (AHA) financial reports incorporate the financial activities of the properties which were transferred to AHA's affiliate, Alameda Affordable Housing Corporation (AAHC). All members of the Board of Commissioners also serve as the Board of Directors of AAHC and due to this common control, the Department of Housing and Urban Development (HUD) has opined that AAHC is a blended component unit of the Housing Authority of the City of Alameda (AHA). As part of the strategic plan, AHA staff has adopted a simplified format to track the financial performance of the authority on a quarterly basis and this financial report presents information for the period from July 2022 through September 2022 (first quarter of the fiscal year).

DISCUSSION

Overview

The following Financial Snapshot showcases Net Operating Income (Cash Flow of AHA) for the fiscal year to date (July 1, 2022 through September 30, 2022). Further discussions on the cause of these variances are presented below. Please note that "Total Revenue" represented below only showcases a timing difference as AHA is pending receipt of the Tax Increment Payment for Independence Plaza and the Alameda Unified School District Recognized Obligation Payment.



Financial Snapshot	PTD Actual	PTD Budget	Variance	% Variance
TOTAL REVENUE	13,146,413	14,658,620	-1,512,207	-10.32
LESS: OPERATING EXPENSES	-11,958,893	-14,296,113	2,337,220	10.35
NET OPERATING INCOME	1,187,520	362,507	825,013	227.59

The following Risk Indicator showcases whether AHA has sufficient cash and investments to meet its near-term obligations.

Performance Indicator	Cash	HAP	Months Covered
Cash and Investments/Total HAP	35,878,961	3,040,386	11.80
Cash and Investments/Operating Expense	35,878,961	4,488,341	7.99
Cash and Investments/HAP and Operating Expense	35,878,961	7,750,901	4.77

Furthermore, leverage ratio AHA Debt (\$118,428,835) to AHA Assets (\$258,068,568) percentage of 46% showcases that AHA is lowly leveraged. Additionally, some of the AHA debt are internal debt (i.e. seller note from the AHA to AAHC property transfers).

Third Party Management

Currently, AHA/AAHC only manages 2 properties in-house (Anne B. Diament and Independence Plaza). AHA has outsourced Eagle Village and Rosefield Village projects to The John Stewart Company (JSCO) prior to 2019. Additional AHA and AAHC properties were transferred to JSCO's management on July 1, 2020, including Parrot Gardens, Parrot Village, Detached Homes, Sherman Street, Lincoln House, Senior Condos, Stanford House, Lincoln Willow and China Clipper Plaza Apartments. Esperanza was outsourced to JSCO on January 1, 2021. Income and occupancy figures are provided in the Monthly Overview report for Property Operations for the properties managed by JSCO. AHA receives financial statement packages from JSCO

for these properties on a monthly basis by the 3rd business week of the following month, and the financial activity of the properties are reviewed, consolidated and presented in the exhibits attached to this memorandum. Finance staff is working with Portfolio Management on the planned transfer of the assets currently under management of JSCO to the new property management company by December 31, 2022.

Operations Budget – Revenue

Year-to-date - Rental income (Total Tenant Revenue) of \$3,257,308 is predominantly made up of Housing Assistance Payments (HAP) received for AHA units and tenant rents received. This is lower than budget by \$384,583 (10.56%). Please note that the tax increment subsidy for Independence Plaza is received as one lump sum from the City of Alameda and recognized on a monthly prorated basis on the financial statements. Once this amount is received from the City of Alameda, it is expected that total tenant rents and HAP to exceed budget for FY 2023. The tenant portion of rents received is higher than budget by \$103,116 (9.5%), with vacancies higher than budget by \$28,942 (24.51%), offset by a lower HAP subsidy received of \$20,504 (0.92%).

Staff will continue to monitor tenant and HAP income closely, and a reconciliation of rents are completed internally for AHA managed properties. Additional tenant funding from the emergency rental assistance payment program was also received for the properties. Portfolio Management and Housing Programs meet regularly to discuss the payment standards and plans on increasing rents to ensure financial sustainability of the properties. Please see Monthly Overview Report for Property Operations/Portfolio Management for more information.

Total Other Income and Restricted Income is higher than budget by \$466,945. This is mostly attributable to Account 711092 Professional Service Revenue as ICD accelerated payment for the services agreement of \$200,000 in the month of September 2022. Due to accelerated return of the Rent Program from the original planned December 2022 date to September 2022 date and the expected cap for Housing Development reimbursement reached earlier than anticipated, it is anticipated that Professional Service Revenue to be below budget by the end of FY 2023. Interest earned from CAMP and LAIF investments are higher than budgeted due to a rising rate environment. Additional rebalancing of operating cash to these investments also occurred, driving the higher interest income of \$45,508 above budget. Account 7080000 Other Government Grants, most notably Alameda Unified School District Recognized Obligation Payments, is recorded under an accrual basis of accounting and is expected to be received prior to the end of the FY 2023.

Expenses

Total operating expenses, including HAP, are substantially lower than the year-to-date by \$2,337,220 (16.35%). This is mainly due to lower salary and benefit expenses, which are under budget due to vacant positions, and includes cost savings due to budgeted travel not heavily utilized, offset by slightly higher maintenance costs in the properties due to deferred maintenance. Please see Monthly Overview Report Executive Department for an overview of active recruitment. Staff expects these

operating expenses to increase as AHA becomes more staffed, with several positions in active recruitment. Housing Development, Finance, Portfolio Management and The John Stewart Company staff meet regularly to review the financial statements to monitor actuals versus budget amounts for properties under 3rd property management.

Housing Assistance Payments (HAP) Pass-through

The Housing Assistance Payments (HAP) pass-through includes all the Housing Choice Voucher/Section 8, Shelter Plus, and Bessie Coleman (SRO) programs. Year-to-date HAP revenue (8010000 HUD Operating Grants) is \$1,415,063 (3.92% below budget). It is expected that as AHA completes lease up from the wait list and increases utilization, additional funding from HUD to pass-through for HAP payments will occur in the next several months. Furthermore, additional funds for the Emergency Housing Vouchers were received from HUD in the months of June and July 2021 which are currently recorded as unearned revenue (not presented in the Budget Comparison) in the amount of \$99,750. Staff continues to make progress on \$446,692 (Account 9700800 Port-In AR Billings) in accounts receivable for Port-In billings from other public housing authorities. This amount is subject to change due to net Port-Outs. Port-In billing collections was not budgeted in the FY 2022 budget process as it's dependent on other housing authorities and participant portability.

Statement of Net Position

The Housing Authority has adequate cash resources for operations.

As of September 2022, AHA, AAHC and its affiliates have \$10.6 Million in cash, and \$25.2 Million held in LAIF (Local Area Investment Trust Fund) and CAMP (California Asset Management Program) investments. Please see below to showcase a breakdown of AHA's cash position and restricted and unrestricted cash breakout.

Please refer to the separate Investment Memorandum which showcases the statements of the September 2022 LAIF and CAMP investments.

I) Cash and Cash Equivalents Position	
Cash	10,593,733
LAIF (Local Area Investment Fund)	11,699,422
CAMP (California Asset Management Program)	13,585,807
Total Cash and Cash Equivalents	35,878,961
II) Restricted and Unrestricted Cash and Equivalents Breakout	

Restricted Property Funds (Security Deposit, Replacement Reserve, Escrow Deposits, etc.)	1,680,457
Restricted Federalized Funds (Section 8, Family Self Sufficiency, etc.)	1,609,665
Restricted Cash - Board of Commissioners pursuant to the Reserves Policy	32,588,839
Total Cash and Cash Equivalents	35,878,961

In May 2022, the Reserves Policy was approved by the Board of Commissioners on the medium term plan to maintain adequate operating and HAP reserves and also for acquisition and development purposes.

OTHER ISSUES IMPACTING FINANCE DEPARTMENT

Staffing

The Finance Department is fully staffed. An additional contractor was hired and is assisting with HAP reconciliations with Third Party Management through the end of December 2022. Nan McKay and Associates continues to provide limited consulting services, including HUD's monthly Voucher Management System (VMS) report submittal and the annual unaudited Financial Data Schedule (FDS).

AHA Audit and Tax

The FY 2021 audited financial statements were presented to the Board of Commissioners in the March 2022 meeting and accepted. The auditors (Novogradac & Company LLP) presented an unqualified opinion which showcases that under their professional judgment, AHA's financial statements are fairly and appropriately presented. AHA staff and Novogradac & Company LLP submitted the financial information to HUD REAC (Real Estate Assessment Center) and as of early June 2022 and was approved by HUD in September 2022. AHA staff submitted the unaudited Financial Data Schedule to HUD on October 15, 2022. AHA staff and Novogradac & Company LLP has begun work for the FY 2022 with a target completion date of March 2023. The audited financial statement will be presented to the Board of Commissioners in draft format prior to finalization.

AAHC Tax

The FY 2021 tax return was filed by the filing deadline of May 2022. The tax extension for FY 2022 is due November 2022, and if approved by the Internal Revenue Service, will extend the filing deadline through May 2023.

Island City Development Audit and Tax

AHA is working with the CPA firm Holthouse, Carlin & Van Tright LLP (HCVT) for audit work of Island City Development and the three low-income housing tax credit (LIHTC) project partnerships (Sherman & Buena Vista, L.P. and Everett & Eagle, L.P., and

Constitution & Eagle, L.P. the “LPs”). These LIHTC project partnerships financial reports have been submitted to stakeholders in late February 2022 and Early March 2022. Finance staff is currently working with HCVT to complete the Island City Development audited financial statements and tax returns with a target date of November 2022.

Finance staff is also working with HCVT on the audited cost certification report for Constitution & Eagle, L.P., which is the LIHTC project partnership that owns Rosefield Village. This report is critical for investors and lenders, and is a requirement for the Tax Credit Allocation Committee Placed-in-Service package.

ICD is under contract with both Novogradac & Company LLP as it relates to North Housing Block A and the upcoming low-income housing tax credit syndication. This includes 3 low-income housing tax credit partnerships, including agreed-upon procedures reports, audited financial statements, tax returns and cost certifications. This work will be completed starting towards the end of 2022/beginning of 2023.

Department of Housing and Urban Development (HUD)

As discussed previously, HUD approved the FY 2021 audited Financial Data Submission in September 2022. Finance staff submitted the FY 2022 unaudited Financial Data Submission in October 2022. Typically, HUD requires this report to be submitted by mid-September for June 30 year end reporting. However, HUD has provided AHA additional time due to additional implementation of new accounting standards on lease accounting (GASB 87).

A CARES Act (Coronavirus Aid, Relief and Economic Security Act) funding review by HUD occurred in September 2022, including reporting on how the funds were utilized and whether our documentation was sufficient per regulation. On October 31, 2022, HUD reported that their review of the CARES Act completed and no further information or actions are required from AHA to HUD.

Finance staff continues to attend trainings and discussions with HUD to prepare for Moving-To-Work financial reporting with the expected implementation of Moving-To-Work accounting no later than June 30, 2023. Furthermore, additional accounting standards on accounting for technology (GASB 96) is being reviewed for implementation by June 30, 2023.

Unfunded Pension Liabilities

The actuarial results were presented in the January 2022 Board of Commissioners memorandum for the period ending June 30, 2021. The actuarial results for the period ending June 30, 2022 will be brought to the Board of Commissioners in the beginning of 2023. In July 2022, CalPERS has stated that there is a preliminary negative 6.1% net return on investments for the 12-month period that ended June 30, 2022. CalPERS 2021-22 final fiscal year investment performance will be calculated based on their audited figures and will be reflected in contribution levels at a later time. Although it is expected that the unfunded accrued pension liability will be fully paid within the next 15

years as projected by the soft fresh start mechanism, this is based on the assumption that the investment assets held at CalPERS as well as funding of the liabilities continue as projected. As previously presented to the Board of Commissioners, this will be reviewed on an annual basis within a 90%-110% guardrail and any substantial deviation will be reviewed and presented.

Finance Staff is expected to procure for a new actuarial consultant in 2022 as soon as the current GASB 68 and 75 engagements are completed (Pensions and Other Post Employment Benefits).

Budget

A detailed budget for the fiscal year July 1, 2022 through June 30, 2023 was brought to the Board of Commissioners at the May 18, 2022 meeting and was approved by both AHA and AAHC boards. The next budget will be presented on or around the May 2023 Board of Commissioners meeting for the fiscal year July 1, 2023 through June 30, 2024.

Banking Activities

No new accounts were closed and formed from the months of July through October 2022.

Quarterly Financial Reporting

As part of the strategic plan, AHA staff migrated to quarterly financial reporting to the Board of Commissioners. The next quarterly financial reporting will include July 1, 2022 through December 31, 2022 activity, and will be presented in the February 2023 Board of Commissioners meeting.

FISCAL IMPACT

None. This is for reporting purposes only.

CEQA

N/A

RECOMMENDATION

Accept the Fiscal Year to Date Financial Report through the Month of September 2022.

ATTACHMENTS

- 1. EXHIBIT A - BALANCE SHEET
- 2. EXHIBIT B - PTD BUDGET & ACTUALS

Respectfully submitted,
Louie So
Louie So, Director of Finance

Balance Sheet

Period = Sep 2022

Book = Accrual

		Current Balance
1000000	ASSETS	
1100000	CURRENT ASSETS	
1101000	CASH	
1110010	Cash - Unrestricted	7,755,307
1110018	Cash - Operating Checking with 3rd Party	906,997
1110019	Petty Cash with 3rd Party	800
1110020	Cash - Petty cash	1,250
1110021	Cash - Benefit Account	78,002
1110030	Cash - FSS	98,669
1110040	Cash - Replacement Reserve Bldg	406,000
1130010	Cash - Restricted Other	72,250
1130030	Cash - Restricted Sec Dep	211,445
1140050	Cash - Tenant Security Deposits with 3rd Party	289,113
1199000	TOTAL CASH	<u>9,819,834</u>
1200000	ACCOUNTS RECEIVABLE	
1240010	Accounts Receivable - Government	273,156
1240050	HAP Rent Receivable	100
1240070	Accounts Receivable- HUD	10,952
1250010	Accounts Receivable - Other	418,941
1250020	Accounts Receivable - Owners	342,190
1250050	Accounts Receivable - 3rd Party Management	147,757
1255000	Subsidy Suspense Receivable	316
1260000	Accounts Receivable - Tenant	342,388
1260050	Accounts Receivable - Tenant Rent with 3rd Party	300,565
1261000	Allowance for Doubtful Accounts -Dwelling Rent	-242,385
1280000	Fraud Recovery	59,387
1281000	Allowance for Doubtful Accounts - Fraud	-59,044
1290000	Accrued Interest Receivable	0
1299000	TOTAL ACCOUNTS RECEIVABLE	<u>1,594,322</u>
1300000	INVESTMENTS AND OTHER CURRENT NOTES	
1310000	Investments(LAIF)- Unrestricted	10,502,990
1320010	Investments - Other	202
1320020	Investments(LAIF) (Restricted) - FSS Escrow	90
1320030	Investments(LAIF)- Building Reserve	1,070,576
1320040	Investments(LAIF) - Equipment Reserve	124,152
1350000	Investments - Restricted	0
1350010	Investment(LAIF)-Restricted (Jack Capon Villa Trust)	1,413
1350031	Investments - CAMP	13,585,807
1350100	Mortgage Receivable	111,532,641
1350103	Mortgage Receivable-Jack Capon L. P.	58,514
1350105	Loan Receivable-Security Deposit Loan	93,809

Balance Sheet

Period = Sep 2022

Book = Accrual

	Current Balance	
1350106	Loan Receivable - ICD	18,901,568
1350107	Loan Receivable-RCD/Stargell/Tri Pointe	2,000,000
1350109	Loan Receivable - Section 8	1,790,000
1360000	TOTAL INVESTEMENTS AND OTHER CURRENT NOTES	<u>159,661,761</u>
1400000	PREPAID EXPENSES	
1420010	Prepaid Insurance - Property	174,488
1420040	Prepaid Insurance - Worker Comp	-935
1420050	Prepaid - Other	30,962
1420051	Prepaid Rent	20,213
1420070	Escrow Deposits - Property	29,000
1420095	Prepaid Expense - Management Company	300,104
1430010	Replacement Reserve-NorthMarq Loan	744,899
1440099	TOTAL PREPAID EXPENSES	<u>1,298,731</u>
1440105	INTERPROGRAM	
1440110	Interprogram (Due From)	3,390,554
1440899	TOTAL INTERPROGRAM	<u>3,390,554</u>
1500000	TOTAL CURRENT ASSETS	175,765,201
1590000	LONG TERM ASSETS	
1600000	FIXED ASSETS	
1609999	LAND AND BUILDINGS	
1610000	Land	60,726,239
1620030	Buildings	33,792,067
1620031	Buildings Improvements	1,695,435
1620060	Construction In Progress	2,500
1629000	TOTAL LAND AND BUILDINGS	<u>96,216,241</u>
1630040	Furniture and Equipment - Dwelling	347,787
1630041	Furniture and Equipment - Other	150,762
1650000	Leasehold Improvements	14,941,851
1660030	Accumulated Depreciation	-32,704,131
1660060	Accumulated Depreciation - 3rd Party	-7,517
1699000	TOTAL FIXED ASSETS	<u>78,944,992</u>
1700000	ALL OTHER ASSETS	
1740000	Other Asset	381,060
1770000	TOTAL ALL OTHER ASSETS	<u>381,060</u>
1800000	DEFERRED OUTFLOW	
1800200	Deferred Outflow of Resources	1,614,235
1890000	TOTAL DEFERRED OUTFLOW	<u>1,614,235</u>
1900000	CONSTRUCTION IN PROGRESS	
1900020	CIP - Building Improvements	427,228
1900030	CIP - Land Improvements	3,599
1900040	CIP - Acquisition-Legal	27,673

Balance Sheet

Period = Sep 2022

Book = Accrual

		Current Balance
1900060	CIP - Demolition & Remediation	3,000
1900070	CIP - Others Acquisition Costs	828
1900100	CIP - On Site Improvement	427,155
1900125	CIP - Relocation cost-Temp	1,456
1900200	CIP - Admin Expenses(including postage & advertising)	1,092
1900210	CIP - Architectural & Engineering Fees	92,048
1900216	CIP - Survey Fees	52,268
1900230	CIP - Professional Services (Other)	26,128
1900250	CIP - Costs of Insurance	9,984
1900280	CIP - Insurance Costs During Construction	21,267
1900290	CIP - Organization - Legal	6,010
1900300	CIP - Construction Loan-Legal	2,676
1900335	CIP - Permanent Loan - Fees	186,000
1900410	CIP - Environmental Testing & Reports	26,770
1900420	CIP - Permit & Fees (plan'g,build'g,public work,school dist)	41,303
1900440	CIP - Marketing Cost	596
1900460	CIP - Market Study	6,000
1919999	TOTAL CONSTRUCTION IN PROGRESS	<u>1,363,079</u>
1929999	TOTAL LONG TERM ASSETS	<u>82,303,367</u>
1999999	TOTAL ASSETS	258,068,568
3000000	LIABILITIES AND EQUITY	
3005000	LIABILITIES	
3100000	CURRENT LIABILITIES	
3100500	ACCOUNTS PAYABLE	
3120010	Accounts Payable<= 90 Days	249,374
3120011	Accounts Payable -CALPERS (employee portion)	551
3120013	Accounts Payable-457b Plan (employee portion)	8,338
3120014	Accounts Payable-Garnishment (employee portion)	-129
3120015	Accounts Payable-Vision Insurance (employee portion)	634
3120016	Accounts Payable-Life Insurance (employee portion)	-35
3120018	Accounts Payable-PARS retirement (employee portion)	140
3120019	Accounts Payable-Flexible Spending Account(employee portion)	4,236
3120021	Employees Cobra	911
3120022	Accounts Payable-PERS 1959 Surv(Employee Portion)	41
3120023	Accounts Payable-FSA Transit Plan	788
3120024	Accounts Payable FSS	92,759
3120029	Accounts Payable - 3rd Party Management Company	68,566
3120040	Accrued Compensated Absences - Current Portion	208,764
3120045	Accrued Vacation Payable - 3rd Party Management	11,210
3120070	Accrued Payables	331,716
3120075	Accrued Accounts Payable - 3rd Party Management	399,934

Balance Sheet

Period = Sep 2022

Book = Accrual

	Current Balance
3330020 Account Payable - HUD	7,208
3330100 Tenants- Rents Payable	9,500
3339000 TOTAL ACCOUNT PAYABLE	<u>1,394,507</u>
3400000 SECURITY DEPOSITS HELD	
3410010 Tenant Security Deposits	178,011
3410015 Tenant Security Deposits - held with 3rd Party Management	286,978
3410020 Tenant Security Deposits - Pets	450
3410030 Tenant Security Deposits - Gate Opener	25
3410040 Tenant Security Deposits - Satellite Dish/Antenna	300
3410050 Tenant Security Deposits - Interest	0
3410999 Security Deposit Refund	-803
3419000 TOTAL SECURITY DEPOSITS HELD	<u>464,962</u>
3419900 OTHER LIABILITIES	
3420000 Prepay Tenant Rent	48,186
3421000 Prepay Tenant Rent - 3rd Party Management	122,736
3423000 Subsidy Suspense Clearing	1,312
3425000 Unearned Revenue	71,818
3426000 Prepaid Ground Lease Rent	-209,244
3430000 Current Portion of Long Term Debt - Capital Projects	893,570
3440000 Current Portion of Long Term Debt - Operating Borrowing	56,180
3449000 TOTAL OTHER LIABILITIES	<u>984,558</u>
3470000 INTERPROGRAM	
3470050 Interprogram (Due to)	3,342,223
3471000 Due To/Due From Suspense Account	-5,978
3480000 TOTAL INTERPROGRAM	<u>3,336,245</u>
3499000 TOTAL CURRENT LIABILITIES	6,180,273
3500000 NON-CURRENT LIABILITIES	
3510100 Mortgage Loan Payable	24,020,760
3510130 Interest Payable - City of Alameda Loan	1,299,501
3510140 Home Fund Loan #1	216,363
3510143 \$3.6M Housing Authority Loan Payable	82,042,724
3510150 Housing Community Dev. Loan	916,400
3510157 Loan Payable - Esperanza	1,790,000
3510160 Home Fund Loan #2	282,700
3540000 Accrued Compensated Absences - Noncurrent	157,759
3570000 OPEB Liability	-128,123
3580000 Pension Liability	1,650,468
3599000 TOTAL NON-CURRENT LIABILITIES	<u>112,248,552</u>
3999000 TOTAL LIABILITIES	118,428,825
4000000 Equity/Net Assets	
4000001 EQUITY	

Balance Sheet

Period = Sep 2022

Book = Accrual

		Current Balance
4000100	DEFERRED INFLOW	
4001000	Deferred Inflow of Resources	18,035,856
4900000	TOTAL DEFERRED INFLOW	<u>18,035,856</u>
4999999	CONTRIBUTED CAPITAL	
5010000	Net Investment in Capital Assets	24,337,632
5090000	Unrestricted	94,998,959
5120000	Unrestricted	2,265,986
5120010	Net Restricted Assets	<u>1,311</u>
5950000	TOTAL CONTRIBUTED CAPITAL	<u>121,603,888</u>
5999900	TOTAL EQUITY	<u>139,639,743</u>
6000000	TOTAL LIABILITIES AND EQUITY	<u>258,068,568</u>

Budget Comparison (with PTD)

Period = Jul 2022-Sep 2022

Book = Accrual

	PTD Actual	PTD Budget	Variance	% Var
6999990 INCOME				
7000000 REVENUE				
7020000 TENANT REVENUE				
7030000 Tenant Rental Revenue	1,188,813	1,085,697	103,116	9.50
7030030 Maintenance Charges	1,273	0	1,273	N/A
7030040 Late Charges	75	24	51	212.50
7030060 Tax Increment Payments from the City of Alameda (Accrual Item - Pending Independence Plaza ROPS Payment from the City of Alameda)	0	425,000	-425,000	-100.00
7030100 Tenant HAP Subsidy	2,199,160	2,219,664	-20,504	-0.92
7030110 Vacancy Loss	-147,004	-118,062	-28,942	-24.51
7030300 Commercial Rents	8,547	17,001	-8,454	-49.73
7040000 Other Tenant Revenue	6,444	12,567	-6,123	-48.72
7050000 TOTAL TENANT REVENUE	3,257,308	3,641,891	-384,583	-10.56
7060000 FEDERAL GRANTS				
7060060 Shelter Plus Care Revenue	112,782	108,024	4,758	4.40
7069000 TOTAL FEDERAL GRANTS	112,782	108,024	4,758	4.40
7079000 OTHER GRANTS				
7080000 Other Government Grants (Accrual Item - AUSD ROPS payment in FY 2023)	0	464,001	-464,001	-100.00
7089000 TOTAL OTHER GRANTS	0	464,001	-464,001	-100.00
7100000 OTHER INCOME				
7110010 Investment Income - Unrestricted	0	5,499	-5,499	-100.00
7110011 Interest Income (Excess Cash Invested in CAMP and LAIF with higher interest rates due to rebalancing)	57,757	12,249	45,508	371.53
7110020 Interest on Equip. Reserve	0	24	-24	-100.00
7110060 Interest - Replacement Reserve	0	324	-324	-100.00
7110070 Other - Income	0	24,999	-24,999	-100.00
7110075 Laundry Commission	3,789	4,620	-831	-17.99
7110082 Land Fee/Ground Lease	210,985	17,499	193,486	1,105.70
7110092 Professional Service Revenue (One Time Payment of ICD of \$200,000 in September 2022. This is expected to be below budget in FY 2023 due to accelerated return of the Rent Program to the City of Alameda)	465,130	208,617	256,513	122.96

Budget Comparison (with PTD)

Period = Jul 2022-Sep 2022

Book = Accrual

	PTD Actual	PTD Budget	Variance	% Var
7150030 Miscellaneous Other Revenue	1,118	0	1,118	N/A
7150070 Administrative Fee	1,997	0	1,997	N/A
7159000 TOTAL OTHER INCOME	740,776	273,831	466,945	170.52
8000000 HUD GRANT				
8010000 HUD Operating Grants	8,498,359	9,545,244	-1,046,885	-10.97
8020000 Administrative Fees from HUD	533,676	625,629	-91,953	-14.70
8020110 PORT-In Administrative Fees	5,820	0	5,820	N/A
8030000 Administrative Fees Paid (PORT-Outs)	4,506	0	-4,506	N/A
8100102 EHV Placement Fee	200	0	200	N/A
8100103 EHV Services Fee	2,000	0	2,000	N/A
8100120 TOTAL HUD GRANT	9,035,548	10,170,873	-1,135,325	-11.16
8999000 TOTAL REVENUE	13,146,413	14,658,620	-1,512,207	-10.32
9000000 EXPENSES				
9000900 OPERATING EXPENSES				
9100000 ADMINISTRATIVE				
9110010 Administrative Salaries	1,226,132	1,543,326	317,194	20.55
9110020 Temporary Help - Administrative	41,178	77,220	36,042	46.67
9120000 Auditing Fees (Audit will begin in October 2022)	0	13,749	13,749	100.00
9130000 Outside Management Fees	81,429	73,446	-7,983	-10.87
9150010 Admin Employee Benefits - Medical/Dental	214,663	361,026	146,363	40.54
9150020 Admin Employee Benefits - PERS/PARS	123,732	133,605	9,873	7.39
9150030 Admin Employee Benefits - FICA	17,671	22,194	4,523	20.38
9150040 Admin Employee Benefits - SUI	35	3,903	3,868	99.11
9150060 Admin Employee Benefits - Life/LTD	8,062	8,832	770	8.72
9150090 Admin Employee Benefit - WC	22,824	25,587	2,763	10.80
9160010 Office Supplies/Equipment	18,928	29,778	10,850	36.44
9160030 Dues & Subscriptions Publications	308	249	-59	-23.78
9160040 Postage	4,966	1,026	-3,940	-383.99
9160050 Telephone	25,269	22,233	-3,036	-13.66
9160060 Bank Charges and Check Supplies	8,569	9,561	992	10.37
9160070 Commissioners Meeting Expense	118	0	-118	N/A
9160080 Stationery Envelopes and Business Cards	71	249	178	71.35
9160090 Forms and Copies/Printing	17,062	3,120	-13,942	-446.86
9160100 Classified Ads and Public Notices/outreach material	42,422	24,477	-17,945	-73.31
9160110 Legal Expense	67,317	152,268	84,951	55.79

Budget Comparison (with PTD)

Period = Jul 2022-Sep 2022

Book = Accrual

	PTD Actual	PTD Budget	Variance	% Var
9160111 Payroll charge	3,400	7,899	4,499	56.96
9160113 Office Rent (Includes a Non-Cash True-Up for GASB 87)	49,725	24,075	-25,650	-106.54
9160114 Administrative Support	8,235	4,749	-3,486	-73.40
9160115 Organization Cost	0	651	651	100.00
9160120 Training/Conferences and Travel	5,604	33,162	27,558	83.10
9160130 Membership Dues and Fees	0	5,187	5,187	100.00
9160131 Taxes & Government Fees	-710	46,944	47,654	101.51
9160160 Contracts - Accounting Services	6,120	29,568	23,448	79.30
9160170 Contracts - Administrative Services/Consultant	48,386	152,496	104,110	68.27
9160180 Contracts - Application Service Provider - Yardi	44,734	55,116	10,382	18.84
9160190 Contracts - Computer/Telephone Maintenance/Email	52,356	71,745	19,389	27.03
9160210 Contracts - Housing Program Services	390	813	423	52.03
9160220 Contracts - Human Resource Services	900	2,751	1,851	67.28
9160230 Contracts - Housing Inspection Services	23,341	24,999	1,658	6.63
9160260 Contracts - Office Machine Lease	5,154	9,999	4,845	48.46
9160270 Contracts - Web Hosting/Maintenance/Web Ads	7,096	18,837	11,741	62.33
9160290 Contracts - HR Recruitment	6,877	24,999	18,122	72.49
9160510 Association Dues	37,355	39,792	2,437	6.12
9169000 TOTAL ADMINISTRATIVE	2,219,719	3,059,631	839,912	27.45
9200000 TENANT/SOCIAL SERVICES/POLICE				
9210010 Tenant Services - Salaries	96,721	136,398	39,677	29.09
9210030 Police Services (Pending receipt of invoices from the City of Alameda)	0	52,500	52,500	100.00
9219000 TOTAL TENANT/SOCIAL SERVICES/POLICE	96,721	188,898	92,177	48.80
9219990 RELOCATION				
9220000 Tenant-Relocation Costs	705	3,501	2,796	79.85
9229000 TOTAL RELOCATION	705	3,501	2,796	79.85
9230005 TENANT SERVICES EMPLOYEE BENEFITS AND INSURANCE				
9230010 Tenant Svcs Employee Benefits - Medical/Dental	6,032	57,141	51,109	89.44
9230020 Tenant Svcs Employee Benefits - PERS/PARS	4,056	9,396	5,340	56.83
9230030 Tenant Svcs Employee Benefits - FICA	562	15,657	15,095	96.41
9230040 Tenant Svcs Employee Benefits - SUI	1	483	482	99.77
9230050 Tenant Svcs Employee Benefits - Life/LTD	192	495	303	61.19
9230080 Tenant Svcs Employee Benefits - Other	3,630	2,838	-792	-27.92
9230090 Tenant Svcs Employee Benefit - WC	5,529	14,607	9,078	62.15
9239000 TOTAL TENANT SERVICES EMPLOYEE BENEFITS AND INSURANCE	20,003	100,617	80,614	80.12

Budget Comparison (with PTD)

Period = Jul 2022-Sep 2022

Book = Accrual

	PTD Actual	PTD Budget	Variance	% Var
9240005 TENANT SERVICES				
9240020 Tenant Service Activities - Contracts and O/S Services	82,056	69,357	-12,699	-18.31
9249000 TOTAL TENANT SERVICES	82,056	69,357	-12,699	-18.31
9300000 UTILITIES				
9310000 Water	86,429	75,504	-10,925	-14.47
9320000 Electricity	43,543	29,049	-14,494	-49.90
9330000 Gas	23,288	11,055	-12,233	-110.65
9380010 Sewer	38,730	49,014	10,284	20.98
9380020 Garbage	132,208	115,308	-16,900	-14.66
9399000 TOTAL UTILITIES	324,197	279,930	-44,267	-15.81
9399990 MAINTENANCE				
9400000 MAINTENANCE SALARIES				
9410010 Maintenance - Salaries	119,375	171,747	52,372	30.49
9419000 TOTAL MAINTENANCE SALARIES	119,375	171,747	52,372	30.49
9420005 MAINTENANCE MATERIALS				
9420010 Maintenance Materials	46,291	27,426	-18,865	-68.78
9420020 Vehicle - gasoline	82	636	554	87.15
9420030 Janitorials Supplies	1,102	660	-442	-67.04
9429000 TOTAL MAINTENANCE MATERIALS	47,475	28,722	-18,753	-65.29
9429005 MAINTENANCE CONTRACTS				
9429015 Maintenance Contracts - Unit Turnaround	2,118	14,676	12,558	85.57
9429030 Maintenance Contracts - Tree Trimming	1,200	8,409	7,209	85.73
9429040 Maintenance Contracts - Cycle Painting	6,405	2,499	-3,906	-156.30
9429060 Maintenance Contracts - Floor Covering	14,209	14,499	290	2.00
9429100 Maintenance Contracts - Services	11,399	20,919	9,520	45.51
9430010 Maintenance Contracts - Painting	6,035	9,348	3,313	35.44
9430020 Maintenance Contracts - Plumbing	52,675	16,557	-36,118	-218.14
9430030 Maintenance Contracts - Landscape, Pool, Pond Maintenance	27,362	28,086	724	2.58
9430040 Maintenance Contracts - HVAC Maintenance	17,589	7,569	-10,020	-132.38
9430060 Maintenance Contracts - Elevator Maintenance	23,307	8,679	-14,628	-168.54
9430070 Maintenance Contracts - Extermination	12,886	12,273	-613	-4.99
9430080 Maintenance Contracts - Electrical Maintenance	6,816	8,415	1,599	19.00
9430090 Maintenance Contracts - Security and Nurse Call Systems	6,767	5,655	-1,112	-19.66
9430110 Maintenance Contracts - Gutter Cleaning Services	0	4,101	4,101	100.00
9430120 Maintenance Contracts - Flooring Replmt/Cleaning Srvc	2,161	0	-2,161	N/A

Budget Comparison (with PTD)

Period = Jul 2022-Sep 2022

Book = Accrual

	PTD Actual	PTD Budget	Variance	% Var
Maintenance Contracts - Other - (Capital Costs will be reclassified pursuant to CIP Budget approved in May 2022)	105,574	7,965	-97,609	-1,225.47
9430130				
9430140 Maintenance Contracts - Vehicle Maintenance	198	1,665	1,467	88.10
9430150 Maintenance Contracts - Janitorial	32,607	42,345	9,738	23.00
9439000 TOTAL MAINTENANCE CONTRACTS	329,308	213,660	-115,648	-54.13
9450005 MAINTENANCE EMPLOYEE BENEFITS				
9450010 Maint Employee Benefits - Medical/Dental	33,606	32,451	-1,155	-3.56
9450020 Maint Employee Benefits - PERS/PARS	5,297	12,171	6,874	56.48
9450030 Maint Employee Benefits - FICA	9,217	1,521	-7,696	-505.99
9450040 Maint Employee Benefits - SUI	0	321	321	99.93
9450050 Maint Employee Benefits - Life/LTD	714	795	81	10.21
9450070 Maint Employee Benefits - Uniforms/Shoes	82	450	368	81.84
9450091 Maint Employee Benefit - WC	9,804	12,525	2,721	21.73
9459000 TOTAL MAINTENANCE EMPLOYEE BENEFITS	58,719	60,234	1,515	2.52
9499000 TOTAL MAINTENANCE	554,877	474,363	-80,514	-16.97
9500000 GENERAL EXPENSES				
9500100 Interest Expense	262,504	272,337	9,833	3.61
9500200 Other Expense	10,983	0	-10,983	N/A
9500210 Office Rent Expenses	501	0	-501	N/A
9520000 Protective Services - Contract Costs	0	1,965	1,965	100.00
9610010 Insurance - Workers Compensation	4,458	6,894	2,436	35.33
9610020 Insurance - Liability	4,489	8,523	4,034	47.33
9610030 Insurance - Property	119,343	127,122	7,779	6.12
9610040 Insurance - Vehicle	1,154	744	-410	-55.10
9610060 Insurance - Other	7,852	17,898	10,046	56.13
9620010 Other General Expenses	2,000	6,063	4,063	67.01
9698000 TOTAL GENERAL EXPENSES	413,285	441,546	28,261	6.40
9699000 TOTAL OPERATING EXPENSES	3,711,564	4,617,843	906,279	19.63
9700000 MOD REHAB AND SPC EXPENSES				
97000570 Rent to Owners - Bessie Coleman	47,225	153	-47,072	-30,766.01
9700800 PORT-in (A/R Billings) (Portability Income from Other PHA)	-134,623	0	134,623	N/A
9700900 TOTAL MOD REHAB AND SPC EXPENSES	-87,398	153	87,551	57,222.88

Budget Comparison (with PTD)

Period = Jul 2022-Sep 2022

Book = Accrual

	PTD Actual	PTD Budget	Variance	% Var
9710000 EXTRAORDINARY EXPENSES				
9710090 Pre-development Cost	0	24,999	24,999	100.00
9713001 HOUSING ASSISTANCE PAYMENTS (VOUCHER)				
9719000 TOTAL EXTRAORDINARY EXPENSES	0	24,999	24,999	100.00
9730001 HOUSING ASSISTANCE PAYMENTS (VOUCHER)				
9730010 Housing Assistance Payments - Landlords	8,719,298	9,555,366	836,068	8.75
9730020 Housing Assistance Payments - FSS	14,888	20,751	5,863	28.25
9730070 Utility Allowance to Tenants	13,248	77,001	63,753	82.80
9739000 TOTAL HOUSING ASSISTANCE PAYMENTS (VOUCHER)	8,747,434	9,653,118	905,684	9.38
OPERATING EXPENSE (EXCLUDING DEPRECIATION)	11,958,893	14,296,113	-2,337,220	-16.35
NET OPERATING INCOME	1,187,520	362,507	825,013	227.59
9739500 OTHER EXPENSES				
9740000 Depreciation Expense (Non-Cash Expense)	425,001	425,001	0	0.00
9850002 EHV - Placement/Issuance Reporting Fee Expenses	102	0	-102	N/A
9850003 EHV - Services Fee - Housing Search Assistance Expenses	46	0	-46	N/A
9850005 EHV - Services Fee - Owner Incentive	2,000	0	-2,000	N/A
9850007 EHV-Ongoing Administrative Fee Expenses	10,146	0	-10,146	N/A
9859999 TOTAL OTHER EXPENSES	437,295	425,001	-12,294	-2.89
9990000 OTHER FINANCING				
9996000 TOTAL EXPENSES	12,383,894	14,721,114	2,337,220	15.88
9998000 NET INCOME	762,519	-62,494	825,013	1,320.15



Housing Authority
of the
City of Alameda

PHONE: (510) 747-4300
FAX: (510) 522-7848
TTY/TRS: 711

701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Janet Lee, Controller

Date: November 16, 2022

Re: Accept the Quarterly Investment Report for Period Ending
September 30, 2022.

BACKGROUND

California Government Code Sections 53600 and 53646 requires that the Housing Authority Finance Director file a quarterly report with the Board of Commissioners on the status of all investments.

DISCUSSION

The quarter-end report reflects the investment of cash for the operating and reserve funds. Agency investments are covered by the provisions of the Housing Authority's Investment Policy that is approved annually by the Board of Commissioners. This memorandum includes both the Housing Authority of the City of Alameda (AHA) and Island City Development's (ICD) investments.

FISCAL IMPACT

As of September 30, 2022, AHA held **\$11,699,220** in Local Agency Investment Fund (**LAIF**). These funds are on demand and can be used for immediate needs. The prior quarter balance was \$11,677,357. Interest is posted quarterly to the account by LAIF and the 3 months of interest from July through September 2022 will be presented in the October 2022 LAIF statement.

As of September 30, 2022, AHA held **\$13,585,806** in the California Asset Management Program (**CAMP**). These funds are on demand and can be used for immediate needs. The prior quarter balance was \$9,028,861. During September 2022, \$4,500,000 of cash held in various AHA held checking accounts was deposited into CAMP. Interest is posted monthly to the account by CAMP.

As of September 30, 2022, ICD held **\$14** in **CAMP**. These funds are on demand and can be used for immediate needs. The prior quarter balance was \$14. Interest is posted monthly to the account by CAMP.



AHA Balances as of September 30, 2022:

LAIF	\$ 11,699,220
CAMP	<u>13,585,806</u>
Total AHA Investment	\$ 25,285,026

ICD Balances as of September 30, 2022:

CAMP	\$ 14
------	--------------

The key changes in the balance for the period ending September 30, 2022 are:

Activity	AHA-LAIF	AHA-CAMP	ICD-CAMP
Beg. Balance - June 30, 2022:	\$ 11,677,357	\$ 9,028,861	\$ 14
Interest Income	21,863	56,945	
Deposits		4,500,000	
Ending Balance - September 30, 2022	\$ 11,699,220	\$ 13,585,806	\$ 14

The Housing Authority's ordinary expenditure requirements for the next six months are more than sufficiently covered by two sources, namely: (1) anticipated revenues, grants, and subsidies, and (2) liquidity of current investments. All investment actions executed since the last report have been made in full compliance with the Investment Policy. The Executive Director will maintain a complete and timely record of all investment transactions.

CEQA

N/A

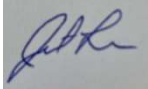
RECOMMENDATION

It is recommended that the Board of Commissioners accept the Quarterly Investment Report for period ending September 30, 2022.

ATTACHMENTS

1. LAIF Statement for the quarter ending September 30, 2022 - AHA
2. CAMP statement for month ending September 30, 2022 - AHA
3. CAMP Statement for month ending September 30, 2022 - ICD

Respectfully submitted,



Janet Lee, Controller

California State Treasurer
Fiona Ma, CPA



Local Agency Investment Fund
 P.O. Box 942809
 Sacramento, CA 94209-0001
 (916) 653-3001

August 18, 2022

[LAIF Home](#)
[PMIA Average Monthly](#)
[Yields](#)

ALAMEDA HOUSING AUTHORITY

EXECUTIVE DIRECTOR
 701 ATLANTIC AVENUE
 ALAMEDA, CA 94501

[Tran Type Definitions](#)

Account Number: **7530**

July 2022 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Web Confirm Number	Authorized Caller	Amount
7/15/2022	7/15/2022	QRD	1708360	N/A	SYSTEM	21,862.46

Account Summary

Total Deposit:	21,862.46	Beginning Balance:	11,677,357.49
Total Withdrawal:	0.00	Ending Balance:	11,699,219.95



Customer Service
PO Box 11813
Harrisburg, PA 17108-1813

ACCOUNT STATEMENT

For the Month Ending
September 30, 2022

Housing Authority of the City of Alameda (AHA)

Client Management Team

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Rachael Miller
Client Consultant
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1-800-729-7665
millerr@pfmam.com

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Accounts included in Statement

Housing Authority of the City of Alameda (AHA)

Important Messages

CAMP will be closed on 10/10/2022 for Columbus Day.
CAMP will be closed on 11/11/2022 for Veterans Day.

HOUSING AUTHORITY OF THE CITY OF ALAMEDA (AHA)
VANESSA COOPER
701 ATLANTIC AVENUE
ALAMEDA, CA 94501

Online Access www.camponline.com

Customer Service 1-800-729-7665



Important Disclosures

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This statement is for general information purposes only and is not intended to provide specific advice or recommendations. PFM Asset Management LLC ("PFMAM") is an investment adviser registered with the U.S. Securities and Exchange Commission and a subsidiary of U.S. Bancorp Asset Management, Inc. ("USBAM"). USBAM is a subsidiary of U.S. Bank National Association ("U.S. Bank"). U.S. Bank is a separate entity and subsidiary of U.S. Bancorp. U.S. Bank is not responsible for and does not guarantee the products, services or performance of PFMAM. PFMAM maintains a written disclosure statement of our background and business experience. If you would like to receive a copy of our current disclosure statement, please contact Service Operations at the address below.

Proxy Voting PFMAM does not normally receive proxies to vote on behalf of its clients. However, it does on occasion receive consent requests. In the event a consent request is received the portfolio manager contacts the client and then proceeds according to their instructions. PFMAM's Proxy Voting Policy is available upon request by contacting Service Operations at the address below.

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Account Control PFMAM does not have the authority to withdraw funds from or deposit funds to the custodian outside the scope of services provided by PFMAM. Our clients retain responsibility for their internal accounting policies; implementing and enforcing internal controls and generating ledger entries or otherwise recording transactions.

Market Value Generally, PFMAM's market prices are derived from closing bid prices as of the last business day of the month as supplied by Refinitiv or Bloomberg. For certain short-term investments or where prices are not available from generally recognized sources the securities are priced using a yield-based matrix system to arrive at an estimated market value. Prices that fall between data points are interpolated.

Non-negotiable FDIC-insured bank certificates of deposit are priced at par. Although PFMAM believes the prices to be reliable, the values of the securities may not represent the prices at which the securities could have been bought or sold. Explanation of the valuation methods for a registered investment company or local government investment program is contained in the appropriate fund offering documentation or information statement.

Amortized Cost The original cost of the principal of the security is adjusted for the amount of the periodic reduction of any discount or premium from the purchase date until the date of the report. Discount or premium with respect to short term securities (those with less than one year to maturity at time of issuance) is amortized on a straightline basis. Such discount or premium with respect to longer term securities is amortized using the constant yield basis.

Tax Reporting Cost data and realized gains / losses are provided for informational purposes only. Please review for accuracy and consult your tax advisor to determine the tax consequences of your security transactions. PFMAM does not report such information to the IRS or other taxing authorities and is not responsible for the accuracy of such information that may be required to be reported to federal, state or other taxing authorities.

Financial Situation In order to better serve you, PFMAM should be promptly notified of any material change in your investment objective or financial situation.

Callable Securities Securities subject to redemption prior to maturity may be redeemed in whole or in part before maturity, which could affect the yield represented. **Portfolio** The securities in this portfolio, including shares of mutual funds, are not guaranteed or otherwise protected by PFMAM, the FDIC (except for certain non-negotiable certificates of deposit) or any government agency. Investment in securities involves risks, including the possible loss of the amount invested. Actual settlement values, accrued interest, and amortized cost amounts may vary for securities subject to an adjustable interest rate or subject to principal paydowns. Any changes to the values shown may be reflected within the next monthly statement's beginning values.

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Key Terms and Definitions
Dividends on local government investment program funds consist of interest earned, plus any discount ratably amortized to the date of maturity, plus all realized gains and losses on the sale of securities prior to maturity, less ratably amortization of any premium and all accrued expenses to the fund. Dividends are accrued daily and may be paid either monthly or quarterly. The monthly earnings on this statement represent the estimated dividend accrued for the month for any program that distributes earnings on a quarterly basis. There is no guarantee that the estimated amount will be paid on the actual distribution date.

Current Yield is the net change, exclusive of capital changes and income other than investment income, in the value of a hypothetical fund account with a balance of one share over the seven-day base period including the statement date, expressed as a percentage of the value of one share (normally \$1.00 per share) at the beginning of the seven-day period. This resulting net change in account value is then annualized by multiplying it by

365 and dividing the result by 7. The yields quoted should not be considered a representation of the yield of the fund in the future, since the yield is not fixed. *Average maturity* represents the average maturity of all securities and investments of a portfolio, determined by multiplying the par or principal value of each security or investment by its maturity (days or years), summing the products, and dividing the sum by the total principal value of the portfolio. The stated maturity date of mortgage backed or callable securities are used in this statement. However the actual maturity of these securities could vary depending on the level or prepayments on the underlying mortgages or whether a callable security has or is still able to be called.

Monthly distribution yield represents the net change in the value of one share (normally \$1.00 per share) resulting from all dividends declared during the month by a fund expressed as a percentage of the value of one share at the beginning of the month. This resulting net change is then annualized by multiplying it by 365 and dividing it by the number of calendar days in the month.

YTM at Cost The yield to maturity at cost is the expected rate of return, based on the original cost, the annual interest receipts, maturity value and the time period from purchase date to maturity, stated as a percentage, on an annualized basis.

YTM at Market The yield to maturity at market is the rate of return, based on the current market value, the annual interest receipts, maturity value and the time period remaining until maturity, stated as a percentage, on an annualized basis. *Managed Account* A portfolio of investments managed discretely by PFMAM according to the client's specific investment policy and requirements. The investments are directly owned by the client and held by the client's custodian. *Unsettled Trade* A trade which has been executed however the final consummation of the security transaction and payment has not yet taken place.

Please review the detail pages of this statement carefully. If you think your statement is wrong, missing account information, or if you need more information about a transaction, please contact PFMAM within 60 days of receipt. If you have other concerns or questions regarding your account, or to request an updated copy of PFMAM's current disclosure statement, please contact a member of your client management team at PFMAM Service Operations at the address below.

PFM Asset Management LLC

Attn: Service Operations

213 Market Street

Harrisburg, PA 17101

NOT FDIC INSURED

NO BANK GUARANTEE

MAY LOSE VALUE



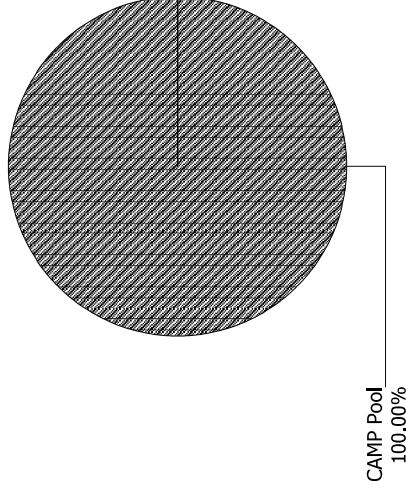
Account Statement - Transaction Summary

For the Month Ending **September 30, 2022**

Housing Authority of the City of Alameda (AHA) - Housing Authority of the City of Alameda (AHA) -

CAMP Pool	
Opening Market Value	9,059,077.46
Purchases	4,526,729.22
Redemptions	0.00
Unsettled Trades	0.00
Change in Value	0.00
Closing Market Value	\$13,585,806.68
Cash Dividends and Income	26,729.22

Asset Summary		
	September 30, 2022	August 31, 2022
CAMP Pool	13,585,806.68	9,059,077.46
Total	\$13,585,806.68	\$9,059,077.46
Asset Allocation		





Account Statement

For the Month Ending **September 30, 2022**

Housing Authority of the City of Alameda (AHA) - Housing Authority of the City of Alameda (AHA) -

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Total Shares Owned
CAMP Pool					
Opening Balance					
09/09/22	09/09/22	Purchase - Incoming Wires	1.00	2,000,000.00	11,059,077.46
09/09/22	09/09/22	Purchase - Incoming Wires	1.00	2,500,000.00	13,559,077.46
09/30/22	10/03/22	Accrual Income Div Reinvestment - Distributions	1.00	26,729.22	13,585,806.68

Closing Balance **13,585,806.68**

Opening Balance	9,059,077.46	Month of	Fiscal YTD	
Purchases	4,526,729.22	September	July-September	
Redemptions (Excl. Checks)	0.00			Closing Balance
Check Disbursements	0.00			Average Monthly Balance
				Monthly Distribution Yield
				13,585,806.68
				12,359,968.43
				2.61%

Closing Balance	13,585,806.68	13,585,806.68
Cash Dividends and Income	26,729.22	56,945.41



Customer Service
PO Box 11813
Harrisburg, PA 17108-1813

Island City Development

ACCOUNT STATEMENT

For the Month Ending
September 30, 2022

Client Management Team

Jeremy King
Key Account Manager
213 Market Street
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Rachael Miller
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millerr@pfmam.com

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Island City Development

Important Messages

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ISLAND CITY DEVELOPMENT
VANESSA COOPER
701 ATLANTIC AVENUE
ALAMEDA, CA 94501

Online Access www.camponline.com

Customer Service 1-800-729-7665



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Dividends on local government investment program funds consist of interest earned, plus any discount ratably amortized to the date of maturity, plus all realized gains and losses on the sale of securities prior to maturity, less ratably amortization of any premium and all accrued expenses to the fund. Dividends are accrued daily and may be paid either monthly or quarterly. The monthly earnings on this statement represent the estimated dividend accrued for the month for any program that distributes earnings on a quarterly basis. There is no guarantee that the estimated amount will be paid on the actual distribution date.

Current Yield is the net change, exclusive of capital changes and income other than investment income, in the value of a hypothetical fund account with a balance of one share over the seven-day base period including the statement date, expressed as a percentage of the value of one share (normally \$1.00 per share) at the beginning of the seven-day period. This resulting net change in account value is then annualized by multiplying it by

365 and dividing the result by 7. The yields quoted should not be considered a representation of the yield of the fund in the future, since the yield is not fixed. *Average maturity* represents the average maturity of all securities and investments of a portfolio, determined by multiplying the par or principal value of each security or investment by its maturity (days or years), summing the products, and dividing the sum by the total principal value of the portfolio. The stated maturity date of mortgage backed or callable securities are used in this statement. However the actual maturity of these securities could vary depending on the level or prepayments on the underlying mortgages or whether a callable security has or is still able to be called.

Monthly distribution yield represents the net change in the value of one share (normally \$1.00 per share) resulting from all dividends declared during the month by a fund expressed as a percentage of the value of one share at the beginning of the month. This resulting net change is then annualized by multiplying it by 365 and dividing it by the number of calendar days in the month.

YTM at Cost The yield to maturity at cost is the expected rate of return, based on the original cost, the annual interest receipts, maturity value and the time period from purchase date to maturity, stated as a percentage, on an annualized basis.

YTM at Market The yield to maturity at market is the rate of return, based on the current market value, the annual interest receipts, maturity value and the time period remaining until maturity, stated as a percentage, on an annualized basis. *Managed Account* A portfolio of investments managed discretely by PFMAM according to the client's specific investment policy and requirements. The investments are directly owned by the client and held by the client's custodian. *Unsettled Trade* A trade which has been executed however the final consummation of the security transaction and payment has not yet taken place.

Please review the detail pages of this statement carefully. If you think your statement is wrong, missing account information, or if you need more information about a transaction, please contact PFMAM within 60 days of receipt. If you have other concerns or questions regarding your account, or to request an updated copy of PFMAM's current disclosure statement, please contact a member of your client management team at PFMAM Service Operations at the address below.

PFM Asset Management LLC

Attn: Service Operations

213 Market Street

Harrisburg, PA 17101

NOT FDIC INSURED NO BANK GUARANTEE MAY LOSE VALUE



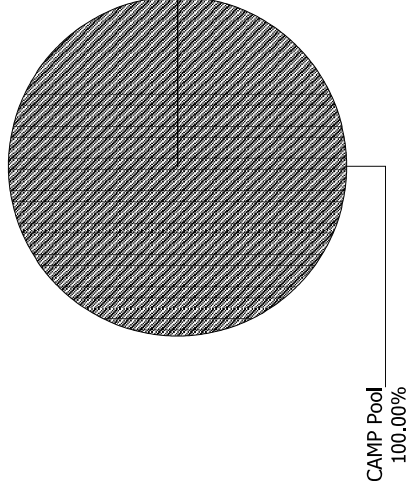
Account Statement - Transaction Summary

For the Month Ending **September 30, 2022**

Island City Development - Island City Development -

CAMP Pool	
Opening Market Value	13.86
Purchases	0.03
Redemptions	0.00
Unsettled Trades	0.00
Change in Value	0.00
Closing Market Value	\$13.89
Cash Dividends and Income	0.03

Asset Summary		
	September 30, 2022	August 31, 2022
CAMP Pool	13.89	13.86
Total	\$13.89	\$13.86
Asset Allocation		





Account Statement

For the Month Ending **September 30, 2022**

Island City Development - Island City Development -

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Total Shares Owned
CAMP Pool					
09/30/22	10/03/22	Accrual Income Div Reinvestment - Distributions	1.00	0.03	13.89
Opening Balance					13.86

	Month of September	Fiscal YTD January-September	
Closing Balance			13.89
Opening Balance	13.86	13.78	Closing Balance
Purchases	0.03	0.11	Average Monthly Balance
Redemptions (Excl. Checks)	0.00	0.00	Monthly Distribution Yield
Check Disbursements	0.00	0.00	2.61%
Closing Balance	13.89	13.89	
Cash Dividends and Income	0.03	0.11	



PHONE: (510) 747-4300
FAX: (510) 522-7848
TTY/TRS: 711

701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Stephanie Shipe, Director of Portfolio Management

Date: November 16, 2022

Re: Accept the LIHTC Portfolio Asset Management Fiscal Year to Date Financial Report through the Month of June 2022.

BACKGROUND

The portfolio includes seven Low Income Housing Tax Credit (LIHTC) Partnership properties: Breakers at Bayport, Shinsei Gardens, Park Alameda, Jack Capon Villa, Littlejohn Commons, Stargell Commons, and Everett Commons. The projects were built between 2006 and 2018 with a cumulative unit count of 255 units (80% family, 12% senior, and 8% special needs), of which, 50% of the units are supported by a combination of various Section 8 rental subsidy programs (Project Based Voucher, Housing Choice Voucher, and Veterans Affairs Supportive Housing.)

The Housing Authority of the City of Alameda (AHA) owns all the land; thus, all partnerships include a land lease, and AHA's role varies from Co-General Partner (Co-GP), General Partner (GP), and Special Limited Partner (Sp-LP). Island City Development (ICD) is the developer for Littlejohn Commons and Everett Commons and co-developer for Stargell Commons.

DISCUSSION

This memo provides an overview of the Low-Income Housing Tax Credit (LIHTC) partnership properties' year- to- date financial report through the month of June 2022. This report tracks performance per the budget and includes achievements, items of note, and upcoming events or changes. Please note the properties' fiscal year end is December, and the figures used in this report may change and not match the audit.

Statements that apply to all properties:

Operating Revenue - Includes tenant rent, rental subsidy, vacancy loss, laundry income, and interest on accounts.

Tenant Receivables - Property Management and Resident Services assist residents with applying for assistance and repayment agreements.

Operating Expense - Includes marketing, administrative, property management fees,



salaries and benefits, utilities, operating and maintenance, taxes and insurance, and resident services.

Total Operating Income - Operating Revenue minus Operating Expense

Total Net Cash Flow will be distributed per the waterfall in accordance with the LPA, lender, and regulatory agreements.

Breakers at Bayport- 459 Neptune Gardens Avenue

Breakers at Bayport is a 52-unit Low Income Housing Tax Credit (LIHTC) development for families. Resources for Community Development (RCD) is the General Partner (GP) and the Limited Partner (LP). The Housing Authority of the City of Alameda (AHA) owns the land. John Stewart Company (JSCo) provides property management services. Operation Dignity provides resident services. The project was placed in service on March 29, 2006.

Unit matrix: 2Bed- 34 units, 3Bed- 18 units

Section 8 PBV: 20 units

Income and rent limits: 50%-60% AMI

- Operating Revenue is \$544,588, which is 4% (\$10,478) higher than budget
- Occupancy is 100% (0 vacant unit)
- Tenant Receivables are \$24,593 and Subsidy Receivables are \$5,026
- Operating Expenses are \$276,373, which is less than 1% (\$5,315) lower than budget
- Total Operating Income is \$268,215, which is 8% (\$20,537) higher than budget
- Mandatory hard debt service and reserve deposit requirements are \$91,337 and Debt Service Coverage Ratio is 2.94
- Total Net Cash Flow is \$176,878

Shinsei Gardens- 401 Willie Stargell Avenue

Shinsei Gardens is a 39-unit Low Income Housing Tax Credit (LIHTC) development for families. RCD is the GP, Operation Dignity is the Sp-LP, and National Equity Fund (NEF) is the LP. AHA owns the land, and also holds an Option/ Right of First Refusal. JSCo provides property management services. Operation Dignity also provides resident services. The project was placed in service on September 03, 2009.

Unit matrix: 1Bed- 6 units, 2Bed- 18 units, 3Bed- 12 units, 4Bed- 3 units

Section 8 PBV: 21 units

Income and rent limits: 20%-60% AMI

- Operating Revenue is \$443,503, which is 3% (\$12,286) lower than budget
- Occupancy is 97% (1 vacant unit)
- Tenant Receivables are \$3,282 and Subsidy Receivables are \$29,571. Per RCD, high subsidy receivables are an accounting issue, where funds were received by the property but have not been applied to the appropriate ledgers. RCD is working to make all necessary adjustments to the ledgers.

- Operating Expenses are \$220,973, which is 6% (\$12,191) higher than budget
- Total Operating Income is \$222,530, which is 10% (\$24,477) lower than budget
- Mandatory hard debt service and reserve deposit requirements are \$20,154 and Debt Service Coverage Ratio is 11.04
- Total Net Cash Flow is \$202,376

Park Alameda- 2428 Central Avenue

Park Alameda is a 62-unit Low Income Housing Tax Credit (LIHTC) development for families. RCD is the managing Co-GP, AHA is the Co-GP, and Union Bank (UB) is the LP. AHA also holds an Option/ Right of First Refusal. JSCo provides property management services. Operation Dignity provides resident services. The project was placed in service on December 27, 2012.

Unit matrix: 0Bed- 61 units, 2Bed- 1 unit
 Section 8 PBV: 15 units
 Income and rent limits: 50%-120% AMI

- Operating Revenue is \$380,418, which is 2% (\$7,448) lower than budget
- Occupancy is 92% (5 vacant units)
- Tenant Receivables are \$81,504 and Subsidy Receivables are \$51,746
- Operating Expenses are \$308,007, which is less than 1% (\$912) higher than budget
- Total Operating Income is \$48,901, which is 10% (\$8,360) lower than budget
- Mandatory hard debt service and reserve deposit requirements are \$15,965 and Debt Service Coverage Ratio is 4.54
- Total Net Cash Flow is \$56,446

Stargell Commons- 2700 Bette Street

Stargell Commons is a 32-unit Low Income Housing Tax Credit (LIHTC) development for families. RCD is the GP, Wells Fargo Bank (WFB) is the LP, and ICD is the Sp-LP. AHA holds an Option/ Right of First Refusal. JSCo provides property management services. Operation Dignity provides resident services. The project was built in May 2017.

Unit matrix: 1Bed- 5 units, 2Bed- 17 units, 3Bed- 10 units
 Section 8 PBV: 7 units
 Income and rent limits: 30%-60% AMI

- Operating Revenue is \$280,679, which is 2% (\$5,383) lower than budget
- Occupancy is 97% (1 vacant unit)
- Tenant Receivables are \$1,414 and Subsidy Receivables are \$4,086
- Operating Expenses are \$184,319, which is 5% (\$10,713) lower than budget
- Total Operating Income is \$96,361, which is 6% (\$5,330) higher than budget
- Mandatory hard debt service and reserve deposit requirements are \$55,653 and Debt Service Coverage Ratio is 1.73

-Total Net Cash Flow is \$40,708

Jack Capon Villa- 2216 Lincoln Avenue

Jack Capon Villa is a 19-unit Low Income Housing Tax Credit (LIHTC) development for Persons with Developmental Disabilities. Satellite Affordable Housing Associates (SAHA) is the managing Co-GP, AHA is the Co-GP, and Bank of America (BofA) is the LP. AHA also holds an Option/ Right of First Refusal. SAHA Property Management provides property management services. Housing Consortium East Bay (HCEB) provides resident services. The project was placed in service on January 09, 2014.

Unit matrix: 1Bed- 16 units, 2Bed- 3 units
Section 8 PBV: 19 units
Income and rent limits: 50% AMI

- Operating Revenue is \$116,129, which is 5% (\$5,704) higher than budget
- Occupancy is 89% (2 vacant units)
- Tenant Receivables are \$1,982 and Subsidy Receivables are \$4,900
- Operating Expenses are \$170,058, which is 15% (\$29,873) lower than budget
- Total Operating Income is \$60,443, which is 189% (\$39,525) higher than budget
- Mandatory hard debt service and reserve deposit requirements are \$25,231 and Debt Service Coverage Ratio is 2.4
- Total Net Cash Flow is \$35,212
- The property budgeted conservatively without rent increases and included operating expenses that were not utilized, which explains the positive variance in total operating income.

Littlejohn Commons- 1301 Buena Vista Avenue

Littlejohn Commons is a 31-unit Low Income Housing Tax Credit (LIHTC) development for Seniors. ICD is the GP and NEF is the LP. ICD also holds an Option/ Right of First Refusal. JSCo provides property management services. LifeSteps provides resident services. The project was placed in service on July 31, 2018.

Unit matrix: 1Bed- 30 units, 2Bed- 1 unit
Section 8 PBV: 25 units
Income and rent limits: 30%-50% AMI

- Operating Revenue is \$326,637, which is 6% (\$20,214) lower than budget due to high vacancy loss
- Occupancy is 100% (0 vacant unit)
- Tenant Receivables are \$22,973 and Subsidy Receivables are \$0
- Operating Expenses are \$163,811, which is 5% (\$8,503) higher than budget due to the sewer service charge invoice from the previous year and mulch for the rainstorm water drain system planter boxes.
- Total Operating Income is \$162,826, which is 15% (\$28,717) lower than budget

- Mandatory hard debt service and reserve deposit requirements are \$126,002 and Debt Service Coverage Ratio is 1.29
- Total Net Cash Flow is \$36,824
- Staff is working with JSCo to reduce variance, maximize revenue, and implement cost-savings strategies.

Everett Commons- 2437 Eagle Avenue

Everett Commons is a 20-unit Low Income Housing Tax Credit (LIHTC) development project for families. ICD is the GP and Enterprise is the LP. ICD also holds an Option/Right of First Refusal. JSCo provides property management services. LifeSteps provides resident services. The project was placed in service on December 17, 2018.

Unit matrix: 1Bed- 4 units, 2Bed- 11 units, 3Bed- 5 units
 Section 8 PBV: 12 units
 VASH PBV: 5 units
 Income and rent limits: 30%-60% AMI

- Operating Revenue is \$285,893, which is 2% (\$4,697) higher than budget
- Occupancy is 95% (1 vacant unit)
- Tenant Receivables are \$0 and Subsidy Receivables are \$9,476
- Operating Expenses are \$147,300, which is 16% (\$20,690) higher than budget, due to sewer service charges and property insurance expenses from the previous year, plumbing expenses from the previous year, and unit replacement expenses.
- Total Operating Income is \$138,592, which is 10% (\$15,993) lower than budget.
- Mandatory hard debt service and reserve deposit requirements are \$114,704 and Debt Service Coverage Ratio is 1.21
- Total Net Cash Flow is \$23,888
- Staff is working with JSCo to reduce variance, maximize revenue, implement cost-savings strategies, deliver clean financials, and timely payment of invoices.

Overall, the portfolio is performing strongly and stabilized. All the assets are able to fulfill mandatory hard debt service and deposit reserves with a debt service coverage ratio averaging at 2.27, ranging from 1.21 to 11.04. Also, all assets produce surplus cash/residual receipts for distribution. Reserve balances are attached.

FISCAL IMPACT

None

CEQA

N/A

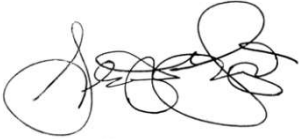
RECOMMENDATION

Accept the LIHTC Portfolio Asset Management Fiscal Year to Date Financial Report through the Month of June 2022.

ATTACHMENTS

1. LIHTC Reserves 0622
2. LIHTC Portfolio Snapshot 0622
3. LIHTC Portfolio Asset Management Fiscal Year to Date Report through June 2022

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stephanie Shipe', with a stylized, cursive script.

Stephanie Shipe, Director of Portfolio Management

LIHTC Portfolio Reserve Balances
01/22-06/22

	Breakers at Bx	52	Shinsei Garde	39	Park Alameda	62	Stargell Comm	32	Jack Capon Vi	19	Littlejohn Com	31	Everett Commc	20
	Balance	Reserve/ Unit	Balance	Reserve/ Unit	Balance	Reserve/ Unit	Balance	Reserve/ Unit	Balance	Reserve/ Unit	Balance	Reserve/ Unit	Balance	Reserve/ Unit
Replacement Reserve	\$ 736,345	\$ 14,160	\$ 279,649	\$ 7,170	\$ 372,424	\$ 6,007	\$ 85,063	\$ 2,658	\$ 129,718	\$ 6,827	\$ 50,375	\$ 1,625	\$ 35,091	\$ 1,755
Operating Reserve	\$ 219,083	\$ 4,213	\$ 596,589	\$ 15,297	\$ 329,079	\$ 5,308	\$ 213,316	\$ 6,666	\$ 110,343	\$ 5,808	\$ 245,668	\$ 7,925	\$ 255,175	\$ 12,759
Other Reserve	\$ 6,073	\$ 117	\$ 51,505	\$ 1,321	\$ 86,361	\$ 1,393	\$ 194,385	\$ 6,075	\$ 22,302	\$ 1,174			\$ 19,816	\$ 991

LUHC Portfolio Financial Performance

6/30/2022

	Family 51			Family 52			Family 53			Family 54			Family 55			Family 56			Family 57			Family 58			Family 59										
	Budget	Actual	Variance	Budget	Actual	Variance	Budget	Actual	Variance	Budget	Actual	Variance	Budget	Actual	Variance	Budget	Actual	Variance	Budget	Actual	Variance	Budget	Actual	Variance	Budget	Actual	Variance	Budget	Actual	Variance	LUHC Budget	Actual	Variance		
Rental Revenue	266,442	282,221	15,779	5,122%	193,885	15,848	8,179%	4,971,411	5,388,500	3,614,515	71,624%	1,014,000	1,014,000	0	0%	1,014,000	1,014,000	0	0%	1,014,000	1,014,000	0	0%	1,014,000	1,014,000	0	0%	1,014,000	1,014,000	0	0%	1,014,000	1,014,000	0	0%
Subsidy Revenue	269,340	272,350	3,010	1,117%	201,560	21,951	10,900%	6,889,590	7,089,590	7,089,590	100%	6,889,590	6,889,590	0	0%	6,889,590	6,889,590	0	0%	6,889,590	6,889,590	0	0%	6,889,590	6,889,590	0	0%	6,889,590	6,889,590	0	0%	6,889,590	6,889,590	0	0%
Other Income	29,480	31,500	2,020	6,880%	15,250	15,250	100%	15,250	15,250	15,250	100%	15,250	15,250	0	0%	15,250	15,250	0	0%	15,250	15,250	0	0%	15,250	15,250	0	0%	15,250	15,250	0	0%	15,250	15,250	0	0%
Effective Gross Income	\$ 565,262	\$ 584,071	\$ 18,809	3,328%	\$ 460,695	\$ 460,695	100%	\$ 4,971,411	\$ 5,388,500	\$ 4,971,411	100%	\$ 4,971,411	\$ 4,971,411	\$ 0	0%	\$ 4,971,411	\$ 4,971,411	\$ 0	0%	\$ 4,971,411	\$ 4,971,411	\$ 0	0%	\$ 4,971,411	\$ 4,971,411	\$ 0	0%	\$ 4,971,411	\$ 4,971,411	\$ 0	0%	\$ 4,971,411	\$ 4,971,411	\$ 0	0%
Administrative and Marketing	30,384	26,600	(3,784)	(12,45%)	34,000	34,000	100%	34,000	34,000	34,000	100%	34,000	34,000	0	0%	34,000	34,000	0	0%	34,000	34,000	0	0%	34,000	34,000	0	0%	34,000	34,000	0	0%	34,000	34,000	0	0%
Payroll	13,914	14,000	86	0,62%	37,000	37,000	100%	37,000	37,000	37,000	100%	37,000	37,000	0	0%	37,000	37,000	0	0%	37,000	37,000	0	0%	37,000	37,000	0	0%	37,000	37,000	0	0%	37,000	37,000	0	0%
Physical Benefits, Taxes	7,914	7,900	(14)	(0,18%)	14,400	14,400	100%	14,400	14,400	14,400	100%	14,400	14,400	0	0%	14,400	14,400	0	0%	14,400	14,400	0	0%	14,400	14,400	0	0%	14,400	14,400	0	0%	14,400	14,400	0	0%
Operating and Maintenance	6,937	5,904	(1,033)	(14,90%)	42,700	42,700	100%	42,700	42,700	42,700	100%	42,700	42,700	0	0%	42,700	42,700	0	0%	42,700	42,700	0	0%	42,700	42,700	0	0%	42,700	42,700	0	0%	42,700	42,700	0	0%
Repairs and Insurance	2,745	2,745	0	0%	17,500	17,500	100%	17,500	17,500	17,500	100%	17,500	17,500	0	0%	17,500	17,500	0	0%	17,500	17,500	0	0%	17,500	17,500	0	0%	17,500	17,500	0	0%	17,500	17,500	0	0%
Utilities	1,483	1,483	0	0%	17,500	17,500	100%	17,500	17,500	17,500	100%	17,500	17,500	0	0%	17,500	17,500	0	0%	17,500	17,500	0	0%	17,500	17,500	0	0%	17,500	17,500	0	0%	17,500	17,500	0	0%
Total Operating Expense	\$ 278,812	\$ 278,373	\$ (439)	(0,16%)	\$ 202,873	\$ 202,873	100%	\$ 202,873	\$ 202,873	\$ 202,873	100%	\$ 202,873	\$ 202,873	\$ 0	0%	\$ 202,873	\$ 202,873	\$ 0	0%	\$ 202,873	\$ 202,873	\$ 0	0%	\$ 202,873	\$ 202,873	\$ 0	0%	\$ 202,873	\$ 202,873	\$ 0	0%	\$ 202,873	\$ 202,873	\$ 0	0%
Net Operating Income	\$ 286,450	\$ 305,698	\$ 19,248	6,718%	\$ 257,822	\$ 257,822	100%	\$ 257,822	\$ 257,822	\$ 257,822	100%	\$ 257,822	\$ 257,822	\$ 0	0%	\$ 257,822	\$ 257,822	\$ 0	0%	\$ 257,822	\$ 257,822	\$ 0	0%	\$ 257,822	\$ 257,822	\$ 0	0%	\$ 257,822	\$ 257,822	\$ 0	0%	\$ 257,822	\$ 257,822	\$ 0	0%
Debt Service - Interest Expense	81,378	81,337	(41)	(0,05%)	18,000	18,000	100%	18,000	18,000	18,000	100%	18,000	18,000	0	0%	18,000	18,000	0	0%	18,000	18,000	0	0%	18,000	18,000	0	0%	18,000	18,000	0	0%	18,000	18,000	0	0%
Net cash flow	\$ 195,072	\$ 224,361	\$ 29,289	14,99%	\$ 239,822	\$ 239,822	100%	\$ 239,822	\$ 239,822	\$ 239,822	100%	\$ 239,822	\$ 239,822	\$ 0	0%	\$ 239,822	\$ 239,822	\$ 0	0%	\$ 239,822	\$ 239,822	\$ 0	0%	\$ 239,822	\$ 239,822	\$ 0	0%	\$ 239,822	\$ 239,822	\$ 0	0%	\$ 239,822	\$ 239,822	\$ 0	0%
Debt Service Coverage Ratio	2.71	2.84	0.13	4,80%	13.33	13.33	100%	13.33	13.33	13.33	100%	13.33	13.33	0	0%	13.33	13.33	0	0%	13.33	13.33	0	0%	13.33	13.33	0	0%	13.33	13.33	0	0%	13.33	13.33	0	0%
Operating Expense PUPY	\$ 5,343	\$ 5,315	\$ (28)	(0,53%)	\$ 4,066	\$ 4,066	100%	\$ 4,066	\$ 4,066	\$ 4,066	100%	\$ 4,066	\$ 4,066	\$ 0	0%	\$ 4,066	\$ 4,066	\$ 0	0%	\$ 4,066	\$ 4,066	\$ 0	0%	\$ 4,066	\$ 4,066	\$ 0	0%	\$ 4,066	\$ 4,066	\$ 0	0%	\$ 4,066	\$ 4,066	\$ 0	0%
Operating Expense PUPM	\$ 445	\$ 443	\$ (2)	(0,45%)	\$ 412	\$ 412	100%	\$ 412	\$ 412	\$ 412	100%	\$ 412	\$ 412	\$ 0	0%	\$ 412	\$ 412	\$ 0	0%	\$ 412	\$ 412	\$ 0	0%	\$ 412	\$ 412	\$ 0	0%	\$ 412	\$ 412	\$ 0	0%	\$ 412	\$ 412	\$ 0	0%

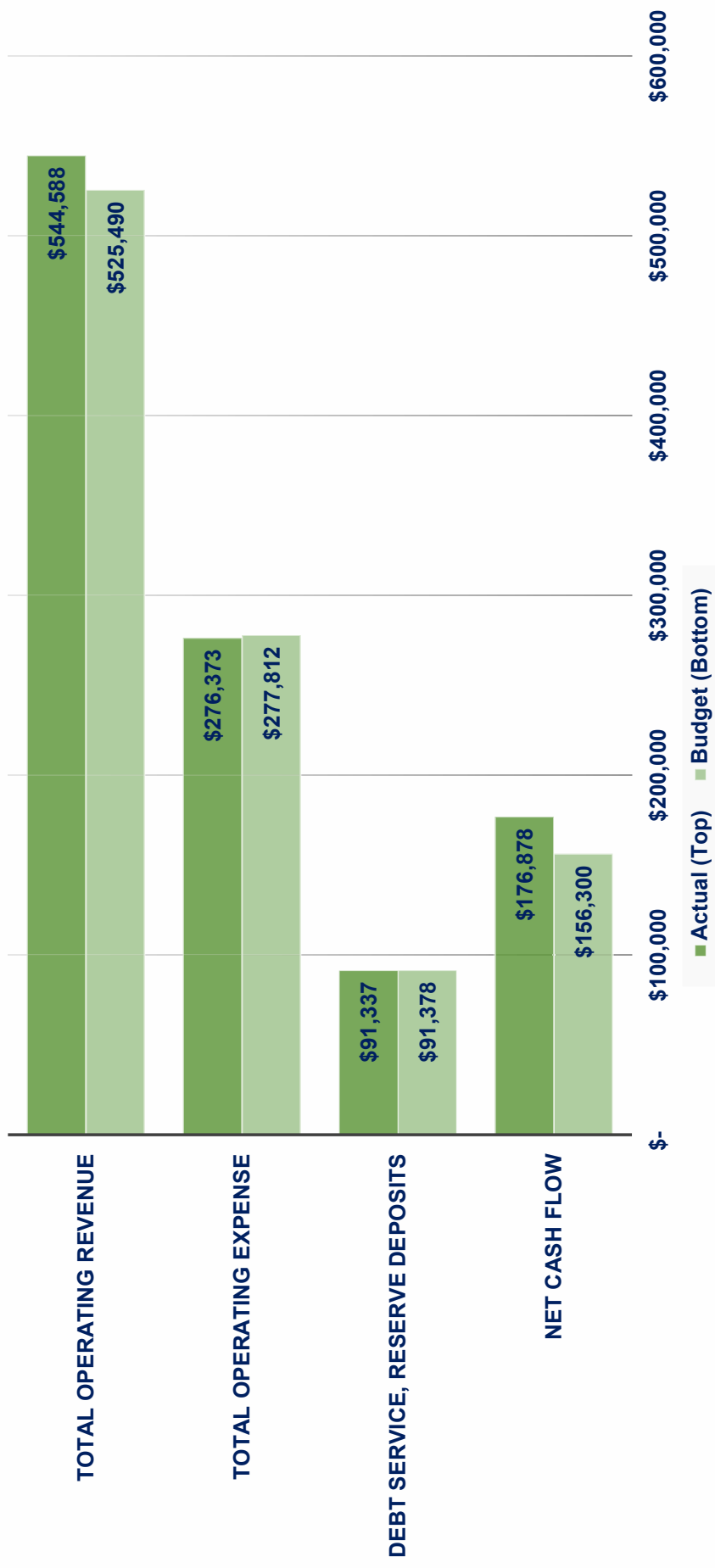
LIHTC Portfolio Asset Management Financial Report through June 2022

October 2022

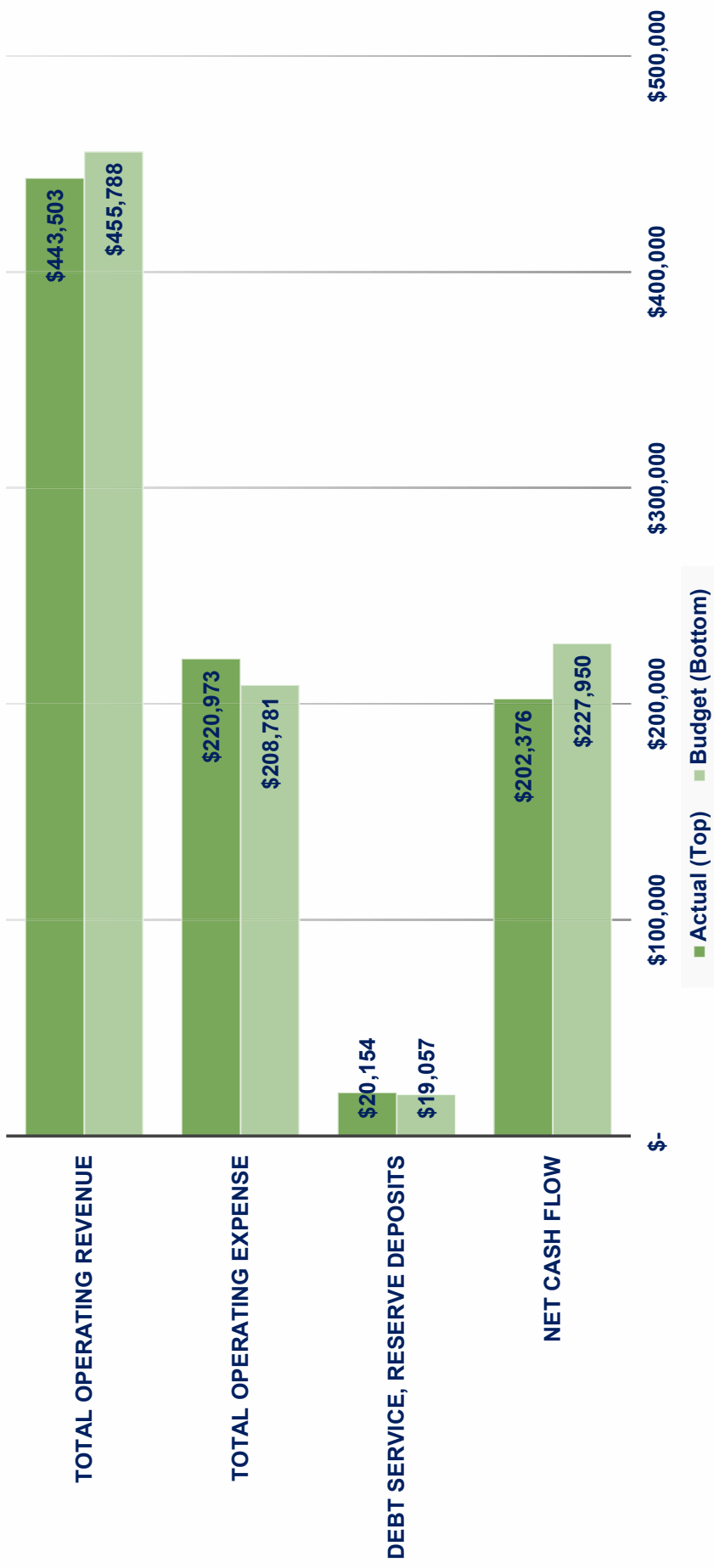
LIHTC PORTFOLIO

- Breakers at Bayport
- Shinsei Gardens
- Park Alameda
- Stargell Commons
- Jack Capon Villa
- Littlejohn Commons
- Everett Commons

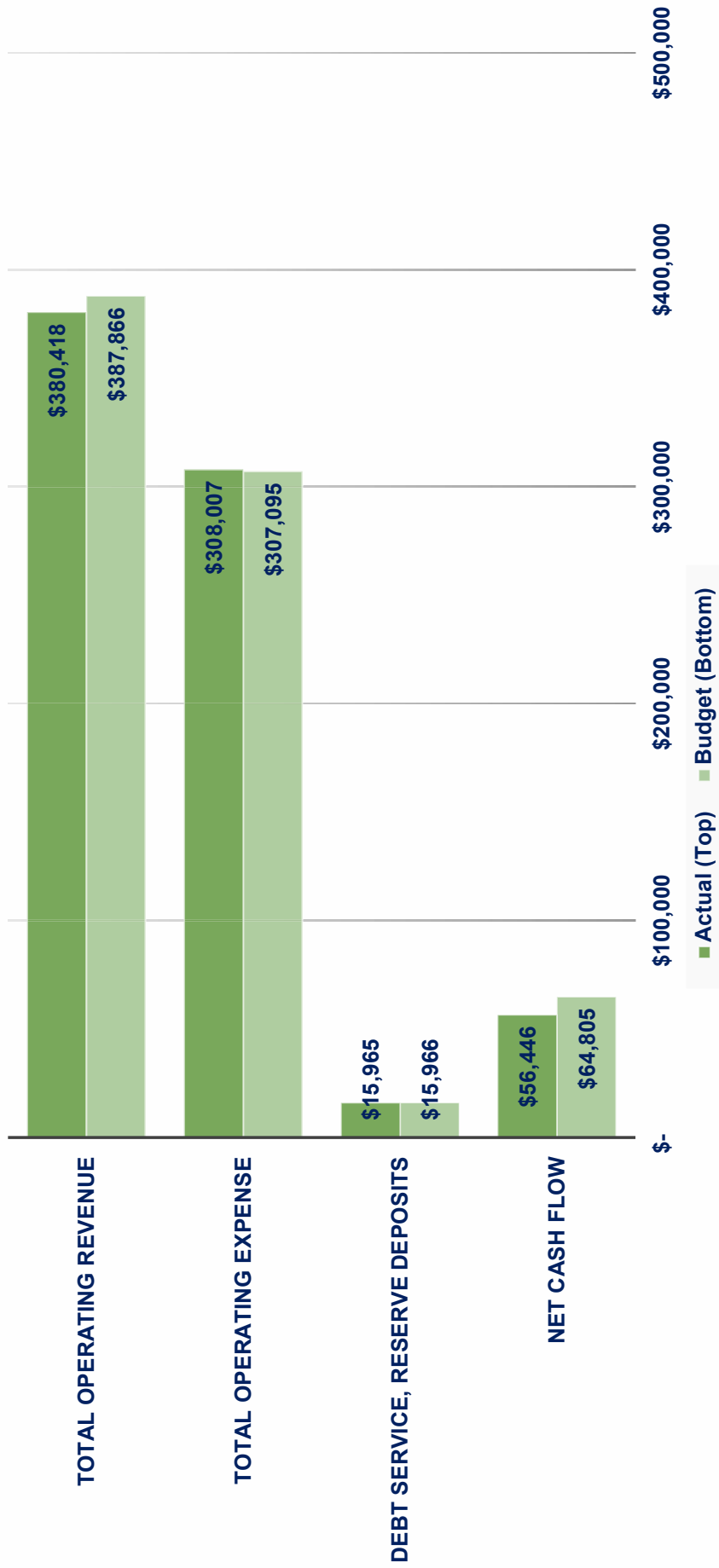
Breakers at Bayport - 52 Unit Family



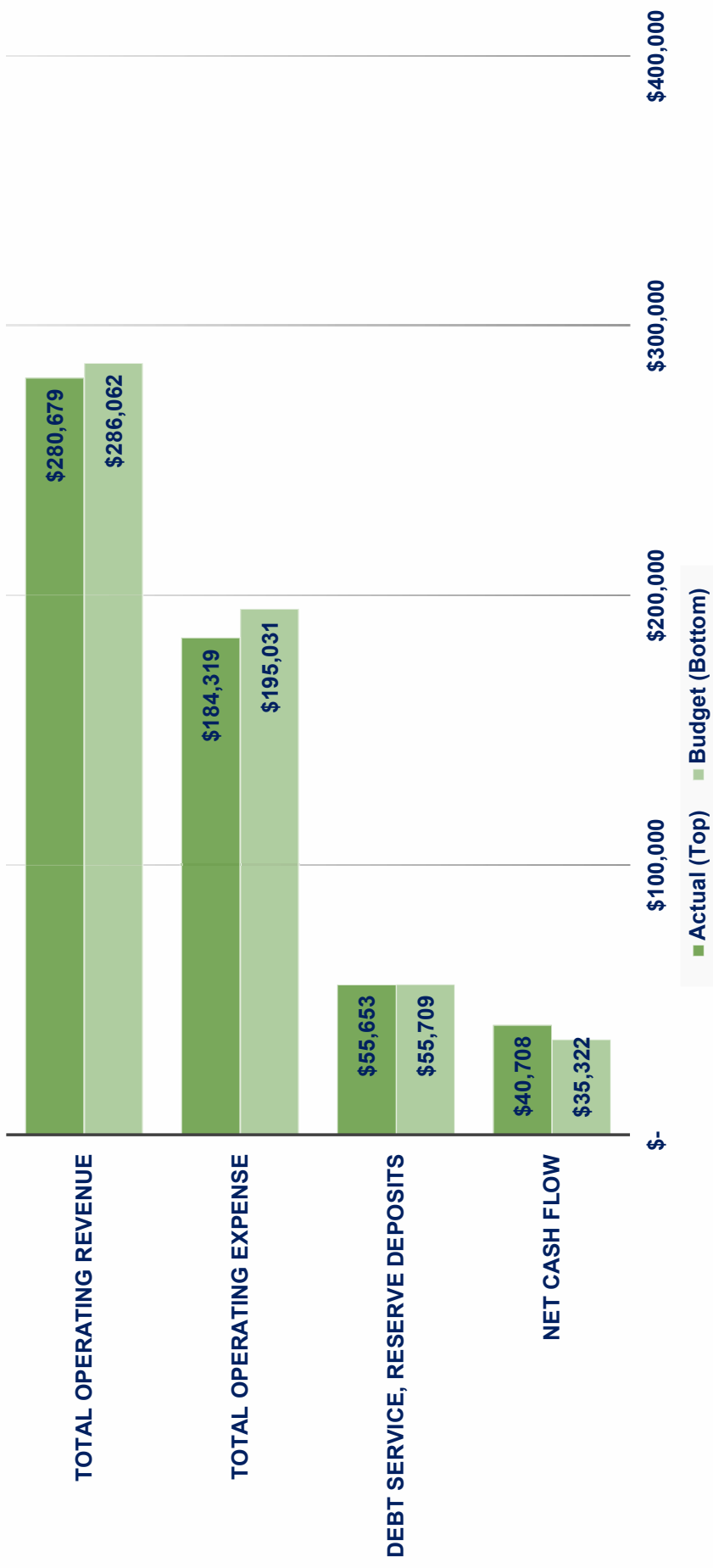
Shinsei Gardens - 39 Unit Family



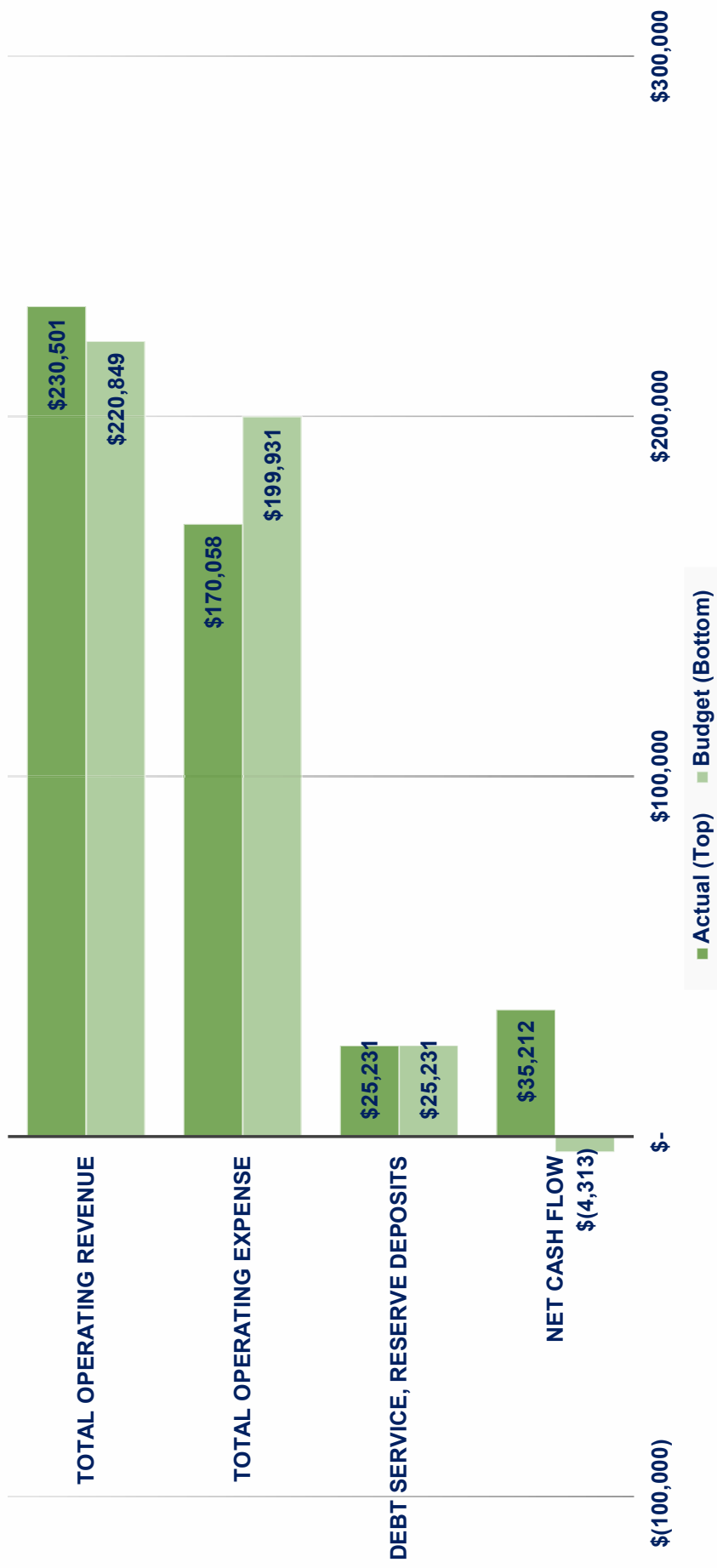
Park Alameda - 62 Unit Single Room Occupancy



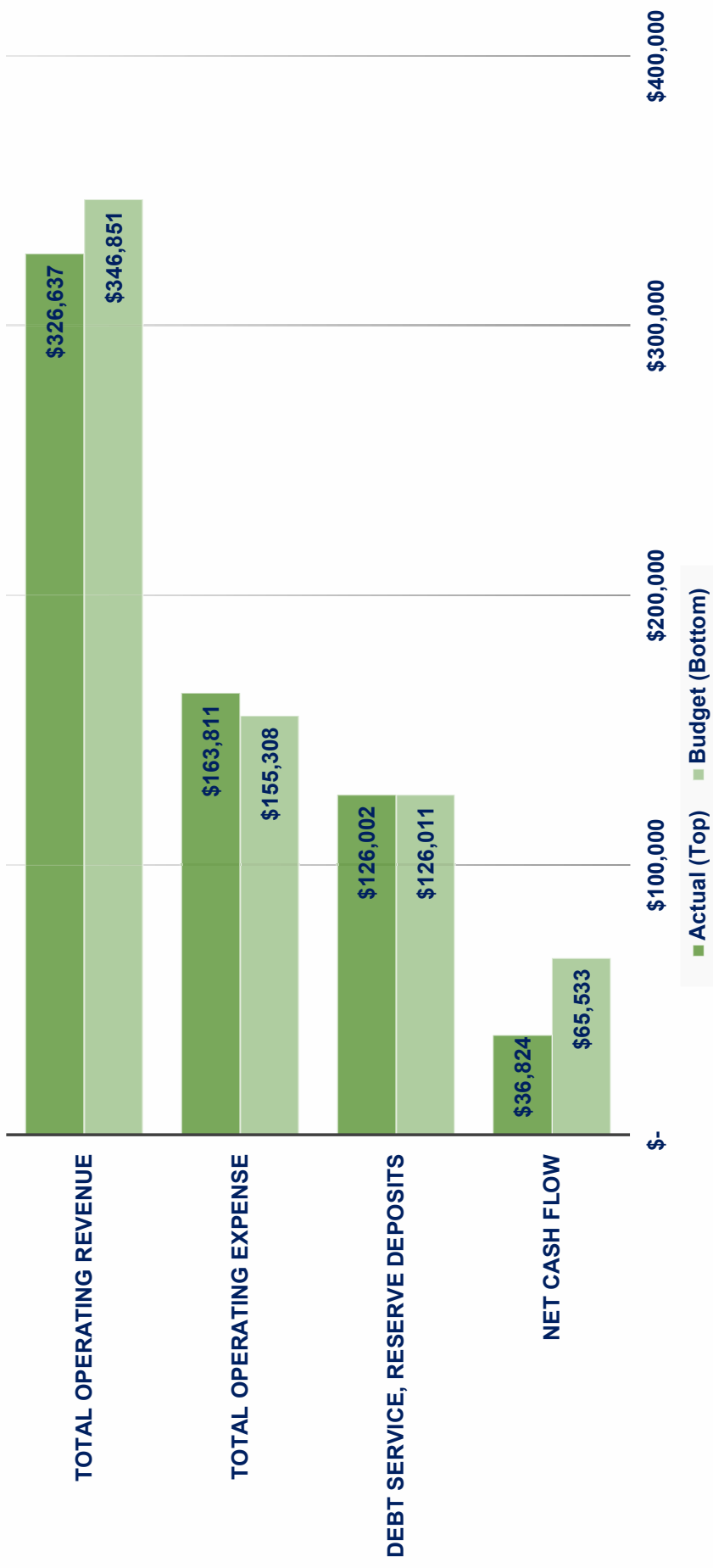
Stargell Commons – 32 Unit Family



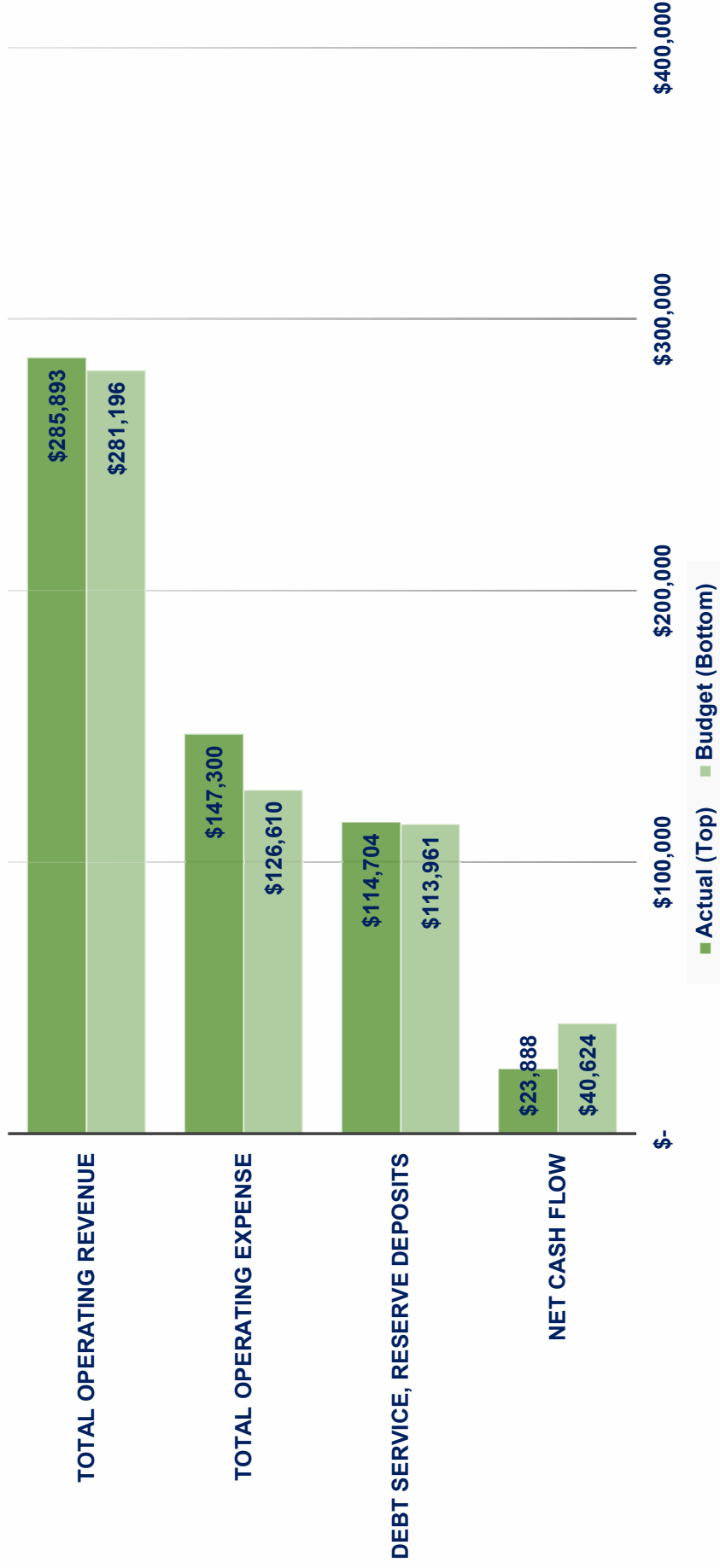
Jack Capon Villa – 19 Unit Special Needs



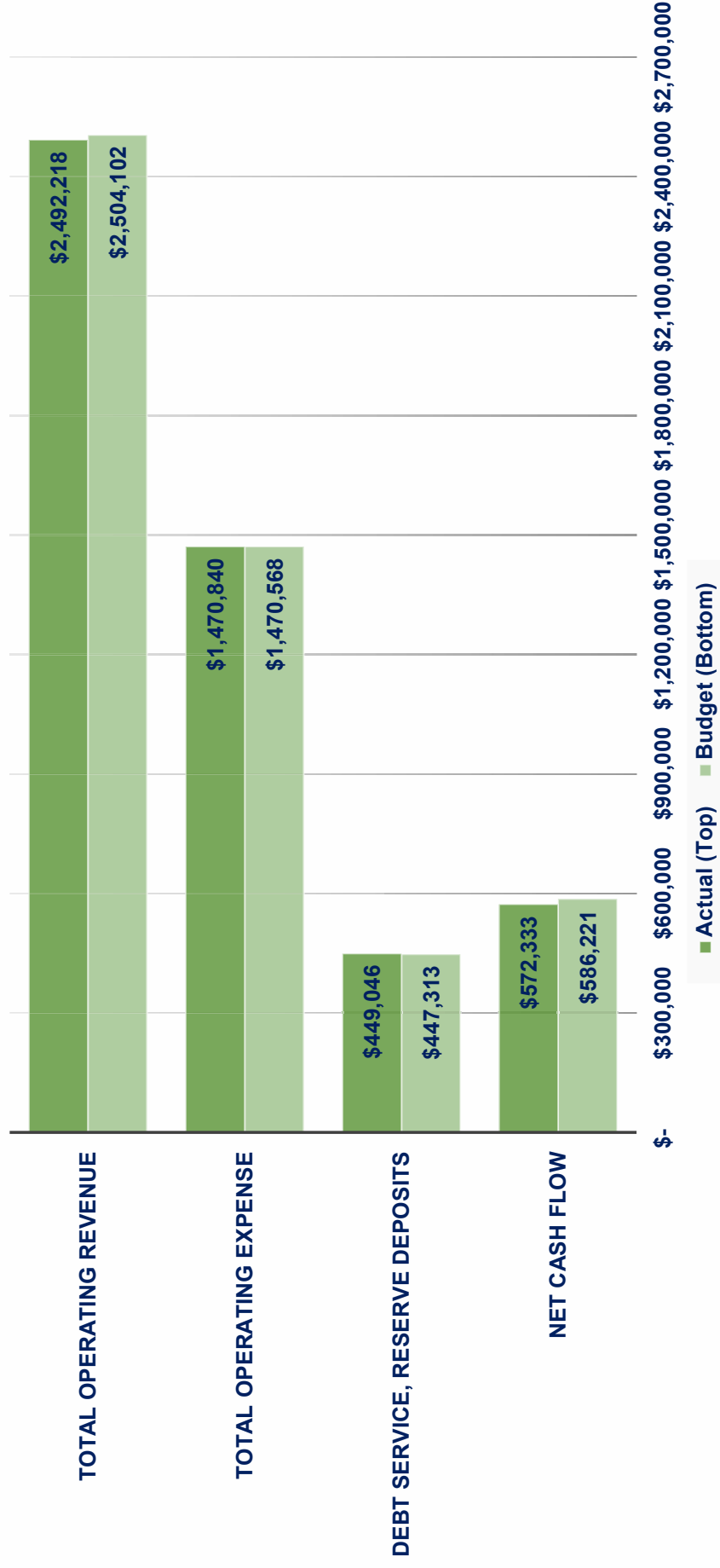
Littlejohn Commons – 31 Unit Senior



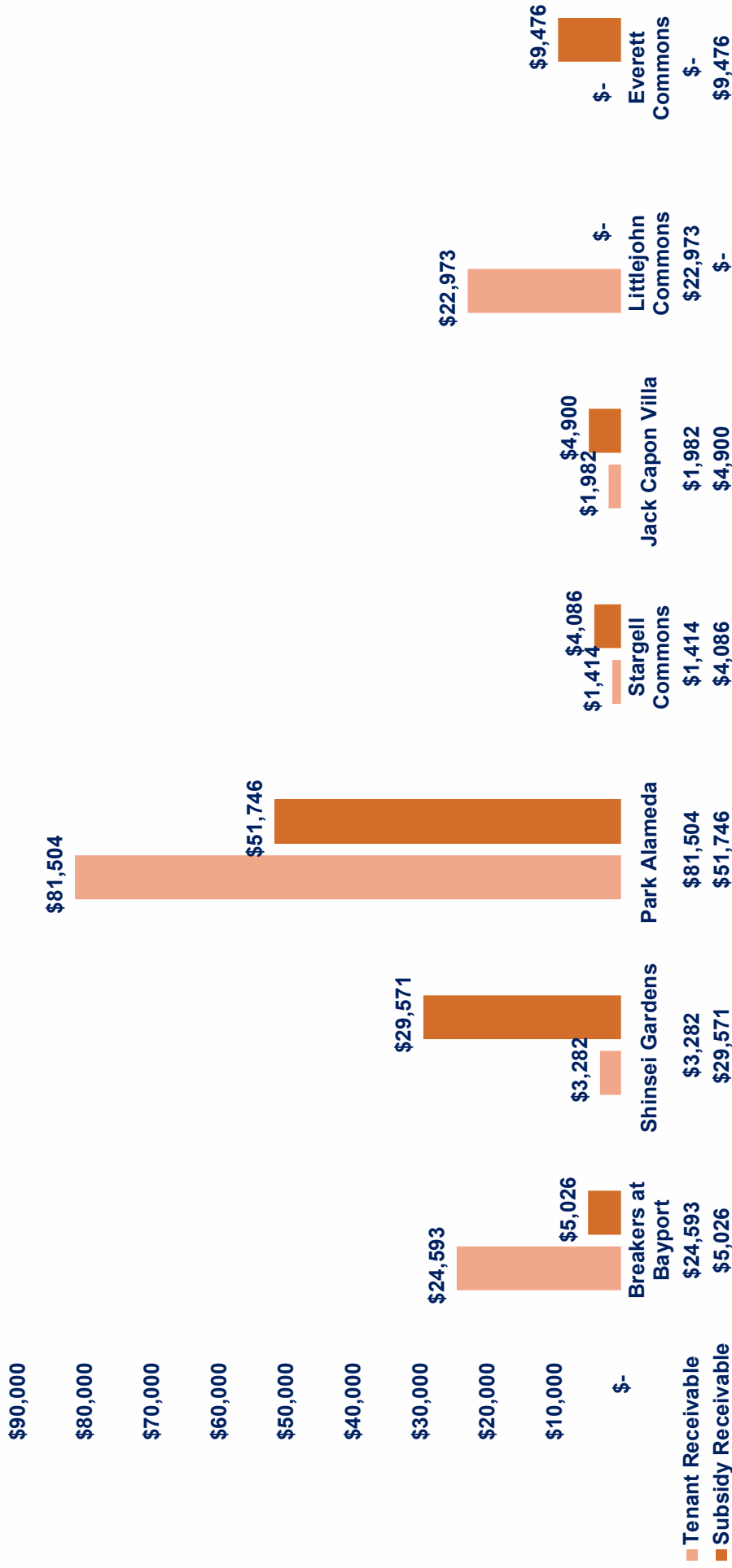
Everett Commons – 20 Unit Family



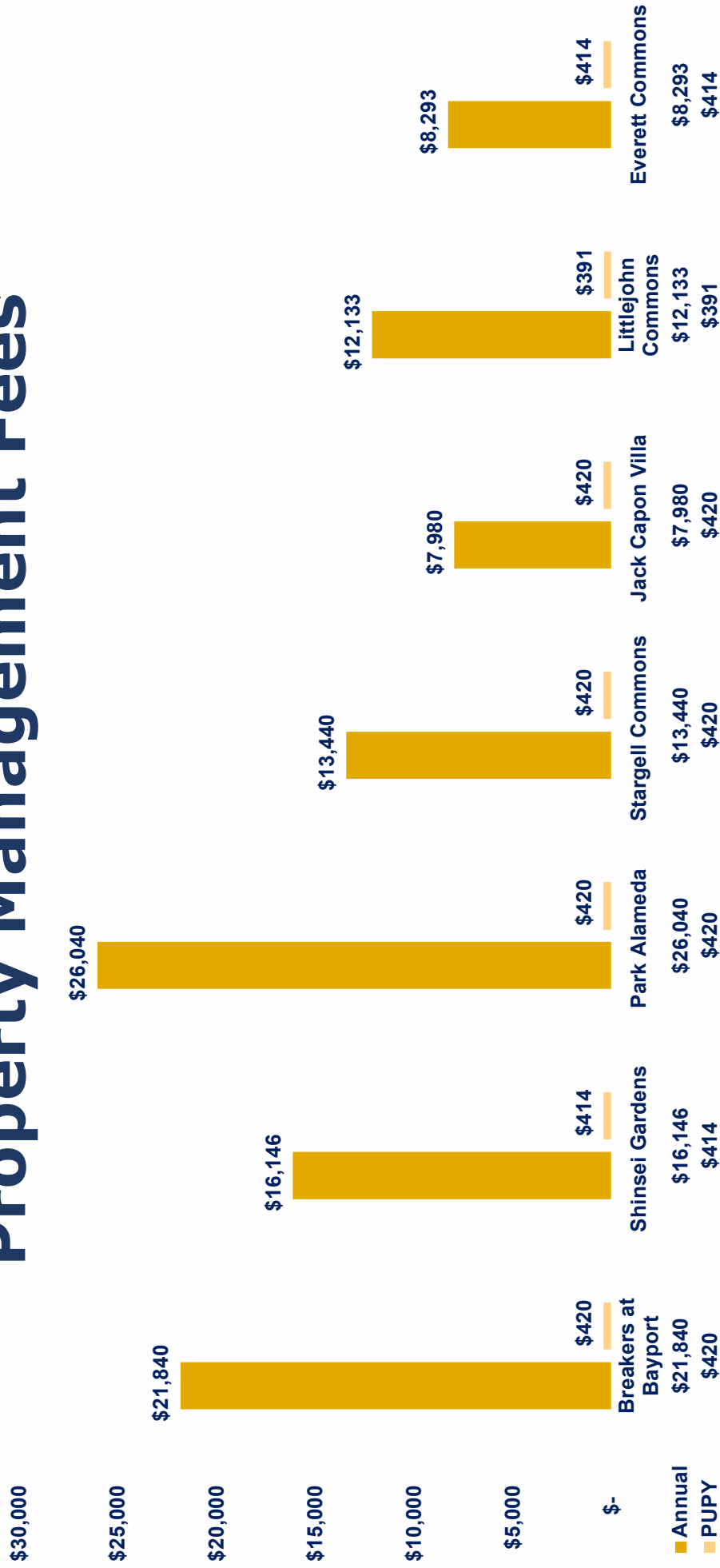
LIHTC Portfolio Performance



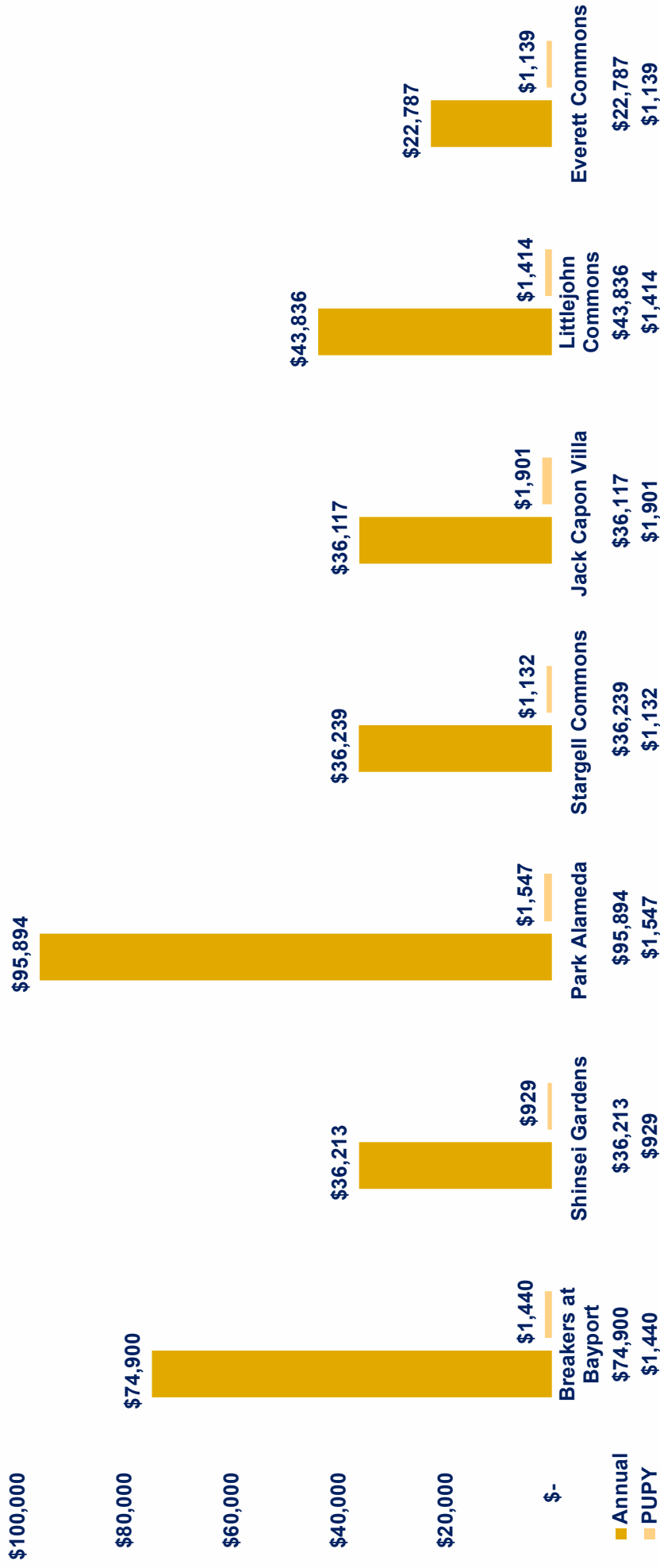
Tenant Receivables



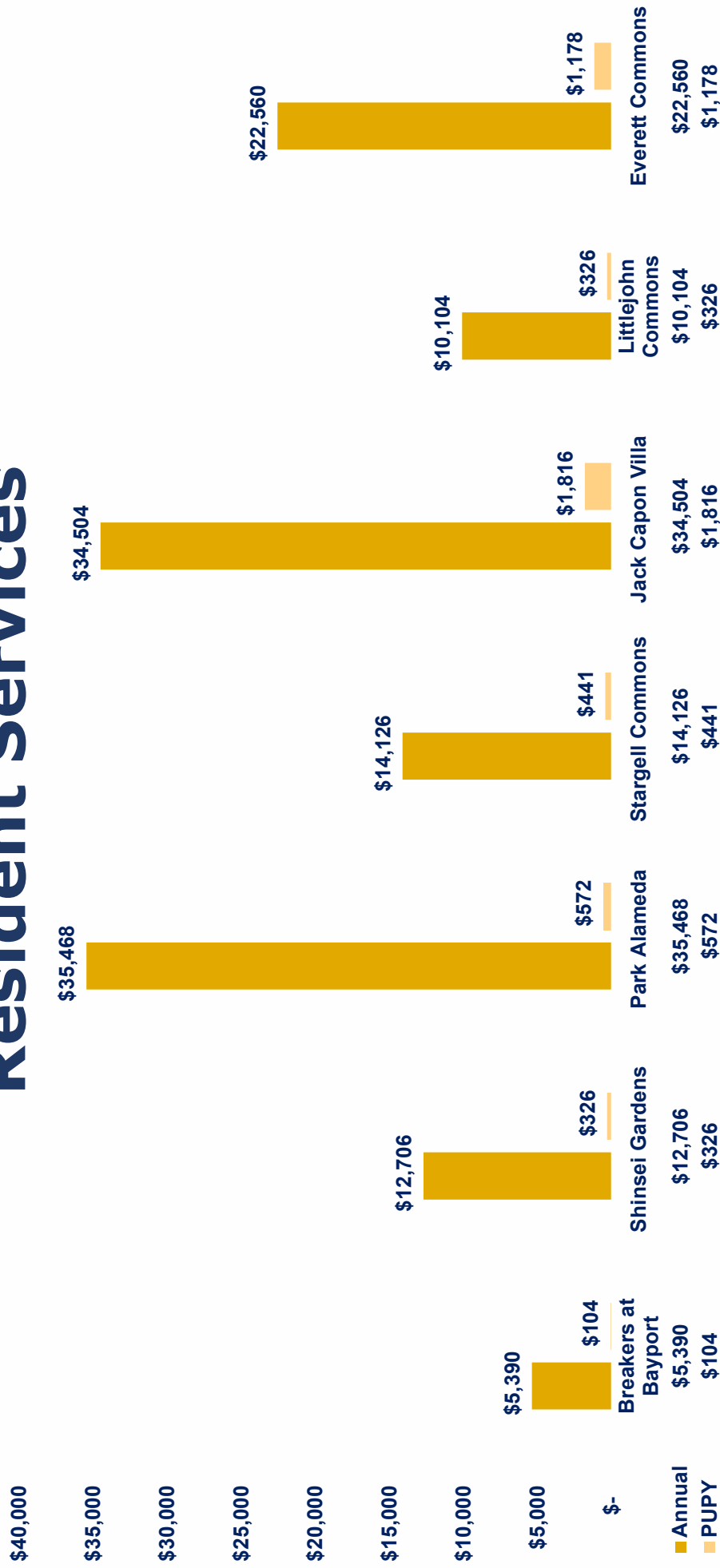
Property Management Fees



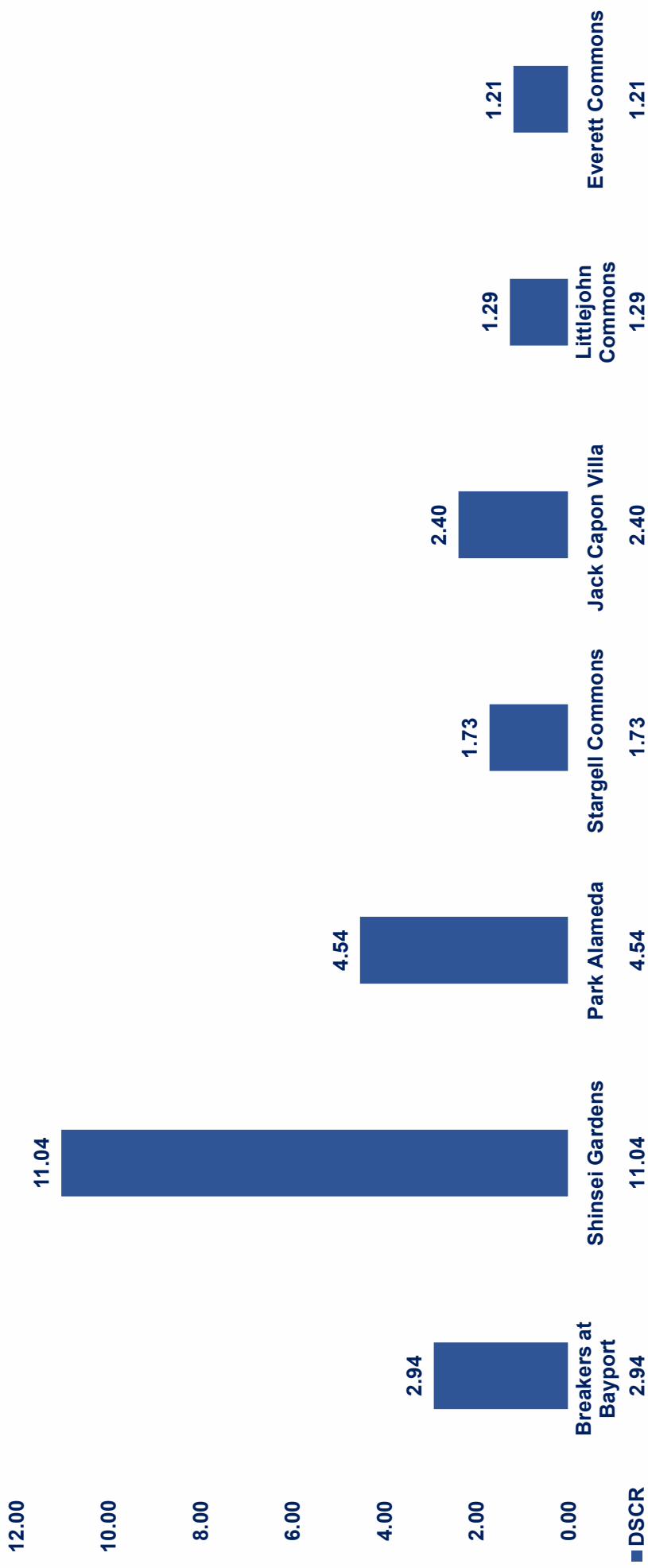
Property Staff Salaries and Benefits



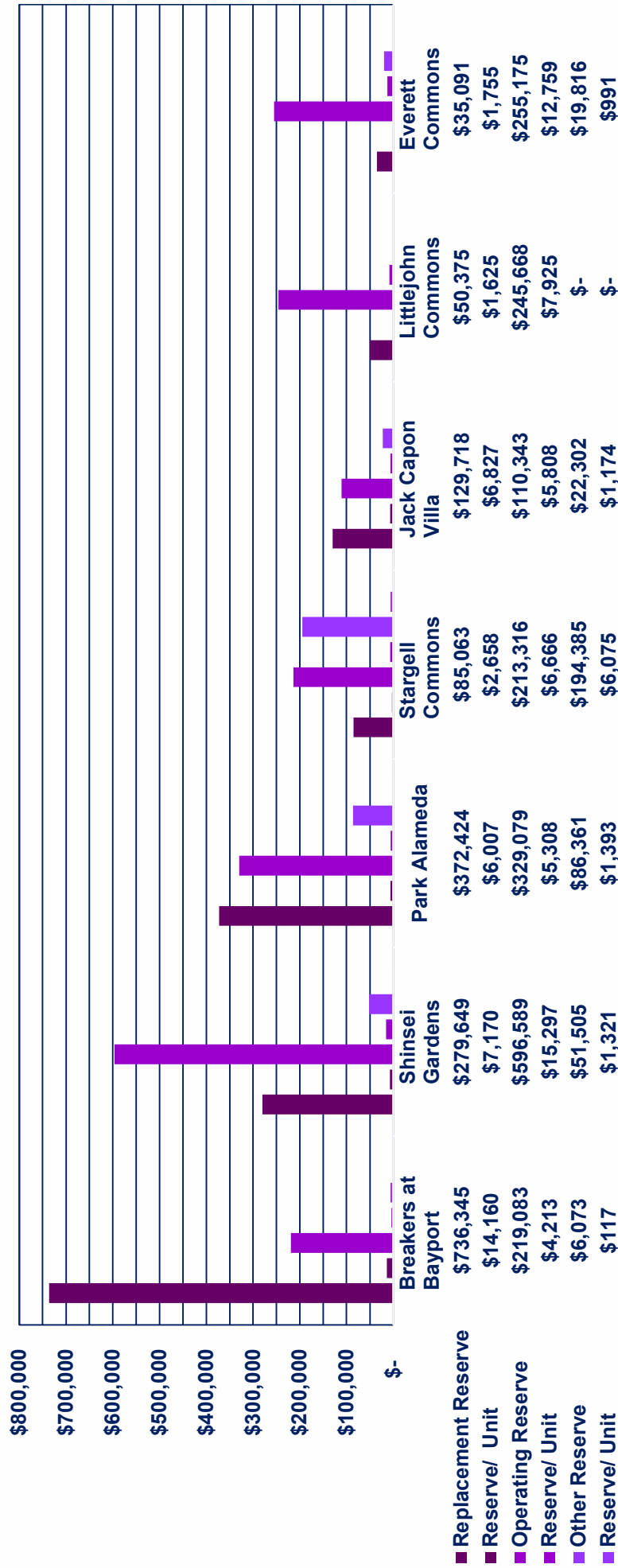
Resident Services



Debt Service Coverage Ratio (Total Operating Income/ Debt Service)



Reserve Balances



Thank You!



Housing Authority
of the
City of Alameda

www.alamedahsg.org



Housing Authority
of the
City of Alameda
Page 11 of 23



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Stephanie Shipe, Director of Portfolio Management

Date: November 16, 2022

Re: Accept the AHA/ AAHC Portfolio Asset Management Fiscal Year to Date Financial Report through the Month of June 2022.

BACKGROUND

The Housing Authority of the City of Alameda (AHA) and the Alameda Affordable Housing Corporation (AAHC) holds a portfolio of its own affordable housing stock. The cumulative unit count is 537 units and of which 47% serves seniors and 53% serves families. Most of the units are supported by Section 8 Project Based Voucher and Housing Choice Voucher rental subsidy program and do not have hard debt.

Alameda Affordable Housing Corporation (AAHC) portfolio includes Anne B Diamant Plaza (65 units), Independence Plaza (186 units), China Clipper Plaza (26 units), Eagle Village (36 units), Parrot Village (50 units), Esperanza (120 units), and Scattered Sites 2- Lincoln Willow (5 units), Stanford House (4 units), Pulte Homes (12 of 18 units).

The Housing Authority of the City of Alameda (AHA) portfolio includes Parrot Gardens (8 units) and Scattered Sites 1- Senior Condos (7 units), Mulberry Homes (4 units), Paru House (1 unit), Lincoln House (4 units), and Sherman House (9 units.)

The property management duties are contracted to the John Stewart Company, with the exception of Anne B Diamant and Independence Plaza, which are managed by AHA. The resident services are contracted to LifeSTEPS.

DISCUSSION

This memo provides an overview of the AHA/ AAHC portfolio asset management year-to-date financial report through the month of June 2022. This report tracks performance per the budget and includes achievements, items of note, and upcoming events or changes. Please note the properties' fiscal year end is December, and the figures used in this report may change and not match the audit.

Statements that apply to all properties:

Operating Revenue - Includes tenant rent, rental subsidy, vacancy loss, laundry income,



and interest on accounts. A standard 3% Rent Increase was budgeted for on all units at all properties in the FY 21/22 Budget. Due to market conditions, HUD reduced the Fair Market Rent (FMR) for 2022 and so the payment standards for the section 8 voucher were reduced for new rentals and budgeted increases were not approved for existing voucher holders. Tenant Receivables - Property Management and Resident Services assist residents with applying for the Emergency Rental Assistance Program (ERAP). Operating Expense - Includes marketing, administrative, property management fees, salaries and benefits, utilities, operating and maintenance, taxes and insurance, and resident services.

Total Operating Income - Operating Revenue minus Operating Expense

Total Net Cash Flow will be distributed per the waterfall in accordance with the lender and regulatory agreements.

Anne B Diament Plaza (65 units)

-Operating Revenue is \$1,361,156, which is 3% (\$41,200) lower than budget

-Occupancy is 97% (1 vacant unit)

-Tenant Receivables are \$2,980 and Subsidy Receivables are \$6,083 which are due to new move-ins.

-Operating Expenses are \$905,106, which is 10% (34,356) lower than budget due to minimal turnover.

-Total Operating Income is \$456,050, which is 14% (\$98,951) higher than budget due to minimal unit turns and vacant maintenance positions due to retirements. These positions will not be refilled.

-Mandatory hard debt service and reserve deposit requirements are \$0

-Total Net Cash Flow is \$456,050

Independence Plaza (186 units)

-Operating Revenue is \$4,128,383, which is 8% (\$296,976) higher than budget due to increasing the number of housing choice vouchers at the property and increasing the rent limit to 70%.

-Occupancy is 99% (2 vacant units)

-Tenant Receivables are \$29,603 due to residents in legal and Subsidy Receivables are \$10,175 which are due to new move-ins and accounting errors, which have now been resolved..

-Operating Expenses are \$2,767,052, which is 2% (\$60,447) higher than budget

-Total Operating Income is \$1,361,331, which is 21% (\$236,530) higher than budget and is directly tied to the increase in revenue. These additional funds will help cover capital work planned in the following fiscal year.

-Mandatory hard debt service and reserve deposit requirements are \$841,272 and Debt Service Coverage Ratio is 1.62

-Total Net Cash Flow is \$520,059

China Clipper Plaza (26 units)

-Operating Revenue is \$585,742, which is 13% (\$90,792) lower than budget; in addition to not receiving rent increases and reduced rents on turn over from the housing choice vouchers there was one long standing vacant unit used to temporarily house a resident while repairs were being completed in their unit due to water damage.

- Occupancy is 96% (1 vacant unit)
- Tenant Receivables are \$4,616 and Subsidy Receivables are -\$14,446 which are due accounting mistakes that are currently being resolved such as missing rent change notices.
- Operating Expenses are \$302,340, which is 12% (\$32,538) higher than budget which is directly related to the repairs needed in the unit that had extensive water damage.
- Total Operating Income is \$283,402, which is 30% (\$123,330) lower than budget
- Mandatory hard debt service and reserve deposit requirements are \$0
- Total Net Cash Flow is \$283,402

Eagle Village (36 units)

- Operating Revenue is \$1,083,297, which is 11% (\$127,803) lower than budget; this is directly related to rents and a long standing unit in legal and where no rent was collected.
- Occupancy is 100% (0 vacant unit)
- Tenant Receivables are \$16,293 and Subsidy Receivables are -\$31,961,446 which are due accounting mistakes that are currently being resolved such as missing rent change notices.
- Operating Expenses are \$488,684, which is 20% (\$80,423) higher than budget due to increased sewer expenses, replacement of all carbon monoxide/smoke detectors on the property, heating and plumbing repairs.
- Total Operating Income is \$594,614, which is 26% (\$208,226) lower than budget
- Mandatory hard debt service and reserve deposit requirements are \$438,446 and Debt Service Coverage Ratio is 3.81
- Total Net Cash Flow is \$438,446

Parrot Village (50 units)

- Operating Revenue is \$1,733,899, which is 9% (\$169,628) lower than budget; in addition to not receiving rent increases and reduced rents on turn over from the housing choice vouchers there were multiple units in legal due and long standing vacant units.
- Occupancy is 96% (2 vacant units)
- Tenant Receivables are \$166,152 which are due to residents and legal and residents who haven't paid rent and have been affected by COVID-19 and Subsidy Receivables are -\$374 which are due accounting mistakes that are currently being resolved such as missing rent change notices.
- Operating Expenses are \$722,677, which is 35% (\$189,184) higher than budget, which is primarily due to expenses related to an increase in trash, sewer and insurance costs as well as heating and plumbing issues on the property throughout the property. The plumbing issues have been addressed in the upcoming budget by planning to hydro-jet the lines twice a year.
- Total Operating Income is \$1,011,222, which is 26% (\$358,813) lower than budget, this is due a combination of lower income and increased expenses.
- Mandatory hard debt service and reserve deposit requirements are \$215,661 and Debt Service Coverage Ratio is 4.69
- Total Net Cash Flow is \$795,561

Parrot Gardens (8 units)

- Operating Revenue is \$197,466, which is 30% (\$84,380) lower than budget; this is primarily due to one long standing vacant unit that was converted into an office to serve as an onsite office for Parrot Gardens and Parrot Village.
- Occupancy is 100% (0 vacant unit)
- Tenant Receivables are \$547 and Subsidy Receivables are \$10,777 which are due accounting mistakes that are currently being resolved such as missing rent change notices.
- Operating Expenses are \$148,559, which is 8% (\$10,971) higher than budget, which is primarily due irrigation repairs needed throughout the property and landscape upgrades around the new office.
- Total Operating Income is \$48,907, which is 66% (\$95,351) lower than budget
- Mandatory hard debt service and reserve deposit requirements are \$0
- Total Net Cash Flow is \$48,907

Esperanza (120 units)

- Operating Revenue is \$4,199,859, which is 4% (\$177,625) higher than budget due to increases were approved in early 2021, prior to the 21/22 FY Budget beginning but after it was approved. This meant the property started with a higher income.
- Occupancy is 96% (5 vacant units)
- Tenant Receivables are \$55,375 and Subsidy Receivables are \$13,053 which are due accounting mistakes that are currently being resolved such as missing rent change notices.
- Operating Expenses are \$1,555,056, which is 20% (\$256,547) higher than budget which is primarily due to increased trash services needed due to dumping throughout property, plumbing expenses, security services needed, security upgrades throughout property to include camera, signage and bollard installation as well as appliance replacements.
- Total Operating Income is \$2,644,803, which is 3% (\$78,922) lower than budget
- Mandatory hard debt service and reserve deposit requirements are \$997,485 and Debt Service Coverage Ratio is 2.65
- Total Net Cash Flow is \$1,647,318

Scattered Sites (46 units)

- Operating Revenue is \$942,128, which is 20% (\$152,391) higher than budget; this is due to the additional units added by the Pulte Homes purchase. These units were not included in the budget due to the timing of the purchase.
- Occupancy is 96% (2 vacant units)
- Tenant Receivables are \$794 and Subsidy Receivables are \$4,011 which are due accounting mistakes that are currently being resolved such as missing rent change notices and abatements.
- Operating Expenses are \$421,750, which is 49% (\$140,226) higher than budget; this is partly due to the additional units added by the Pulte which includes HOA Fees for each unit, sewer fees which weren't accurately budgeted for, as well as increases to plumbing
- Total Operating Income is \$520,378, which is 2% (\$12,165) higher than budget

-Mandatory hard debt service and reserve deposit requirements are \$3,993 and Debt Service Coverage Ratio is 130.33
-Total Net Cash Flow is \$516,385

Overall, the portfolio is performing well and stabilized. Total Operating Revenue is \$14,231,931. Total Operating Expense is \$7,366,724. Total Operating Income is \$6,865,207. Total Net Cash Flow is \$4,650,628, which will be distributed per the seller carry notes and loan and regulatory agreements.

FISCAL IMPACT

None

CEQA

N/A

RECOMMENDATION

Accept the AHA/ AAHC Portfolio Asset Management Fiscal Year to Date Financial Report through the Month of June 2022.

ATTACHMENTS

1. AHA AAHC Portfolio Snapshot 2021-2022
2. AHA AAHC Portfolio Asset Management Fiscal Year To Date Financial Report Through the Month of June 2022

Respectfully submitted,



Stephanie Shipe, Director of Portfolio Management

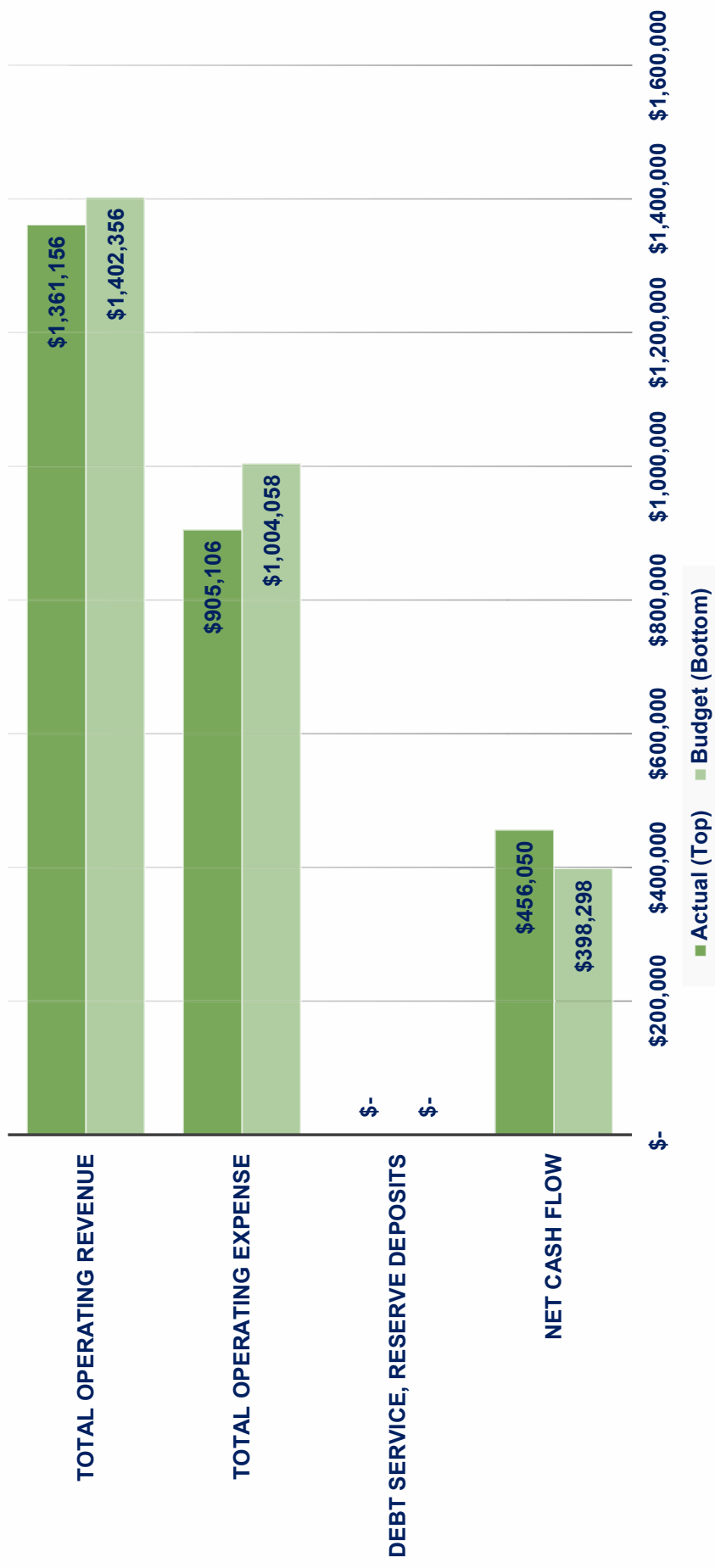
AHA/AAHC Portfolio Asset Management Fiscal Year-to-date June 2022

November 2022

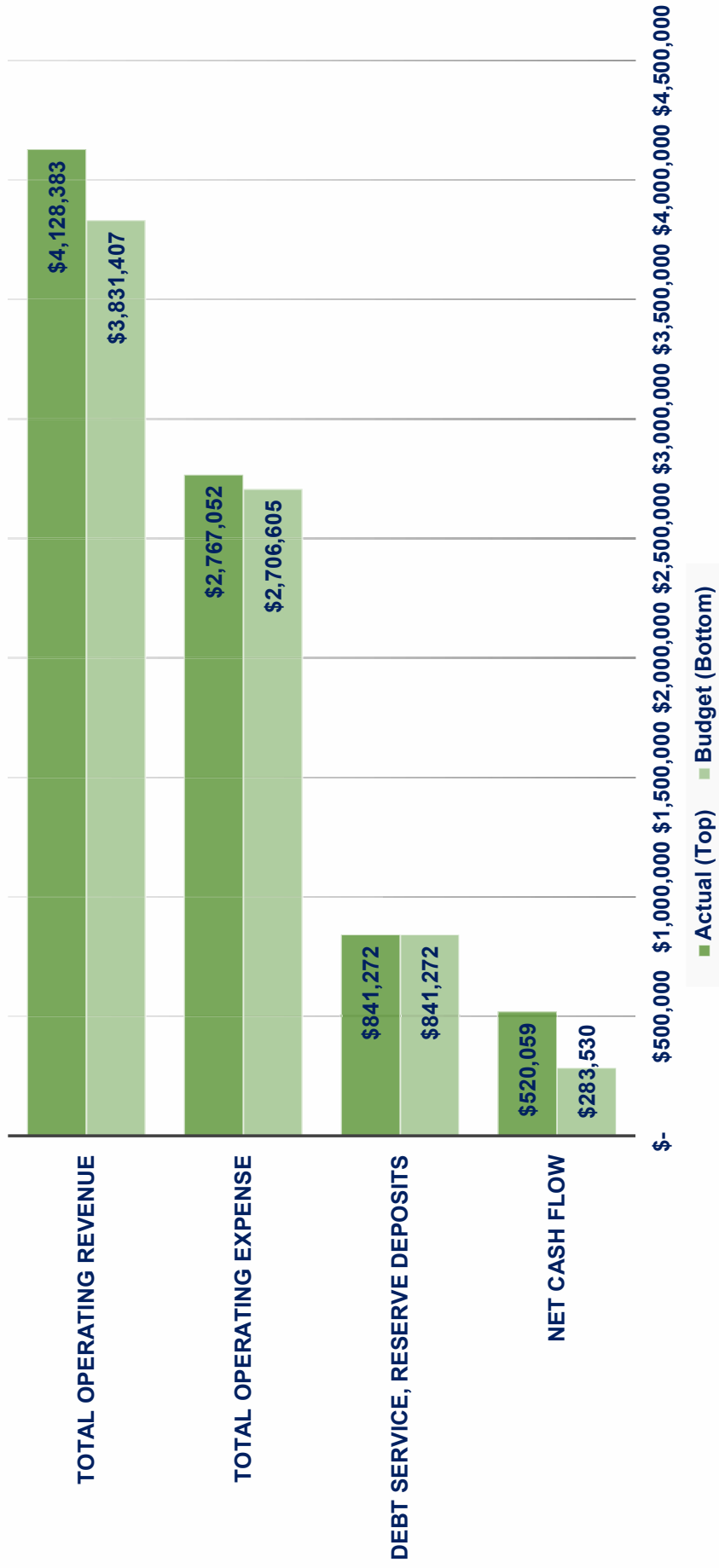
AHA/ AAHC PORTFOLIO

- Anne B Diamant Plaza
- Independence Plaza
- China Clipper Plaza
- Eagle Village
- Parrot Village
- Parrot Gardens
- Esperanza
- Scattered Sites
 - (Family Condos, Mulberry Condos, Paru House, Lincoln House, Sherman House, Lincoln Willow, Stanford House, Pulte Condos*)

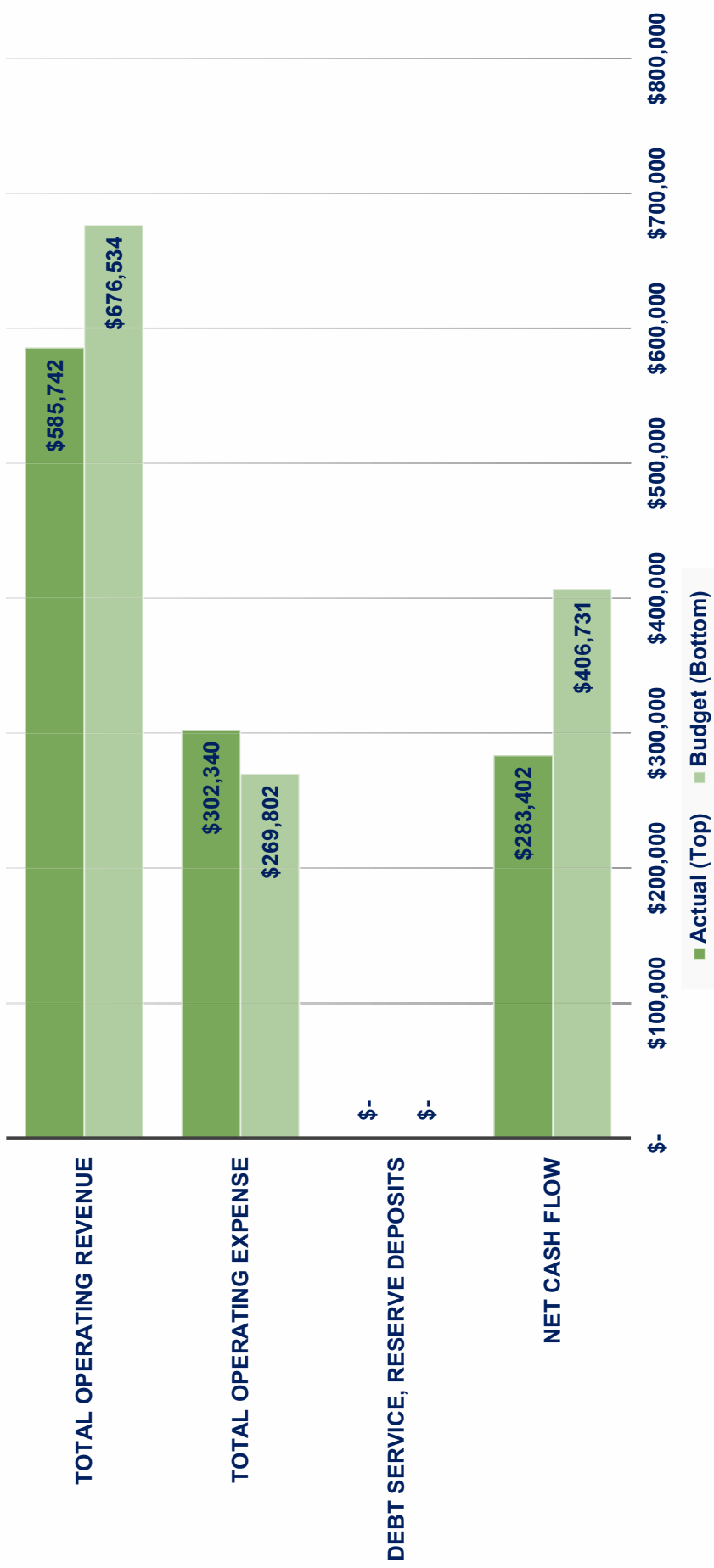
Anne B Diamant Plaza - 65 Unit Senior



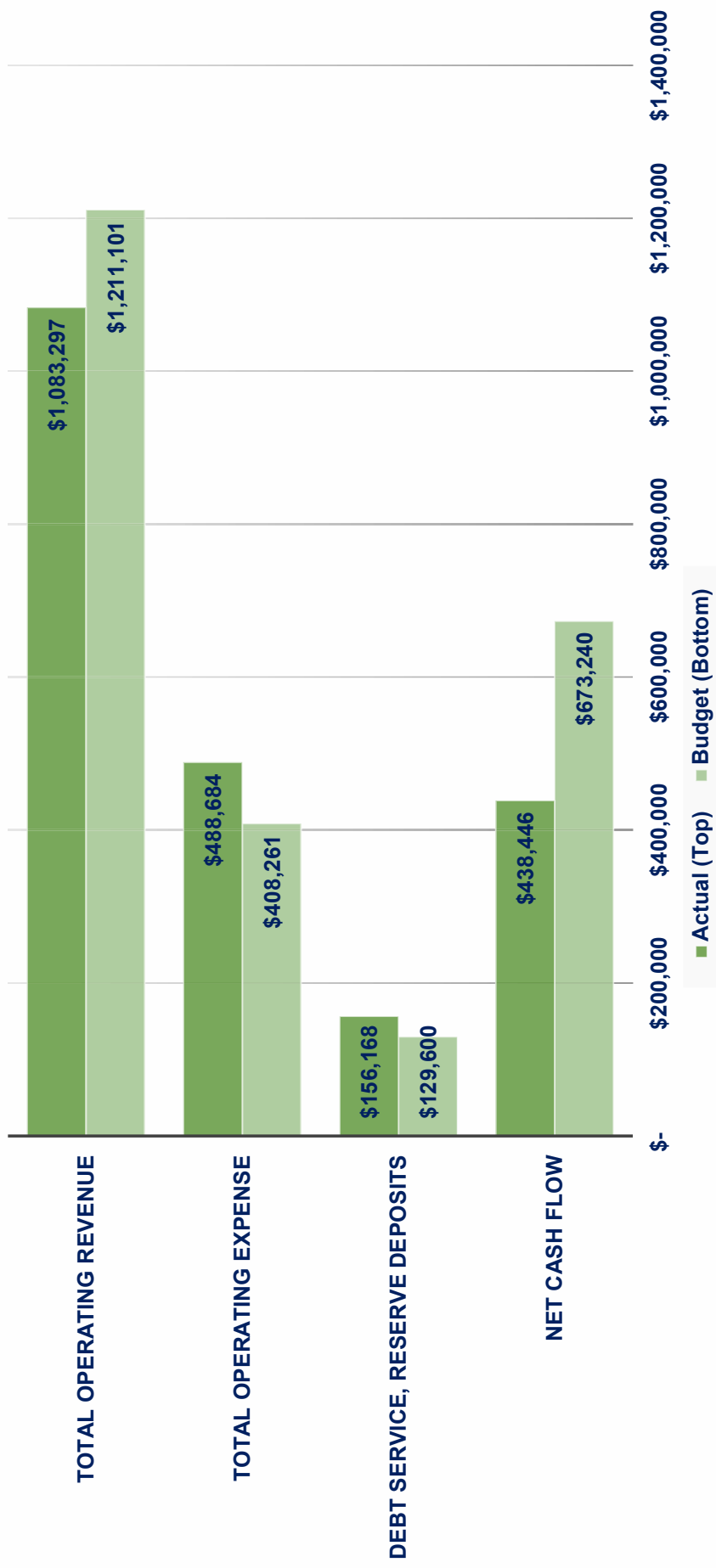
Independence Plaza – 186 Unit Senior



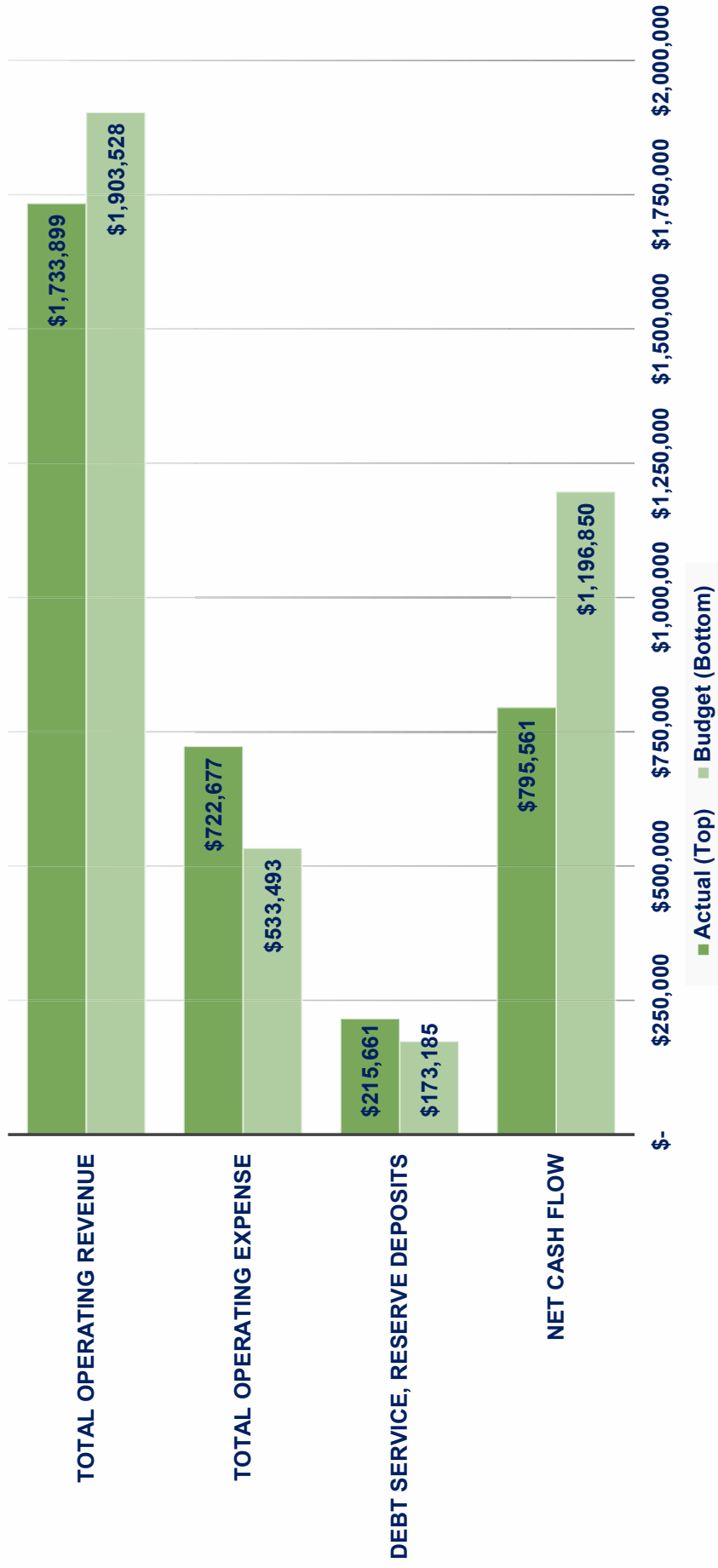
China Clipper Plaza – 26 Unit Family



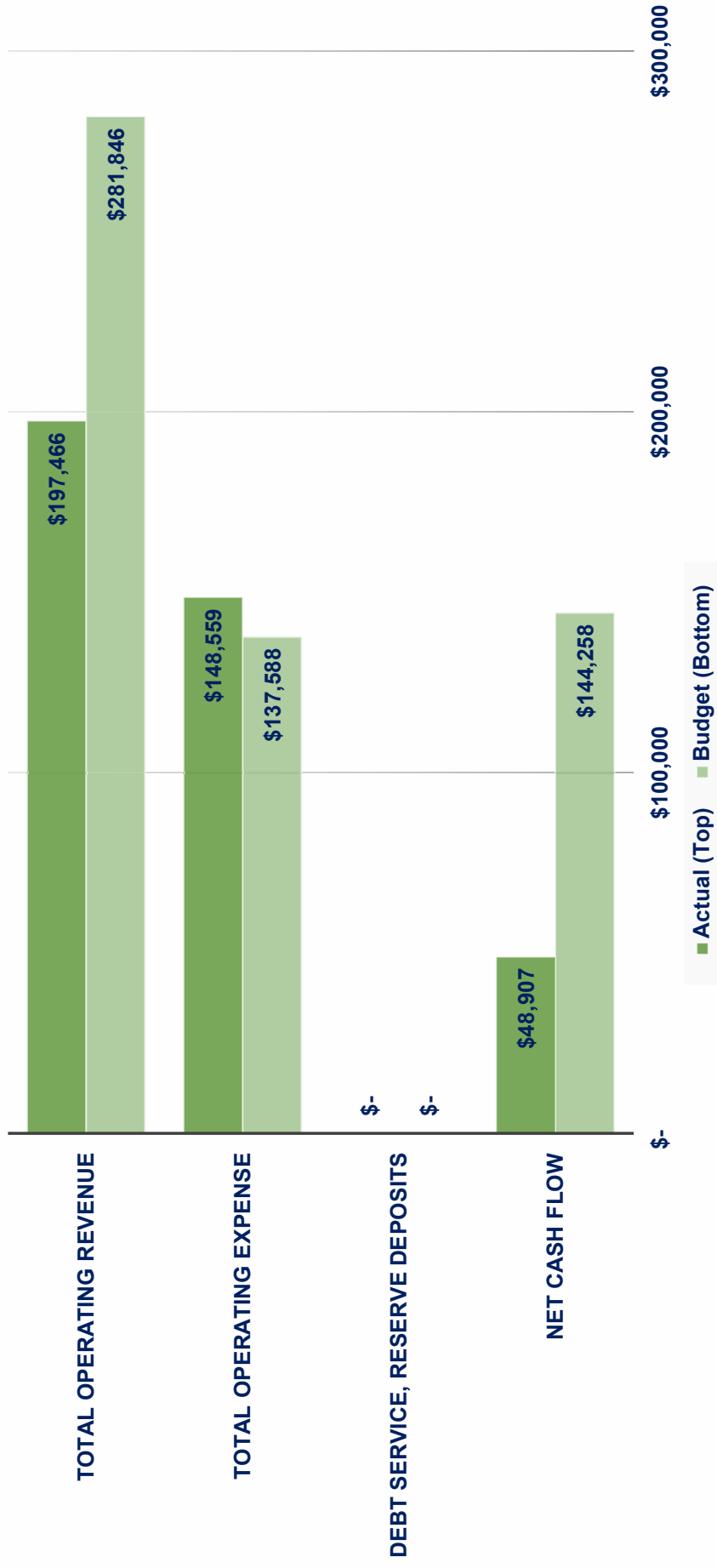
Eagle Village – 36 Unit Family



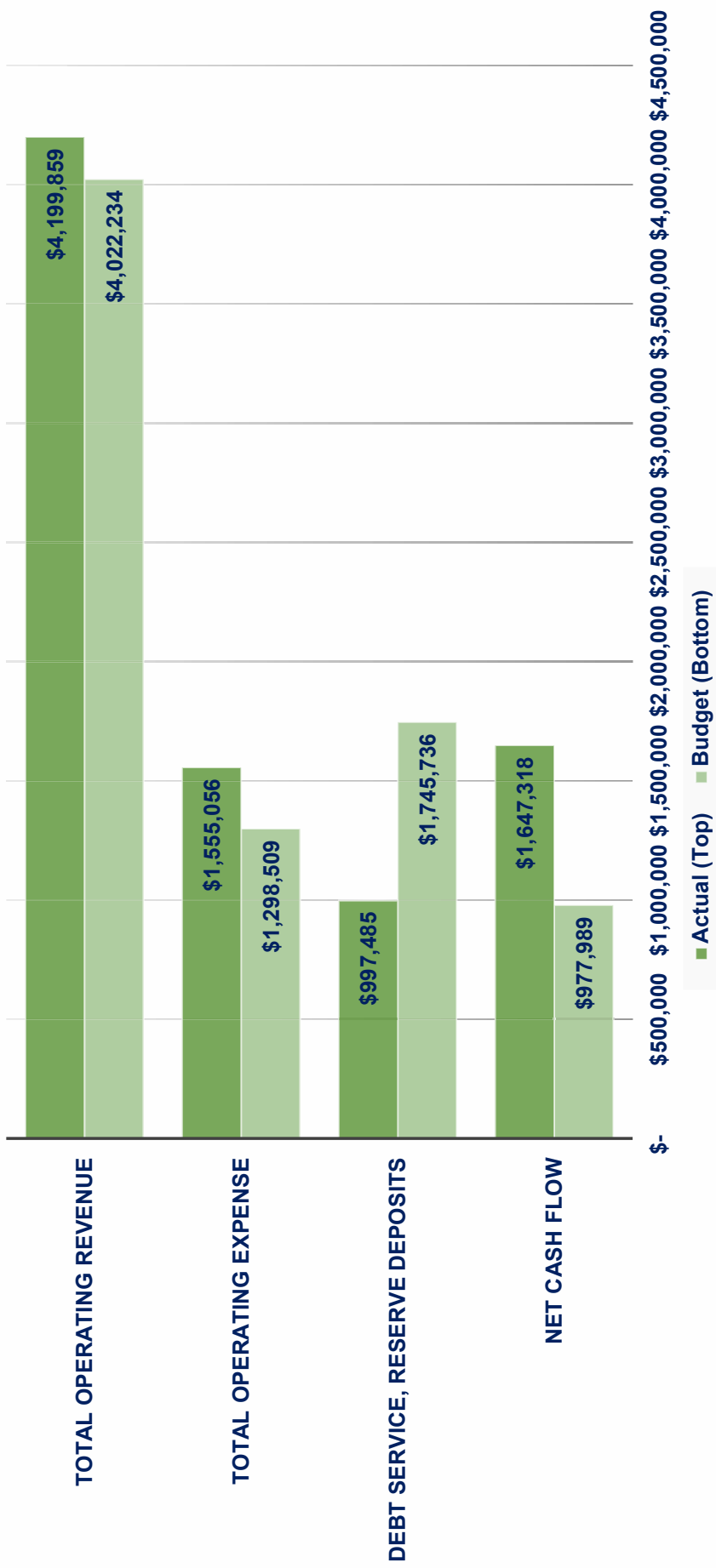
Parrot Village - 50 Unit Family



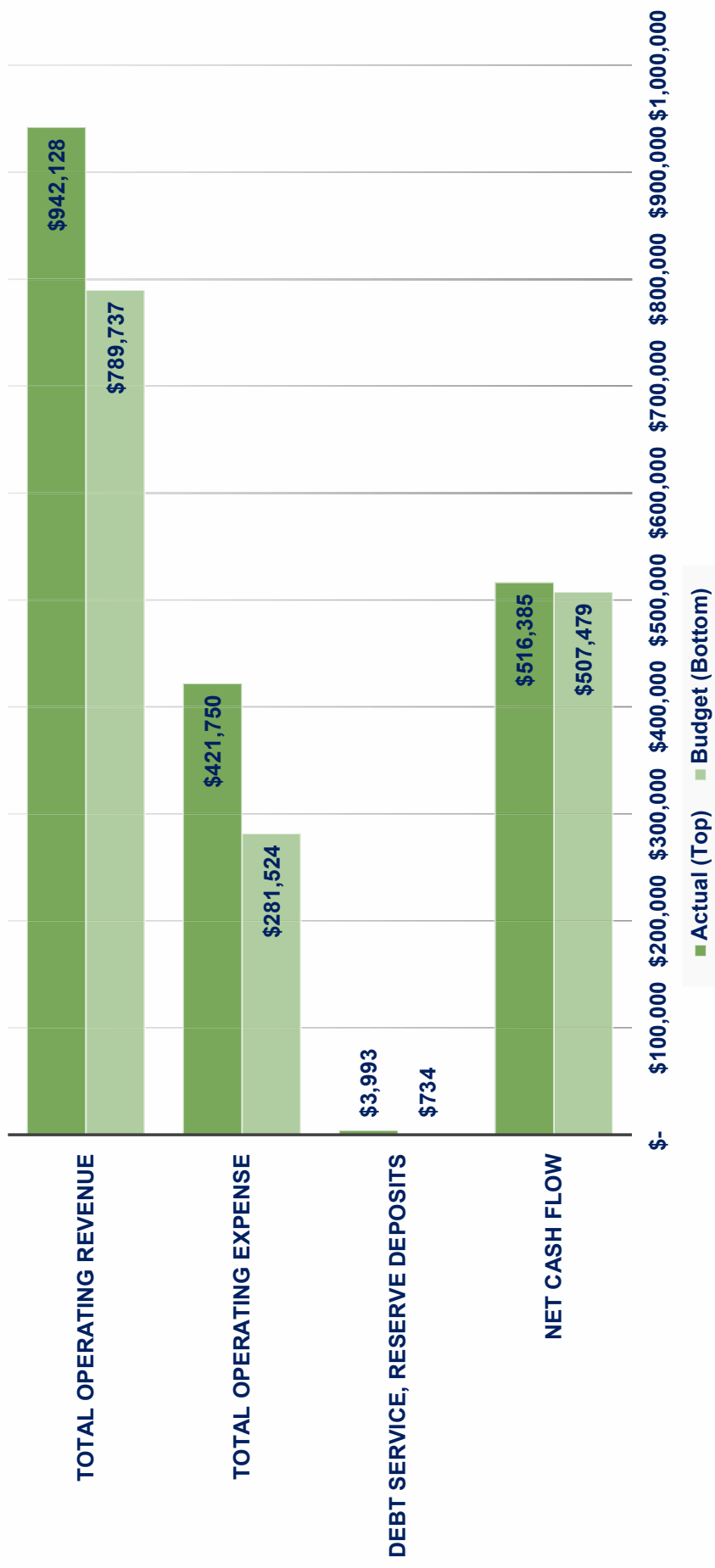
Parrot Gardens - 8 Unit Family



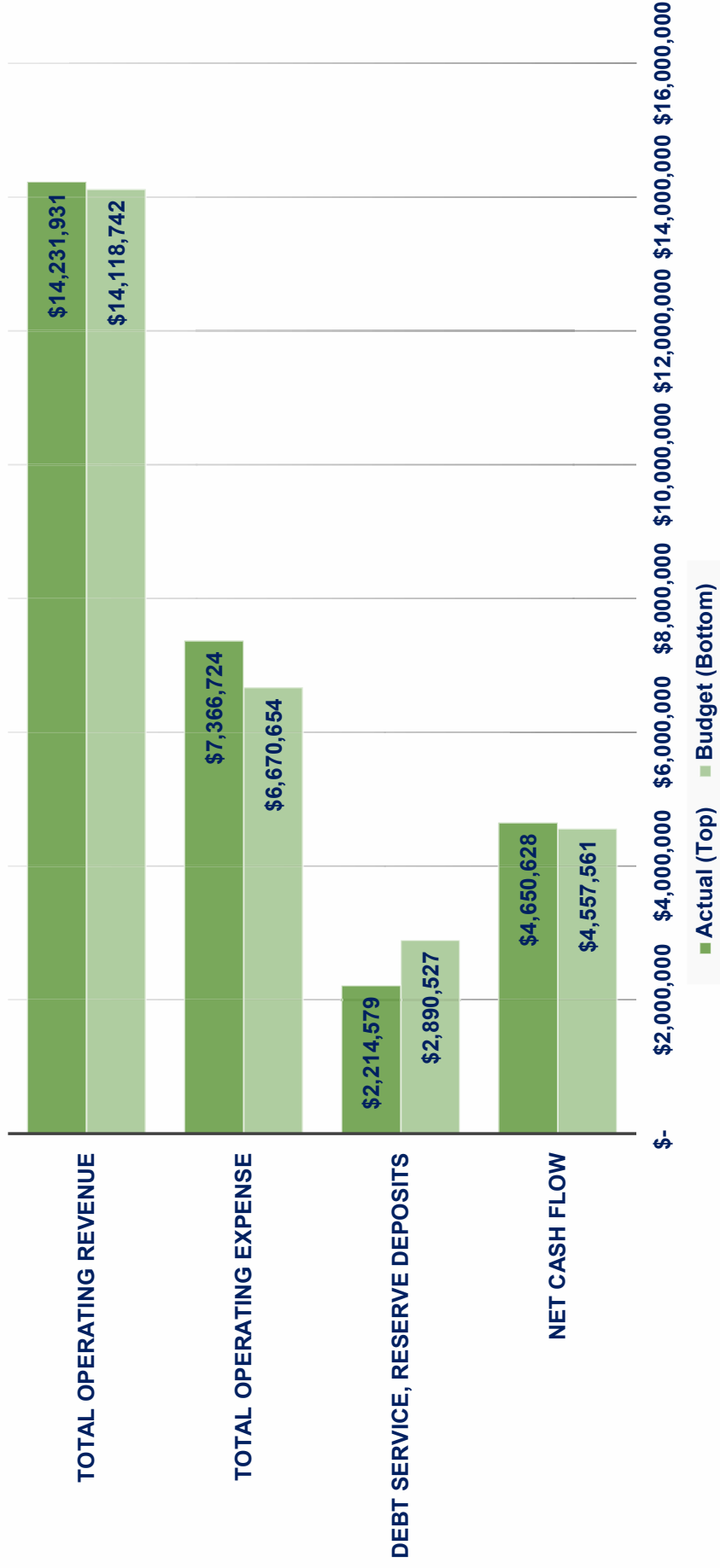
Esperanza – 120 Unit Family



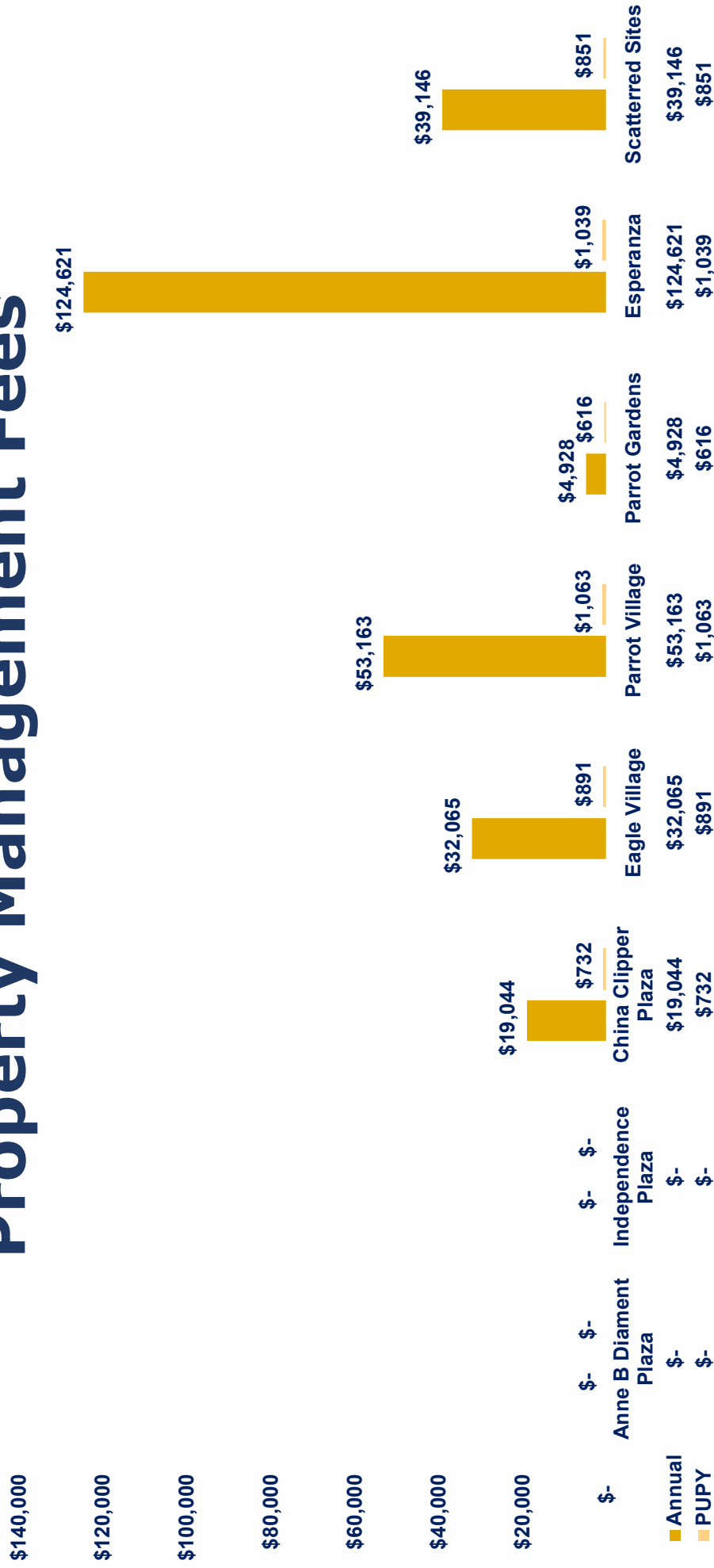
Scattered Sites - 46 Unit Family



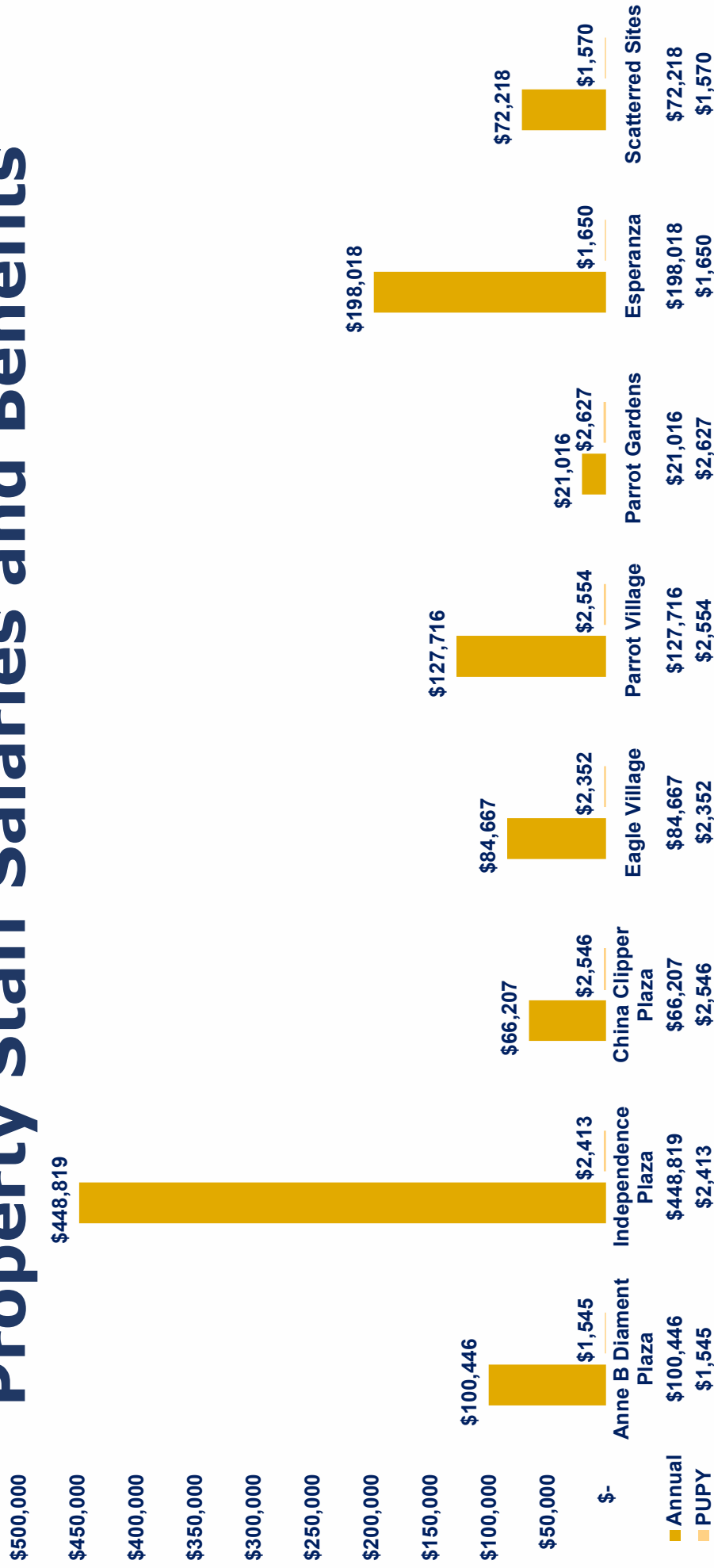
Portfolio Performance



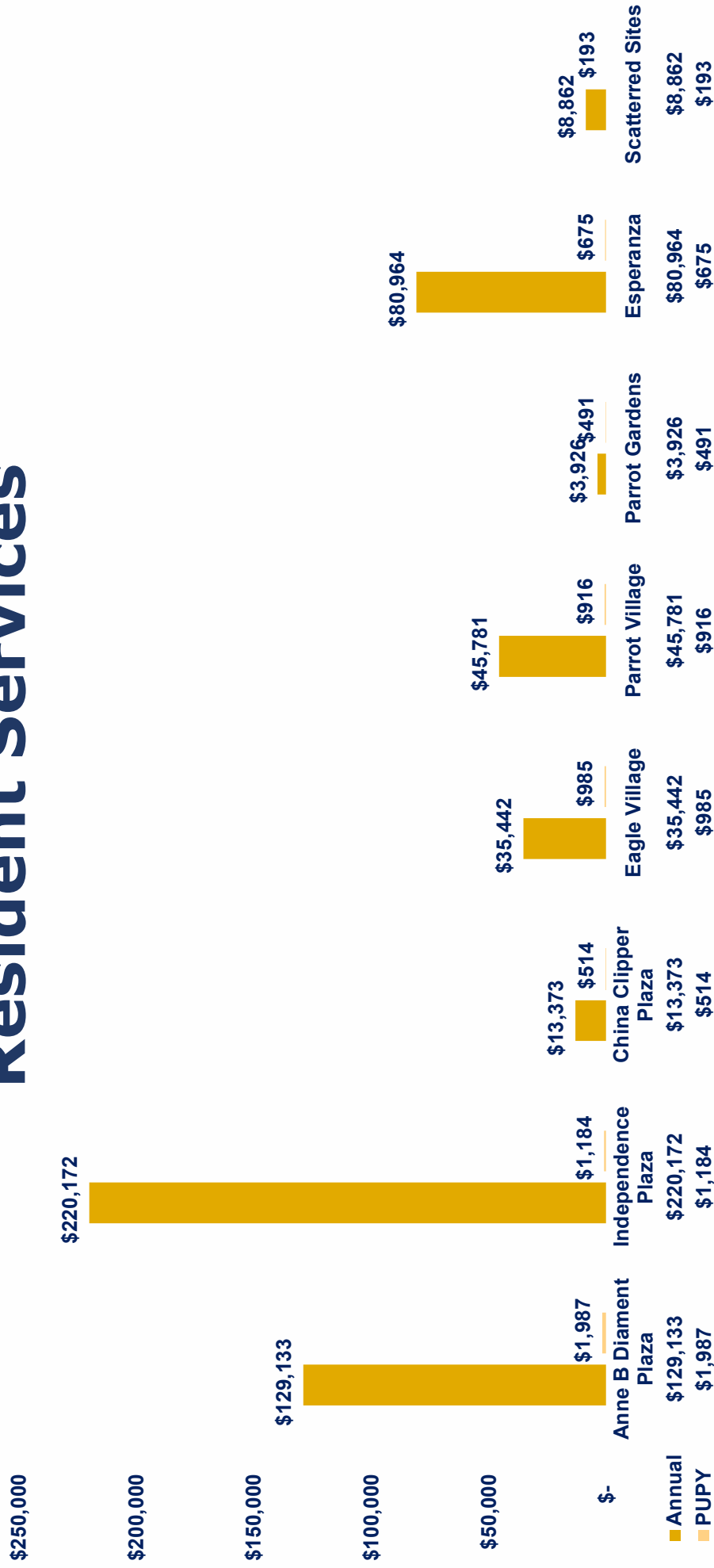
Property Management Fees



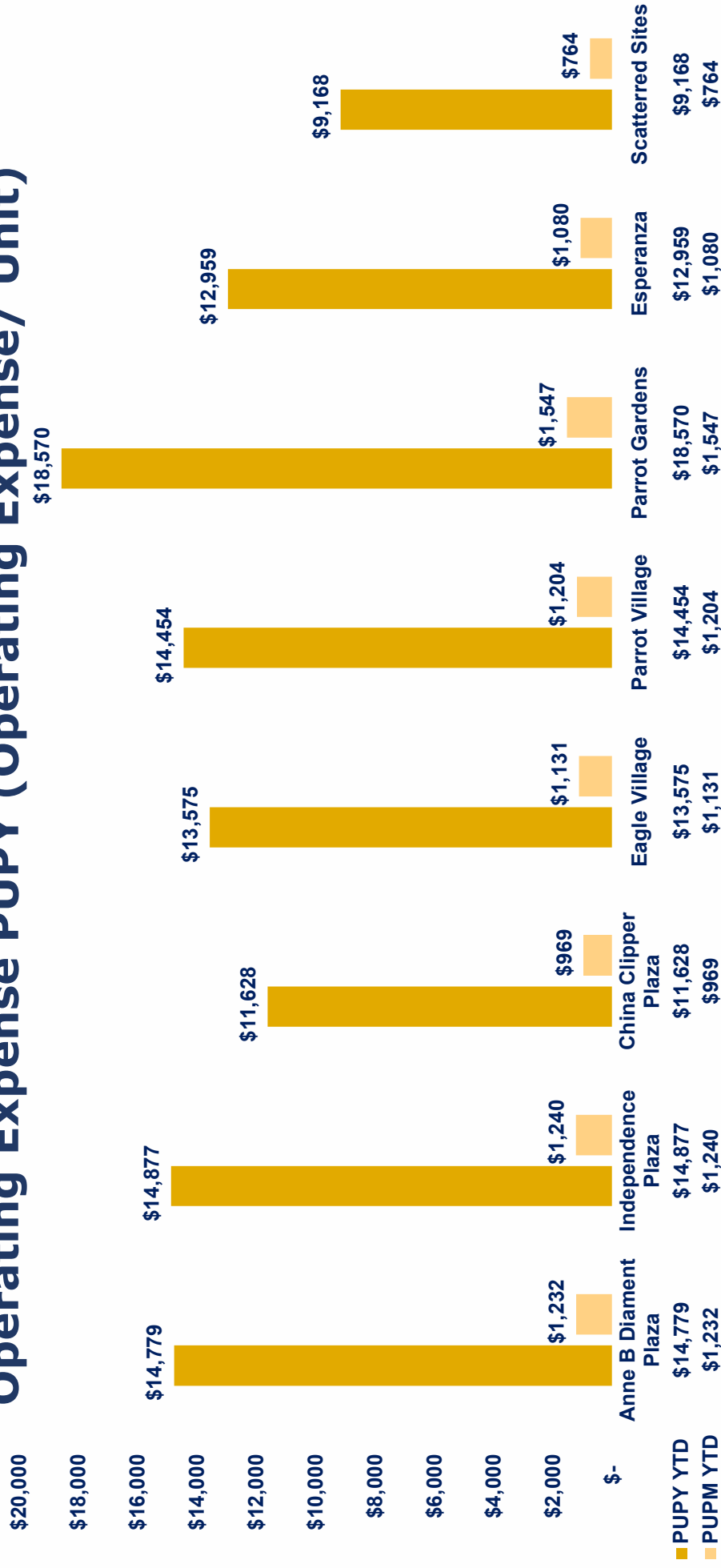
Property Staff Salaries and Benefits



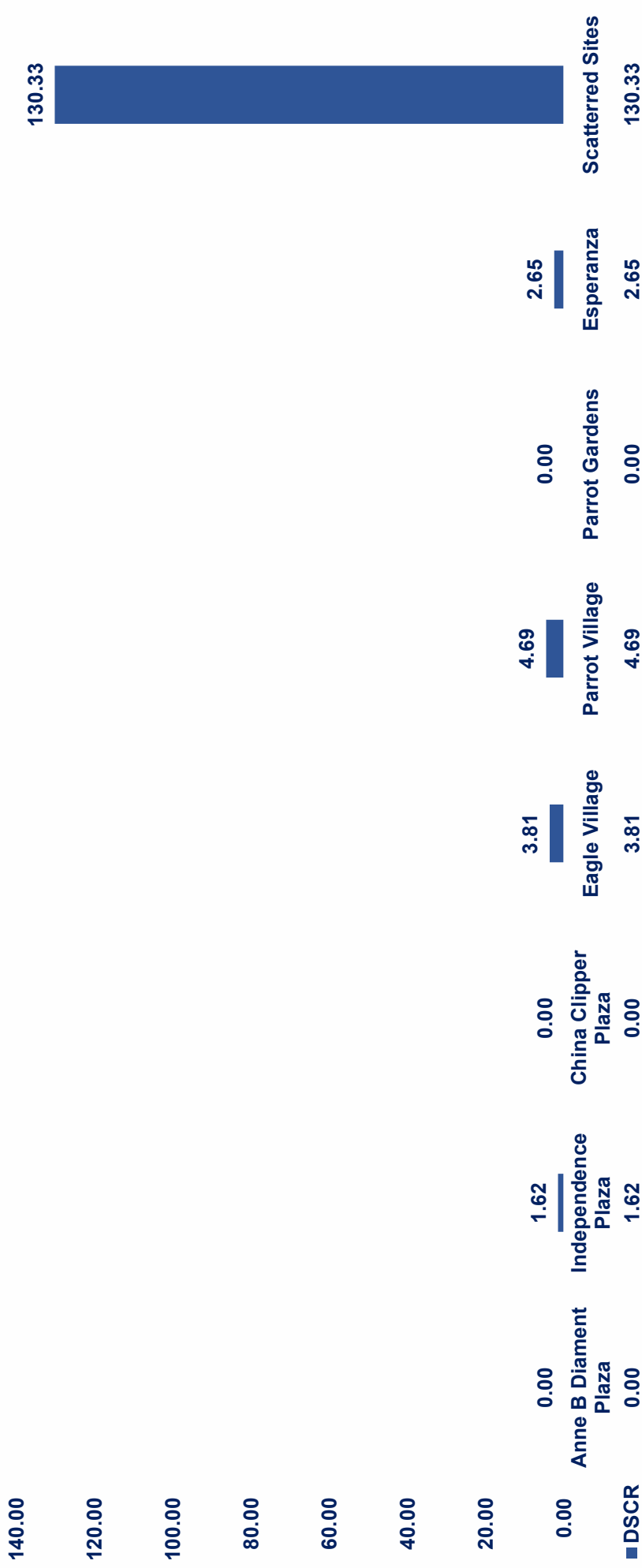
Resident Services



Operating Expense PUPY (Operating Expense/ Unit)



Debt Service Coverage Ratio (Total Operating Income/ Debt Service)



Thank You!



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Sean Prevette, Administrative Manager

Date: November 16, 2022

Re: Authorize the Executive Director to negotiate and approve an increase in the contract amount between the Housing Authority of the City of Alameda and Aleshire & Wynder LLP. in the amount of Twenty-Five Thousand Dollars and Zero cents (\$25,000.00) for a total not to exceed amount of Two Hundred and Fifty Thousand dollars and Zero cents (\$250,000.00) and extend the contract for an additional year through October 23, 2023.

BACKGROUND

Aleshire & Wynder LLP provide legal services for special counsel and entered into the Original Agreement with the Housing Authority of the City of Alameda (AHA) on January 21, 2020. On September 16, 2021, the Housing Authority of the City of Alameda and Aleshire & Wynder LLP executed a First Amendment to the Agreement to increase the total by \$75,000.00 for a total not to exceed amount of \$225,000. The proposed Second Amendment is coming to the Board of Commissioners for approval as the total not to exceed amount will meet the \$250,000 approval threshold.

DISCUSSION

Aleshire & Wynder provided a proposal in response to the General Counsel RFP in 2018. AHA selected another firm to provide primary general counsel services, but entered into an agreement with Aleshire & Wynder in 2020 to provide these services when the primary general counsel faced conflicts in representation.

Services provided under this agreement include real estate matters, risk management, litigation, hearing officer services for administrative hearings, personnel and labor negotiations, and general counsel when a conflict of interest is present with the Authority's General Counsel and cannot fill the role. Ongoing real estate transactions, as well as the need to have general counsel back up and support for a number of other specialized activities, requires the continued services of Aleshire & Wynder LLP.

The term of the Original Agreement executed on January 21, 2020 was set for an initial term of three years, with a maximum of one additional 2-year term extension. The First



Amendment to the Original Agreement executed on September 16, 2021 to increase the total not to exceed amount by \$75,000.00 for a total not to exceed amount of \$225,000.00.

A total of \$169,027.00 (rounded) has been expended to date, which is within the total amount of \$225,000 previously approved by the Executive Director. With the continued need for the services of Aleshire & Wynder, LLP, staff is therefore requesting an increase in the total not to exceed amount by \$25,000.00 for a total not to exceed amount of \$250,000.00. The requested extension through October 23, 2023 will align the contract termination date with that of the primary general counsel agreement. AHA plans to issue an RFP for general counsel services again in the spring of 2023.

FISCAL IMPACT

Funding for this contract has been approved and is budgeted for in the current fiscal year. Legal fees will continue to be reviewed prior to submission of the following fiscal year’s budget and prior to any further extensions of this contract.

CEQA

N/A

RECOMMENDATION

Authorize the Executive Director to negotiate and approve an increase in the contract amount between the Housing Authority of the City of Alameda and Aleshire & Wynder LLP in the amount of Twenty-Five Thousand dollars and Zero cents (\$25,000.00) for a total not to exceed amount of Two Hundred and Fifty Thousand dollars and Zero cents (\$250,000.00) and extend the contract through October 23, 2023.

ATTACHMENTS

- 1. Second Amendment Aleshire & Wynder

Respectfully submitted,



Sean Prevette, Administrative Manager

SECOND AMENDMENT TO AGREEMENT

This SECOND Amendment to the Agreement, entered into this 17th day of November 2022, by and between the HOUSING AUTHORITY OF THE CITY OF ALAMEDA, a public body corporate and politic (hereinafter referred to as "AHA") and Aleshire & Wynder LLP. (a California Limited Liability Partnership) whose address is 18881 Von Karman Avenue, Suite 1700, Irvine, CA 92612 (hereinafter referred to as "CONSULTANT") is made with reference to the following:

RECITALS:

A. On January 21, 2020, an agreement was entered into by and between AHA and Consultant (hereinafter "Agreement").

B. On September 16, 2021, the agreement was amended (First Amendment) to increase the total compensation by seventy-five thousand dollars (\$75,000.00) for a total not to exceed amount of two hundred and twenty-five thousand dollars (\$225,000.00).

AHA and Contractor desire to modify the Agreement on the terms and conditions set forth herein.

NOW, THEREFORE, it is mutually agreed by and between and undersigned parties as follows:

1. The contract period is extended until through October 23, 2023.

2. The not to exceed amount for the entire Agreement shall be increased by twenty-five thousand dollars (\$25,000) for a total not to exceed amount of two hundred and fifty thousand dollars (\$250,000.00).

Except as expressly modified herein, all other terms and covenants set forth in the Agreement shall remain the same and shall be in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this modification of the Agreement to be executed on the day and year first above written.

Aleshire & Wynder LLP.

HOUSING AUTHORITY OF THE CITY OF ALAMEDA

Fred Galante
Equity Partner

Vanessa Cooper
Executive Director



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TTY/TRS: 711

701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Sylvia Martinez, Director of Housing Development

Date: November 16, 2022

Re: Approve the 2021-2022 Housing Successor Agency Report.

BACKGROUND

On January 4, 2013 the Housing Authority became the Housing Successor for the Low- and Moderate-Income Housing Assets of the former Community Improvement Commission of the City of Alameda (CIC). In October 2013, California Senate Bill 341 was signed into law and this legislation established new reporting requirements for Successor Agencies. The reporting period corresponds to the Housing Authority’s fiscal year. This annual report covers the period July 1, 2021, through June 30, 2022.

DISCUSSION

As a condition of becoming the Housing Successor, the Authority received cash and notes receivable owned by the prior CIC. The cash assets are held in a separate account, called the Low Moderate Income Housing Asset Fund (LMIHAF). The beginning and ending account balances of the LMIHAF are included within the Housing Authority’s consolidated Annual Financial Audit Report. Each Housing Successor is allowed to utilize up to \$200,000 annually for administrative expenses including salary, professional services and overhead costs. As part of the five-year reporting requirement, future allocations of funds must be restricted to units serving households at 30% of area median income or lower.

The attached Low- and Moderate-Income Housing Asset Fund Reports for the year ending June 30, 2022 are hereby submitted to the Board of Commissioners. After approval, the report will be posted on the Housing Authority website as required by December 31 of every year.

FISCAL IMPACT

None, this is a reporting task only.

CEQA

Not Applicable



RECOMMENDATION

Approve the 2021-2022 Housing Successor Agency Report.

ATTACHMENTS

1. Attach 1 Low and Moderate Income Housing Asset Fund Report_2021-22

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Sylvia Martinez', with a stylized flourish at the end.

Sylvia Martinez, Director of Housing Development

Low and Moderate Income Housing Asset Fund Report Fiscal Year 2021-22

Introduction

The Housing Authority of the City of Alameda became the Housing Successor for the Low- and Moderate-Income Housing Assets of the former Community Improvement Commission of the City of Alameda (CIC) on January 5, 2012 per City of Alameda Resolution No. 14643. The CIC had previously been Alameda's redevelopment agency, until state law dissolved RDAs in 2012.

The Dissolution Act provided instructions for how redevelopment agency successors can utilize assets and set forth reporting requirements for annual and five-year reports to the state. The purpose of this report is to provide the governing body of the Housing Successor with an annual report on the housing assets and activities of the Housing Successor, in compliance with California Health and Safety Code Sections 34176.1 (Dissolution Law). The reporting period corresponds to the Housing Authority's fiscal year. This annual report covers the period July 1, 2021 through June 30, 2022.

I. Amount Deposited into LMIHAF:

(1) The amount the city, county, or city and county received pursuant to Section 34191.4 (b)(3)(A).

(2) The amount deposited to the Low and Moderate Income Housing Asset Fund (LMIHAF), distinguishing between amounts deposited pursuant to 34191.4 (b)(3)(B & C). Amounts deposited for other items listed on the Recognized Obligations Payment Schedule, and other amounts deposited.

Deposits to the LMIHAF for FY 2021-22.

Deposits	
Principal payments	\$0
Interest payments	\$20,779
Miscellaneous	\$0
ROPS	\$
Total Amount Deposited	\$20,779

II. Ending Balance in the LMIHAF:

A statement of the balance in the fund as of the close of the fiscal year, distinguishing any amounts held for items listed on the Recognized Obligation Payment Schedule from other amounts.

The ending balance on June 30, 2022 of the assets of the LMIHAF was \$15,821,390, of which \$0 was held for items listed on the ROPS.

III. Description of Expenditures from the LMIHAF:

A description of expenditures from the fund by category, including, but not limited to, expenditures (A) for monitoring and preserving the long-term affordability of units subject to affordability restrictions or covenants entered into by the redevelopment agency or the housing successor and administering the activities described in paragraphs (2 & 3) of subdivision (a).

Expenditures made during the fiscal year 2021-22 from the LMIHAF.

Total LMIHAF Expenditures	
Monitoring and Administration	\$
Housing Development Expenditures	\$156,657
Total Expenditures for LMIHAF	\$156,657

IV. Statutory Value of Assets Owned by Housing Successor:

As described in 34191.1 (a)(1), the statutory value of real property owned by the housing successor, the value of loans and grants receivable, and the sum of these two amounts.

The chart(s) below reflect the statutory value of assets and notes held by the Housing Successor.

Value of Assets Owned by Housing Successor	
Loans/Notes Receivable	
Shinsei Loan	\$1,206,848
Jack Capon Villa Loan	\$1,400,000
Stargell Commons Loan	\$2,000,000
Breakers at Bayport Loan	\$1,408,790
Alameda Islander Loan	\$8,600,000
Moore Loan	\$31,800
Nebeker Loan	\$31,800
Tamiko Loan	\$23,600
Island City Development	\$300,000
Total Loans/Notes Receivable	15,203,912

V. Description of Transfers

A description of any transfers made pursuant to 34191.1(c)(2) in the previous fiscal year and, if still unencumbered, in earlier fiscal years and a description of and status update on any project for which transferred funds have been or will be expended if that project has not yet been placed in service.

The Housing Successor did not make any LMIHAF transfers to other Housing Successors pursuant to Section 34176.1(c)(2) during fiscal year 2021-22.

VI. Project Descriptions

A description of any project for which the housing successor receives or holds property tax revenue pursuant to the Recognized Obligation Payment Schedule and the status of that project.

The Housing Successor did not receive or hold property tax revenue pursuant to the ROPS for any of the Housing projects during fiscal year 2021-22.

VII Status of Compliance

For interests in real property acquired by the former redevelopment agency prior to February 1, 2012, a status update on compliance with Section 33334.16. For interests in real property acquired on or after February 1, 2012, a status update on the project.

No real property was transferred to the Housing Successor.

IIX. Description of Outstanding Obligations

A description of any outstanding obligations pursuant to Section 33413 that remained to transfer to the housing successor on February 1, 2012, of the housing successor's progress in meeting those obligations, and of the housing successor's plans to meet unmet obligations. In addition, the housing successor shall include in the report posted on its Internet Web site the implementation plans of the former redevelopment agency.

According to the Implementation Plan for the former redevelopment agency, no replacement housing obligations were transferred to the Housing Successor.

IX. Extremely Low-Income Test

This section provides the information required by Section 34191.1(a)(3)(B), or a description of expenditures by income restriction for five-year period, with the time period beginning January 1, 2014 and whether the statutory thresholds have been met. Section 34176.1(a)(3)(B) requires that the Housing Successor must require at least 30% of the LMIHAF to be expended for development of rental housing affordable to and occupied by households earning 30% or less of the AMI.

The table below reflects the fourteen-year period reviewed between July 1, 2008 and June 30, 2022.

Extremely Low-Income Test: 2012-2021	
Amount spent on units restricted at 30% AMI	\$0
All Affordable Loans	\$16,046,006
Statutory test met?	No

If the Housing Successor fails to comply with the Extremely-Low Income requirement in any five-year report, then the Housing Successor must ensure that at least 50% of the funds remaining in the LMIHAF be expended in each fiscal year following the latest fiscal year following the report on households earning 30% or less of the AMI until the Housing Successor demonstrates compliance with the Extremely-Low Income requirement.

X. Senior Housing Test

The percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the same time period.

The table below reflects the fourteen-year period reviewed between July 1, 2008 and June 30, 2022.

Senior Housing Test	# of Units
Assisted Senior Rental Units	30
Total Assisted Rental Units	165
<i>Senior Housing Test (%)</i>	<i>18%</i>

XI. Excess Surplus Test

The amount of any excess surplus, the amount of time that the successor agency has had excess surplus, and the housing successor's plan for eliminating the excess surplus.

The excess surplus as of June 30, 2022 is \$0.

XII. An Inventory of Homeownership Units

An inventory of homeownership units assisted by the former redevelopment agency or the housing successor that are subject to covenants or restrictions or to an adopted

program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund pursuant to 33334.3(f). This inventory shall include all of the following information:

- a) The number of those units.*
- b) In the first report pursuant to this subdivision, the number of units lost to the portfolio after February 1, 2012, and the reason or reasons for those losses. For all subsequent reports, the number of the units lost to the portfolio in the last fiscal year and the reason for those losses.*
- c) Any funds returned to the housing successor as part of an adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund.*
- d) Whether the housing successor has contracted with any outside entity for the management of the units and, if so, the identity of the entity.*

No homeownership units were transferred to the Housing Successor.



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Vanessa Cooper, Executive Director

Date: November 16, 2022

Re: Approve 2022-23 Goals for the Executive Director and Approve Changes to the 2014 Contract with the Executive Director.

BACKGROUND

The evaluation process for the Executive Director took place on October 19, 2022 and the Board \determine if the Executive Director met the expectations during the period from September 1, 2021 to August 31, 2022. As part of this process, new goals are also proposed by both the Executive Director and the Board.

DISCUSSION

2022-23 Goals

The Board is asked to approve the proposed goals for the period September 1, 2022 to August 31, 2023.

Changes to the contract with the Executive Director

The Board is also asked to approve the following contract changes:

1. Carry forward to November 30, 2022, 63 hours of unused executive leave.
2. Make permanent the current higher level of maximum approved vacation accrual of 500 hours (increased from 400 hours in 2020 and 2021 due to COVID).

FISCAL IMPACT

Funding is covered by the approval of the 2022-23 budget.

CEQA

N/A

RECOMMENDATION



Approve 2022-23 Goals for the Executive Director and Approve Changes to the Contract with the Executive Director.

ATTACHMENTS

1. ED proposed goals 2022-3

Respectfully submitted,

A handwritten signature in blue ink that reads "Vanessa Cooper".

Vanessa Cooper, Executive Director

PROPOSED EXECUTIVE DIRECTOR GOALS FOR SEPT 2022- AUGUST 2023

Goal 1: Lead the agency in its transformation to a Moving to Work (MTW) agency

- a) Conduct public outreach plan for MTW by December 31, 2022.
- b) Submit annual plan and MTW addendum by March 31, 2023. Address any comments or changes needed by HUD. Implement approved activities and waivers.
- c) Make the financial, IT, and other changes needed for MTW. Provide training to staff on changes.
- d) Collaborate with other MTW agencies to learn and share best practices. Participate in MTW conferences, collaborations, and working groups.

Goal 2: Address recruitment and retention needs of the agency

- a) Continue COVID precautions as necessary per state and local regulation.
- b) Bring staffing increase/realignment recommendations to the Board by February 28, 2023 to provide additional bandwidth to cover extended absences and to address any new opportunities or challenges.
- c) Focus on staffing recruitment and retention strategies especially for hard to fill positions, including DED, Risk Manager, Asset Manager/Director, and Assistant Director for Housing Programs.
- d) Review and address succession planning. Examine financial feasibility of creating a “number two” position below the Director in Admin. Services, Portfolio Management, and Housing Development by February 28, 2023.
- e) Hire Diversity, Equity, and Inclusion (DEI) consultant/s. Start DEI work no later than June 30, 2023 per contract/plan of work.
- f) Pilot training allowance starting October 1, 2022 and report back to the Board on progress by June 30, 2023. Request additional budget/funds if necessary.
- g) Continue to improve office space options. Start work to complete the garage build out design and submit for permits to the City by June 30, 2023.

Goal 3: Expand housing choice through new development and rehabilitation

- a) Complete lease up and start Rosefield stabilization period by October 31, 2022.
- b) For North Housing, pending on results of the July funding round, move forward with funded projects according to the timeline of the funding submission. If not funded, prepare projects to be “shovel ready” by next superNOFA in 2023. Apply for other appropriate sources of funding to improve competitiveness for each phase.
- c) For Hawthorn, if funded, proceed with hotel acquisition and opening per timeline in funding submission.
- d) For AUSD Tilden Commons, present initial development, financing, and design plans to the Board by June 30, 2023.
- e) Complete purchase of remaining Pulte BMR units by March 31, 2023

- f) Finalize capital needs and rehabilitation plan to internal team for each of AHA's buildings that are over 15 years old and over 30 units by December 31, 2022. Provide an update to the Board by January 31, 2023.
- g) Complete IP balconies project by March 31, 2023.

Goal 4: Complete essential tasks to maintain and expand housing services

- a) Issue at least 100 tenant based vouchers in the period under review.
- b) Provide the Board with a Project Based Voucher (PBV) report and proposed policy 60 days after approval of the MTW activity regarding the expansion of PBV.
- c) Engage a new property management vendor to take over existing outsourced properties on December 31, 2022. Manage the transfer of the remaining two properties (Independence Plaza and Anne B Diamant) to the same provider effective, ideally, July 1, 2023 to coincide with the start of the new fiscal year and no later than December 31, 2023.
- a) Continue dialogue with City officials, social services providers, and other interested parties on strategies for tenants who are no longer able to meet the terms of their lease with AHA, especially as the end of the eviction moratorium is likely to occur during this period.

Goal 5: Strategic Planning

- b) Issue an RFP for Strategic Planning consultants by March 31, 2023.
- c) Start the Strategic planning process with the public and the Board by June 30 2023.



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Janet Basta, Director of Human Resources and Operations

Date: November 16, 2022

Re: Accept changes to the contract for at will property management staff.

BACKGROUND

In October, 2022, staff presented the results of a compensation study to the AHA Board of Commissioners. Resident Manager staff were not included in that study as management intended to review these positions, which are at will, contract positions with a different benefits structure, separately. Concurrently, a request was made to the Board for additional sick time to be granted to Resident Manager staff, beyond the three days of statutory sick leave currently provided.

DISCUSSION

Resident Managers have a separate contract that includes leave accruals and usage guidelines, along with other policies and parameters for these positions. Contracts are updated periodically as benefits or wages change.

The Housing Authority of the City of Alameda (AHA) staff gathered compensation information from two property management companies to compare to AHA, and an analysis of the data was compiled with the assistance of the same consulting group that conducted the 2022 compensation study. Generally, the AHA total compensation package (wages+housing+benefits) was the highest of the three, due primarily to the compensation level at the Resident Manager II level which was the base salary reviewed due to its similarity to a property manager in the private market. AHA's time off package, however, was the lowest of the three. Management recognizes that there may be a need for some additional leave and/or flexibility on leave usage, particularly as COVID continues. For example, state provided COVID leave is due to end at the end of 2022, and three days of sick leave would not be sufficient to address the time off needed should an employee or family member become ill and need care.

Rather than provide additional sick leave, however, staff propose two steps: 1) providing resident manager staff with three additional days of floating holiday per year, and 2) allowing for up to four hours of unpaid time each pay period for illness/medical reasons



once sick leave is exhausted. Floating holiday is recommended rather than sick leave as it could be used for either illness or personal time off reasons, thus providing more flexibility to staff to manage their individual needs. While AHA provides unpaid leaves when there is a qualifying need (for a medical leave of absence or reasonable accommodation leave, for example), most day to day sick leave needs do not meet the thresholds for these leaves, and resident managers would need to use their other leave balances (vacation or floating holiday) to cover time off work or have unapproved absences. Allowing for a small amount of unpaid leave usage each pay period would help to address short duration needs such as scheduling of medical appointments.

The three positions are due to be eliminated in 2023 as the final two properties move to third party management. Staff impacted have been aware of this proposed transition since 2019 and will be given the opportunity to interview with the new provider in the next few months.

If the Board approves these changes, they will be incorporated into the contracts for all resident manager staff and made effective November 17, 2022. The additional floating holidays will be prorated for the balance of 2022 and granted now, and the additional three days granted for calendar year 2023 will be accrued on January 1 along with the existing floating holiday time, per AHA's standard process.

FISCAL IMPACT

The cost of providing three additional days of floating holiday per year to each resident manager would be approximately \$2,165, including additional PERS contributions.

CEQA

Not applicable to this item.

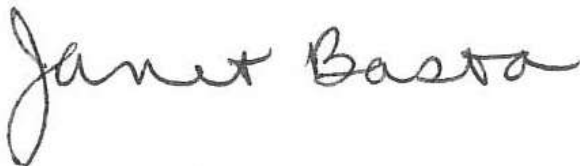
RECOMMENDATION

Accept changes to the contract for at will property management staff.

ATTACHMENTS

None

Respectfully submitted,

A handwritten signature in black ink that reads "Janet Basta". The signature is written in a cursive, flowing style.

Janet Basta, Director of Human Resources and Operations



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701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Jhaila Brown, General Counsel

Date: November 16, 2022

Re: Accept report from General Counsel on the options for remote meetings after the end of the Emergency designation by the state of California on February 28, 2023.

BACKGROUND

Assembly Bill 2449 (“AB 2449” or the “Bill”) amends provisions of the Brown Act relating to remote participation by members of legislative bodies in meetings open to the public.

The Bill addresses procedural challenges that members of local agencies have experienced while complying with the Brown Act in the wake of COVID-19 pandemic.

More specifically, AB 2449 provides for alternative teleconference procedures by no longer requiring that remote meeting locations be identified or necessarily have them be open to the public. The sections below explain AB 2449’s requirements, benefits, and how it differs from the previous remote participation alternative, Assembly Bill 361 (“AB 361”).

DISCUSSION

AB 2449 Requirements: Just Cause and Emergency Circumstances

To take advantage of AB 2449’s benefits, (1) a majority of the members of the legislative body must participate in-person from the same location clearly identified in the agenda, which (2) must be within the boundaries of the agency’s jurisdiction and (3) must be open to the public. This means that only a minority of members may participate remotely for a planned meeting. Additionally, under AB 2449, an agency must prepare a two-way audiovisual platform online that gives remote participants the ability to interact via videoconference in real-time, and/or a live webcasting of the meeting with a two-way telephonic service that allows participants to dial-in and contribute verbally.

Any member opting to participate remotely must provide one of two specific reasons for doing so: (1) “just cause”, or (2) emergency circumstances.



The Bill defines “just cause” as (1) childcare or caregiving need of a child, parent, grandparent, sibling, spouse or domestic partner; (2) contagious illness that prevents a member from attending in person; (3) a need related to a physical or mental disability; (4) travel while on official business of the legislative body or another state or local agency. The member planning on participating remotely must notify the legislative body at the earliest opportunity possible—including at the start of meeting which they intend to attend remotely—of their need accompanied with a general description of the relevant “ just cause” for remote participation. Additionally, “just cause” reasons for participating remotely cannot be used by any member for more than two meetings in a calendar year if the agency meets fewer than ten times annually.

“Emergency circumstances” is defined as a physical or family medical emergency that prevents a member from attending in person. As opposed to the “just cause” option for remote participation, this alternative requires that the member request the legislative’s body approval to participate remotely. If there is insufficient time to include the request on the posted agenda for the meeting for which the request is made, the legislative body can act to address the request at the beginning of the meeting in accordance with existing law.

Under both scenarios, the following requirements also apply:

1. Any member participating remotely shall do so through both audio and video technology.
2. Remote members must publicly disclose at the meeting, prior to any action, whether any other individuals 18 years or older are present in the room with the member at the remote location, and the general nature of the member’s relationship with such individuals.
3. AB 2449 does not apply for any member participating solely by teleconference from a location for a period of more than 3 consecutive months, or 20% of the regular meetings for the agency within a calendar year.

AB 2449 Benefits Compared to AB 361

AB 2449 is meant to adopt the benefits of teleconferencing in a post-pandemic world while addressing some obstacles created by its predecessor, AB 361. Hence, unlike AB 361, AB 2449 does not require a legislative body to make specified findings within 30 days of the first teleconference meeting pursuant to the provisions and continue to make those findings every 30 days thereafter to continue to meet under its procedures.

AB 2449 is not limited in its application to when a state of emergency has been declared. However, AB 2449 also contains a sunset clause that means these new provisions are set to expire on January 1, 2026. Otherwise, AB 2449’s benefits are similar to AB 361 in the sense that it allows members to participate remotely without meeting traditional agenda posting requirements at those remote locations or requiring them to be accessible to the public.

Attached please find a chart summarizing AB2449.

FISCAL IMPACT

None.

CEQA

N/A

RECOMMENDATION

Accept report from General Counsel on the options for remote meetings after the end of the Emergency designation by the state of California on February 28, 2023.

ATTACHMENTS

1. Item 9.W Attachment 1
2. Item 9.W AB 2449 Bill

Respectfully submitted,
Jhaila Brown
Jhaila Brown, General Counsel

Chart summarizing AB2449

AB 2449	
Teleconference Meeting Requirements	<p>(1) Majority of members must participate in-person from the same location identified in the agenda.</p> <p>(2) The physical location is within the boundaries of the agency's jurisdiction.</p> <p>(3) The physical location must be open to the public</p> <p>(4) Majority vote approval for remote participation of members</p> <hr/> <p>For individual members:</p> <ul style="list-style-type: none"> - Notify the legislative body at the earliest opportunity possible, including the start of a regular meeting. - Include a brief (need not exceed 20 words) description of circumstances relating to need to appear remotely.
Technological Requirements	<ul style="list-style-type: none"> - Public visual and audio observation of in person meeting by two-way audiovisual platform or two-way telephonic service and live webcasting + participation via call-in, internet service, or in-person comment - Remote participant must use audiovisual service
Reasoning Requirements	<p>(1) Just Cause¹ does not require approval</p> <p>(2) Emergency Circumstances² requires approval</p>
Limitations	<ul style="list-style-type: none"> - A member cannot participate remotely more than twice for "just cause" reasons, nor for "emergency" reasons if the body regularly meets fewer than 10 times annually. - Otherwise, a member cannot participate remotely for more than 3 consecutive months or 20% of regular meeting within a calendar year.
Main Benefits	<ul style="list-style-type: none"> - No state of emergency declaration required. - No 30 days findings requirement. - No prior notification or approval. - No required posting of remote locations
Expiration	January 1, 2026

¹ "Just Cause" exists in limited instances requiring a member to participate remotely, including: (1) caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner; (2) contagious illness prevents attendance, (3) a need related to physical or mental disability not otherwise accommodated; or (4) traveling on official business of the legislative body or another state agency.

² "Emergency Circumstances" are defined as a physical or family medical emergency that prevents a member from attending in person.

Assembly Bill No. 2449

CHAPTER 285

An act to amend, repeal, and add Sections 54953 and 54954.2 of the Government Code, relating to local government.

[Approved by Governor September 13, 2022. Filed with
Secretary of State September 13, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2449, Blanca Rubio. Open meetings: local agencies: teleconferences.

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. The act authorizes a legislative body to take action on items of business not appearing on the posted agenda under specified conditions. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined.

Existing law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health.

This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception,

the bill would authorize a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances. The emergency circumstances basis for remote participation would be contingent on a request to, and action by, the legislative body, as prescribed. The bill, until January 1, 2026, would authorize a legislative body to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The bill would define terms for purposes of these teleconferencing provisions.

This bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The people of the State of California do enact as follows:

SECTION 1. Section 54953 of the Government Code, as amended by Section 3 of Chapter 165 of the Statutes of 2021, is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e).

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) The legislative body of a local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.

(B) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items

during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(C) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(D) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(E) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(f) (1) The legislative body of a local agency may use teleconferencing without complying with paragraph (3) of subdivision (b) if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency

exercises jurisdiction and the legislative body complies with all of the following:

(A) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(i) A two-way audiovisual platform.

(ii) A two-way telephonic service and a live webcasting of the meeting.

(B) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment.

(C) The agenda shall identify and include an opportunity for all persons to attend and address the legislative body directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.

(D) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:

(A) One of the following circumstances applies:

(i) The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.

(ii) The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear

remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:

(I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.

(II) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.

(B) The member shall publicly disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.

(C) The member shall participate through both audio and visual technology.

(3) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year.

(g) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(h) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(i) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing members of the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(j) For the purposes of this section, the following definitions shall apply:

(1) "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.

(2) "Just cause" means any of the following:

(A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. “Child,” “parent,” “grandparent,” “grandchild,” and “sibling” have the same meaning as those terms do in Section 12945.2.

(B) A contagious illness that prevents a member from attending in person.

(C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (g).

(D) Travel while on official business of the legislative body or another state or local agency.

(3) “Remote location” means a location from which a member of a legislative body participates in a meeting pursuant to subdivision (f), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(4) “Remote participation” means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.

(5) “State of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(6) “Teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(7) “Two-way audiovisual platform” means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic function.

(8) “Two-way telephonic service” means a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform, and allows participants to dial a telephone number to listen and verbally participate.

(9) “Webcasting” means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

(k) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 2. Section 54953 of the Government Code, as added by Section 4 of Chapter 165 of the Statutes of 2021, is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding

shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d).

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows

any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) The legislative body of a local agency may use teleconferencing without complying with paragraph (3) of subdivision (b) if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction and the legislative body complies with all of the following:

(A) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(i) A two-way audiovisual platform.

(ii) A two-way telephonic service and a live webcasting of the meeting.

(B) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment.

(C) The agenda shall identify and include an opportunity for all persons to attend and address the legislative body directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.

(D) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items

during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:

(A) One of the following circumstances applies:

(i) The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.

(ii) The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:

(I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.

(II) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.

(B) The member shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.

(C) The member shall participate through both audio and visual technology.

(3) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year.

(f) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(g) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(h) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing members of the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(i) For the purposes of this section, the following definitions shall apply:

(1) “Emergency circumstances” means a physical or family medical emergency that prevents a member from attending in person.

(2) “Just cause” means any of the following:

(A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. “Child,” “parent,” “grandparent,” “grandchild,” and “sibling” have the same meaning as those terms do in Section 12945.2.

(B) A contagious illness that prevents a member from attending in person.

(C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (f).

(D) Travel while on official business of the legislative body or another state or local agency.

(3) “Remote location” means a location from which a member of a legislative body participates in a meeting pursuant to subdivision (e), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(4) “Remote participation” means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.

(5) “Teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(6) “Two-way audiovisual platform” means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic function.

(7) “Two-way telephonic service” means a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform, and allows participants to dial a telephone number to listen and verbally participate.

(8) “Webcasting” means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

(j) This section shall become operative January 1, 2024, shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 3. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2026.

SEC. 4. Section 54954.2 of the Government Code is amended to read:

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the

regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's Internet Web site, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an Internet Web site with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) “Integrated agenda management platform” means an Internet Web site of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(ii) “Legislative body” has the same meaning as that term is used in subdivision (a) of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to

the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(4) To consider action on a request from a member to participate in a meeting remotely due to emergency circumstances, pursuant to Section 54953, if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The legislative body may approve such a request by a majority vote of the legislative body.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's Internet Web site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(e) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 5. Section 54954.2 is added to the Government Code, to read:

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's Internet Web site, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an Internet Web site with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) “Integrated agenda management platform” means an Internet Web site of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(ii) “Legislative body” has the same meaning as that term is used in subdivision (a) of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency’s Internet Web site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are

also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(e) This section shall become operative January 1, 2026.

SEC. 6. The Legislature finds and declares that Sections 1 and 2 of this act, which amend Section 54953 of the Government Code, impose a limitation on the public’s right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member’s private home or hospital room, this act protects the personal, private information of public officials and their families while preserving the public’s right to access information concerning the conduct of the people’s business.

SEC. 7. The Legislature finds and declares that Sections 1 and 2 of this act, which amend Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings.

O



Housing Authority
of the
City of Alameda

PHONE: (510) 747-4300
FAX: (510) 522-7848
TTY/TRS: 711

701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Janet Basta, Director of Human Resources and Operations

Date: November 16, 2022

Re: Authorize the Executive Director to Negotiate and Approve an Extension to and Increase in the Contract Amount Between the Alameda Housing Authority and Liebert Cassidy Whitmore in the Total Not to Exceed Amount of Four Hundred Fifty Thousand Dollars and Zero cents (\$450,000.00) through December 31, 2023.

BACKGROUND

Legal services for human resources counsel went through a competitive Request for Proposal process in 2018, and in January 2019, a contract was awarded to Liebert Cassidy Whitmore in the amount of \$250,000.00. This contract was approved by the Board of Commissioners, as contracts in excess of \$250,000.00 are to be approved by the Board. In November 2020, the contract amount was increased to a total not to exceed amount of \$400,000.00 through December 31, 2021, and the contract was subsequently extended and increased in November 2021, to a total not to exceed amount of \$425,000.00 through December 31, 2022.

DISCUSSION

Services provided under this agreement include provision of consulting, and representational and legal services pertaining to employment relations matters. Expenditures were towards the upper limit of the approved amount during the initial period of the contract, but have moderated somewhat in the second half of 2021 through 2022, as the amount of new legislation and regulations related to the current COVID-19 pandemic have lessened. Upcoming needs will primarily include ongoing guidance on administrative and personnel matters.

The contract executed on January 1, 2019 contains an initial term of three years, with the option for two annual extensions. To date, a total of \$289,000 (rounded) has been spent on this contract, which is within the total of \$425,000.00 approved by the Board. Management is requesting an increase in the amount of the contract of \$25,000.00 to allow for any greater-than-expected expenditures which may arise prior to the end of the proposed contract term.



HR legal services will need to be re-bid prior to the end date of December 31, 2023, as that will be the end of the five year contract term.

FISCAL IMPACT

Funding for this contract has been approved and is budgeted for. Legal fees will be reviewed prior to the submission of next fiscal year's budget, and funds for the remainder of this contract will be budgeted in the upcoming budget cycle.

CEQA

Not applicable to this item.

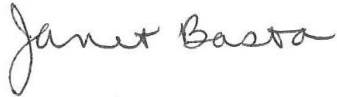
RECOMMENDATION

Authorize the Executive Director to Negotiate and Approve an Extension to and Increase in the Contract Amount Between the Alameda Housing Authority and Liebert Cassidy Whitmore in the Total Not to Exceed Amount of Four Hundred Fifty Thousand Dollars and Zero cents (\$450,000.00) through December 31, 2023.

ATTACHMENTS

1. Attachment #1 LCW Amendment #3 2022.11

Respectfully submitted,



Janet Basta, Director of Human Resources and Operations

AMENDMENT NO. 3 TO CONSULTANT AGREEMENT

This Amendment of a Consultant Services Agreement by and between the Housing Authority of the City of Alameda, public body, corporate and politic (hereinafter "AHA") and Liebert Cassidy Whitmore, a California Limited Liability Partnership, whose address is 6033 W. Century Boulevard, 5th floor, Los Angeles, CA 90045 (hereinafter "Consultant"), is made with reference to the following:

RECITALS

A. On January 1, 2019, a Consultant Agreement was entered into by and between AHA and Consultant.

B. The Original Consultant Services Agreement limited the Compensation to Consultant to not exceed two hundred fifty thousand dollars and zero cents (\$250,000.00) for the initial three year term of the contract.

C. On November 19, 2020, Amendment No. 1 increased the compensation to Consultant to include a not to exceed amount of four hundred thousand dollars and zero cents (\$400,000.00).

D. On November 17, 2021, Amendment No. 2 increased the compensation to Consultant to include a not to exceed amount of four hundred twenty-five thousand dollars and zero cents (\$425,000.00) and extended the contract through December 31, 2022.

E. The effective date of this Amendment shall be November 16, 2022.

F. All conditions of the Consultant Agreement will remain the same except as amended below.

NOW, THEREFORE, it is mutually agreed by and between the undersigned parties as follows:

The contract shall be extended for one additional year through December 31, 2023.

The Compensation to Consultant will include a not to exceed amount of four hundred fifty thousand dollars and zero cents (\$450,000.00).

IN WITNESS WHEREOF, the parties hereto have caused this modification of the Consultant Agreement to be executed on the day and year first above written.

Liebert Cassidy Whitmore

Housing Authority of the City of Alameda

J. Scott Tiedemann
Managing Partner

Vanessa M. Cooper
Executive Director



PHONE: (510) 747-4300
FAX: (510) 522-7848
TTY/TRS: 711

701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Janet Basta, Director of Human Resources and Operations

Date: November 16, 2022

Re: Authorize the Executive Director to Negotiate and Approve An Extension to and Increase in the Contract Amount Between the Alameda Housing Authority and Howroyd-Wright Employment Agency, Inc to a Total Not to Exceed Amount of Six Hundred Twenty Five Thousand Dollars and Zero Cents (\$625,000.00) and an extension to 22nd Century Technologies, Inc., both through January 31, 2024.

BACKGROUND

In February 2019, following an RFP process, consultant services agreements were executed with two agencies to provide temporary employment services. Howroyd-Wright Employment Agency, Inc. (dba Apple One) was awarded a contract in the amount of \$175,000.00, and 22nd Century Technologies, Inc. was awarded a contract in the amount of \$60,000.00. Both contracts were made for a three-year period, ending January 31, 2022, with an option to extend for two additional one-year periods. In December 2019, both contracts were increased; Howroyd-Wright to a total not-to-exceed amount of \$300,000.00 and 22nd Century Technologies to \$160,000.00. Subsequently, in November 2020, both contracts were increased again; Howroyd-Wright to a total not-to-exceed amount of \$400,000.00 and 22nd Century Technologies Inc. to \$260,000.00. In November 2021, both contracts were increased, Howroyd-Wright to a total not-to-exceed amount of \$525,000.00 and 22nd Century Technologies Inc. to \$300,000.00. Both contract were also extended until January 31, 2023.

DISCUSSION

Temporary staffing needs have increased during the COVID-19 pandemic, primarily to cover leaves of absences and to, in some cases, provide staffing to vacant positions or to address some backlogs of work. Additionally, the Housing Authority of the City of Alameda (AHA) interns are payrolled through temporary agencies. With several leaves of absences anticipated in the upcoming year along with a challenging recruiting environment, management anticipates that temporary staffing needs will remain above average.



Current expenditures are \$483,928 (rounded) for Howroyd-Wright, and \$193,376 (rounded) for 22nd Century Technologies. Management is requesting extending both contracts for an additional one-year term, to January 31, 2024, along with increasing Howroyd-Wright to a not to exceed amount of \$625,000.00.

Both contracts will reach the end of the 5-year period in January 2024. Procurement for temporary agency services will be conducted prior to that time.

FISCAL IMPACT

Temporary staff salaries were budgeted at \$308,880 for the current fiscal year; this includes temporary staff hired through temporary agencies as well as any temporary staff hired directly by AHA. Increasing the contract amount for one agency will put total combined anticipated temporary agency staff salary expenditures at a level that is less than what was budgeted for the current fiscal year. Temporary agency services will be reviewed prior to submission of next fiscal year's budget, and funds for the remainder of these contracts will be budgeted in the upcoming budget cycle.

CEQA

Not applicable to this item.

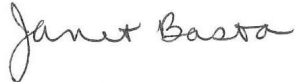
RECOMMENDATION

Authorize the Executive Director to Negotiate and Approve An Extension to and Increase in the Contract Amount Between the Alameda Housing Authority and Howroyd-Wright Employment Agency, Inc to a Total Not to Exceed Amount of Six Hundred Twenty Five Thousand Dollars and Zero Cents (\$625,000.00) and an extension to 22nd Century Technologies, Inc., both through January 31, 2024.

ATTACHMENTS

1. Attachment #1 Amendment #4 Howroyd Wright 2022.11
2. Attachment #2 Amendment #4 2022.11 22nd Century

Respectfully submitted,



Janet Basta, Director of Human Resources and Operations

AMENDMENT NO. 4 TO CONSULTANT AGREEMENT

This Amendment of a Consultant Agreement by and between the Housing Authority of the City of Alameda, public body, corporate and politic (hereinafter "AHA") and Howroyd-Wright Employment Agency, Inc. dba Apple One Employment Services (a California corporation) whose address is 16371 Beach Blvd, Suite 240, Huntington Beach, CA 92647, (hereinafter referred to as Consultant), is made with reference to the following:

RECITALS

A. On February 1, 2019, a Consultant Agreement was entered into by and between AHA and Consultant.

B. The effective date of this Amendment shall be November 16, 2022

C. The Original Consultant Agreement limited the Compensation to Consultant to not exceed one hundred seventy five thousand and zero cents (\$175,000.00) for the initial three year term of the contract.

D. The original expiration date of the contract was January 31, 2022, but allowed for up to two 1-year extensions.

E. On January 16, 2020, the not to exceed limit of the contract was increased to three hundred thousand dollars and zero cents (\$300,000.00).

F. On January 21, 2021 the not to exceed limit of the contract was increased to four hundred thousand dollars and zero cents (\$400,000.00).

G. On November 17, 2021, the not to exceed limit of the contract was increased to five hundred twenty five thousand dollars and zero cents (\$525,000.00) and the contract was extended through January 31, 2023.

H. All conditions of the Consultant Agreement will remain the same except as amended below.

NOW, THEREFORE, it is mutually agreed by and between the undersigned parties as follows:

The contract shall be extended for one additional year, through January 31, 2024.

The Compensation to Consultant will include an additional one hundred thousand dollars and zero cents (\$100,000.00) for a not to exceed amount of six hundred twenty-five thousand dollars and zero cents (625,000.00).

IN WITNESS WHEREOF, the parties hereto have caused this modification of the Consultant Agreement to be executed on the day and year first above written.

Howroyd-Wright Employment Agency

Housing Authority of the City of Alameda

Michael A Hoyal

Chief Financial Officer

Vanessa M. Cooper

Executive Director

AMENDMENT NO. 4 TO CONSULTANT AGREEMENT

This Amendment of a Consultant Agreement by and between the Housing Authority of the City of Alameda, public body, corporate and politic (hereinafter "AHA") and 22nd Century Technologies, Inc. (a corporation) whose address is 8251 Greensboro Drive, Suite 900, McLean, VA 22102, (hereinafter referred to as Consultant), is made with reference to the following:

RECITALS

A. On February 1, 2019, a Consultant Agreement was entered into by and between AHA and Consultant.

B. The effective date of this Amendment shall be November 16, 2022

C. The Original Consultant Agreement limited the Compensation to Consultant to not exceed sixty thousand and zero cents (\$60,000.00) for the initial three year term of the contract.

D. The original expiration date of the contract was January 31, 2022, but allowed for up to two 1-year extensions.

E. On December 19, 2019, the not to exceed limit of the contract was increased to one hundred sixty thousand dollars and zero cents (\$160,000.00).

F. On January 21, 2021, the not to exceed limit of the contract was increased to two hundred sixty thousand dollars and zero cents (\$260,000.00).

G. On November 17, 2021, the contract was extended for one additional year, through January 31, 2023, and the not to exceed limit was increased to three hundred thousand dollars and zero cents (\$300,000.00).

H. All conditions of the Consultant Agreement will remain the same except as amended below.

NOW, THEREFORE, it is mutually agreed by and between the undersigned parties as follows:

The contract shall be extended for one additional year, through January 31, 2024.

IN WITNESS WHEREOF, the parties hereto have caused this modification of the Consultant Agreement to be executed on the day and year first above written.

22nd Century Technologies, Inc

Housing Authority of the City of Alameda

Caroline Rist

Vanessa M. Cooper

Director of Contracts

Executive Director



PHONE: (510) 747-4300
FAX: (510) 522-7848
TTY/TRS: 711

701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Janet Basta, Director of Human Resources and Operations

Date: November 16, 2022

Re: Approve the 2023 AHA Operations (Holiday and Office Closure) Calendar.

BACKGROUND

In December 2015, the Housing Authority of the City of Alameda (AHA) began a schedule of closing the office to the public every other Friday. In 2019, AHA adopted a schedule of being closed to the public every Friday, which has been in place since that time. Additionally, the prior two years' calendars included AHA being closed to the public for half-days (afternoons) on the week of Thanksgiving and during the last two weeks of December, and in June 2021, the Board approved the addition of Juneteenth as an AHA holiday.

Beginning in July 2021, following a period of office closure due to the COVID-19 pandemic that began in March 2020, the main AHA office opened to the public during morning hours (8:30 a.m.-11:30 a.m.). Offices at the properties were also reopened. Currently, the main office is open from 8:30 a.m.-12:00 p.m. Monday through Thursday, and offices at the properties are open full days daily. It is anticipated that this will remain the schedule until further notice.

DISCUSSION

Through various notices, office closures are publicized physically on-site, through newsletters to tenants and voucher holders, and in the calendar on the AHA website. In non-pandemic times, AHA office services will be offered Monday through Thursday from 8:30 a.m. to 5:00 p.m. The schedule of closed Fridays has been beneficial for the coordination of administrative work and staff meetings on days when the Agency is not open to the public, without diminishing customer service functions.

The attached calendar identifies AHA holidays, alternate designated holidays to note either when holidays are observed, when they fall on a weekend or on flex-Fridays, and the half-day closure schedule during holiday periods. This year, in the event that full day opening hours resume, AHA management is proposing being closed half-days for the week of July 4, in addition to the week of Thanksgiving as well as the last two weeks of



December. These are typically light weeks in terms of customer traffic, and being closed half-days will provide more flexibility for staffing during high time off request periods. Additionally, as program participants and tenants have become accustomed to accessing services remotely and during morning office hours only, it is not anticipated that these additional periods of office closure will significantly impact customer service. These half-day office closures will not be additional holidays for AHA staff; but by closing the office to the public in the afternoons, it will be more manageable to grant projected time off requests that occur during these times. Maintenance and Resident Manager services will be maintained these days and residential site offices will generally remain open. Any closures will be publicized well in advance.

The attached proposed calendar assumes the office is open to the public on the regular schedule. Should the office remain closed to the public in the afternoons for all or a portion of 2023, all references to office closures will be superseded by the decision to remain closed for a portion of the day to the public. Once the office fully reopens, however, the schedule on the attached calendar will become effective. Staff holidays will not be affected by the office closure. However, holidays will fall on the dates designated on the 2023 calendar, irrespective of whether or not the office is open to the public.

The 2023 calendar also includes planned dates for Board of Commissioners meetings. These are provided for staff information and planning purposes only; there is no change to office hours or work days as a result of this inclusion.

FISCAL IMPACT

There is no anticipated impact to the budget as this schedule was accounted for in the current fiscal year budget.

CEQA

Not applicable to this item.

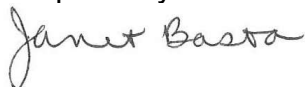
RECOMMENDATION

Approve the 2023 AHA Operations (Holiday and Office Closure) Calendar.

ATTACHMENTS

1. Attachment #1 2023 Holiday and Office Closure Calendar

Respectfully submitted,



Janet Basta, Director of Human Resources and Operations

2023 AHA Holiday and Office Closure Calendar

Attachment 1

January						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

KEY: Red = Holiday / Green = Office Closed to the Public / Yellow = 1/2 day Office Closed to the Public (July 3,5-7, Nov 20-22, Dec 18-22 & 26-28) / Blue = Alt Holiday for flex staff./Lavender: Board of Commissioner's Meeting Dates. NOTE: AHA is closed to the public every Friday.

AHA Holidays 2023

Jan 2	New Year's Day 2023 (obs)	Feb 20	Presidents' Day	July 4	Independence Day	Nov 23	Thanksgiving Day
Jan 16	Martin Luther King Day	May 29	Memorial Day	Sept 4	Labor Day	Nov 24	Day After Thanksgiving
		June 19	Juneteenth	Nov 10	Veteran's Day (obs)	Dec 25	Christmas Day



PHONE: (510) 747-4300
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TTY/TRS: 711

701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Joshua Altieri, Community Relations Manager

Date: November 16, 2022

Re: Presentation on the Family Self Sufficiency Program.

BACKGROUND

The Family Self Sufficiency (FSS) Program is designed to assist families and individuals in becoming financially stable by providing individualized case management services and financial incentives. Participation in the program is voluntary and requires a five-year personal commitment by participants. Kara Korbel, Housing Specialist III, will provide updates on the FSS Program in regards to program scope, enrollment, and outcomes.

DISCUSSION

Report on the Family Self Sufficiency Program.

FISCAL IMPACT

N/A

CEQA

N/A

RECOMMENDATION

Accept report on the Family Self Sufficiency Program.

ATTACHMENTS

1. FSS Program Presentation __ April 20 2022 BOC_Final by Josh 4.7.2022

Respectfully submitted,

Joshua Altieri

Joshua Altieri, Community Relations Manager



Family Self Sufficiency Program

The Next Step in Realizing your Career Dreams

Program Details

WHAT:

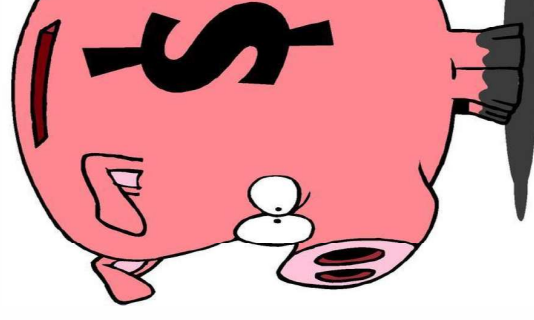
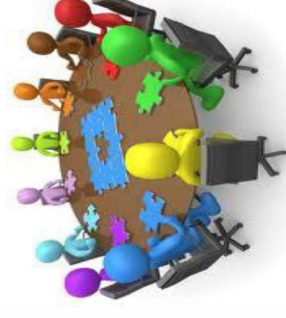
- A HUD funded program to assist families and individuals in becoming financially stable through education and employment.
- The Program is Voluntary.
- The Program is a Five-Year Commitment.

WHO:

- Participants must be a Section 8 Voucher holder to participate.
- Both Tenant Based and Project Based Voucher holders are eligible.

WHY:

- The FSS Program aligns with AHA's Mission to empower its participants and help them become self sufficient.
- The FSS program seeks to have participants reach their personal goals and be employed to meet their financial needs.

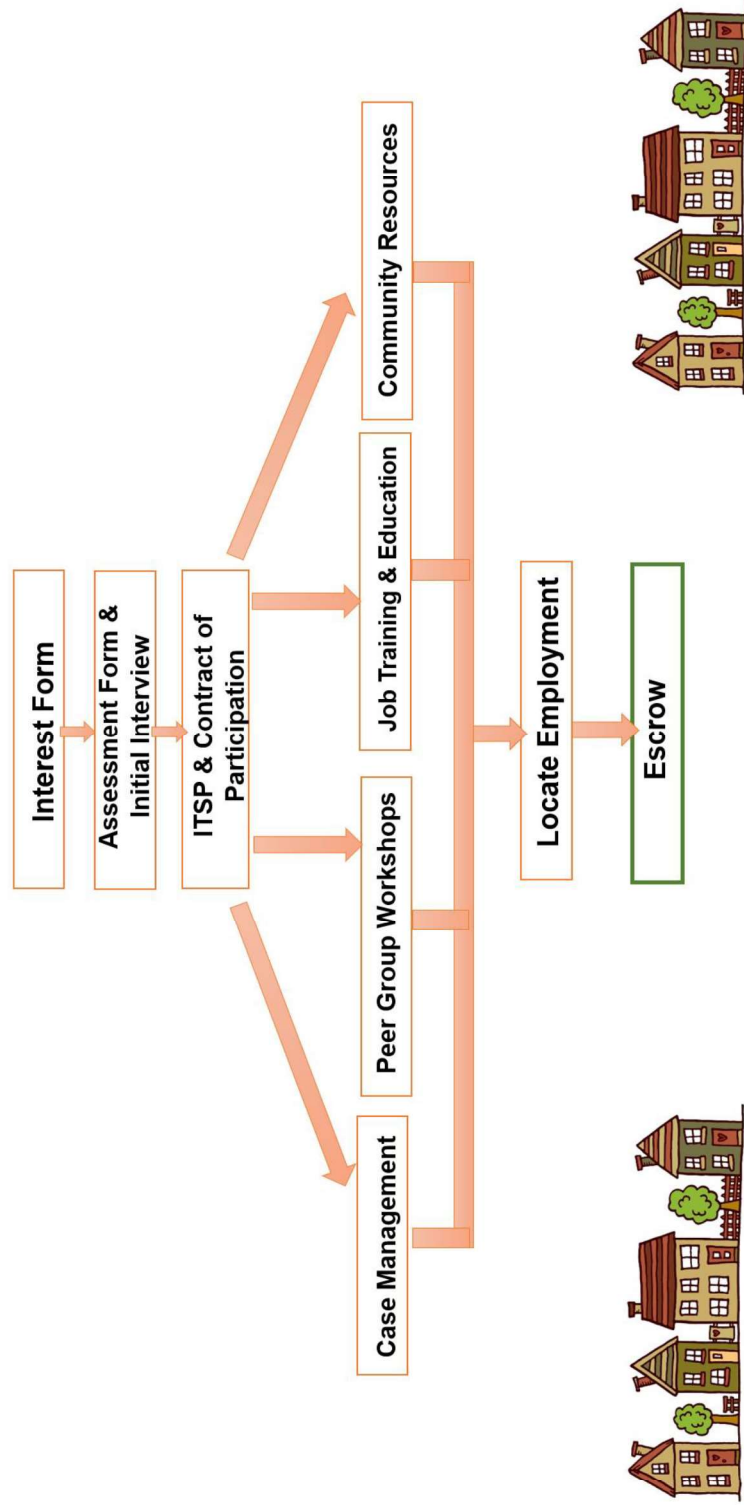




HOW the FSS Program Empowers Participants

- Participants meet others with similar employment goals via monthly online meetings.
- Participants complete online training on Household Budgeting and Credit Counseling.
 - Coaching on how to achieve career options like returning to school or receiving technical training or changing careers.
 - Work with **One Stop Career Center**, a collaborative partnership with the City of Alameda on resume building, assessment tests, interviewing skills and job search activities.
- Establish an **Escrow Savings Account** as your earned income increases, so does your portion of Tenant rent. That is when the Escrow Accrual Starts; More earned income = more escrow accrual.

FSS Program Enrollment Process



FSS Program Enrollment & Outreach

The FSS program **currently has 31 participants** enrolled with 9 participants expecting to graduate in 2022.

AHA seeks to maintain active FSS Program enrollment at a minimum of 30 program participants.

Outreach efforts continue year round:

- Recruitment emails are sent to individuals with change in income and/or those currently enrolled in the TANF program.
- Monthly recruitment meetings are held every second Thursday.
- Advertising in AHA's quarterly newsletters and AHA social media.
- The next FSS Program Coordinating Committee(PCC) meeting will focus on recruitment efforts.

FSS Program Partnerships

- **Provident Credit Union** will offer financial education courses every two months to our participants.
- **Alameda Community College** provides a one stop career center that helps with resume building, job applications and interviewing skills.
- **LifeSteps** provides social services and hosts the monthly meetings for participants.

FSS Program Coordinating Committee (PCC) has multiple community members and businesses involved:

- **Matz Law Group/Alameda Legal Resource Center**
- **Operation Dignity**
- **Alice Home Care**
- **Provident Credit Union**
- **Alameda Chamber and Economic Alliance**
- **Meals on Wheels**
- **Housing Authority of the City of Alameda**



FSS Program Challenges

The main challenge of this program is getting participants enrolled.

COVID has impacted families in many areas and especially in personal, familial, and financial losses along with the uncertainty of the future.

Keeping participants motivated and actively involved for the five year commitment.

AHA staff ability to meet the needs of mentoring the FSS Program participants.



From the FSS Program Participants.

“This is not something I was expecting to learn from the program ... I'm not the only one going thru these problems....**I am more accepting of my situation and realize all it takes is some problem-solving skills I'm learning from the program** and this hardship will pass and my Family will become more self-sufficient!” – **Current Participant**

“The FSS helped me to think about setting goals and map a way to complete them. **I leaned how fast 5 years can go by and that much can be accomplished within those 5 years.** I feel I have grown and am more confident because I was able to complete 4 semesters of college and got really good grades.” – **FSS Graduate**



From the FSS Program Participants.

I want to address how much I have grown since becoming a part of the FSS group. When I initially joined the group I was new to Alameda so **it allowed me to learn about the community that I brought my family to grow in. It has given the support that I needed in order to get my dream job working for alameda county.** Before joining the group I had a goal to reach and find a job so that I can become a home owner. I'm working on my credit and have attended a home ownership program. In conclusion it is helping me become self sufficient in raise my family to have a foundation. ”

The FSS program has given me confidence to achieve my goals. The staff has been both encouraging and supportive in my personal and professional life. **I've learned to manage my finances and achieve goals that are imperative to my future.** I've grown in my personal life with the advice I've received. I am able to go further in my professional career as well.



FSS Program Success Metrics

Since 2015 the FSS program has **successfully graduated 20 participants** and is expecting 9 more graduates in 2022.

It has **paid out a total of \$358,711.88** to those participants with the average participants escrow accrual being \$17,935.59.

Participants have gained more than just financial self sufficiency from FSS and is reflected in FSS Program participants testimonies.

“I used to hangout with people who tore me down. Now I’m hanging out with positive people, people who want things in life.” - FSS Graduate



Any Questions?

You are welcome to navigate to the FSS Program webpage by following the instructions below:

Goto www.alamedahsg.org

Click on “Housing Services”

Click on “Voucher Program”

Click on “Family Self Sufficiency Program (FSS)”



PHONE: (510) 747-4300
FAX: (510) 522-7848
TTY/TRS: 711

701 Atlantic Avenue • Alameda, California 94501-2161

To: Honorable Chair and Members of the Board of Commissioners

From: Vanessa Cooper, Executive Director

Date: November 16, 2022

Re: Adopt Resolution of the Board of Commissioners of the Housing Authority of the City of Alameda Ratifying the Proclamation of a State of Emergency by the Governor of the State of California on March 4, 2021, and Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Commissioners Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361.

BACKGROUND

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 which allowed for relaxed provisions of the Ralph M. Brown Act (Brown Act) that allowed legislative bodies to conduct meetings through teleconferencing without having to meet the strict compliance of the Brown Act. All provisions of Executive Order N-29-20 concerning the conduct of public meetings via teleconferencing expired on September 30, 2021.

DISCUSSION

Assembly Bill 361(Chapter 165,Statutes of 2021) (AB 361) was signed into law by the Governor on September 16, 2021, and went into effect immediately. It amends the Brown Act to allow local legislative bodies to continue using teleconferencing and virtual meeting technology after the September 30, 2021 expiration of the current Brown Act exemptions as long as there is a "proclaimed state of emergency" by the Governor. This allowance also depends on state or local officials imposing or recommending measures that promote social distancing or a legislative body finding that meeting in person would present an imminent safety risk to attendees. Though adopted in the context of the pandemic, AB 361 will allow for virtual meetings during other proclaimed emergencies, such as earthquakes or wildfires, where physical attendance may present a risk. AB 361 will sunset on January 1, 2024.

AB 361 requires the following to continue to conduct teleconferenced meetings:

1. Notice of the meeting must still be given in compliance with the Brown Act, and the notice must include the means by which the public may access the meeting



- and provide public comment remotely.
2. The public must be provided access to the meeting via a call-in option or internet-based service option and allowed to “address the legislative body directly.” The Alameda Affordable Housing Corporation does not have to provide an in-person option for the public to attend the meeting.
 3. The meeting must be conducted “in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body.”
 4. If there is a disruption to the meeting broadcast or in the ability to take call-in or internet-based public comment, no further action can be taken on agenda items until the issue is resolved, even if this means stopping the meeting at that point and continuing all remaining items.
 5. The Board of Directors cannot require comments to be submitted before the start of the meeting. The public must be allowed to make “real time” public comment.
 6. Reasonable time for public comment must be provided. If the Board provides a timed public comment period, the public comment period must be left open until the time expires.
 7. All votes must be taken by roll call.
 8. The Board of Directors must approve a resolution making findings by majority vote within 30 days of the first teleconferenced meeting under AB 361 and every 30 days thereafter to continue to conduct teleconference meetings under AB 361. The body must find it has reconsidered the circumstances of the state of emergency and either 1) the emergency continues to impact the ability to meet safely in person, or 2) State or local officials continue to impose or recommend social distancing.

In light of AB 361, the continuing COVID-19 State of Emergency declared by the Governor, the continuing Local Emergency declared by the City of Alameda, the continuing recommendations by the County of Alameda Health Officer of social distancing as a mechanism for preventing the spread of COVID-19, and the continued threats to health and safety posed by indoor public meetings, staff recommends the Board of Directors adopt the proposed Resolution making the findings required to initially invoke AB 361.

The procedures currently set up for Board of Directors' meetings, which provide public attendance and comment through a call-in or internet-based service option, satisfy the requirements of AB 361. The Executive Director, or designee, will work with the Board to ensure that meeting procedures for all teleconferenced meetings comply with AB 361. Continued reliance will require the Board of Directors to adopt a new resolution making required findings every 30 days.

FISCAL IMPACT

None.

CEQA

N/A

RECOMMENDATION

Adopt Resolution of the Board of Directors of the Alameda Affordable Housing Corporation Ratifying the Proclamation of a State of Emergency by the Governor of the State of California on March 4, 2021, and Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Directors Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361.

ATTACHMENTS

1. DRAFT RESOLUTION No. 10XX - AB 361 Resolution (11.16.22)
2. AB 361.pdf 2021_danprint

Respectfully submitted,

A handwritten signature in blue ink that reads "Vanessa Cooper".

Vanessa Cooper, Executive Director

HOUSING AUTHORITY OF THE CITY OF ALAMEDA
Resolution No. 10XX

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF ALAMEDA RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR OF THE STATE OF CALIFORNIA ON MARCH 4, 2021, AND MAKING FINDINGS AUTHORIZING CONTINUED REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF COMMISSIONERS PURSUANT TO BROWN ACT PROVISIONS, AS AMENDED BY ASSEMBLY BILL NO.

361

WHEREAS, the Housing Authority of the City of Alameda ("Housing Authority") is committed to preserving and nurturing public access and participation in meetings of the Board of Commissioners; and

WHEREAS, all meetings of the Housing Authority's Board of Commissioners are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the Housing Authority's Board of Commissioners conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist within the jurisdiction of the Housing Authority which includes the City of Alameda, specifically, on March 17, 2020 the Governor of the State of California proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS, as a result of the COVID-19 pandemic the California Department of Health and the Health Officer of the County of Alameda continue to recommend measures to promote social distancing. Additionally, On March 17, 2020, in response to the COVID-19 pandemic, the City Council of the City of Alameda, declared a local emergency as set forth in Ordinance No. 3267; and

WHEREAS, the Board of Commissioners does hereby find that the COVID-19 pandemic has caused, and will continue to cause, imminent risk to the health and safety of attendees meeting in person for a Board of Commissioners' meeting, and the COVID-19 pandemic has caused conditions of peril to the safety of persons within the jurisdiction of the Housing Authority that are likely to be beyond the control of services, personnel, equipment, and facilities of the Housing Authority, and desires to ratify the proclamation of a local emergency by the City of Alameda, ratify the proclamation of a state of emergency by the Governor of the State of California and ratify the California Department of Health and the Health Officer of the County of Alameda's recommended measures to promote social distancing; and

WHEREAS, as a consequence of the local emergency and state of emergency the Board of Commissioners does hereby find that the Board of Commissioners of the Housing Authority shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the Board of Commissioners shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Government Code section 54953; and

WHEREAS, when holding teleconferenced meetings under abbreviated teleconferencing procedures permitted under the Brown Act, the Housing Authority will ensure access for the public by complying with all requirements set forth in Government Code section 54953(e), including, but not limited to, giving notice of the meeting and posting agendas, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF ALAMEDA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Reconsideration. The Board hereby reconsiders the circumstances of the state of emergency.

Section 3. Ratification of the City of Alameda's Proclamation of a Local Emergency. The Board hereby ratifies the City of Alameda's proclamation of a Local Emergency as set forth in Ordinance No. 3267 adopted on March 17, 2020.

Section 4. Ratification of the California Department of Health and the Health Officer of the County of Alameda's recommended measures to promote social distancing. The Board hereby finds that state and local officials continue to recommend measures to

promote social distancing. The Board further hereby ratifies the California Department of Health and the Health Officer of the County of Alameda's recommended measures to promote social distancing and finds that, as a result of the state of emergency, meeting in person would present imminent risk to the health or safety of attendees.

Section 5. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020, and hereby finds that the state of emergency continues to directly impact the ability of the Board of Commissioners and members of the public to meet safely in person.

Section 6. Remote Teleconference Meetings. The Housing Authority's Executive Director, and designee, and the Board of Commissioners are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continued teleconferencing and conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 7. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) 30 days from the adoption of this Resolution, or, (ii) such time as the Board of Commissioners adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Commissioners of the Housing Authority may continue to teleconference without compliance with Government Code section 54953(b)(3).

PASSED AND ADOPTED by the Board of Commissioners of the Housing Authority of the City of Alameda this 16th day of November, 2022, by the following vote:

AYES: NOES: ABSTENTIONS: ABSENT:

ATTEST:

Vanessa M. Cooper
Secretary and Executive Director

Carly Grob, Chair
Board of Commissioners

Adopted: November 16, 2022

Assembly Bill No. 361

CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021. Filed with
Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly

resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor’s Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and

to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature’s intent, consistent with the Governor’s Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 89305.6 is added to the Education Code, to read:
89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing

and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2. Section 11133 is added to the Government Code, to read:

11133. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically

or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

(f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “state of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body

shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter

2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for

the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “state of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting

of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting,

members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 4.1. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the

legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint

powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 5. Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6. It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7. The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8. (a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public’s right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member’s private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public’s right to access information concerning the conduct of the people’s business.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.

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