



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

AGENDA

SPECIAL MEETING OF THE BOARD OF COMMISSIONERS

DATE & TIME

Thursday, December 15, 2022 - 7:00 PM

Closed Session - 6:00 P.M.

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=aE5KbzN6WThWa3ZGdDk0TmF4NnprUT09>

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 - 6:00 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: 1628 Webster Street, Alameda CA 94501
Assessor's Parcel Number 73-418-4-1
Agency Negotiators: Vanessa Cooper, Executive Director, and Sylvia Martinez, Director of Housing Development, Negotiating Parties: Alameda Hospitality, LLC; Under Negotiation: Price and Terms of Payment.
 - 4.C. Pursuant to Government Code Section 54956.9(a)
Conference with Legal counsel re existing litigation: Housing Authority of the City of Alameda v. Johnson, Alameda County Superior Court No. RG18-933615
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 November 16, 2022. **Page 4**
 - 9.B. Approval of 2023 Out-of-State travel. **Page 10**
 - 9.C. Accept a Report on the Annual Intern Program and Creation of a One Year Rotating Fellowship Program for Graduates of the Intern Program. **Page 13**
 - 9.D. Accept Report on the Potential Purchase of BMR - 410 Tucker Avenue. **Page 16**
 - 9.E. Accept and Approve the Extension of the Option Agreement(s) to Ground Lease for the three projects within North Housing Block A. **Page 18**
 - 9.F. Approve \$100,000 Increase in Short-term Housing Authority Loan and Authorize Executive Director to Sign Contract Increases for Additional Costs Up to



\$1,950,000 for Independence Plaza Balcony Renovation. **Page 25**

10. AGENDA

10.A. Alameda Food Bank Presentation. **Page 28**

10.B. Adopt the Revised Schedule of Authorized Positions and Pay Schedule for Fiscal Year 2022-2023. **Page 41**

10.C. Adopt the revision to the Annual Plan for Fiscal Year Starting July 1, 2022 including the MTW Supplement to the Annual Plan and Authorize the Chair to Certify, By Resolution, that Board of Commissioners has Approved Submission of the Agency Plan to HUD. **Page 46**

10.D. 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 126**

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, NOVEMBER 16, 2022**

PLEDGE OF ALLEGIANCE

1. ROLL CALL

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

Absent: Vice-Chair Tamaoki, Commissioner Hadid, and
Commissioner Kaufman

2. BOARD COMMISSIONER RECUSALS

None.

3. Public Comment (Non-Agenda)

None.

4. Closed Session - 6:15 p.m. - Adjournment to Closed Session to Consider:
The Board moved to Closed Session at approximately 6:20 p.m.

- 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

Chair Grob adjourned Closed Session at 7:19 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 discussed items 4.A and 4.B.

Vanessa Cooper, Executive Director introduced Oscar Macias, Assistant Director of Housing Programs. Tonya Schuler-Cummins, Principal Management Analyst introduced Sepideh Kiumarsi, Management Analyst.

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 Commissioners Meeting held October 19, 2022.
- *9.B. Accept the Quarterly Overview Report for Executive Department.
- *9.C. Accept the Quarterly Overview Report for the Housing Programs Department.
- *9.D. Accept the Monthly Overview Report for Emergency Housing Voucher (EHV).
- *9.E. Accept the Quarterly Overview Report for Property Operations.



- *9.F. Accept the Quarterly Overview Report for Housing Development.
- *9.G. Accept the Quarterly Development Report for Alameda Hotel Conversion.
- *9.H. Accept the Quarterly Development Report for North Housing PSH I.
- *9.I. Accept the Quarterly Development Report for North Housing PSH II.
- *9.J. Accept the Quarterly Development Report for North Housing Senior Apartments.
- *9.K. Accept the Monthly Development Report for Rosefield Village.
- *9.L. Accept the Quarterly Development Report for Tilden Commons.
- *9.M. Accept Monthly Report on Construction in Progress.
- *9.N. Accept the Quarterly Overview Report For Administrative Services Department.
- *9.O. Accept the Quarterly Financial Report through the Month of September 2022.
- *9.P. Accept the Quarterly Investment Report for Period Ending September 30, 2022.
- *9.Q. Accept the LIHTC Portfolio Asset Management Fiscal Year to Date Financial Report through the Month of June 2022.
- *9.R. Accept the AHA/ AAHC Portfolio Asset Management Fiscal Year to Date Financial Report through the Month of June 2022.
- *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.
- *9.T. Approve the 2021-2022 Housing Successor Agency Report.
- *9.U. Approve 2022-23 Goals for the Executive Director and Approve Changes to the 2014 Contract with the Executive Director.
- *9.V. Accept changes to the contract for at will property management staff.
- *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.
- *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.
- *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.

- *9.Z. Approve the 2023 AHA Operations (Holiday and Office Closure) Calendar.

Items accepted or adopted are indicated by an asterisk.

Commissioner Sidelnikov moved to accept the Consent Calendar items and Commissioner Husby seconded. The motion passed unanimously.

Yes	4	Chair Grob, Commissioner Husby, Commissioner Joseph-Brown, and Commissioner Sidelnikov
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Absent	3	Vice-Chair Tamaoki, Commissioner Hadid, and Commissioner Kaufman
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10. AGENDA

- 10.A. Presentation on the Family Self Sufficiency Program.

Kara Korbel, Housing Specialist III provided a presentation that included an overview of the Family Self Sufficiency (FSS) Program; noting that in June HUD published a rule that allows for the “Head of Family,” rather than the “Head of Household,” who can be any adult member of the household, to participate in the program. This will allow staff to expand this program.

Ms. Cooper expressed gratitude for Ms. Korbel’s work on, and dedication to, the FSS program, and announced that the Housing Authority of the City of Alameda (AHA) is actively enrolling and all adults over the age of 18 years old are eligible to apply.

The Board expressed gratitude for the work performed.

- 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.

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



Yes 4 Chair Grob, Commissioner Husby, Commissioner Joseph-Brown, and Commissioner Sidelnikov

Absent 3 Vice-Chair Tamaoki, Commissioner Hadid, and Commissioner Kaufman

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

None.

12. EXECUTIVE DIRECTOR'S COMMUNICATIONS

Ms. Cooper stated that staff would like to reschedule the December meeting to take place on Thursday, December 15, 2022, rather than Wednesday, December 21, 2022, and requested that the Board consider holding the rescheduled meeting online. Ms. Cooper stated that staff will reach out to the Board to confirm their Board packet preference and food choices for all future meetings; noting that, if preferred, Board members can contact Jasmine Polar, Executive Assistant to arrange for pick-up of their packet prior to the next scheduled meeting.

At the request of Ms. Cooper, Joshua Altieri, Community Relations Manager announced that on Saturday, November 19, 2022, from 11 a.m. – 1 p.m., approximately twenty registered families would be participating in AHA’s bike workshop, which will be hosted at AHA’s Main Office. During this workshop, staff from Mobile Bikes Bay Area, will assist the families with refurbishing bikes donated by Alameda Bicycle and the Alameda Boys & Girls Club, of which the families will take ownership of. The families will also receive a bike helmet and lock. Commissioner Joseph-Brown indicated that she would be in attendance of this workshop.

13. COMMISSIONER COMMUNICATIONS, (Communications from the Commissioners)

None.

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 7:39 p.m.

Vanessa M. Cooper
Secretary and Executive Director

Carly Grob, Chair
Board of Commissioners





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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: December 15, 2022
Re: Approval of 2023 Out-of-State travel

BACKGROUND

It has been the Housing Authority of the City of Alameda's (AHA) practice that out-of-state travel be approved by the Board of Commissioners.

DISCUSSION

Attached is the proposal for out-of-state travel for 2023 for AHA staff members and/or Commissioners. Only three Commissioners requested out of state travel for 2023. Staff is also requesting that one employee attend the Multifamily Conference for auditors (AHACPA) in Las Vegas.

FISCAL IMPACT

The costs for the Housing Authority will be air, hotel, and per diem. No change in the FY23 budget for travel and training is expected and additional funds will be budgeted for FY24.

CEQA

N/A

RECOMMENDATION

Approval of 2023 Out-of-State travel.

ATTACHMENTS

1. Item 9.B - Attachment (DRAFT) (1)

Respectfully submitted,

Vanessa Cooper



Vanessa Cooper, Executive Director

NAHRO Conference Selections - 2023

Commissioner Name	March 6 –8, 2023 2023 Washington Conference Washington, D.C.	April 11 – 12, 2023 2023 MTW Conference Washington, D.C.	July 14 – 15, 2023 2023 Summer Symposium Washington, D.C.	October 6 – 8, 2023 2023 National Conference & Exhibition New Orleans, LA
Commissioner Hadid	Back up if Commissioner can't attend summer		Yes	
Commissioner Joseph-Brown	Yes		Back up if Commissioner can't attend in March	
Commissioner Husby	Back up if Commissioner can't attend summer		Yes	
Staff to attend	1	2	1	1
Total	Up to 4	2	Up to 4	1



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To: Honorable Chair and Members of the Board of Commissioners

From: Vanessa Cooper, Executive Director

Date: December 15, 2022

Re: Accept a Report on the Annual Intern Program and Creation of a One Year Rotating Fellowship Program for Graduates of the Intern Program.

BACKGROUND

For the past six years, the Board has approved a summer internship program that provided professional development opportunities to undergraduate and graduate students. The internship has been advertised at local colleges and universities, and many qualified applications have been submitted. Annually, two to five students have been selected for the summer internship. In 2018-19, the Housing Authority of the City of Alameda (AHA) also participated in a yearlong internship through the Non-Profit Housing Association of Northern California. In the past, the interns have worked on research projects, made presentations to the Board, organized a summer Brown Bag learning program for staff, supported programs at the Reading Room, helped to expand the Family Self-Sufficiency program, and assisted with a range of important tasks for various departments. The program was put on hold in 2020 due to COVID 19 and restarted successfully in 2022, including masters level and undergraduate interns.

In 2017, AHA received a NAHRO Agency Award of Merit in Housing and Community Development for this summer internship program. Based on this success, and the ongoing need for qualified help, staff requests Board approval to renew the program. All interns have been paid an hourly salary through a temporary staffing service.

DISCUSSION

Staff proposes to continue the Internship Program in 2023 and to engage up to four interns who may work at any point during the year, beginning in spring 2023. Based on student schedules, it is expected that there may be staggered start and end dates. AHA will again advertise the internship opportunities at Bay Area colleges, including the College of Alameda, University of California at Berkeley, CSU East Bay, and San Francisco State University. At times, there are projects to work on and qualified candidates available at times other than the summer.



The interns will continue to work on research and projects that support the Housing Programs, Finance, Property Management, Housing Development and Administrative Departments.

Thanks to this variety of professional experience, several of our interns from prior years have gone on to other opportunities in affordable housing, economic development or community service. AHA has also hired some interns as permanent or temporary staff after the internship has ended, as it provides a source of qualified, available candidates familiar with the organization. However, often times, AHA does not have an entry level position to transition interns into and they move to other organizations. At the same time, AHA, like other public agencies, is struggling to hire qualified candidates for its positions. As a result, AHA plans to make some changes this year to this program.

The proposed changes include

1. Tailoring the internship to provide a slightly more focused experience. This year interns will need to select from one of the following three subject areas:
 - Housing Development/management – led by the Director of Housing Development
 - Housing policy and data management – led by the Principal Management Analyst
 - Accounting and finance – led by the CFO or Controller
2. Creation of a One-Year Rotating Fellowship Program for Graduates of the Intern Program. Successful graduates from the program will be eligible to be employed temporarily as Fellows. These positions will be in the three areas listed above. Year-round training will be provided but specific tasks and projects will also be assigned.

FISCAL IMPACT

In 2022, the estimated total cost and budget for interns was \$60,000 for four interns, being paid \$17.00 an hour (plus agency administrative fees) through a temporary agency, working 10 weeks for 32 hours per week. For 2023, staff estimates four interns, paid at a higher, tiered rate of up to \$22.00 per hour (to adjust for cost of living increases and for flexibility to address candidate education/training level, would not increase the budget beyond what was projected for 2022. The fellowship program would be an additional approximately \$66,667 per fellow for one year including salary and benefits. Fellowship opportunities would be limited to three in the first year. Prior and 2023 graduates would be eligible.

Current staffing vacancies in the departments leave unexpended funds available to meet the cost of the intern program through June 2023 and these positions will be budgeted for under temp salaries for the future fiscal year.

CEQA

N/A

RECOMMENDATION

Accept a Report on the Annual Intern Program and Creation of a One Year Rotating Fellowship Program for Graduates of the Intern Program.

ATTACHMENTS

None

Respectfully submitted,



Vanessa Cooper, Executive Director



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To: Honorable Chair and Members of the Board of Commissioners

From: Sylvia Martinez, Director of Housing Development

Date: December 15, 2022

Re: Accept Report on the Potential Purchase of BMR - 410 Tucker Avenue.

BACKGROUND

The City of Alameda requires that below market rate (BMR) dwelling units are provided in planned unit developments to help fulfill its affordable housing goals. Depending on the size of the development, these units can be for sale, or rentals, and can be at a variety of affordability levels serving households at very low income (50% AMI) to low income (80% AMI) to moderate income (120%AMI). The Housing Authority has the ability to purchase these properties directly (as it is doing with eighteen of the Bay 37/Pulte condominiums) or to purchase any properties that are in default or up for sale. In November 2016, the Board authorized the Executive Director to proceed with the repurchase of any BMR unit that is in default or up for sale, up to the maximum affordable rehousing sales price plus related fees and legal costs, utilizing non-federal funds. The Executive Director is required to inform the Board of any potential purchase no later than the Board meeting following the repurchase.

DISCUSSION

The Housing Authority has been notified that the property at 410 Tucker Avenue has received a Notice of Default. Per the Board approval in November 2016, staff will be issuing a letter to the owner regarding its intent to utilize its option to purchase the property. The owner still has the ability to redeem the property by curing the default. If the default proceeds, staff will exercise this option and report further developments to the Board.

FISCAL IMPACT

Staff does not currently know the purchase price of the property, but it is likely to be less than \$500,000. Recent BMR purchase prices (for smaller units) by the Housing Authority have ranged from approximately \$180,000-350,000.

CEQA



Not applicable

RECOMMENDATION

Accept Report on the Potential Purchase of BMR - 410 Tucker Avenue

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



Housing Authority
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To: Honorable Chair and Members of the Board of Commissioners

From: Tony Weng, Senior Project Manager

Date: December 15, 2022

Re: Accept and Approve the Extension of the Option Agreement(s) to Ground Lease for the three projects within North Housing Block A.

BACKGROUND

North Housing Block A is the first phase of the larger 12-acre North Housing parcel redevelopment consisting of three separate projects: North Housing PSH I, North Housing PSH II, and North Housing Senior Apartments, totaling 155 units.

The Housing Authority (AHA) is leading the 12-acre North Housing redevelopment under a homeless accommodation conveyance, alongside partners Alameda Point Collaborative (APC) and Building Futures. Island City Development (ICD) is the developer.

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

On November 17, 2021, the Board adopted a resolution that approved the Option Agreement(s) to ground lease the land for the three projects at North Housing Block A. The Option Term will expire on December 31, 2022. For business needs under the current competitive funding environment, staff request and recommend extending the term of the Option Agreement from December 31, 2022, to December 31, 2027.

The details of the final Ground Lease will be negotiated when all project financing has been confirmed and will be returned to the Board of Commissioners for ratification.

FISCAL IMPACT

There is no financial impact for extending the term of the Option Agreement to Ground Lease for the three projects at North Housing Block A. The Board previously approved the option to ground leases for all three projects at North Housing Block A, at a



subsidized rate in 2021.

CEQA

Not Applicable.

RECOMMENDATION

Accept and Approve the Extension of the Option Agreement(s) to Ground Lease for the three projects within North Housing Block A.

ATTACHMENTS

1. Attachment 1_Form of Option Agreement North Housing Block A

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 extending to the right.

Tony Weng, Senior Project Manager

OPTION AGREEMENT

THIS OPTION AGREEMENT (this “**Agreement**”) is effective as of November 17, 2021, by and between Housing Authority of the City of Alameda (“**Seller**”) and Island City Development, a California nonprofit public benefit corporation, or its assigns (“**Purchaser**”).

RECITALS

A. Seller is the owner of the land located in the City of Alameda, CA 94501, and described as Phase 1 in the Tentative Map – Tract 8561 Site Plan for North Housing dated July 22, 2020 by CBG Civil Engineers, the first page of which is shown on Exhibit A attached hereto and incorporated herein by reference (the “**Land**”). There are currently no buildings or improvements (the “**Improvements**”) situated on the Land.

B. Purchaser desires to procure, and Seller desires to grant, an option to enter into a ground lease with respect to the Land upon the terms and provisions as hereinafter set forth. The leasehold interest in the Land and the fee interest in any Improvements to be developed on the Land are referred to collectively herein as the “**Property**”.

NOW, THEREFORE, in consideration of the mutual agreements contained herein, the parties hereto agree as follows:

AGREEMENT

1. Grant of Option. For One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, Seller does hereby grant to Purchaser the exclusive right and option to lease the Land (the “**Option**”).

2. Exercise of Option. Purchaser may exercise its Option at any time during the period commencing on the date hereof and expiring on December 31, 2027 (the “**Option Term**”), by giving written notice thereof to Seller. In the event the Purchaser does not exercise its Option during the Option Term, this Agreement shall become null and void and neither party hereto shall have any other liability, obligation or duty hereunder.

3. Contract For Ground Lease. In the event that the Purchaser exercises the Option, unless otherwise mutually agreed, both parties agree to execute a contract in accordance with the following terms and conditions:

(a) Ground Lease. The ground lease for the Land shall have the following terms: (a) have a term of no less than 99 years; (b) have base rent equal to the appraised fair market value of the Land, and (c) such other terms and conditions agreed upon by Seller and Purchaser.

(b) Financing. Seller agrees to provide seller takeback financing for up to 100% of the ground lease base rent; bearing interest at the applicable federal rate; with a term of 55 years (or a lesser term if elected by Purchaser); secured by a mortgage against the Property; subordinate to a senior construction to permanent bank loan and any other loans from

governmental agencies; repaid from residual receipts (after payment of developer fee, general partner management fee of \$25,000 per year with an annual increase of 3%, and an investor asset management fee of \$5,000 per year with an annual increase of 3%); and subject to commercially reasonable terms, including those in favor of an investor, for low income housing tax credit projects.

(c) Closing Date. The closing date shall be on any date during the Option Term as may be selected by Purchaser, provided that Purchaser shall make good faith efforts to provide 30 days prior notice of the closing date.

(d) Closing Costs. The Purchaser and Seller shall each pay their respective costs of closing the purchase in accordance with custom in the city in which the Property is located.

(e) As Is. Except as specifically provided in writing by Seller, Purchaser shall acquire the Land in an "as-is" condition with an ALTA owner's title policy with such endorsements as Purchaser shall reasonably require, subject only to those monetary encumbrances recorded against the Property as agreed to in writing by Purchaser.

(f) Subdivision. Seller and Purchaser shall cooperate in causing the Land to be a separate legal parcel under applicable law, which shall be a condition precedent to closing under this Agreement. At the election of Purchaser, Purchaser may cause the Land to be further subdivided into 2 separate legal parcels or converted to a condominium with 2 condo units, in which case (1) Seller shall reasonably cooperate with such subdivision or conversion efforts, and (2) this Agreement shall be replaced with 2 separate option agreements for the 2 parcels or units, each with the same terms and conditions as in this Agreement.

(g) Representations, Warranties and Covenants. Seller hereby represents, warrants and covenants as follows:

(i) Except as otherwise permitted by Purchaser in writing in its sole discretion, Seller shall (A) maintain and operate the Property in its current condition and operation; (B) not enter into any lease, agreement or contract or a modification thereof (including existing loans or liens on the Property) affecting the Property unless such lease, agreement or contract shall terminate upon transfer of the Property or is approved by Purchaser in its sole discretion; (C) comply with all material contracts, agreements and obligations with respect to the Property; (D) maintain current amounts of fire, extended coverage, hazard and other insurance for the Property; and (E) not sell, assign, dispose of or further encumber the Property.

(ii) Seller shall not commit or permit any act that would diminish or devalue the Property or Purchaser's rights under this Agreement.

(iii) Seller shall within 20 days of the date hereof provide to Purchaser all documents, contracts, agreements and other information regarding the Property that is within the possession or control of Seller.

(iv) During the Option Term, Purchaser and its agents shall have the right, upon reasonable notice and during reasonable times and without unreasonably interfering

with the normal operation of the Property, to enter upon the Property to conduct inspections and testing (including surveying and environmental assessments), and to inspect and copy Seller's books and records with respect to the Property. Seller shall reasonably cooperate with Purchaser in inspecting and evaluating the Property, applying for or obtaining financing for the Property and obtaining entitlements or permits with respect to the Property.

4. General Provisions.

(a) Entire Agreement. This Agreement contains the entire agreement between the parties, and supersedes all prior negotiations, drafts, and other understandings which the parties may have had concerning the subject matter hereof.

(b) Time. Time is of the essence of this Agreement.

(c) Successors. The provisions of this Agreement shall inure to the benefit of, and shall be binding upon, the heirs, successors, executors, administrators and assigns of the parties hereto. Seller agrees that Purchaser shall have the right to assign this Agreement or to nominate another person (including, without limitation, a limited partnership controlled by Purchaser) to take title to the Property without Seller's consent.

(d) Amendments. This Agreement may not be amended or modified except by written documents signed by all parties hereto.

(e) Severability. Whenever possible, each provision of this Agreement shall be interpreted so as to be effective and valid under applicable law. If any provision of this Agreement is held to be prohibited by, or invalid under, applicable law, the remainder of this Agreement and any other application of such provision shall not be affected thereby.

(f) Counterparts. This Agreement may be executed in any number of counterparts, and each such counterpart shall be deemed to be an original instrument. All such counterparts together shall constitute one and the same Agreement.

(g) Notice. Any notice, demand, request, consent or other communication which either party desires or is required to give to any other party shall be in writing and shall be deemed to have been given when either: (a) delivered in person or by facsimile transfer, or (b) sent by overnight courier or first-class registered or certified mail, postage pre-paid, return receipt requested, addressed to such party at the address set forth following each party's signature to this Agreement. Either party may designate another address for itself at any time upon written notice to the other party.

(h) Headings. The titles and headings of the various sections of this Agreement have been inserted only for convenience of reference. They are not part of this Agreement and may not be used to construe or interpret any of the terms hereof.

(i) Governing Law. This Agreement shall be governed by, and construed in accordance with, the law of the State of California.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth above.

SELLER:

Housing Authority of the City of Alameda,
a public body corporate and politic

By: _____
Vanessa Cooper
Executive Director

Address:

Housing Authority of the City of Alameda
701 Atlantic Avenue
Alameda, CA 94501
Attn: Executive Director

PURCHASER:

Island City Development,
a California nonprofit public benefit corporation

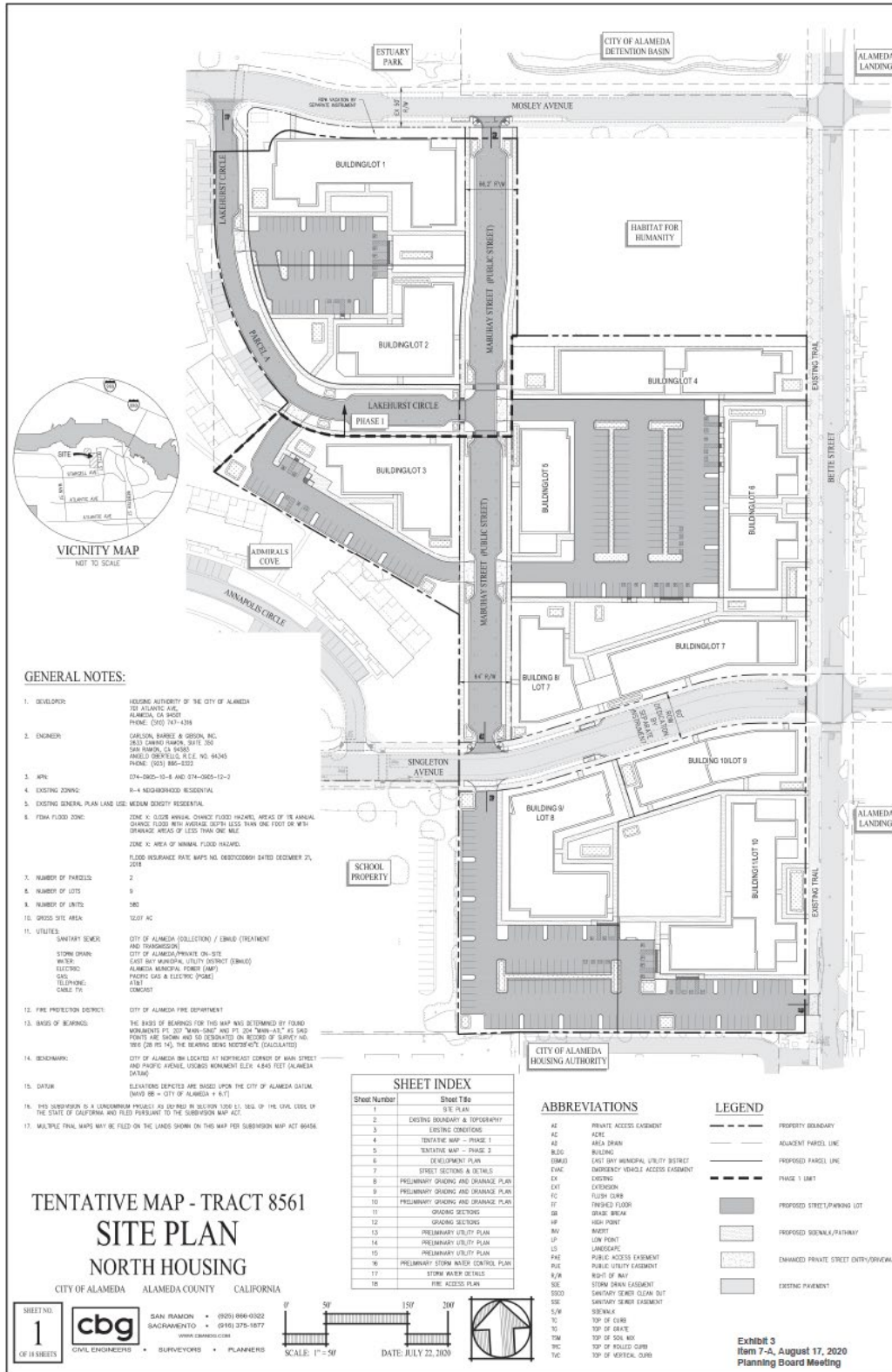
By: _____
Vanessa Cooper
President

Address:

Island City Development
c/o Housing Authority of the City of Alameda
701 Atlantic Avenue
Alameda, CA 94501
Attn: Executive Director

EXHIBIT A

Tentative Map – Tract 8561 Site Plan for North Housing





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: Sylvia Martinez, Director of Housing Development

Date: December 15, 2022

Re: Approve \$100,000 Increase in Short-term Housing Authority Loan and Authorize Executive Director to Sign Contract Increases for Additional Costs Up to \$1,950,000 for Independence Plaza Balcony Renovation.

BACKGROUND

In May of 2022, the Board of Commissioners approved a funding and construction plan to renovate the balconies at the Independence Plaza Apartments, in accordance with state requirements to keep balconies in repair. The funding plan included an overall budget authority of \$1,850,000 for the work, and a short-term loan of \$800,000 from the Housing Authority of the City of Alameda (AHA) to Alameda Affordable Housing Corporation (AAHC) to bridge the permanent sources. Work began in the summer of 2022, and is now 80% completed. At this point, there is only one more building to be renovated. Staff has a good understanding of the current and projected costs and is returning to the Board for an additional cushion of funding to be able to complete the project.

DISCUSSION

The attachment describes the current financial uses for the project, as well as an outline of the additional request.

In general, the project has proceeded very well. The approximately 7% increase in hard costs is reasonable, especially when about one half of the change orders are attributable to additional work needed to pass HQS inspections, as opposed to the initial focus on structural integrity. Four, out of the five, buildings on the site have been signed off by the City's inspectors.

Costs attributable to permit and inspection requirements have been higher than originally forecast. The City required one building to demonstrate that it was clear of the FEMA flood plain, which a survey has now documented. In addition, the repairs have triggered a requirement by EBMUD to perform a sanitary sewer inspection, which will include testing for leaks and possible repair. Independence Plaza, unlike many



apartment complexes, has manhole sewer access rather than just smaller laterals, so the inspection, testing, and possible repair process is more complicated. Staff has already begun soliciting bids for this work and the requested additional budget reflects these bids, as well as provides a cushion for any additional costs.

Staff requests \$100,000 in additional funding so that work can continue and be completed in early 2023 as anticipated. Any unused funds will be not be drawn down.

FISCAL IMPACT

The financing for this project was a combination of project reserves, City Redevelopment Funds, and an internal bridge loan from AHA for the City funds. Staff has requested additional City Redevelopment Funds for the period 2023-24, which could be a permanent source of funding for the additional costs, if approved. If those funds are not available, the internal bridge loan could be repaid by project cash flow.

CEQA

Not applicable

RECOMMENDATION

Approve \$100,000 Increase in Short-term Housing Authority Loan and Authorize Executive Director to Sign Contract Increases for Additional Costs Up to \$1,950,000 for Independence Plaza Balcony Renovation.

ATTACHMENTS

- 1. Attach 1 IP Balcony Budget

Respectfully submitted,



Sylvia Martinez, Director of Housing Development

INDEPENDENCE PLAZA - BALCONY REPAIRS

Dec-22

BUDGET	\$	1,850,000.00
Freestone Contract	\$	(1,669,508.00)
Freestone Change Orders	\$	(83,869.03)
Permits and Printing	\$	(40,272.13)
Prevailing Wage Monitoring	\$	(11,700.00)
Engineering Costs	\$	(15,500.00)
Builders Risk	\$	(3,328.00)
Sanitary Sewer Inspection		TBD
FEMA Flood Survey	\$	(2,100.00)
Remaining Budget	\$	23,722.84

	FREESTONE CHANGE ORDERS		HQS REPAIR COSTS PER C/O
C/O #1	\$	38,603.90	\$ 29,815.90
C/O #2	\$	15,428.00	\$ 13,298.00
C/O #3	\$	12,707.00	\$ -
C/O #4	\$	(13,397.00)	\$ -
C/O #5	\$	30,527.13	\$ 12,677.13
C/O #6	\$	35,000.00	Estimate
	\$	118,869.03	\$ 55,791.03
		7% of original contract	

Permit related costs, incl. request below \$ 87,872.13

Additional Request:

Hard cost change order #6	\$	35,000.00
Sanitary Sewer Inspection/repairs	\$	30,000.00
Contingency	\$	35,000.00
	\$	100,000.00



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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: Joshua Altieri, Community Relations Manager
Date: December 15, 2022
Re: Alameda Food Bank Presentation.

BACKGROUND

Since the onset of the COVID-19 pandemic in 2020, the Housing Authority of the City of Alameda (AHA) and the Alameda Food Bank (AFB) have partnered together to ensure AHA households continue to have access to AFB programs. This presentation details the scope of operations through July 2022 and the operational transition to LifeSteps starting in August 2022.

DISCUSSION

Alameda Food Bank Presentation

FISCAL IMPACT

N/A

CEQA

N/A

RECOMMENDATION

Accept presentation on Alameda Food Bank Operations

ATTACHMENTS

1. Food Bank PPT 2022

Respectfully submitted,
Joshua Altieri
Joshua Altieri, Community Relations Manager



A Partnership to End Hunger



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City of Alameda

www.alamedahsg.org



Housing Authority
— of the —
City of Alameda

2022 AHA Operations

- 1) LifeSTEPS performs resident registration
- 2) AHA staff performs Food Packing at Independence Plaza (bags)
- 3) AHA maintenance staff delivers in bulk to properties
- 4) LifeSTEPS and AHA staff perform drop-off (or resident pick-up)



AHA Sites Delivered to:

- **Esperanza**
- **Independence Plaza**
- **Littlejohn Commons**
- **China Clipper**
- **Parrot Gardens**
- **Parrot Village**
- **Anne B. Diamant**
- **Everett Commons**



Types of Food

Pastas/Rice

Canned Goods

Eggs

Greens/Fruits/Onions/Potatoes



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Meal Stats

Program fed upto 135 AHA households monthly (2x/mo.)



20,040 MEALS DELIVERED !



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City of Alameda

Total AHA Staff Hours

217 hours

Packing and Delivering Food



Thank you, AHA Staff!

- **Maribel Rivera**
- **Booker Thomas**
- **Art Martinez**
- **Peter Tran**
- **Briant Polk**
- **Allyson Ujimori**
- **Lynelle Buckley-Broughton**
- **Adrian Maestas**
- **Tony Weng**
- **Joshua Altieri**
- **Joseph Nagel**
- **Bill Chapin**
- **Greg Kats**



Thank you, AHA Interns!

Elizabeth Grubb

Weiyang Tang

Lillias Arevantas

Clarisa Wolff



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Page 36 of 150

Thank you, Alameda Food Bank Staff!

Cindy Houts

Teale Harden

The Warehouse Crew



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Page 37 of 50

Thank you, LifeSteps Staff!

Candice Williams
Belinda Lee
Angel Reyes
Jean Burns



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LifeSTEPS Transition

Since August 2022, LifeSTEPS has managed 100% of program operations

Food Distribution via "Farmers Market" style

Bi-weekly food pick-up at Independence Plaza and Anne B. Diament
(nearby residents at other AHA properties goto IP or ABD)

Best utilization of Alameda Food Bank/AHA staff resources



Reasons we do this





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: December 15, 2022

Re: Adopt the Revised Schedule of Authorized Positions and Pay Schedule for Fiscal Year 2022-2023.

BACKGROUND

Each year, as part of the budgeting process, a Schedule of Authorized Positions for the upcoming year is developed and presented to the Board for adoption. A corresponding Pay Schedule is also adopted, and periodically updated as changes, such as the granting of a Cost of Living Adjustment (COLA), are made. Changes to the Pay Schedule were most recently adopted in October 2022 to reflect the implementation of the compensation study.

DISCUSSION

Due to staff turnover, the Housing Development Department is seeking two staff members to fill existing vacancies that support its growing pipeline of developments.

The Housing Authority of the City of Alameda (AHA) management is requesting flexibility in the level at which hiring occurs when final candidates are selected. In recruitments conducted earlier this year, the department encountered a variety of experience levels in response to its advertisements. Given the competitive environment and this recent experience, the department would like the flexibility to list several job descriptions, including two newly created or updated positions: Housing Development Specialist and Associate Project Manager. These two entry and middle level positions will allow staff to hire at a level appropriate for the varied skills sets that candidates may possess. In addition, the different positions may provide an opportunity for growth within the organization. Staff notes that the proposed Associate Project Manager position is at the same salary range as the current Assistant Project Manager position but is classified as exempt and the job description has been updated, and this title would replace the Assistant Project Manager.

The two current vacancies are for a Project Manager (Range 36) and Assistant Project Manager (Range 31). The Project Manager position is currently posted. Staff requests that the Board approve the Schedule of Authorized Positions and Pay Schedule with the updated Associate Project Manager title and the Housing Development Specialist



position to provide staff with flexibility to advertise and fill these two vacancies with the most suitable candidates so long as the approved number of positions and budget allocation is not exceeded.

In the proposed Schedule of Authorized Positions, Asset Management positions were separated from Property Operations, as the Board approved a Director of Asset Management position in September 2022. Additionally, Management is currently beginning the process of reviewing positions for the upcoming fiscal year as the budgeting process will start early in 2023. Management anticipates potentially needing additional support for the Moving to Work (MTW) program, such as an additional Management Analyst. AHA is also looking to build back-up for senior level positions, and may considering providing for Assistant Director positions for each department in the upcoming fiscal year. These changes, along with any other proposed changes to staffing that impact the Schedule of Authorized Positions will be finalized and presented for Board considering as part of the 2023-2024 budget process.

FISCAL IMPACT

There is no change proposed to the total FTE's on the Schedule of Authorized Positions. Budget for staffing for the Housing Development Department currently includes one Project Manager and one Assistant Project Manager; hiring decisions will be made within this budget and no additional expenditures are expected at this time.

CEQA

Not applicable to this item.


RECOMMENDATION

Adopt the Revised Schedule of Authorized Positions and Pay Schedule for Fiscal Year 2022-2023.

ATTACHMENTS

1. Exhibit 1 Schedule of Authorized Positions FY 2022-2023 Rev 2022.12
2. Exhibit 2 Pay Schedule 2022-2023 Eff 12.16.2022
3. Exhibit 3 Reso-Amend Schedule of Authorized Positions and Pay Schedule 2022.12

Respectfully submitted,



Janet Basta, Director of Human Resources and Operations

**Housing Authority of the City of Alameda
Schedule of Authorized Positions
7/1/2022, Rev. 9/21/2022, Rev. 12/15/2022**

Department/Position Title	2022-2023 approved	Proposed change	Year on Year
	FTE 2022-2023	FTE 2022 - 2023	Difference
Executive Department			
Executive Director	1.00	1.00	
Deputy Executive Director/Chief Administrative Officer (See Note E)	1.00	1.00	
Executive Assistant	1.00	1.00	
Principal Management Analyst	1.00	1.00	
Management Analyst (MTW) (See Note F)	1.00	1.00	
Sub-Total	5.00	5.00	0.00
Administration Department			
Director of Administrative Services	1.00	1.00	
Risk Manager (See Note I)	1.00	1.00	
Community Relations Manager	1.00	1.00	
Administrative Manager	1.00	1.00	
Senior Management Analyst (General) (See Note E)	2.00	2.00	
Management Analyst (See Note F)	1.00	1.00	
Program Assistant	0.50	0.50	
Sub-Total	7.50	7.50	0.00
Human Resources Department			
Director of HR and Operations	1.00	1.00	
HR Manager	1.00	1.00	
Program Assistant	0.50	0.50	
Sub-total	2.50	2.50	0.00
Finance Department			
Director of Finance/Chief Financial Officer (See Note G)	1.00	1.00	
Assistant Director of Finance/Controller (See Note G)	1.00	1.00	
Accounting Officer (See Note C)	0.00	0.00	
Accounting Specialist I & II (See Note B)	3.00	3.00	
Sub-total	5.00	5.00	0.00
Housing Programs Department			
Director of Housing Programs	1.00	1.00	
Assistant Director of Housing Programs (See Note C)	1.00	1.00	
Housing Programs Supervisor	1.00	1.00	
Management Analyst (See Note F)	1.00	1.00	
Housing Specialist III	3.00	3.00	
Housing Specialist I & II (See Note B)	5.00	5.00	
Program Assistant (See Note D)	2.50	2.50	
Sub-total	14.50	14.50	0.00
Property Operations Department			
Director of Portfolio Management (prior title Property Operations)	1.00	1.00	
Director of Asset Management	1.00	0.00	
Property Management Supervisor	1.00	1.00	
Asset Manager (See Note C)	1.00	0.00	
Maintenance Technician I & II (See Note B)	3.00	3.00	
Resident Manager I and II (See Notes A and B)	2.00	2.00	
Assistant Resident Manager (See Note A)	1.00	1.00	
Program Assistant	0.50	0.50	
Sub-total	10.50	8.50	-2.00
Housing Development Department			
Director of Housing Development (prior title Housing and Community Development)	1.00	1.00	
Assistant Director of Housing Development (See Note J)	0.00	0.00	
Senior Project Manager	2.00	2.00	
Project Manager (See note C)	1.00	1.00	
Construction Project Manager	1.00	1.00	
Associate Project Manager (See Note H)	1.00	1.00	
Program Assistant	1.00	1.00	
Sub-total	7.00	7.00	0.00
Asset Management Department			
Director of Asset Management	0.00	1.00	
Asset Manager (See Note C)	0.00	1.00	
Associate Asset Manager (See Note J)	0.00	0.00	
Sub-total	0.00	2.00	2.00
Total	52.00	52.00	0.00

Note A: Resident employees are contracted employees and are required to reside on-site at assigned Housing Authority complexes. Each Resident employee has an individual at will employment contract.
 Note B: Positions at the I and II levels are combined as a total count to allow for flexibility in staffing.
 Note C: Position may be renamed or filled at a lower level
 Note D: Position may be filled at the Program or Housing Assistant level.
 Note E: Vacant position budgeted for one-half year
 Note F: May be filled at the Senior level
 Note G: Title change proposed
 Note H: Position retitled to Associate Project Manager; may be filled at a Housing Development Specialist level
 Note I: Title may be changed prior to hire
 Note J: Position not currently funded
 Note K: Temporary staff are not included in the Schedule of Authorized Positions

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA
PAY SCHEDULE FY 2022-2023 eff. 12/16/2022 (with 4.2% COLA)**

Position Title	Salary Range	Effective Date	MONTHLY SALARY				
			Step 1	Step 2	Step 3	Step 4	Step 5
Housing Assistant	10	8/28/2022	\$ 5,125	\$ 5,381	\$ 5,650	\$ 5,932	\$ 6,229
Program Assistant	15	10/23/2022	\$ 5,791	\$ 6,080	\$ 6,384	\$ 6,704	\$ 7,038
Maintenance Technician I****	16	8/28/2022	\$ 5,932	\$ 6,229	\$ 6,540	\$ 6,867	\$ 7,210
Housing Specialist I	19	10/23/2022	\$ 6,384	\$ 6,704	\$ 7,038	\$ 7,391	\$ 7,761
Accounting Specialist I	19	10/23/2022	\$ 6,384	\$ 6,704	\$ 7,038	\$ 7,391	\$ 7,761
Maintenance Technician II****	22	8/28/2022	\$ 6,867	\$ 7,210	\$ 7,572	\$ 7,950	\$ 8,348
Housing Specialist II	23	10/23/2022	\$ 7,038	\$ 7,391	\$ 7,761	\$ 8,148	\$ 8,556
Accounting Specialist II	23	10/23/2022	\$ 7,038	\$ 7,391	\$ 7,761	\$ 8,148	\$ 8,556
Housing Development Specialist	23	12/16/2022	\$ 7,038	\$ 7,391	\$ 7,761	\$ 8,148	\$ 8,556
Executive Assistant	26	10/23/2022	\$ 7,572	\$ 7,950	\$ 8,348	\$ 8,765	\$ 9,203
Housing Specialist III	27	10/23/2022	\$ 7,761	\$ 8,148	\$ 8,556	\$ 8,983	\$ 9,433
Accounting Officer	28	8/28/2022	\$ 7,950	\$ 8,348	\$ 8,765	\$ 9,203	\$ 9,662
Associate Project Manager (prior title Assistant Project Manager)	31	10/23/2022	\$ 8,556	\$ 8,983	\$ 9,433	\$ 9,904	\$ 10,399
Associate Asset Manager (prior title Assistant Asset Manager)	31	10/23/2022	\$ 8,556	\$ 8,983	\$ 9,433	\$ 9,904	\$ 10,399
Property Management Supervisor	33	8/28/2022	\$ 8,983	\$ 9,433	\$ 9,904	\$ 10,399	\$ 10,920
Housing Programs Supervisor	33	8/28/2022	\$ 8,983	\$ 9,433	\$ 9,904	\$ 10,399	\$ 10,920
Management Analyst	33	8/28/2022	\$ 8,983	\$ 9,433	\$ 9,904	\$ 10,399	\$ 10,920
Asset Manager	35	8/28/2022	\$ 9,433	\$ 9,904	\$ 10,399	\$ 10,920	\$ 11,465
Project Manager	36	10/23/2022	\$ 9,662	\$ 10,145	\$ 10,653	\$ 11,186	\$ 11,745
Construction Project Manager	36	10/23/2022	\$ 9,662	\$ 10,145	\$ 10,653	\$ 11,186	\$ 11,745
Administrative Manager	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Assistant Director of Housing Programs	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Assistant Director of Finance/Controller	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Community Relations Manager	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Human Resources Manager	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Risk Manager*	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Senior Project Manager	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Senior Management Analyst	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Principal Management Analyst	49	10/23/2022	\$ 13,273	\$ 13,937	\$ 14,633	\$ 15,365	\$ 16,134
Director of Housing Programs	51	10/23/2022	\$ 13,937	\$ 14,633	\$ 15,365	\$ 16,134	\$ 16,940
Director of Portfolio Management (aka Property Operations)	51	10/23/2022	\$ 13,937	\$ 14,633	\$ 15,365	\$ 16,134	\$ 16,940
Director of Asset Management	51	10/23/2022	\$ 13,937	\$ 14,633	\$ 15,365	\$ 16,134	\$ 16,940
Director of Administrative Services	51	10/23/2022	\$ 13,937	\$ 14,633	\$ 15,365	\$ 16,134	\$ 16,940
Director of HR and Operations	54	8/28/2022	\$ 14,991	\$ 15,740	\$ 16,527	\$ 17,353	\$ 18,220
Director of Housing Development	57	10/23/2022	\$ 16,134	\$ 16,940	\$ 17,787	\$ 18,677	\$ 19,611
Director of Finance/Chief Financial Officer	57	10/23/2022	\$ 16,134	\$ 16,940	\$ 17,787	\$ 18,677	\$ 19,611
Deputy Executive Director	62	10/23/2022	\$ 18,220	\$ 19,131	\$ 20,088	\$ 21,092	\$ 22,147
Executive Director**	N/A	8/28/2022	\$ 27,246	\$ 28,608			
Resident Manager II***, ****	N/A	8/28/2022	\$ 35.04/hour	\$36.79/hour			
Resident Manager ***, ****	N/A	8/28/2022	\$ 25.36/hour	\$26.63/hour			
Assistant Resident Manager****	N/A	8/28/2022	\$ 21.51/hour				

*May be hired with a different title

**Salary authorized by Board of Commissioners per Employment Agreement

***Resident and Resident Custodian staff are paid a flat hourly rate; no range is applied

****Indicates classification with 40 hour work week; other positions are based on 37-1/2 hour work week

HOUSING AUTHORITY OF THE CITY OF ALAMEDA

Resolution No. _____

ADOPT THE REVISED SCHEDULE OF AUTHORIZED POSITIONS AND PAY
SCHEDULE FOR FISCAL YEAR 2022-2023

WHEREAS, the Housing Authority of the City of Alameda desires to ensure a competitive compensation (salary and benefits) package for its positions; and

WHEREAS, the Housing Authority of the City of Alameda has identified the need for flexibility in hiring positions in the Agency;

NOW, THEREFORE, BE IT RESOLVED, that effective December 16, 2022, the Housing Authority will adopt the revised Schedule of Authorized Positions and Pay Schedule for Fiscal Year 2022-2023.

ATTEST:

Carly Grob, Chair
Board of Commissioners

Vanessa M. Cooper
Secretary

Adopted: _____



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: Tonya Schuler-Cummins, Principal Management Analyst

Date: December 15, 2022

Re: Adopt the revision to the Annual Plan for Fiscal Year Starting July 1, 2022 including the MTW Supplement to the Annual Plan and Authorize the Chair to Certify, By Resolution, that Board of Commissioners has Approved Submission of the Agency Plan to HUD.

BACKGROUND

The Housing Authority of the City of Alameda's (AHA) 5-Year and Annual Plans make up the Agency Plan, a document that is mandated by and must be submitted to the U. S. Department of Housing and Urban Development (HUD). As a Housing Choice Voucher (Section 8) only and High Performer agency, HUD allows AHA to submit a streamlined Plan. In April 2020, AHA submitted its 5-Year Plan. An Annual Plan must be submitted every year. The AHA submitted its Annual Plan for Fiscal Year 2023, starting July 1, 2022 on March 21, 2022.

On January 7, 2021, the U.S. Department of Housing and Urban Development (HUD) issued PIH Notice 2021-03 to request applications for the Moving to Work (MTW) Demonstration Expansion under the Landlord Incentives Cohort to test the effectiveness of landlord incentives. AHA was selected for this Cohort and a MTW Amendment to the Annual Contributions Contract (ACC) was fully executed on March 23, 2022. The AHA will be required to comply with the MTW Operations Notice while participating in the MTW Demonstration Program. The AHA operates a handful of Special Programs such as VASH, FUP, NED, Mainstream Voucher, and EHV. At this time, the AHA is not going to apply MTW flexibility to the VASH, EHV, Moderate Rehabilitation program, or the Shelter Plus Care program. All other programs will have MTW activities applied to them as appropriate and outlined in the MTW Supplement to the Annual Plan.

Due to timing, the Annual Plan submission on March 21, 2022 did not include the MTW Supplement. The revision being presented to the Board of Commissioners adds a MTW Supplement to the Annual Plan for Fiscal Year 2023, which will allow the AHA to start implementation of activities once HUD approval is received.



DISCUSSION

HUD requires that the Agency Plan and MTW Supplement be made available for public comment for 45 days prior to the public hearing. These documents were posted to the AHA's website for public comment on October 21, 2022 with Public Hearings on December 5, 2022 and December 6, 2022. Due to the AHA requesting a Safe Harbor Waiver and multiple Agency-Specific Waivers, at least two hearings had to be held. The Resident Advisory Board (RAB), representing the interests of the participants in the Housing Choice Voucher program, will review the revised plan on December 8, 2022. Public Comments are being accepted through December 8, 2022.

During the Public Hearing held on December 5, 2022 to discuss the MTW Supplement and the second Public Hearing held on December 6, 2022 to discuss the Safe Harbor and Agency-Specific Waivers. The agency received two comments during the Public Hearing held December 6, 2022, but neither comment was about the activities proposed, so no changes resulted from the Public Hearings. The RAB meeting was not held at the time of this memo preparation, so any comment received during that meeting will be added to the Annual Plan document and any resulting in changes to the MTW Supplement will be presented orally at the meeting. Comments will continue to be accepted until midnight on December 8, 2022, so a revised Annual Plan and MTW Supplement will be provided. As of the writing of this memo, only one comment resulted in a change to the implementation timeline of one activity.

The MTW Supplement includes the following activities:

- Vacancy Loss
- Front-end Vacancy Loss Payment
- Pre-Qualifying Unit Inspections
- Other Landlord Incentives
- Payment Standards – Fair Market Rents
- Alternative Reexamination Schedule for Households
- Self-Certification of Assets
- Alternative Inspection Schedule
- Increase PBV Cap
- Increase PBV Project Cap
- Elimination of PBV Selection Process for PHA-owned Projects without Improvement, Development, or Replacement
- Payment Standard Increases
- Allow Owner Referrals Under PBV Program
- Project-Based Voucher Right Sizing
- Exclude Income Earned from Guaranteed Basic Income Pilot Program

HUD requires that a resolution be adopted to certify compliance of the Annual Plan and MTW Supplement with federal regulations. A copy of the resolution, form HUD-50077-ST-HCV-HP is attached.

FISCAL IMPACT

Participation in the MTW program does not come with additional funding. The AHA shall have some flexibilities in fund use after approval of the MTW Supplement, but at this time, there will not be a large fiscal impact to the Agency.

CEQA

Not applicable.

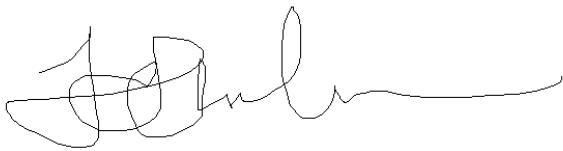
RECOMMENDATION

Adopt the revised Annual Plan for Fiscal Year starting July 1, 2022 and authorize the Chair to certify, by resolution, that Board of Commissioners has approved submission of the Agency Plan, including the MTW Supplement, to HUD.

ATTACHMENTS

1. 2022 MTW Supplement
2. 50075-HCV Revised
3. 50077-CR
4. 50077-SL
5. 50077-ST-HCV-HP
6. HS - Alternative Reexamination Schedule Hardship Policy
7. HS - Payment Standards Outside FMR Hardship Policy
8. IA - Alternative Reexamination Schedule Impact Analysis
9. IA - GBI Impact Analysis
10. IA - Payment Standard Impact Analysis
11. IA - Payment Standard Increases Impact Analysis
12. IA - Project-Owner Referral Impact Analysis
13. IA - Right Sizing Impact Analysis
14. 50075-MTWCertOnly
15. AFF (MTW Public Hearings) Nov. 25

Respectfully submitted,



Tonya Schuler-Cummins, Principal Management Analyst

NOTE FROM THE HOUSING AUTHORITY OF THE CITY OF ALAMEDA

The Housing Authority of the City of Alameda (AHA) will be submitting form HUD-50075-MTW electronically through the Moving to Work (MTW) portal to HUD upon approval of its Board of Commissioners after a public process. Please find the original form HUD-50075-MTW on HUD's website at:

https://www.hud.gov/program_offices/public_indian_housing/programs/ph/mtw/expansion/mtwsupplement. This document contains the information in the HUD form, but in an easier to read format, including larger print in a format that will be accessible to persons with disabilities when posted online. Most of the instructions and questions in the document are copied directly from the form HUD-50075-MTW (01/2021).

EXPLANATORY NOTE TO PUBLIC REVIEWERS OF THE PROPOSED MOVING TO WORK SUPPLEMENT FILLABLE FORM

The Moving to Work (MTW) Supplement collects information about policies implemented by MTW expansion agencies. MTW agencies use it to communicate their plans with residents and community stakeholders through required public comment processes, and HUD uses the information collected to monitor and evaluate the MTW demonstration program. MTW agencies will submit the MTW Supplement to HUD annually, and amend as needed. HUD plans to make the MTW Supplement into a fillable form so as to reduce respondent burden and make the information collected more useful to HUD. When the MTW Supplement is available through the fillable form, it will include skip patterns¹ that prompt the user to populate only the sections relevant to what they are currently implementing. It will also include screening questions that will ask which waivers and associated activities they are currently implementing, plan to implement in the upcoming year, or will be discontinued in the submission year. The MTW Agency will be able to print the information from the MTW Supplement in a reader-friendly format in order to inform the public of its plans for the upcoming year. The purposes of the MTW Supplement are two-fold: it reports to HUD what is happening at the local level in a way that the Department can monitor and evaluate; and, more importantly, it informs the public about what the agency is planning and gives the public the ability to provide comment.

The MTW Supplement asks for information about each of the MTW Waivers and associated activities that are made possible by the MTW Operations Notice, Safe Harbor Waivers and Agency-Specific Waivers, and a few other types of information. MTW agencies will fill in information/data through a fillable form and the information collected will be stored in a database so that it can be analyzed by HUD. The approved forms will be posted to the MTW website for viewing by the public. For instance, it will be simple to find out how many MTW agencies and which MTW agencies are implementing each type of activity. It will also simplify reporting for the MTW agency since information will carry

¹ A skip pattern is a question or series of questions associated with a conditional response.

over year-to-year in the fillable form so that information that does not change from year to year will be pre-populated, thereby reducing respondent burden.

This document lists the sections of the MTW Supplement and then presents the proposed questions to be included in the MTW Supplement for MTW agencies to answer annually. Throughout the online version, there will be a dropdown menu option that makes it clear as to which activities an agency is permitted to do within the safe harbors of the MTW Operations Notice, Appendix I, MTW Waivers.

Sections of the MTW Supplement:

- A. PHA Information
- B. Narrative
- C. MTW Waivers and Associated MTW Activities
- D. Safe Harbor Waivers
- E. Agency-Specific Waivers
- F. Public Housing Operating Subsidy Grant Reporting
- G. MTW Statutory Requirements
- H. Evaluations
- I. MTW Certifications of Compliance

Information to be Collected for MTW Activities

There are many MTW activities, subject to limitations as outlined in the MTW Operations Notice, that an MTW agency may implement. Each MTW agency will likely only engage in a subset of these MTW activities. The MTW Supplement will first ask MTW agencies to identify which MTW activities they are proposing to implement and which of those MTW activities they are already implementing. MTW agencies will subsequently be asked to provide information only about the MTW activities they are proposing to implement or are already implementing. This feature will reduce respondent burden. MTW waivers have associated MTW activities. MTW agencies are also able to combine MTW activities into their own initiatives.

MTW agencies will be asked for specific information about each MTW activity they are proposing to implement or are already implementing. There are six types of questions that could be asked about each MTW activity. The exact mix of questions will depend partly upon the MTW activity and partly upon the requirements for that MTW activity listed in the MTW Operations Notice. The six types of questions are:

- (1) Core—questions applicable to most MTW activities
- (2) Custom—questions specific to an individual MTW activity
- (3) Safe Harbor Waiver—questions asked when the MTW activity requires a Safe Harbor Waiver
- (4) Hardship Policy—questions asked when the MTW Operations Notice requires a hardship policy for the MTW activity
- (5) Impact Analysis—questions asked when the MTW Operations Notice requires an impact analysis for the MTW activity

(6) Agency-Specific Waiver—questions asked when the MTW activity requires an Agency-Specific Waiver

Questions

The questions are presented below by type, beginning with the core questions. In the final online version of the MTW Supplement, the relevant questions from each type will be asked together in relation to each MTW activity the MTW agency is proposing to implement or is already implementing. The final online version of the MTW Supplement will be set up to allow for different versions of the same MTW activity—for instance, a different minimum rent for the non-elderly/non-disabled than for the elderly/disabled. The final online version of the MTW Supplement will also be able to autofill items with information from previous years. This feature will reduce respondent burden.

Table 1, at the end of this document, lists the MTW activities and indicates which types of questions need to be asked about each one.

MTW SUPPLEMENT TO THE ANNUAL PHA PLAN

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

OMB. No. 2577-0226

Expires: 03/31/2024

Purpose. The Moving to Work (MTW) Supplement to the Annual PHA Plan informs HUD, families served by the PHA, and members of the public, about the MTW Waivers and associated activities that the MTW agency seeks to implement in the coming Fiscal Year and updates the status of MTW activities that have been previously approved. It also provides information about Safe Harbor Waivers, Agency-Specific Waivers, compliance with MTW statutory requirements, and evaluations. The MTW Supplement does not replace the PHA Plan. MTW agencies must continue to submit the applicable PHA Plan. MTW agencies that are not required to submit annual PHA Plans under the Housing and Economic Recovery Act of 2008 (HERA) must submit the MTW Supplement annually, in addition to holding public hearings, obtaining board approval, and consulting with Resident Advisory Boards (RABs) and tenant associations, as applicable, on planned MTW activities.

Applicability. Form HUD-50075-MTW is to be completed annually by all MTW agencies brought onto the MTW Demonstration Program pursuant to Section 239 of the Fiscal Year 2016 Appropriations Act, P.L. 114-113 (2016 MTW Expansion Statute) or legacy MTW agencies that chose to follow the requirements of the MTW Operations Notice.

Definitions. All terms used in this MTW Supplement are consistent with the definitions stated in the MTW Operations Notice, including:

- (1) **Local, Non-Traditional Activities (LNT)** – Those MTW activities that use MTW funding flexibility outside of the Housing Choice Voucher (HCV) and public housing programs established in Sections 8 and 9 of the U.S. Housing Act of 1937.

- (2) **Safe Harbors** – The additional parameters or requirements, beyond those specified in the MTW activity description itself found in the MTW Operations Notice, following each activity description, that the MTW agency must follow in implementing MTW activities.
- (3) **Substantially the Same Requirement** – A statutory MTW requirement that MTW agencies must continue to assist substantially the same total number of eligible low-income families as would have been served absent the MTW demonstration.

A. PHA INFORMATION

- A.1 **PHA Name:** Housing Authority of the City of Alameda
PHA Code: CA062
MTW Supplement for PHA Fiscal Year Beginning (MM/DD/YYYY):
07/01/2022
PHA Program Type: Public Housing (PH) only
 Housing Choice Voucher (HCV) only
 Combined
MTW Cohort Number: 4 (Landlord Incentives)
MTW Supplement Submission Type:
 Annual Submission
 Amended Annual Submission

B. NARRATIVE

B.1 MTW Supplemental Narrative.

The narrative provides the MTW agency with an opportunity to explain to the public, including the families that it serves, its MTW plans for the fiscal year and its short and long-term goals.

The MTW agency should provide a description of how it seeks to further the three MTW statutory objectives during the coming Fiscal Year. Those three MTW statutory objectives are: (1) to reduce cost and achieve greater cost effectiveness in federal expenditures; (2) to give incentives to families with children whose heads of household are either working, seeking work, or are participating in job training, educational or other programs that assist in obtaining employment and becoming economically self-sufficient; and (3) to increase housing choices for low-income families.

The primary goal of the Housing Authority of the City of Alameda (AHA), in partnership with the entire community, is to advocate and provide quality, affordable, safe housing; encourage self-sufficiency; and strengthen community inclusiveness and diversity in housing. AHA's Vision Statement is: "The Housing Authority of the City of Alameda shall continue to be recognized for creatively seeking ways to expand the availability of affordable housing through Alameda, for caring professional staff, and excellent service provided fairly to all".

During participation in the Landlord Incentives Cohort the AHA will be using creative methods to encourage new landlord participation and continued landlord partnerships expanding housing choice for all voucher holders. During this cohort study, the AHA will continue to develop and maintain quality affordable housing for low-income residents, providing more housing choice along the entire spectrum of housing continuum. The AHA would like to design, implement, and sustain exceptional programs that invest in the residents to become self-sufficient through an array of educational, employment, and economic platforms including exploring the possibility of offering incentives to families to participate in training programs or increasing the ability of participants to attend community college or universities.

The AHA will strive to further the MTW statutory objective to reduce cost and achieve greater cost effectiveness in federal expenditures by implementing alternative reexamination and inspection schedules and revising some Project-Based Voucher program requirements.

The AHA will strive to further the MTW statutory objective to give incentives to families with children whose heads of household are either working, seeking work, or are participating in job training, educational or other programs that assist in obtaining employment and becoming economically self-sufficient by increasing the payment standards in rent calculations and by allowing families to retain income increases between annuals by limiting interim reporting.

The AHA will strive to further the MTW statutory objective to increase housing choices for low-income families by increasing payment standards and implementing Project-Based Voucher program changes alongside the extensive Landlord Incentives being offered under the Landlord Incentive Cohort study.

Activities will not apply to Shelter Plus Care, Mod Rehab SRO, VASH or EHV program participants.

C. MTW WAIVERS AND ASSOCIATED ACTIVITIES

NOTE: MTW agencies are reminded that all MTW Waivers and associated activities must be implemented in accordance with the MTW Operations Notice and within its safe harbors unless a Safe Harbor or Agency-Specific Waiver approval is

provided by HUD, in which case, the activity utilizing the Safe Harbor or Agency-Specific Waiver must be implemented in accordance with the terms of the approval.

Screener:

For all MTW Waivers and Activities in Section C, the screening question listed below will be presented in the fillable form. This will allow the form to only display those waivers that input where is required.

Each waiver and activity will be listed with the following choices. If “Not Currently Implemented” is selected, the agency will not be shown any further questions for the activity.

- Currently Implementing
- Plan to Implement in the Submission Year
- Will be Discontinued in the Submission Year
- Was Discontinued in a previous Submission Year
- Not Currently Implemented

Core Questions:

The following core questions apply to all of the MTW Waivers and associated activities listed in the MTW Operations Notice. The core questions collect basic information about any MTW activity proposed or implemented by MTW agencies.

- Narrative. Describe the MTW activity, the MTW agency’s goal(s) for the MTW activity, and, if applicable, how the MTW activity contributes to a larger initiative.
- MTW Statutory Objectives. Which of the MTW statutory objectives does this MTW activity serve?
- Cost implications. What are the cost implications of this MTW activity? Pick the best description of the cost implications based on what you know today.
- Different policy by household status/family types/sites? Does the MTW activity under this waiver apply to all assisted households or only to a subset or subsets of assisted households?
- Household Status. Does the MTW activity apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households?
- Family Types. Does the MTW activity apply to all family types or only to selected family types?
- Location. Depending on if responses are being provided for a public housing (PH) or HCV activity, the agency will either see questions applicable to PH or HCV.
- Does the MTW agency need a Safe Harbor Waiver to implement this MTW activity as described?
- Does this MTW activity require a hardship policy?
- Does the MTW activity require an impact analysis?

As this is the first year of MTW for AHA, questions pertaining to last year’s performance of the activity will not be answered with anything other than “0” or “none.”

Custom Questions:

Custom questions are tailored to each MTW activity. In what follows, the MTW activities are listed with their custom questions. The final online version of the MTW Supplement will be set up so that if an MTW activity is the same in the HCV and/or public housing programs, the MTW agency fills in the information for public housing, then the information is auto populated for the HCV program. MTW agencies are asked to fill in answers only to questions that are relevant to the MTW activities they propose to implement or are already implementing.

As this is the first year of MTW for AHA, questions pertaining to last year’s performance of the activity will not be answered with anything other than “0” or “none.”

1. Tenant Rent Policies	
b. Tiered Rent (HCV)	Not Currently Implemented
d. Stepped Rent (HCV)	Not Currently Implemented
f. Minimum Rent (HCV)	Not Currently Implemented
h. Total Tenant Payment as a Percentage of Gross Income (HCV)	Not Currently Implemented
j. Alternative Utility Allowance (HCV)	Not Currently Implemented
l. Fixed Subsidy (HCV)	Not Currently Implemented
n. Utility Reimbursements (HCV)	Not Currently Implemented
o. Initial Rent Burden (HCV)	Not Currently Implemented
q. Impute Income (HCV)	Not Currently Implemented
s. Elimination of Deduction(s) (HCV)	Not Currently Implemented
u. Elimination of Deductions (HCV)	Not Currently Implemented
w. Alternative Income Inclusions/Exclusions (HCV)	Not Currently Implemented

2. Payment Standards and Rent Reasonableness	
a. Payment Standards – Small Area Fair Market Rents (FMR) (HCV)	Not Currently Implemented
b. Payment Standards – Fair Market Rents (HCV)	Plan to Implement in the Submission Year
c. Rent Reasonableness – Process (HCV)	Not Currently Implemented
d. Rent Reasonableness – Third Party Requirement	Not Currently Implemented

3. Reexaminations	
b. Alternative Reexamination Schedule for Households (HCV)	Plan to Implement in the Submission Year
d. Self-certification of Assets (HCV)	Plan to Implement in the Submission Year

4. Landlord Leasing Incentives	
a. Vacancy Loss (HCV-Tenant-Based Assistance)	Plan to Implement in the Submission Year
b. Damage Claims (HCV-Tenant-Based Assistance)	Not Currently Implemented
c. Other Landlord Incentives (HCV-Tenant-Based Assistance)	Plan to Implement in the Submission Year

5. Housing Quality Standards (HQS)	
a. Pre-Qualifying Unit Inspections (HCV)	Plan to Implement in the Submission Year
b. Reasonable Penalty Payments for Landlords (HCV)	Not Currently Implemented
c. Third-Party Requirement (HCV)	Not Currently Implemented
d. Alternative Inspection Schedule (HCV)	Plan to Implement in the Submission Year

6. Short-Term Assistance	
b. Short-Term Assistance (HCV)	Not Currently Implemented

7. Term-Limited Assistance	
b. Term-Limited Assistance (HCV)	Not Currently Implemented

8. Increase Elderly Age (PH & HCV)	
a. Increase Elderly Age (HCV)	Not Currently Implemented

9. Project-Based Voucher Program Flexibilities	
a. Increase PBV Program Cap (HCV)	Plan to Implement in the Submission Year
b. Increase PBV Project Cap (HCV)	Plan to Implement in the Submission Year
c. Elimination of PBV Selection Process for PHA-Owned Projects without Improvement, Development, or Replacement (HCV)	Plan to Implement in the Submission Year
d. Alternative PBV Selection Process (HCV)	Not Currently Implemented

9. Project-Based Voucher Program Flexibilities	
e. Alternative PBV Unit Types (Shared Housing and Manufactured Housing) (HCV)	Not Currently Implemented
f. Increase PBV HAP Contract Length (HCV)	Not Currently Implemented
g. Increase PBV Rent to Owner (HCV)	Not Currently Implemented
h. Limit Portability for PBV Units (HCV)	Not Currently Implemented

10. Family Self-Sufficiency Program with MTW Flexibility	
a. HCV Waive Operating a Required FSS Program (HCV)	Not Currently Implemented
b. HCV Alternative Structure for Establishing Program Coordinating Committee (HCV)	Not Currently Implemented
c. HCV Alternative Family Selection Procedures (HCV)	Not Currently Implemented
d. HCV Modify or Eliminate the Contract of Participation (HCV)	Not Currently Implemented
e. HCV Policies for Addressing Increases in Family Income (HCV)	Not Currently Implemented

11. MTW Self-Sufficiency Program	
a. HCV Alternative Family Selection Procedures (HCV)	Not Currently Implemented
b. HCV Policies for Addressing Increases in Family Income (HCV)	Not Currently Implemented

12. Work Requirement	
b. Work Requirement (HCV)	Not Currently Implemented

13. Use of Public Housing as an Incentive for Economic Progress (PH)	Not applicable
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14. Moving On Policy	
a. Waive Initial HQS Inspection Requirement (HCV)	Not Currently Implemented
b. HCV Allow Income Calculations from Partner Agencies (HCV)	Not Currently Implemented
c. HCV Aligning Tenant Rents and Utility Payments Between Partner Agencies (HCV)	Not Currently Implemented

15. Acquisition without Prior HUD Approval (PH)	Not applicable
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16. Deconcentration of Poverty in Public Housing Policy (PH)	Not applicable
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17. Local, Non-Traditional Activities	
a. Rental Subsidy Program	Not Currently Implemented
b. Service Provision	Not Currently Implemented
c. Housing Development Programs	Not Currently Implemented

Core and Custom Question Answers for Activities Plan to Implement in Submission Year:

2.b. Payment Standards – Fair Market Rents (HCV)

ACTIVITY 2022-01: The Housing Authority of the City of Alameda strives to house families in a small community in the Bay Area. The area is perceived to be one with good schools, high quality local businesses, picturesque neighborhoods, and a caring, involved community resulting in families wanting to rent or buy in the area resulting in high housing costs and limited housing choice. Payment standards set at 150% of FMR will hopefully allow the market to cap rents through rent reasonableness testing and not the payment standards.

Custom Question: Please explain the payment standards by FMR.

The agency may apply a payment standard up to 150% of FMR.

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This MTW activity has the following cost implications:

- Neutral
- Increased revenue
- Decreased revenue
- Increased expenditures
- Decreased expenditures

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

This MTW activity does require a Safe Harbor Waiver.

This MTW activity does require a hardship policy.

Hardship policy will be uploaded here, but please see Payment Standards Outside FMR Hardship Policy.

This MTW activity does require an impact analysis. Impact analysis will be uploaded here, but please see Payment Standard Impact Analysis.

3.b. Alternative Reexamination Schedule for Households

ACTIVITY 2022-02: Reducing family’s responsibility to provide income documentation from annually to tri-annually results in less caseworkers needed to process annuals that result in minimal rent changes. Allows stability in rent for tenants and landlords. Families receiving zero income or less than \$5,000 per adult annually in income, living in Mod Rehab SRO, Shelter Plus Care, VASH, or EHV units will receive annual recertifications. AHA will check for families meeting these conditions twice a year (normally January and July) and schedule an annual reexamination as appropriate.

Income increase(s) resulting in an annual increase of \$10,000 needs to be reported. Increases of less than \$10,000 annually do not need to be reported between recertifications. Cumulative increases resulting in more than \$10,000 of income increases needs to be reported when the \$10,000 level is reached.

Families receiving the Earned Income Disallowance (EID) will receive interims to change their EID portion annually that will not count towards the limit.

Owners would still be able to request annual rent increases. These would be processed after a rent reasonableness test is conducted and would not count towards interim cap.

Custom Question: What is the recertification schedule?

- Once every two years
- Once every three years
- Other

Custom Question: How many interim recertifications per year may a household request?

- 0
- 1
- 2 or more

Custom Question: Please describe briefly how the MTW agency plans to address changes in family/household circumstances under the alternative reexamination schedule.

The family may request one interim per year for an income decrease or family composition change. Reports of income increases of more than \$10,000 do not count towards the interim limit. Involuntary household composition changes do not apply towards the interim limit, for example, reporting the death of a family member will not count towards the interim limit.

If the interim results in a decrease, the family must show that the gross income loss is going to significantly (greater than 10%) and long-term (more than 6 months) change the family’s annual income going forward from the income used at the last income calculation. No interim decreases will be processed during the first six months after initial occupancy.

3.b. Alternative Reexamination Schedule for Households

If the family composition change is for an addition of an adult, then eligibility must be determined before an individual can move into the unit. The new adult family member's income will be added during the interim. Family composition changes for minors would be processed at the next triennial or when the household transfers. The family may request an interim for family composition changes once a year, including an increase in subsidy when the family is over-housed. Interims could be requested for additional adults to meet approved reasonable accommodations at any time.

The conditions of receiving a second interim decrease in one year are outlined in the Hardship Policy.

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This MTW activity has the following cost implications:

- Neutral
- Increased revenue
- Decreased revenue
- Increased expenditures
- Decreased expenditures

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

This MTW activity does not require a Safe Harbor Waiver.

This MTW activity does require a hardship policy Alternative Reexamination Schedule Hardship Policy.

This MTW activity does require an impact analysis. Impact analysis will be uploaded here, but please see Alternative Reexamination Schedule Impact Analysis.

3.d. Self-Certification of Assets

ACTIVITY 2022-03: Allow self-certification of participants on program up to \$50,000 in assets to reduce processing of minimal income from assets. Family must provide statement with any income earned on the assets under penalty of perjury. No other verification would be collected or required. Assets would be defined as in 24 CFR 5.609. Assets that the family does not have access to such as irrevocable trusts and 401K accounts would not count towards this asset limit. Applicants must establish assets and provide verification.

New assets under \$50,000 do not need to be reported between triennials.

Assets for all currently assisted households with a household asset total of less than \$50,000 sum to approximately \$1,900,000. These assets only generate a total across all assisted households of \$6,954 of annual income resulting in a total increase in total tenant payments from all participants of approximately \$2086 per year in additional rent due to these assets. This will be offset by the staff salaries of the time spent obtaining and reviewing verifications of lower amount assets. Households with more than \$50,000 in assets comprise 58% of total household assets. These households would still provide verification of the approximate \$2,700,000 in assets that generate approximately \$5,100 in asset income per year with participants paying a total of approximately \$1556 per year in higher rent due to asset income.

Custom Question: Please state the dollar threshold for the self-certification of assets. Threshold: \$50,000.

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This MTW activity has the following cost implications:

- Neutral
- Increased revenue
- Decreased revenue
- Increased expenditures
- Decreased expenditures

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

This MTW activity does not require a Safe Harbor Waiver.

This MTW activity does not require a hardship policy.

This MTW activity does not require an impact analysis.

4.a. Vacancy Loss

ACTIVITY 2022-04: This activity is to incentivize landlords to participate in the HCV program in combination with activities 2022-05, 2022-06, 2022-07, and 2022-11.

As these activities are implemented to increase landlord participation in the program, units that are required to house voucher holders such as Project-Based Voucher units, ones with a regulatory agreement on the units, Tax Credit units, or ones owned by the Housing Authority are not included in this activity.

This allows the AHA to make a payment up to one month's rent payment to a landlord whose unit was vacated by a participant of the Housing Choice Voucher program and is occupied by a different participant of the Housing Choice Voucher program. The payment would be capped at the reasonable rent to owner minus any payments the owner received that month from any source. The payment would be made after the execution of the HAP contract.

Custom Question: Does this policy apply to certain types of units or to all units all HCV units or only certain types of units (for example, accessible units, units in low-poverty neighborhood, or units/landlords new to the HCV program?)

- To all units
- Certain types of units only

If certain types of units only, what types of units does this policy apply to?

- Accessible units
- Units in particular types of areas or neighborhoods
- Units/landlords new to the HCV program
- Other. Please describe briefly:

Does not apply to PHA owned, LIHTC units, or units with regulatory agreements. Project-Based Voucher units have a non-MTW vacancy loss.

Custom Question: What is the maximum payment that can be made to a landlord under this policy?

One month rent

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This MTW activity has the following cost implications:

- Neutral
- Increased revenue
- Decreased revenue
- Increased expenditures
- Decreased expenditures

4.a. Vacancy Loss

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

A MTW activity can apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households. This MTW activity applies to:

- New admissions (i.e., applicants) only
- Currently assisted households only
- New admissions and currently assisted households

A MTW activity can apply to all family types or only selected family types. This MTW activity applies to:

- all family types
- only to selected family types

An MTW activity can apply to a tenant-based and or project-based voucher.

- The MTW activity applies to all tenant-based units.
- The MTW activity applies to all properties with project-based vouchers.
- The MTW activity applies to specific tenant-based units and/or properties with project-based vouchers. The description of which tenant-based units and/or properties with project-based vouchers that will participate in this MTW activity is:

It does not apply to PHA owned, LIHTC units, units with regulatory agreements, or Project-Based Voucher units

This MTW activity does not require a Safe Harbor Waiver.

This MTW activity does not require a hardship policy.

This MTW activity does not require an impact analysis.

4.b.c. Other Landlord Incentives

ACTIVITY 2022-05: This activity to incentivize landlords to participate in the HCV program in combination with activities 2022-04, 2022-06, 2022-07, and 2022-11.

As these activities are implemented to increase landlord participation in the program, units that are required to house voucher holders such as Project-Based Voucher units, ones with a regulatory agreement on the units, Tax Credit units, or ones owned by the Housing Authority are not included in this activity.

This activity allows the AHA to pay the landlord an incentive to lease up a Housing Choice Voucher (HCV) program participant. The AHA would offer an array of incentives, but the total incentive paid to one landlord could not exceed more than one month of the contract rent of the unit and would be paid at the time of HAP execution.

The proposed incentives are:

First-time Rental incentive: \$1,500
Accessible unit incentive: \$2,000
HQS incentive: \$100
Returning Landlord incentive: \$1,000

A first-time rental incentive would be paid to a landlord that is bringing a unit that has never been leased with the same landlord under the HCV program before. The accessible unit incentive would be paid to landlords providing a unit that meets or mostly meets the requirements for an ADA accessible unit to a family with a member with a disability. The HQS incentive would be paid to landlords whose unit passed an initial housing quality standards inspection the first time and resulted in a participant of the HCV program renting the unit. The returning landlord incentive would be paid to a landlord leasing a unit to an HCV participant that has been on the program prior.

Custom Question: Does this policy apply to certain types of units or to all units all HCV units or only certain types of units (for example, accessible units, units in low-poverty neighborhood, or units/landlords new to the HCV program?)

- To all units
- Certain types of units only

If certain types of units only, what types of units does this policy apply to?

- Accessible units
- Units in particular types of areas or neighborhoods
- Units/landlords new to the HCV program
- Other. Please describe briefly:

Does not apply to PHA owned, LIHTC units, units with regulatory agreements, or Project-Based Voucher units.

Custom Question: What is the maximum payment that can be made to a landlord under this policy?

4.bc. Other Landlord Incentives
One month rent
This MTW activity serves the following statutory objectives: <input type="checkbox"/> Cost effectiveness <input type="checkbox"/> Self-sufficiency <input checked="" type="checkbox"/> Housing Choice
This MTW activity has the following cost implications: <input type="checkbox"/> Neutral <input type="checkbox"/> Increased revenue <input type="checkbox"/> Decreased revenue <input checked="" type="checkbox"/> Increased expenditures <input type="checkbox"/> Decreased expenditures
A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies: <input type="checkbox"/> to all assisted households <input checked="" type="checkbox"/> only to a subset or subsets of assisted households
A MTW activity can apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households. This MTW activity applies to: <input type="checkbox"/> New admissions (i.e., applicants) only <input type="checkbox"/> Currently assisted households only <input checked="" type="checkbox"/> New admissions and currently assisted households
A MTW activity can apply to all family types or only selected family types. This MTW activity applies to: <input checked="" type="checkbox"/> all family types <input type="checkbox"/> only to selected family types
An MTW activity can apply to a tenant-based and or project-based voucher. <input checked="" type="checkbox"/> The MTW activity applies to all tenant-based units. <input type="checkbox"/> The MTW activity applies to all properties with project-based vouchers. <input type="checkbox"/> The MTW activity applies to specific tenant-based units and/or properties with project-based vouchers. The description of which tenant-based units and/or properties with project-based vouchers that will participate in this MTW activity is: Does not apply to PHA owned, LIHTC units, units with regulatory agreements, or Project-Based Voucher units.
This MTW activity does not require a Safe Harbor Waiver.
This MTW activity does not require a hardship policy.
This MTW activity does not require an impact analysis.

5.a. Pre-Qualifying Unit Inspections

ACTIVITY 2022-06: This activity to incentivize landlords to participate in the HCV program in combination with activities 2022-04, 2022-05, 2022-07, and 2022-11.

Initial inspections of units can be conducted up to 90 days prior to unit lease-up to help incentivize landlords to participate in the program and avoid delays in leasing. Participants or landlords can request a special (interim) inspection at any time.

Custom Question: How long is the pre-inspection valid for?
90 days

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This MTW activity has the following cost implications:

- Neutral
- Increased revenue
- Decreased revenue
- Increased expenditures
- Decreased expenditures

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

This MTW activity does not require a Safe Harbor Waiver.

This MTW activity does not require a hardship policy.

This MTW activity does not require an impact analysis.

5.d. Alternative Inspection Schedule

ACTIVITY 2022-07: This activity to incentivize landlords to participate in the HCV program in combination with activities 2022-04, 2022-05, 2022-06, and 2022-11.

Require inspections only once every three years for private landlord units. Participants and landlords can request a special (interim) inspection at any time. A special inspection can be initiated by the AHA if it receives indications that the family's unit is not in compliance with HQS.

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This MTW activity has the following cost implications:

- Neutral
- Increased revenue
- Decreased revenue
- Increased expenditures
- Decreased expenditures

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

A MTW activity can apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households. This MTW activity applies to:

- New admissions (i.e., applicants) only
- Currently assisted households only
- New admissions and currently assisted households

A MTW activity can apply to all family types or only selected family types. This MTW activity applies to:

- all family types
- only to selected family types

An MTW activity can apply to a tenant-based and or project-based voucher.

- The MTW activity applies to all tenant-based units.
- The MTW activity applies to all properties with project-based vouchers.
- The MTW activity applies to specific tenant-based units and/or properties with project-based vouchers. The description of which tenant-based units and/or properties with project-based vouchers that will participate in this MTW activity is:

This MTW activity does not require a Safe Harbor Waiver.

This MTW activity does not require a hardship policy.

5.d. Alternative Inspection Schedule

This MTW activity does not require an impact analysis.
--

9.a. Increase PBV Cap

ACTIVITY 2022-08: Assisted families in the Housing Choice Voucher program frequently inquire how to move to Project-Based Voucher (CAP) units and during the last wait list opening, numerous HCV families applied for the PBV wait lists indicating a desire to have a long-term contract with owners rather than a 1-year contract that can then be canceled with no reason. By project-basing more vouchers, more housing is secured for families without the threat of eviction.

This activity would raise the cap for which the AHA could award Project-Based Voucher contracts. The AHA currently has selections and/or HAP contracts for its entire allocation of PBV under the current caps.

Custom Question: What percentage of total authorized HCV units will be authorized for project-basing?

50% of the lower of either the total authorized units or annual budget authority

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This MTW activity has the following cost implications:

- Neutral
- Increased revenue
- Decreased revenue
- Increased expenditures
- Decreased expenditures

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

This MTW activity does not require a Safe Harbor Waiver.

This MTW activity does not require a hardship policy.

This MTW activity does not require an impact analysis.

9.b. Increase PBV Project Cap

ACTIVITY 2022-09: Allows more than the greater of 25 units or 25% of the units at a complex to receive Project-Based Voucher assistance. Under current regulations, units that are for the elderly or those providing supportive services are already exempt from this cap. This activity would allow units that may not be serving the above populations to go above the cap up to 100% of the units at a project.

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This MTW activity has the following cost implications:

- Neutral
- Increased revenue
- Decreased revenue
- Increased expenditures
- Decreased expenditures

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

This MTW activity does not require a Safe Harbor Waiver.

This MTW activity does not require a hardship policy.

This MTW activity does not require an impact analysis.

9.c. Elimination of PBV Selection Process for PHA-owned Projects without Improvement, Development, or Replacement

ACTIVITY 2022-010: This activity would allow the AHA to award project-based voucher units to a property owned by a single-asset entity (S.A.E.) of the AHA without engaging in a selection process. Currently, the AHA must open a Request for Proposals (RFP) to all interested owners when it awards PBV units. This process requires a significant amount of staff time to prepare the RFP, receive and organize proposals for review, score proposals, notify owners of the outcome, and track awards until execution of contract. This would allow the AHA to award vouchers without the RFP to units in the AHA's portfolio that qualify for PBV after conducting a Subsidy Layering Review, ensuring the property is compliant with HUD's site selection requirements, and having a 3rd party conduct HQS inspections of the units.

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This MTW activity has the following cost implications:

- Neutral
- Increased revenue
- Decreased revenue
- Increased expenditures
- Decreased expenditures

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

A MTW activity can apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households. This MTW activity applies to:

- New admissions (i.e., applicants) only
- Currently assisted households only
- New admissions and currently assisted households

A MTW activity can apply to all family types or only selected family types. This MTW activity applies to:

- all family types
- only to selected family types
- Other – another specifically defined target population or populations. The description of this population is:

An MTW activity can apply to a tenant-based and or project-based voucher.

- The MTW activity applies to all tenant-based units.
- The MTW activity applies to all properties with project-based vouchers.

9.c. Elimination of PBV Selection Process for PHA-owned Projects without Improvement, Development, or Replacement

The MTW activity applies to specific tenant-based units and/or properties with project-based vouchers. The description of which tenant-based units and/or properties with project-based vouchers that will participate in this MTW activity is:

Applies only to units owned by a single-asset entity of the PHA.

This MTW activity does not require a Safe Harbor Waiver.

This MTW activity does not require a hardship policy.

This MTW activity does not require an impact analysis.

Cohort 4.2 Front-End Vacancy Loss Payment

ACTIVITY 2022-11: This activity is to incentivize landlords to participate in the HCV program in combination with activities 2022-04, 2022-05, 2022-06, and 2022-07.

As these activities are implemented to increase landlord participation in the program, units that are required to house voucher holders such as Project-Based Voucher units, ones with a regulatory agreement on the units, Tax Credit units, or ones owned by the Housing Authority are not included in this activity.

Similar to ACTIVITY 2022-04 except this allows the AHA to make a payment up to one month's rent payment to a landlord whose unit was not vacated by a participant of the Housing Choice Voucher program and is subsequently occupied by a participant of the Housing Choice Voucher program. The payment would be made after the execution of the HAP contract.

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This MTW activity has the following cost implications:

- Neutral
- Increased revenue
- Decreased revenue
- Increased expenditures
- Decreased expenditures

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

A MTW activity can apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households. This MTW activity applies to:

- New admissions (i.e., applicants) only
- Currently assisted households only
- New admissions and currently assisted households

A MTW activity can apply to all family types or only selected family types. This MTW activity applies to:

- all family types
- only to selected family types

An MTW activity can apply to a tenant-based and or project-based voucher.

- The MTW activity applies to all tenant-based units.

Cohort 4.2 Front-End Vacancy Loss Payment

- The MTW activity applies to all properties with project-based vouchers.
- The MTW activity applies to specific tenant-based units and/or properties with project-based vouchers. The description of which tenant-based units and/or properties with project-based vouchers that will participate in this MTW activity is:

Does not apply to PHA owned, LIHTC units, or units with regulatory agreements.
Would not apply to Project-Based Voucher units.

This MTW activity does not require a Safe Harbor Waiver.

This MTW activity does not require a hardship policy.

This MTW activity does not require an impact analysis.

D. SAFE HARBOR WAIVERS

D.1. Safe Harbor Waivers seeking HUD Approval:

The MTW Operations Notice describes a simplified process for MTW agencies to implement MTW activities outside of the safe harbors described in Appendix I. For each Safe Harbor Waiver request, a document that includes the following information must be provided: (a) the name and number of the MTW Waiver and associated activity for which the MTW agency is seeking to expand the safe harbor, (b) the specific safe harbor and its implementing regulation, (c) the proposed MTW activity the MTW agency wishes to implement via this Safe Harbor Waiver, (d) a description of the local issue and why such an expansion is needed to implement the MTW activity, (e) an impact analysis, (f) a description of the hardship policy for the MTW activity, if applicable, and (g) a copy of all comments received at the public hearing along with the MTW agency's description of how the comments were considered, as a required attachment to the MTW Supplement.

Will the MTW agency submit request for approval of a Safe Harbor Waiver this year?

No Yes

2.b. Payment Standards – Fair Market Rents (HCV)
Name and number of the MTW Waiver and associated activity for which the MTW agency is seeking to expand the safe harbor: Payment Standards – Fair Market Rents (HCV), activity 2.b.
The specific safe harbor and its implementing regulation: The AHA would like to waive the safe harbor of limiting the payment standard between 80% and 120% of the FMR as outlined in the MTW Operations Notice.
The proposed MTW activity the MTW agency wishes to implement via this Safe Harbor Waiver: The AHA would like to allow the payment standards to be set up to 150% of the FMR.
A description of the local issue and why such an expansion is needed to implement the MTW activity: The Bay Area's rental market makes it difficult for families to obtain housing under the current payment standard restrictions. The AHA raised the EHV payment standards to 120% of FMR, but units are still not affordable for families due to the 40% affordability rule while being determined to be rent reasonable. One way to make these units available to assisted families is to increase the payment standard. The rents would still be limited by a rent reasonableness determination.
An impact analysis: see attached document Payment Standard Impact Analysis
A description of the hardship policy for the MTW activity, if applicable: Payment Standards Outside FMR Hardship Policy
A copy of all comments received at the public hearing along with the MTW agency's description of how the comments were considered: this will be added after the public hearing.

E. AGENCY SPECIFIC WAIVERS

E.1. Agency-Specific Waivers for HUD Approval:

The MTW demonstration program is intended to foster innovation and HUD encourages MTW agencies, in consultation with their residents and stakeholders, to be creative in their approach to solving affordable housing issues facing their local communities. For this reason, flexibilities beyond those provided for in Appendix I may be needed. Agency-Specific Waivers may be requested if an MTW agency wishes to implement additional activities, or waive a statutory and/or regulatory requirement not included in Appendix I.

In order to pursue an Agency-Specific Waiver, an MTW agency must include an Agency-Specific Waiver request, an impact analysis, and a hardship policy (as applicable), and respond to all of the mandatory core questions as applicable.

For each Agency-Specific Waiver(s) request, please upload supporting documentation, that includes: a) a full description of the activity, including what the agency is proposing to waive (i.e., statute, regulation, and/or Operations Notice), b) how the initiative achieves one or more of the 3 MTW statutory objectives, c) a description of which population groups and household types that will be impacted by this activity, d) any cost implications associated with the activity, e) an implementation timeline for the initiative, f) an impact analysis, g) a description of the hardship policy for the initiative, and h) a copy of all comments received at the public hearing along with the MTW agency's description of how the comments were considered, as a required attachment to the MTW Supplement.

Will the MTW agency submit a request for approval of an Agency-Specific Waiver this year?

No [If no, skip to E.2] Yes [If yes, please provide a title and upload required information in a-h above for each Agency-Specific Waiver request]

The AHA is requesting the following Agency-Specific Waivers:

ACTIVITY 2022-12: Payment Standard Increases

ACTIVITY 2022-13: Allow Owner Referrals Under PBV Program

ACTIVITY 2022-14: Project-Based Voucher Right Sizing

ACTIVITY 2022-15: Exclude income earned from Guaranteed Basic Income (GBI) Pilot Program

ACTIVITY 2022-12: Payment Standard Increases
The payment standard would be changed at an owner requested rent increase if the change would result in an increase in payment standard to the family. For families where the payment standard would decrease, the same procedures would remain in place (at next annual for family composition change or second annual if an FMR drop).

ACTIVITY 2022-12: Payment Standard Increases

Waive: 24 CFR 982.505 (c) (4)

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This initiative achieves one or more of the 3 MTW above statutory objectives by:

Allowing families to retain more savings when owners increase the rent within payment standard limits and allowing families to remain in units where the market allows for a rent increase between the family's regular reexamination.

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

A MTW activity can apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households. This MTW activity applies to:

- New admissions (i.e., applicants) only
- Currently assisted households only
- New admissions and currently assisted households

A MTW activity can apply to all family types or only selected family types. This MTW activity applies to:

- all family types
- only to selected family types

Please select the family types subject to this MTW activity:

- Non-elderly, non-disabled families
- Elderly families
- Disabled families (to the extent those families are not exempt via a reasonable accommodation)
- Other – another specifically defined target population or populations. The description of this population is:

An MTW activity can apply to a tenant-based and or project-based voucher.

- The MTW activity applies to all tenant-based units.
- The MTW activity applies to all properties with project-based vouchers.

ACTIVITY 2022-12: Payment Standard Increases

The MTW activity applies to specific tenant-based units and/or properties with project-based vouchers. The description of which tenant-based units and/or properties with project-based vouchers that will participate in this MTW activity is:

This MTW activity has the following cost implications:

- Neutral
- Increased revenue
- Decreased revenue
- Increased expenditures
- Decreased expenditures

The implementation timeline for the initiative is:

Upon approval of MTW Supplement, approval of revised Administrative Plan and training of staff.

This MTW activity does require an impact analysis. Please see Payment Standard Increases Impact Analysis.

This MTW activity does not require a hardship policy.

Comments received at the public hearing for the Agency-Specific waiver and the agency's description of how the comments were considered will be inserted after public hearing.

ACTIVITY 2022-13: Allow Owner Referrals Under Project-Based Voucher Program

Allow owners to refer eligible families for Project-Based Voucher units to the AHA for PBV eligibility determination from an owner-managed wait list. This would implement part of HOTMA that has not been issued for implementation.

Owners would be required to provide documentation and a narrative of 1) how any wait list was built, or families were selected for referral and 2) show that the method in first part met all applicable federal laws including non-discrimination and fair housing requirements. Owner referral would be optional for owners, methods for referral must be pre-approved by the AHA before any referrals would be housed, and the AHA could deny referrals from owners if the AHA determined that the outreach or wait list management was insufficient or had a disparate impact on applicants.

If the owner used the Coordinated Entry System (CES) to provide names the same documentation of compliance with non-discrimination and fair housing requirements must be submitted.

Waiver: 983.251 (c)(1)

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This initiative achieves one or more of the 3 MTW above statutory objectives by: Opening and managing a wait list is a very costly endeavor to make sure that an inclusive method is used to outreach to families. Owners then have additional screening requirements above PBV requirements, so many PBV-eligible applicants are rejected by owners due to other criteria. This would allow owners to market their units with the additional requirements and result in faster leasing of PBV units.

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

A MTW activity can apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households. This MTW activity applies to:

- New admissions (i.e., applicants) only
- Currently assisted households only
- New admissions and currently assisted households

A MTW activity can apply to all family types or only selected family types. This MTW activity applies to:

ACTIVITY 2022-13: Allow Owner Referrals Under Project-Based Voucher Program

- all family types
- only to selected family types

Please select the family types subject to this MTW activity:

- Non-elderly, non-disabled families
- Elderly families
- Disabled families (to the extent those families are not exempt via a reasonable accommodation)
- Other – another specifically defined target population or populations. The description of this population is:

An MTW activity can apply to a tenant-based and or project-based voucher.

- The MTW activity applies to all tenant-based units.
- The MTW activity applies to all properties with project-based vouchers.
- The MTW activity applies to specific tenant-based units and/or properties with project-based vouchers. The description of which tenant-based units and/or properties with project-based vouchers that will participate in this MTW activity is:

This MTW activity has the following cost implications:

- Neutral
- Increased revenue
- Decreased revenue
- Increased expenditures
- Decreased expenditures

The implementation timeline for the initiative is: Full implementation would be delayed because the AHA would first expire applicants on its wait lists before allowing owners to refer. Also, the AHA will need to gather and review the documentation from the owner.

This MTW activity does require an impact analysis. Please see Owner Referral Impact Analysis.

This MTW activity does not require a hardship policy.

Comments received at the public hearing for the Agency-Specific waiver and the agency's description of how the comments were considered will be inserted after public hearing.

ACTIVITY 2022-14: Project-Based Voucher Right Sizing

Allow families who are under-housed to remain in smaller Project-Based Voucher units as long as the unit is not overcrowded if the under-housed family wishes to remain in the smaller unit. This would not apply to families that are over-housed (housed in a unit larger than the subsidy standards allow). Also, new admissions with a live-in aide would be eligible for a studio or 1-bedroom unit for occupancy.

Waive: 24 CFR 983.260 (a) (1); 24 CFR 983.260 (b) (1) (i); 24 CFR 983.260 (b) (2) (i)

This MTW activity serves the following statutory objectives:

- Cost effectiveness
- Self-sufficiency
- Housing Choice

This initiative achieves one or more of the 3 MTW above statutory objectives by: Many of the units for senior families are studio or 1-bedroom units and a senior with a live-in aide is allowed a second bedroom under the AHA's subsidy standards. Project-based voucher families would be offered the ability to move to a larger Project-Based Voucher unit, if available or to receive a Housing Choice Voucher if the 1-year occupancy is met, but the family may elect to expand their housing choice by remaining in the unit that is smaller than the occupancy standard specifies.

A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies:

- to all assisted households
- only to a subset or subsets of assisted households

A MTW activity can apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households. This MTW activity applies to:

- New admissions (i.e., applicants) only
- Currently assisted households only
- New admissions and currently assisted households

A MTW activity can apply to all family types or only selected family types. This MTW activity applies to:

- all family types
- only to selected family types

Please select the family types subject to this MTW activity:

- Non-elderly, non-disabled families
- Elderly families
- Disabled families (to the extent those families are not exempt via a reasonable accommodation)

ACTIVITY 2022-14: Project-Based Voucher Right Sizing

Other – another specifically defined target population or populations. The description of this population is:

An MTW activity can apply to a tenant-based and or project-based voucher.
 The MTW activity applies to all tenant-based units.
 The MTW activity applies to all properties with project-based vouchers.
 The MTW activity applies to specific tenant-based units and/or properties with project-based vouchers. The description of which tenant-based units and/or properties with project-based vouchers that will participate in this MTW activity is:

This MTW activity has the following cost implications:
 Neutral
 Increased revenue
 Decreased revenue
 Increased expenditures
 Decreased expenditures

The implementation timeline for the initiative is:

Upon approval of MTW Supplement, approval of revised Administrative Plan and training of staff.

This MTW activity does require an impact analysis. Please see Right Sizing Impact Analysis.

This MTW activity does not require a hardship policy.

Comments received at the public hearing for the Agency-Specific waiver and the agency’s description of how the comments were considered will be inserted after public hearing.

ACTIVITY 2022-15: Guaranteed Basic Income (GBI) Pilot Program
The City of Alameda has a pilot program, Guaranteed Income Program, to provide a flat monthly cash payment of \$1,000 to approximately 150 low-income City of Alameda households over a two-year period.
Waive: 24 CFR 6.09
This MTW activity serves the following statutory objectives: <input checked="" type="checkbox"/> Cost effectiveness <input checked="" type="checkbox"/> Self-sufficiency <input type="checkbox"/> Housing Choice
This initiative achieves one or more of the 3 MTW above statutory objectives by: Allowing families to retain more income for the period of two years without requiring staff to do an interim between triennials.
A MTW activity may apply to all assisted households or only to a subset or subsets of assisted households by having a different policy by household status/family types/sites. This MTW activity applies: <input checked="" type="checkbox"/> to all assisted households <input type="checkbox"/> only to a subset or subsets of assisted households
This MTW activity has the following cost implications: <input type="checkbox"/> Neutral <input type="checkbox"/> Increased revenue <input type="checkbox"/> Decreased revenue <input checked="" type="checkbox"/> Increased expenditures <input type="checkbox"/> Decreased expenditures
The implementation timeline for the initiative is: Upon implementation by the City of Alameda of the program.
This MTW activity does require an impact analysis. Please see GBI Impact Analysis.
This MTW activity does not require a hardship policy.
Comments received at the public hearing for the Agency-Specific waiver and the agency's description of how the comments were considered will be inserted after public hearing.

E.2. Agency-Specific Waiver(s) for which HUD Approval has been Received:

For each previously approved Agency-Specific Waiver(s), a set of questions will populate.

Does the MTW agency have any approved Agency-Specific Waivers?

- Yes No [If no, question set concludes]

F. PUBLIC HOUSING OPERATING SUBSIDY GRANT REPORTING

Not applicable as the Housing Authority of the City of Alameda does not have Public Housing.

G. MTW STATUTORY REQUIREMENTS

G.1. 75% Very Low Income – Local, Non-Traditional.

Not applicable as the Housing Authority of the City of Alameda does not have a local, non-traditional MTW activity.

G.2. Establishing Reasonable Rent Policy.

Has the MTW agency established a rent reform policy to encourage employment and self-sufficiency?

Yes

No

[If Yes]: please describe the MTW agency's plans for its future rent reform activity and the implementation time line.

The AHA is implementing an alternative reexamination schedule (activity 2022-02) which encourages self-sufficiency by allowing families to retain income increases of less than \$10,000 between triennials. This will be implemented once the MTW Supplement is approved, the Administrative Plan is revised, and staff is trained.

Also, activity 2022-15 encourages self-sufficiency by allowing families to retain income increases from the GBI program. This activity would be implemented upon City implementation of their GBI program.

G.3. Substantially the Same (STS) – Local, Non-Traditional

Not applicable as the Housing Authority of the City of Alameda does not have a local, non-traditional MTW activity.

G.4. Comparable Mix (by Family Size) – Local, Non-Traditional

Not applicable as the Housing Authority of the City of Alameda does not have a local, non-traditional MTW activity.

G.5. Housing Quality Standards

Certification is included in MTW Certifications of Compliance for HCV and local, non-traditional program.

H. PUBLIC COMMENTS

H.1.

Please provide copy of all comments received by the public, Resident Advisory Board, and tenant associations.

These will be provided as received.

Please attach a narrative describing the MTW agency's analysis of the comments and any decisions made based on these comments.

These will be provided as available.

If applicable, was an additional public hearing held for an Agency-Specific Waiver and/or Safe Harbor waiver? Yes No

If yes, please attach the comments received along with the MTW agency's description of how comments were considered.

These will be attached as appropriate.

I. EVALUATIONS

I.1. Please list any ongoing and completed evaluations of the MTW agency's MTW policies, that the PHA is aware of, including the information requested in the table below.

Does the PHA have an agency-sponsored evaluation? Yes No

J. MTW CERTIFICATION OF COMPLIANCE

The MTW agency must execute the MTW Certifications of Compliance form and submit as part of the MTW Supplement submission to HUD.

Please see form HUD-50075-MTW for the certification form that will be executed prior to MTW Supplement submission.

Streamlined Annual PHA Plan (HCV Only PHAs)	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 03/31/2024
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, including changes to these policies, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

Applicability. The Form HUD-50075-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

Definitions.

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS and SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined and is not PHAS or SEMAP troubled.

A.	PHA Information.																																			
A.1	<p>PHA Name: <u>HOUSING AUTHORITY OF THE CITY OF ALAMEDA</u> PHA Code: <u>CA062</u> PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>07/2022</u> PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) Number of Housing Choice Vouchers (HCVs) <u>1942</u> PHA Plan Submission Type: <input type="checkbox"/> Annual Submission <input checked="" type="checkbox"/> Revised Annual Submission</p> <p>Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at the main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website.</p> <p>The 5-year Plan, the Annual Plan for the current year, this proposed plan and elements for the year starting July 1, 2022 and ending June 30, 2023, and notices for public hearings are available at: 701 Atlantic Avenue, Alameda, CA 94501. The documents are also available at the website www.alamedahsg.org. Public notices of the hearings will also be posted under Public Notices at www.alamedahsg.org.</p> <p><input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below)</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 25%;">Participating PHAs</th> <th style="width: 10%;">PHA Code</th> <th style="width: 25%;">Program(s) in the Consortia</th> <th style="width: 25%;">Program(s) not in the Consortia</th> <th style="width: 15%;">No. of Units in Each Program</th> </tr> </thead> <tbody> <tr> <td>Lead HA:</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	Lead HA:																													
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B.	Plan Elements.				
B.1	<p>Revision of Existing PHA Plan Elements.</p> <p>a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission?</p> <p>Y N</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Financial Resources.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Rent Determination.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Operation and Management.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Informal Review and Hearing Procedures.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Significant Amendment/Modification.</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each element(s):</p> <p>During this review period, the Housing Authority of the City of Alameda (AHA) implemented an Emergency Housing Voucher (EHV) Program under new HUD regulations. This program has alternate eligibility, selection, and admissions procedures as established by HUD, so a new chapter (19) was added to the Administrative Plan for the Housing Authority of the City of Alameda to outline the EHV program.</p> <p>During this review period, the AHA revised its policies to allow for virtual Briefings and Informal Hearings due to the COVID pandemic and the need to keep gatherings to a minimum.</p> <p>Obtained Moving-to-Work (MTW) status. See MTW Supplement for significant amendments and changes in the above elements.</p>				
B.2	New Activities. – Not Applicable				

B.3 Progress Report.

Provide a description of the PHA's progress in meeting its Mission and Goals described in its 5-Year PHA Plan.

GOAL 1: WORK WITH COMMUNITY PARTNERS TO OPTIMIZE AFFORDABLE HOUSING AND SERVICES FOR THE ALAMEDA COMMUNITY.

The Authority closed development financing for Rosefield Village – 92 units of affordable, work force homes increasing affordable housing at this site by 77%. We recently reached 50% construction completion and will wrap up building exteriors at the end of 2021 for completion in Summer 2022. The North Housing Project, a 12-acre former Naval site, was planned, mapped out, and approved by the Planning Board. This is an important step after 10 years of waiting/working on this and will allow the Authority to build 586 affordable homes at the site. We have recently completed the demolition phase and are in the middle of the design review stages. Recruiting landlords into the Housing Choice Voucher program remains a priority through the landlord incentive program while strengthening our existing relationships by maintaining and expanding services during COVID-19. The Authority continues to refer landlords to the city's rental and residential rehabilitation program.

GOAL 2: USE RESOURCES EFFICIENTLY TO OPERATE IN A SUSTAINABLE MANNER.

The Authority continues to utilize, expand, and research automated accounting systems to improve overall performance. This includes expanding ACH payment capabilities at the onset of COVID-19 to all vendors who are willing to utilize this mechanism. An automated system for staff to scan and submit invoices for approvals has been fully implemented and a journal entry approval process has been automated and utilization has become standard for new vendors. Utilization of our on-line Landlord and Vendor Portals has been expanded, as has utilizing Rent Café online reporting of income changes between annuals. Property rehabilitation is moving forward according to the capital improvements plan including the Rosefield Village project to expand the affordable housing available on the site while upgrading 14 units of existing housing. Since the last plan update, HUD opened the application process for Agencies to enter the Moving to Work (MTW) program expansion. The Authority applied under the COHORT #4 Landlord Incentives notice in consistency with the Annual Plan.

GOAL 3: RETAIN AND RECRUIT EXCELLENT STAFF.

The Authority continues its 6-month training plan for new employees, with extensive cross training with all staff. Online training continues to be expanded, particularly for new hires, including: agency policies and procedures, Yardi software training, and mandatory training such as Fair Housing, Sexual Harassment, and cyber training. Additionally, while in person training did not resume in the past year, all staff were provided with a two-part video training on diversity, equity and inclusion, and a training that provided an overview of informal hearings. Monthly staff meetings continued to be held by video conferencing and include department reports each month to facilitate broader cross-agency communications and updates on work in progress. New and enhanced trainings include customer service, specialized software, Brown Act, and Hearing Officer training. The Authority continues to adapt and improve workspace and modify safety efforts around COVID-19 best practices. This included an outdoor space renovation for meetings and breaks. In 2021, we leased additional local office space to allow safer in-person attendance and are moving forward with the maintenance bay conversion to office space. An update of the compensation studies done in 2019 and 2020 is planned for early in calendar year 2022.

GOAL 4: ENSURE FINANCIAL PREPAREDNESS FOR FUTURE CHALLENGES.

The Authority has continued to streamline reporting for the Housing Choice Voucher programs, asset management and property management portfolio and has started including key metrics in the monthly Board of Commissioners packet which is publicly available. The Authority has applied for continued FSS funding for 2021 and is contracted with a professional social services company to provide enhanced online services for FSS participants through the COVID-19 health restrictions. The Authority has applied and received additional COVID related CARES Act funding, Emergency Housing Vouchers, and funding for Housing Assistance Payments. The Authority continues to provide social services which are available to participants, applicants, and tenants. These include Legal Assistance, Housing Counseling, Fair Housing Consultation and Referral Services. The Authority presented a formal Reserves Policy to the Board of Commissioners in October 2021. This included an emphasis in sufficient operating and housing assistance payment reserves with preparation for future housing development and deferred maintenance of the existing real estate portfolio, while leveraging other sources of funds to further the Authority's mission. A local housing trust fund was created in 2021, and additional funding for the North Housing parcel was secured.

GOAL 5: MAINTAIN AND IMPROVE DATA INTEGRITY AND COLLECTION.

The Authority continues to review and update systems to ensure that it stays current with industry practices and up-to-date on system security. In the previous year the physical servers and back-up systems were upgraded, with greatly improved security, storage, and access features. This year, the Authority efforts highlighted the detection and prevention of cybercrime. It implemented a comprehensive program consisting of integrated software solutions to combat attacks and provide staff training to increase awareness of cyber attacks. The Authority continues to expand and optimize its paperless and mobile integration, including online forms, automated communications, and the recertification module for the Housing Choice Voucher program for annuals and interim recertifications. The previous year's fast tracking of many automated systems has left room for optimization. The Authority implemented an online Board meeting solution including specialized software to manage Board of Commissioner meetings and post agendas publicly.

GOAL 6: IMPROVE THE QUALITY OF LIFE OF RESIDENTS WHILE MAINTAINING EFFICIENT AND EFFECTIVE OPERATIONS OF HOUSING AUTHORITY UNITS.

The Authority recently launched the Ombudsman program, 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. This program reinforces our existing educational materials and continues resident supportive services for all tenants and participants in the programs operated by the Housing Programs Department. Recent topics included COVID-19 vaccination information, local transportation services, career training, our recently launched free Wi-Fi and tablet loaner programs. The Family Self-Sufficiency (FSS) program initiated a financial literacy training program. We continue to manage food bank distribution for our units, including the assembly and delivery of produce and dry goods to over 160 residents of AHA properties with assistance from our community support partners. During this review period, we launched an online Reasonable Accommodations Request form and continued to provide fair housing information through newsletters. The Language Access Plan (LAP) update was completed and outreach on the

	<p>recent wait list opening was conducted in all languages listed in the updated LAP. We also recently opened a Request for Proposal (RFP) for our Social Services, and we are making an extraordinary effort to attract as many prospects as possible through multiple channels.</p> <p>GOAL 7: EXPAND HOUSING CHOICE THROUGHOUT THE CITY OF ALAMEDA. The board and staff continue to review options for expanding the Authority’s portfolio and a site feasibility is currently in progress at the time of this update. Recent acquisitions include a local unused school maintenance yard with potential for thirty (30) units, and eighteen (18) local Below Market Rate Units. The Authority is still on track to build at least 90 homeless units and 63 senior apartments at the North Housing project, out of a total possible 586 units at the North Housing property. During this review period, Housing Assistance Payments Contracts were signed on 50 new Project-Based Voucher (PBV) units. Included in the above 50 new PBV units were 25 under the Veteran Affairs Supportive Housing (VASH) program. The VASH program is a partnership between the Authority, property owner, and the Department of Veteran Affairs with a goal of housing formally homeless veterans. These funds were not utilized in 2019 as they were earmarked for the AHAP for Eden Housing, and the units were not completed until early 2020. HUD revised the utilization rates at the local Field Office, but not in time for a successful application for new VASH for the last review period. During 2021, the AHA expressed a willingness to receive additional VASH vouchers, but the VA was unable to provide a letter of support in time. The Authority signed three Agreements to Enter into a Housing Assistance Payment (AHAP) contracts for a total of 40 units between Rosefield Village and Eden Housing’s Family site. HUD opened the application process for Agencies to enter the Moving to Work (MTW) program expansion. The Authority applied under the COHORT #4 Landlord Incentives notice in consistency with the Annual Plan. The Authority continued its self-funded landlord incentive program and paid out close to \$40,000 in incentives to fifty-eight (58) different landlords during this period. This was a dramatic increase from \$14,545 to twenty-eight (28) different landlords last year. The Authority was awarded fifty-seven (57) Emergency Housing Vouchers (EHV) from HUD. As of this writing our staff have issued forty-two (42) EHV and continue to work towards total lease-up. A request for proposals for Project-Based Vouchers was issued in late 2021. The Authority successfully launched the HCV and PBV Applicant portal, an online-exclusive that resulted over 22,000 applications.</p>
B.4	Capital Improvements. – Not Applicable
B.5	<p>Most Recent Fiscal Year Audit.</p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N N/A <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p> <p>Financial Statement Findings 2020-001: Significant adjustments were required to be made to the year-end general ledger in order to conform the financial statements to accounting principles generally accepted in the United States of America (“U.S. GAAP”). This was due to the Authority not performing year-end reconciliation on several accounts. The Authority has made substantial improvements in its internal control and approval process from prior years. The Authority has expanded its existing year-end checklist to ensure that it reconciles to supporting documentation and that it is reporting in accordance with U.S. GAAP.</p>
C.	Other Document and/or Certification Requirements.
C.1	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y N <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
C.2	<p>Certification by State or Local Officials.</p> <p>Form HUD 50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
C.3	<p>Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</p> <p>Form HUD-50077-ST-HCV-HP, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
C.4	<p>Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y N <input type="checkbox"/> <input type="checkbox"/></p> <p>If yes, include Challenged Elements.</p>
D.	Affirmatively Furthering Fair Housing (AFFH).

D.1 Affirmatively Furthering Fair Housing (AFFH).

Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.

Fair Housing Goal: N/A

Describe fair housing strategies and actions to achieve the goal

Fair Housing Goal: N/A

Describe fair housing strategies and actions to achieve the goal

Fair Housing Goal: N/A

Describe fair housing strategies and actions to achieve the goal

**Instructions for Preparation of Form HUD-50075-HCV
Annual PHA Plan for HCV-Only PHAs**

A. PHA Information. All PHAs must complete this section. (24 CFR §903.4)

A.1 Include the full **PHA Name, PHA Code, PHA Type, PHA Fiscal Year Beginning (MM/YYYY), Number of Housing Choice Vouchers (HCVs), PHA Plan Submission Type,** and the **Availability of Information,** specific location(s) of all information relevant to the public hearing and proposed PHA Plan.

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table. (24 CFR §943.128(a))

B. Plan Elements. All PHAs must complete this section. (24 CFR §903.11(c)(3))

B.1 Revision of Existing PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.”

Statement of Housing Needs and Strategy for Addressing Housing Needs. Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA’s strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists. The statement of housing needs shall be based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. Once the PHA has submitted an Assessment of Fair Housing (AFH), which includes an assessment of disproportionate housing needs in accordance with 24 CFR 5.154(d)(2)(iv), information on households with individuals with disabilities and households of various races and ethnic groups residing in the jurisdiction or on the waiting lists no longer needs to be included in the Statement of Housing Needs and Strategy for Addressing Housing Needs. (24 CFR § 903.7(a)).

The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. (24 CFR §903.7(a)(2)(i)) Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA’s reasons for choosing its strategy. (24 CFR §903.7(a)(2)(ii))

Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions. A statement of the PHA’s policies that govern resident or tenant eligibility, selection and admission including admission preferences for HCV. (24 CFR §903.7(b))

Financial Resources. A statement of financial resources, including a listing by general categories, of the PHA’s anticipated resources, such as PHA HCV funding and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. (24 CFR §903.7(c))

Rent Determination. A statement of the policies of the PHA governing rental contributions of families receiving tenant-based assistance, discretionary minimum tenant rents, and payment standard policies. (24 CFR §903.7(d))

Operation and Management. A statement that includes a description of PHA management organization, and a listing of the programs administered by the PHA. (24 CFR §903.7(e)).

Informal Review and Hearing Procedures. A description of the informal hearing and review procedures that the PHA makes available to its applicants. (24 CFR §903.7(f))

Homeownership Programs. A statement describing any homeownership programs (including project number and unit count) administered by the agency under section 8y of the 1937 Act, or for which the PHA has applied or will apply for approval. (24 CFR §903.7(k))

Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements. A description of any PHA programs relating to services and amenities coordinated, promoted, or provided by the PHA for assisted families, including those resulting from the PHA’s partnership with other entities, for the enhancement of the economic and social self-sufficiency of assisted families, including programs provided or offered as a result of the PHA’s partnerships with other entities, and activities subject to Section 3 of the Housing and Community Development Act of 1968 (24 CFR Part 135) and under requirements for the Family Self-Sufficiency Program and others. Include the program’s size (including required and actual size of the FSS program) and means of allocating assistance to households. (24 CFR §903.7(l)(i)) Describe how the PHA will comply with the requirements of section 12(c) and (d) of the 1937 Act that relate to treatment of income changes resulting from welfare program requirements. (24 CFR §903.7(l)(iii)).

Substantial Deviation. PHA must provide its criteria for determining a “substantial deviation” to its 5-Year Plan. (24 CFR §903.7(r)(2)(i))

Significant Amendment/Modification. PHA must provide its criteria for determining a “Significant Amendment or Modification” to its 5-Year and Annual Plan.

If any boxes are marked “yes”, describe the revision(s) to those element(s) in the space provided.

B.2 New Activities. This section refers to new capital activities which is not applicable for HCV-Only PHAs.

B.3 Progress Report. For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year PHA Plan. (24 CFR §903.11(c)(3), 24 CFR §903.7(r)(1))

B.4 Capital Improvements. This section refers to PHAs that receive funding from the Capital Fund Program (CFP) which is not applicable for HCV-Only PHAs

B.5 Most Recent Fiscal Year Audit. If the results of the most recent fiscal year audit for the PHA included any findings, mark “yes” and describe those findings in the space provided. (24 CFR §903.7(p))

C. Other Document and/or Certification Requirements.

C.1 Resident Advisory Board (RAB) comments. If the RAB had comments on the annual plan, mark “yes,” submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA’s decision made on these recommendations. (24 CFR §903.13(c), 24 CFR §903.19)

C.2 Certification by State of Local Officials. Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. (24 CFR §903.15). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of §§ 903.7(o)(1) and 903.15(d) and: (i) examines its programs or proposed programs; (ii) identifies any fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154; or 24 CFR 5.160(a)(3) as applicable (iii) specifies actions and strategies designed to address contributing factors, related fair housing issues, and goals in the applicable Assessment of Fair Housing consistent with 24 CFR 5.154 in a reasonable manner in view of the resources available; (iv) works with jurisdictions to implement any of the jurisdiction’s initiatives to affirmatively further fair housing that require the PHA’s involvement; (v) operates programs in a manner consistent with any applicable consolidated plan under 24 CFR part 91, and with any order or agreement, to comply with the authorities specified in paragraph (o)(1) of this section; (vi) complies with any contribution or consultation requirement with respect to any applicable AFH, in accordance with 24 CFR 5.150 through 5.180; (vii) maintains records reflecting these analyses, actions, and the results of these actions; and (viii) takes steps acceptable to HUD to remedy known fair housing or civil rights violations, impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction’s initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. (24 CFR §903.7(o)).

C.4 Challenged Elements. If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.

D. Affirmatively Furthering Fair Housing (AFFH).

D.1 Affirmatively Furthering Fair Housing. The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: “To implement goals and priorities in an AFH, strategies and actions shall be included in program participants’ ... PHA Plans (including any plans incorporated therein) Strategies and actions must affirmatively further fair housing” Use the chart provided to specify each fair housing goal from the PHA’s AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D., nevertheless, the PHA will address its obligation to affirmatively further fair housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction’s initiatives to affirmatively further fair housing that require the PHA’s involvement; and maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the Annual PHA Plan. The Annual PHA Plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, and informs HUD, families served by the PHA, and members of the public for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 6.02 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

Civil Rights Certification
(Qualified PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB Approval No. 2577-0226
Expires 3/31/2024

Civil Rights Certification

Annual Certification and Board Resolution

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 5-Year PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the fiscal year beginning July 1, 2022 in which the PHA receives assistance under 42 U.S.C. 1437f and/or 1437g in connection with the mission, goals, and objectives of the public housing agency and implementation thereof:

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101 *et seq.*), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions.

Housing Authority of the City of Alameda
PHA Name

CA062
PHA Number/HA Code

I hereby certify that all the statement above, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Executive Director: VANESSA COOPER

Name of Board Chairperson: CARLY GROB

Signature

Date

Signature

Date

The United States Department of Housing and Urban Development is authorized to collect the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 *et seq.*, and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. The information is collected to ensure that PHAs carry out applicable civil rights requirements.

Public reporting burden for this information collection is estimated to average 0.16 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Certification by State or Local
Official of PHA Plans Consistency
with the Consolidated Plan or
State Consolidated Plan
(All PHAs)**

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 3/31/2024

**Certification by State or Local Official of PHA Plans
Consistency with the Consolidated Plan or State Consolidated Plan**

I, Erin Smith, the Acting City Manager
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years _____ and/or Annual PHA Plan for
fiscal year 2023 of the Housing Authority of the City of Alameda is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including the Analysis of Impediments (AI)
to Fair Housing Choice or Assessment of Fair Housing (AFH) as applicable to the

City of Alameda
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR §§ 903.7(o)(3) and 903.15.

Provide a description of how the PHA Plan's contents are consistent with the
Consolidated Plan or State Consolidated Plan.

It meets the City's primary objectives to increase affordable housing and address services
for people living in poverty. The Housing Authority's annual goals incorporate the goals of
the City to provide more affordable housing in the City of Alameda.

I hereby certify that all the information stated herein, as well as any information provided in the
accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements.
Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official:

Title: Acting City Manager

Signature:

Date:

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12,
U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of
information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is
collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing
instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.
HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control
Number.

**Certifications of Compliance with
PHA Plan and Related Regulations
(Standard, Troubled, HCV-Only, and
High Performer PHAs)**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 3/31/2024

**PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations
including PHA Plan Elements that Have Changed**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the ___ 5-Year and/or X Annual PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning July 1, 2022 in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located (24 CFR § 91.2).
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments (AI) to Fair Housing Choice, or Assessment of Fair Housing (AFH) when applicable, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA provides assurance as part of this certification that:
 - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d—4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program.
7. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and

contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions.

8. For PHA Plans that include a policy for site-based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2011-65);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing; and
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR 903.7(o)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. In accordance with 24 CFR § 5.105(a)(2), HUD's Equal Access Rule, the PHA will not make a determination of eligibility for housing based on sexual orientation, gender identify, or marital status and will make no inquiries concerning the gender identification or sexual orientation of an applicant for or occupant of HUD-assisted housing.
11. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
12. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 2 CFR 200.333 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.

19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.
20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

Housing Authority of the City of Alameda
PHA Name

CA062
PHA Number/HA Code

X Annual PHA Plan for Fiscal Year 2023
 5-Year PHA Plan for Fiscal Years 20 - 20

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

Name of Executive Director: VANESSA COOPER

Name Board Chairman: CARLY GROB

Signature

Date

Signature

Date

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to ensure compliance with PHA Plan, Civil Rights, and related laws and regulations including PHA plan elements that have changed.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

HARDSHIP POLICY- ALTERNATIVE REEXAMINATION SCHEDULE FOR HOUSEHOLDS

This Moving to Work (MTW) activity allows the agency to establish an alternative reexamination schedule including placing a limit on the number of interim reexaminations between regular reexaminations.

The AHA is limiting households to one interim per year if the household gross income has decreased 10% or more. The landlord may request one interim a year for a rent increase.

For households not claiming \$0 income, the regular reexamination schedule will be three years. For those families claiming \$0 income, there will be a regular reexamination once a year and a zero income certification will be required every 90 days. If income from outside the house is disclosed on this form, such as family contributions, the income will be added to the family's income for rent calculation purposes.

A financial hardship for an alternative reexamination schedule are for families that face eviction due to a secondary annual decrease of income and if one of the following has occurred:

- The family has experienced a decrease in income because of changed circumstances, including loss or reduction of employment, death in the assisted family, or reduction in or loss of earnings or other assistance;
- The family has experienced an increase in expenses, because of changed circumstances, for medical costs, childcare, transportation, education, or similar items; or
- The loss of income is through no fault of the family, the decreased income results in a decrease of the rent portion greater than 10 percent, the decrease is not due to a sanction on public assistance income, and the family provides verification of eligibility or ineligibility for unemployment benefits if the reduced income is due to loss of employment

Requested a Hardship

To qualify for a hardship exemption for additional reexaminations, a family must submit a request for a hardship exemption in writing to hardshiprequest@alamedahsg.org. A paper request may be submitted at the Agency's offices, but it will be scanned and e-mailed to this address for tracking purposes. The request must explain the nature of the hardship and how the hardship has affected the family's ability to pay rent.

Determination of Hardship

When a family requests a financial hardship exemption, the AHA must suspend the MTW activity while the request is being processed beginning the first of the month following the family's request until the AHA has determined if the request is warranted.

This means the AHA will conduct a reexamination and recalculate the family's portion of rent based on current circumstances until the determination of the hardship is determined.

During this suspension, the AHA will determine whether the financial hardship exists and whether the hardship is temporary or long-term. AHA defines temporary hardship as a hardship expected to last 90 days or less. Long-term hardship is defined as a hardship expected to last more than 90 days.

AHA will determine the nature of the hardship within 30 calendar days of the request being received. If the AHA requests information from the family and it is not received within the 30 days after the original request was made, the AHA may deny the request and require the family to repay the additional assistance paid during the suspension of the MTW activity period.

No Financial Hardship

If AHA determines there is a minimal or no financial hardship, AHA will reinstate the family's previously calculated share and require the family to repay the additional assistance paid during the suspension of the MTW activity period.

AHA will require the family to repay the suspended amount within 30 calendar days of AHA's notice that a hardship exemption has not been granted.

Temporary Hardship

If AHA determines that a qualifying financial hardship is temporary, AHA must suspend the MTW activity for the 90-day period beginning the first of the month following the date of the family's request for a hardship exemption.

At the end of the 90-day suspension period, the family must resume payment of their portion of the rent as previously determined by the AHA and must repay the AHA the amounts suspended. This repayment, upon request of the household, will be subject to a repayment plan under the AHA's repayment agreement policies if eligible.

Long-Term Hardship

If AHA determines that the financial hardship is long-term, AHA must exempt the family from the MTW activity for so long as the hardship continues. The exemption will apply from the first of the month following the family's request until the later of the end of the qualifying hardship event or the family's next regularly scheduled reexamination. When the financial hardship has been determined to be long-term, the family is not required to repay the additional subsidy paid under the hardship.

Grievance procedure:

The family may request a second level review of the denied hardship request by submitting a written appeal to hardshiprequest@alamedahsg.org. This appeal should contain any information the family would like to be taken into account during the appeal review including why the family believes the incorrect determination was made. The appeal will be reviewed by a different staff member than the one that made the original determination. Also, any staff reporting to the staff member making the original denial will be ineligible to review the appeal request. The appeal will be reviewed and responded to within 14 days of the receipt of the appeal.

If the second review results in the same decision as the original request, the family may request an Informal Hearing according to the AHA's Informal Hearing procedures.

HARDSHIP POLICY- PAYMENT STANDARD – FMR

This Moving to Work (MTW) activity allows the agency to request a change in Payment Standard based on an expanded range of 80% to 150% of the Fair Market Rents (FMR) by bedroom size.

The agency applies increased payment standards during the following participant events:

1. Regular reexamination of household income and composition.
2. When an owner requests a rent increase with a new lease.

A financial hardship for a decrease in payment standards are only for families where the payment standard would decrease in an established unit (not at unit transfers or issuance of vouchers), where the payment standard is set less than 90% of the FMR, and where:

- the family has experienced a decrease in income because of changed circumstances, including loss or reduction of employment, death in the assisted family, or reduction in or loss of earnings or other assistance; and
- the family has experienced an increase in expenses, because of changed circumstances, for medical costs, childcare, transportation, education, or similar items.

Requested a Hardship

To qualify for a hardship exemption for a payment standard less than 90% of the FMR, a family must submit a request for a hardship exemption in writing to hardshiprequest@alamedahsg.org. A paper request may be submitted at the Agency's offices, but it will be scanned and e-mailed to this address for tracking purposes. The request must explain the nature of the hardship and how the hardship has affected the family's ability to pay rent.

Determination of Hardship

When a family requests a financial hardship exemption, the AHA must suspend the MTW activity while the request is being processed beginning the first of the month following the family's request until the AHA has determined if the request is warranted. This means the AHA will set the family's payment standard at 90% until the determination of the hardship is determined.

During this suspension, the AHA will determine whether the financial hardship exists and whether the hardship is temporary or long-term. AHA defines temporary hardship as a hardship expected to last 90 days or less. Long-term hardship is defined as a hardship expected to last more than 90 days.

AHA will determine the nature of the hardship within 30 calendar days of the request being received. If the AHA requests information from the family and it is not received within the 30 days after the original request was made, the AHA may deny the request and require the family to repay the additional assistance paid during the suspension of the MTW activity period.

No Financial Hardship

If AHA determines there is no financial hardship, AHA will reinstate the reduced payment standard and require the family to repay the additional assistance paid during the suspension of the MTW activity period.

AHA will require the family to repay the suspended amount within 30 calendar days of AHA's notice that a hardship exemption has not been granted.

Temporary Hardship

If AHA determines that a qualifying financial hardship is temporary, AHA must suspend the MTW activity for the 90-day period beginning the first of the month following the date of the family's request for a hardship exemption.

At the end of the 90-day suspension period, the family must resume payment of their portion of the rent including the calculation of the decreased payment standard and must repay the AHA the amounts suspended. This repayment, upon request of the household, will be subject to a repayment plan under the AHA's repayment agreement policies if eligible.

Long-Term Hardship

If AHA determines that the financial hardship is long-term, AHA must exempt the family from the MTW activity for so long as the hardship continues. The exemption will apply from the first of the month following the family's request until the later of the end of the qualifying hardship event or the family's second regular reexamination after the decrease in payment standards was implemented. When the financial hardship has been determined to be long-term, the family is not required to repay the additional subsidy paid under the hardship.

Grievance procedure:

The family may request a second level review of the denied hardship request by submitting a written appeal to hardshiprequest@alamedahsg.org. This appeal should contain any information the family would like to be taken into account during the appeal review including why the family believes the incorrect determination was made. The appeal will be reviewed by a different staff member than the one that made the original

determination. Also, any staff reporting to the staff member making the original denial will be ineligible to review the appeal request. The appeal will be reviewed and responded to within 14 days of the receipt of the appeal.

If the second review results in the same decision as the original request, the family may request an Informal Hearing according to the AHA's Informal Hearing procedures.

IMPACT ANALYSIS – 3.b. Alternative Reexamination Schedule

FACTOR 1: Impact on the agency's finances (e.g., how much will the activity cost, any change in the agency's per family contribution)

In the AHA's programs, 40% of households have Social Security, SSI, and pensions as their only form of income. These households only experience COLA increases every year. The increase in HAP for the two years where reexaminations are not conducted will be less than \$225,000 as the families will not face an average increase of \$60 per year per benefit in tenant payment.

The average increase in wages from 2020 to 2022 was \$6,600. This results in wage earning families paying on average \$2,000 less per year. It is expected that this average will not be as large moving forward as 2020 was a year when many families experience decreased earnings due to COVID.

Since in January 2020, the Housing Authority of the City of Alameda (AHA) raised the interim threshold to \$10,000, so this part of the activity will not greatly affect Housing Assistance Payment (HAP) amounts; however, families were still required to report the increase with the 2020 change, which this activity removes that requirement, so staff will have to review less interim paperwork that does not result in a change. This will reduce the number of hours needed to operate the program. Requiring less regular reexaminations per year also reduces the staff time required to operate the program, so over time, this will result in fewer staff needed. This savings will not immediately be felt due to the need to communicate the changes to participants and help them understand the new requirements.

From 2019 to 2021 and 2020 to 2022, the average HAP payment increased by \$85 per family, but this is probably due more to rent increases than income changes.

FACTOR 2: Impact on affordability of housing costs for affected families (e.g., any change in how much affected families will pay towards their housing costs)

As discussed above, families will pay slightly less if they are on a fixed income source due to cost-of-living adjustments not being processed every year.

There will be slightly fewer rent decrease adjustments. Families that have benefited in the past due to a delay in receiving unemployment benefits may not benefit in the future as the decrease due to lost wages will not be

processed as quickly, so the families may not have a \$0 portion rent for a month or two while the processing from wages to unemployment is completed. This is a more accurate way for income decreases to be processed, but in the past, staff would process the loss of income as soon as possible and then have to give 30 days' notice of the increase, resulting in a higher HAP being paid to landlords. If the family is facing eviction due to not being able to pay rent after an income loss, the family can still request a decrease through the Hardship process.

As 50% of interims are for rent increases, and in 2022 only two interims would not be eligible due to the one interim cap, it is not anticipated that there will be a large impact on the participant portion of rent.

FACTOR 3: Impact on the agency's waitlist(s) (e.g., any change in the amount of time families are on the waitlist)

This activity will not have a large impact the waitlist. A minimal number of families terminate from the program each year for non-compliance with the annual requirements. As the AHA does not pull families immediately to replace these terminated families, the time on the waitlist will not be impacted.

FACTOR 4: Impact on the agency's termination rate of families (e.g., any change in the rate at which families non-voluntarily lose assistance from the agency)

The rate may decrease minimally. Most involuntary terminations are not for non-compliance of annual recertification. Families are given multiple reminders and opportunities to comply with the reexamination process. These notices will continue with this activity.

FACTOR 5: Impact on the agency's current occupancy level in public housing and utilization rate in the HCV program

This will not impact the number of participants in the HCV program. This activity may increase HAP costs slightly due to families not receiving annual decreases in HAP, but will not significantly impact the utilization rate for budget authority.

FACTOR 6: Impact on meeting the MTW statutory goals of cost effectiveness, self-sufficiency, and/or housing choice

This would decrease the number of regular reexaminations needed by the agency requiring less staff time and resulting in cost effectiveness. The family may retain income increases less than \$10,000 allowing the family to have additional income for possible savings. This may result in an increase in housing choice due to the stability of payment amounts coming from the Housing Authority and decrease in paperwork to owners for rent change notices.

FACTOR 7: Impact on the agency's ability to meet the MTW statutory requirements

a) Very Low-Income Requirement

The agency would still be able to meet this requirement as this activity would not impact the selection of applicants.

b) Reasonable Rent Policy

This activity complies with the requirement for the AHA to have a Reasonable Rent Policy.

c) Substantially the Same Requirement

The AHA is currently carrying a HAP surplus, so increasing HAP payments on behalf of families is possible. The AHA will need to monitor the increased HAP expenditures to ensure that resources are available to continue to assist the same number of families.

d) Comparable Mix Requirement

This activity would have no effect on the number of household members in families, only the time at which families would be required to report increases due to birth, adoption, or court-awarded custody, so would meet this statutory requirement.

e) Housing Quality Standards (HQS)

The units would continue to have to meet the HQS standards, so this statutory requirement would be met.

FACTOR 8: Impact on the rate of hardship requests and the number granted and denied as a result of this activity

This should not result in a large increase of hardship requests as most participants are not requesting multiple interims per year. The number of families reporting multiple interims that would count towards the cap was 15 in 2021 (for a total of 28 interims) and 2 (for a total of 5) in 2022.

FACTOR 9: Across the other factors above, the impact on protected classes (and any associated disparate impact)

The requirement to have regular recertifications every three years is not expected to have a disparate impact as almost all families will make this move. During the last three years of annuals, 62 families were at \$0 income and 41 families had more than one interim that would count towards the cap. There is no statistically significant relationship between race these two activities.

Those with disabilities are eligible for stable income from the government. This results in fewer interim changes and less 0-income families if there is someone with a disability in the family. This activity would not have a disparate impact on those with disabilities as fewer families will be affected than would be expected if income was independent from disability. Due to Social Security and retirement sources also being stable, there is a relationship between these two policies and age. This activity would not have a disparate impact on those over 62 years of age as fewer families will be affected than would be expected if income was independent from age.

There is no statistically significant relationship between 0-income families and households with minor children. There is a relationship between income decrease interims and families with minor children. Due to the fact that the data analyzed includes the COVID period, there is a strong likelihood that there may be another variable affecting this increase in families needing multiple interim decreases. With schools and daycares closing unexpectedly, families may not have been able to obtain stabilized wage jobs due to the lack of childcare. Then the unemployment benefits had decreases as special benefits ran out. The AHA will monitor this relationship closely and evaluate if there is a disparate impact if there continues to be a relationship between households with minor children and the need for multiple interims.

IMPACT ANALYSIS – 2022-15 GBI

FACTOR 1: Impact on the agency's finances (e.g., how much will the activity cost, any change in the agency's per family contribution)

The amount paid to participants per year is only \$200 over the interim increase threshold. If all 150 low-income families selected for this program were participants in the Housing Authority of the City of Alameda's (AHA) programs, then the increased HAP for this \$200 would be \$216,000 for the two years of the program.

FACTOR 2: Impact on affordability of housing costs for affected families (e.g., any change in how much affected families will pay towards their housing costs)

Families would have an increased source of income without an increase in their portion of the rent, so the amount paid towards housing would be less than without this activity.

FACTOR 3: Impact on the agency's waitlist(s) (e.g., any change in the amount of time families are on the waitlist)

This would not impact the waitlist.

FACTOR 4: Impact on the agency's termination rate of families (e.g., any change in the rate at which families non-voluntarily lose assistance from the agency)

This would not impact the termination rate of families.

FACTOR 5: Impact on the agency's current occupancy level in public housing and utilization rate in the HCV program

This would not greatly affect the utilization rates for the HCV program.

FACTOR 6: Impact on meeting the MTW statutory goals of cost effectiveness, self-sufficiency, and/or housing choice

This would require less staff hours to input interims for a source of income that will not last the period between annuals. It would also increase self-sufficiency as families could keep an increase in income for savings or other self-sufficiency activities.

FACTOR 7: Impact on the agency's ability to meet the MTW statutory requirements

a) Very Low-Income Requirement

The agency would still be able to meet this requirement as this activity would not impact the selection of applicants.

b) Reasonable Rent Policy

This activity does not adversely affect the family's calculation of total tenant payment. It would decrease the family's share of rent to owner and allow the family to have income for other purposes like saving or paying for education classes. This activity complies with the requirement for the AHA to have a Reasonable Rent Policy.

c) Substantially the Same Requirement

This will not affect the Agency's ability to meet the Substantially the Same Requirement.

d) Comparable Mix Requirement

This activity would have no effect on the number of household members in families, so would meet this statutory requirement.

e) Housing Quality Standards (HQS)

The units would continue to have to meet the HQS standards, so this statutory requirement would be met.

FACTOR 8: Impact on the rate of hardship requests and the number granted and denied as a result of this activity

This does not require a hardship policy as the families would be paying less than without this activity.

FACTOR 9: Across the other factors above, the impact on protected classes (and any associated disparate impact)

The City of Alameda, the administrator of the program, will conduct outreach in a non-discriminatory manner to try to reach all eligible families qualified for the program. The selection process for this program will be through random selection, so there should not be a disparate impact on any protected class.

IMPACT ANALYSIS – 2.b. Payment Standards - FMR

FACTOR 1: Impact on the agency’s finances (e.g., how much will the activity cost, any change in the agency’s per family contribution)

It is always difficult to predict exactly what will happen when payment standards are increased. Some landlords use these values as the starting point for setting their rents; however, in some cases, rent reasonableness studies will keep the rents lower than payment standards because unassisted tenants are paying lower rents. The following shows the number of units by bedroom size currently in the AHA’s portfolio (excluding VASH and EHV households) along with the dollar increase of using 150% of FMRs rather than the current level of 110% where the AHA has its payment standards.

Bdrms	Units on Program	FMRs	Current PS (110%)	150% of FMR	Increase Over 110%	Inc x # units
0	64	\$1,538	\$1,691	\$2,307	\$616	\$39,424
1	569	\$1,854	\$2,039	\$2,781	\$742	\$422,198
2	482	\$2,274	\$2,501	\$3,411	\$910	\$438,620
3	232	\$3,006	\$3,306	\$4,509	\$1,203	\$279,096
4	52	\$3,935	\$3,935	\$5,367	\$1,432	\$74,464
5	5	\$4,525	\$4,525	\$6,172	\$1,647	\$8,235

*Numbers are as of March 2022

Bdrms	Units PBV Program	Units HCV Program	FMRs	Inc x # units
0	60	4	\$1,538	\$11,704
1	110	459	\$1,854	\$360,928
2	56	426	\$2,274	\$400,372
3	58	174	\$3,006	226,780
4	28	24	\$3,935	\$44,392
5	3	2	\$4,525	\$4,533

If the possible increase in payment standard for each bedroom size is multiplied by the number of units at that bedroom size and added together, the increased costs would be \$1,262,037. As not all families would receive the increased payment standard at the bedroom size in which they are residing (over- and under-housed families would be assisted at the lower of the unit or voucher size), an additional analysis of the approximately 1400

vouchers leased as of March 2022 was conducted to provide a range of costs based on differing scenarios.

If all rents were kept at the current level, this activity would cost the AHA approximately \$149,068 per month in increased HAP costs. If all landlords raised their rents to 150% of the FMR and rent reasonableness supported that large of an increase, the increased HAP costs would be \$1,362,339 per month. In reality, if the FMRs are appropriately set, the rent reasonableness test will not allow all units to increase to 150% of the FMR.

FACTOR 2: Impact on affordability of housing costs for affected families (e.g., any change in how much affected families will pay towards their housing costs)

As the AHA is proposing to raise payment standards to 150% of the Fair Market Rents for all bedroom sizes, this would decrease the family contribution to rent to owner for a large number of households (43% of households) and increase the Housing Assistance Payments (HAP) costs of the AHA. Assuming the landlords do not raise rents for the units, the average percent change in reduced payments by the family is approximately 16% with some families experiencing a 94% reduction in their payments towards gross rent (families with low incomes and units over the current payment standard) while others would not experience a decrease because their owner currently has the rent on the unit below the payment standard.

FACTOR 3: Impact on the agency's waitlist(s) (e.g., any change in the amount of time families are on the waitlist)

Most of the applicants drawn off the waitlist are to replace households or to raise lease-up rates due to underspent HAP. There would be fewer HAP dollars to allow for an increase in lease-up, but the number of replacement families would not significantly change.

FACTOR 4: Impact on the agency's termination rate of families (e.g., any change in the rate at which families non-voluntarily lose assistance from the agency)

This will result in a minimally lower number of families losing assistance due to the rule of termination of assistance after 180 days of zero HAP payment. If landlords raise the rent of the unit to the maximum of 150% of FMR, then the six families at zero HAP currently would all receive a HAP payment as

the increased rents would be more than their current TTP; however, most families report a change of income prior to the 180-day termination date.

This will also decrease the number of lower-income families in higher rent units that may face termination for non-payment of rent.

FACTOR 5: Impact on the agency's current occupancy level in public housing and utilization rate in the HCV program

This would increase the HAP utilization rate of the AHA as the AHA could pay more in HAP for currently assisted families and this would incentivize landlords to rent new units to voucher participants.

FACTOR 6: Impact on meeting the MTW statutory goals of cost effectiveness, self-sufficiency, and/or housing choice

This would increase the housing choice of families as the biggest impediment to families leasing outside the established network of landlords with the AHA is the rent being found reasonable but the family unable to rent unit because the rent is above the affordability rule. This would allow families to afford these higher rent units.

FACTOR 7: Impact on the agency's ability to meet the MTW statutory requirements

a) Very Low-Income Requirement

The agency would still be able to meet this requirement as this activity would not impact the selection of applicants.

b) Reasonable Rent Policy

This activity does not affect the family's calculation of total tenant payment to encourage employment and self-sufficiency. It would decrease the family's share of rent to owner in many cases, allowing the family to have income for other purposes like saving or paying for education classes.

c) Substantially the Same Requirement

The AHA is currently carrying a HAP surplus, so increasing HAP payments on behalf of families is possible. The AHA will need to monitor the increased HAP expenditures to ensure that resources are available to continue to assist the same number of families.

d) Comparable Mix Requirement

This activity would have no effect on the number of household members in families, so would meet this statutory requirement.

e) Housing Quality Standards (HQS)

The units would continue to have to meet the HQS standards, so this statutory requirement would be met. The unit selection may even increase the quality of units available as higher rent units may become affordable.

FACTOR 8: Impact on the rate of hardship requests and the number granted and denied as a result of this activity

This should not result in an increase of hardship requests as the participants should be receiving an increased HAP payment in most cases and, in some, a decreased tenant payment for units where the rents are above the current payment standards.

FACTOR 9: Across the other factors above, the impact on protected classes (and any associated disparate impact)

As there is a statistical relationship between the bedroom size in which families are housed and the protected classes of race, disability, age, and family status, the payment standard will be increased for all bedroom sizes to 150% of FMR to avoid a disparate impact to any protected class.

IMPACT ANALYSIS – 2022-12 Payment Standard Increases

FACTOR 1: Impact on the agency's finances (e.g., how much will the activity cost, any change in the agency's per family contribution)

In conjunction with the activity of changing a family's regular reexamination to once every three years rather than annually, this activity will result in a smaller savings than would be achieved by the decrease in annual activity alone. By moving families to regular reexaminations of every three years versus every year, the families will not receive the benefit of increased payment standards in the interim two years resulting in lower Housing Assistance Payments (HAP) to landlords if the gross rent is at or above the payment standard.

FACTOR 2: Impact on affordability of housing costs for affected families (e.g., any change in how much affected families will pay towards their housing costs)

By increasing the family's payment standard to the higher payment standard at rent increases, the family's portion of rent under rent increases will be decreased if the rent increase results in a rent higher than the lower payment standard.

FACTOR 3: Impact on the agency's waitlist(s) (e.g., any change in the amount of time families are on the waitlist)

Most of the applicants drawn off the waitlist are to replace households or to raise lease-up rates due to underspent HAP. There would be fewer HAP dollars to allow for an increase in lease-up, but the number of replacement families would not significantly change.

FACTOR 4: Impact on the agency's termination rate of families (e.g., any change in the rate at which families non-voluntarily lose assistance from the agency)

There would not be an impact on the termination rate of families.

FACTOR 5: Impact on the agency's current occupancy level in public housing and utilization rate in the HCV program

This would increase the HAP utilization rate of the AHA as the AHA could pay more in HAP for currently assisted families and this could incentivize landlords to continue to rent units to voucher participants as the AHA is paying a higher amount.

FACTOR 6: Impact on meeting the MTW statutory goals of cost effectiveness, self-sufficiency, and/or housing choice

This would increase housing choice by keeping a family in the same unit as the rents increase and make the unit unaffordable.

FACTOR 7: Impact on the agency's ability to meet the MTW statutory requirements

a) Very Low-Income Requirement

The agency would still be able to meet this requirement as this activity would not impact the selection of applicants.

b) Reasonable Rent Policy

This activity does not affect the family's calculation of total tenant payment to encourage employment and self-sufficiency. It would decrease the family's share of rent to owner in many cases, allowing the family to have income for other purposes like saving or paying for education classes.

c) Substantially the Same Requirement

The AHA is currently carrying a HAP surplus, so increasing HAP payments on behalf of families is possible. The AHA will need to monitor the increased HAP expenditures to ensure that resources are available to continue to assist the same number of families.

d) Comparable Mix Requirement

This activity would have no effect on the number of household members in families, so would meet this statutory requirement.

e) Housing Quality Standards (HQS)

The units would continue to have to meet the HQS standards, so this statutory requirement would be met.

FACTOR 8: Impact on the rate of hardship requests and the number granted and denied as a result of this activity

This should not result in an increase of hardship requests as the participants would be receiving an increased HAP payment.

FACTOR 9: Across the other factors above, the impact on protected classes (and any associated disparate impact)

As there is a statistical relationship between the bedroom size in which families are housed and the protected classes of race, disability, age, and family status, the payment standard will be increased for all bedroom sizes at a rent increase to avoid a disparate impact to any protected class.

IMPACT ANALYSIS – 2022-13 Allow Owner Referrals Under PBV Program

FACTOR 1: Impact on the agency's finances (e.g., how much will the activity cost, any change in the agency's per family contribution)

This activity will reduce the administration of waitlists for the Housing Authority of the City of Alameda (AHA). Waitlist openings can cost tens of thousands of dollars. The need to open waitlists frequently due to difficulty in obtaining qualified applicants for some units increases the costs to the AHA for administering waitlists. Frequently, low-income housing providers have waitlists for the units along with the AHA's Project-Based Voucher (PBV) waitlists, which can create confusion on the side of the family.

There may also be a slight decrease in vacancy payments as units should be filled timelier as owners know of upcoming or current vacancies before the AHA.

FACTOR 2: Impact on affordability of housing costs for affected families (e.g., any change in how much affected families will pay towards their housing costs)

This activity will not affect housing costs for families.

FACTOR 3: Impact on the agency's waitlist(s) (e.g., any change in the amount of time families are on the waitlist)

This would not have an impact on the families currently on the AHA's waitlist. This activity would be phased in over time as the waitlists operated by the AHA were extinguished. Some owners may be able to refer one bedroom size earlier than others. For example, during the last waitlist opening, only 42 families applied that were eligible for 5-bedroom units, so once these 42 families have been housed, removed for non-response, or determined ineligible, the owner would be eligible to refer for the 5-bedroom units.

FACTOR 4: Impact on the agency's termination rate of families (e.g., any change in the rate at which families non-voluntarily lose assistance from the agency)

This would not affect the termination rate.

FACTOR 5: Impact on the agency's current occupancy level in public housing and utilization rate in the HCV program

This may decrease the vacancy rate of PBV units as owners could pre-screen families before referring to the AHA, but this may not have any affect

on the utilization rate because vacancy payments would also decrease in this case.

FACTOR 6: Impact on meeting the MTW statutory goals of cost effectiveness, self-sufficiency, and/or housing choice

This would meet the statutory goal of cost effectiveness as maintaining waitlists is costly.

FACTOR 7: Impact on the agency's ability to meet the MTW statutory requirements

a) Very Low-Income Requirement

The AHA will need to monitor this, but the owners will be informed of the need to refer families that meet this requirement. The AHA will still be able to meet this requirement.

b) Reasonable Rent Policy

This does not affect the family's calculation of total tenant payment.

c) Substantially the Same Requirement

The activity will not increase payments, so the AHA should be able to meet this requirement.

d) Comparable Mix Requirement

This activity would result in PBV units being filled at the AHA's subsidy standards, so the AHA would be able to meet this requirement.

e) Housing Quality Standards (HQS)

The units would continue to have to meet the HQS standards, so this statutory requirement would be met.

FACTOR 8: Impact on the rate of hardship requests and the number granted and denied as a result of this activity

This activity would not result in hardship requests as it does not affect the HAP or total tenant payment.

FACTOR 9: Across the other factors above, the impact on protected classes (and any associated disparate impact)

Since the AHA will process all applicants currently on its waitlists (which are all currently closed), there will not be a disparate impact to the current applicants.

Owners will be required to perform outreach to find applicants for the units along with their process to handle walk-ins. The owners will be required to certify that outreach was done in a non-discriminatory manner along with being required to submit documentation showing how the referrals were found and that the families were referred in a way that is consistent with all applicable federal laws (non-discrimination and fair housing for example).

The AHA will review the documentation to ensure that there is not a disparate impact on protected classes.

IMPACT ANALYSIS – 2022-14 Project-Based Voucher Right Sizing

FACTOR 1: Impact on the agency's finances (e.g., how much will the activity cost, any change in the agency's per family contribution)

This does not affect the agency's finances except as it pertains to staff having to process less Project-Based Voucher (PBV) transfers.

FACTOR 2: Impact on affordability of housing costs for affected families (e.g., any change in how much affected families will pay towards their housing costs)

This does not change the family contribution as the formula for PBV requires the family to pay a set amount for any unit size based on the family's income. This activity would allow some PBV families to remain under the PBV rent calculation and not have to convert to the Housing Choice Voucher (HCV) calculation, which sometimes results in an increase in the family portion over the amount paid under the PBV program.

FACTOR 3: Impact on the agency's waitlist(s) (e.g., any change in the amount of time families are on the waitlist)

This may have a slight impact on PBV waitlists. The AHA attempts to transfer under-housed families within the PBV portfolio before issuing an HCV, so currently families on larger-sized units may have to wait longer because of these transfers, but this activity may shift that wait time to the smaller-sized units. However, there are more smaller-sized units in the AHA's portfolio, so these waitlists move faster than the larger-sized unit waitlists currently. This may help even out the wait time across bedroom size.

FACTOR 4: Impact on the agency's termination rate of families (e.g., any change in the rate at which families non-voluntarily lose assistance from the agency)

This would not affect the termination rate of families are under-housed families are currently moved between PBV units or given a HCV.

FACTOR 5: Impact on the agency's current occupancy level in public housing and utilization rate in the HCV program

This would not affect the utilization rate in the HCV program as the PBV units are already included in that rate.

FACTOR 6: Impact on meeting the MTW statutory goals of cost effectiveness, self-sufficiency, and/or housing choice

This would increase the housing choice for PBV families by allowing them to remain in the PBV program. Many families on the AHA's program prefer to be housed in PBV units as exemplified by the fact that numerous HCV families applied for PBV waitlists during the last waitlist opening.

FACTOR 7: Impact on the agency's ability to meet the MTW statutory requirements

a) Very Low-Income Requirement

This would not impact the AHA's ability to meet this requirement.

b) Reasonable Rent Policy

This is not affecting the total tenant payment.

c) Substantially the Same Requirement

This would not impact the AHA's ability to meet this requirement.

d) Comparable Mix Requirement

This would not impact the AHA's ability to meet this requirement.

e) Housing Quality Standards (HQS)

The units would continue to have to meet the HQS standards, so this statutory requirement would be met.

FACTOR 8: Impact on the rate of hardship requests and the number granted and denied as a result of this activity

As the family would still have the option to transfer to a correct-sized unit or voucher, this would not result in hardship requests.

FACTOR 9: Across the other factors above, the impact on protected classes (and any associated disparate impact)

The AHA will track these families to see if there is a disparate impact, but at this time, there is not enough data to get statistically valid results for the protected classes and this activity as only three (3) families have been under-housed in the last three years.

MTW CERTIFICATIONS OF COMPLIANCE**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF PUBLIC AND INDIAN HOUSING****Certifications of Compliance with Regulations:
Board Resolution to Accompany the MTW Supplement to the Annual PHA Plan**

Acting on behalf of the Board of Commissioners of the Moving to Work Public Housing Agency (MTW PHA) listed below, as its Chairperson or other authorized MTW PHA official if there is no Board of Commissioners, I approve the submission of the MTW Supplement to the Annual PHA Plan for the MTW PHA Fiscal Year beginning (_____), hereinafter referred to as "the MTW Supplement", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the MTW Supplement and implementation thereof:

- (1) The PHA made the proposed MTW Supplement and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the MTW Supplement and invited public comment.
- (2) The MTW PHA took into consideration public and resident comments (including those of its Resident Advisory Board(s) or tenant associations, as applicable) before approval of the MTW Supplement by the Board of Commissioners or Board of Directors in order to incorporate any public comments into the annual MTW Supplement.
- (3) The MTW PHA certifies that the Board of Directors has reviewed and approved the budget for the Capital Fund Program grants contained in the Capital Fund Program Annual Statement/Performance and Evaluation Report, form HUD-50075.1 (or successor form as required by HUD).
- (4) The MTW PHA will carry out the MTW Supplement in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) all regulations implementing these authorities; and other applicable Federal, State, and local civil rights laws.
- (5) The MTW Supplement is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
- (6) The MTW Supplement contains a certification by the appropriate state or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the MTW PHA's jurisdiction and a description of the manner in which the MTW Supplement is consistent with the applicable Consolidated Plan.
- (7) The MTW PHA will affirmatively further fair housing, which means that it will: (i) take meaningful actions to further the goals identified by the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR 5.150-5.180 and 903.15; (ii) take no action that is materially inconsistent with its obligation to affirmatively further fair housing; and (iii) address fair housing issues and contributing factors in its programs, in accordance with 24 CFR 903.7(o)(3) and 903.15(d). Note: Until the PHA is required to submit an AFH, and that AFH has been accepted by HUD, the PHA must follow the certification requirements of 24 CFR 903.7(o) in effect prior to August 17, 2015. Under these requirements, the PHA will be considered in compliance with the certification requirements of 24 CFR 903.7(o)(1)-(3) and 903.15(d) if it: (i) examines its programs or proposed programs; (ii) identifies any impediments to fair housing choice within those programs; (iii) addresses those impediments in a reasonable fashion in view of the resources available; (iv) works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and (v) maintains records reflecting these analyses and actions.
- (8) The MTW PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975 and HUD's implementing regulations at 24 C.F.R. Part 146.
- (9) In accordance with 24 CFR 5.105(a)(2), HUD's Equal Access Rule, the MTW PHA will not make a determination of eligibility for housing based on sexual orientation, gender identity, or marital status and will make no inquiries concerning the gender identification or sexual orientation of an applicant for or occupant of HUD-assisted housing.
- (10) The MTW PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
- (11) The MTW PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low- or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
- (12) The MTW PHA will comply with requirements with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
- (13) The MTW PHA will comply with requirements with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment.
- (14) The MTW PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.

- (15) The MTW PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
- (16) The MTW PHA will provide HUD or the responsible entity any documentation needed to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58. Regardless of who acts as the responsible entity, the MTW PHA will maintain documentation that verifies compliance with environmental requirements pursuant to 24 Part 58 and 24 CFR Part 50 and will make this documentation available to HUD upon its request.
- (17) With respect to public housing and applicable local, non-traditional development the MTW PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
- (18) The MTW PHA will keep records in accordance with 2 CFR 200.333-200.337 and facilitate an effective audit to determine compliance with program requirements.
- (19) The MTW PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
- (20) The MTW PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200.
- (21) The MTW PHA must fulfill its responsibilities to comply with and ensure enforcement of housing quality standards as required in PIH Notice 2011-45, or successor notice, for any local, non-traditional program units. The MTW PHA must fulfill its responsibilities to comply with and ensure enforcement of Housing Quality Standards, as defined in 24 CFR Part 982, for any Housing Choice Voucher units under administration.
- (22) The MTW PHA will undertake only activities and programs covered by the Moving to Work Operations Notice in a manner consistent with its MTW Supplement and will utilize covered grant funds only for activities that are approvable under the Moving to Work Operations Notice and included in its MTW Supplement. MTW Waivers activities being implemented by the agency must fall within the safe harbors outlined in Appendix I of the Moving to Work Operations Notice and/or HUD approved Agency-Specific or Safe Harbor Waivers.
- (23) All attachments to the MTW Supplement have been and will continue to be available at all times and all locations that the MTW Supplement is available for public inspection. All required supporting documents have been made available for public inspection along with the MTW Supplement and additional requirements at the primary business office of the PHA and at all other times and locations identified by the MTW PHA in its MTW Supplement and will continue to be made available at least at the primary business office of the MTW PHA.

MTW PHA NAME

MTW PHA NUMBER/HA CODE

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

NAME OF AUTHORIZED OFFICIAL

TITLE

SIGNATURE

DATE

** Must be signed by either the Chairperson or Secretary of the Board of the MTW PHA's legislative body. This certification cannot be signed by an employee unless authorized by the MTW PHA Board to do so. If this document is not signed by the Chairperson or Secretary, documentation such as the by-laws or authorizing board resolution must accompany this certification.*

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PROOF OF PUBLICATION FILE NO. MTW Public Hearings

Alameda Journal

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Alameda Journal, a newspaper published in the English language in the City of Alameda, County of Alameda, State of California.

I declare that the Alameda Journal, is a newspaper of general circulation as defined by the laws of the State of California, as determined by the order of the Superior Court of the County of Alameda, dated August 25, 1992, in the action entitled "In the Matter of the Petition of the Alameda Journal to Have the Standing of the Alameda Journal as a Newspaper of General Circulation Ascertained and Established," Case Number 702515-6. Said order provides that: "Petitioner's prayer for an order ascertaining and establishing The Alameda Journal as a newspaper of general circulation...within the City of Alameda, County of Alameda, State of California, is granted." Said order has not been revoked.

I declare that the notice, a printed copy of which is annexed hereto, has been published in each regular and entire issue of the Alameda Journal and not in any supplement thereof on the following dates, to-wit:

11/25/2022

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 25th day of November, 2022.



Signature

Legal No. **0006714916**

HOUSING AUTHORITY OF THE CITY OF ALAMEDA
PUBLIC NOTICE

The Housing Authority of the City of Alameda is accepting written comments on its proposed Annual Plan and Moving to Work (MTW) Supplement for the fiscal year that started July 1, 2022. The proposed plan is available for public review through December 8, 2022.

To see a hardcopy, you may go to any of the following Alameda locations:

Housing Authority Office
701 Atlantic Avenue

Supporting documents may be viewed at the Housing Authority Office. Written comments on the Annual Plan will be accepted through Thursday, December 8, 2022.

A series of public hearings will be held to hear comments from the public. The first to hear public feedback on the Annual Plan revision, and MTW Supplement will be held December 5, 2022 at 5 p.m. This meeting will be a hybrid meeting, so you can attend in-person at Independence Plaza, Ruth Rambeau Community Center, 703 Atlantic Avenue, Alameda, CA 94501 or you may also attend virtually by using the following log-in information:

Meeting Link: <https://us06web.zoom.us/j/81821240135?pwd=cUUrZFpRbGwvUGVkaXhpTUJZOWJ5UT09>

Website access: www.zoom.com
Meeting ID: 818 2124 0135
Passcode: 790689

Phone access: (669) 444-9171
Meeting ID: 818 2124 0135
Passcode: 790689

On December 6, 2022 at 10 a.m., a public hearing will be held to discuss the Annual Plan revision, MTW Supplement, Safe Harbor Waivers applied for, and the Agency-Specific Waivers requested. This meeting will be a hybrid meeting, so you can attend in-person at Independence Plaza, Ruth Rambeau Community Center, 703 Atlantic Avenue, Alameda, CA 94501 or you may also attend virtually by using the following log-in information:

Meeting Link: <https://us06web.zoom.us/j/81501011305?pwd=ZlRzWjRhRWQ5MWQ3dklDRGR6TmU1QT09>

Website access: www.zoom.com
Meeting ID: 815 0101 1305
Passcode: 711423

Phone access: (669) 444-9171
Meeting ID: 815 0101 1305
Passcode: 711423

This is an announcement of a meeting of the Resident Advisory Board of the Housing Authority of the City of Alameda to discuss its proposed Annual Plan, MTW Supplement, Safe Harbor Waivers, and Agency Specific Waivers for the fiscal year started July 1, 2022. The meeting will be held at 6:00 p.m. on Thursday, December 8, 2022. This will be an in-person meeting held at Independence Plaza, Ruth Rambeau Community Center, 703 Atlantic Avenue, Alameda, CA 94501.

Sent comments to:

Tonya Schuler-Cummins, Principal
Management Analyst
Housing Authority of the City of Alameda
701 Atlantic Avenue
Alameda, CA 94501-2161



AJ 6714916 Nov. 25, 2022



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: Vanessa Cooper, Executive Director

Date: December 15, 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 (12.15.22)
2. AB 361.pdf 2021_danprint

Respectfully submitted,



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 15th day of December, 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

Vanessa M. Cooper
Secretary and Executive Director

Carly Grob, Chair
Board of Commissioners

Adopted: December 15, 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.

O