



**PERSONNEL COMMITTEE MEETING AGENDA**

**Special Meeting: May 11, 2022**

**Time: 9:00 a.m.**

Due to the COVID-19 public health emergency and in accordance with guidance from local and public health officers, the Personnel Committee has made several changes to its meetings to protect the public’s health and prevent the disease and its variants from spreading in our communities. At this time, the Personnel Committee meetings are teleconferenced, and the public may observe and/or participate through the Zoom video conferencing platform and/or by phone:

**JOIN BY ZOOM:**

<https://us02web.zoom.us/j/88460095724>

Meeting ID: 884 6009 5724

**JOIN BY PHONE:**

Dial: 1-888-788-0099

Meeting ID: 884 6009 5724

**MEETING AGENDA**

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**1. CALL TO ORDER / ROLL CALL**

**2. RESOLUTION NO. 04-22 APPROVING THE IMPLEMENTATION OF  
TELECONFERENCING REQUIREMENTS UNDER GOVERNMENT CODE SECTION  
54953(e) (AB361)**

**ACTION**

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**3. PUBLIC COMMENT - On matters not on the agenda**

The public may share their comments during the “Public Comment” period on the meeting agenda and these comments may be shared during the meeting in Zoom and/or by phone. The public may also submit written comment(s) to: [melissat@haca.net](mailto:melissat@haca.net). If the comment is on an item on the meeting agenda, please wait for the Chair to call for public comment on that agenda item. If submitting a written comment on an item on the meeting agenda, please include in the email your full name and the agenda item number. There is a time limit of 3 minutes for each public speaker. The Chair has the discretion to further limit this time if warranted by the number of public speakers.

**4. MINUTES OF THE APRIL 13, 2022 PERSONNEL COMMITTEE MEETING**

**ACTION**

**7**

**5. NEW BUSINESS**

**5-1. Draft Executive Director Performance Evaluation Process**

**INFORMATION**

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**6. ADJOURNMENT**

# **TELECONFERENCING REQUIREMENTS**

## **RESOLUTION NO. 04-22**

**APPROVING THE IMPLEMENTATION OF TELECONFERENCING  
REQUIREMENTS UNDER GOVERNMENT CODE SECTION 54953(e) (AB361)**

**HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA**

**AGENDA STATEMENT**

Meeting: May 11, 2022

Subject: Consideration to Approve Resolution to Implement  
Teleconferencing Requirements Pursuant to Government Code  
section 54953 (e) (AB 361)

Exhibits Attached: Resolution No. 04-22

Recommendation: Adopt Resolution

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**BACKGROUND**

On March 17, 2020, to address the need for public meetings during the present public health emergency caused by the COVID-19 virus, Governor Newsom issued Executive Order No. N-29-20, suspending the existing requirements and criteria under the Brown Act, enabling public agencies to conduct their public agenda meetings by teleconference.

On June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021. Both these Executive Orders allowed public agencies to meet virtually without providing members of the public the right to access the locations from which members of the public agency's elected officials took part in meetings, thereby eliminating the access requirements under the standard Brown Act teleconference requirements.

On September 16, 2021, Governor Newsom signed into law, Assembly Bill ("AB") 361, amending Government Code section 54953 to provide authority and specific requirements for public agencies to continue to hold virtual meetings after September 30, 2021, during a proclaimed state of emergency and remain in compliance with the Brown Act (Gov. Code §§ 54950, *et seq.*).

**DISCUSSION**

The new law enacted by AB 361 requires a notice requirement which provides members of the public instructions on how to access the public agency's virtual meetings enabling members of the public to communicate directly with the agency's elected body during the allotted public comment time. In contrast, the prior Executive Orders issued by Governor Newsom limited public comments to only comments sent in advance of the meeting.

AB 361 also adds a procedural requirement requiring public agencies to adopt a resolution in advance of conducting any further virtual public meetings. Government Code section 54953(e) permits legislative bodies and public agencies to make decisions whether to hold virtual meetings at the time of the meeting.

Staff is recommending that your committee approve this resolution implementing the teleconferencing requirements pursuant to Government Code section 54953(e) as amended by AB 361. Upon approval of the resolution your committee may continue with the rest of the regular agenda.

**HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA**

**PERSONNEL COMMITTEE RESOLUTION NO.: 04-22**

**APPROVING THE IMPLEMENTATION OF TELECONFERENCING REQUIREMENTS  
UNDER GOVERNMENT CODE SECTION 54953 (e) (AB 361)**

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconference rules set forth in the California Open Meeting law, Government Code section 54950, et seq. (the “Brown Act”), which provided certain requirements were met and followed; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and

**WHEREAS**, a further required condition of Government Code section 54953(e) is that state or local officials have imposed or recommended measures to promote social distancing, and;

**WHEREAS**, due to the seriousness of the current pandemic situation, the Housing Authority of the County of Alameda requires all employees to wear facial coverings indoors when not in a private office and remain socially distanced; and

**WHEREAS**, Government Code section 54953(e) requires that the public agency make additional findings every thirty (30) days to continue virtual meetings.

**NOW, THEREFORE, BE IT RESOLVED:**

1. All the above recitals are true and correct and are incorporated into this Resolution by this reference.
2. The Personnel Committee finds that state and local officials have imposed or recommended measures to promote social distancing.
3. The Personnel Committee therefore determines that it and its legislative body shall conduct their meetings virtually by teleconferencing in accordance with Government Code section 54953(e)

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA PERSONNEL COMMITTEE  
RESOLUTION NO.: 04-22: APPROVING THE IMPLEMENTATION OF TELECONFERENCING REQUIREMENTS UNDER GOVERNMENT  
CODE SECTION 54953 (e) (AB 361)  
MAY 11, 2022  
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4. This Resolution expires thirty (30) days after the date of its adoption only to the extent required by law. Otherwise, this Resolution shall remain in effect until repealed by the Personnel Committee or pursuant to action by the Personnel Committee.

**PASSED, APPROVED AND ADOPTED** by the Personnel Committee of the Housing Commission of the Housing Authority of the County of Alameda on this 11th day of May 2022 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**EXCUSED:**

**ABSENT:**

**ATTEST:**

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Kurt Wiest  
Executive Director/Housing Commission Secretary

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Michael Hannon  
Personnel Committee Chairperson

**Adopted: May 11, 2022**

**PERSONNEL COMMITTEE**  
**MEETING MINUTES**  
**April 13, 2022**



**SUMMARY ACTION MINUTES**

**PERSONNEL COMMITTEE**

**Special Meeting: April 13, 2022**

**Meeting Time: 7:30 a.m.**

*Due to the COVID-19 public health emergency and in accordance with guidance from local and public health officers, this meeting was conducted via the Zoom video conference platform and by phone.*

**1. CALL TO ORDER / ROLL CALL**

**CALL TO ORDER:**

Chairperson Hannon called the meeting to order at 7:30 a.m.

**ROLL CALL:**

**Present:**

Commissioner Angela Finley  
Commissioner Mark Gerry  
Chairperson Michael Hannon  
Commissioner Yang Shao

**Entered after Roll Call:**

Commissioner Pete Ballew

**2. RESOLUTION NO. 03-22 APPROVING THE IMPLEMENTATION OF  
TELECONFERENCING REQUIREMENTS UNDER GOVERNMENT CODE SECTION  
54953(e) (AB361)**

Melissa Taesali, Executive Assistant, presented the staff report. Report received with no questions or comments from the Personnel Committee.

**Recommendation:** Adopt Resolution No. 03-22 approving the implementation of teleconferencing requirements under Government Code Section 54953(e) (AB361).

**Motion/Second:** Shao/Hannon

Upon a roll call vote being taken the votes were:

Ayes: Cmr. Finley, Gerry, Hannon, and Shao.

Not present for the vote: Cmr. Ballew.

Motion passed. **APPROVED AS RECOMMENDED.**

**3. PUBLIC COMMENT**

*On matters not on the agenda.*

None.



**4. MINUTES OF THE MARCH 9, 2022 PERSONNEL COMMITTEE MEETING**

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Recommendation: Approve the minutes of the March 9, 2022 Personnel Committee meeting as presented.

Motion/Second: Gerry/Shao.

Ayes: Cmr. Finley, Gerry, Hannon, and Shao.

Not present for the vote: Cmr. Ballew.

Motion passed. **APPROVED AS RECOMMENDED.**

**5-1. INFORMATON: EXECUTIVE DIRECTOR'S REPORT**

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Kurt Wiest, Executive Director, reported that staff is working with recruiting firm, Avery and Associates, to recruit for the critical classification of Human Resources (HR) Manager. Mr. Wiest also responded to a question that the Personnel Committee (PC) members had asked related to a recent employee appeal.

Commission Discussion: Chairperson Hannon and Mr. Wiest discussed the HR Manager recruitment. Chairperson Hannon commented that while releasing an employee during the probationary period is a difficult situation, it is well within management's rights to do so if the person is simply not a good fit for the agency.

**5-2. ACTION: AUTHORIZATION TO CANCEL ELIGIBILITY LIST FOR THE HUMAN RESOURCES MANAGER CLASSIFICATION**  
**PERSONNE RULE: 8.4 (E)(1)**

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Laura Broussard Rosen, Deputy Executive Director, presented the staff report. Ms. Broussard Rosen reported that staff conducted a recruitment for the Human Resources (HR) Manager classification and an eligibility list was approved by the Executive Director on January 11, 2022. She further reported that staff is requesting that the Personnel Committee cancel the exiting eligibility list in order to compete a new recruitment for this classification and expand the pool of potential candidates. Ms. Broussard Rosen explained that the candidates on the existing list are welcome to re-apply through the new recruitment.

Recommendation: Cancel the existing eligibility list for the Human Resources Manager classification.

Commission Discussion: Cmr. Finley and Ms. Broussard Rosen discussed the process that the candidates on the exiting eligibility list completed. Chairperson Hannon asked that as a courtesy, staff notify the candidates on the existing eligibility list about the cancellation.

**8. ADJOURNMENT**

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There being no further business to discuss Chairperson Hannon adjourned the Personnel Committee meeting at 7:45 a.m.

Respectfully submitted,

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Melissa Taesali  
Executive Assistant/Housing Commission Clerk

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Kurt Wiest  
Executive Director/Housing Commission Secretary

**Approved:**

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Michael Hannon  
Personnel Committee Chairperson

# **NEW BUSINESS**

**May 11, 2022**

**HOUSING AUTHORITY OF ALAMEDA COUNTY**  
**PERSONNEL COMMITTEE AGENDA STATEMENT**

Meeting: May 11, 2022

Subject: HACA Executive Director Performance Evaluation Process

Exhibits Attached: Draft Evaluation Process

Recommendation: Receive information and forward recommendation for approval to the Housing Commission

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**BACKGROUND**

There currently is no formal process to review HACA's executive director's performance. It is recommended that a formalized process be instituted, both for the benefit of the executive director as well as the agency as a whole. A formalized process would ensure annual reviews are consistently and regularly conducted, feedback is given, and any adjustments to compensation as a result of the performance evaluations are given consideration. All other management positions in the organization are reviewed annually using a standard methodology that has been in place for many years.

At your committee's March meeting, a proposed draft for a process for the Executive Director's annual performance review was presented for your consideration, review, and input. The PC's recommendations were incorporated into the draft process and staff presented the draft to the Housing Commission for their review at the Commission's April meeting. The Housing Commission's Chairperson, Commissioner Peggy McQuaid, recommended that staff continue to work with the Personnel Committee to finalize the process then present the finalized process at Commission's next regular meeting.

The proposed evaluation process is attached. The evaluation would commence in July and conclude in September this year and each year thereafter. Staff recommends that your committee review the updated draft of the process, provide any additional comments and/or feedback and finalize the draft for presentation to the Housing Commission at the June meeting.

**HACA Executive Director Performance Evaluation Procedures**

1. Members of the HACA Personal Committee (PC), led by the PC chair, have primary responsibility for the annual performance review of the Executive Director. The PC report their findings to the Housing Commission by no later than 3 months following the end of the HACA fiscal year.
2. The Executive Director delivers agency goals for the upcoming fiscal year to the Housing Commission as part of the annual budget review and approval process. These agency goals relate to HACA objectives during the upcoming fiscal year and are tied to resources allocated in the approved budget. The goals are reviewed and approved by the Housing Commission along with the annual budget in the June Housing Commission meeting.
3. In May the PC Chair reviews and makes any updates to the Executive Director's Performance Review forms.
4. In June the PC chair gives Self-Evaluation instructions to the Executive Director to complete. If the PC Chair is the same person as the Housing Commission Chair, the Housing Commission Chair will select another PC committee members to serve as the PC Committee Executive Director evaluation chair.
5. The Executive Director delivers the completed Self-Evaluation to the PC chair, or his or her designee, prior to the July Housing Commission meeting.
6. The PC chair, of his or her designee, distributes a Feedback Form and a copy of the completed Self-Evaluation to all Housing Commissioners at the July Housing Commission meeting. Commissioners complete the Feedback Form independently of each other and email it to the PC Chair for compilation. The feedback shall be for the period of the recently passed performance year (July 1 to June 30).
7. The PC chair will share the compiled results with the Housing Commission and discuss language to use in writing the performance review. The PC chair, or his or her designee, and Housing Commission chair, or his or her designee, will complete a draft of the Performance Evaluation with assistance from the PC.
8. The Housing Commission shall discuss the draft Performance Evaluation in a closed session at the August Housing Commission meeting.
9. The PC Committee Chair, or his or her designee, will finalize the Performance Evaluation reflecting the consensus reached at the closed session in August and email it to the Executive Director.
10. Prior to the September Housing Commission meeting, the PC chair, or his or her designee, and Housing Commission chair, or his or her designate, will provide a final copy of the Performance Evaluation and discuss it with the Executive Director.
11. At the September Housing Commission meeting, the Executive Director and the Housing Commission will conclude the annual evaluation process. A brief confirmation that the evaluation has been concluded is all that is needed to be announced and documented in the minutes, unless it is necessary to have further discussion related to agency goals for the next year.
12. The Executive Director's compensation will be adjusted, if warranted by a determination of the Housing Commission, with an effective date of the beginning of the fiscal year following the review period.