



PERSONNEL COMMITTEE MEETING AGENDA

Regular Meeting Date: August 10, 2022

Time: 7:15 a.m.

Due to the COVID-19 public health emergency and in accordance with guidance from state and local public health officials the Housing Commission has made several changes to its meetings to prevent COVID-19 and its variants from spreading in our communities. Here is how to participate in the meetings:

REMOTE/TELECONFERENCE PARTICIPATION:

JOIN MEETING USING ZOOM:

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

Meeting ID: 884 6009 5724

JOIN MEETING BY PHONE:

Dial: 1-888-788-0099

Meeting ID: 884 6009 5724

IN-PERSON PARTICIPATION

HACA Board Room

22941 Atherton Street

Hayward, CA 94541

Note: Seating and occupancy in the HACA Board Room is reduced to allow for social distancing.

MEETING AGENDA

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|---|---------------|----------|
| 1. CALL TO ORDER / ROLL CALL | | |
| 2. RESOLUTION NO. 06-22 APPROVING THE IMPLEMENTATION OF TELECONFERENCING REQUIREMENTS UNDER GOVERNMENT CODE SECTION 54953(e) (AB361) | ACTION | 2 |
| 3. APPROVE THE MINUTES OF THE JUNE 3, 2022 PERSONNEL COMMITTEE MEETING | ACTION | 7 |
| 4. PUBLIC COMMENT - On matters not on the agenda | | |

All in-person and remote meeting participants who wish to speak on a matter not on the agenda must wait until the Chair calls for PUBLIC COMMENT. To speak on an item that is on the agenda, please wait for the Chair to call for public comment on that agenda item. There is a time limit of 3 minutes for each public speaker. The Chairperson has the discretion to further limit this time if warranted by the number of public speakers. NOTE: Only matters within the Commission's jurisdiction may be addressed.

If attending the meeting in-person, please obtain a speaker slip from the Housing Commission Clerk, fill it out and submit it the Housing Commission Clerk as soon as possible. If participating or observing the meeting remotely, you can submit your written comment(s) to: melissat@haca.net. In-person and remote attendees must give their full name for the record before proceeding with their comments.

- 5. CLOSED SESSION**
*Pursuant to Government Code §54957(a)
Executive Director's Evaluation*
- 6. ADJOURNMENT**

TELECONFERENCING REQUIREMENTS

RESOLUTION NO. 06-22

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

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting: August 10, 2022

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

Exhibits Attached: Resolution No. 06-22

Recommendation: Adopt Resolution

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.: 06-22

**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.: 06-22: APPROVING THE IMPLEMENTATION OF TELECONFERENCING REQUIREMENTS UNDER GOVERNMENT CODE SECTION
54953 (e) (AB 361)
AUGUST 10, 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 10th day of August 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

EXCUSED:

ABSENT:

ATTEST:

Kurt Wiest
Executive Director/Housing Commission Secretary

Michael Hannon
Personnel Committee Chairperson

Adopted: August 10, 2022

PERSONNEL COMMITTEE
MEETING MINUTES
June 3, 2022



SUMMARY ACTION MINUTES

PERSONNEL COMMITTEE

Special Meeting: June 3, 2022

Meeting Time: 1:30 p.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 1:34 p.m.

ROLL CALL:

Present:

Commissioner Pete Ballew	Commissioner Michael Hannon (Chairperson)
Commissioner Angela Finley	Commissioner Yang Shao

Excused:

Commissioner Mark Gerry

2. RESOLUTION NO. 05-22: 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 Housing Commission.

Recommendation: Adopt Resolution No. 05-22 approving the implementation of teleconferencing requirements under Government Code Section 54953(e) (AB361).

Motion/Second: Shao/Ballew.

Upon a roll call of the votes being taken the votes were:

Ayes: Cmsrs. Ballew, Finley, Hannon, and Shao.

Motion passed. **APPROVED AS RECOMMENDED.**

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

None.

4. **ACTION: MINUTES OF THE MAY 11, 2022 PERSONNEL COMMITTEE MEETING**

Recommendation: Approve the meeting minutes of the May 11, 2022 Personnel Committee meeting as presented.

Motion/Second: Shao/Ballew.

Upon a roll call of the votes being taken the votes were:

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

Motion passed. **APPROVED AS RECOMMENDED.**

5-1. **INFORMATION: DRAFT EXECUTIVE DIRECTOR PERFORMANCE EVALUATION PROCESS**

Chairperson Hannon introduced this item. Chairperson Hannon reported that the Personnel Committee (PC) has reviewed the draft of the proposed process for the Executive Director’s performance evaluation. He recommended that staff simplify the process and stated that while the PC will do the lion’s share of the evaluation, the responsibility for developing the timeline, and goals should rest with the Executive Director. Chairperson Hannon also stated that he’d like the Executive Director to develop a schedule that illustrates the timeline for the Executive Director’s performance evaluation process. Kurt Wiest, Executive Director, stated that he agrees with these recommendations and that the need for schedule. Cmr. Shao commented that there is already a rough timeframe outlined in the process write-up. He suggested that Mr. Wiest tighten-up, shorten and accelerate that timeline for this process. Chairperson Hannon agreed with Cmr. Shao and commented that there does appear to be some opportunity to consolidate some of the dates in the process which will help to narrow down the timeline. Cmr. Ballew agreed with the comments and suggestions made by the other commissioner. He also shared some insight from a book he is reading on leadership titled, “The Nine Lies About Work” and commented that it is important to have these conversations and provide feedback to the Executive Director. Cmr. Finley also agreed with the comments and suggestions. She commented that the Executive Director knows best about the state of the agency and is the best person to identify and set goals that are in line with the needs of the agency’s operations. Chairperson Hannon, Melissa Taesali, Executive Assistant, and Mr. Wiest discussed next steps and the plan for sharing the information on this draft process with the full Housing Commission.

6. ADJOURNMENT

There being no further business to discuss Chairperson Hannon called for a motion to adjourn the Personnel Committee. On a motion made by Cmr. Ballew and seconded by Cmr. Shao, the Personnel Committee adjourned their meeting at 1:54 p.m.

Respectfully Submitted,

Melissa Taesali
Executive Assistant/Housing Commission Clerk

Kurt Wiest
Executive Director/Housing Commission Secretary

Approved:

Michael Hannon
Personnel Committee Chairperson