



**PERSONNEL COMMITTEE MEETING AGENDA**

**Special Meeting Date: November 9, 2022**

**Time: 7:30 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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|---|---------------|----------|
| <b>1. CALL TO ORDER / ROLL CALL</b>   |               |          |
| <b>2. RESOLUTION NO. 07-22 APPROVING THE IMPLEMENTATION OF TELECONFERENCING REQUIREMENTS UNDER GOVERNMENT CODE SECTION 54953(e) (AB361)</b> | <b>ACTION</b> | <b>2</b> |
| <b>3. APPROVE THE MINUTES OF THE AUGUST 10, 2022 PERSONNEL COMMITTEE MEETING</b>  | <b>ACTION</b> | <b>7</b> |
| <b>4. PUBLIC COMMENT - On matters not on the agenda</b>   |               |          |

*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](mailto: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. 07-22**

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

**HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA**

**AGENDA STATEMENT**

Meeting: November 9, 2022

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

Exhibits Attached: Resolution No. 07-22

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.: 07-22**

**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.: 07-22: APPROVING THE IMPLEMENTATION OF TELECONFERENCING REQUIREMENTS UNDER GOVERNMENT CODE SECTION  
54953 (e) (AB 361)  
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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 9<sup>h</sup> day of November 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:** November 9, 2022

**PERSONNEL COMMITTEE**  
**MEETING MINUTES**  
**August 10, 2022**



**SUMMARY ACTION MINUTES**

**PERSONNEL COMMITTEE**

**Special Meeting: August 10, 2022**

**Meeting Time: 7:15 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 7:24 a.m.

**ROLL CALL:**

**Present in the HACA Board Room:**

Commissioner Mark Gerry

**Present on Zoom:**

Commissioner Pete Ballew

Commissioner Michael Hannon (Chairperson)

Commissioner Yang Shao

**Excused:**

Commissioner Angela Finley

**Observing in the HACA Board Room:**

Commissioner Peggy McQuaid (Housing Commission Chairperson)

**2. RESOLUTION NO. 06-22: 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. 06-22 approving the implementation of teleconferencing requirements under Government Code Section 54953(e) (AB361).

Motion/Second: Shao/Hannon.

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

Ayes: Cmrs. Ballew, Gerry, Hannon, and Shao.

Motion passed. **APPROVED AS RECOMMENDED.**



**3. ACTION: MINUTES OF THE JUNE 3, 2022 PERSONNEL COMMITTEE MEETING**

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Recommendation: Approve the meeting minutes of the June 3, 2022 Personnel Committee meeting as presented.

Motion/Second: Ballew/Shao.

Upon a roll call of the votes being taken the votes were:  
Ayes: Cmr. Ballew, Gerry, Hannon, and Shao.

Motion passed. **APPROVED AS RECOMMENDED.**

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

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None.

**5. CLOSED SESSION:**

*Pursuant to Government Code §54957(a)  
Executive Director's Evaluation*

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The Personnel Committee entered in a Closed Session at 7:28 a.m. and reconvened in open session at 8:04 a.m. Chairperson Hannon reported that there were not reportable actions taken in the Closed Session.

**6. ADJOURNMENT**

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There being no further business to discuss Chairperson Hannon adjourned the meeting at 8:05 a.m.

Respectfully Submitted,

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