



HOUSING COMMISSION AGENDA
Special Meeting Date: December 7, 2022
Time: 8:00 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 (US Toll-free)

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. 14-22 APPROVING THE IMPLEMENTATION OF TELECONFERENCING REQUIREMENTS UNDER GOVERNMENT CODE SECTION 54953(e) (AB361)

ACTION

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3. PUBLIC COMMENT

*All in-person and remote meeting attendees who wish to speak on a matter **not** on the meeting agenda must wait until the Chairperson calls for PUBLIC COMMENT. To comment on a specific item on the meeting agenda, please wait for the Chairperson to call for public comments on that agenda item.*

All persons submitting a public comment must state their full name for the record. 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. The Brown Act limits the Housing Commission's ability to take action on and/or discuss items that are not on the meeting agenda. Therefore, such items are normally referred to staff for or to a future agenda. We want to ensure everyone feels comfortable participating in Housing Commission meetings and is not intimidated by any public comments.

Members of the public who are attending the meeting in-person should obtain a speaker slip from the Housing Commission Clerk, fill it out and turn it in to her/him as soon as possible before the start of the meeting. Members of the public participating remotely should submit written comment(s) to: melissat@haca.net.



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6. CLOSED SESSION <i>Pursuant to Government Code §54957(a)</i> <i>Executive Director's Evaluation</i>		
7. COMMISSIONER REPORTS	INFORMATION	
8. ADJOURNMENT		

TELECONFERENCING REQUIREMENTS

RESOLUTION NO. 14-22

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

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting: December 7, 2022

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

Exhibits Attached: Resolution No. 14-22

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 participated 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 submitted 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 and does not restrict it to one-time use.

At the November 9, 2022 Housing Commission meeting, your Commission adopted Resolution No. 12-22 to approve the implementation of teleconferencing requirements pursuant to AB361. AB 361 requires public agencies to adopt subsequent resolutions every 30 days to continue the use of virtual meetings. Staff is recommending that your Commission adopt Resolution No. 14-22 to implement the teleconferencing requirements pursuant to Government Code section 54953(e) as amended by AB 361.

Upon approval of the resolution your Commission may proceed with the rest of the regular agenda.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

RESOLUTION NO. 14-22

**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 has implemented several safety measures including a requirement that all employees to wear facial coverings when not alone in a private office or meeting room 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 Commission finds that state and local officials have imposed or recommended measures to promote social distancing.
3. The Commission therefore determines that it and its legislative body shall conduct their meetings virtually by teleconferencing in accordance with Government Code section 54953(e)
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 Commission or pursuant to action by the Commission.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA
RESOLUTION NO.: 14-22: APPROVING THE IMPLEMENTATION OF TELECONFERENCING REQUIREMENTS UNDER GOVERNMENT
CODE SECTION 54953 (e) (AB 361)
DECEMBER 7, 2022

PASSED, APPROVED AND ADOPTED by the Housing Commission of the Housing Authority
of the County of Alameda on this 7th day of December 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

EXCUSED:

ABSENT:

Attest:

Peggy McQuaid
Housing Commission Chairperson

Kurt Wiest
Executive Director/Housing Commission Secretary

Adopted: December 7, 2022

EXECUTIVE DIRECTOR'S REPORT

December 7, 2022

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

EXECUTIVE DIRECTOR'S REPORT

Meeting Date: December 7, 2022

1. **Return to In-person Housing Commission Meetings Beginning January 2023:** We will return to in-person Commission meetings starting with the regular meeting scheduled for Wednesday, January 11th. Commission meetings will continue to be broadcast via Zoom so that participants and the public have full access to Commission proceedings.

Protocols for public health and safety will be followed by those in attendance at Commission meetings. The wearing of face masks is optional and is a personal choice based on individual health needs and circumstances.

2. **CARES Act HUD Review:** As mentioned in the November 2022 Commission meeting, HUD recently completed their routine review of HACA's expenditure of funds under the pandemic-related Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 and the Coronavirus Response and Consolidated Appropriations Act of 2021. A total of \$3,138,543 was allocated to HACA during the first two years of the pandemic. We have received a copy of HUD's review which indicated HACA's utilization of funds was appropriate. There were no findings or recommendations in the audit summary.
3. **Emergency Housing Voucher (EHV) HUD Review:** A routine audit by HUD's Quality Assurance Division was completed relative to HACA's implementation of the new EHV program. Last year a total of 252 new EHV subsidies were allocated to HACA for this program. The review evaluated whether our cooperative agreements with local partners met programmatic requirements, if referrals received from the referring partner were properly certified, and that HACA ensured admitted participants were, in fact, eligible for participation. There were no findings or recommendations related to the audit and the review has been closed.

NEW BUSINESS
December 7, 2022

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting Date: December 7, 2022

Subject: Resolution Recognizing Pat Gacoscos for her Outstanding Service on the HACA Housing Commission

Exhibits Attached: Resolution No. 15-22

Recommendation: Adopt Resolution No. 15-22

DISCUSSION

Pat Gacoscos was first appointed to the Housing Commission by the Alameda County Board of Supervisors in March 2011, and she has served continuously since then as the Housing Commissioner representing the City of Union City.

During her time on the Housing Commission, Pat was a very active Housing Commissioner. She served 2 terms as the Commission Chairperson and as the President of the Board of Preserving Alameda County Housing, Inc. (PACH) as well as dedicated her time to the HACA Scholarship Committee where she reviewed dozens of scholarship applications and helped many HACA program participants in their journey toward higher education. She has been incredibly supportive of HACA's staff and has demonstrated a willingness to meet the needs of HACA's program participants. Pat was a regular attendee at various Family Self-Sufficiency (FSS) events and often donated some of her Commission meeting per diem to the FSS holiday Giving Connection.

At your November meeting, Pat announced that her term on the Union City's City Council would be coming to an end. Your Commission's December special meeting will be her last meeting. Pat's valuable guidance and insight, which she often shared with wit and grace, is truly appreciated by staff and the Housing Commission and she will be greatly missed.

In addition to a resolution to recognize Pat, HACA will make a donation to the Union City Friends of Sister Cities in her name. The Commission and staff wish Pat all the best in her future endeavors.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

RESOLUTION NO. 15-22

**RECOGNIZING PAT GACOSOS FOR HER OUTSTANDING SERVICE
ON THE HOUSING COMMISSION OF THE HOUSING AUTHORITY OF THE
COUNTY OF ALAMEDA**

WHEREAS, the Housing Authority of the County of Alameda (“HACA”) administers a number of programs that provide rental housing assistance and other related services to very low-income households including families, seniors, persons with disabilities and veterans; and

WHEREAS, in March 2011, the Alameda County Board of Supervisors approved the City of Union City’s appointment of Pat Gacoscos to the HACA Housing Commission; and

WHEREAS, as an enthusiastic and active member of the HACA Housing Commission, Pat’s insightful observations, which she often shared with wit and grace, demonstrated her sincere interest in and support of HACA’s programs, goals, operations, staff, and clients; and

WHEREAS, Pat has served with distinction as a Housing Commissioner for over 11 years and will be greatly missed by the Commissioners and staff of HACA.

NOW, THEREFORE, BE IT RESOLVED, that the Housing Commissioners and staff of the Housing Authority of the County of Alameda honor and recognize Pat Gacoscos for her years of outstanding and dedicated service on the Housing Commission.

PASSED, APPROVED, AND ADOPTED, by the Housing Commissioners of the Housing Authority of the County of Alameda on this 7th day of December 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

EXCUSED:

ABSENT:

ATTEST:

Peggy McQuaid
Housing Commission Chairperson

Kurt Wiest
Executive Director/Housing Commission Secretary

ADOPTED: December 7, 2022

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting Date: December 7, 2022

Subject: Resolution Recognizing Sara Lamnin for her Outstanding Service on the HACA Housing Commission

Exhibits Attached: Resolution No. 16-22

Recommendation: Adopt Resolution No. 16-22

DISCUSSION

Sara Lamnin was first appointed to the Housing Commission by the Alameda County Board of Supervisors in January 2019, and she has served for the last 3 years as the Housing Commissioner representing the City of Hayward.

In her role as Housing Commissioner, Sara has rarely missed a Commission meeting and has actively engaged in the matters that have been brought forward to the Housing Commission. Sara has provided meaningful and valuable guidance on HACA's program policies and has encouraged a collaborative approach to empowering HACA's program participants and educating other government agencies about the need for affordable housing in her city and in Alameda County. Sara has supported staff through many issues and challenges, particularly in her work on the Housing Commission's Budget/Audit/Negotiations Committee, where she has been instrumental in HACA's budget preparation and labor contract negotiations processes.

At your October meeting, Sara announced that her term on the Hayward City Council would be coming to an end and that she would be leaving the Housing Commission. Your December special meeting will be her last meeting. Sara's insightful observations, heartfelt concern, and willingness to respond to the needs of HACA's clients and staff are truly appreciated by staff and the Housing Commission and she will be greatly missed.

In addition to a resolution to recognize Sara, HACA will make a donation the Hayward Area Recreation and Park District (HARD) in her name. The Commission and staff wish to congratulate Sara on her appointment to Director of HARD and wish her all the best in her future endeavors.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

RESOLUTION NO. 16-22

**RECOGNIZING SARA LAMNIN FOR HER OUTSTANDING SERVICE
ON THE HOUSING COMMISSION OF THE HOUSING AUTHORITY OF THE
COUNTY OF ALAMEDA**

WHEREAS, the Housing Authority of the County of Alameda (“HACA”) administers a number of programs that provide rental housing assistance and other related services to very low-income households including families, seniors, persons with disabilities and veterans; and

WHEREAS, in January 2019, the Alameda County Board of Supervisors approved the City of Hayward’s appointment of Sara Lamnin to the HACA Housing Commission; and

WHEREAS, as an active and engaged member of the HACA Housing Commission, Sara’s thoughtful observations, meaningful insight, and guidance demonstrated her sincere interest in and support of HACA’s programs. Goals, operations, staff, and clients; and

WHEREAS, Sara’s willingness and commitment to understand and respond to the needs of the public and staff will be greatly missed by the Commissioners and staff of HACA.

NOW, THEREFORE, BE IT RESOLVED, that the Housing Commissioners and staff of the Housing Authority of the County of Alameda honor and recognize Sara Lamnin for her years of outstanding and dedicated service on the Housing Commission.

PASSED, APPROVED, AND ADOPTED, by the Housing Commissioners of the Housing Authority of the County of Alameda on this 7th day of December 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

EXCUSED:

ABSENT:

ATTEST:

Peggy McQuaid
Housing Commission Chairperson

Kurt Wiest
Executive Director/Housing Commission Secretary

ADOPTED: December 7, 2022

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting Date: December 7, 2022

Subject: Resolution No. 17-22 Approving the Process for the HACA Executive Director’s Annual Performance Evaluation

Exhibits Attached: HACA Executive Director Annual Performance Review Process

Recommendation: Adopt Resolution 17-22

BACKGROUND

An evaluation instrument to periodically evaluate the performance of the Executive Director currently does not exist. The Personnel Committee directed staff to develop a process and present the proposed process to the Housing Commission to establish a formalized process for the annual review of the Executive Director’s performance.

DISCUSSION AND ANALYSIS

HACA’s Executive Director serves at the pleasure of the Board of Supervisors and the Housing Commission. The employment contract between the Executive Director and HACA specifies that “HACA, through its Housing Commission, its Personnel Committee or designated ad hoc committee, shall use best efforts to undertake a performance evaluation on approximately an annual basis during the life of (the) Agreement. The Housing Commission may elect to make adjustments to compensation as a result of such evaluation.”

Developing and implementing a formalized performance evaluation process for the Executive Director would ensure reviews are conducted consistently and timely. Such a process would also allow the Personnel Committee and Housing Commission to provide feedback on performance as well as determine if an adjustment in compensation is warranted.

Several versions of an evaluation process have been reviewed by the Personnel Committee and feedback has been given. Attached is the process that has been presented to and recommended by the Personnel Committee. In concise form, this process stipulates essential tasks, timelines, and actions to accomplish annual performance reviews of HACA’s Executive Director.

HACA Executive Director Annual Performance Evaluation Process

1. Members of the HACA Personal Committee (PC), led by the PC chair, have primary responsibility for the timely completion of the Executive Director's performance review. The evaluation should be conducted annually following the conclusion of HACA's fiscal year end of June 30.
2. The process begins with the Executive Director completing a written self-evaluation of his or her performance. This should be given to the PC, through its Chair, on or about July 15th of each year.
3. The self-evaluation provides a 1–2-page narrative overview of previous year goals; accomplishments; challenges; relationships with staff, community, and agency partners; goals for the upcoming fiscal year; and an overall summary of the Executive Director's evaluation of his or her performance during the evaluation period.
4. After receiving the self-evaluation, members of the PC meet in closed session to discuss elements of the self-evaluation and interview the Executive Director. During the closed session recommendations related to performance are shared with the Executive Director and a recommendation for any adjustment in salary is made.
5. The full Housing Commission meets in closed session to receive the findings and recommendations of the PC regarding the Executive Director's performance evaluation. Recommendations related to performance and any salary adjustments are brought before the Housing Commission for discussion and action. This closed session should generally occur within 4 months of the conclusion of the HACA fiscal year.
6. 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.