



Berkeley Housing Authority

DRAFT MINUTES

Regular Meeting

BOARD OF THE BERKELEY HOUSING AUTHORITY

Thursday, January 13, 2022

5:01 pm

CHRIS SCHILDT, Chair

Max Levine, Vice Chair

Adolph Moody

Ali Kashani

Dan Rossi

Alexandria Thomas-Rodriguez

1. **Call to Order** – *the meeting was called to order at 6:05 pm.*
2. **Roll Call** – *All members present.*
3. **Comments from the Public** – *Chair Schildt ceded 5 minutes to public commenters (staff from SAHA), who presented a request that an additional 7 PBVs be considered by the Board for the July 2021 extension approval for 13 PBVs for another 5 years. The Board indicated that it would like to see further documentation showing a lower per unit operational cost, in the area of \$8,000 - \$13,000, and then it would further consider an addition to the approval of 13 PBVS made already.*
4. **Consent Calendar:**
 - A. Adoption of a Resolution of the Board of Commissioners of the Housing Authority of the City of Berkeley Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Commissioners Pursuant to the Ralph M. Brown Act, as Amended by Assembly Bill 361– *Moved by Commissioner Rossi, seconded by Commissioner Kashani, the resolution passed (all in favor except Commissioner Thomas-Rodriguez absent).*
5. **Approval of Minutes:**
 - B. December 16, 2021 Special Board Meeting - *Moved by Chair Schildt, seconded by Vice Chair Levine, the minutes of the December 16, 2021 Special Board Meeting were approved (all in favor except Commissioner Thomas-Rodriguez absent and Commissioner Rossi abstained).*
6. **New Business**
 - C. Fiscal Year 2020-21 Independent Audit Report, Cropper Accountancy Corporation - *Moved by Commissioner Thomas-Rodriguez, seconded by Commissioner Kashani, the 2020-21 Independent Audit Report, as presented by Cropper Accountancy Corp., was accepted (all in favor).*
 - A. Finance Report – Period Ending November 30, 2021 – *Jesy reported the forecasted deficit for FY2022 is \$317,848, an increase by \$80,774 from last month's projection of \$237,026. The increase primarily resulted from the 4% COLA retroactive to July 1, 2021, \$1,000 lump sum payment for all current employees and \$30 increase in commuter benefits approved by the Board on December 16th 2021.*

Jesy also informed the Board of the over \$3 million in excess HAP funding as of December 31, 2021, and a potential recapture of \$956,419. HUD staff, however, mentioned that HUD has not made a final decision on what to do with excess HAP on December 31, 2021. Without further action, the TYT projects and even higher excess HAP funding (\$4.7 million) by December 31, 2022 — however staff is embarking on opening the waitlist, encouraging landlord incentives, increasing Payment Standard to 120% of the FMR, etc. She further reported that the COLA adjustments included in the recently adopted Tentative Agreements with bargaining units will for FY2022-2024 will increase the projected deficits in FY2023 and FY2024 by approximately 17% (approximately \$413,841 and \$438,659, respectively) and will shorten the availability of the portion of disposition proceeds previously approved by HUD to be used for operation by three quarters of FY2026.

B. Executive Director's Monthly Report – Rachel reported: (a) Covid updates: no pandemic-related interim adjustments since Nov. 2021; 157 were processed with an increase of \$568 per household per month. HUD has come out with additional waivers that will continue beyond CY21, which staff intends to apply for, including the following expedited waivers, as HUD calls them: allowing rent increases prior to the contract anniversary date with BHA covering the overage rather than our clients; increasing Payment Standard to 120% of the FMR; and forgoing the SEMAP score for 2020-21. Additional waivers may be requested that a more extensive submission process. (b) EHV's: BHA received 31 referrals of the 51 EHV's awarded; of the 31 referrals, 24 have been processed by staff for intake, participated in a Briefing, and have vouchers in hand; 4 formerly homeless clients are now leased up in Berkeley utilizing their EHV. Staff continues to meet with our EHV partners bi-monthly to update one another regarding the lease up process, and troubleshoot collaboratively. (c) PBV updates: SAHA has indicated a desire to speak with the Board about adding additional PBV's to the request (see "Communications" in packet); Ashby Lofts and Helios Corner have received their letters requesting documentation if submitting for PBV Master HAP contract extensions, the Board will make a determination in March. Annually the Board is to consider whether to open an RFP for allocation of PBV's. There are 150 available at this time; staff suggests the Board consider the number of PBV's it is comfortable releasing and a timeframe of July/ Aug/ or Sept. in order to allow staff to handle other pressing projects including the waitlist opening (and now the MTW action planning). (d) BHA has connected with the Rent Board for clarification on the overlapping jurisdictions of BHA and the Rent Board when a rental contract is approved above Payment Standard. When this happens, the unit falls under the joint jurisdiction of both BHA and the Rent Ordinance, and the lawful rent will revert to the actual Payment Standard plus the Annual General Adjustment granted by the Rent Board for the year in question (for 2022 the increase is 2.1%). The client will be required to pay the overage, which will be the difference between the Payment Standard and the approved rent; if the client cannot afford to cover the overage then BHA staff will offer the family a transfer voucher, and ask that the landlord provide the tenant reasonable time to find a new unit. Note: staff and legal counsel for BHA and the Rent Board met, subsequent to the Jan. Board meeting, to confirm all of this is legally accurate, which is the case.

C. Adoption and Execution of Union Contracts: Local 1021; Local One/AFSCME 57; Unrepresented Staff – item D was moved to Consent Calendar by Chair Schildt; Moved by Commissioner Rossi, and Seconded by Commissioner Kashani, the labor union contracts were approved (all in favor except Commissioner Thomas-Rodriguez absent).

D. Adoption of E-Signature Policy - Moved by Commissioner Rossi, seconded by Commissioner Thomas Rodriguez, the resolution passed with recommendation to strike out Section E (BHA Department discretion) and make as many documents available to clients via DocuSign as possible (all in favor except Commissioner Moody abstained).

7. Commissioners' Questions and Matters

A. 2022 Meeting Dates and Times – list of dates received by Board.

B. 3 x 3 Meeting – Mayor's scheduler has indicated a February date, yet to be identified.

C. Board Appointment – Vice Chair Levine has a potential lead; Rachel will send him a recruitment packet (done).

8. Adjournment - Moved by Commissioner Kashani and seconded by Commissioner Moody, the meeting was moved to adjourn (8:30 pm) in the memory of those who lost their lives in tragic HUD-assisted building fires in New York and Philadelphia.