



Berkeley Housing Authority

**DRAFT MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF THE
BERKELEY HOUSING AUTHORITY**

Friday, July 23, 2010

**North Berkeley Senior Center
1901 Hearst Avenue**

Berkeley, CA 94709

8:30 a.m. – 11:30 a.m.

CAROLE NORRIS, CHAIR

VALERIE AGOSTINO

MARJORIE COX

RICHELIEU HEMPHILL

KATHARINE GALE

DOROTHY HUNT

ADOLPH MOODY

1. **Call to Order**

The meeting was called to order at 8:40 a.m.

2. **Roll Call**

Board Members present: Chairperson Norris; Board Members Gale, Hunt (arrived at 8:53 a.m.), Moody and Hemphill. Board Member Cox was absent (excused).

3. **Ceremonial Matter**

A. Appointment of Richelieu Hemphill

Chairperson Norris welcomed Richelieu Hemphill as the newly appointed Board member.

4. **Comments from the Public**

Four members of the public addressed the Board.

5. **COMMISSION WORKSHOP**

A. Overview: Ralph M. Brown Act (Brown Act)

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Written report received. Jennifer Bell, Counsel for the Berkeley Housing Authority provided commentary on the report and answered questions for the Board. Board Member Gale requested that information be given to the Board Members in September regarding Robert's Rules and requested clarification regarding the topic of Board meeting agenda items in the By-laws. It was suggested that the agenda items be set by the Executive Director with input from the Board if desired. Chairperson Norris requested that the record retention policy be distributed to Board members and suggested that the Board review the Brown Act on an annual basis.

B. Discussion of Section 8 Project Based Voucher Program

Written report received. Tia Ingram, Executive Director, with the assistance of Rachel Gonzales-Levine, Management Analyst, provided commentary on the report and answered questions for the Board. Board Member Gale commented that there is not any urgency around the 48 units in regards to Ashby Arts because BHA is currently leased up. She questioned if the vouchers were being held offline. Executive Director Ingram explained that at this time we technically cannot issue any vouchers because we are fully leased up. BHA is not holding the vouchers offline and would not experience a financial loss if we held the 48 vouchers. Executive Director Ingram explained that we are only paid for units that are under contract when the family occupies the unit. Chairperson Norris and Board Member Agostino questioned if we have a policy in place on how project based contracts are renewed and stated that they would like to see such policy. Board Member Hemphill asked if we had an analysis on what the need was for project types; Chairperson Norris asked if it was possible to look at the waitlist applicant database to learn about the majority of applicants. Management Analyst Gonzales-Levine informed the Board that it was possible and the data requested would be provided to the Board. Board Member Hunt asked for clarification regarding vacancy loss. Management Analyst Gonzales-Levine informed the Board that BHA has a solid relationship with those managing the project based units under master HAP contract and all parties are taking proactive measures to avoid having to pay vacancy loss but cautioned we cannot be 100% certain that we will never have to pay vacancy loss at some point.. Chairperson Norris commented that she was very pleased that BHA is fully leased.

6. New Business

- A. Approving a Resolution authorizing the Executive Director to execute the Corrective Action Plan (CAP) with the U.S. Department of Housing and Urban Development (HUD) establishing performance standards for three issues identified in the Confirmatory Review of our Fiscal Year 2008-09, Section Eight Management Assessment Program (SEMAP) certification.

It was moved, seconded and approved (Hunt/Agostino; Abstain: None; Noes: None; Absent: Cox (excused)) to approve a Resolution authorizing the Executive Director to execute the Corrective Action Plan (CAP) with the U.S. Department of Housing and Urban Development (HUD) establishing performance standards for three issues identified in the Confirmatory Review of our Fiscal Year 2008-09, Section Eight Management Assessment Program (SEMAP) certification.

- B. Approving Resolutions (1) re-titling the Berkeley Housing Authority (BHA) Office Assistant classification to BHA Office Assistant II, and (2) establishing a new classification of Berkeley Housing Authority Office Assistant I, effective July 25, 2010.

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It was moved, seconded and approved (Gale/Agostino; Abstain: None; Noes: None; Absent: Cox (excused)) to approve Resolutions (1) re-titling the Berkeley Housing Authority (BHA) Office Assistant classification to BHA Office Assistant II, and (2) establishing a new classification of Berkeley Housing Authority Office Assistant I, effective July 25, 2010.

- C. Approving a Resolution reinstating 17 of the 42 Project Based Vouchers that were withdrawn on June 10, 2010 (for a total of 62 vouchers) to CityCentric for the Ashby Arts project on the condition that the owner, on or before December 31, 2010, submits (1) evidence of a valid award from the City of Berkeley of a \$1.4 million Housing Trust Fund allocation; and (2) evidence of award of \$15.9 million Tax Credits or other financing to close the finance gap; and (3) evidence that Bridge Housing Corporation, or an affiliate thereof, is the Managing General Partner on the project.

It was moved, seconded and approved (Moody/Agostino; Abstain: None; Noes: None; Absent: Cox (excused)) to approve a Resolution reinstating 17 of the 42 Project Based Vouchers that were withdrawn on June 10, 2010 (for a total of 62 vouchers) to CityCentric for the Ashby Arts project on the condition that the owner, on or before December 31, 2010, submits (1) evidence of a valid award from the City of Berkeley of a \$1.4 million Housing Trust Fund allocation; and (2) evidence of award of \$15.9 million Tax Credits or other financing to close the finance gap; and (3) evidence that Bridge Housing Corporation, or an affiliate thereof, is the Managing General Partner on the project.

7. Communications

- A. Communication from Elidia Duarte dated July 9, 2010
Communication Received.
- B. Communication from Elidia Duarte dated July 16, 2010
Communication Received.
- C. Communication from Elidia Duarte dated July 20, 2010
Communication Received.
- D. Letter from Yvette Davis (former LIPH Resident)
Communication Received.

8. Adjournment

It was moved, seconded and approved (Hunt/Agostino; Abstain: None; Noes: None; Absent: Cox (excused)) to adjourn the meeting to the closed session at 11:19 a.m.

CLOSED SESSION

Closed session pursuant to Government Code Section 54956.9 – Conference with Legal Counsel re existing litigation: Brown v. Berkeley Housing Authority, Alameda County Superior Court No RG10495331.