

AGENDA

BOARD OF COMMISSIONERS HOUSING AUTHORITY OF THE COUNTY OF MERCED

Regular Meeting
Tuesday, December 20, 2022
12:00 p.m.

Closed session immediately following

Housing Authority of the County of Merced
Administrative Building
405 "U" Street
Board Room – Building B (Second Floor)
Merced, CA 95341
(209) 386-4139

Rick Osorio, Chairperson
Hub Walsh, Vice-Chair
Evelyn Dorsey
Robert Dylina
Diana Odom Gunn
Margaret Pia

All persons requesting disability related modifications or accommodations may contact the Housing Authority of the County of Merced at (209) 386-4139, 72 hours prior to the public meeting.

All supporting documentation is available for public review in the office of the Clerk of the Board located in the Housing Authority Administration Building, Second Floor, 405 "U" Street, Merced, CA 95341 during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday.

The Agenda is available online at www.merced-pha.com

Use of cell phones, pagers, and other communication devices is prohibited while the Board Meeting is in session. Please turn all devices off or place on silent alert and leave the room to use.

I. CALL TO ORDER AND ROLL

II. UNSCHEDULED ORAL COMMUNICATION

NOTICE TO THE PUBLIC –

This portion of the meeting is set aside for members of the public to comment on any item within the subject-matter jurisdiction of the Commission, but not appearing on the agenda. Items presented under public comment may not be discussed or acted upon by the Commission at this time.

For items appearing on the agenda, the public is invited to comment at the time the item is called for consideration by the Commission. Any person addressing the Commission under Public Comment will be limited to a 3-minute presentation.

All persons addressing the Commission are requested to state their name and address for the record. Public comments must not interfere with orderly discussion or otherwise disrupt the meeting (CA Gov. Code 54957.9, SB 1100 (2022)). Slanderous, profane, threatening remarks or disorderly conduct that disrupts the meeting are prohibited (CA Gov. Code 36813, White v. City of Norwalk, 900 F.2d 1421 (1990)). Disruptive conduct may be grounds for removal from the meeting.

III. COMMISSIONER and/or AGENCY ADDITIONS/DELETIONS TO THE AGENDA

(M/S/C): ___ / ___ / ___



IV. APPROVAL OF THE FOLLOWING MEETING MINUTES

- 1. November 15, 2022, Regular Meeting (M/S/C): ____/____/____
- 2. November 28, 2022, Special Meeting (M/S/C): ____/____/____

V. CONSENT CALENDAR

- 1. Rent Delinquency Report November 2022
- 2. Financial Reports for November 2022
- 3. Public Housing Occupancy/Vacancy Report
- 4. HCV Program Counts

(M/S/C): ____/____/____

VI. INFORMATION/DISCUSSION ITEM(S)

- 1. Legal Counsel – Protocol for Board Member Interaction

VII. EXECUTIVE DIRECTOR REPORT

- 1. Employee Recognition
- 2. Board of Supervisors Update

VIII. WRITTEN CORRESPONDENCE

None

IX. RESOLUTION ITEM(S)

None

X. ACTION ITEM(S)

None

XI. COMMISSIONER’S COMMENTS

XII. CLOSED SESSION ITEM(S)

- 1. Pursuant to Government Code §54957.6
 - Union Negotiations
 - David Ritchie, Legal Counsel
 - Rosa Vazquez, Executive Director
 - Maria F. Alvarado, Human Resources Manager

XIII. ADJOURNMENT

(M/S/C): ____/____/____



MINUTES

BOARD OF COMMISSIONERS HOUSING AUTHORITY OF THE COUNTY OF MERCED

Regular Meeting Tuesday, November 15, 2022

- I. The meeting was called to order by Vice-Chairperson Walsh at 12:06 p.m. and the Secretary was instructed to call the roll.

Commissioners Present:

Hub Walsh, Vice-Chairperson
Evelyne Dorsey
Robert Dylina
Margaret Pia

Commissioners Absent:

Rick Osorio, Chairperson
Diana Odom Gunn

Vice-Chairperson Walsh declared there was a quorum present.

Staff Present:

Rosa Vazquez, Executive Director/Board Secretary
David Ritchie, Legal Counsel
Blanca Arrate, Director of Housing Programs
Tracy Jackson, Director of Housing Programs
Melina Frederick, Director of Procurement & Asset Management
Cliff Hatanaka, Finance Officer
Bruce Milgrom, Finance Officer

Others Present:

MaryAnn Gentry, Member of the Public
Adam Conor, Developer
Iris Gunther-Battles, Behavioral Health & Recovery Services

II. **UNSCHEDULED ORAL COMMUNICATION**

MaryAnn Gentry a member of the public was present to express her concerns regarding the poor living conditions the landlord has exposing them to. Concerns include infestation and lack of hot water. Many of the units house voucher holders and with the potential shut down of the complex the Authority will see these voucher holders come in for transfers. Additionally, Ms. Gentry has identified grants the Authority could apply for. These grants can be utilized for inspections and fair housing; neighborhood improvement; and Main Street affordable housing development.

Adam Conor is an affordable housing developer wishing to introduce himself to the Board and Authority. Mr. Conor currently has a sixty-six (66) unit project in the City of Merced targeted to house HCV participants. Additionally, he is looking to develop in the City of Delhi and Planada.



Iris Gunther-Battles is the Program Coordinator (Housing Navigator), Adult System of Care (ASOC) for Behavioral Health & Recovery Services (BHRS) introduced herself to the Board. She assists vouchers and grants for BHRS.

III. COMMISSIONER and/or AGENCY ADDITIONS/DELETIONS TO THE AGENDA

Item VI.1 has been postponed to the December 2022 meeting.

(M/S/C): Commissioner Pia/Commissioner Dorsey/Motion Passed

IV. APPROVAL OF THE FOLLOWING MEETING MINUTES

1. October 18, 2022, Regular Meeting

(M/S/C): Commissioner Pia/Commissioner Dorsey/Motion Passed

V. CONSENT CALENDAR

1. Rent Delinquency Report for September 2022

(M/S/C): Commissioner Dylina/Commissioner Dorsey/Motion Passed

2. Financial Reports for September 2022

(M/S/C): Commissioner Dylina/Commissioner Pia/Motion Passed

3. Public Housing Occupancy/Vacancy Report

(M/S/C): Commissioner Dylina/Commissioner Pia/Motion Passed

4. HCV Special Program Counts

(M/S/C): Commissioner Dylina/Commissioner Pia/Motion Passed

VI. INFORMATION AND DISCUSSION ITEM(S)

None

VII. EXECUTIVE DIRECTOR REPORT

1. Executive Director Vazquez reported that the Authority's migrant centers are beginning to close. Executive Director Vazquez provided the closure dates for each center.

2. The Authority submitted the letter of interest and letter of support for the Stability Voucher Program. The Authority will await HUD approval.

3. The Authority submitted the Family Self Sufficiency Action Plan for approval. The plan incorporates the changes has made to the program as well as other minor administrative procedures.



VIII. WRITTEN CORRESPONDENCE

None

IX. RESOLUTIONS ITEM(S)

- 1. **Resolution No. 2022-20:** Approving the submission of the Housing Authority’s Section 8 Mangement Assessment Program (SEMAP) certification, HUD Form 52648 to HUD for the Fiscal Year Ending September 30, 2022.

(M/S/C): Commissioner Dylina/Commissioner Pia/Motion Passed

X. ACTION ITEM(S)

None

XI. COMMISSIONER’S COMMENTS

Commissioner Dylina commented on communications between LINQ Housing and the Authority. Commissioner Dylina wishes to ensure that communications between the Authority and developers or the lack of is not perceived as being ignored or refusal to provide information. Additionally, he would like to meet with staff to gain a better understanding of the various programs.

Vice-Chair Walsh inquired about public requests and timely response to them. Legal Counsel provided guidance on this matter.

CLOSED SESSION ITEM(S)

The Board of Commissioners went into closed session at 1:00 p.m. The following people were present:

Board Members

Hub Walsh, Vice-Chair
Robert Dylina
Margaret Pia

Others Present

Rosa Vazquez, Executive Director/Board Secretary
David Ritchie, Legal Counsel

- 1. Pursuant to Government Code(§ 54957.6 – Union Negotiations

The Board returned to Regular Session at 1:11 p.m., no direction give as this item was tabled due to the lack of a quorum present.

XII. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 1:13 p.m.

Chairperson Signature

Date: December 20, 2022

Secretary Signature

Date: December 20, 2022



MINUTES
BOARD OF COMMISSIONERS
HOUSING AUTHORITY OF THE COUNTY OF MERCED

Special Meeting
Monday, December 28, 2022

- I. The meeting was called to order by Chairperson Osorio at 9:04 a.m. and the Secretary was instructed to call the roll.

Commissioners Present:

Rick Osorio, Chairperson
Hub Walsh, Vice-Chairperson
Evelyne Dorsey
Robert Dylina
Margaret Pia

Commissioners Absent:

Diana Odom Gunn

Chairperson Osorio declared there was a quorum present.

Staff Present:

Rosa Vazquez, Executive Director/Board Secretary
David Ritchie, Legal Counsel
Cliff Hatanaka, Finance Officer
Bruce Milgrom, Finance Officer
Maria F. Alvarado, Board Clerk & HR Manager

Others Present:

None

II. **UNSCHEDULED ORAL COMMUNICATION**

None

III. **COMMISSIONER and/or AGENCY ADDITIONS/DELETIONS TO THE AGENDA**

None

(M/S/C): Commissioner Walsh/Commissioner Pia/Motion Passed

IV. **CLOSED SESSION ITEM(S)**

The Board of Commissioners went into closed session at 9:05 a.m. The following people were present:

Board Members

Rick Osorio, Chair
Hub Walsh, Vice-Chair
Robert Dylina

Others Present

Rosa Vazquez, Executive Director/Board Secretary
David Ritchie, Legal Counsel
Maria F. Alvarado, HR Manager/Board Clerk



Evelyne Dorsey
Margaret Pia

Cliff Hatanaka, Finance Officer
Bruce Milgrom, Finance Officer

1. Pursuant to Government Code(§ 54957.6 – Union Negotiations

The Board returned to Regular Session at 11:03 a.m. and direction was given to staff.

V. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 11:03 a.m.

Chairperson Signature

Date: December 20, 2022

Secretary Signature

Date: December 20, 2022



Aged Receivables Report as for 11/2022 - As of 12-14-2022

Property	0 - 30 days	31-60 days	61 - 90 days	Over 90 days	Total Unpaid Charges	Balance
AMP 1						
ca023001 PH - Merced	8,233.18	3,459.50	1,499.00	11,808.45	25,000.13	25,000.13
ca023010 PH - Merced	5,365.82	3,342.27	1,383.00	4,936.95	15,028.04	15,028.04
ca023013 PH - Merced Sr	889.70	318.35	506.00	2,515.59	4,229.64	4,229.64
ca023021 PH - Acquisition	0.00	0.00	0.00	0.00	0.00	0.00
ca023023 PH - Acquisition	458.00	458.00	458.00	1,029.00	2,403.00	2,403.00
AMP 1 TOTALS	14,946.70	7,578.12	3,846.00	20,289.99	46,660.81	46,660.81
AMP 2						
CA023003 PH - Atwater - Cameo	449.00	794.00	794.00	804.00	2,841.00	2,841.00
ca023006 PH - Livingston	7,008.18	-607.00	1,313.00	874.06	8,588.24	8,588.24
012a PH - Atwater	2,057.87	1,527.52	1,611.00	5,328.47	10,524.86	10,524.86
012b PH - Winton	23.00	0.00	0.00	0.00	23.00	23.00
AMP 2 TOTALS	9,538.05	1,714.52	3,718.00	7,006.53	21,977.10	21,977.10
AMP 3						
ca023002 PH - Los Banos	1,104.59	662.00	636.00	4,699.00	7,101.59	7,101.59
ca023004 PH - Los Banos - Abby, B, C & D	915.00	436.00	260.00	-942.21	668.79	668.79
ca023005 PH - Dos Palos - West Globe	1,609.21	442.00	260.00	38.00	2,349.21	2,349.21
ca023011 PH - Los Banos - J & K St	1,379.90	752.24	374.00	0.00	2,505.24	2,505.24
012c PH - Dos Palos - Alleyne	844.66	0.00	0.00	0.00	844.66	844.66
012d PH - Dos Palos - Globe	382.00	0.00	0.00	-82.00	300.00	300.00
AMP 3 TOTALS	6,234.46	2,292.24	1,530.00	3,712.79	13,769.49	13,769.49
AMP 4						
ca023024 PH 1st Street	263.73	0.00	0.00	-723.00	-459.27	-459.27
AMP 4 TOTALS	263.73	0.00	0.00	-723.00	-459.27	-459.27
VALLEY VIEW						
atw Atwater Elderly	0.00	0.00	0.00	0.00	0.00	0.00
dp Dos Palos Elderly	0.00	0.00	0.00	0.00	0.00	0.00
mid Midway	0.00	0.00	0.00	200.00	200.00	200.00
pbc - atw	953.00	-230.00	251.00	-43.51	930.49	930.49
pbc - dp	940.00	241.00	241.00	-457.72	964.28	964.28
pbc - mid	2,172.00	1,896.00	1,452.87	11,755.81	17,276.68	17,276.68
VALLEY VIEW TOTALS	4,065.00	1,907.00	1,944.87	11,454.58	19,371.45	19,371.45
FELIX TORRES YEAR ROUND						
ft.yr Felix Torres Year Round Center	4,572.82	2,896.00	1,562.00	7,441.00	16,471.82	16,471.82
FELIX TORRES YEAR ROUND TOTALS	4,572.82	2,896.00	1,562.00	7,441.00	16,471.82	16,471.82
HOUSING AUTHORITY TOTALS	39,620.76	16,387.88	12,600.87	49,181.89	117,791.40	117,791.40

**Housing Authority of the County of Merced
Financial Statement - AMP 1 (.fs-amp1)**

Budget Comparison

Period = Oct 2022

	YTD Actual	YTD Budget	Variance Fav/-Unfav	% Var Fav/-Unfav	Annual
Revenue & Expenses					
NET TENANT INCOME (1,2)	89,233	60,881	28,352	47	730,567
TOTAL GRANT INCOME	55,287	53,094	2,193	-100	637,125
TOTAL INCOME	144,520	113,975	30,545	-22	1,367,692
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (3,4)	27,560	35,968	8,408	23	431,612
TOTAL TENANT SERVICES EXPENSES	0	142	142	100	1,700
TOTAL UTILITY EXPENSES	19,078	20,223	1,145	6	242,674
TOTAL MAINTENANCE EXPENSES (5,6)	18,068	31,543	13,475	43	378,499
TOTAL GENERAL EXPENSES	12,338	11,211	-1,127	-10	134,544
TOTAL HOUSING ASSISTANCE PAYMENTS	359	417	58	14	5,000
TOTAL FINANCING EXPENSES	3,333	3,333	0	0	40,000
TOTAL NON-OPERATING ITEMS	3,143	3,143	0	0	37,716
TOTAL EXPENSES	83,880	105,980	22,100	33	1,271,745
NET INCOME	60,640	7,995	52,645	658	95,947

- (1) Tenant Rents up \$12M over Budget
- (2) Tenant Legal Fees +\$16M (Costs charged to 5 tenants)
- (3) Salary Exp \$4M
- (4) Misc. Admin. Exp. \$2M
- (5) Maintenance Costs Supplies \$6M
- (6) Contract Costs \$6M

Housing Authority of the County of Merced
Financial Statement - AMP 2 (.fs-amp2)
Budget Comparison
Period = Oct 2022

	YTD Actual	YTD Budget	Variance Fav/-Unfav	% Var Fav/-Unfav	Annual
Revenue & Expenses					
INCOME					
NET TENANT INCOME (1,2,3)	59,727	49,365	10,362	21	592,378
TOTAL GRANT INCOME	33,849	33,866	-17	-100	406,391
TOTAL INCOME	93,576	83,231	10,345	12	998,769
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (3)	18,538	25,103	6,615	26	301,227
TOTAL TENANT SERVICES EXPENSES	0	133	133	100	1,600
TOTAL UTILITY EXPENSES	17,311	18,549	1,238	7	222,595
TOTAL MAINTENACE EXPENSES (4)	20,598	26,215	5,617	21	314,552
TOTAL GENERAL EXPENSES	9,875	8,483	-1,382	-16	101,801
TOTAL HOUSING ASSISTANCE PAYMENTS	183	94	-89	-95	1,125
TOTAL FINANCING EXPENSES	1,595	1,595	0	0	19,145
TOTAL NON-OPERATING ITEMS (5)	0	5,948	5,948	100	71,372
TOTAL EXPENSES	68,100	86,120	18,080	21	1,033,417
NET INCOME	25,476	-2,889	28,425	-984	-34,648

- (1) Tenant Rents +\$3M
- (2) Tenant Legal Fees +\$7M (Costs charged to 3 tenants)
- (3) Misc. Tenant Inc. - Fire Damage Charges (\$ 67,205.25 - removed - from income)
- (4) Salary Exp. \$3M, Office Exp. \$1M, Other Admin Exp. \$1M
- (5) Fully depreciated at 9/2022, not a cash item

Housing Authority of the County of Merced
Financial Statement - AMP 3 (.fs-amp3)
Budget Comparison
Period = Oct 2022

	YTD Actual	YTD Budget	Variance Fav/-Unfav	% Var Fav/-Unfav	Annual
Revenue & Expenses					
INCOME					
NET TENANT INCOME (1,2,3)	55,968	50,052	5,916	12	600,630
TOTAL GRANT INCOME	37,144	35,673	1,471	4	428,073
TOTAL INCOME	93,112	85,725	7,387	9	1,028,703
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (4,5)	24,294	27,619	3,325	12	331,431
TOTAL TENANT SERVICES EXPENSES	0	91	91	100	1,100
TOTAL UTILITY EXPENSES (6)	11,405	15,174	3,769	25	182,080
TOTAL MAINTENANCE EXPENSES (7,8,9)	12,631	28,299	15,668	55	339,592
TOTAL GENERAL EXPENSES	10,452	8,913	-1,539	-17	106,956
TOTAL HOUSING ASSISTANCE PAYMENTS	366	125	-241	-193	1,500
TOTAL FINANCING EXPENSES	1,417	1,417	0	0	17,000
TOTAL NON-OPERATING ITEMS (10)	0	4,869	4,869	100	58,425
TOTAL EXPENSES	60,565	86,507	25,942	30	1,038,084
NET INCOME	32,547	-782	33,329	-4,262	-9,381

- (1) Tenant Rent +\$2M
- (2) Tenant Legal +\$4M
- (3) Grant Subsidy +\$1M
- (4) Salary \$1M
- (5) Legal \$1M
- (6) Garbage \$3M
- (7) Maintenance Salary \$4M
- (8) Supplies Maintenance \$4M
- (9) Contract Costs \$6M
- (10) Fully depreciated at 9/2022, not a cash item

Housing Authority of the County of Merced
AMP4 - 1st Street, Merced (.fs-amp4)
Budget Comparison
Period = Oct 2022

	YTD Actual	YTD Budget	Variance	% Var	Annual
Revenue & Expenses					
INCOME					
NET TENANT INCOME	2,178	1,504	674	45	18,051
TOTAL GRANT INCOME	2,149	2,064	85	-100	24,767
TOTAL INCOME	<u>4,327</u>	<u>3,568</u>	<u>759</u>	<u>-39</u>	<u>42,818</u>
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES	787	1,025	238	23	12,372
TOTAL UTILITY EXPENSES	557	668	111	17	8,023
TOTAL MAINTENANCE EXPENSES	413	553	140	25	6,667
TOTAL GENERAL EXPENSES	391	280	-111	-40	3,341
TOTAL HOUSING ASSISTANCE PAYMENTS	0	8	8	100	100
TOTAL FINANCING EXPENSES	83	83	0	0	1,000
TOTAL NON-OPERATING ITEMS	3,980	3,980	0	0	47,757
TOTAL EXPENSES	<u>6,211</u>	<u>6,597</u>	<u>785</u>	<u>12</u>	<u>79,260</u>
NET INCOME	<u><u>-1,884</u></u>	<u><u>-3,029</u></u>	<u><u>-1,750</u></u>	<u><u>58</u></u>	<u><u>-36,442</u></u>

Housing Authority of the County of Merced
All HCV Properties with Sub (.fs-hcvs)
Budget Comparison
Period = Oct 2022

	PTD Actual	PTD Budget	Variance Fav/-Unfav	% Var Fav/-Unfav	Annual
Revenue & Expenses					
INCOME					
TOTAL GRANT INCOME (1)	1,863,604	2,026,420	-162,816	-8	24,317,038
TOTAL OTHER INCOME	86	126	-40	-32	1,500
TOTAL INCOME	1,863,690	2,026,546	-162,856	-8	24,318,538
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (2,3,4)	129,671	159,524	29,853	19	1,914,309
TOTAL UTILITY EXPENSES	0	20	20	100	250
TOTAL MAINTENANCE EXPENSES	0	2,006	2,006	100	24,075
TOTAL GENERAL EXPENSES (5)	2,707	5,684	2,977	52	68,213
TOTAL HOUSING ASSISTANCE PAYMENTS (6)	1,638,065	1,845,587	207,522	11	22,147,040
TOTAL FINANCING EXPENSES	6,046	6,046	0	0	72,550
TOTAL EXPENSES	1,776,489	2,018,867	242,378	12	24,226,437
NET INCOME	87,200	7,679	79,521	1,036	92,101

- (1) Lower HAP from HUD -\$163M
- (2) Lower Salaries & Benefits Less Temp Costs \$10M
- (3) Lower Management and Bookkeeping Fees \$10M
- (4) No inspections costs during the month \$10M
- (5) Lower Port-out admin fees & OPEB \$3M
- (6) Lower HAP issued \$207M

Housing Authority of the County of Merced
Central Office Cost Center (cocc)
Budget Comparison
Period = Oct 2022

	YTD Actual	YTD Budget	Variance Fav/-Unfav	% Var Fav/-Unfav	Annual
Revenue & Expenses					
INCOME					
TOTAL OTHER INCOME (1,2)	82,785	107,093	-24,308	-23	1,285,110
TOTAL INCOME	<u>82,785</u>	<u>107,093</u>	<u>-24,308</u>	<u>-23</u>	<u>1,285,110</u>
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (3)	92,869	85,920	-6,949	-8	1,031,052
TOTAL UTILITY EXPENSES	3,256	4,049	793	20	48,581
TOTAL MAINTENANCE EXPENSES (4)	309	7,184	6,875	96	86,200
TOTAL GENERAL EXPENSES	2,850	2,379	-471	-20	28,548
TOTAL FINANCING EXPENSES	6,250	6,250	0	0	75,000
TOTAL NON-OPERATING ITEMS	656	656	0	0	7,873
TOTAL EXPENSES	<u>106,191</u>	<u>106,438</u>	<u>247</u>	<u>0</u>	<u>1,277,254</u>
NET INCOME	<u><u>-23,406</u></u>	<u><u>655</u></u>	<u><u>-24,061</u></u>	<u><u>-3,673</u></u>	<u><u>7,856</u></u>

- (1) Lower Mgmt and Bookkeeping Fees from HCV -\$10M
- (2) Admin Fee to be booked as Cap Projects are completed -\$14M
- (3) Higher Legal Fees -\$7M
- (4) Lower contract work \$7M

Housing Authority of the County of Merced
Langdon Villas (langdon)
Budget Comparison
Period = Oct 2022

	YTD Actual	YTD Budget	Variance	% Var	Annual
			Fav/-Unfav	Fav/-Unfav	
Revenue & Expenses					
INCOME					
NET TENANT INCOME	5,935	5,882	53	1	70,588
TOTAL OTHER INCOME	22,624	23,420	-796	-3	281,046
TOTAL INCOME	<u>28,559</u>	<u>29,302</u>	<u>-743</u>	<u>-3</u>	<u>351,634</u>
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (1)	4,155	6,552	2,397	37	78,610
TOTAL UTILITY EXPENSES	0	134	134	100	1,600
TOTAL MAINTENACE EXPENSES	0	973	973	100	11,682
TOTAL GENERAL EXPENSES	882	1,761	879	50	21,148
TOTAL FINANCING EXPENSES	12,833	12,833	0	0	154,000
TOTAL NON-OPERATING ITEMS	287	286	-1	0	3,438
TOTAL EXPENSES	<u>18,157</u>	<u>22,539</u>	<u>4,382</u>	<u>19</u>	<u>270,478</u>
NET INCOME	<u>10,402</u>	<u>6,763</u>	<u>3,639</u>	<u>54</u>	<u>81,156</u>

(1) Lower legal fees \$2M

Housing Authority of the County of Merced
Obanion Learning Center (obanion)
Budget Comparison
Period = Oct 2022

	YTD Actual	YTD Budget	Variance	% Var	Annual
			Fav/-Unfav	Fav/-Unfav	
Revenue & Expenses					
INCOME					
NET TENANT INCOME (1)	18,370	17,028	1,342	8	204,331
TOTAL INCOME	<u>18,370</u>	<u>17,028</u>	<u>1,342</u>	<u>8</u>	<u>204,331</u>
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES	1,918	1,857	-61	-3	22,283
TOTAL UTILITY EXPENSES (2)	9,047	7,211	-1,836	-25	86,539
TOTAL MAINTENACE EXPENSES (3)	1,200	3,103	1,903	61	37,220
TOTAL GENERAL EXPENSES	492	237	-255	-108	2,844
TOTAL NON-OPERATING ITEMS	4,483	4,483	0	0	53,800
TOTAL EXPENSES	<u>17,140</u>	<u>16,891</u>	<u>-249</u>	<u>-1</u>	<u>202,686</u>
NET INCOME	<u>1,230</u>	<u>137</u>	<u>1,093</u>	<u>798</u>	<u>1,645</u>

- (1) Lower Tenant portion of Utilities-\$2M
- (2) Higher Sewer Costs \$2M
- (3) Lower Various Maintenance Costs \$2M

Housing Authority of the County of Merced
Property Valley View = atw dp mid vv-bond pbc-b-atw pbc-b-dp pbc-b-mid
Budget Comparison
Period = Oct 2022

	PTD Actual	PTD Budget	Variance Fav/-Unfav	% Var Fav/-Unfav	Annual
Revenue & Expenses					
INCOME					
NET TENANT INCOME (1)	65,443	50,975	14,468	28	611,709
TOTAL INCOME	65,443	50,975	14,468	28	611,709
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (2)	9,817	14,698	4,881	33	176,365
TOTAL UTILITY EXPENSES	9,280	9,708	428	4	116,504
TOTAL MAINTENANCE EXPENSES (3)	9,476	14,058	4,582	33	168,682
TOTAL GENERAL EXPENSES	3,411	3,136	-275	-9	37,626
TOTAL FINANCING EXPENSES	5,708	5,708	0	0	68,500
TOTAL NON-OPERATING ITEMS (4)	0	3,377	3,377	100	40,519
TOTAL EXPENSES	37,692	50,685	12,993	39	608,196
NET INCOME	27,751	290	27,461	9,469	3,513

- (1) Higher Tenant Assistance Payments \$15M
- (2) Vacant positions \$3M
- (3) Invoices not received \$4M
- (4) Fully depreciated at 9/2022, not a cash transaction

Housing Authority of the County of Merced
Felix Torres Year Round (.fs-ftyr)
Budget Comparison
Period = Oct 2022

	YTD Actual	YTD Budget	Variance	% Var	Annual
			Fav/-Unfav	Fav/-Unfav	
Revenue & Expenses					
INCOME					
NET TENANT INCOME (1)	40,602	47,211	-6,609	-21	566,530
TOTAL OTHER INCOME	10	0	10	N/A	0
TOTAL INCOME	40,612	47,211	-6,599	-14	566,530
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (2)	3,769	7,582	3,813	50	90,977
TOTAL UTILITY EXPENSES	7,610	8,432	822	10	101,175
TOTAL MAINTENACE EXPENSES (3)	6,881	8,891	2,010	23	106,679
TOTAL GENERAL EXPENSES	3,214	2,379	-835	-35	28,553
TOTAL FINANCING EXPENSES	1,667	1,667	0	0	20,000
TOTAL NON-OPERATING ITEMS	16,289	16,289	0	0	195,471
TOTAL EXPENSES	39,431	45,240	5,809	-2	542,855
NET INCOME	1,181	1,971	-790	-40	23,675

(1) Vacancies -\$6M

(2) Various office expenses \$2M

(3) Lower supplies and contract work \$2M

Housing Authority of the County of Merced
Financial Stmt - Migrant (.fs-mig)
Budget Comparison
Period = Jul 2022-Oct 2022

	YTD Actual	YTD Budget	Variance	% Var	Annual
			Fav/-Unfav	Fav/-Unfav	
Revenues & Expenses					
Income					
Total - Grant Income (1)	486,854	503,000	-16,146	3	1,509,067
TOTAL INCOME	486,854	503,000	-16,146	3	1,509,067
EXPENSES					
Total - Center Personnel (2)	174,944	237,604	62,660	26	712,800
Total - Operating Expenses (3)	216,813	149,276	-67,537	-45	447,900
Total - Maintenance Expenses (4)	8,397	23,552	15,155	64	70,650
Total - Contractor Administration	45,256	42,432	-2,824	-7	127,315
Total - Debt Service and Replacement (5)	41,443	50,136	8,693	17	150,402
TOTAL EXPENSES	486,854	503,000	16,146	3	1,509,067
NET INCOME	0	0	0	0	0

- (1) Zero budget, offset to variance in expenses -\$16M
- (2) All positions not fully staffed \$62M
- (3) Continued higher utilities in 2nd year of contract -\$67M
- (4) General lower supplies and contract expenses \$15M
- (5) Timing, total yearend expected to be per budget \$8M

Total Number of Public Housing Units: 421
 Number of Occupied Units: 410
 Number of Vacant Units: 11

Unit ID	Prospective Resident	Move - In Date	Security Deposit Amount
86	YES	12/29/22	\$500.00
114	YES	12/14/22	\$300.00
365	YES	12/22/22	\$500.00
426	YES	12/28/22	\$500.00
225	YES	11/28/2022; resch to 12/15/22	\$500.00
362	YES	Pending unit turnover	\$500.00
3	YES	12/29/22	\$500.00
476	YES	Tentative MI 1/1/23	\$300.00
430	YES	Pending unit turnover	\$500.00
425	YES	Tentative MI 1/1/23	\$500.00
134	YES	Pending unit turnover	\$500.00

Special Program Voucher Counts

Voucher Program Name	Allocation	Voucher Under HAP	Vouchers Searching	Referrals Pending Review/ Documentation	Packets needed to fully HAP
Veterans Affairs Supportive Housing (VASH)	123	112	11	1	0
Emergency Housing Voucher (EHV)	68	28	40	2	0
Mainstream (MS5)	26	9	3	0	14
Shelter Plus Care (SPC)	8	4	1	0	3
Independent Living Program (ILP)	10	7	1	0	2
Family Unification Program (FUP)	27	22	1	0	4
Corrdinated Entry System (CES)	150	110	5	19	16
Adult Protective Services (APS)	10	3	7	0	0
Human Services Agency (HAS)	50	0	0	0	0
Tenant Based Vouchers (HCV)	2721	2540	120	N/A	0
Funding for all special programs is through the Department of Housing & Urban Development (HUD).					

BOARD OF COMMISSIONERS PROTOCOL MANUAL

DRAFT

Table of Contents

1. PURPOSE.....	3
2. STATUTORY REQUIREMENTS/REGULATIONS.....	3
A. The Brown Act.....	3
B. Political Reform Act.....	3
C. The Hatch Act	4
D. Health and Safety Code, Division 24 Part 2 Section 34200-34606 – The Housing Authorities Law	5
E. AB 1234 Mandatory Ethics Training	5
F. AB 1825 / AB 1661 Sexual Harassment Prevention Training and Education	5
G. By-Laws.....	6
3. COMMUNICATIONS	6
A. Processing and Delivering of Board of Commissioner Mail by Board Clerk’s Office	6
B. Correspondence / Complaints By or Received By Commissioners and Complaint Process ..	6
C. Use of Housing Authority Letterhead, Seal, or Insignia	7
D. Communications with Staff	7
E. Communications with General Counsel.....	7
F. Handling of Litigation / Confidential / Closed Session Information.....	8
G. Representing Majority vs. Individual Opinion	8
H. Legislative Communications at the Request of Housing Authority-Affiliated Organizations	9
4. CONFLICT OF INTEREST / ECONOMIC DISCLOSURE REQUIREMENTS FOR PUBLIC OFFICIALS	9
A. Conflict of Interest	9
B. Statements of Economic Interest.....	9
C. Make and Participate in Making a Decision	10
D. Voting.....	10
E. Using Official Position to Influence.....	10
5. COMMITTEES OF THE BOARD.....	10
A. Standing Committees of the Board	10
B. Ad-Hoc Committees of City Council.....	11
6. BOARD CHAIR, CEREMONIAL ROLES AND ORDERLINESS OF MEETINGS	11

1. PURPOSE

The purpose of establishing the Board of Commissioners Protocol Manual is to provide guidelines for the Board to conduct its business in an orderly, consistent, and fair manner.

The protocols set forth herein are not intended to limit the inherent power and general legal authority of the Board of Commissioners. Any of the protocols herein may be waived by a majority vote of the Board when it is deemed that there is good cause to do so based upon the particular facts and circumstances.

The protocols shall be amended by a majority vote of the Board and may be amended administratively by the Executive Director with concurrence of General Counsel in order to remain current with federal, state, and local law.

2. STATUTORY REQUIREMENTS/REGULATIONS

Certain Federal laws, state laws and other established regulations exist, which govern various responsibilities of the Board of Commissioners. This protocol manual is not intended to duplicate, fully articulate all requirements, or repeal any existing statutes or regulations. Nor does this protocol manual alter or repeal any sections of the Bylaws of the Board of Commissioners. Board Members are responsible for becoming familiar with these statutes and regulations.

A. The Brown Act

The Ralph M. Brown Act provides that all meetings of a legislative body, whether meetings of the City Council or its appointed commissions and committees, shall be open and public and all persons shall be permitted to attend. Notices of such meetings must be made 72 hours prior to the meeting (or 24 hours in the case of a special meeting). A “meeting” takes place whenever a quorum is present and subject matter related to the City business is heard, discussed, or deliberated upon. Laws and regulations also exist to prevent efforts to thwart these requirements by using intermediaries or multiple conversations to achieve collective concurrence.

B. Political Reform Act

The Political Reform Act states that public officials shall perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them. The Political Reform Act establishes regulations regarding conflicts of interests and campaign receipts and expenditures.

C. The Hatch Act

The Hatch Act, a federal law passed in 1939, limits certain political activities of federal employees, as well as some state, D.C., and local government employees who work in connection with federally funded programs. The law's purposes are to ensure that federal programs are administered in a nonpartisan fashion, to protect federal employees from political coercion in the workplace, and to ensure that federal employees are advanced based on merit and not based on political affiliation. The Housing Authority requires employees to abide by the requirements of the Hatch Act, and historically, for purposes of political activities, and certain other laws and regulations has considered Board Members as having the same responsibilities and application of policy as employees (such as policies prohibiting harassment and discrimination).

Covered local employees may not:

- Be candidates for public office in a partisan election, if their salary is entirely federally funded;
- Use official authority or influence to interfere with or affect the results of an election or nomination; or
- Directly or indirectly coerce, attempt to coerce, command, or advise a state, D.C., or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

Local employees subject to the Hatch Act should note that an election is partisan if any candidate is to be nominated or elected as representing a political party, for example, the Democratic or Republican Party.

Employees may, for example:

- Register and vote as they choose
- Assist in voter registration drives
- Express opinions about candidates and issues
- Contribute money to political organizations
- Attend political fundraising functions
- Attend and be active at political rallies and meetings
- Join and be active members of a political party or club
- Sign and circulate nominating petitions
- Campaign for or against referendum questions, constitutional amendments and/or municipal ordinances
- Campaign for or against candidates in partisan elections
- Make campaign speeches for candidates in partisan elections
- Distribute campaign literature in partisan elections
- Campaign for and hold office in political clubs or parties
- Volunteer to work on a partisan political campaign
- Participate in any activity not specifically prohibited by law or regulation

**While engaging in these activities employees must be acting in their personal capacity, not their official capacity. For example, they should not identify their official title when engaging in any of these activities.

A note of caution - an employee's conduct is also subject to the laws of the state and the regulations of the employing agency. Prohibitions of the Hatch Act are not affected by state or local laws.

[D. Health and Safety Code, Division 24 Part 2 Section 34200-34606 – The Housing Authorities Law](#)

The State of California has declared that insanitary or unsafe dwelling accommodations exist for certain individuals of low income and that a shortage of housing at affordable rents exist, resulting on overcrowding and congested accommodations. The State has further declared that such conditions can result in increases and spreading of crime and diseases or other threats to the health, safety, morals and welfare of the residents of the state or impair economic values.

The Housing Authorities Law sets out the powers and duties of Housing Authorities which are:

1. To prepare, carry out, acquire, lease, and operate housing projects for persons of low income, as authorized by the Health and Safety Code, and housing developments for persons of low income, as authorized by Part 3 (commencing with Section 50900) of Division 31.
2. To provide for the construction, reconstruction, improvement, alteration, or repair of all or part of any housing project.
3. To provide leased housing to persons of low income.
4. To provide financing for the acquisition, construction, rehabilitation, refinancing, or development of dwelling accommodations for persons of low income, and for other persons when acting pursuant to the authorization contained in applicable sections of the Health and Safety Code.
5. To provide counseling, referral, and advisory services to persons and families of low or moderate income in connection with the purchase, rental, occupancy, maintenance, or repair of housing.
6. To provide the security which the authority deems necessary for the protection of a project and its inhabitants.
7. To assist housing projects pursuant to Section 34312.3 of the Health and Safety Code.
8. To acquire, plan, undertake, construct, improve, develop, maintain, and operate land on which mobile homes or a mobile home park are, or may be, located, so long as not less than 20 percent of the mobile homes are designated for occupancy by, or are occupied by, persons of low income.

[E. AB 1234 Mandatory Ethics Training](#)

Government Code sections 53235 and 53235.1 state that, if a local agency provides compensation, salary, or a stipend to a member of a legislative body or reimbursement for expenses incurred by a member of a legislative body in the performance of official duties, then all local agency officials shall receive two-hour training in ethics. The Housing Authority makes this training available to all Board Members within six months of appointment and every two years thereafter.

[F. AB 1825 / AB 1661 Sexual Harassment Prevention Training and Education](#)

Government Code sections 53237-53237.5 require local agency officials, including Commissioners, to receive two hours of sexual harassment prevention training and education within the first six months of taking office and every two years thereafter if the agency provides any type of compensation, salary, or stipend to those officials. The Housing Authority may provide training opportunities periodically that meet the statutory requirements.

G. By-Laws

The By-Laws of the Housing Authority of the County of Merced are incorporated by reference and are a part of this protocol manual as though fully set out herein. The By-Laws address such items as follows (list is non-exhaustive):

- Appointments, Vacancies and Absences of Commissioners
- Election or Appointment and Roles of Officers, Vacancy of Officers
- Annual and Regular Meetings, Order of Business, Voting
- Commissioner Compensation

If there is a conflict between the provisions of this protocol manual and the By-Laws, the By-Laws shall supersede.

3. COMMUNICATIONS

A. Processing and Delivering of Board of Commissioner Mail by Board Clerk's Office

The Board Clerk shall date stamp and open all mail addressed to the Chair and any Commissioners, or to the Board as a whole, that are received at the Offices of the Housing Authority, with the exception of those marked "Personal" or "Confidential."

With limited exceptions, all communications directed to the Chair, Commissioners or the Board, including e-mail or other types of electronic correspondence, are public records subject to disclosure under the California Public Records Act.

B. Correspondence / Complaints By or Received By Commissioners and Complaint Process

All any complaints addressed to the Board that are received through the Board Clerk's Office will be copied to the Executive Director and/or other appropriate official such as General Counsel. The recipient will send a reply, confirming receipt with a copy of the reply provided to the Board Clerk.

In the event a Commissioner receives a complaint on any subject within the jurisdiction of the Housing Authority, the complaint itself, along with full contact information for the complainant shall be immediately forwarded to the Executive Director with a copy to the Board Chair. In the

event a complaint received pertains to the conduct of a Commissioner or of the Executive Director, a copy should be provided to the Authority's General Counsel for further action.

Any concerns by an individual Commissioner over the conduct or work of an employee of the Authority should be directed to the Executive Director privately to ensure the concern is resolved. Commissioners shall not reprimand employees directly, nor shall they communicate their concerns to anyone other than the Executive Director or General Counsel. The Board shall be notified at the next Board meeting of any complaints or correspondence which pertain to the subject matter jurisdiction of the Board that are not strictly personnel matters, and such notification may occur in closed session if an exception is provided for in the Brown Act.

C. Use of Housing Authority Letterhead, Seal, or Insignia

All Board correspondence written using Housing Authority resources, i.e. letterhead, staff support, postage, etc., or bearing the Housing Authority's Seal or Insignia will reflect a majority position of the Board, not individual Commissioner positions. All Commissioner correspondence using Housing Authority resources shall be copied to the full Board. The Board Secretary is the custodian of the Housing Authority seal, insignia, and letterhead, none of which shall be altered and are to be used only on official Housing Authority documents.

D. Communications with Staff

The Board of Commissioners collectively and individually, except for the purpose of inquiry entailing a collective response time of 15 minutes or less by staff, shall deal with administrative services solely through the Executive Director. Neither the Board nor any member thereof shall give orders to any of the subordinates of the Executive Director. Individual Commissioners shall not direct staff to initiate any action, change a course of action, or prepare any report that is significant in nature, nor shall an individual Commissioner initiate any project or study without the approval of a majority of The Board. Commissioners are encouraged to contact the Executive Director to ask questions for clarification about Meeting Agenda items as far in advance of the meeting at which the subject will be discussed as possible.

Staff (the Executive Director) will notify the Board Chair of major crime, fire, or other incidents involving or on any Housing Authority properties. This will be accomplished concurrently through email and/or phone calls for the more significant incidents. All Board members will be informed of such incidents as soon as practicable thereafter, but no later than at the next regularly scheduled Board meeting as part of the Executive Director report.

E. Communications with General Counsel

General Counsel is appointed directly by the Board of Commissioners and shall report his/her advice, recommendations, and requests directly to the Board. In addition, individual Commissioners are encouraged to notify General Counsel of any matters that may create a conflict of interest and may receive advice counsel pertaining to Ethics or Conflict issues that individually affect them directly from General Counsel. If Conflict and/or ethics advice requests

pertain to a meeting agenda item, the request must be brought forward no less than 24 hours prior to the meeting.

Commissioners must understand that General Counsel may not keep the consultation confidential from the full Board, and the General Counsel's opinion is not a defense to a Fair Political Practices Commission (FPPC) enforcement action for an ethics violation. When in doubt, the General Counsel or the Commissioner can request a formal opinion from the FPPC if the request is made at least four weeks in advance.

Requests for services of General Counsel that go beyond Ethics and Conflict guidance may be brought forward by individual Commissioners either through the entire Board or with the concurrence and through the Board Chair but must also relate to items within the subject matter jurisdiction of the Authority, or pertain to the statutory/regulatory obligations governing the Authority or its member Commissioners. Advice counsel provided by the Authority's General Counsel will be disseminated to ALL Commissioners equally.

All communications with Counsel should be strictly limited in circulation and not include recipients who are not needed for purposes of the advice to protect the privileged nature of the communication and/or attorney work product.

F. Handling of Litigation / Confidential / Closed Session Information

Commissioners shall keep all written materials and verbal information provided to them on matters that are confidential under state law in complete confidence to ensure that the Authority's position is not compromised. No disclosure or mention of information in these materials shall be made to anyone other than Commissioners, General Counsel or the Executive Director.

G. Representing Majority vs. Individual Opinion

A person appointed to the Board of Commissioners plays two roles: a member of a body elected to represent the Authority in its entirety and a private person resident within the County. The second role is not relinquished when the first role is assumed. It is important to distinguish between the two roles at all times and to conduct business in one role separately from the other. The appointed Commissioner retains the right to speak as an individual, not as a member of the Board, but must make it very clear that he/she speaks on his/her own behalf and not as a member of the Board. This is because when the Board acts, it acts as a whole, not as a group of individuals.

If a member of the Board appears before another governmental agency or organization or otherwise gives a statement on an issue within or affecting the subject-matter within the jurisdiction of the Board of Commissioners and Housing Authority, the Commissioner should first ascertain and indicate the majority position and opinion of the Board as a whole. Personal opinions and comments may be expressed only if the Council Member clarifies that these statements do not represent the position of the Board of Commissioners. Acting or participating

on behalf of City Council is limited to those instances when City Council has formally designated City Councilmember as its representative for the matter.

H. Legislative Communications at the Request of Housing Authority-Affiliated Organizations

From time to time, the Board and/or Housing Authority is asked to support and/or oppose a position on a particular piece of legislation and/or proposal. When such a request is received, the matter shall be agendaized and acted upon at the next regularly scheduled Board of Commissioners meeting. When a request is received necessitating a more timely response, in that action is required prior to the next regularly scheduled Board of Commissioners meeting, the Board Chair, or his/her designee, on behalf of the Authority, may sign and submit the requested communication so long as the position is consistent with the position taken by other Housing Authority-affiliated organizations and previous positions, if any, taken by the Board. A copy of the communication shall be presented as an informational item on the Consent Calendar at the next regularly scheduled Board meeting.

4. CONFLICT OF INTEREST / ECONOMIC DISCLOSURE REQUIREMENTS FOR PUBLIC OFFICIALS

A. Conflict of Interest

The Political Reform Act (Government Code, Title 9, sections 81000-91015) controls conflict of interest through disclosure and prohibition of participation in decisions, which are actual conflicts of interest. Specifically, it requires Commissioners and other public officials to annually disclose all financial interests that may be affected by decisions made in their official capacity; this includes interests such as investments, real property, and income. Council Members must also disqualify themselves from making or participating in making or influencing any governmental decision that will have a foreseeable material financial effect on any economic interest of the Commissioner or certain family members.

The Political Reform Act requires state and local government agencies to adopt and promulgate conflict of interest codes, which shall be reviewed bi-annually on even-numbered years.

B. Statements of Economic Interest

A financial disclosure form (Statement of Economic Interest ~ Form 700) must be filed with the Board Clerk no later than April 1 of each year for financial interests pertaining to the preceding calendar year. Commissioners must file a statement within 30 days of officially assuming office or leaving office. Certain Authority employees are also subject to this disclosure requirement.

C. Make and Participate in Making a Decision

An official makes a decision when the official votes on a matter, appoints a person, obligates or commits the Authority to any course of action, or enters into or executes any contract on behalf of the Authority.

An official participates in making a decision when the official negotiates on behalf of the Authority without significant substantive review, or advises or makes recommendations to the decision maker, either directly or without significant intervening substantive review.

Exceptions: Making or participating in the making of a decision does not include ministerial, secretarial, manual or clerical actions, appearances by the official as a member of the general public before any elected or appointed local governmental body in the course of its prescribed governmental function and they are representing themselves on matters related solely to his/her personal interest(s).

D. Voting

All members of the Board, when present, must vote. If a member of the Board states that he/she is not voting (abstains), his/her silence or abstention shall be recorded as an affirmative vote unless, however, the Member abstains from voting by reason of his/her interest in the matter before the Board and that reason is stated at the meeting (such as where a member discloses and explains the nature of a conflict of interest causing the member to abstain from participation in the entire item). If, however, a Member abstains from voting without stating his/her interest in the matter, his/her abstention shall be recorded as an affirmative vote.

E. Using Official Position to Influence

Board members shall not attempt to coerce or influence any other member, officer, official, consultant, in the awarding of contracts, the selection of consultants, the processing of applications, responses to requests for proposals, or the granting of any Authority-provided benefit.

5. COMMITTEES OF THE BOARD

A. Standing Committees of the Board

From time-to-time the Board may establish such standing committees of the Board as may be helpful in facilitating the business of Board. Standing Committee Members are appointed by the Board Chair with the consent of a majority if the Board annually.

A “standing committee” of the Board is a committee that: (i) has a continuing subject matter jurisdiction, *or* (ii) has a meeting schedule that is fixed by resolution, or other formal action of the Board. Standing committees do not operate as a substitute to, or interfere in, Authority

operations, but serve to fulfill assisting the Board in policy determinations, and obtain the assistance of staff on operations matters through the Executive Director.

All meetings of a standing committee of the Board shall be noticed and conducted in conformance with the Ralph M. Brown Act. Standing Committees may not make recommendations for new initiatives outside of the Board approved initiatives/goals. Standing Committee members may request research from staff on new ideas to allow them to report back to the standing committee and if the standing committee supports the idea, the idea will be presented to the entire Board for a vote.

B. Ad-Hoc Committees of City Council

From time-to-time City Council may also establish ad-hoc committees of City Council.

An “ad-hoc committee” of the Board is a committee that: (i) does *not* have a continuing subject matter jurisdiction, *and* (ii) does *not* have a meeting schedule that is fixed by resolution, or other formal action of the Board. In addition, an ad hoc committee may not consist of more than 3 Board Members.

Ad-Hoc Committee Members are selected by motion during the meeting wherein the committee is established. The Board Chair first solicit interest and thereafter appoints committee members subject to the consent of a majority of the Board.

Meetings of an ad-hoc committee of the Board are generally informal and need not be noticed nor conducted in conformance with the Ralph M. Brown Act. Ad-hoc committees do not operate as a substitute to, or interfere in, Authority operations, but serve to fulfill assisting the Board in policy determinations, and obtain the assistance of staff on operations matters through the Executive Director.

6. BOARD CHAIR, CEREMONIAL ROLES AND ORDERLINESS OF MEETINGS

In addition to any roles and responsibilities of the Board Chair, as outlined in the By-Laws, the chair shall have the primary role in ceremonial matters involving or relating to the business of the Authority.

In connection with the Board Chair’s responsibility to preside over the meetings of the Board, the Chair shall have the authority, to the fullest extent allowed by law to ensure that order is maintained at any Board meeting and that the business of the Board is not impeded by disruption or distraction, or any other condition causing an interruption to the participation of any Board member or the Board as a whole. The chair may call a brief recess at the request of any member, or on their own initiative in order to restore order or to address any impediment to a member’s or the Board’s orderly proceedings.

The Board chair shall have the responsibility to bring forward, as a properly agendized item for Board discussion and/or action, any issues relating to the participation of any members, including issues involving chronic unexcused absences, for discussion by the full Board.

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