

AGENDA

BOARD OF COMMISSIONERS HOUSING AUTHORITY OF THE COUNTY OF MERCED

Regular Meeting
Tuesday, January 17, 2023
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. December 20, 2022, Regular Meeting (M/S/C): ____/____/____

V. CONSENT CALENDAR

- 1. Rent Delinquency Report December 2022
- 2. Financial Reports for December 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. Community Flood Impact Update
- 2. OMS Emergency Center – Emergency Shelters

VIII. WRITTEN CORRESPONDENCE

None

IX. RESOLUTION ITEM(S)

- 1. **Resolution No. 2023-01:** Awarding a Legal Services contract to Cole Huber, LLP, Thomas E. Lewis, and Liebert Cassidy Whitmore and authorize the Executive Director, Rosa Vazquez, to sign or take any other action necessary to carry out the completion of the work.

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

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, December 20, 2022

- I. The meeting was called to order by Chairperson Osorio at 12:06 p.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
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:

Renee Davenport, HCV Landlord
Mary McWatters, AFSCME Representative

II. **UNSCHEDULED ORAL COMMUNICATION**

Renee Davenport, an HCV landlord was present to express her issues with the online processes the Authority implemented during the pandemic as it is not user friendly and she has had to assist her residents. Additionally, she noted issues with communication with the eligibility specialists. Lastly, Mrs. Davenport inquired on when the offices would reopen to the public as this would remedy some of the issues she is reporting.

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

Corrections to the date on the minutes was noted. It should read November 28, 2022 and not December 28, 2022.

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



IV. APPROVAL OF THE FOLLOWING MEETING MINUTES

1. November 15, 2022, Regular Meeting
2. November 28, 2022, Special Meeting

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

V. CONSENT CALENDAR

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

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

VI. INFORMATION AND DISCUSSION ITEM(S)

1. Legal Counsel – Protocol for Board Member Interaction

This item was tabled and will be reviewed and discussed at the January 2023 meeting. Questions from Board members are welcomed and may be submitted for response.

VII. EXECUTIVE DIRECTOR REPORT

1. The Board recognized Cliff Hatanaka for his work with the Authority and congratulate him on his upcoming retirement.
2. The Authority submitted a letter to the County Board of Supervisors outlining its efforts and contributions. This is in effort to clear up the misconception that the agency is not contributing to the County's goal of securing affordable housing.

VIII. WRITTEN CORRESPONDENCE

None

IX. RESOLUTIONS ITEM(S)

None

X. ACTION ITEM(S)

None

XI. COMMISSIONER'S COMMENTS

The Board congratulated Cliff Hatanaka on his retirement and wished staff a happy holiday season.



Commissioner Dylina mentioned he had shared the Authority’s information pamphlet at the Merced City Council meeting. He also wished to follow up on his request to meet with staff to review Authority programs.

CLOSED SESSION ITEM(S)

The Board of Commissioners went into closed session at 12:23 p.m. The following people were present:

Board Members

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

Others Present

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

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

The Board returned to Regular Session at 1:21 p.m., no reportable action direction given to staff.

XII. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 1:24 p.m.

Chairperson Signature

Date: January 17, 2023

Secretary Signature

Date: January 17, 2023



Aged Receivables Report as for 12/2022 - As of 01-11-2023

Property	0 - 30 days	31-60 days	61 - 90 days	Over 90 days	Total Unpaid Charges	Balance
AMP 1						
ca023001 PH - Merced	6,496.99	4,276.69	0.00	17,600.11	28,373.79	28,373.79
ca023010 PH - Merced	3,964.58	3,166.99	0.00	10,246.56	17,378.13	17,378.13
ca023013 PH - Merced Sr	222.35	40.00	0.00	2,345.35	2,607.70	2,607.70
ca023021 PH - Acquisition	0.00	0.00	0.00	0.00	0.00	0.00
ca023023 PH - Acquisition	458.00	458.00	0.00	1,485.00	2,401.00	2,401.00
AMP 1 TOTALS	11,141.92	7,941.68	0.00	31,677.02	50,760.62	50,760.62
AMP 2						
CA023003 PH - Atwater - Cameo	794.00	398.00	0.00	1,588.00	2,780.00	2,780.00
ca023006 PH - Livingston	6,066.00	2,576.00	0.00	3,834.91	12,476.91	12,476.91
012a PH - Atwater	1,245.52	845.00	0.00	6,338.91	8,429.43	8,429.43
012b PH - Winton	0.00	0.00	0.00	0.00	0.00	23.00
AMP 2 TOTALS	8,105.52	3,819.00	0.00	11,761.82	23,686.34	23,709.34
AMP 3						
ca023002 PH - Los Banos	823.00	666.00	0.00	3,103.00	4,592.00	4,592.00
ca023004 PH - Los Banos - Abby, B, C & D	1,160.59	-362.00	0.00	807.79	1,606.38	1,606.38
ca023005 PH - Dos Palos - West Globe	1,091.21	706.00	0.00	984.00	2,781.21	2,781.21
ca023011 PH - Los Banos - J & K St	1,053.00	752.24	0.00	374.00	2,179.24	2,179.24
012c PH - Dos Palos - Alleyne	160.66	0.00	0.00	0.00	160.66	160.66
012d PH - Dos Palos - Globe	382.00	0.00	0.00	-82.00	300.00	300.00
AMP 3 TOTALS	4,670.46	1,762.24	0.00	5,186.79	11,619.49	11,619.49
AMP 4						
ca023024 PH 1st Street	359.73	13.00	0.00	-723.00	-350.27	-350.27
AMP 4 TOTALS	359.73	13.00	0.00	-723.00	-350.27	-350.27
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
pbcb - atw	281.00	27.50	0.00	209.01	209.49	209.49
pbcb - dp	628.28	241.00	0.00	-216.72	652.56	652.56
pbcb - mid	2,490.87	1,692.00	0.00	13,670.81	17,853.68	17,853.68
VALLEY VIEW TOTALS	3,400.15	1,960.50	0.00	13,555.08	18,915.73	18,915.73
FELIX TORRES YEAR ROUND						
ft.yr Felix Torres Year Round Center	4,737.82	3,244.00	0.00	10,000.00	17,981.82	17,981.82
FELIX TORRES YEAR ROUND TOTALS	4,737.82	3,244.00	0.00	10,000.00	17,981.82	17,981.82
HOUSING AUTHORITY TOTALS	32,415.60	18,740.42	0.00	71,457.71	122,613.73	122,636.73

Housing Authority of the County of Merced
Financial Statement - AMP 1 (.fs-amp1)
Budget Comparison
Period = Oct 2022-Nov 2022

	YTD Actual	YTD Budget	Variance	% Var	Annual
			Fav/-Unfav	Fav/-Unfav	
Revenue & Expenses					
INCOME					
NET TENANT INCOME (1,2)	141,499	121,762	19,737	33	730,567
TOTAL GRANT INCOME (3)	112,831	106,188	6,643	6	637,125
TOTAL INCOME	254,330	227,950	26,380	12	1,367,692
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (4,5)	56,598	71,936	12,822	18	431,612
TOTAL TENANT SERVICES EXPENSES	182	284	102	36	1,700
TOTAL UTILITY EXPENSES	37,786	40,446	2,660	7	242,674
TOTAL MAINTENANCE EXPENSES (6,7)	31,824	63,086	31,262	50	378,499
TOTAL GENERAL EXPENSES (8,9)	27,023	22,422	-4,601	-21	134,544
TOTAL HOUSING ASSISTANCE PAYMENTS	766	834	68	8	5,000
TOTAL FINANCING EXPENSES	6,666	6,666	0	0	40,000
TOTAL NON-OPERATING ITEMS	6,286	6,286	0	0	37,716
TOTAL EXPENSES	167,130	211,960	44,830	35	1,271,745
NET INCOME	87,200	15,990	71,210	445	95,947

- (1) Tenant Rents up +\$20K over Budget
- (2) Tenant Legal Fees +\$21K -(Not Included above - Costs charged to 7 tenants)
- (3) Grant Inc. up +\$6K
- (4) Salary Exp +\$9K
- (5) Legal Exp. + \$2K
- (6) Maintenance Costs Supplies +\$12K
- (7) Contract Costs +\$18K
- (8) Payments in Lieu of Taxes up - \$2K (higher income)
- (9) Ins. Prem. Higher -\$3K

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

	YTD Actual	YTD Budget	Variance	% Var	Annual
			Fav/-Unfav	Fav/-Unfav	
Revenue & Expenses					
INCOME					
NET TENANT INCOME (1,2,3)	102,109	98,730	3,379	91	592,378
TOTAL GRANT INCOME (4)	71,970	67,732	4,238	6	406,391
TOTAL INCOME	174,079	166,462	7,617	5	998,769
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES	38,581	50,206	11,625	23	301,227
TOTAL TENANT SERVICES EXPENSES	72	266	194	73	1,600
TOTAL UTILITY EXPENSES	39,799	37,098	-2,701	-7	222,595
TOTAL MAINTENACE EXPENSES (5,6)	35,580	52,430	16,850	32	314,552
TOTAL GENERAL EXPENSES	18,946	16,966	-1,980	-12	101,801
TOTAL HOUSING ASSISTANCE PAYMENTS	381	188	-193	-103	1,125
TOTAL FINANCING EXPENSES	3,190	3,190	0	0	19,145
TOTAL NON-OPERATING ITEMS (7)	0	11,896	11,896	100	71,372
TOTAL EXPENSES	136,550	172,240	23,794	14	1,033,417
NET INCOME	37,529	-5,778	43,307	750	-34,648

- (1) Tenant Rents +\$4K
- (2) Tenant Legal Fees (+\$19K - Not Included above - Costs charged to 6 tenants)
- (3) Misc. Tenant Inc. (Not Included above - \$67,204.25 - Work Order and Labor for Restoration est. fire damage)
- (4) HUD PHA Subsidy +\$ 4K
- (5) Salary Exp. +\$6M, Legal Exp. + \$1M, Other Admin Exp. +\$2M
- (6) Material Exp +\$7K, Contract Costs +\$13K
- (7) Fully depreciated at 9/2022, not a cash item +\$12K

**Housing Authority of the County of Merced
Financial Statement - AMP 3 (.fs-amp3)**

Budget Comparison

Period = Oct 2022-Nov 2022

	YTD Actual	YTD Budget	Variance	% Var	Annual
			Fav/-Unfav	Fav/-Unfav	
Revenue & Expenses					
INCOME					
NET TENANT INCOME (1,2)	105,371	100,104	5,267	9	600,630
TOTAL GRANT INCOME (3)	75,805	71,346	4,459	6	428,073
TOTAL INCOME	181,176	171,450	9,726	6	1,028,703
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (4,5)	45,517	55,238	9,721	18	331,431
TOTAL TENANT SERVICES EXPENSES	194	182	-12	-6	1,100
TOTAL UTILITY EXPENSES	29,889	30,348	459	2	182,080
TOTAL MAINTENACE EXPENSES (6,7,8)	20,089	56,598	36,509	65	339,592
TOTAL GENERAL EXPENSES	20,585	17,826	-2,759	-15	106,956
TOTAL HOUSING ASSISTANCE PAYMENTS	692	250	-442	-177	1,500
TOTAL FINANCING EXPENSES	2,834	2,834	0	0	17,000
TOTAL NON-OPERATING ITEMS (9)	0	9,738	9,738	100	58,425
TOTAL EXPENSES	119,800	173,014	53,214	31	1,038,084
NET INCOME	61,376	-1,564	62,940	4,024	-9,381

- (1) Tenant Rent +\$6K
- (2) Tenant Legal +\$3K (Not Included above - One tenant)
- (3) Grant Subsidy +\$4K
- (4) Salary and Benefits +\$6K
- (5) Legal +\$2K
- (6) Maintenance Salary & Benefits Lower +\$9K
- (7) Supplies Maintenance Lower +\$14K
- (8) Contract Costs Lower +\$14K
- (9) Fully depreciated at 9/2022, not a cash item +\$10K

Housing Authority of the County of Merced

AMP4 - 1st Street, Merced (.fs-amp4)

Budget Comparison

Period = Oct 2022-Nov 2022

	YTD Actual	YTD Budget	Variance	% Var	Annual
			Fav/-Unfav	Fav/-Unfav	
Revenue & Expenses					
INCOME					
NET TENANT INCOME (1)	4,356	3,008	1,348	45	18,051
TOTAL GRANT INCOME	4,386	4,128	258	6	24,767
TOTAL INCOME	8,742	7,136	1,606	23	42,818
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES	1,594	2,050	452	22	12,372
TOTAL UTILITY EXPENSES	1,102	1,336	234	18	8,023
TOTAL MAINTENACE EXPENSES	794	1,106	312	28	6,667
TOTAL GENERAL EXPENSES	347	560	213	38	3,341
TOTAL HOUSING ASSISTANCE PAYMENTS	0	16	16	100	100
TOTAL FINANCING EXPENSES	166	166	0	0	1,000
TOTAL NON-OPERATING ITEMS	7,959	7,960	1	0	47,757
TOTAL EXPENSES	11,962	13,194	1,228	9	79,260
NET INCOME	-3,220	-6,058	2,834	47	-36,442

(1) Tenant Rent +\$1K

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

	YTD Actual	YTD Budget	Variance	% Var	Annual
			Fav/-Unfav	Fav/-Unfav	
Revenue & Expenses					
INCOME					
TOTAL GRANT INCOME (1)	3,893,744	4,052,840	-159,096	-4	24,317,038
TOTAL OTHER INCOME	171	252	-81	-32	1,500
TOTAL INCOME	3,893,915	4,053,092	-159,177	-4	24,318,538
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (2,3,4,5)	258,606	319,048	60,442	19	1,914,309
TOTAL TENANT SERVICES EXPENSES	425	0	-425	N/A	0
TOTAL UTILITY EXPENSES	0	40	40	100	250
TOTAL MAINTENANCE EXPENSES (6)	831	4,012	3,181	79	24,075
TOTAL GENERAL EXPENSES (7)	8,856	11,368	2,512	22	68,213
TOTAL HOUSING ASSISTANCE PAYMENTS (8)	3,552,279	3,691,174	138,895	4	22,147,040
TOTAL FINANCING EXPENSES	12,092	12,092	0	0	72,550
TOTAL EXPENSES	3,833,089	4,037,734	204,645	5	24,226,437
NET INCOME	60,827	15,358	45,469	296	92,101

- (1) Lower HAP from HUD -\$160K
- (2) Lower Salaries & Benefits Less Temp Costs +\$42K
- (3) Lower Management and Bookkeeping Fees +\$19K
- (4) No inspections costs during the month +\$21K
- (5) Higher Temp. Labor Exp. -\$ 29K
- (6) Lower Contract Costs +\$ 3K
- (7) Lower Port-out admin fees & OPEB +\$2K
- (8) Lower HAP issued +\$139K

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

	%	YTD Actual	YTD Budget	Variance	% Var	Annual
				Fav/-Unfav	Fav/-Unfav	
Revenue & Expenses						
INCOME						
TOTAL OTHER INCOME (1,2)		166,101	214,186	-48,085	-22	1,285,110
TOTAL INCOME		166,101	214,186	-48,085	-22	1,285,110
EXPENSES						
TOTAL ADMINISTRATIVE EXPENSES (3,4,5,6)		170,112	171,840	1,728	1	1,031,052
TOTAL TENANT SERVICES EXPENSES		233	0	-233	N/A	0
TOTAL UTILITY EXPENSES		6,916	8,098	1,182	15	48,581
TOTAL MAINTENACE EXPENSES (7)		2,492	14,368	11,876	83	86,200
TOTAL GENERAL EXPENSES		5,698	4,758	-940	-20	28,548
TOTAL FINANCING EXPENSES		12,500	12,500	0	0	75,000
TOTAL NON-OPERATING ITEMS		1,312	1,312	0	0	7,873
TOTAL EXPENSES		199,264	212,876	13,612	6	1,277,254
NET INCOME		-33,163	1,310	-61,697	-6,716	7,856

- (1) Lower Mgmt and Bookkeeping Fees from HCV -\$20K
- (2) Admin Fee to be booked as Cap Projects are completed -\$27K
- (3) Admin Salary and Benefits Higher -\$ 12K
- (4) Legal Fees Higher -\$12K
- (5) Admin Misc. Exp Lower +\$13K
- (6) Admin Other Exp Lower +\$12K
- (7) Lower Contract Labor Costs +\$12K

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

	YTD Actual	YTD Budget	Variance	% Var	Annual
			Fav/-Unfav	Fav/-Unfav	
Revenue & Expenses					
INCOME					
NET TENANT INCOME	12,013	11,764	249	2	70,588
TOTAL OTHER INCOME (1)	45,459	46,840	-1,381	-3	281,046
TOTAL INCOME	57,472	58,604	-1,132	-2	351,634
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (2)	7,978	13,104	5,126	39	78,610
TOTAL UTILITY EXPENSES	0	268	268	100	1,600
TOTAL MAINTENACE EXPENSES (3)	0	1,946	1,946	100	11,682
TOTAL GENERAL EXPENSES	3,609	3,522	-87	-2	21,148
TOTAL FINANCING EXPENSES	25,666	25,666	0	0	154,000
TOTAL NON-OPERATING ITEMS	573	572	-1	0	3,438
TOTAL EXPENSES	37,825	45,078	7,253	16	270,478
NET INCOME	19,647	13,526	6,121	45	81,156

(1) Management Fee Lower -\$1K

(2) Legal fees Lower +\$5k

(3) Contract Cost Lower +\$ 2K

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

	YTD Actual	YTD Budget	Variance	% Var	Annual
			Fav/-Unfav	Fav/-Unfav	
Revenue & Expenses					
INCOME					
NET TENANT INCOME (1)	37,178.58	34,056.00	3,122.58	9.17	204,331.00
TOTAL INCOME	37,178.58	34,056.00	3,122.58	9.17	204,331.00
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES	3,878.36	3,714.00	-164.36	-4.43	22,283.00
TOTAL UTILITY EXPENSES (2)	16,885.53	14,422.00	-2,463.53	-17.08	86,539.00
TOTAL MAINTENACE EXPENSES (3)	2,596.79	6,206.00	3,609.21	58.16	37,220.00
TOTAL GENERAL EXPENSES	985.00	474.00	-511.00	-107.81	2,844.00
TOTAL NON-OPERATING ITEMS	8,966.70	8,966.00	-0.70	-0.01	53,800.00
TOTAL EXPENSES	33,312.38	33,782.00	469.62	1.39	202,686.00
NET INCOME	3,866.20	274.00	3,592.20	1,311.02	1,645.00

- (1) Lower Tenant portion of Utilities +\$4K
- (2) Higher Sewer Costs -\$2K
- (3) Lower Various Maintenance Costs +\$3K

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

	PTD Actual	PTD Budget	Variance	% Var	Annual
Revenue & Expenses					
INCOME					
NET TENANT INCOME (1)	141,286	101,950	39,336	39	611,709
TOTAL INCOME	141,286	101,950	39,336	39	611,709
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES (2,3)	17,801	29,396	11,595	39	176,365
TOTAL UTILITY EXPENSES	17,274	19,416	2,142	11	116,504
TOTAL MAINTENACE EXPENSES	16,929	28,116	11,187	40	168,682
TOTAL GENERAL EXPENSES	6,790	6,272	-518	-8	37,626
TOTAL FINANCING EXPENSES	11,416	11,416	0	0	68,500
TOTAL NON-OPERATING ITEMS	0	6,754	6,754	100	40,519
TOTAL EXPENSES	70,210	101,370	31,160	31	608,196
NET INCOME	71,076	580	70,496	12,154	3,513

- (1) Higher Tenant Assistance Payments +\$40K
- (2) Vacant positions +\$8K
- (3) Legal Exp Lower +\$3K
- (4) Invoices not received +\$2K
- (5) Supplies lower +\$2K and Contract costs lower +\$ 8K
- (5) Fully depreciated at 9/2022, not a cash transaction +\$7K

Housing Authority of the County of Merced

Felix Torres Year Round (.fs-fty)

Budget Comparison

Period = Oct 2022-Nov 2022

	YTD Actual	YTD Budget	Variance	% Var	Annual
			Fav/-Unfav	Fav/-Unfav	
Revenue & Expenses					
INCOME					
NET TENANT INCOME	81,204	94,422	-13,218	-14	566,530
TOTAL OTHER INCOME	20	0	20	N/A	0
TOTAL INCOME	<u>81,224</u>	<u>94,422</u>	<u>-13,198</u>	<u>-14</u>	<u>566,530</u>
EXPENSES					
TOTAL ADMINISTRATIVE EXPENSES	8,058	15,164	7,106	47	90,977
TOTAL UTILITY EXPENSES	15,078	16,864	1,786	11	101,175
TOTAL MAINTENACE EXPENSES	13,014	17,782	4,768	27	106,679
TOTAL GENERAL EXPENSES	6,429	4,758	-1,671	-35	28,553
TOTAL FINANCING EXPENSES	3,334	3,334	0	0	20,000
TOTAL NON-OPERATING ITEMS	32,578	32,578	0	0	195,471
TOTAL EXPENSES	<u>78,491</u>	<u>90,480</u>	<u>11,989</u>	<u>-1</u>	<u>542,855</u>
NET INCOME	<u>2,733</u>	<u>3,942</u>	<u>-1,209</u>	<u>-31</u>	<u>23,675</u>

- (1) Vacancies -\$13K
- (2) Telephone expenses +\$3K
- (3) Lower supplies and contract work +\$4K

Housing Authority of the County of Merced

Financial Stmt - Migrant (.fs-mig)

Budget Comparison

Period = Jul 2022-Nov 2022

	YTD Actual	YTD Budget	Variance	% Var	Annual
Revenue & Expenses					
INCOME					
TOTAL GRANT INCOME (1)	575,565	628,780	-53,185	-3	1,509,067
TOTAL OTHER INCOME	48	0	48	N/A	0
TOTAL INCOME	<u>575,613</u>	<u>628,780</u>	<u>-53,137</u>	<u>-3</u>	<u>1,509,067</u>
EXPENSES					
Total - Center Personnel (2)	214,640	297,005	82,365	28	712,800
Total - Operating Expenses (3)	254,541	186,595	-67,946	-36	447,900
Total - Maintenance Expenses (4)	9,440	29,440	20,000	68	70,650
Total - Contractor Administration	55,548	53,040	-2,508	-5	127,315
Total - Debt Service and Replacement	41,443	62,670	21,227	34	150,402
TOTAL EXPENSES	<u>575,613</u>	<u>628,750</u>	<u>53,137</u>	<u>8</u>	<u>1,509,067</u>

(1) Zero budget, offset to variance in expenses -\$53K

(2) All positions not fully staffed +\$82K

(3) Continued higher utilities in 2nd year of contract -\$67K

(4) General lower supplies and contract expenses +\$20K

(5) Timing, total yearend expected to be per budget +\$21K

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
* 362	YES	MI 1/24/23	\$500.00
* 476	YES	1/1/23 - Resch to 1/17/23	\$300.00
* 430	YES	MI 1/20/23	\$500.00
* 425	YES	1/1/23 - Resch to 1/30/23	\$500.00
2	YES	Pending unit turnover	\$500.00
364	YES	Pending unit turnover	\$500.00
* 134	YES	MI 1/30/23	\$500.00
296	NO	250 Selected From Waitinglist / Pending unit turnover	\$500.00
80	YES	Pending unit turnover	\$500.00
432	NO	250 Selected From Waitinglist / Pending unit turnover	\$500.00
222	YES	Pending unit turnover	\$500.00

As of the December 2022 report six (6) units were leased:
 Unit ID - 86; 114; 365; 426; 225; and 3.
 * Indicates vacancy carryover from last report.
 Six (6) new vacancies were added on December 31, 2022.

STAFF REPORT

TO: Board of Commissioners,
Housing Authority of the County of Merced

FROM: Melina Frederick, Director of Procurement and Asset Management

DATE: January 17, 2023

SUBJECT: Recommendation to Award Contract: General Legal Services

The Housing Authority of the County of Merced (Authority) has recently solicited for General Legal Services as the current legal services contract has reached the end of the five (5) year term. Six (6) proposals were received from law firms throughout California.

The firms' proposals were evaluated and scored by a committee using criteria published in the Request for Proposals (RFP). The firms were also invited to an interview by a secondary committee and scored on questions that are based on their experience and knowledge with a focus. The firms that submitted proposals and their scores are as follows:

Law Firm Name and City that they are from	RFP Proposal Review Scores (out of a possible 300)	Interview Scores (out of a possible 3300)
Best Best & Krieger LLP – Sacramento, CA	179	2643
Burke, Williams, & Sorenson LLP – San Jose, CA	204	2132
Cole Huber LLP. – Roseville, CA	240	2940
Liebert, Cassidy, Whitmore – Fresno, CA	173	2616
Michael J. F. Smith – Fresno, CA	109	2522
Thomas E. Lewis – Merced, CA	229	3019

As shown in the table above, the highest scoring overall firms were Cole Huber, LLP, and Thomas E. Lewis. The top-scoring in terms of proposal review was Cole Huber, LLP which scored an overall 240 out of 300. In terms of the physical interview, Thomas E. Lewis scored highest with 3,019 out of 3,300. Both firms have worked with the Authority in the past. The references called for both firms also yielded very positive reviews.

The cost for each firm's services was also close. Cole Huber, LLP's pricing is as follows: Partner: \$225-\$250, Associate: \$200-\$215, Paralegal & Clerks: \$165. Thomas E. Lewis's pricing is as follows: Partner: \$250, Associate: \$250, Paralegals & Clerks: \$125.

The firm size of Cole Huber, LLP has multiple partners, associates, and clerks available to the Authority at all times, ensuring that legal support is available at all times.

Thomas E. Lewis has only one attorney. Mr. Lewis did explain that he can arrange for lawyers from another firm to stand in for him in the event that he becomes unavailable. The concerns with this arise from times when Mr. Lewis may be unavailable while he is assisting other clients and or away with the other organizations that he chairs.

A few of the other firms, such as Liebert Cassidy Whitmore, specialize more in personnel matters rather than the other housing-specific legal services that the Authority requires. The Authority has worked with Liebert Cassidy Whitmore in the past and found them to be a great asset when it comes to handling employment matters. The references that were contacted for Liebert Cassidy Whitmore responded with glowing reviews as well. The cost for their services is: Partner: \$440, Associate: \$300, Paralegals: \$160, Clerks: \$200.

The RFP allows the Authority to award separate contracts to any proposing law firm to which it is determined to have superior experience in a specific area of law. The recommendation is that a contract is awarded to Cole Huber, LLP for general legal services to the Authority. In addition, also recommend two (2) additional contracts be awarded; Thomas E. Lewis should be awarded a contract for services such as unlawful detainers and Liebert Cassidy Whitmore awarded a contract for personnel/employment matters.

RECOMMENDATION:

It is hereby recommended that the Board of Commissioners of the Housing Authority of the County of Merced adopt **Resolution No. 2023-01**, awarding a Legal Services contract to Cole Huber, LLP, Thomas E. Lewis, and Liebert Cassidy Whitmore and authorize the Executive Director, Rosa Vazquez, to sign or take any other action necessary to carry out the completion of the work.

