

MINUTES OF THE REGULAR MEETING  
BOARD OF COMMISSIONERS  
HOUSING AUTHORITY OF THE  
CITY OF OAKLAND, CALIFORNIA  
HELD MONDAY, APRIL 24, 2006

**Regular Meeting**

The Oakland Housing Authority Board of Commissioners convened its Regular Meeting at 1619 Harrison Street, Oakland, California on the above date. Chair Moses L. Mayne, Jr. called the meeting to order at 6:05 p.m.

I. Pledge of Allegiance

II. Roll Call

Commissioners present were Joe L. Brown, Alfred Lee, Robert J. Pittman, Jr., Jacqueline M. Taylor, Ramon J. Terrazas and Chair Moses L. Mayne, Jr.

III. Report from the Legal Counsel Regarding Final Decisions Made During the Closed Session on April 12, 2006.

Legal Counsel Jennifer Bell reported there were no final decisions made during the Closed Session.

IV. Approval of Minutes: Regular Meeting of March 28, 2006. **(Tape 1 – Side A: Queue 17 – 81)**

Commissioner Pittman had several corrections. He said on Page 2, VI.A, the intention of his discussion did not seem to have been captured. He said that we had a long discussion on costs, location, plus 10% code being used for ADA and/or convertible units, the washers and dryers in units, and how we would do kitchen cabinets for less cost, did not get reflected. Also, the pocket doors as opposed to hinge doors were not reflected. He said it would be important that the public to know what the Board was considering those things. Mr. Pittman would like his comments to be reflected in the minutes.

Mr. Gresley, Executive Director, asked that the Minutes of March 28, 2006 be withdrawn for review of the tape.

Commissioner Pittman made correction on Item B. His correction revolves around the differentiation of repair costs of the entire roof versus patching it. What would be the long-term diagnosis of the property for patching versus completely re-roofing it, and how much longevity it would be for re-roofing as opposed to patching. Mr. Pittman

said that the essence of his discussion did not seem to have been captured, and he would like that to be reviewed on the tape.

Commissioner Pittman's next correction was on Page 5, starting at the bottom of the page on Item C. He read the paragraph and said that it appeared that there were two answers. One was that "Mr. Gresley indicated he does not anticipate any considerable change in the general counsel contract." He continued and said that, "Mr. Gresley agreed that in the next few years the Authority could have a considerable number of new activities and could have an increase in the amount of legal advice on development. Commissioner Pittman commented that he found the increases reasonable." Commissioner Pittman said that those two statements do not relate. He said that he found the overall aspect of the Goldfarb & Lipman contract wonderful. Mr. Pittman thought it was a perfect contract, but it did not relate to the question, "Are we going to have to use them more, and is it going to cost us more." Mr. Gresley suggested that we just add language "of the proposed contract," so that it would read "...found the increases of the proposed contract reasonable."

Commissioner Pittman's last correction was on Item D. He said that there was no mention of his unqualified enthusiastic support of the RFQ process, which would keep contracts in Oakland. He would like to see his correction reflected in the Minutes.

Commissioner Lee commented that they are still using an old tape recording system, and he thought that MP3 type digital device would be very helpful for staff. He said staff does not have to write the minutes, but post the recording on their web page and anybody could download it and listen to the whole meeting. Mr. Lee said that technology was readily available and relatively inexpensive.

Mr. Gresley suggested that the minutes be pulled on order to make the corrections and bring them back at the next regular meeting.

#### V. Modifications to the Agenda

There were no modifications to the agenda.

#### VI. New Business

##### A. Consideration and approval of Public Housing Admissions and Continued Occupancy Policy.

Mr. Gresley said that the Admissions and Continued Occupancy Policy (ACOP) is the administrative document that guides the Authority in determining eligibility, accepting applications, and all the rules that apply to occupancy. It has been discussed in the last two Commission meetings and has undergone quite a review. Mr. Gresley said staff attempted to capture the way we were

supposed to be doing business, capture those policy changes that were recently enacted by the Board and incorporate them in this Policy. He said the Board had thorough discussions of the ACOP and has not made any significant changes. Policy changes include going to a triennial re-examination process for elderly and disabled persons with fixed incomes. Mr. Gresley said that the ACOP is not a part of the Authority's Annual Plan, but an attachment to it. Mr. Gresley recommended that the Board adopt this ACOP to be effective May 1<sup>st</sup> and management would begin distributing it and providing training to the Authority staff. He indicated that Ms. Sharon Harrison Cossey, Deputy Executive Director for Housing Operations, and Ms. Joyce Roberson, Director of Housing Management had lead a team to prepare the document and would address any questions.

Commissioner Pittman complimented staff for doing an outstanding job on the ACOP. Commissioner Lee moved to accept the Policy. Commissioner Pittman seconded and the Board voted unanimous approval. General Counsel Jennifer Bell asked the Board if there were any comments as there were people in the audience. Chair Mayne said he did not get any speaker cards from the audience. While Commissioner Lee appreciated staff for their work on the Policy, in the future, he would like staff to bring it to the Board ahead of time so that they would have ample time to review it. He asked the Chair to consider a committee or for staff to come back with ideas for discussion in order to best utilize MTW. He thanked staff for putting the Policy on the website. Commissioner Lee also suggested that the Maintenance staff be informed about this Policy.

Commissioner Lee asked Mr. Gresley to acknowledge staff who worked hard on the Policy. Mr. Gresley said Ms. Sharon Harrison Cossey, Ms. Joyce Roberson, Ms. Rose Marie Griffin, and Mr. Joseph Villarreal who got involved on the Administrative Plan, Mr. David Lipsetz, Ms. Patricia Ison and Ms. Dianne Summerville. Mr. Gresley said that it was a huge undertaking and the staff involved worked late on many evenings and on weekends. Commissioner Taylor would like to make sure that the Resident Advisory Board members also know that their input was highly appreciated. Mr. Gresley noted the Resident Advisory Board members have been very helpful in the process.

B. Consideration and approval of Section 8 Administrative Plan.

Mr. Gresley also said that the Section 8 Administrative Plan has been a huge undertaking. It had been thoroughly vetted, had a public hearing, and had three RAB meetings. He said that some very good suggestions were made to staff as a result of the meetings. Mr. Gresley recommended that the Board adopt the Plan effective May 1<sup>st</sup>.

Commissioner Pittman moved approval of the Plan. Commissioner Taylor seconded and the Board voted unanimous approval.

C. Consideration and approval of Annual MTW Plan for the fiscal year ending June 30, 2007.

Mr. Gresley noted that this is the MTW Annual Plan that was required to be submitted to HUD each year. It incorporates a listing of all the various activities planned to be undertaken, provides the various statistics about the Authority, and includes the sources and uses of funding. Mr. Gresley had a handout passed out to the Commissioners. He emphasized that the Authority management has formalized the newly-created positions that would allow them to advance the agency's reorganization. He reiterated his announcement at the last Board meeting that he appointed three Deputy Executive Directors. Ms. Sharon Harrison Cossey was appointed Deputy Executive Director for Property Operations; Mr. Phil Neville was appointed Deputy Executive Director for Real Estate Development; and Mr. Joseph Villarreal was appointed Deputy Executive Director for Program Administration. Mr. Gresley further noted that they had created the positions shown at the top portion of the handout, and the positions shown at the bottom portion would be eliminated in next year's budget.

Mr. Gresley continued that, as Commissioner Lee requested, the estimate of the additional cost that would be incurred in moving from the positions that were being discontinued to the ones being created was \$940,000. He emphasized that this is sustainable so long as the Authority is under MTW. Mr. Gresley indicated that this is a transitional structure, and there would be many changes in the next five years. It would allow staff to carry out many of the objectives and to fully complete their mission. He said that in the Annual Plan, there was a listing of properties they were intended for major improvements. On the list of properties there were five properties to be comprehensively rehabilitated, using capital grant funds that were anticipated to be available this year. Additionally, there were eight more properties staff recommends that the Board approve in this process, the costs to be drawn from MTW reserves that were carry-over funds from last year. Mr. Gresley again noted that this has been vetted through the public hearing process, through the RAB, and through several commission meetings.

Discussion followed. Commissioner Pittman commented that he likes the Plan. He would like to see an amendment on the properties for rehabilitation. Those which are ground floor should be ADA compliant whenever possible, with washer/dryer hookups. Commissioner Pittman would like to adopt the Plan "as

is” with his amendment. Commissioner Taylor seconded the amended motion. Commissioner Lee asked for the cost of the washer/dryer hookups. Mr. Gresley did not have a definitive answer. He pointed out that many of the Authority’s properties do not have washer/dryer hookups now. He said the federal government requires a certain percent of rehabilitated units to be fully-accessible where it is possible. Mr. Gresley further stated that not all of our buildings are flats; some are townhouses. He believed that the goal was would include a combination of physically-accessible and those that are designed for the hearing or sight impaired. Mr. Gresley indicated that staff could do an evaluation and come back to the Board. Commissioner Lee believed that the Authority does not have enough accessible units available. He stated that when they are doing the modification, they should make the units accessible by design, and the costs may be minimal. He indicated that he was more for this than sustainability. He said that to make those units sustainable for longevity, having washers and dryers and having them ready for accessibility is sustainability in his mind. Commissioner Lee indicated he would like to follow Mr. Pittman’s and Ms. Taylor’s lead on this.

Commissioner Taylor said it is not too difficult based on her experience living in two private properties. She said that the units had wide enough bathrooms, had flexibility to move around the kitchen, large bedroom and living room. When she moved to the next facility, it had lower light switches. She said that it is very important for people to be able to sustain themselves without the worry of relocating should they become disabled. Commissioner Taylor was in agreement with the comments of Commissioners Pittman and Lee. Commissioner Terrazas asked if there was a demand for accessible units. Mr. Gresley said that the Authority has been providing accessible units through all modernizations in the last ten years. He said that quite a number of those accessible units are currently occupied by people who do not require accessible units. Mr. Gresley said that in order to fill them, staff takes people off the waiting list who do not need accessible units. Commissioner Terrazas then asked if the demand is increasing for these units. Mr. Gresley said that until staff takes full applications, ready to move people in, we do not have good statistical data about the people on their waiting list. He thought that there may be a growing need and there may be an under-supply in the community. Commissioner Terrazas asked if it was worthwhile to find out. Commissioner Pittman said that if they were to call Ms. Christine Calibrese who runs the ADA Department of the City of Oakland, she can give them the number of the need for occupancy. Commissioner Terrazas said that if they know what the demand is, then they can make reasonable projections and try to meet the demand. He said that if the demand is not there, they might be spending money that can be diverted to other needed areas.

Commissioner Lee made two comments. One is regarding the cost in redoing the units. He said that as a private developer, they always provide the standard minimum 10 percent and sometimes do more than the minimum so that it accommodates to the ADA specification, but not to the full ADA specification which might lower some costs. Second, Mr. Lee said, as a Board, the Commissioners could modify their admission policy. He commented that the process of getting on the waiting list is a very strenuous process.

Mr. Gresley asked for a clarification on Mr. Lee's first comment. He said there is a term called "adaptable," which is not a fully ADA-compliant but it is one that can easily be adapted. He asked Commissioner Lee if he was referring to the same concept. Commissioner Lee said that was what he was describing. Mr. Gresley said the Commission would need to clarify what Mr. Lee was intending because there is a different cost involved in making a unit fully accessible than making it adaptable. Commissioner Lee said that they could always modify this motion at a later time, but would like to vote to support Commissioner Pittman's motion. He said that after staffs' full investigation, they could always modify this motion. Chair Mayne wanted to make it clear whether Commissioner Pittman said where available for ADA compliant. Commissioner Pittman said yes, where it is available and where it can be done within a reasonable cost. Chair Mayne added that they need to look at this in the Development Committee, to find opportunities and include some accessible units on properties to be developed.

The Commission voted unanimous approval of the motion, as amended.

Mr. Gresley indicated he received a request that the commission exchange Item D for Item F, putting Item D as the last item. The Board approved.

F. Consideration and approval of Amendment to the Environmental Consulting Services Contract for Tassafaronga Village with Fugro West, Inc.

Mr. Gresley noted that when the Authority engaged the services of Fugro West, the scope of work included only the initial stage of analysis, and once further work was recommended, we would need to come back to the Board. He asked Mr. Neville to explain the proposed action to the Commission. Mr. Neville first acknowledged the presence of Ms. Jeriann Alexander from Fugro West and Ms. Bridget Galka, OHA Project Manager for Tassafaronga. Mr. Neville reported that Fugro was selected as the best proposal and we negotiated a contract to include only the tasks we were certain about. He added that all of the proposals received in the original competition were well in excess of the \$100,000 contract that we executed with Fugro. Once the initial studies and analysis were completed, staff would determine what was needed and bring back a more exact

scope of services, giving the Authority's Board better control over the project. He noted that the original resolution passed in October, 2005 covered both properties that were under consideration for a HOPE VI grant. These sites were Tassafaronga Village and the 15<sup>th</sup> and the Harrison Street site. Mr. Neville said the Authority has already spent over \$75,000 of the initial \$100,000, on the Tassafaronga site. He said Fugro has submitted a number of reports that have to do with Phase 2 environmental assessment of the Tassafaronga complex, geotechnical study of the soils, hazardous materials testing in the nearby Pasta Factory site, and additional work for the National Environmental Protection Act (NEPA) documentation, research and reporting.

Mr. Neville also noted that the City of Oakland had only recently determined that the project was not exempt from the California Environmental Quality Act (CEQA). Mr. Neville described meetings with the City Planning Department which determined that the Authority staff could base its analysis on the environmental impact study done for the entire Coliseum Redevelopment Area. He indicated that a subcontractor, LSA Associates, Inc. (LSA) has been brought in to undertake the environmental reviews required to complete the CEQA documentation. The director of the City Planning Department suggested a particular approach would cost the Authority about \$20,000. If it is later determined that we need a full Environmental Impact Report (EIR) study, the cost would be about \$60,000. Mr. Neville discussed the list of tasks that would need to be done such as the demolition work, checking for pesticides and metals that have been identified in the Phase 2 report, and reviewing the tax defaulted parcel. He also said that Fugro will assist us with the overall NEPA/CEQA strategy and the architectural approach. Mr. Neville noted that the Authority received a grant from the State Department of Toxic Substance Control and further investigation is being done of the Pasta Factory site, using these funds.

Mr. Neville recommended to the Board an amendment of \$140,000 to the original contract. He noted, however, that there may be other tasks such as geotechnical services which we may need to add to the contract at a later date. He also noted that pesticides were found at Mandela Gateway and Coliseum Gardens, and now Tassafaronga Village and that all three sites were used for military housing before the Authority acquired them.

Discussion ensued. Commissioner Taylor asked if the toxics found at the sites possess potential hazard to the residents. Mr. Neville called on Ms. Alexander for an answer. Ms. Alexander said that there was a very low risk to residents. The risk, if any, would primarily be to anyone who spent a lot of time in contact with the soil in one particular location. She elaborated that the risk wasn't to the residential units. She gave the example of a gardener who might be involved with the toxic soil on a day-to-day basis over several hours each day.

That person could become more at risk. But residents who lived at the complex and walked the grounds would not be at risk. Commissioner Taylor asked if it would be better for gardeners to wear gloves and masks when working on the soil. Ms. Alexander indicated that the compounds have been identified in only one specific location, adjacent to the athletic field near Tassafaronga Park. She said they would do additional studies to figure out how extensive that area was impacted. She added that it does not necessarily represent a risk if somebody is only touching it or handling the soil for a short period of time. Ms. Alexander said that, without having a toxicologist, she could not tell exactly what risk is actually posed by somebody handling the soil. Commissioner Brown asked if the recent rains would wash off the toxic material. Ms. Alexander said the substance binds with the soil and was not going to wash off. This material gets into the soil and tends to stay right where it is. Commissioner Brown asked if the material in the soil could move to other parts of the site. Ms. Alexander said they do not expect soil or the material to move across the site. Mr. Brown asked if they took tests after the rain. Ms. Alexander said they took tests and she believed that these substances were spilled on the site long ago, and stayed in place.

The discussion continued. Commissioner Pittman asked if the material found in Coliseum and Mandela was dieldrin. Ms. Alexander said her firm was not working on those sites. Mr. Neville answered that dieldrin was found at these sites, and added that other consultants the Authority used on the other sites told us that dieldrin binds with the soil and does not move. Mr. Gresley pointed out that all of those sites were developed around 1964 or 1965. Commissioner Terrazas asked who owns the park at Tassafaronga. Mr. Neville stated that the City of Oakland owned the park. Ms. Alexander said that they would test the City's property. She said they do not believe that the impact was widespread. Commissioner Terrazas asked whether they have to be worried about the medical surveillance of groundskeepers to make sure they have not been harmed. Ms. Alexander said that they have just identified elevated concentrations at one location, back in the southeast corner where there is no grass growing. Commissioner Taylor asked if the City of Oakland has been notified about elevated dieldrin levels at Tassafaronga Park. Ms. Alexander said they were not talking about elevated hazardous waste concentrations across the entire site. Ms. Alexander said that they have identified an abnormal concentration in one area only, and it was not a human health risk. The level suggests that we need to do additional investigation. Mr. Neville said that since Fugro has not yet done any testing at the Park itself, staff would have not notified the City of Oakland of any problem.

Commissioner Lee said he was not really comfortable with the information he has been given regarding the cost of the whole project. Mr. Lee added that it

would be helpful to the Board to see the overall budget for this project in closed session so that he knows what the costs are over the next five years. Mr. Neville said that David Baker, our Architect is making arrangements to bring in a cost estimator as part of his contract. Therefore we will begin to prepare cost estimates before too long.

Commissioner Lee moved to amend the contract with Fugro. Commissioner Pittman seconded and the Board voted unanimous approval.

E. Consideration and approval of Application for an up to \$1.5 million 3% interest rate loan to the California Housing Finance Agency (CalHFA) HELP Program for the Tassafaronga Village Revitalization Plan.

Mr. Gresley called upon Mr. Neville. Mr. Neville said that the Authority previously received HELP funds from the California Housing Finance Agency (CalHFA) for use in the Chestnut Court project, in both the rental and homeownership components. He said the interest rate was only 3% and we only pay interest on the amount actually borrowed. In order to be considered for an award of HELP funds, the State requires that the Board follow certain steps: (1) authorize application for the funds; (2) authorize the Authority to incur indebtedness; (3) authorize the Executive Director to execute all the loan documents and (4) demonstrate approval of staff resources and funds previously committed to this project. Mr. Neville said that the process is competitive, and asked the Board to authorize the Executive Director to borrow up to \$1.5 million, the maximum amount. Mr. Neville noted that the City of Oakland had approved \$3 million for the rental project and about \$1.8 million for Habitat for homeownership. He also noted that the Authority applied for over \$16 million in the HOPE VI competition last year. On July 10, 2006, the next application for HOPE VI is due; and we may apply for \$15-16 million. Mr. Neville also said that we have an application pending for a Brownfield grant from EPA.

Commissioner Pittman moved approval of the motion. Commissioner Terrazas seconded and the Board voted unanimous approval.

D. Consideration and approval of recommendation to make a Conditional Loan Commitment of Local Funds for the Permanent Financing of Phase III of the Coliseum Gardens HOPE VI Revitalization.

Mr. Gresley said this item relates to the Lion Creek Crossings, Ph. III. He called upon Mr. Phil Neville to explain. Mr. Neville said that a loan commitment is needed to backstop a loan that we hope to receive from CalHFA. This loan would be based on a Section 8 Project-Based Assistance commitment from the Authority's Leased Housing Department to the partnership. The

partnership hopes to use the Authority's subsidy commitment as collateral for a loan from the CalHFA in the amount of \$475,000. However, CalHFA cannot approve the loan until HUD performs a review that will take HUD several months. Mr. Neville reported that the Board approved a similar loan last fall for Phase II, and HUD subsequently completed the subsidy layering review, and CalHFA is now able to make the loan in Phase II, not the Authority. He added that the \$475,000 loan currently requested is based on 16 Section 8 Project Based units to be placed in Phase III.

Discussion followed. Commissioner Lee asked about the status of the other loans being repaid and how much they would cost the Authority, such as at Mandela Gateway. Mr. Neville said that on the previous projects such as Chestnut/ Linden Court and Mandela Gateway we didn't used contingent loans. The loans funded by the Authority in those cases were residual receipt notes. The only funds actually received back to the Authority to date were from Chestnut/Linden Courts. Mr. Neville explained that residual receipts are where project income exceeds expenses, in which case the partnership would pay us. If income does not exceed cost, the project does not have to pay us. He said staff will prepare a report to bring the Board up to date.

Commissioner Lee moved approval of the recommendation. Commissioner Taylor seconded and the Board voted unanimous approval. Commissioner Lee asked that they be provided with a projected budget for the Tassa project, as he had requested in the previous discussion. Chair Mayne asked Mr. Neville why refer to the loan as a "backstop" rather than a "bridge" loan. Mr. Neville explained that the backstop is when we need the loan commitment to show that we have all the financial gaps filled, while we await HUD review. But we actually hope to obtain the funds from CalHFA, not from the Authority. With a bridge loan, we would actually borrow funds during an interim period until other funds were obtained to repay the bridge loan.

VII. Recognition of people wishing to address the Commission

There were none.

VIII. Written Communications

Commissioner Pittman has some questions on the monthly status report. He asked how quickly the OHA Service Center Parking Lot will be completed, considering that there is good weather. Mr. Barry Nann, Director of Facilities Management, said about 60 days. Commissioner Pittman asked about the combined size of the 1450-1500 Harrison Street Parking Lot. Mr. Gresley could not recall the combined size. He said there were two buildings on that site and it includes an adjacent parking lot. Mr.

Gresley asked Mr. Neville for the number of units they were projecting on that site. Mr. Neville said over 100 units. Commissioner Pittman asked how big was the coffee shop that BRIDGE seeks to replace. Mr. Neville said the coffee shop has about 1500 square feet. Commissioner Pittman's next question was on page 2, 3<sup>rd</sup> paragraph. He asked what the conceptual changes were in the park's plan. Mr. Neville explained that Walter Hood, UC professor and who heads his own design firm in Oakland had designed the park. He said that the City has been delayed two years in a row in working on that creek. Mr. Neville said they are now in the third year awaiting for the City to complete the plan for the creek. He said that until they see what the City is doing with that creek, they can't finish their plans on the park. He said that the planning for infrastructure has been slowed.

Commissioner Pittman continued. Under the For-Cause Evictions (not rent related), he asked if they only evicted one, the drug related/criminal activity- tenant vacated, and whether all the rest were either closed or dismissed. Mr. Gresley indicated that they gave a report on the matter at the last meeting of the Commission in closed session. He said that what they have been finding was that the notices have to be redone or the evidence they have could not be relied upon. Some would probably be re-filed and others would be dropped. Commissioner Pittman would like to see that the phones and PBXs system are working more efficiently and faster.

Commissioner Lee acknowledged the excellent presentation of staff on the For-Cause Evictions. He said that staff show where we are in the eviction process, and they also realized there needs to be some modification, additional monitoring and that they would come back to the Board in a few months.

Commissioner Terrazas, under For-Cause Evictions, would like to know what it means when a case is closed "per district manager request" and really what is "dismissed because of inadequate notice" means. Ms. Joyce Roberson, Director of Housing Management, said that for some of the cases, the 30-day notice had expired or upon evaluation of the case there was insufficient evidence to proceed. Ms. Jennifer Bell, Legal Counsel, commented that Ms. Roberson, since she became the interim Housing Management Director, found that there have been insufficient notices. She said there are specific requirements when evicting people for cause like going through procedures, people have to be sufficiently notified of what the charges are against them because they have the right to defend themselves. Ms. Bell also said that Ms. Roberson was also trying to re-train the managers to counsel people, give them notices in advance, comply with Measure EE, comply with the HUD regulations, and to just get things back on track. Chair Mayne also commented that the for-cause evictions have to be timely. Commissioner Terrazas expressed concern that if real crimes were committed by residents and staff were not able to evict them, they are exposing the rest of the residents to the same problem. Ms. Bell said that that was true and so staff have to do the best they can. She noted that sometimes there are situations that could not be

documented because witnesses are afraid to testify, or there is not sufficient information because of improper documentation. Ms. Bell also said sometimes there were situations where people moved and the eviction process would not come to conclusion. Ms. Roberson added that in several cases there was no “nexus” to the unit.

Commissioner Taylor asked how many cases were actually evictions and how many were dismissed. Ms. Roberson said that during the clean-up period, there were more dismissed cases than were won. Commissioner Taylor asked if the attitudes or behaviors and activities of the particular residents were changed because they were put on notification. Ms. Roberson said no because staff found the still needed to call them in. Commissioner Taylor asked what procedures staff utilize when tenants are called in. Ms. Roberson said they are to find out what is going on in the unit and try to get their side of the complaint. Then staff advise the tenants about the lease provisions that were not complied with. Ms. Roberson said that staff want to prove to the Court that they have taken every action necessary in their authority.

Commissioner Lee first thanked Ms. Roberson and then said that his recollection in the closed session was that they went through case by case. He said that his understanding was that staff was going to develop a process that they would follow that includes all stake holders. This might involve the police, the housing manager, and the attorney involved and bring the process into place and then report back to the Board. Commissioner Lee noted that the eviction process is costly and it should be fully funded. Commissioner Taylor asked about the HUD documents that residents currently have to fill out for their redeterminations, whether staff asks residents if they had any criminal activity, if they were sexual offenders, and if any unregistered person is living in their home. She said that when residents do not provide the information it becomes fraudulent for them. She asked how effective that process has been. Ms. Roberson said that staff has been trying to monitor that process closely.

IX. Executive Director’s report regarding matters of special interest to the Commission occurring since the last meeting of the Commission.

Mr. Gresley invited any Commissioners’ comments they have on the Section 8 waitlist analysis that they asked for at the last meeting. Commissioner Pittman asked about the table on the Board memo showing Family Size, 50% of AMI and # of Applications. He asked why a majority of the applicants have one or two family members and very few large families applied when most of the design review work that the Board has done has three, four and five-bedroom units. He asked that if the demand is not there, why are they building them. He asked what the Authority is building and what its stock looks like. Mr. Gresley said that what we are building, for the most part, is replacement housing other than the HOPE VI. He pointed out that the wait list is for Section 8 and not for public housing. He said that in our large developments, there is a mixture of everything from one to five bedrooms. Among those, there is probably a

different mix of twos compared to threes. Mr. Gresley said that there is a larger percent of two bedrooms than in the scattered sites. He said that majority of the scattered sites are three-bedroom units. He then said that Commissioner Pittman's comments deserve attention and therefore staff has to look at the make-up of the public housing because it may be more appropriate to do more conversions of the three bedrooms to two bedrooms in the future.

Commissioner Terrazas asked about the racial breakdown of the waitlist and the applicants for the Section 8 program. He asked if staff made an attempt during the waitlist invitation period to reach out to various segments of the community to try to get increased participation and were we successful. Going forward next time this happens, how much of an impact is staff going to make just by reaching out. Of the current Section 8 voucher holders, is there a way of estimating what percentage of them is going to stay in the program forever? Mr. Gresley did not think there was a way of estimating around individuals, but there was a way of estimating the number of units that turn over every month. He said right now staff is issuing a large number of vouchers. Commissioner Terrazas asked that since there are a fixed number of vouchers and there is not much movement going on, how long it is going to take us to be able to say that existing holders of Section 8 vouchers resembles the ethnic makeup of the City. Mr. Gresley said that that was hard to predict. What they have to do is make affirmative steps to keep attracting people to the waitlist. He said that the staff will convene a get-together of everyone involved in the waitlist effort to discuss what they could do differently next time to improve the result. Mr. Gresley said that the Authority is down about 600 or 700, and when fill those and keep getting about 60 a month, in a year's time about 1200 or 1300 of the units would be impacted. That is more than 10%. Mr. Villarreal added that sometime in the next couple of years, Alameda County would absorb about 1000 of the Authority's families which would mean 1000 more vouchers to issue.

The discussion went on. Commissioner Terrazas was concerned that if the Authority would be going to make incremental changes every year or every four years, and if certain segments of the City's population continue to change, are they going to achieve parity just by keeping the number of Section 8 vouchers fixed. Mr. Gresley said that the Authority could not do much about the size of the program. HUD is not making many incremental vouchers available. Mr. Gresley did not think that we could expect a dramatic change in the size of the program unless there is a change in funding by the federal government. In reality, they have a program that is not going to grow. He indicated that the Board may wish to look at policies that might affect it under MTW. Commissioner Terrazas commented that the only way the Board can influence is by changing policy, which is one avenue they could pursue, but there might be another one and that is if they address the issue of self-sufficiency in a more aggressive manner, then they could make or influence those that would otherwise be entrenched to graduate from the program towards self-sufficiency, which would increase the turnover

in a positive manner. Mr. Gresley said we could discuss and talk to other housing authorities that have used their MTW authority and find out what kind of activities they may have found successful with family self-sufficiency. Commissioner Taylor asked how long would it take for people to be housed in Section 8. Mr. Gresley said we have 10,000 people on the new waitlist and have room in the program for about 600 to 700. Mr. Gresley said that when a voucher is prepared, staff contacts the family to come in and pick it up and they have to go through an orientation. He said that not everyone shows up.

Commissioner Lee mentioned that he wrote a memo regarding the trouble he had with the system to the Executive Director and the Deputy Director. He noted that in the middle of the process, when he called in to their main office they said they were not accepting applications. Secondly, he said, the language thing was a problem. He said that today he tested the system and it worked properly. He commended staff for their excellent job. Commissioner Lee said that another thing was that if you look at the second phase of the application which says, "If you need the language problem service, you need to call this other person." He said that all he got today was voicemail from this person. Commissioner Lee indicated that staff should test our system.

Commissioner Lee then asked if staff could bring back two items: feasibility of term limits of all programs; extra incentive for special waitlist on the scattered sites, family with honor students to get pushed up on top of the waitlist.

Commissioner Terrazas asked what percentage of those residents holding vouchers in Section 8 and in public housing units are within five years of entering retirement age when their income is going to be fixed, and are we prepared for that. Mr. Gresley said staff has not done that analysis, but it would be easy to do. Commissioner Taylor commented that there are poor residents who are going to need affordable housing permanently. Commissioner Terrazas commented that if they know who is going to stay in the program, they have a predictable number that could be expected to remain in the program, address their needs, and at the same time look at ways to help others graduate from the program who have the ability to graduate, in an effort to bring more people into the program.

Mr. Gresley said staff is preparing an agenda for the May 10<sup>th</sup> workshop session. Staff will be bringing to the Board a number of different approaches and alternatives for looking at rent structures and term limits or combination of both. The purpose will be to try to lay out some of the options and find out from the Board which option they are interest in. He said that looking at need, one possible source of better data than we have at this point would be at the City of Oakland.

Mr. Gresley said that May 12<sup>th</sup> to May 21<sup>st</sup> is Affordable Housing Week.

Mr. Gresley announced two upcoming events. One is the Lion Creek Open House of Phase 1 and Groundbreaking of Phase 2 on May 17<sup>th</sup> from 11:30 a.m. to 1:30 p.m. In the evening, there would be a Creating Housing Options in your Community, Housing Resource Fair and Rental Subsidy Workshop for rental property owners in San Leandro Library put on by Eden I&R and the Oakland Housing Authority.

Mr. Gresley reiterated his announcement at the last Board meeting that Mr. Walter Kawecky retired and his last day was last Thursday, April 20<sup>th</sup>. He said that he appointed Ms. Pamela Foster as the new Director of Human Resources. She will begin working on Wednesday, May 3, 2006.

Commissioner Lee asked that since there are 10,000 people on the Section 8 waitlist, how the process would work. Ms. Roberson said that staff sent a letter to many of those families, identifying specific times for which they should come in for an appointment, and bring a set of information to verify what they said on their application. Ms. Roberson said two things are happening. While a lot of people applied, they were not providing required information, verifying family composition and the preferences that got them their position on the waitlist. Ms. Roberson said that staff is being much more exacting in accepting applicant's documentation. This means that some families are being placed back on the waiting list with their correct preferences. She also said there were a number of no-shows. Commissioner Lee asked whether the people who did not show up or did not qualify for preferences have the chance to appeal. Ms. Roberson said they are advised of their right to an informal hearing. Commissioner Lee asked if the racial mix of 10,000 is reflective of the report of all applicants or if is random. Ms. Roberson said it is random. Commissioner Lee asked if he were one of the 800 that were selected, what would be the likelihood of getting housing. Ms. Roberson said that he would likely receive a voucher in the next 60 to 90 days.

Commissioner Terrazas asked whether staff has internal control in place to insure that those who were interviewing are doing what they are supposed to do. Mr. Roberson said they have two monitors. Ms. Rose Marie Griffin is monitoring the interviewing process, and Ms. Diane Summerville is monitoring the intake process. She added that they have at least two meetings a week to go over any problems that have come up.

Commissioner Taylor asked whether staff has ever considered hiring actual detectives to actually pursue the process of ensuring that the information is correct and valid. Ms. Roberson said they have to follow the HUD rules in terms of what they ask and what they verify. She said, however, that they are doing criminal background checks on the applicants. Commissioner Lee asked how many people invoke the translation service. Ms. Roberson said that they have two translation hotlines and also that we have been dealing with languages that we had not anticipated, such as Arabic and American Sign. She said we use some bilingual employees. Mr. Gresley said we have access to 152

language translations. Commissioner Lee asked what the cost is to the agency. Mr. Gresley said it is the same cost whether they speak one of four languages that the City ordinance charges. Ms. Sharon Harrison Cossey commented that within the next few months, staff plans to prepare a Limited English Proficiency plan and to pull together all of our different resources. The plan would have three languages other than English where we would translate certain of our documents: Spanish, Chinese, and Vietnamese. For the other 152 languages, we bring in interpreters as the need is identified.

X. Reports of Commission Committees.

Commissioner Lee said that in the Development Committee will meet and cover some ground regarding amendment to the policy on the scattered sites to having more accessible units and having washer and dryer hookups.

XI. Announcements by Commissioners.

Commissioner Pittman noted that he has with him a copy of the Alameda Countywide Homeless and Special Needs Housing Plan, which is also called the Multi-plan. He said he has asked Ms. Andrea Youngdahl, Director of Health and Human Services, City of Oakland, to have her staff come and give us a presentation at the next regular meeting.

Commissioner Lee would like the Annual Budget for next year's process be simplified for everyone to understand it. He would like a better breakdown of it.

XII. Adjournment to a Closed Session.

The regular meeting was adjourned at 8:24 pm to a Closed Session.

**Closed Session**

The Oakland Housing Authority Board of Commissioners convened in Closed Session at 1619 Harrison Street, Oakland, California on the above date. Chair Moses L. Mayne, Jr. presided and called the meeting to order at 8:30 p.m. regarding the following:

- Potential Litigation matter pursuant to California Government Code §54956.9.

Attendance

Commissioners present were Joe L. Brown, Alfred Lee., Robert J. Pittman, Jr., Jacqueline M. Taylor, Ramon J. Terrazas, and Chair Moses L. Mayne, Jr.

The Closed Session was adjourned at 9:15 p.m.

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Secretary

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Chair