



California Affordable  
Housing Initiatives, Inc.

TO: Chair Gregory D. Hartwig  
Vice-Chair Anne Griffith  
Director Patricia Wells

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## NOTICE OF REGULAR BOARD MEETING

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In accordance with Article III, Section 7, of the Bylaws of the California Affordable Housing Initiatives, Inc., NOTICE IS HEREBY GIVEN that a **Regular Meeting of the Board of Directors** will be held as follows:

### **BOARD OF DIRECTORS MEETING**

**Monday, October 24, 2022 at 1:00 pm**

**NOTE:** Pursuant to Assembly Bill No. 361 [(Chapter 165, Statutes of 2021) approved by the Governor on September 16, 2021)] a local legislative body is authorized to hold public meetings remotely via teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during proclaimed state emergencies, and make public meetings accessible "via a call-in option or an internet-based service option" to all members of the public seeking to access and attend the meeting, offer public comment, and address the legislative body.

## Join Zoom Meeting

One tap mobile: US: [+16692192599](tel:+16692192599) or [+12133388477](tel:+12133388477) or [+12063379723](tel:+12063379723) or [+14703812552](tel:+14703812552) or [+17866351003](tel:+17866351003) or [+13017158592](tel:+13017158592) or [+18335480282](tel:+18335480282) or [+18778532527](tel:+18778532527) or [+18884754499](tel:+18884754499) or [+18335480276](tel:+18335480276)

Meeting URL: <https://www.zoom.us/join>

Meeting ID: 817 1201 7239

Passcode: 723530

## **Join by Telephone**

For higher quality, dial a number based on your current location.

Dial:

US: +1 669 219 2599 or +1 213 338 8477 or +1 206 337 9723 or +1 470 381 2552  
or +1 786 635 1003 or +1 301 715 8592 or 833 548 0282 (Toll Free) or 877 853  
2527 (Toll Free) or 888 475 4499 (Toll Free) or 833 548 0276 (Toll Free)

Meeting ID: 817 1201 7239

Passcode: 723530

If you need special assistance to participate in the meeting, please contact CAHI at (510) 238-5300 (English TTY 800-735-2929 or Spanish TTY 800-855-3000). Notification at least 48 hours prior to the meeting will allow reasonable accommodations to ensure accessibility.



California Affordable  
Housing Initiatives, Inc.

**Board of Directors Meeting  
October 24, 2022  
AGENDA**

- I. Roll Call
- II. Modifications to the Agenda  
(Allows for any change in the order of business or the announcement of the postponement or continuation of agenda items.) The Board can only take action on items listed on this agenda unless a finding is made that an emergency exists or a need arose after agenda posting.
- III. Approval of Minutes
  - A. Regular Meeting of September 26, 2022
- IV. New Business
  - A. Consideration of a Resolution Making Findings Authorizing Continued Remote Teleconference Meetings of the California Affordable Housing Initiatives, Inc. Board Pursuant to Brown Act Provisions, as Amended by Assembly Bill Number 361
  - B. Consideration of a Resolution to Ratify the Renewal of the Fidelity Bond Coverage and to Approve Payment of the Combined Annual Premium of \$293,482
- V. Recognition of persons wishing to address the Board
- VI. Written Communications
- VII. Announcements
- VIII. Adjournment

**CALIFORNIA AFFORDABLE HOUSING INITIATIVES, INC.**

By: \_\_\_\_\_

*Patricia Wells*

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Patricia Wells, Chief Executive Officer



California Affordable  
Housing Initiatives, Inc.

**Board of Directors Regular Meeting Minutes  
September 26, 2022**

I. Roll Call

**Present 2** – Director Griffith and Director Wells were present for the roll call.

II. Modifications to the Agenda

There were no modifications to the agenda

III. Approval of Minutes

A. Approval of the Minutes of the Regular Meeting of September 02, 2022

A motion was made by Director Wells, seconded by Director Griffith for the approval of the minutes of the September 02, 2022 Regular Meeting. The motion carried by the following vote:

**Ayes 2** – Wells, Griffith

**Excused 1** –Hartwig

IV. New Business

A. Consideration of a Resolution Making Findings Authorizing Continued Remote Teleconference Meetings of the California Affordable Housing Initiatives, Inc. Board Pursuant to Brown Act Provisions, as Amended by Assembly Bill Number 361

A motion was made by Director Wells, seconded by Director Griffith for the approval of Item IV.A. The motion carried by the following vote:

**Ayes 2** – Wells, Griffith

**Excused 1** –Hartwig

B. Informational Memo on the Status of the Annual Contributions Contract for Project-Based Section 8 Contract Administration Services, between California Affordable Housing Initiatives, Inc. and the U.S. Department of Housing and Urban Development

CAHI Board Meeting Minutes  
September 26, 2022  
Page 2 of 2

Joyce O'Shea, Contract Administrator Officer for CAHI, provided an update on the status of the Annual Contributions Contract (ACC) between CAHI and HUD and answered questions from the Board. She stated that on July 27, 2022, HUD published a Request for Information (RFI) containing its proposal to procure contractors to provide Housing Assistance Payment (HAP) Support Services to HUD, upon expiration of the current ACCs, with an extended comment due date of September 28, 2022. She also stated that staff is working on providing comments on the draft solicitation by the provided due date and that CAHI is also working, as part of a group of eight PBCAs, to engage two firms to provide strategic planning support and government affairs representation.

V. Recognition of persons wishing to address the Board

There were no persons wishing to address the Board

VI. Written Communications

There were no written communications

VII. Announcements

There were no announcements

VIII. Adjournment

A motion was made by Director Griffith and seconded by Director Wells for the meeting to adjourn. The motion carried by the following vote:

**Ayes 2** – Wells, Griffith

**Excused 1** –Hartwig

The meeting adjourned at 9:19 AM.

**CALIFORNIA AFFORDABLE HOUSING INITIATIVES, INC.**

By: \_\_\_\_\_  
Duane Hopkins, Secretary



ITEM: IV.A

## California Affordable Housing Initiatives MEMORANDUM

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To: Board of Directors

From: Patricia Wells, Chief Executive Officer

DocuSigned by:

Patricia Wells

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Subject: Consideration of a Resolution Making Findings Authorizing Continued Remote Teleconference Meetings of the California Affordable Housing Initiatives, Inc. Board of Directors Pursuant to Brown Act Provisions, as Amended by Assembly Bill Number 361

Date: October 24, 2022

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This memorandum forwards a resolution to authorize continued remote teleconference meetings of the California Affordable Housing Initiatives, Inc. (CAHI) Board of Directors pursuant to Brown Act Provisions, as amended by Assembly Bill Number 361.

### **Background:**

On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which allowed for relaxed provisions of the Ralph M. Brown Act (Brown Act) for legislative bodies to conduct meetings through teleconferencing without having to meet the strict compliance of the Brown Act. All provisions of Executive Order N-29-20 concerning the conduct of public meetings via teleconferencing expired on September 30, 2021.

AB 361 was signed into law by the Governor on September 16, 2021, and went into effect immediately. It amends the Brown Act to allow local legislative bodies to continue using teleconferencing and virtual meeting technology after the September 30, 2021 expiration of the current Brown Act exemptions as long as there is a "proclaimed state of emergency" by the Governor. This allowance also depends on state or local officials imposing or recommending measures that promote social distancing or a legislative

## Assembly Bill Number 361

### Page 2 of 3

body finding that meeting in person would present an imminent safety risk to attendees. Though adopted in the context of the pandemic, AB 361 will allow for virtual meetings during other proclaimed emergencies, such as earthquakes or wildfires, where physical attendance may present a risk. AB 361 will sunset on January 1, 2024.

On December 16, 2021, through Resolution Number 96 and in compliance with Assembly Bill 361 (Chapter 165, Statutes of 2021)(AB 361), the Board of Directors ratified the proclamation of a state of emergency and made findings, which authorized continued remote teleconference meetings.

On January 12, 2022, The Board of Directors adopted Resolution Number 100 within the thirty-day period, which made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361. At the same meeting, the Board of Directors adopted Resolution Number 98 and 99 to ratify the actions from the October 18, 2021 and December 09, 2021 meetings respectively, in order to comply with the provisions of AB 361.

On February 08, 2022, The Board of Directors adopted Resolution Number 101 within the thirty-day period, which made findings to continue remote teleconference meetings.

On March 02, 2022, The Board of Directors adopted Resolution Number 104 within the thirty-day period, which made findings to continue remote teleconference meetings.

On March 21, 2022, The Board of Directors adopted Resolution Number 106 within the thirty-day period, which made findings to continue remote teleconference meetings

On April 12, 2022, The Board of Directors adopted Resolution Number 107 within the thirty-day period, which made findings to continue remote teleconference meetings

On May 09, 2022, The Board of Directors adopted Resolution Number 109 within the thirty-day period, which made findings to continue remote teleconference meetings

On June 07, 2022, The Board of Directors adopted Resolution Number 110 within the thirty-day period, which made findings to continue remote teleconference meetings

On June 28, 2022, The Board of Directors adopted Resolution Number 111 within the thirty-day period, which made findings to continue remote teleconference meetings

On July 18, 2022, The Board of Directors adopted Resolution Number 113 within the thirty-day period, which made findings to continue remote teleconference meetings

On August 09, 2022, The Board of Directors adopted Resolution Number 114 within the thirty-day period, which made findings to continue remote teleconference meetings

On September 02, 2022, The Board of Directors adopted Resolution Number 115 within the thirty-day period, which made findings to continue remote teleconference meetings

## Assembly Bill Number 361

### Page 3 of 3

On September 26, 2022, The Board of Directors adopted Resolution Number 116 within the thirty-day period, which made findings to continue remote teleconference meetings

AB 361 was signed into law by the Governor on September 16, 2021, and went into effect immediately. It amends the Brown Act to allow local legislative bodies to continue using teleconferencing and virtual meeting technology after the September 30, 2021 expiration of the current Brown Act exemptions as long as there is a "proclaimed state of emergency" by the Governor. This allowance also depends on state or local officials imposing or recommending measures that promote social distancing or a legislative body finding that meeting in person would present an imminent safety risk to attendees. Though adopted in the context of the pandemic, AB 361 will allow for virtual meetings during other proclaimed emergencies, such as earthquakes or wildfires, where physical attendance may present a risk. AB 361 will sunset on January 1, 2024.

In light of AB 361, the continuing COVID-19 State of Emergency declared by the Governor, the continuing Local Emergency declared by the City of Oakland, the continuing recommendations by the County of Alameda Health Officer of social distancing as a mechanism for preventing the spread of COVID-19, and the continued threats to health and safety posed by indoor public meetings, staff recommends the CAHI Board of Directors adopt the proposed resolution making the findings required to invoke AB 361.

The procedures currently set up for the CAHI Board meetings, which provide public attendance and comment through a call-in or internet-based service option, satisfy the requirements of AB 361. The Executive Director, or designee, will work with the Board of Directors to ensure that meeting procedures for all teleconferenced meetings comply with AB 361. Continued reliance will require the Board of Directors to adopt a new resolution making required findings every 30 days.

### **Recommendation:**

It is recommended that the Board of Directors adopt a resolution making findings authorizing continued remote teleconference meetings of the California Affordable Housing Initiatives, Inc. Board pursuant to Brown Act provisions, as amended by Assembly Bill Number 361.



**CALIFORNIA AFFORDABLE HOUSING INITIATIVES, INC.**

On Motion of Director:

Seconded by Director:  
and approved by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

EXCUSED:

**THE FOLLOWING RESOLUTION WAS ADOPTED:**

**NUMBER: 117**

**A RESOLUTION MAKING FINDINGS AUTHORIZING CONTINUED REMOTE  
TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS PURSUANT TO  
BROWN ACT PROVISIONS, AS AMENDED BY ASSEMBLY BILL NO. 361**

At a duly constituted meeting of the Board of Directors of California Affordable Housing Initiatives, Inc. (CAHI) held on October 24, 2022, the following resolution was adopted:

WHEREAS, CAHI is committed to preserving and nurturing public access and participation in meetings of the CAHI Board of Directors; and

WHEREAS, all meetings of CAHI are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the CAHI Board of Directors conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist within the jurisdiction of CAHI specifically, on March 17, 2020 the Governor of the State of California proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19, and such declaration has not been lifted or rescinded; and

WHEREAS, as a result of the COVID-19 pandemic the California Department of Health and the Health Officer of the County of Alameda continue to recommend measures to promote social distancing. Additionally, On March 9, 2020, in response to the COVID-19 pandemic, the City Council of the City of Oakland declared a local emergency as set forth in Resolution No. 898075 C.M.S., which remains in full force and effect to date; and

WHEREAS, the CAHI Board of Directors does hereby find that the COVID-19 pandemic has caused, and will continue to cause, imminent risk to the health and safety of attendees meeting in person for a CAHI Board meeting, and the COVID-19 pandemic has caused conditions of peril to the safety of persons within the jurisdiction of CAHI that are likely to be beyond the control of services, personnel, equipment, and facilities of CAHI, and desires to ratify the proclamation of a state of emergency by the Governor of the State of California and ratify the California Department of Health and the Health Officer of the County of Alameda's recommended measures to promote social distancing; and

WHEREAS, Resolution 96 ratified the proclamation of the state of emergency and made findings to continue remote teleconferencing meetings pursuant to Brown Act provisions, as amended by AB 361; and

WHEREAS, on January 12, 2022, Resolution 100 made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361 and Resolutions 98 and 99 ratified actions from the October 18, 2021 and December 09, 2021 meetings respectively, in order to comply with the provisions of AB 361; and

WHEREAS, on February 08, 2022, Resolution 101 made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361; and

WHEREAS, on March 02, 2022, Resolution 104 made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361; and

WHEREAS, on March 21, 2022, Resolution 106 made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361; and

WHEREAS, on April 12, 2022, Resolution 107 made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361; and

WHEREAS, on May 09, 2022, Resolution 109 made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361; and

WHEREAS, on June 07, 2022, Resolution 110 made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361; and

WHEREAS, on June 28, 2022, Resolution 111 made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361; and

WHEREAS, on July 18, 2022, Resolution 113 made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361; and

WHEREAS, on August 09, 2022, Resolution 114 made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361; and

WHEREAS, on September 02, 2022, Resolution 115 made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361; and

WHEREAS, on September 26, 2022, Resolution 116 made findings to continue remote teleconference meetings pursuant to Brown Act provisions, as amended by AB 361; and

WHEREAS, as a consequence of the local emergency and state of emergency the CAHI Board of Directors shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the CAHI Board of Directors shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Government Code section 54953.

**NOW, THEREFORE, BE IT RESOLVED BY THE  
BOARD OF DIRECTORS OF CAHI:**

THAT, Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference; and

THAT, Section 2. Reconsideration. The Board hereby reconsiders the circumstances of the state of emergency; and

THAT, Section 3. Ratification of the California Department of Health and the Health Officer of the County of Alameda's recommended measures to promote social distancing. The Board hereby finds that state and local officials continue to recommend measures to promote social distancing. The Board further hereby ratifies the California Department of Health and the Health Officer of the County of Alameda's recommended measures to promote social distancing and finds that, as a result of the state of emergency, meeting in person would present imminent risk to the health or safety of attendees; and

THAT, Section 4. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020, which declaration has not been lifted or rescinded, and hereby finds that the state of emergency continues to directly impact the ability of the CAHI and members of the public to meet safely in person; and

THAT, Section 5. Remote Teleconference Meetings. CAHI's Executive Director, and designee, and CAHI are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continued teleconferencing and conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act; and

THAT, Section 6. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) 30 days from the adoption of this

Resolution, or, (ii) such time as CAHI adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which CAHI may continue to teleconference without compliance with Government Code section 54953(b)(3).

THAT, this resolution shall become effective immediately.

#### CERTIFICATE OF SECRETARY

I hereby certify that the foregoing is a full, true and correct copy of the resolution adopted by the Board of Directors at a meeting of said Board held on the aforementioned date.

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*Duane Hopkins, Secretary*

**ADOPTED: October 24, 2022**

**RESOLUTION NUMBER: 117**

## IV. B



### California Affordable Housing Initiatives MEMORANDUM

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To: Board of Directors

From: Patricia Wells, Chief Executive Officer

DocuSigned by:  
*Patricia Wells*  
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Subject: Consideration of a Resolution to Ratify the Renewal of the Fidelity Bond Coverage and to Approve Payment of the Combined Annual Premium of \$293,482

Date: October 24, 2022

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**Purpose:** This memorandum forwards for your consideration a resolution to renew the fidelity bond coverage and to approve payment of the combined annual premium of \$293,482

#### **Background**

The Annual Contributions Contract (ACC) states that CAHI must carry “adequate fidelity bond coverage, as required by HUD, to compensate the PHA and HUD for any theft, fraud or other loss of program property resulting from action or non-action by PHA officers or employees or other individuals with administrative functions or responsibility for contract administration under the ACC.” The amount of the fidelity bond should be sufficient to cover the maximum possible monthly Housing Assistance Payments (HAPs) that can be received by the PBCA. Per additional HUD guidance, “the PBCA should increase the normal coverage of one month’s net payments by an amount that gives them comfort in discharging their fiduciary responsibilities”.

CAHI estimates the required coverage to be \$65 million, based on the average monthly HAP disbursements. To provide continuity of coverage and compliance with HUD requirements, staff completed the renewal prior to the expiration date and ensured coverage beginning October 1, 2022.

CAHI once again worked with the Housing Authority Insurance Group (HAIG) to obtain the insurance coverage. Due to the large amount of coverage required, HAIG was able to obtain quotes from the current carriers and obtain a quote from a third carrier to provide the full amount of required coverage. Great American Insurance Group agreed to provide \$30

## Fidelity Bond Coverage

Page 2 of 2

million in coverage for an annual premium of \$194,630. RLI Insurance Company agreed to provide \$15 million in coverage for an annual premium of \$49,562. Berkley Crime agreed to provide \$20 million in coverage for an annual premium of \$49,560. The combined annual premium for the general and excess liability coverage was \$293,482.

The table below provides a summary of the fidelity bond coverage:

Summary		
	Limit	Annual
Great American	\$30M	\$194,360
RLI	\$15M	\$49,562
Berkley	<u>\$20M</u>	<u>\$49,560</u>
<b>TOTAL</b>	<b>\$65M</b>	<b>\$293,482</b>

Payment of the insurance invoice is due within 45 days of October 1, 2022. While insurance coverage is a required annual expense, payment of the premium requires approval of the Board.

**Proposed Action**

It is recommended that the Board ratify the renewal of the Fidelity Bond insurance coverage with Great American Insurance Group, RLI Insurance Company and Berkley Crime for the period of October 01, 2022 to September 30, 2023, and to approve the payment of the annual premium in the amounts of \$194,360, 49,562 and \$49,560 respectively

**CALIFORNIA AFFORDABLE HOUSING INITIATIVES, INC.**

On Motion of Director:

Seconded by Director:

and approved by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

EXCUSED:

**THE FOLLOWING RESOLUTION WAS ADOPTED:**

**NUMBER: 118**

**RESOLUTION RATIFYING THE RENEWAL OF THE FIDELITY BOND INSURANCE  
COVERAGE AND APPROVAL OF PAYMENT TO GREAT AMERICAN INSURANCE  
GROUP FOR AN ANNUAL PREMIUM UP TO \$194,360, RLI INSURANCE  
COMPANY FOR AN ANNUAL PREMIUM UP TO \$49,562 AND BERKLEY CRIME  
FOR AN ANNUAL PREMIUM UP TO \$ 49,560 FOR THE PERIOD  
OCTOBER 1, 2022 TO SEPTEMBER 30, 2023**

At a duly constituted meeting of the Board of Directors of California Affordable Housing Initiatives, Inc. (CAHI), held on October 24, 2022, the following resolution was adopted:

WHEREAS, CAHI is required by the Annual Contributions Contract (ACC) to carry adequate fidelity bond coverage; and

WHEREAS, CAHI estimates the required coverage to be \$65 million which is equal to one month's Housing Assistance Payment; and

WHEREAS, CAHI has worked with the Housing Authority Insurance Group (HAIG) to obtain coverage through Great American Insurance Group, RLI Insurance Company and Berkley Crime; and

WHEREAS, Great American Insurance Group will provide \$30 million coverage for an annual premium of \$194,360, RLI Insurance Company will provide \$15 million coverage for an annual premium of \$49,562 and Berkley Crime will provide \$20 million coverage for an annual premium of \$49,560 ; and

WHEREAS, the Fidelity Bond will be in place from October 1, 2022 to September 30, 2023 with no lapse in coverage.

NOW, THEREFORE, BE IT RESOLVED:

THAT, the Board of Directors ratify the renewal of the Fidelity Bond insurance coverage with Great American Insurance Group, RLI Insurance Company and Berkley Crime for the 2022 – 23 program year and approve payment of the combined annual premium of \$293,482; and

THAT, the Chief Executive Officer is authorized to take all steps necessary, appropriate and consistent to implement this resolution; and

THAT, this resolution shall become effective immediately.

CERTIFICATE OF SECRETARY

I hereby certify that the foregoing is a full, true and correct copy of the resolution adopted by the Board of Directors at a meeting of said Board held on the aforementioned date, and that this resolution is in full force and effect.

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*Duane Hopkins, Secretary*

**ADOPTED: October 24, 2022**

**RESOLUTION NUMBER: 118**