Oakland Housing Authority

# MINUTES OF THE REGULAR MEETING
# BOARD OF COMMISSIONERS
# HOUSING AUTHORITY OF THE
# CITY OF OAKLAND, CALIFORNIA

Meetings are recorded and accessible through our website www.oakha.org

Monday, March 18, 2024
6:00 PM

Rescheduled BOC Meeting from March 25, 2024

**Zoom Information**

## 1. Pledge of Allegiance

## 2. Roll Call

**Present -** Chair Anne Griffith; Vice Chair Gregory D Hartwig;[1] Commissioner Lynette Jung-Lee; Commissioner Janny Castillo; Commissioner William J Mayes;

**Absent -** Commissioner Mark J Tortorich Commissioner Barbara Montgomery

## 3. Approval of Minutes

3.1 Approval of the minutes of the Regular Board of Commissioners Meeting of February 26, 2024.

**Attachments:**

Minutes of the February 26, 2024 Board of Commissioners Meeting.pdf

Commissioner Castillo moved to Approve which was seconded by Commissioner William J Mayes. The motion Passed by the following vote:

**Ayes - 4:** Anne Griffith, Janny Castillo, Lynette Jung-Lee, William J Mayes
**Nayes - :** None
**Excused - :** None
**Absent - 2:** Barbara Montgomery, Mark J Tortorich, Greg Hartwig

## 4. Recognition of people wishing to address the Commission

There were no persons wishing to address the Commission.

[1] Vice Chair Hartwig arrived at the Meeting during Item 7.5 Via Zoom.

## 5. Old or Unfinished Business

There were no old or unfinished business items to address.

## 6. Modifications to the Agenda

There were no modifications to the Agenda.

## 7. New Business

7.1 Presentation of the Fiscal Year 2023 Annual Comprehensive Financial Report

**Attachments:**

Annual Financial Report Staff Report
FY2023 Annual Comprehensive Financial Report Presentation
Annual Comprehensive Financial Report FY-2023

Chief Officer of Program and Finance Administration, Duane Hopkins, introduced Russell Robertson, Senior Manager from Macias, Gini & O'Connell LLP (MGO), to present on the Fiscal Year 2023 Annual Comprehensive Financial Report. Mr. Robertson provided an unmodified opinion, meaning that the audit did not identify any significant deficiencies or material weaknesses and that there were no instances of noncompliance. Mr. Robertson highlighted the new accounting standards that were implemented during the audit year, namely GASB Statement No. 91, Conduit Debt Obligations, and GASB State No. 94, Public-Private and Public-Public Partnerships and Availability Payment Arrangements, noting that the new standards did not have an impact on the Authority's financial reporting.

Secretary Wells asked Mr. Robertson and Mr. Hopkins to explain the increase in investment returns. Mr. Hopkins explained that with interest rates going up during the fiscal year, from less than half a percent per year to nearly five percent per year, it significantly increased the return on investment.

Commissioner Jung Lee inquired as to why the Authority did not qualify as a low-risk audit. Mr. Robertson clarified that in 2022, there was a finding in one of the single audit programs that arose to a material weakness; consequently, based on auditing standards, if you have a prior year finding, it doesn't qualify you as low-risk. The issue was addressed satisfactorily in 2023.

Commissioner Castillo inquired about the timeline for the information technology (IT) governance that is noted as partially implemented. Mr. Hopkins noted that the agency has started the process of doing multi-factor and dual authentication, and some operational policies and procedures need to be completed. Secretary Wells added that regular updates to the board on this topic will be provided.

7.2 Public hearing on proposed changes to the Administrative Plan for the Housing Choice Voucher program and the Admissions and Continued Occupancy Policy for the Public Housing program.

**Attachments:**

ACOP Revisions Staff Report
Admin ACOP Public Hearing Presentation.pptx
Att. 1 Admin Plan Revisions
Att. 2 ACOP Revisions

Chair Griffith opened the floor up for public comment at 6:55 p.m. for anyone with comments. Public comment was closed at 6:57 p.m.

Chief Officer of Social Impact, Dominica Henderson, presented the proposed changes to the Administrative Plan (Admin Plan) for the Housing Choice Voucher (HCV) program and the Admissions and Continued Occupancy Policy (ACOP) for the Public Housing program. The Admin Plan establishes policy direction for the administration of the HCB and project-based voucher (PBV) programs while the ACOP establishes policy for the administration of the public housing program.

The proposed changes ensure compliance with federal, state, and local laws as well as Department of Housing and Urban Development regulations. Ms. Henderson highlighted changes to the Housing Opportunity Through Modernization Act (HOTMA) of 2016 as well as changes made to reflect policy compliance with the City of Oakland's Fair Chance Access to Housing Ordinance. Minor updates were made throughout the Amin Plan and ACOP to clearly identify and explain the protections offered by the Violence Against Women Act (VAWA).

The public comment period began on March 7, 2024, and will remain open until April 8, 2024.

Commissioner Castillo asked for clarity around criteria where OHA will be able to deny admission as well as changes related to HOTMA's asset limit increase.

7.3 Adopt a resolution authorizing the Executive Director to submit the Fiscal Year 2025 Making Transitions Work Annual Plan and Certifications of Compliance to the United States Department of Housing and Urban Development.

**Attachments:**

FY 2025 MTW Plan Staff Report
FY 2025 MTW Plan Overview
FY 2025 Annual MTW Plan
Certification of Compliance
Adoption of FY 2025 MTW Plan Resolution
Resolution #5238 MTW

Chief Officer of Social Impact, Dominica Henderson, presented the Fiscal Year 2025 Making Transitions Work (MTW) Annual Plan and the new initiatives in the plan. The Authority is required to submit a MTW Annual Plan to the U. S. Department of Housing and Urban Development. The public comment period for the draft Plan began on February 5, 2024, and was open for 30 days, closing on March 6, 2024. Ms. Henderson advised that no public comments were received.

The Authority is required to submit the Plan after the public comment period closes and at least 75 days before the end of the fiscal year. The FY 2025 Plan includes activities on asset limit modifications, landlord incentives, transitional housing programs, local housing assistance programs, funding affordable housing development activities, crisis care team, digital equity project, senior dial -a-friend wellness program, homeownership program modification, and doorbell camera distribution.

Commissioner Castillo moved to Approve Item 7.3 which was seconded by Commissioner Jung-Lee. The motion Passed by the following vote:

**Ayes - 4:** Anne Griffith, Janny Castillo, Lynette Jung-Lee, William J Mayes
**Nayes - :** None
**Excused - :** None
**Absent - 3:** Gregory D Hartwig, Barbara Montgomery, Mark J Tortorich

7.4 Adopt a resolution authorizing the Executive Director to utilize the State of California's Network and Communications (CALNET) agreement to purchase services from AT&T for Information Technology (IT) services, in an amount not to exceed $380,000 for fiscal year (FY) 2024, and $380,000 for FY 2025.

**Attachments:**

CALNET Staff Report
CALNET Resolution
Resolution #5239 CALNET

Chief of Information Technology (IT), Brandon White, provided a brief overview of the request to authorize the Executive Director to utilize the CALNET agreement to purchase services from AT&T for IT services, such as internet digital phone lines, analog lines and phone lines in the elevator, in an amount not to exceed $380,000 for fiscal year (FY) 2024, and $380,000 for FY 2025.

Commissioner Castillo moved to Approve Item 7.4 which was seconded by Commissioner William J Mayes. The motion Passed by the following vote:

**Ayes - 4:** Anne Griffith, Janny Castillo, Lynette Jung-Lee, William J Mayes
**Nayes - :** None
**Excused - :** None
**Absent - 3:** Gregory D Hartwig, Barbara Montgomery, Mark J Tortorich

7.5 Adoption of a resolution authorizing the Executive Director to negotiate and execute an Option Agreement and, subject to National Environmental Policy Act ("NEPA") approval, all other documents required to purchase 401 Santa Clara Avenue, for a purchase price not to exceed $28,000,000, with a purchase price, due diligence, and closing costs not to exceed $30,000,000.

**Attachments:**

401 Santa Clara Ave Staff Report
401 Santa Clara Ave Presentation
CBRE Memorandum
401 Santa Clara Avenue - Option Agreement Resolution
Resolution 5240 Santa Clara Avenue

Chief Officer of Real Estate Development, Tom Deloye, presented the request authorizing the Executive Director to negotiate and execute an Option Agreement and, subject to NEPA approval, all other documents required to purchase 401 Santa Clara Avenue, for a purchase price not to exceed $28,000,000, with a purchase price, due diligence, and closing costs not to exceed $30,000,000. 401 Santa Clara Avenue is a 77,076 square foot apartment building with 103 apartment units and common areas. The property was recently listed for sale and is of interest to the Authority for use following build-back construction as an affordable community in the Grand Lake neighborhood of Oakland. It would provide the Authority the opportunity for a strategic acquisition and conversion of a former market rate apartment property.

Commissioner Jung-Lee moved to Approve the admittance of Commissioner Hartwig into the Board of Commissioners meeting via Zoom, which was seconded by Commissioner William J Mayes. The motion Passed by the following vote:

**Ayes - 5:** Anne Griffith, Gregory D Hartwig, Janny Castillo, Lynette Jung-Lee, William J Mayes
**Nayes - :** None
**Excused - :** None
**Absent - 2:** Barbara Montgomery, Mark J Tortorich

Vice Chair Gregory D Hartwig moved to Approve Item 7.5 which was seconded by Commissioner William J Mayes. The motion Passed by the following vote:

**Ayes - 5:** Anne Griffith, Gregory D Hartwig, Janny Castillo, Lynette Jung-Lee, William J Mayes
**Nayes - :** None
**Excused - :** None
**Absent - 2:** Barbara Montgomery, Mark J Tortorich

7.6 Resolution making CEQA findings and authorizing the Executive Director to execute a non-binding Amended and Restated Exclusive Negotiating Agreement including a Revised Term Sheet and to execute agreements related to the financing and development of the Mandela Station Affordable development by providing one or more loans of MTW funds and a commitment of Project-Based Section 8 Vouchers conditioned upon NEPA approval.

**Attachments:**

MSA Staff Report
MSA Changes Presentation

Figures for 3-18-24 MSA Item
Reso 5010 ENA Mandela Station
Reso 5109 MSA CEQA Findings
Reso 5110 MSA Term Sheet
MSA Amended ENA BOC Resolution
Resolution #5241 Mandela Station

Chief Officer of Real Estate Development, Tom Deloye, presented the persons in the room assisting on this project, including Alan Dones, Managing Partner and CEO of Strategic Urban Development Alliance LLC (SUDA), Regina Davis, Partner at SUDA, and Art May, Founder and Principal of Keystone Development Group.

Mr. Deloye proceeded to note that BART is redeveloping many of its station parking lots into transit-oriented development (TOD) projects. TOD projects are higher density , often mixed-use developments, adjacent to transit. TOD projects have already been completed at the Fruitvale, MacArthur, and Coliseum BART stations in Oakland, and BART is pursuing TOD projects at the West Oakland and Lake Merritt stations. For the West Oakland Station TOD project (Mandela Station), BART entered into an Exclusive Negotiating Agreement with a master developer. The master developer is a joint venture of SUDA and MacFarlane Development LLC (MacFarlane). SUDA and MacFarlane plan to develop the Mandela Station Affordable (MSA) residential building through Mandela Station, LLC. This latter entity has requested assistance from the Authority for financing the MSA project.

Mr. Dones of SUDA noted that he is grateful for the partnership. He is excited as well with the upcoming relationship with the West Oakland Health Center, which will likely relocate into the new project site and hopefully provide better healthcare access to those in the area.

Commissioner Jung-Lee moved to Approve Item 7.6 which was seconded by Commissioner William J Mayes. The motion Passed by the following vote:

**Ayes - 4:** Gregory D Hartwig, Janny Castillo, Lynette Jung-Lee, William J Mayes
**Nayes - :** None
**Excused - :** None
**Absent - 3:** Anne Griffith, Barbara Montgomery, Mark J Tortorich

## 8. Consent

**Agenda** None

## 9. Written Communications Departments' Monthly Report

Secretary Wells briefed the Commissioners on the Department Monthly Reports for the month of February 2024.

9.1 Written Communications Departments' Monthly Report for February 2024

**Attachments:**

01 - Family and Community Partnerships
02 - Leased Housing
03 - Office of Property Operations
04 - Capital Improvements Department
05 - Office of Real Estate Development
06 - Asset Management

**10. Executive Director's report regarding matters of special interest to the Commission occurring since the last meeting of the Commission**

Secretary Wells briefed the Board of Commissioners on the following departmental highlights, including:

- The Family Self Sufficiency (FSS) team facilitated a hybrid FSS program orientation with two (2) Case Managers from Beyond Emancipation and twenty (20) Foster Youth to Independence (FYI) program participants to educate them on the ability to extend their subsidy for 24 months by enrollment in the FSS program.

- On February 17, 2024, Promise Plus (PP) students attended the Oakland Black College Expo and two (2) PP students received on-the-spot acceptances to Grambling University and Morgan State University.

- The New Security Deposit Assistance Incentive has been introduced. Under this program, OHA will help eligible voucher families by contributing towards their security deposit. Once the Housing Assistance Payment (HAP) contract is finalized, OHA will cover up to one month of rent to aid in covering the cost of the security deposit for a new unit. To date, $74,001 has been disbursed, benefiting 32 families.

- Foon Lok East, the 4th and final phase of the affordable housing component at Brooklyn Basin, received a Temporary Certificate of Occupancy which will allow residents to begin moving in with full occupancy projected for September. This is a major milestone as it marks the completion of the build out of 465 new affordable homes at Brooklyn Basin.

- One of the Palo Vista leaders, Karen Smulevitz is embarking on a year -long fundraising journey that will culminate in March of 2025 by a jump from the airplane (with the parachute) for a good cause. She intends to use the raised funds for people in need.

- Palo Vista and Adel Court wait lists will be opening up at the end of March.

- All admin sites now use AT&T Switched Ethernet (ASE) fiber (Mesh) connections.

- On February 28, 2024, Executive Director Wells was presented an award from Tech Exchange by Oakland Mayor, Sheng Thao, for providing wi- fi access to OHA residents. Commissioner Griffith was also present to accept the award.

10.1 Staff Briefing Regarding Recent Storms

**Attachments:**

OPO February Storm Update

## 11. Reports of Commission Committees

No announcements made.

## 12. Announcements by Commissioners

No announcements made.

## 13. Adjournment

Commissioner Castillo moved to Approve a motion to adjourn which was seconded by Commissioner William J Mayes. The motion Passed by the following vote:

**Ayes - 5:** Anne Griffith, Gregory D Hartwig, Janny Castillo, Lynette Jung-Lee, William J Mayes
**Nayes - 0:** None
**Excused - 0:** None
**Absent - 2:** Barbara Montgomery, Mark J Tortorich