

# Housing Authority of the City of Madera



205 North G Street • Madera, CA 93637 • (559) 674-5695 • Fax: (559) 674-5701 • TTY: 711 • www.maderaha.org

## MINUTES

### AMENDED

## REGULAR MEETING OF THE HOUSING AUTHORITY OF THE CITY OF MADERA

6:00 P.M.  
Wednesday, January 12, 2022

City Hall  
Council Chambers

### CALL TO ORDER

#### ROLL CALL:

Chairperson Santos Garcia-**Present**  
Vice-Chairperson Artemio Villegas-**Absent**  
Commissioner Cece Gallegos-**Present**  
Commissioner Jose Rodriguez-**Present**  
Commissioner Anita Evans-**Present**  
Commissioner Steve Montes-**Absent**  
Commissioner Elsa Mejia-**Present**

Other People Present: **Massey Casper**, *Executive Director*, **Maria Aranda**, *Executive Administrative Assistant*, **James Taubert**, *Consultant*, **Charles Farnsworth**, *CPA*, **Dr. Marc Unger**, *Pastor*, **Emilio J. Huerta**, *Legal Counsel* (via zoom)

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## **INVOCATION**

*Dr./Pastor Marc Unger:* Good Evening, and thanks to Mayor a Garcia for visiting with the Madera Ministerial Association a while back, that was really good meeting we had with you, thanks for doing that.

*Chairperson Santos Garcia:* It was my pleasure.

*Dr./Pastor Marc Unger:* Yeah, we thank you Lord Jesus that we could come to this place today, and ask your blessing upon our time and upon these people who make these decisions. Lord you have been our dwelling place in all generations before the mountains were born. For you gave birth to the earth and the world, even from everlasting you are God and you're still God and you will be God when we wake up tomorrow. So, we thank you that you said to us if any of you lacks wisdom, let him ask of god, who gives to all generously and without reproach, and it will be given to him. So, it is my prayer today that by your grace, you would grant wisdom to those who are here and those who are online to conduct the business of the people in this place. We ask your special protection upon these leaders concerning COVID. We pray upon our police, fire and our emergency personnel as they work through this time of pandemic and difficulty and we just remember Lord that God is our refuge and strength, a very present help in trouble. That tells me you're bigger than all of our problems, you're bigger than any problems that we'll face today in this meeting, and we pray by your grace, your good, and your perfect will be done, and your blessing upon all present here and over the computer in Jesus name, Amen.

## **PLEDGE OF ALLEGIANCE**

*Lead by Commissioner Elsa Mejia:* I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation, under God, indivisible with liberty and justice for all.

## **APPROVAL OF AGENDA**

(M/S/C): J. Rodriguez/C. Gallegos

Roll called by Maria Aranda

Approved: 5-0 ( J. Rodriguez, A. Evans, S. Garcia, C. Gallegos, E. Mejia)

## **PUBLIC COMMENT:**

The first fifteen minutes of the meeting are reserved for members of the public to address the Board of Commissioners on items which are within the subject matter jurisdiction of the Housing Authority. Speakers shall be limited to three minutes. Speakers will be asked, but they are not required, to identify themselves and state the subject of their comment.

If the subject is an item on the Agenda, the Chairperson has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda and no adverse conclusions should be drawn if the Board does not respond to public comment at this time.

*Chairperson Santos Garcia:* Maria do we have any public comment at this time?

*Maria Aranda:* No Sir.

## **PRESENTATION**

### 1. Charles Farnsworth-MORES' Findings

*CPA Charles Farnsworth:* Mr. Casper asked me to come to give you a kind of an overview of the MORES Housing Authority connection, so I thought I'd do that. I don't know if my little report is in the packet...it is, ok. MORES was created as a nonprofit corporation March 6, 200, and the Housing Authority historically has advance money towards to cover their cost when it was first started, it was due to lack of funds in the MORES corporation. So these expenses relate to the cost of running their properties that they bought, their rental properties, cost of their employees that are Housing Authority employees that are used on MORES projects...glasses fogging up these mask...So that's just a brief overview of their history.

The finding, there's been two findings in the last two financial statements, related to one, related to MORES and one partially related to MORES, but the first one is that over the years the Housing Authority has included in their general ledger the accounts and books or records of MORES, so the MORES is a completely separate entity so that's something that probably shouldn't have been done. Well, it shouldn't have been done, so anyway, the way it works is in the Housing Authority, there's what they call a revolving fund, all the money comes in from all the programs and then as checks are written for these programs to cover their expenses of accounting farm labors that comes out of that account, and there's a lack of a better due to do form, what's called a claim. A claim on cash so those expense are accounted for there when the audit. I know that MORES thought that they were included in the Housing Authority's audit, it's not. None of the MORES records are included in the audit, so none of the MORES record have been audited. At least by the Housing Authority's audit, this goes on, and as years go on, the amount of money that MORES owes the Housing Authority since 2001 plus and minus all their income that comes in and all their expenses has gone up. As of the 31<sup>st</sup> of December, \$414,000.00 so and then also in the past when MORES needed loans to go buy their rental properties, their apartment complexes and what not, the Housing Authority has loan them money over the years. There's only one rental property left that the North East G property of which in my report, I have a balance of \$440 and said that it was paid up through September 21. MORES has since issued a check and the Housing Authority in receipt of those three months worth of mortgage payment. So they're current on that mortgage. But all the other mortgage when the properties were sold, the loans were paid back through escrow so the Housing Authority is recouped all of their loans, with the exception of 440, is probably about 430 now.

So, and then back to the findings is in the 2019 year end, the response to the findings was that it would be, the records would be separated out and MORES would be you know, have their own general ledger, and evidence that did not happen, and so the findings reappeared in the 2020 financial statement, and I know Mr. Casper has been dealing with MORES and I think whenever this all gets behind us MORES is either going to take their operation out of the Housing Authority or possibly reach some agreement. That is if the Housing Authority is to be doing the work, then the Housing Authority might be compensated for that work.

And then moving down the report, MORES had a bank account at Wells Fargo where their money would go in, and so the way the reimbursement would be made is every, usually in the past, every month or every quarter, the Housing Authority goes through and looks at these claims on cash. These due to do from accounts and then they'll reimburse the revolving fund by doing transfers from the other bank accounts, so that hasn't been done

for well I'm going to say the first part of 2021. So that's part of the reason why the balance is \$414,000.00. And in this bank account, It had close to a million dollars in it from the sale of the greenway properties and the sale of the ones in Chowchilla, the forget the names of them. So there was close to almost a million in there, and I think in December, MORES took about \$1,000,070 out of that account, so they have their own separate account down with it and they left about \$170 in the account that the Housing Authority controls, or not controls, but has signing privileges on and can transfer money to and from. So Anyway, that's that, so and the balance 140 is that remaining balance in the Well Fargo account, not the, doesn't have anything to with the Citizens ban account, which is where the MORES out the million seventy. So, and there was another question that Mr. Casper wanted me to address, which were some payments to Sagala, Inc, and I don't know if you were made aware of this. It happened in May of 18 through March of 19, the Housing Authority was in receipt of money, which I believe was from a lawsuit with HUD, so they received 200 -300 thousand of this money with basically no strings attached to it so the Executive Director at the time, they entered in to a contract the Housing Authority into a contract with Segala, Inc to look feasibility I think of projects, and one of those project away from reading through emails and stuff is the downtown project, I think it's got a different name now but. So that and the Housing Authority out of that money spent like \$75,00.00 of Housing Authority money to Segala, Inc. and that has not been accounted for in this due to do from account because it was a separate bank account that was set up, and that was another findings in the financial statement that it was basically set up wasn't in the general ledger and checks were being issued out of that. And so now it's the general ledger, so now it's all being accounted for properly, but the \$75,000.00 is still a potential issue that I don't MORES owes it or because I , there's, I could not find anything that said exactly what SWGALA did or Segala, Inc. did. To find out if it was all related to that or if it was a lot of it was to find other developments for the Housing Authority to enter in that type of thing.

*Commissioner Gallegos:* And Charles I'm pretty sure the Commissioners okayed that amount.

*CPA Charles Farnsworth:* Okay approved it yeah, we found emails and things from Linda I think was the Director at the time and so then. I can answer as many questions as I can, I haven't audited any of the numbers or anything. I looked at some of the entries were entries kind of backwards it doesn't change the numbers but just the way the MORES accounts are in the general ledger, there's a general account and then there was an account for each rental property. So, when rental property sold, instead of the cash being distributed to that rental property was put over in this general account so we went through and got them lined up to where they should be, because when I looked at it first, it was showing the general account owed a million dollars to Housing Authority, but they had these other two rental properties that had \$600,000.00 at the Housing Authority over then, so we got cleaned up the best we could so if you have any questions, I'm here to answer them the best I can.

*Commissioner Rodriguez:* Thank you Chair Garcia, So Mr. Farnsworth, going back to what Commissioner Gallegos had mentioned, I think that was brought to us in a resolution to consult with Segala at the time because we needed someone that was going to help spark the downtown project with the application to the State, and I think Councilwoman Gallegos was here at the time, and I'm not sure, Chair Garcia was here at that time or not, I don't think they were, yeah he was. That was something that we agreed on.

*CPA Charles Farnsworth:* I didn't know if that was something that MORES was going to reimburse you for or not so that's fine.

*Commissioner Rodriguez:* If you go back to the minutes, you would see that that was an expense directly from the Housing Authority, and another note, you have brought up the \$414,000.00 that is an outstanding, what's that amount?

*CPA Charles Farnsworth:* That's about, it as of December 31<sup>st</sup>, the due to from account, as due to the Housing Authority from MORES.

*Commissioner Rodriguez:* Now, this is set in some type of agreement, that you have heard.

*CPA Charles Farnsworth:* That I, you know going back I you know unfortunately, the people that were there when everything started, Mirna is about the longest term employee in the accounting department, probably in the entire agency, and she remembers Susan, I don't know if any of you were around when Susan was there, saying that you know Housing Authority was going to cover these expenses for MORES because they didn't have any money, but I could not find any agreement that said MORES, you know agrees to pay this, and this they, the Housing Authority also does the account for YOSEMITE MANOR, and that's done the same way, except for YOSEMITE MANOR is reimbursed for some reason. I had done some work probably I don't know, 8 years ago with the Housing Authority and followed Susan just until Sally was hired and then followed Susan, so we were reimbursing monthly or quarterly. What you would do is you'd run out the report and see who's who has a balance due to the Housing Authority, then you look at their bank accounts, if they had enough money to take, they we take it in and it was all done above the board, but the last, almost a year now, there has not been any reimbursement so.

*Commissioner Rodriguez:* I'm sorry, your recollection is that past practices with MORES that how it would.

*CPA Charles Farnsworth:* It would, it would be taken out of the Wells Fargo account, it would be transferred from Wells Fargo account because the Housing Authority had the authority to do that. They that's where they'd also book their rents, the rents would come in from the properties and we'd go in there so, like I said, I could not find anything going back to 2001 that was okay were going to pay the Housing Authority X amount of dollars to do this. And, oh, and that's part of the findings is that everything you know they're all Housing Authority employees that do the maintenance, to the management. Now on the Greenway properties, I'm not sure about the Chowchilla Greenway properties had a management company what would handle all the maintenance, and everything, and then they charge a fee, and then they plug the rents would be sent to the Housing Authority and then they pay the expenses.

*Commissioner Rodriguez:* On behalf of the MORES account right? So in your findings you are saying that you did not see any of these reimbursement up until when

*CPA Charles Farnsworth:* I saw the, the last reimbursements there were some reimbursement, but the larger accounts were, for some reason not reimbursed, and I don't know what that was to be. Mirna just said that you know they're the smaller accounts when they had very little money, they would take it, and she didn't know why it wasn't being reimbursed, so I mean I could dig in to it more and try to find, I don't think there's anything in writing saying why it wasn't reimbursed but I'm sure that MORES is probably questioning that, and then Mr. Casper also mentioned that the Housing Authority provide a monthly or quarterly statement to MORES to let them know where they were and I don't think that's been done since Sally left.

*Commissioner Rodriguez:* So, I'm sorry, I'm not sure if I got this from you, what was the date of when that stopped happening, where you started seeing reimbursements was that up.

*CPA Charles Farnsworth:* I would say Sally was doing, I don't think any reimbursement have been done since Sally left, and Sally was doing the reimbursement, but she wasn't going through reimbursing all of the funds. I think, that might have been because the way it looked on the ledger for the six main general funds shows there was a million dollars overdrawn and then the other funds shows that they had \$500,000 this because the process there's only one bank account for MORES but it had been allocated to the properties, so as the rents came in, so you could make that trend, that transaction in the ledger and the bank, you could just take it out of the one bank account then you'd allocate it to the separate account.

*Commissioner Rodriguez:* This is where they're, The reconciliation of accounts, I think was important because up until they sold those properties in Chowchilla, I don't know what balance they had if any, to be able to

reimburse a pay up service or something, but I know that after they sold their property, that yeah probably somewhere in 18-19.

*CPA Charles Farnsworth:* I think they sold Greeway I believe in sold in 20, and I think they sold the Chowchilla properties in 18 or 19. Ok , so I wasn't doing a lot, Mainly what I was doing at that time was helping with the submission of the MDS and then a few questions on getting the books ready for the auditor, you know

*Commissioner Rodriguez:* Since Sally's departure, there was no reconciliation of the accounts, there wasn't.

*CPA Charles Farnsworth:* The bank accounts were reconciled every month and so it's up to date, but the reimbursement weren't not being made.

*Commissioner Rodriguez:* The reimbursement weren't being made, and here's a question, what dates do you find where the reimbursement weren't accounted for, as it were when you were following them. Was there a specific.

*CPA Charles Farnsworth:* I would have to go back and look at the ledger, I mean I can call Mirna and ask her, she can pull up the ledger and look when the last reimbursement for it. I didn't jot it down.

*Commissioner Rodriguez:* The reason why I asked is according to you, following Susan, you know that there was reimbursement submitted properly.

*CPA Charles Farnsworth:* I mean if there was money available you know, we would wipe them out, I mean we would take it's the same with all the programs, I mean they because they all have their own separate camp, but then bills are paid, so we would go and look at claims on cash account and say okay, this one had money to pay it, pay it yeah and so

*Commissioner Rodriguez:* I'm sure past practice you know, I think it happens in a lot of cases where organization comes together formulating this partnership, and I think they, expect the other to be honor whatever reimbursements are, but I know there's changes in organization such as commission and boards and what have you. And there's nothing like having something in writing, and I think that's one of the missing components that we have here is that we never had a true agreement between both of these agencies

*Executive Director Massey Casper:* I think Mr. Taubert would like to hear something he wanted to share yeah let me. While we're getting you on speaker, we will see if Mr. Taubert wants to chime in MORES that you can certainly call in I think there's a number provided on the agenda, and you give me that.

*James Taubert:* When MORES was created, it was created by the shitty counsel acting there's the Housing Authority, and at that point, there were seven Members, today they had in 2001. It's makeup that's I think is probably created some of the issues with the Housing Authority. Back then, the city council appointed the members, those members were, Herman Perez who is still on it, and is the current Chair and then over time, Robert points which was appointed as the console representative. He is still on it and Gary Sibanda was appointed as a console representative until four months ago Gary was on it, so what happened when the console people quit being constant people. They were replaced. Over time, the communication was going on between your body and that body began to become diminished. Then also during that time when it was first created the intent was to have the Executive Director of the housing authority be the Executive Director of MORES, and my understanding, and some of this happened.

2. Plaque presentation to Commissioner Steve Montes and Commissioner Jose Rodriguez

Both plaques were presented to Commissioner Rodriguez, and Commissioner Montes-Commissioner Gallegos took the plaque for Commissioner's absence. Pictures were taken with the Mayor.

## **WORKSHOP**

### **B. CONSENT CALENDAR**

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the public or a member of the Commission may request an item be removed from the Consent Calendar and it will be considered separately.

**B-1** Approval of Minutes of Regular Meeting on 12-8-2021

**B-2** Approval of Register of Audited Demands December 2021

(M/S/C): J. Rodriguez/C. Gallegos

Roll called by Maria Aranda

Approved: 5-0 (J. Rodriguez, A. Evans, S. Garcia, C. Gallegos, E. Mejia)

### **C. RESOLUTIONS, AGREEMENTS, BIDS, HEARINGS, AND/OR PETITIONS**

**C-1** Consideration of Resolution # 1198 of Housing Authority of the City of Madera approving the Annual Plan.

(M/S/C): J. Rodriguez/C. Gallegos

Roll called by Maria Aranda

Approved: 5-0 (J. Rodriguez, A. Evans, S. Garcia, C. Gallegos, E. Mejia)

**C-2** Consideration of Resolution # 1199 of Housing Authority of the City of Madera approving authorizing remote teleconferencing meetings of the HACM Board of Commissioners.

(M/S/C): J. Rodriguez/E. Mejia

Roll called by Maria Aranda

Approved: 4-1 (J. Rodriguez, A. Evans, S. Garcia, C. Gallegos, E. Mejia)

### **D. WRITTEN COMMUNICATIONS**

**E. ADMINISTRATIVE REPORTS**

**E-1**

	21-Jan	21-Feb	21-Mar	21-Apr	21-May	21-Jun	21-Jul	21-Aug	21-Sep	21-Oct	21-Nov	21-Dec
<b>1</b>	<b>Section 8</b>											
Households Assisted	742	744	742	763	796	795	780	771	763	757	748	744
YTD Lease Up projection	93%	94%	93%	96%	100%	100%	98%	97%	96%	95%	94%	94%
MTD HAP Expenses	\$408,275	\$413,037	\$412,654	\$425,548	\$442,769	\$444,049	\$438,887	\$429,531	\$423,265	\$419,582	413,282	411,747
Waiting List	673	1085	1294	1369	1350	1350	1350	1246	1246	1246	1246	1246
<b>2</b>	<b>Public Housing</b>											
Vacancies	5	8	6	2	3	3	4	2	2	3	5	7
Waiting List	1189	1196	1138	1548	1650	1650	1841	1863	1747	1994	2023	2091
Unit Turnover	35	41	37	46	47	48	48	51	51	51	25	51
<b>3</b>	<b>Farm Labor</b>											
Vacancies	5	4	6	5	3	2	3	3	4	4	5	6
Waiting List	1	6	6	6	6	3	4	2	4	4	4	8
Unit Turnover	54	70	73	75	78	75	75	75	75	75	75	75
<b>4</b>	<b>MAINTENANCE</b>											
	<b>Public Housing</b>											
Open Work Orders	167	153	172	138	172	126	125	91	61	72	39	38
Average days	21	19	49	31	111	111	50	3	12	15	12	7
	<b>Farm Labor</b>											
Open Work Orders	118	103	93	95	85	59	59	3	5	7	10	5
Average days	104	56	21	18	61	68	88	1	10	5	5	2

Executive Director Massey Casper: Does anyone have any question

**E- 2 Pomona Ranch Monthly Report**

**F. EXECUTIVE DIRECTOR REPORT**

Executive Director Massey Casper: I'm just going to read out some things that came to mind, and I, and this is just mostly gratitude and thankfulness Thank you to the CPA for spending his time and he is really been a good friend stepping into the breach when we needed him, especially for the mortgage report and, as you could see a



CPA that qualified struggled quite a bit, and I really want to go out of my way and thank all the staff because they have been stepping up stepping into breaches assisting where possible and it has been just an unbelievable show of strength, so I thank them for everything that they do very specifically Maria is always under pose I just don't know how she does it, but thank you, Maria I want to say a quick word to Mr. Taubert has seen things firsthand and for being I also want to say thank you for being a friend to the housing authority what I think I Love about him is cutting through the clutter. What I love about him is value of unvarnished opinion he tells me as it is and we, and I appreciate that Thank you. Mr. Taubert for that I want you to know that 30 project based vouchers for Esperanza village was done in a record time with, I would say, a whole bunch of rookies. Despite the many challenges, so we owe those individuals in the back that are quietly doing things responding doing things coming on their days off staying late to making us bronzer happen.

## **G. COMMISSIONER REPORTS**

*Commissioner Anita Evans:* will report again this, but in the month of December, we had a Christmas extravaganza and we had toys that were donated to us from red rock from Mr. Cavalier and we ended up with over 150 toys, we went out into the neighborhood Bret Frazier with the Supervisor, he was Santa and we went from house to house. And we gave toys to the children of James Monroe elementary as well as their siblings as well as neighborhood children that came out, it became an epidemic of children coming out because that was there, so it was an amazing event, and I want to thank red rock I want to thank on the conspiracies I want to thank on. Mid valley and everyone else that came out and participated and brought things gave things and we're there, it was it was an amazing event, and it will happen again in December so. Be ready for it, but we will be having another extravaganza in December of this year, so thank you very much thank you.

*Commissioner Gallegos:* I don't know if this is something my colleagues would want to put on the next agenda or if, when Mr. Massey and our staff half time but, like our Commissioner Rodriguez mentioned that. Being Chair of the housing it's a lot to take in and I've looked at different boards in the housing authorities and different boards around the valley. And if it's something my colleagues would like to entertain is that the housing authority Commissioner chair would be maybe a two year term. So that once you finally because it was a Commission because probably can contest you finally get in there and learn it. And it's a turnaround and somebody else is taking your place even as advice chair, if you really just getting your feet wet and as a chair you're just starting to get in there and then you're turned out. They also I've also read on a lot of the commission's. and boards also do where if somebody is new in a board they don't put them in those roles, because they're learning so much already it's overwhelming. And we really want our agencies to be strong and move forward in order to do that if it happens, it happens, a lot. More if it's a seasoned staff that has a little bit more time and energy and has heard all the sessions of finances that have happened in that agency. and personnel, that is just something that I would hope my colleagues would maybe want to look into get some information and entertain that. Because you'll understand chair Garcia once you get in you're just getting it and, by the time you feel like you're just above water it's you're moving on. I just feel that, for our agency and our executive director and our administrative assistant, you make those relationships and you get your dance down and that next person is coming around and you're having to learn it all over again. And that's all I have to report.

*Commissioner Rodriguez:* I do want to report that I had the opportunity, and again honored to be part of the Morris board I was nominated, so I was appointed as a board member there. And I also wanted to thank Mr. Taubert for being out there as a director Casper said, and he is a man of few words, but when he speaks you listen so he's had a lot of experience a lot of relationships with somebody members, so I think you know if anybody knows what's going on within the Community. No one, like Mr. Taubert certainly and I'm glad that, during the interim ship that he was here glad that he was able to assist us housing authority, because I think an absence of Mr. Casper you certainly certain picked up some steps, or I also want to thank Mr. Casper for his

leadership and attending that. That meeting I know it was hard for him to, but he would stand everything there, and he was able to take away.

## H. CLOSED SESSION

H-1 Pursuant to CA Govt. Code Section 54957(b) (1) closed session regarding employee personnel matter.

*Chairperson Santos Garcia:* Emilio would you now take us to the closed session

*Legal Counsel Emilio J. Huerta:* Yes, for sure. With the code 54957 the commissioners will now go into closed session

*Chairperson Santos Garcia:* Thank you, we are back.

*Legal Counsel Emilio Huerta:* There were employee personnel matters that were discussed at closed session, there is disposition in certain matters, but there's nothing more to report at the moment Mr. Chair.

## I. ADJOURNMENT

Meeting Adjourned @ 7:57 pm

Next Regular Meeting **Wednesday, February 9, 2022 – 6 p.m.** City Council Chambers

Any writing related to an agenda item for the open session of this meeting distributed to the Housing Authority Board of Commissioners less than 72 hours before this meeting is available for inspection at the Housing Authority office located at 205 N G St., Madera, CA 93637 during normal business hours.

*The meeting room is accessible to the physically disabled and the services of a translator can be made available. Request for additional accommodations for the disabled, signers, assistive listening devices, or translators needed to assist participation in this public meeting should be made at least seventy-two (72) hours prior to the meeting. Please contact the City of Madera HR Dept. (559.66 Conference with Legal Counsel regarding Employee Matter pursuant to Government Code*

*Section 54957 – Public Employee Evaluation-One Matter: Executive Director*

*1.5401) or the Housing Authority (559.674.5695). Those who are hearing impaired may call 711 or 1.800.735.2929 for TTY Relay Service.*

I, Maria L. Aranda, declare under penalty of perjury that I posted the above agenda for the regular/special meeting of the Housing Authority Board of Commissioners for January 7, 2022 near the front entrances of the Housing Authority and City Hall on, January 7, 2022.

*Maria L. Aranda*

Housing Authority of the City of Madera