

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

REGULAR MEETING OF THE HOUSING AUTHORITY OF THE CITY OF MADERA

Notice and Agenda

6:00 PM
Wednesday, February 14, 2024

Madera City Hall
Council Chambers
205 W. 4th Street
Madera, CA 93637

This Notice, Meeting Agendas, Board Meeting Packets, and Meeting Minutes can be viewed electronically on the Housing Authority's website - located at www.maderaha.org. There, you can access the tab "About Us" and then open the tab "Board Meeting Agenda."

This meeting of the Housing Authority's Board of Commissioners is open to the public. Members of the public may participate in the meeting and comment on an Agenda item in person or remotely by logging onto Zoom:

<https://cityofmadera.zoom.us/j/4566051574?pwd=eVYyMWRvV2FNcXJIWEptbTRDQVVIZz09&omn=85663338610>

or alternatively by telephone by dialing (669) 900-6833 and then entering Meeting ID No: 456 605 1574.

Written materials related to an item on the Agenda for the open session portion of this meeting distributed to the Board of Commissioners less than 72 hours before this scheduled meeting, are available for public inspection during normal business hours at the Housing Authority's office located at 205 N G Street, Madera, CA 93637.

Comments will also be sent via email to Ms. Marisela Lopez at mlopez@maderaha.org or by regular mail sent to the Housing Authority at 205 N G Street, Madera, CA 93637, Attention Marisela Lopez.

The meeting room is accessible to the physically disabled and the services of a translator can be made available upon request. Any accommodation for the disabled, language signers, assistive listening devices, or translation services needed to facilitate an individual's participation in this public meeting should be made at least seventy-two (72) hours prior to the meeting by contacting the City of Madera's Human Resources Dept. at (559) 661-5400, Ext. 8704 or the Housing Authority at (559) 674-5695 Ext. 222 between the business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. Those who are hearing impaired can call 711 or 1.800.867.4323 for a TTY Relay Service.

CALL TO ORDER:

Chairperson Elsa Mejia

ROLL CALL:

Chairperson Elsa Mejia,
Vice-Chairperson Anita Evans,

Commissioner Cece Gallegos,
Commissioner Jose Rodriguez,
Commissioner Santos Garcia,
Commissioner Steve Montes and
Commissioner Artemio Villegas.

INVOCATION: Pastor David Dougherty

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

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 (3) minutes. Speakers will be asked, but 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 their comment until that item is called. Comments regarding items listed for “Public Hearing” on the agenda, should be held until the Public 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 a public comment at this time.

A. WORKSHOPS:

B. CONSENT CALENDAR:

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and a single vote. There will be no separate discussion of each of these items. If any Commissioner or member of the public wishes to discuss a matter listed on the Consent Calendar, they can request that such an item be removed from the Consent Calendar and such an item will be considered separately.

B-1 APPROVAL OF JANUARY 10, 2024, REGULAR BOARD MEETING MINUTES.

B-2 APPROVAL OF REGISTER AUDITED DEMANDS JANUARY 2024.

B-3 POMONA RANCH DAYCARE (INFORMATIONAL)

B-4 ESPERANZA VILLAGE (INFORMATIONAL)

C. RESOLUTIONS, AGREEMENTS, BIDS, HEARINGS, AND/OR PETITIONS:

**C-1 RESOLUTION No. 1282 OF THE HOUSING AUTHORITY OF THE CITY OF
MADERA AUTHORIZING THE CAL PERS EMPLOYER PAID CONTRIBUTIONS.**

C-2 RESOLUTION No. 1283 OF THE HOUSING AUTHORITY OF THE CITY OF MADERA AUTHORIZING THE LONGEVITY PAY.

C-3 RESOLUTION No. 1284 OF THE HOUSING AUTHORITY OF THE CITY OF MADERA AUTHORIZING THE UPDATE TO CREDIT CARD POLICY.

D. WRITTEN COMMUNICATIONS: Marisela Lopez, Executive Administrative Assistant

E. ADMINISTRATIVE REPORTS: Blanca Mendoza-Navarro, Interim Executive Director

E-1: Monthly Housing Activity Report

	23-Jan	23-Feb	23-Mar	23-Apr	23-May	23-Jun	23-Jul	23-Aug	23-Sep	23-Oct	23-Nov	23-Dec
Section 8	Section 8											
Households Assisted	748											
YTD Lease Up projection	93%											
MTD HAP Expenses	\$437,236											
Waiting List	516											
Public Housing	Public Housing											
Vacancies	2											
Waiting List	2794											
Unit Turnover	0											
Farm Labor	Farm Labor											
Vacancies	2											
Waiting List	17											
Unit Turnover	1											
Maintenance	MAINTENANCE											
Public Housing	Public Housing											
Open Work Orders	17											
Average days	5											
Farm Labor	Farm Labor											
Open Work Orders	3											
Average days	7.8											

F. EXECUTIVE DIRECTOR REPORT: Blanca Mendoza-Navarro, Interim Executive Director

G. COMMISSIONER REPORTS:

H. CLOSED SESSION: Attorney Emilio J. Huerta

The Board of Commissioners will adjourn into closed session to discuss the following items.

H-1: Employee personnel matters pursuant to CA Govt. Code Section 54957.

A. Recruitment and Interview Process of New HACM Executive Director

H-2: Discussion of litigation matters pursuant to CA Govt. Code Section 54956.9(d)(4):

A. Phillis Channg v. West Coast USA Properties LLC; and

B. Renee Wright v. Housing Authority of the City of Madera

H-3 Discussion regarding acquisition of real property pursuant to CA Govt. Code Section § 54956.8.

A. Real Property located at 216 Adell Street, Madera, CA


I. ADJOURNMENT:

The next Regular Monthly Meeting will be Wednesday, March 13, 2024, at 6 p.m., at the City of Madera, Council Chambers.

Certificate of Posting

I, Marisela Lopez, declare under penalty of perjury the laws of the State of California, that I am an employee of the Housing Authority of the City of Madera, and that I posted the above **February 08, 2024** Agenda for the Regular Meeting of the Housing Authority of the City of Madera's Board of Commissioners, near the front entrance of the office of Housing Authority located at 205 North G Street, Madera, CA 93637, on the Housing Authority's Website, and at the front entrance of the Madera City Hall, located at 205 W. 4th Street, Madera, CA 93637, at or about 10:50 a.m..

Executed this 8th day of February 2024.



Marisela Lopez
Executive Administrative Assistant
Housing Authority of the City of Madera

B: CONSENT CALENDAR

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 OF THE, JANUARY 10, 2024 REGULAR MEETING OF THE HOUSING AUTHORITY OF THE CITY OF MADERA

CALL TO ORDER:

The January 10, 2024, Regular Meeting of the Housing Authority for the City of Madera was called to order by Vice-Chair Anita Evans at 6:00 p.m.

The meeting was held in person at the City of Madera Council Chambers, located at 205 West 4th Street, Madera, CA 93637, pursuant to California AB 361, AB 2449, and CA Govt. Codes §§ 54953 and 54954.2. The meeting was made available simultaneously to the public via Zoom.

COMMISSIONERS PRESENT:

Vice Chairperson Anita Evans	(In Person at the City of Madera Council Chambers)
Commissioner Artemio Villegas	(In Person at the City of Madera Council Chambers)
Commissioner Steve Montes	(In Person at the City of Madera Council Chambers)
Commissioner Jose Rodriguez	(In Person at the City of Madera Council Chambers)
Commissioner Cece Gallegos	(In Person at the City of Madera Council Chambers)
Commissioner Santos Garcia	(In Person at the City of Madera Council Chambers)

COMMISSIONERS ABESENT:

Chairperson Elsa Mejia

GUESTS/STAFF PRESENT:

HACM Interim Executive Director Blanca Mendoza-Navarro (In Person)
HACM Executive Secretary Marisela Lopez (In Person)
HACM Legal Counsel Emilio J. Huerta (Via Zoom)
HACM Financial Manager Alex Estrada (In Person)
HACM Maintenance Manager Jared Garza (In Person)
HACM Maintenance Employee Thomas Gonzales (In Person)
HACM Housing Manager Lucia Lopez (In Person)
HACM Maintenance Employee Jaime Cardenas (Via Zoom)
HACM Occupancy Specialist II Diana Montejano (Via Zoom)

HACM Occupancy Specialist II Leticia Gutierrez (Via Zoom)
Madera ADA Advisory Council Chairperson DJ Becker (In Person)
Madera ADA Advisory Vice-Chair Cynthia Ortegon (Via Zoom)

INVOCATION:

Pastor Tim Echevarria led the invocation.

PLEDGE OF ALLEGIANCE

Commissioner S. Garcia led the Pledge of Allegiance.

MOTION TO APPROVE MEETING AGENDA:

Commissioner S. Montes moved to approve the January 10, 2024, proposed meeting agenda, as and posted on January 05, 2024. Commissioner J. Rodriguez seconded the motion. The motion passed unanimously:

YAYES: (6) Commissioner Cece Gallegos,
 Commissioner Steve Montes,
 Vice-Chairperson Anita Evans
 Commissioner Santos Garcia,
 Commissioner Jose Rodriguez, and
 Commissioner Artemio Villegas

NAYS: (0)

ABSENT: (1) Chairperson Elsa Mejia

PUBLIC COMMENT:

There were comments from the public in attendance from Madera ADA Advisory Council Chairperson DJ Becker. She had a question regarding senior housing. She wants to know how many units there are in total for senior, veterans and the disabled.

Madera ADA Advisory Vice-Chair Cynthia Ortegon spoke about the need for emergency. Vouchers for a 75-year-old she knows personally. She inquired about vouchers for seniors. She wants to know how many vouchers HACM has for displaced seniors.

A. **WORKSHOPS:** None.

B. **CONSENT CALENDAR:**

Matters listed under the Consent Calendar are considered routine and were enacted by a single motion and single vote. There was no separate discussion of any of the listed items.

B-1 APPROVAL OF DECEMBER 13, REGULAR BOARD MEETING MINUTES.

B-2 APPROVAL OF REGISTER AUDITED DEMANDS DECEMBER 2023.

Interim Executive Director Blanca Mendoza Navarro reported that there are corrections on the minutes for of December 13, 2023, on the first sentence, C-1 was not tabled only C-2 and C-3. The same thing in the next paragraph Item C-1 was not tabled. On page 4 under closed session items. The item that was discussed was H-2 not H-1.

Commissioner C. Gallegos moved to approve the Consent Calendar with corrections to the December 13, 2023, Board meeting minutes. Commissioner S. Montes seconded the motion. The motion passed unanimously:

YAYES: (6) Commissioner Cece Gallegos,
Commissioner Steve Montes,
Vice-Chairperson Anita Evans
Commissioner Santos Garcia,
Commissioner Jose Rodriguez, and
Commissioner Artemio Villegas

NAYS: (0)

ABSENT: (1) Chairperson Elsa Mejia

C. RESOLUTIONS, AGREEMENTS, BIDS, HEARINGS, AND/OR PETITIONS:

C-1: Motion To Approve Proposed Resolution No. 1281 of the Housing Authority of the City of Madera authorizing the 2023/2024 2.5% Salary COLA increase effective 10/01/2023.

Alex Estrada, Financial Services Manager presented proposed Resolution # 1281. Mr. Estrada presented to the Board a PowerPoint presentation of what the 2.5% COLA increase impact would be financially along with the Compensation Study.

There was public comment from Madera ADA Advisory Council Chairperson DJ Becker. She asked if the cities in the previous compensation study were of matching size?

Alex Estrada, Financial Services Manager reiterated that it's taking it with a grain of salt with that compensation study back from 2017 because it was difficult to find similar job descriptions with what the agency is performing.

Commissioner S. Garcia asked if the Board would approve the transfers from the funds. We have more than enough money to put into this budget adjustment and we would not be in a deficit.

Alex Estrada, Financial Services Manager replied that would be agency wide. Commissioner S. Garcia replied to the Board just wants to make sure that they are not in a deficit and if the funds are available for HACM employees and have not been compensated accordingly. He stated, "I am good with it." He feels it important to retain HACM employees and compensate them adequately.

Commissioner J. Rodriguez asked about Pomona Ranch and the deficit that it has will be justifiable for reimbursement?

Alex Estrada, Financial Services Manager replied yes, these reimbursements are done monthly. They are submitted to OMS, and they should fall under their qualifications of operating costs. We get 100% back.

Commissioner J. Rodriguez asked about the Compensation Study. He would like for HACM to capture the size, demographics, or use similar housing authorities. \$30k is a lot of money for a Compensation Study. Will the study be apples to apples?

Blanca Mendoza-Navarro Interim Executive Director replied the Fresno Housing Authority is in the process of doing one and is partnering with other agencies to maybe do a share of cost.

Commissioner S. Garcia asked we must make sure that the employees do feel like there is a competitive wage for the work that they do. At fast food restaurants people start at \$20. We want to remain competitive in something if not better to retain our employees and create less turnover.

Blanca Mendoza-Navarro Interim Executive Director stated that Fresno Housing Authority is in the first phases of the Compensation Study.

Commissioner S. Montes asked about the fiscal year 23-24, will there be a surplus even if we do this? What is the reserve overall? It will not have an impact on the reserve.

Alex Estrada, Financial Services Manager replied he is not sure on the policy for the reserve. Agency does have Local Agency Investing fund (LAIF). These would be our reserve funds.

Commissioner S. Montes asked if the increase that was approved for Pomona Ranch, “can we do that also for HCV? The minimum wage is going to be higher than what we are paying some of our employees. Can we ask the State or the Federal that we need adjustments over here as well?”

Blanca Mendoza-Navarro Interim Executive Director replied yes one of the things is there is a shortfall. We can definitely ask but our numbers do not match the shortfall. She is new to HCV world. She is learning and having those conversations with HUD. Other agencies’ volume is higher, and they have economies of scale. When VMS is being reported and the numbers are going down in our issuance this is something that is hurting HACM.

Commissioner S. Garcia moved to approve Item C-1, proposed Resolution #1281. Commissioner J. Rodriguez seconded the motion. The motion passed unanimously:

AYES: (6) Vice-Chairperson Anita Evans
 Commissioner Cece Gallegos,
 Commissioner Steve Montes,
 Commissioner Santos Garcia
 Commissioner Jose Rodriguez and
 Commissioner Artemio Villegas

ABSENT: (1) Chairperson Elsa Mejia

ABSTAIN: (0)

C-2: Motion To Approve Agreement of the Housing Authority of the City of Madera for the posting of Executive Director position in-house.

Blanca Mendoza-Navarro Interim Executive Director inquired about the Executive Director vacancy. In previous years it has been posted in the newspaper or local partners like NAHRO, other housing industries or agency. She needs directions on whether to post it in local papers and local agencies or go out for BID. The last cost was about \$17,000 for utilizing an agency. Direction is needed in where to post whether the Fresno Bee Merced Sun Star Nahro or other housing industries.

Commissioner S. Montes wants to know what her capacity is because there are a lot of things going on. You will have to monitor that closely. Scheduling would be a lot of work within itself. Is that something you feel comfortable with handling in-house?

Blanca Mendoza-Navarro Interim Executive Director replied we can manage that in-house.

Commissioner J. Rodriguez asked if she would be using NAHRO and PHADA as well. We would be looking at a higher rate with a recruiting agency because of inflation. Probably in the mid-twenties. We can try to pull through in-house efforts first and seeing the candidates that are brought in then we can decide if we must go out and get a recruiting firm. He would like to keep it in-house to keep the cost down.

There was public comment Madera ADA Advisory Council Chairperson DJ Becker asked about professional sites like LinkedIn, Monster Inc., all the free sites.

Commissioner S. Montes commented to advertise in-house then if we need to move it outside, we can later.

Commissioner S. Montes moved to approve Item C-2, Agreement for advertising the Executive Director vacancy. Commissioner J. Rodriguez seconded the motion. The motion passed unanimously:

AYES: (6) Vice-Chairperson Anita Evans
Commissioner Cece Gallegos,
Commissioner Steve Montes,
Commissioner Santos Garcia
Commissioner Jose Rodriguez and
Commissioner Artemio Villegas

ABSENT: (1) Chairperson Elsa Mejia

ABSTAIN: (0)

C-3: Motion To Approve Agreement of the Housing Authority of the City of Madera for election of the New Board Chairperson and Vice-Chairperson.

Blanca Mendoza-Navarro Interim Executive Director reported that the Board had requested to see the old bylaws where the latest information was inserted. She added footnotes where changes were made. One of the significant changes that was made was when elections are held, or when the body changes, and so the recommendation would be this body to vote to change chairperson and the vice-chair. However, she wants the Board to keep in mind that we still have some outstanding things that were trying to get approval on. Like HUD systems and the banks and we are still trying to get all of that adjusted. Whatever changes are made I ask that we not have them switch until all of that is effective, and then it will be much easier to move. I know there was an AD Hoc committee that was going over changing the bylaws, and they were different, that is why we did not have a redline version because it was approved back in 1969. Provided the updated by-laws with some changes. We can bring this back at another time. So, today's meeting is basically either vote for the new Chair and Vice-Chair and propose when that would take effect.

Commissioner C. Gallegos replied that HACM is going through a lot right now with HUD and changes are still trying to take effect for bank records. She would like the Commission to keep everything the way it is. We are working through the process of what we have been working on for the past three months. Her recommendation to her colleagues is to think about it and leave it as it is for now.

Commissioner S. Montes stated hearing what the Interim Executive Director says he does not know if he would say, keep it until next year but for at least until some of the processes are complete. He recommends table it until by-laws are done.

Commissioner S. Garcia said he agrees. He wants the by-laws to be done and he agrees to maintaining the current Chair and Vice-Chair.

Legal Counsel Emilio Huerta reiterate Commissioner Garcia is stating that we are close to finalizing the by-laws. Another meeting with the AD HOC committee. We can postpone the transferring of the Chairperson and Vice-Chair to some point down the road. It will not require more than a few months given finalizing the Executive Director position. It is a critical time and we do not want to disrupt things.

Commissioner S. Garcia moved to table the new election of Chairperson and Vice-Chairperson Item C-3; Commissioner C. Gallegos seconded the motion. The motion passed unanimously:

AYES: (6) Vice-Chairperson Anita Evans
Commissioner Cece Gallegos,
Commissioner Steve Montes,
Commissioner Santos Garcia
Commissioner Jose Rodriguez and
Commissioner Artemio Villegas

ABSENT: (1) Chairperson Elsa Mejia

ABSTAIN: (0)

D. WRITTEN COMMUNICATIONS:

No written communications were received.

E. ADMINISTRATIVE REPORTS:

Blanca Mendoza-Navarro, Interim Executive Director provided the following administrative reports.

E-1: Monthly Housing Activity Report:

Interim Executive Director, Blanca Mendoza-Navarro reported on Section 8, Public Housing, and for Farm Labor programs. The housing assistance we have families that we have been assisting have dropped. This has to do with families not passing inspections or late certifications. However, six new issuances of vouchers were issued last month and 250 applicants for the HCV program have been pulled. If all 250 families show up on the 17th to complete their packets, then we will review how many qualify and we can issue more vouchers. We can see the numbers for our wait list have been dropping, we have a little bit over five hundred applicants on our waiting list for the Section 8 program. We hope to open the HCV waitlist in the second quarter. We have enough vouchers to give out. She would like to see Affordable housing in Madera and utilize the vouchers. For public housing we currently have two vacancies and a lot of applications. Some families were pulled for the farm labor, there are currently only two vacancies. Families are currently being screened. Maintenance work orders were high. Jared Maintenance Manager has been in communication with the team to bring these numbers down. We must prepare for our REAC inspections.

There was a public comment from Madera ADA Advisory Council Chairperson DJ Becker. She wanted to get her memory updated on all the programs. Her questions were answered by Interim Executive Director and Housing Manager Lucia Lopez.

Jared Garza Maintenance Manager reported that the work order numbers as of this morning have dropped. Only sixteen open work orders.

Commissioner C. Gallegos reported the work orders are probably because of the wintry weather and it has to do with heaters, water heaters and air leaks in windows and doors. She thanked all of Maintenance.

Commissioner S. Garcia asked how many units are being occupied at the veteran's site. He wants to know if we are fulfilling our obligations and what the numbers are like. He has been receiving a lot of calls.

Interim Executive Director, Blanca Mendoza-Navarro reported we must bring it back to the table. She does not have that information on hand.

Commissioner S. Garcia second question was regarding the childcare at Pomona Ranch. He asked who could use the day care at Pomona Ranch. He asked how many vouchers do we have?

Housing Service Manager Lucia Lopez reported that there are an additional 40 to 45 on top of the 654 that are currently housed. Once the voucher is given those are considered assisted but are still pending because they are still looking for housing.

Vice-Chairperson A. Evans asked if there was someone that needed housing and they found a home of their own and the landlord agreed with the section 8. Could you present them with a voucher? How does it work.

Housing Services Manager Lucia Lopez replied No, they would need to be selected from the waiting list and then it will be determined if there eligible for the program.

Commissioner J. Rodriguez is clarifying that request for the veterans is for the Esperanza Village. The Housing Authority does not manage that site but rather Buckingham property. Also, if we can get how many of the vouchers are for veterans.

F. EXECUTIVE DIRECTOR REPORT:

Blanca Mendoza-Navarro, Interim Executive Director provide the following reports:

1. **HUD Audit:** The audit has been submitted to HUD for fiscal year 2022 unaudited it is currently in review. The HUD audit is going to be conducted virtually next week on the 22nd of January. Audits are for both programs Public Housing and SEMAP both received the troubled score.
2. **Agency Audit:** Smith Marion (auditors) will be onsite week of January 22, 2024.
3. **Fee Accountant:** BDO has been working closely with the finance team on the unaudited documentation for the fiscal year 2023. They can assist by helping with finishing the bank reconciliation. They assisted in submitting the public housing operating budgets and they were approved.
4. **Departmental Reports:**
 - a. HCV- SEMAP was submitted. Six new vouchers were issued for the month of December. 250 applicants from the waiting list were pulled. FSS/ROSS program submitted their application for the grants. It is a pending response. There was one graduate from the FSS program. She went back to school and received her nursing degree. A check was issued in the escrow amount of \$14,180.
 - b. Public Housing/Farm Labor - they are working on leasing up all vacancies. Both AMPs were approved for the public housing operating fund.
 - c. Migrant - The last families moved out on December 22, 2023. The 2023 season is closed. Communication was sent out regarding Carlos Hernandez's, maintenance employee, memorial services.
 - d. Finance - received a new scanner to scan checks that will be directly deposited to the bank. It took 1-2 hours at the bank to do deposits, this is a cost-saving. Finance is currently working on 1099's.
 - e. Other - She thanked Commissioner Villegas for attending our Christmas luncheon.

5. **New Staff:** We hired an accounting Tech II- Pahoua Vang; FSS/ROSS Coordinator Mayra Cuin. She was a temporary employee and converted to permanent. Jared Knittel is a temporary employee that is currently filling in as Housing Programs Compliance Manager. He has been diving in. An offer was made for the Housing Inspector position, pending response and background process. There was a Christmas gift delivery with our Officer and Staff went out and were able to deliver gifts to five families from Public Housing and the HCV program. We received an extension of 18 months on the Capital Grant for the fiscal year 2021.

G. COMMISSIONER REPORTS:

1. Commissioner Gallegos sent out condolences to Carlos' family. She would like for by-laws to come back.
2. Commissioner Montes sent out condolences to the Hernandez family. He thanked him for all the years he was employed with HACM. The public and the Council members do not take into consideration people take time off in the holidays. People need downtime.
3. Commissioner Garcia asked if we have a similar leave period for the employees of the Housing Authority as the City of Madera does from after Christmas to New Year's. The Interim Executive Director responded no but maybe we can bring it back. Commissioner Garcia said we can bring it back soon and they can speak to the employees. He asked if his colleagues agreed. He received four thumbs up. He sent his condolences to the Hernandez family.
4. Commissioner Rodriguez sent his condolences to the Hernandez family, and he would like an item back the nonprofit Affordable Housing. With the previous director there was something established or was close to establishing. Our core mission is to establish a well-run public housing authority. When the Esperanza Village came about there were a lot of partnerships and trying to get that done. The nonprofit sister arm is needed to help us with property acquisitions. Hopefully bring some type of management to the housing authority again by adding revenue, adding more units. The comments mentioned earlier in public housing for the elderly and low income. This has not been satisfied for the last couple of years because of the turmoil within the organization litigation.
5. Commissioner Villegas sent out his condolences to the Hernandez family. He said the Christmas luncheon was fun.
6. Vice Chairperson Evans sent out her condolences to the Hernandez family. She wished everyone a Happy New Year.

H. CLOSED SESSION:

The Board of Commissioners temporarily adjourned from open session and met in closed session with legal counsel Emilio J. Huerta to discuss the following items:

H-1: Employee personnel matters pursuant to CA Govt. Code Section 54957(b)(1).

H-2: Discussion of litigation matters pursuant to CA Govt. Code Section 54956.9(d)(1)Di:

Phillis Channg v. West Coast USA Properties LLC; and

Renee Wright v. Housing Authority of the City of Madera

At 7:43 p.m. the Commissioners resumed open session. Attorney Emilio Huerta reported:

Regarding item H-1 there was no discussion regarding Employee personnel matters pursuant to CA Govt. Code Section 54957(b)(1).

Regarding item H-2 With outside counsel, Ms. Flowers of the law firm of Aleshire & Wynder with regards to the status of the case, Phillis Channg v. West Coast USA Properties LLC and respect the EEOC claims of Renee Wright v. the Housing Authority there was no action taken and no action considered by the Board of Commissioners.

I. ADJOURNMENT:

Chairperson E. Mejia announced that the next regularly monthly scheduled meeting of the Board of Commissioners will be held on Wednesday, January 10, 2024, at 6 p.m., in the City of Madera Council Chambers.

The meeting was adjourned the meeting at 7:47 p.m.

CERTIFICATE OF THE BOARD OF COMMISSIONERS

The undersigned hereby certifies that the foregoing January 10, 2024, the Monthly Regular Board Meeting Minutes of the Housing Authority of the City of Madera (HACM) were reviewed and approved by the Housing Authority of the City of Madera's Board of Commissioners at a duly noticed meeting on February 14, 2024, where a quorum was present in accordance with the HACM Bylaws.

Executed on this ____ day of February 14, 2024.

By: _____

Marisela Lopez

Housing Authority of the City of Madera

Payment Summary

Bank=revfund AND mm/yy=01/2024-01/2024 AND Check Date=01/01/2024-01/31/2024 AND All Checks=Yes AND Include Voids=All Checks

Bank	Check#	Vendor	Check Date	Post Month	Total Amount	Date Reconciled
revfund - WF Revolving Fund	0	tec02 - TECO'S HARDWARE	01/08/2024	01/2024	-77.91	
revfund - WF Revolving Fund	1	off02 - ODP BUSINESS SOLUTIONS, LLC	01/17/2024	01/2024	-155.12	
revfund - WF Revolving Fund	2	pub02 - CA Public Employees' Health	01/19/2024	01/2024	17,939.19	
revfund - WF Revolving Fund	3	pub02 - CA Public Employees' Health	01/22/2024	01/2024	149,657.22	
revfund - WF Revolving Fund	4	pub01 - CA PUBLIC EMPLOYEES' RETIREMENT ...	01/30/2024	01/2024	115,807.40	
revfund - WF Revolving Fund	46422	att06 - AT&T CALNET	01/02/2024	01/2024	247.00	
revfund - WF Revolving Fund	46423	bdo00 - BDO USA, P.A.	01/02/2024	01/2024	3,765.00	
revfund - WF Revolving Fund	46424	cha9i - CHAMBERS HEATING AND AIR CONDITIONING	01/02/2024	01/2024	290.00	
revfund - WF Revolving Fund	46425	CWS01 - CORBIN WILLITS SYSTEM INC	01/02/2024	01/2024	755.50	
revfund - WF Revolving Fund	46426	hds00 - HD SUPPLY FACILITIES MAINTENANCE	01/02/2024	01/2024	729.72	
revfund - WF Revolving Fund	46427	low00 - LOWE'S COMMERCIAL SERVICE	01/02/2024	01/2024	1,549.89	
revfund - WF Revolving Fund	46428	map00 - MAPA PLUMBING SERVICES	01/02/2024	01/2024	1,130.00	
revfund - WF Revolving Fund	46429	mis02 - MISSIONSQUARE-303376	01/02/2024	01/2024	3,135.69	
revfund - WF Revolving Fund	46430	pera4 - PERIMETER PEST CONTROL	01/02/2024	01/2024	25.00	
revfund - WF Revolving Fund	46431	pge01 - P. G. & E.	01/02/2024	01/2024	6,429.05	
revfund - WF Revolving Fund	46432	t0005136 - Rapeta	01/02/2024	01/2024	77.00	
revfund - WF Revolving Fund	46433	t0005166 - Felix	01/02/2024	01/2024	62.00	
revfund - WF Revolving Fund	46434	t0005218 - Gonzalez	01/02/2024	01/2024	100.00	
revfund - WF Revolving Fund	46435	v0008226 - KC Construction Co.	01/02/2024	01/2024	5,950.00	
revfund - WF Revolving Fund	46436	van00 - VAN DE POL ENTERPRISES	01/02/2024	01/2024	467.36	
revfund - WF Revolving Fund	46437	cher001 - Hernandez	01/09/2024	01/2024	1,847.03	
revfund - WF Revolving Fund	46438	cha9i - CHAMBERS HEATING AND AIR CONDITIONING	01/17/2024	01/2024	190.00	
revfund - WF Revolving Fund	46439	DIA01 - DIAMOND COMMUNICATION,INC	01/17/2024	01/2024	204.00	
revfund - WF Revolving Fund	46440	EGB01 - E. G. BABCOCK COMPANY	01/17/2024	01/2024	361.30	
revfund - WF Revolving Fund	46441	hds00 - HD SUPPLY FACILITIES MAINTENANCE	01/17/2024	01/2024	1,104.29	
revfund - WF Revolving Fund	46442	hom04 - HOME DEPOT CREDIT SERVICE	01/17/2024	01/2024	1,270.51	
revfund - WF Revolving Fund	46443	ins01 - INSIGHT EMPLOYEE ASSISTANCE PROGRAM	01/17/2024	01/2024	47.25	
revfund - WF Revolving Fund	46444	low00 - LOWE'S COMMERCIAL SERVICE	01/17/2024	01/2024	1,582.38	
revfund - WF Revolving Fund	46445	mad02 - CITY OF MADERA UTILITY BILLING	01/17/2024	01/2024	85,357.94	
revfund - WF Revolving Fund	46446	mad03 - CITY OF MADERA CITY SERVICES	01/17/2024	01/2024	7,916.67	
revfund - WF Revolving Fund	46447	met00 - METROPOLITAN LIFE INSURANCE COMPANY	01/17/2024	01/2024	812.84	
revfund - WF Revolving Fund	46448	mis01 - MISSION UNIFORM SERVICE 3	01/17/2024	01/2024	142.80	
revfund - WF Revolving Fund	46449	mis02 - MISSIONSQUARE-303376	01/17/2024	01/2024	6,641.05	
revfund - WF Revolving Fund	46450	MRI00 - MRI SOFTWARE, LLC	01/17/2024	01/2024	761.35	
revfund - WF Revolving Fund	46451	oms01 - OMS DEPT. OF HOUSING & COMM. DEV...	01/17/2024	01/2024	72,595.32	
revfund - WF Revolving Fund	46452	oms01 - OMS DEPT. OF HOUSING & COMM. DEV...	01/17/2024	01/2024	15,549.78	
revfund - WF Revolving Fund	46453	pbload001 - PB Loader Corporation	01/17/2024	01/2024	4,710.31	
revfund - WF Revolving Fund	46454	PEC01 - PECKS PRINTERY	01/17/2024	01/2024	345.32	
revfund - WF Revolving Fund	46455	pera4 - PERIMETER PEST CONTROL	01/17/2024	01/2024	550.00	
revfund - WF Revolving Fund	46456	pge01 - P. G. & E.	01/17/2024	01/2024	17,883.44	
revfund - WF Revolving Fund	46457	RIC05 - RICOH USA, INC.	01/17/2024	01/2024	2,532.26	

Payment Summary

Bank=refund AND mm/yy=01/2024-01/2024 AND Check Date=01/01/2024-01/31/2024 AND All Checks=Yes AND Include Voids=All Checks

Bank	Check#	Vendor	Check Date	Post Month	Total Amount	Date Reconciled
refund - WF Revolving Fund	46458	spe00 - SPECIALTY LANDSCAPE, INC.	01/17/2024	01/2024	14,432.50	
refund - WF Revolving Fund	46459	sta02 - STANDARD INSURANCE CO.	01/17/2024	01/2024	1,019.03	
refund - WF Revolving Fund	46460	t0000242 - Santos Almazan	01/17/2024	01/2024	813.60	
refund - WF Revolving Fund	46461	TMO00 - T-MOBILE USA INC.	01/17/2024	01/2024	1,315.50	
refund - WF Revolving Fund	46462	van00 - VAN DE POL ENTERPRISES	01/17/2024	01/2024	144.15	
refund - WF Revolving Fund	46463	wel25 - WELLS FARGO BUSINESS CARD-6688	01/17/2024	01/2024	648.32	
refund - WF Revolving Fund	46464	WIL01 - SHERWIN WILLIAMS COMPANY	01/17/2024	01/2024	314.80	
					548,977.73	



Housing Authority of the City of Madera

BOARD MEMORANDUM

TO: Board of Commissioners
Housing Authority of the City of Madera

BOARD MEETING: February 14, 2024

AGENDA ITEM: B-3

FROM: Blanca Mendoza-Navarro, Interim
Executive Director

AUTHOR: Blanca Mendoza-Navarro, Interim Executive
Director

DATE: February 7, 2024

SUBJECT: INFORMATIONAL ITEM – UPDATE ON POMONA RANCH MIGRANT CHILDCARE
CENTER

EXECUTIVE SUMMARY:

The purpose of this memo is to provide information on the use of the Pomona Ranch Migrant childcare center as requested at the January 10, 2024, Board meeting.

Staff reviewed the Lease Agreement between the Housing Authority of the City of Madera and Community Action Partnership of Madera County for Pomona Ranch Migrant childcare center; the premises are used for childcare center services for migrant farm workers residing at the Pomona Ranch Housing Center. The center's kitchen is used to prepare meals for childcare centers at Pomona Ranch, Mace, and Lilly. The contract term expires on August 14, 2024.

RECOMMENDATION:

The item is informational only.

FISCAL IMPACT:

There is no fiscal impact as the item is informational only.





Housing Authority of the City of Madera

BOARD MEMORANDUM

TO: Board of Commissioners
Housing Authority of the City of Madera

BOARD MEETING: February 14, 2024

AGENDA ITEM: B-4

FROM: Blanca Mendoza-Navarro, Interim
Executive Director

AUTHOR: Blanca Mendoza-Navarro, Interim Executive
Director

DATE: February 7, 2024

SUBJECT: INFORMATIONAL ITEM – UPDATE ESPERANZA VILLAGE

EXECUTIVE SUMMARY:

The purpose of this memo is to provide information on the unit mix and Project Based Vouchers allocated to Esperanza Village and tenant selection as requested at the January 10, 2024, Board of Commissioners' meeting.

Staff reviewed the Section 8 Project-Based Voucher Program Housing Assistance Payments Contract (HAP Contract) between the Housing Authority of the City of Madera and Downtown Madera Housing Associates. The HAP contract is for twenty (20) years for thirty (30) Project-Based Rental Assisted units where seven (7) are designated for occupancy by families eligible for supportive services. This is the only designation listed on the HAP Contract. Esperanza Village is a Tax Credit Bond Project; therefore, staff reviewed the Project Staff report (CA-20-409) issued by the California Tax Credit Allocation Committee (CA TCAC) on January 15, 2020, this report specifies who the stakeholders are, what type of project it is, the type of funding, and the housing type, i.e. Senior Housing, Special Needs, Multifamily, etc. Below is a summary of how Esperanza Village was awarded:

Project Type: New Construction, 47-units of affordable housing (households earning between 30-60% of AMI) with one (1) manager unit.

Housing Type: non-targeted

Rental Assistance: HUD Section 8 Project Based Vouchers (30)

RECOMMENDATION:

The item is informational only.

FISCAL IMPACT:

There is no fiscal impact as the item is informational only.



**U.S. Department of Housing and Urban Development
Office of Public and Indian Housing**

**SECTION 8 PROJECT-BASED VOUCHER PROGRAM
HOUSING ASSISTANCE PAYMENTS CONTRACT**

NEW CONSTRUCTION OR REHABILITATION

PART 1 OF HAP CONTRACT

Public reporting burden for this collection of information is estimated to average 2 hours. This includes the time for collecting, reviewing and reporting the data. The information is being collected as required by 24 CFR 983.202, which requires the PHA to enter into a HAP contract with the owner to provide housing assistance payments for eligible families. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number. Assurances of confidentiality are not provided under this collection.

Privacy Act Statement. HUD is committed to protecting the privacy of individuals' information stored electronically or in paper form, in accordance with federal privacy laws, guidance, and best practices. HUD expects its third-party business partners, including Public Housing Authorities, who collect, use maintain, or disseminate HUD information to protect the privacy of that information in accordance with applicable law.

1. CONTRACT INFORMATION

a. Parties

This housing assistance payments (HAP) contract is entered into between:

Housing Authority of the City of Madera (PHA) and
Downtown Madera Housing Associates, A California Limited Partnership (owner).

b. Contents of contract

The HAP contract consists of Part 1, Part 2, and the contract exhibits listed in paragraph c.

c. Contract exhibits

The HAP contract includes the following exhibits:

EXHIBIT A: TOTAL NUMBER OF UNITS IN PROJECT COVERED BY

**Project-Based Voucher Program
HAP Contract for New Construction/Rehab**

Previous editions are obsolete

**HUD 52530A Page - 1 of Part 1
(07/2019)**

THIS HAP CONTRACT; INITIAL RENT TO OWNER; AND DESCRIPTION OF THE CONTRACT UNITS. (See 24 CFR 983.203 for required items.) If this is a multi-stage project, this exhibit must include a description of the units in each completed phase.

EXHIBIT B: SERVICES, MAINTENANCE AND EQUIPMENT TO BE PROVIDED BY THE OWNER WITHOUT CHARGES IN ADDITION TO RENT TO OWNER

EXHIBIT C: UTILITIES AVAILABLE IN THE CONTRACT UNITS, INCLUDING A LISTING OF UTILITY SERVICES TO BE PAID BY THE OWNER (WITHOUT CHARGES IN ADDITION TO RENT TO OWNER) AND UTILITIES TO BE PAID BY THE TENANTS

EXHIBIT D: FEATURES PROVIDED TO COMPLY WITH PROGRAM ACCESSIBILITY FEATURES OF SECTION 504 OF THE REHABILITATION ACT OF 1973

ADDITIONAL EXHIBITS

d. **Single-Stage and Multi-Stage Contracts (place a check mark in front of the applicable project description).**

☒ **Single-Stage Project**

This is a single-stage project. For all contract units, the effective date of the HAP contract is: 07/01/2020

☐ **Multi-Stage Project**

This is a multi-stage project. The units in each completed stage are designated in Exhibit A.

The PHA enters the effective date for each stage after completion and PHA acceptance of all units in that stage. The PHA enters the effective date for each stage in the "Execution of HAP contract for contract units completed and accepted in stages" (starting on page 10).

The annual anniversary date of the HAP contract for all contract units in this multi-stage project is the anniversary of the effective date of the HAP

contract for the contract units included in the first stage. The expiration date of the HAP contract for all of the contract units completed in stages must be concurrent with the end of the HAP contract term for the units included in the first stage (see 24 CFR 983.206(c)).

e. Term of the HAP contract

1. Beginning of term

The PHA may not enter into a HAP contract for any contract unit until the PHA (or an independent entity, as applicable) has determined that the unit meets PBV inspection requirements. The term of the HAP contract for any unit begins on the effective date of the HAP contract.

2. Length of initial term

- a. Subject to paragraph 2.b, the initial term of the HAP contract for any contract units is: 20 Years.
- b. The initial term of the HAP contract for any unit may not be less than one year, nor more than twenty years.

3. Extension of term

The PHA and owner may agree to enter into an extension of the HAP contract at the time of initial HAP contract execution, or any time prior to expiration of the contract. Any extension, including the term of such extension, must be in accordance with HUD requirements. A PHA must determine that any extension is appropriate to achieve long-term affordability of the housing or expand housing opportunities.

4. Requirement for sufficient appropriated funding

- a. The length of the initial term and any extension term shall be subject to availability, as determined by HUD, or by the PHA in accordance with HUD requirements, of sufficient appropriated funding (budget authority), as provided in appropriations acts and in the PHA's annual contributions contract (ACC) with HUD, to make full payment of housing assistance payments due to the owner for any contract year in accordance with the HAP contract.

- b. The availability of sufficient funding must be determined by HUD or by the PHA in accordance with HUD requirements. If it is determined that there may not be sufficient funding to continue housing assistance payments for all contract units and for the full term of the HAP contract, the PHA has the right to terminate the HAP contract by notice to the owner for all or any of the contract units. Such action by the PHA shall be implemented in accordance with HUD requirements.

f. Occupancy and payment

1. Payment for occupied unit

During the term of the HAP contract, the PHA shall make housing assistance payments to the owner for the months during which a contract unit is leased to and occupied by an eligible family. If an assisted family moves out of a contract unit, the owner may keep the housing assistance payment for the calendar month when the family moves out ("move-out month"). However, the owner may not keep the payment if the PHA determines that the vacancy is the owner's fault.

2. Vacancy payment

THE PHA HAS DISCRETION WHETHER TO INCLUDE THE VACANCY PAYMENT PROVISION (PARAGRAPH e.2), OR TO STRIKE THIS PROVISION FROM THE HAP CONTRACT FORM.

- a. If an assisted family moves out of a contract unit, the PHA may provide vacancy payments to the owner for a PHA-determined vacancy period extending from the beginning of the first calendar month after the move-out month for a period not exceeding two full months following the move-out month.
- b. The vacancy payment to the owner for each month of the maximum two-month period will be determined by the PHA, and cannot exceed the monthly rent to owner under the assisted lease, minus any portion of the rental payment received by the owner (including amounts available from the tenant's security deposit). Any vacancy payment may cover only the period the unit remains vacant.

- c. The PHA may make vacancy payments to the owner only if:
 - 1. The owner gives the PHA prompt, written notice certifying that the family has vacated the unit and the date when the family moved out (to the best of the owner's knowledge and belief);
 - 2. The owner certifies that the vacancy is not the fault of the owner and that the unit was vacant during the period for which payment is claimed;
 - 3. The owner certifies that it has taken every reasonable action to minimize the likelihood and length of vacancy; and
 - 4. The owner provides any additional information required and requested by the PHA to verify that the owner is entitled to the vacancy payment.
- d. The PHA must take every reasonable action to minimize the likelihood and length of vacancy.
- e. The owner may refer families to the PHA and recommend selection of such families from the PHA waiting list for occupancy of vacant units.
- f. The owner must submit a request for vacancy payments in the form and manner required by the PHA and must provide any information or substantiation required by the PHA to determine the amount of any vacancy payments.

3. PHA is not responsible for family damage or debt to owner

Except as provided in this paragraph e (Occupancy and Payment), the PHA will not make any other payment to the owner under the HAP contract. The PHA will not make any payment to the owner for any damages to the unit, or for any other amounts owed by a family under the family's lease.

g. Income-mixing requirement

- 1. Except as provided in paragraphs f.2 through f.5 below, the PHA will not

make housing assistance payments under the HAP contract for more than the greater of 25 units or 25 percent of the total number of dwelling units (assisted or unassisted) in any project. The term "project" means a single building, multiple contiguous buildings, or multiple buildings on contiguous parcels of land assisted under this HAP contract.

2. The limitation in paragraph f.1 does not apply to single-family buildings.
3. In referring eligible families to the owner for admission to the number of contract units in any project exceeding the 25 unit or 25 percent limitation under paragraph f.1, the PHA shall give preference to elderly families or to families eligible for supportive services, for the number of contract units designated for occupancy by such families. The owner shall rent the designated number of contract units to such families referred by the PHA from the PHA waiting list.
4. Up to the greater of 25 units or 40 percent of units (instead of the greater of 25 units or 25 percent of units) in a project may be project-based if the project is located in a census tract with a poverty rate of 20 percent or less.
5. Units that were previously subject to certain federal rent restrictions or receiving another type of long-term housing subsidy provided by HUD do not count toward the income-mixing requirement if, in the five years prior to issuance of the Request for Proposal or notice of owner selection (for projects selected based on a prior competition or without competition), the unit received one of the forms of HUD assistance or was under a federal rent restriction as described in f.6 and f.7, below.
6. The following specifies the number of contract units (if any) that received one of the following forms of HUD assistance (enter the number of contract units in front of the applicable form of assistance):

- ☐ Public Housing or Operating Funds;
- 30 Project-Based Rental Assistance (including Mod Rehab and Mod Rehab Single-Room Occupancy);
- ☐ Housing for the Elderly (Section 202 or the Housing Act of 1959);
- ☐ Housing for Persons with Disabilities (Section 811 of the Cranston-Gonzalez Affordable Housing Act);

- ☐ Rent Supplement Program;
- ☐ Rental Assistance Program;
- ☐ Flexible Subsidy Program.

The following total number of contract units received a form of HUD assistance listed above: 30. If all of the units in the project received such assistance, you may skip sections g.7 and g.8, below.

7. The following specifies the number of contract units (if any) that were under any of the following federal rent restrictions (enter the number of contract units in front of the applicable type of federal rent restriction):

- ☐ Section 236;
- ☐ Section 221(d)(3) or (d)(4) BMIR (below-market interest rate);
- ☐ Housing for the Elderly (Section 202 or the Housing Act of 1959);
- ☐ Housing for Persons with Disabilities (Section 811 of the Cranston-Gonzalez Affordable Housing Act);
- ☐ Flexible Subsidy Program.

The following total number of contract units were subject to a federal rent restriction listed above: 0. If all of the units in the project were subject to a federal rent restriction, you may skip section g.8, below.

8. The following specifies the number of contract units (if any) designated for occupancy by elderly families or by families eligible for supportive services:

- a. Place a check mark here ☐ if any contract units are designated for occupancy by elderly families; The following number of contract units shall be rented to elderly families:

- b. Place a check mark here ☒ if any contract units are designated for occupancy by families eligible for supportive services. The

following number of contract units shall be rented to families
eligible for supportive services:

7

9. The PHA and owner must comply with all HUD requirements regarding income mixing.

EXECUTION OF HAP CONTRACT FOR SINGLE-STAGE PROJECT

PUBLIC HOUSING AGENCY (PHA)

Name of PHA (Print)

Housing Authority of the City of Madera

By: 

Signature of authorized representative

Renee Wright, Executive Director

Name and official title (Print)

Date

5-18-23

OWNER

Name of Owner (Print)

Downtown Madera Housing Associates, A California Limited Partnership

By: 

Signature of authorized representative

Caleb Roope, General Partner

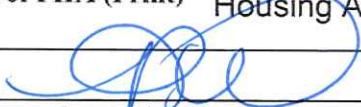
Name and official title (Print)

Date

05-18-23

**EXECUTION OF HAP CONTRACT FOR CONTRACT UNITS COMPLETED
AND ACCEPTED IN STAGES**

(For multi-stage projects, at acceptance of each stage, the PHA and the owner sign the HAP contract execution for the completed stage.)

STAGE NO. 1: The Contract is hereby executed for the contract units in this stage. STAGE EFFECTIVE DATE: The effective date of the Contract for this stage is:	
Date	
PUBLIC HOUSING AGENCY (PHA) Name of PHA (Print) Housing Authority of the City of Madera	
By:	
Signature of authorized representative	
Renee Wright, Executive Director	
Name and official title (Print)	
Date 5-18-23	
OWNER Name of Owner (Print)	
By:	
Signature of authorized representative	
Name and official title (Print)	
Date	

STAGE NO. 2: The Contract is hereby executed for the contract units in this stage. STAGE EFFECTIVE DATE: The effective date of the Contract for this stage is:
Date
PUBLIC HOUSING AGENCY (PHA) Name of PHA (Print)
By:
Signature of authorized representative
Name and official title (Print)
Date
OWNER Name of Owner (Print)
By:
Signature of authorized representative
Name and official title (Print)
Date

STAGE NO. 3: The Contract is hereby executed for the contract units in this stage. STAGE EFFECTIVE DATE: The effective date of the Contract for this stage is:
Date
PUBLIC HOUSING AGENCY (PHA) Name of PHA (Print)
By:
Signature of authorized representative
Name and official title (Print)
Date
OWNER Name of Owner (Print)
By:
Signature of authorized representative
Name and official title (Print)
Date

CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE

Project Staff Report Tax-Exempt Bond Project January 15, 2020

Downtown Madera Veterans & Family Housing, located at 121 and 200 North C Street in Madera, requested and is being recommended for a reservation of \$870,282 in annual federal tax credits and \$4,430,000 in total state tax credits to finance the new construction of 47 units of housing with rents affordable to households earning 30-60% of area median income (AMI). The project will be developed by Pacific West Communities, Inc. and will be located in Senate District 15 and Assembly District 5.

The project will be receiving rental assistance in the form of HUD Section 8 Project-based Vouchers. The project financing includes state funding from HCD's AHSC program.

Project Number CA-20-409

Project Name Downtown Madera Veterans & Family Housing
Site Address: 121 and 200 North C Street
Madera, CA 93638 County: Madera
Census Tract: 8.00

Tax Credit Amounts	Federal/Annual	State/Total *
Requested:	\$870,282	\$4,430,000
Recommended:	\$870,282	\$4,430,000

* The applicant made an election not to sell (Certificate) any portion of the state credits.

Applicant Information

Applicant: Downtown Madera Housing Associates, a California Limited Partnership
Contact: Caleb Roope
Address: 430 E. State Street, Suite 100
Eagle, ID 83616
Phone: 208.461.0022
Email: calebr@tpchousing.com

General Partner(s) or Principal Owner(s): TPC Holdings VII, LLC
Madera Opportunities for Resident Enrichment
& Services, Inc.
General Partner Type: Joint Venture
Parent Company(ies): The Pacific Companies
Madera Opportunities for Resident Enrichment
& Services, Inc.
Developer: Pacific West Communities, Inc.
Investor/Consultant: Boston Capital
Management Agent: Buckingham Property Management

Project Information

Construction Type: New Construction
 Total # Residential Buildings: 2
 Total # of Units: 48
 No. / % of Low Income Units: 47 100.00%
 Federal Set-Aside Elected: 40%/60%
 Federal Subsidy: Tax-Exempt / HUD Section 8 Project-based Vouchers (30 units - 64%)

Bond Information

Issuer: California Municipal Finance Authority (CMFA)
 Expected Date of Issuance: May 1, 2020

Information

Housing Type: Non-Targeted
 Geographic Area: Central Valley
 TCAC Project Analyst: Ruben Barcelo

55-Year Use / Affordability

Aggregate Targeting Number of Units	Percentage of Affordable Units
30% AMI: 15	32%
50% AMI: 14	30%
60% AMI: 18	38%

Unit Mix

18 SRO/Studio Units
10 1-Bedroom Units
12 2-Bedroom Units
8 3-Bedroom Units
48 Total Units

Unit Type & Number	2019 Rents Targeted % of Area Median Income	2019 Rents Actual % of Area Median Income	Proposed Rent (including utilities)
12 SRO/Studio	30%	30%	\$340
6 SRO/Studio	50%	50%	\$567
3 1 Bedroom	30%	30%	\$364
7 1 Bedroom	50%	50%	\$608
11 2 Bedrooms	60%	60%	\$876
1 3 Bedrooms	50%	50%	\$842
7 3 Bedrooms	60%	60%	\$1,011
1 2 Bedrooms	Manager's Unit	Manager's Unit	\$0

Project Cost Summary at Application

Land and Acquisition	\$193,500
Construction Costs	\$14,163,790
Rehabilitation Costs	\$0
Construction Hard Cost Contingency	\$700,000
Soft Cost Contingency	\$350,000
Relocation	\$0
Architectural/Engineering	\$723,000
Const. Interest, Perm. Financing	\$896,020
Legal Fees	\$70,000
Reserves	\$352,319
Other Costs	\$1,526,538
Developer Fee	\$2,457,589
Commercial Costs	\$0
Total	\$21,432,756

Residential

Construction Cost Per Square Foot:	\$400
Per Unit Cost:	\$446,516
True Cash Per Unit Cost*:	\$441,149

Construction Financing

Source	Amount
California Bank & Trust	\$12,000,000
California Bank & Trust Taxable	\$3,500,000
SJV Air Pollution Control District	\$539,151
Madera County - MHSA	\$500,000
City of Madera	\$946,000
Deferred Costs	\$352,319
Deferred Developer Fee	\$2,457,589
Tax Credit Equity	\$1,137,697

Permanent Financing

Source	Amount
California Bank & Trust	\$1,350,000
HCD - AHSC	\$6,818,980
SJV Air Pollution Control District	\$539,151
Madera County - MHSA	\$500,000
City of Madera	\$946,000
Deferred Developer Fee	\$257,589
Tax Credit Equity	\$11,021,036
TOTAL	\$21,432,756

*Less Fee Waivers, Seller Carryback Loans, and Deferred Developer Fee

Determination of Credit Amount(s)

Requested Eligible Basis:	\$20,661,955
130% High Cost Adjustment:	Yes
Applicable Fraction:	100.00%
Qualified Basis:	\$26,860,542
Applicable Rate:	3.24%
Total Maximum Annual Federal Credit:	\$870,282
Total State Credit:	\$4,430,000
Approved Developer Fee (in Project Cost & Eligible Basis):	\$2,457,589
Investor/Consultant:	Boston Capital
Federal Tax Credit Factor:	\$0.89991
State Tax Credit Factor:	\$0.71993

Except as allowed for projects basing cost on assumed third party debt, the “as if vacant” land value and the existing improvement value established at application for all projects, as well as the eligible basis amount derived from those values, shall not increase during all subsequent reviews including the placed in service review, for the purpose of determining the final award of Tax Credits. The sum of the third party debt encumbering the property may increase during subsequent reviews to reflect the actual amount.

Eligible Basis and Basis Limit

Requested Unadjusted Eligible Basis:	\$20,661,955
Actual Eligible Basis:	\$20,661,955
Unadjusted Threshold Basis Limit:	\$14,363,160
Total Adjusted Threshold Basis Limit:	\$32,238,945

Adjustments to Basis Limit

Required to Pay State or Federal Prevailing Wages/Financed by labor-affiliated organization employing construction workers paid at least state or federal prevailing wages.

Local Development Impact Fees

95% of Upper Floor Units are Elevator-Serviced

55-Year Use/Affordability Restriction – 1% for Each 1% of Low-Income and Market Rate Units are Income Targeted between 50% AMI & 36% AMI: 29%

55-Year Use/Affordability Restriction – 2% for Each 1% of Low-Income and Market Rate Units are Income Targeted at 35% AMI or Below: 62%

Cost Analysis and Line Item Review

Staff analysis of project costs to determine reasonableness found all fees to be within TCAC’s underwriting guidelines and TCAC limitations. Annual operating expenses meet or exceed the minimum operating expenses established in the Regulations, and the project pro forma shows a positive cash flow from year one. Staff has calculated federal tax credits based on 3.24% of the qualified basis. Applicants are cautioned to consider the expected federal rate when negotiating with investors. TCAC's financial evaluation at project completion will determine the final allocation.

Significant Information / Additional Conditions

Staff noted that each of the two residential buildings will be located on separate parcels that are separated by a street intersection. The building located at 121 North C Street will serve large families and the building located at 200 North C Street will serve veterans.

Resyndication and Resyndication Transfer Event: None

Standard Conditions

If applicant is receiving tax-exempt bond financing from other than CalHFA, the applicant shall apply for a bond allocation from the California Debt Limit Allocation Committee’s next scheduled meeting, if not previously granted an allocation; shall have received an allocation from CDLAC; and, shall issue bonds within time limits specified by CDLAC.

The applicant anticipates financing more than 50% of the project aggregate basis with tax-exempt bond proceeds as calculated by the project tax professional. Therefore, the federal credit reserved for this project will not count against the annual ceiling.

State tax credit recipients are limited to cash distributions from project operations pursuant to California Revenue and Taxation Code Section 12206(d). By accepting the tax credit reservation, the applicant/owner is agreeing to comply with the statutory limitations and requirements.

TCAC makes the preliminary reservation only for the project specified above in the form presented, and involving the parties referred to in the application. No changes in the development team or the project as presented will be permitted without the express approval of TCAC.

The applicant must pay TCAC a reservation fee calculated in accordance with regulation. Additionally, TCAC requires the project owner to pay a monitoring fee before issuance of tax forms.

As project costs are preliminary estimates only, staff recommends that a reservation be made in the amount of federal credit and state credit shown above on condition that the final project costs be supported by itemized lender approved costs and certified costs after the buildings are placed in service.

All unexpended funds in reserve accounts established for the project must remain with the project to be used for the benefit of the property and/or its residents, except for the portion of any accounts funded with deferred developer fees.

All fees charged to the project must be within TCAC limitations. Fees in excess of these limitations will not be considered when determining the amount of credit when the project is placed-in-service.

The applicant/owner shall be subject to underwriting criteria set forth in Section 10327 of the regulations through the final feasibility analysis performed by TCAC at placed-in-service.

Credit awards are contingent upon applicant's acceptance of any revised total project cost, qualified basis and tax credit amount determined by TCAC in its final feasibility analysis.

CDLAC Additional Conditions

The applicant/owner is required to comply with the CDLAC Resolution. At the time of the TCAC placed in service review, TCAC staff will verify that the project is in compliance with all applicable items of CDLAC Resolution Exhibit A.

**C: RESOLUTIONS, AGREEMENTS, BIDS, HEARINGS,
AND/OR PETITIONS:**



Housing Authority of the City of Madera

BOARD MEMORANDUM

TO: Board of Commissioners
Housing Authority of the City of Madera

BOARD MEETING: February 14, 2024

AGENDA ITEM: C-1

FROM: Blanca Mendoza-Navarro, Interim-
Executive Director

AUTHOR: Alex Estrada, Financial Services Manager

DATE: February 7, 2024

SUBJECT: RESOLUTION #1282 OF THE HOUSING AUTHORITY OF THE CITY OF MADERA TO PAY EMPLOYEE CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CalPERS)

EXECUTIVE SUMMARY:

In circular Letter #200-049-08, dated October 3, 2008, CalPERS informed member agencies that the Internal Revenue Service (IRS) issued a Revenue Ruling concerning the “pick-up” of employee contributions to their CalPERS retirement account. As a result, CalPERS has notified all contracted agencies and employers of the requirement to formalize, by resolution, the employers’ intent and/or practice to “pick-up” the employee retirement contribution. This was completed with Resolution No. 819 on November 12th, 2008.

Through recent conversations with CalPERS staff, it was revealed that this resolution was never presented to CalPERS. Finance staff presented CalPERS with Resolution No. 819; however, CalPERS did not accept the resolution because it lacked specific verbiage. To remain compliant, CalPERS requested an updated resolution that clearly states which employee group the benefit would apply to, what percentage of the employee contribution amount the agency would “pick-up” and the effective date of the resolution.

The employee contribution amount for Classic Miscellaneous First Tier members is currently 100% being paid for by the agency. According to CalPERS, this is the only member group that qualifies for Employer Paid Member Contribution (EPMC). To be classified as a Classic Miscellaneous First Tier, an employee must have been a member with HACM prior to October 20, 2012. Currently there are four employees who are Classic Miscellaneous First Tier members.

Table 1 is a summary of the EPMC annual costs.

Table 1: EPMC Annual Costs			
Eligible Employees	Total Annual Salaries	Current Employee Rate	Agency Annual Cost
4	\$203,000	8%	\$16,240





Housing Authority of the City of Madera

FISCAL IMPACT:

There is no fiscal impact, as this is already a budgeted ongoing expense.

RECOMMENDATION:

Staff recommends the Board adopt the attached Resolution approving the Housing Authority of the City of Madera to pay 100% of employee contributions to CalPERS for Classis Miscellaneous First Tier members.

ATTACHMENTS:

1. Resolution



RESOLUTION NO. 1282

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF MADERA AUTHORIZING THE CAL PERS EMPLOYER PAID CONTRIBUTIONS.

RECITALS

A. **WHEREAS**, the Housing Authority of the City of Madera (the “Housing Authority”), currently maintains full-time employees;

B. **WHEREAS**, CA Government Code Section 20691 provides in part that a contracting agency employer may pay all or a portion of the normal contributions required to be paid by a member;

C. **WHEREAS**, the Housing Authority has authority to implement Government Code Section 20691;

D. **WHEREAS**, the governing body of the Housing Authority has a written labor policy which specifically provides for the normal member contributions to be paid by the employer;

E. **WHEREAS**, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the Housing Authority of a Resolution to commence said Employer Paid Member Contributions (EPMC);

F. **WHEREAS**, the governing body of the Housing Authority has identified the following conditions for the purpose of its election to pay EPMC:

1. This benefit shall apply to all employees of Classic Miscellaneous First Tier; and
2. This benefit shall consist of paying 100% of the normal member contributions as EPMC.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF MADERA DOES HEREBY RESOLVE AS FOLLOWS:

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

Section 2. Authorization of CA Government Code Section 20691 Contributions of Employer Paid Member Contributions (EPMC), to Cal Pers for all HACM employees of Classic Miscellaneous First Tier and pay 100% of the normal member contributions as EPMC. The Housing Authority's Board of Commissioners has considered and herein authorizes the Housing Authority's Interim Executive Director Ms. Blanca Mendoza-Navarro make a Cal Pers contribution for the benefit of all HACM employees of Classic Miscellaneous First Tier and pay 100% of the normal member contributions as an EPMC and execute one or more resolutions on behalf of the Housing Authority as might be requested by Cal Pers.

Section 3. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Commissioners of the Housing Authority of the City of Madera this 14th day of February 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Chairperson Elsa Mejia

Interim Executive Director
Blanca Mendoza-Navarro

Marisela Lopez, Clerk for the Housing Authority of the City of Madera herein attests or certifies, as a witness to a board meeting held on February 14, 2024, and swears or confirms, that the foregoing information in this resolution is true and correct and has not been altered or amended.

By: _____
Maricela Lopez
Clerk

Approved as to Legal Form:

Emilio J. Huerta, Legal Counsel

RESOLUTION FOR EMPLOYER PAID MEMBER CONTRIBUTIONS

WHEREAS, the governing body of the Housing Authority of the City of Madera has the authority to implement Government Code Section 20691;

WHEREAS, the governing body of the Housing Authority of the City of Madera has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the Housing Authority of the City of Madera of a Resolution to commence said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the Housing Authority of the City of Madera has identified the following conditions for the purpose of its election to pay EPMC:

- **This benefit shall apply to all employees of Classic Miscellaneous First Tier.**
- **This benefit shall consist of paying 100% of the normal member contributions as EPMC.**
- **The effective date of this Resolution shall be November 12, 2008.**

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Housing Authority of the City of Madera elects to pay EPMC, as set forth above.

PASSED AND ADOPTED by the governing body of the Housing Authority of the City of Madera this (Day of Month e.g. 1st, 2nd, 3rd...) day of (Month), (Year).

BY _____
(Signature of Official)

(Title of Official)



Housing Authority of the City of Madera

BOARD MEMORANDUM

TO: Board of Commissioners
Housing Authority of the City of Madera

BOARD MEETING: February 14, 2024

AGENDA ITEM: C-2

FROM: Blanca Mendoza-Navarro, Interim-
Executive Director

AUTHOR: Alex Estrada, Financial Services Manager

DATE: February 8, 2024

SUBJECT: RESOLUTION #1283 OF THE HOUSING AUTHORITY OF THE CITY OF MADERA APPROVING AN AMENDMENT TO THE HOUSING AUTHORITY OF THE CITY OF MADERA PERSONNEL POLICY HANDBOOK REGARDING LONGEVITY PAY SECTION 2.02

EXECUTIVE SUMMARY:

Longevity pay is used to recognize dedicated long-term service. On October 11, 2017, the Board of Commissioners voted to approve an amendment to the Housing Authority of the City of Madera Personnel Policy Handbook regarding the longevity pay policy with Resolution No. 1091.

The proposed policy update provides a more robust policy regarding longevity pay. Major updates include specifying the frequency of the lump sum payments, covered employees, defining service time, and scenarios related to time away from work. The proposed policy update does not include an increase in longevity pay amounts.

Table 1 is a summary of the calculation of the longevity pay.

Table 1: Calculation of Longevity Pay			
Years of Service	Longevity Pay	Payment Schedule	Total Award Annually
10 but less than 15 years	\$62.50	1 st 2 pay periods/month	\$1,500
15 but less than 20 years	\$87.50	1 st 2 pay periods/month	\$2,100
20 + years	\$112.50	1 st 2 pay periods/month	\$2,700





Housing Authority of the City of Madera

Table 2 is a summary of the number of eligible staff and current total cost.

<i>Table 2: Number of Eligible Employees and Cost</i>		
Years of Service	Eligible Employees	Annual Cost
10 but less than 15 years	2	\$3,000
15 but less than 20 years	2	\$4,200
20 + years	2	\$5,400
Total Annual Cost		\$12,600

FISCAL IMPACT:

If approved, there would be no fiscal impact, as this is already a budgeted ongoing expense.

RECOMMENDATION:

Staff recommends the Board adopt a Resolution approving an amendment to the Housing Authority of the City of Madera Personnel Policy Handbook regarding Longevity Pay Section 2.02

ATTACHMENTS:

1. Resolution

Exhibit A: Longevity Pay Policy 2.02 approved on October 11, 2017

Exhibit B: Proposed updated Longevity Pay Policy 2.02



RESOLUTION NO. 1283

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF MADERA APPROVING AN AMENDMENT TO THE HOUSING AUTHORITY'S PERSONNEL POLICY HANDBOOK REGARDING LONGEVITY PAY SECTION 2.02

RECITALS

A. **WHEREAS**, the Housing Authority of the City of Madera (the "Housing Authority"), currently maintains full-time employees;

B. **WHEREAS**, longevity pay is used to recognize employees who have dedicated long-term service to the Housing Authority;

C. **WHEREAS**, on October 11, 2017, the Board of Commissioners voted to approve an amendment to the Housing Authority's Personnel Policy Handbook regarding the longevity pay policy with Resolution No. 1091;

D. **WHEREAS**, the Interim Executive Director and staff would like to propose a policy update providing a more robust policy regarding longevity pay, with updates specifying the frequency of the lump sum payments, which employees are covered, defining time of service, and scenarios related to time away from work;

E. **WHEREAS**, the proposed policy updates do not include an increase in longevity pay amounts;

F. **WHEREAS**, the fiscal impact has already been accounted for in the Housing Authority's approved budget as an on-going expense.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF MADERA DOES HEREBY RESOLVE AS FOLLOWS:

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

Section 2. Authorization to Update Housing Authority's Personnel Policy – Section 2.02 Regarding Terms and Conditions of HACM Longevity Pay. The Housing Authority's Board of Commissioners has considered and herein authorizes the Housing Authority's Interim Executive Director Ms. Blanca Mendoza-Navarro to make updates to Section 2.02 of the HACM Personnel Policies – Longevity, with

regard to the frequency of the lump sum payments, which employees are covered, defining time of service, and scenarios related to time away from work.

Section 3. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Commissioners of the Housing Authority of the City of Madera this 14th day of February 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson Elsa Mejia

ATTEST:

Interim Executive Director
Blanca Mendoza-Navarro

Marisela Lopez, Clerk for the Housing Authority of the City of Madera herein attests or certifies, as a witness to a board meeting held on February 14, 2024, and swears or confirms, that the foregoing information in this resolution is true and correct and has not been altered or amended.

By: _____
Maricela Lopez
Clerk

Approved as to Legal Form:

Emilio J. Huerta, Legal Counsel

Exhibit A

2.02 LONGEVITY

Any person regularly employed by the Housing Authority shall receive longevity pay in the increments as follows:

YEARS OF SERVICE	LONGEVITY PAY
10 – 15 Years of Service	\$125
16 – 20 Years of Service	Additional \$50 – Longevity Grand Total \$175
21+ Years of Service	Additional \$50 – Longevity Grand Total \$225

Longevity adjustments require the employee's supervisor to certify that performance is fully satisfactory and be approved by the Executive Director. In addition, any person employed under a grant position is not eligible for longevity pay unless and until the position is fully funded by HACM funds. HACM reserves the right to revoke the Longevity Pay program in the future.

Exhibit B

2.02 HACM Longevity Pay

Policy

Longevity Pay is to recognize long-term service. An eligible employee who has at least ten years of total HACM service shall receive a lump sum payment every pay period, for only the first two pay periods per month, totaling 24 annual payments.

Payment shall be made every pay period following the date the employee is eligible to receive Longevity Pay, for only the first two pay periods per month. As employees increase their years of service, the Longevity Pay will not be cumulative and will only receive the new total according to the years of service.

Covered Employees

Full-time (part-time 20+ hours) permanent employees are eligible for Longevity Pay.

Part-time (all/less than 20 hours) are not eligible for Longevity Pay.

Employees must maintain satisfactory performance. Employees placed on an active Performance Improvement Plan may not qualify for Longevity Pay until satisfactorily passing a performance evaluation.

Employees on Unpaid Leave of Absence are not eligible for Longevity Pay. Longevity Pay will begin/resume upon return to active status. Employees on Workers' Compensation Leave or authorized Military Leave are eligible to receive Longevity Pay.

Calculation of Longevity Pay

Longevity pay amounts are based on the length of total service at HACM. Refer to the table below for the Longevity Pay awards.

Years of Service	Longevity Pay	Payment Schedule	Total Award Annually
10 but less than 15 years	\$62.50	1 st 2 pay periods/month	\$1,500
15 but less than 20 years	\$87.50	1 st 2 pay periods/month	\$2,100
20 + years	\$112.50	1 st 2 pay periods/month	\$2,700

Total HACM Service Defined

Total HACM service is the total amount of time of full-time (or part-time (20 hours or more) continuous employment of employees with a permanent, probationary or limited time appointment.

Credit shall also be given for:

- Authorized military leave, provided the employee is reinstated within the time limits outlined in California State Military Leave policies.

- Authorized Workers' Compensation Leave

Leave Without Pay (LWOP)

If an otherwise eligible employee goes on any Leave Without Pay, including FMLA/CFRA, longevity shall not be paid while the employee is on leave. Longevity pay will resume once the employee returns to work. Missed payments for time on leave are forfeited by the employee.

Military Leave

If an eligible employee goes on extended military leave without pay, a longevity payment computed on a pro-rated basis shall be paid upon the employees return to active employment status.

Short-term Disability

If an eligible employee goes on leave without pay due to short-term disability, the employee is only eligible while in active status. Payments will resume once the employee returns to active employment.

Agency Responsibility

It is the responsibility of HACM to identify and certify all employees eligible for Longevity Pay and process the appropriate forms to payroll. All Longevity Pay must be approved by the Executive Director. The Longevity Pay policy is revokable and/or can be changed at any time and for any reason by the Board of Commissioners.



Housing Authority of the City of Madera

BOARD MEMORANDUM

TO: Board of Commissioners
Housing Authority of the City of Madera

BOARD MEETING: February 14, 2024

AGENDA ITEM: C-3

FROM: Blanca Mendoza-Navarro, Interim-
Executive Director

AUTHOR: Blanca Mendoza-Navarro, Interim Executive
Director

DATE: February 7, 2024

SUBJECT: RESOLUTION #1284 OF THE HOUSING AUTHORITY OF THE CITY OF MADERA
CONSIDERATION OF ADOPTING UPDATED CREDIT CARD POLICY.

EXECUTIVE SUMMARY:

The Board of Commissioners adopted the Credit Card Use Policy on November 13, 2019 (Resolution #1145). The current policy states the Housing Authority of the City of Madera (HACM) will issue credit cards to certain employees for use in their job functions, the set limits, roles of the authorized users and employee acceptance and agreement of the Credit Card Policy.

Currently the agency has business credit cards with Wells Fargo Bank, fuel cards through Van Da Pol Enterprises, Home Depot, and Lowe's issued to specific employees or departments.

As discussed in the December 13, 2023, Board meeting the Agency currently is limited to one (1) credit card with Wells Fargo Bank with a low credit limit to utilize for business transactions requiring a major credit card. The reason for the limited cards and low limit is primarily due to staff turnover and the transition in Wells Fargo's platform moving from VISA to MasterCard restricting the issuance of cards to new authorized users or increasing credit limits to existing authorized users.

Staff requested the Board of Commissioners to authorize the Interim Executive Director to start the process to participate in the State of California's Purchase Card program (CAL-Card). Staff registered and have been accepted into the State of California's Purchase Card program through US Bank (USB), also referred to as the CAL-Card program. HACM is currently waiting for the credit cards to be issued and start the implementation phase.

Staff reviewed the current Credit Card Use Policy and updated language to ensure compliance with the State requirements, HACM procurement policies and safeguard appropriate usage of Agency issued credit cards. The CAL-Card program

The CAL-Card program's minimum credit limit is \$25,000. Staff has identified authorized users and has set allocations for each user's credit limit.





Housing Authority of the City of Madera

Authorized User	Position-Department	Assigned Credit Limit
Blanca Mendoza-Navarro	Interim Executive Director-Admin	\$ 5,000.00
Alex Estrada	Finance Service Manager-Finance	\$ 2,000.00
Marisela Lopez	Executive Administrative Assistant-Admin	\$ 1,800.00
Jared Garza	Maintenance Manager-Maintenance	\$ 2,000.00
Lucia Lopez	Housing Services Manager-Housing Services	\$ 2,000.00
Mayra Cuin	ROSS/FSS Coordinator-ROSS/FSS	\$ 200.00
Accounts Payable	Finance Department	\$ 10,000.00
Housing Programs Compliance Manager	Housing Programs Compliance Manager	\$ 2,000.00

The current policy requires each employee who is issued a Credit Card to sign an Employee Acceptance and Agreement of Credit Card Policy.

FISCAL IMPACT:

There is no fiscal impact, this is a tool to conduct Agency related business when needed.

RECOMMENDATION:

Staff recommends the Board adopt the attached Resolution approving the updated Credit Card Use Policy and Agreement.

ATTACHMENTS

1. Resolution

Exhibit A: Credit Card Use Policy

Exhibit B: CA Local Agency Subsidiary Agreement



RESOLUTION NO. 1284

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF MADERA APPROVING ADOPTION OF AN UPDATED CREDIT CARD USE POLICY.

RECITALS

A. **WHEREAS**, the Housing Authority of the City of Madera (the “Housing Authority”), would like to implement the usage of one or more credit cards in connection with daily Housing Authority operations;

B. **WHEREAS**, the Housing Authority Board of Commissioners adopted a Credit Card Use Policy on November 13, 2019 (Resolution #1145);

C. **WHEREAS**, the current policy states that the Housing Authority will issue credit cards to certain employees for use in their job functions, establishes set limits, identifies the roles of the authorized users and requires execution of an employee acceptance and agreement of such Credit Card Use Policy;

D. **WHEREAS**, currently the agency has business credit cards with Wells Fargo Bank, fuel cards through Van Da Pol Enterprises, Home Depot, and Lowe’s issued to specific employees or departments;

E. **WHEREAS**, as discussed in the December 13, 2023, Housing Authority Board meeting, the Agency currently is limited to one (1) credit card with Wells Fargo Bank with a low credit limit to utilize for business transactions requiring a major credit card;

F. **WHEREAS**, the reason for the limited cards and low limit is primarily due to staff turnover and the transition in Wells Fargo’s platform moving from VISA to MasterCard restricting the issuance of cards to new authorized users or increasing credit limits to existing authorized users;

G. **WHEREAS**, Housing Authority staff requested the Board of Commissioners authorize the Interim Executive Director to start the process to participate in the State of California’s Purchase Card program (CAL-Card);

H. **WHEREAS**, staff has registered and has been accepted into the State of California’s Purchase Card program through US Bank (USB), also referred to as the CAL-Card program (HACM is currently waiting for the credit cards to be issued and start the implementation phase); and

I. **WHEREAS**, the CAL-Card program's minimum credit limit is \$25,000. Staff has identified authorized users and has set allocations for each user's credit limit.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF MADERA DOES HEREBY RESOLVE AS FOLLOWS:

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

Section 2. Authorization to Update Housing Authority's Credit Card Use Policy. The Housing Authority's Board of Commissioners has considered and herein authorizes the Housing Authority's Interim Executive Director Ms. Blanca Mendoza Navarro to adopt the following updates to the Housing Authority's Credit Card Use Policy:

Authorized User	Position-Department	Assigned Credit Limit
Blanca Mendoza-Navarro	Interim Executive Director-Admin	\$ 5,000.00
Alex Estrada	Finance Service Manager-Finance	\$ 2,000.00
Marisela Lopez	Executive Administrative Assistant-Admin	\$ 1,800.00
Jared Garza	Maintenance Manager-Maintenance	\$ 2,000.00
Lucia Lopez	Housing Services Manager-Housing Services	\$ 2,000.00
Mayra Cuin	ROSS/FSS Coordinator-ROSS/FSS	\$ 200.00
Accounts Payable	Finance Department	\$ 10,000.00
Housing Programs Compliance Manager	Housing Programs Compliance Manager	\$ 2,000.00

Section 3. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Commissioners of the Housing Authority of the City of Madera this 14th day of February 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson Elsa Mejia

ATTEST:

Interim Executive Director
Blanca Mendoza-Navarro

Marisela Lopez, Clerk for the Housing Authority of the City of Madera herein attests or certifies, as a witness to a board meeting held on February 14, 2024, and swears or confirms, that the foregoing information in this resolution is true and correct and has not been altered or amended.

By: _____
Maricela Lopez
Clerk

Approved as to Legal Form:

Emilio J. Huerta, Legal Counsel

Housing Authority of the City of Madera		
Adopted: 11/13/19	Credit Card Use Policy	Resolution #: 1145
Revision #: <u>1</u>		Revision Date: <u>02/14/2024</u>

INTRODUCTION:

The Housing Authority of the City of Madera (the “Agency or HACM”) uses a variety of methods for the purchase of goods and services, including petty cash, purchase orders, blanket purchase orders, check requests and open accounts. In addition, the Agency has initiated a Procurement Card Program using the State’s CAL-Card program. Processing purchase orders is not cost effective for low dollar value goods and occasionally suppliers will not accept a purchase order. Use of Housing Authority– Agency issued credit cards is a privilege, which may be withdrawn in the event of serious or repeated abuse.

The CAL-Card will allow cardholders to take advantage of short-term sale discounts and to make purchases and/or reservations by phone and the internet. The CAL-Card program provides the Agency with rebate benefits, a reduction in the number of open accounts and a reduction in paperwork thus providing a more cost-effective and environmentally responsible method of making purchases.
~~will issue credit cards to certain employees for use in their job functions.~~

This policy sets out the acceptable and unacceptable uses of such credit cards. Use of Housing Authority issued credit cards is a privilege, which may be withdrawn in the event of serious or repeated abuse. The Policy is supported and supplemented by a variety of existing policies and procedures including personnel, administrative, accounting, conflict of interest, and reporting policies and procedures that further provide a framework to support compliance and accountability of public resources. To that end, periodic, random audits of card use and charges for appropriateness will occur.

PURPOSE:

These CAL-Card policies and procedures define eligibility, responsibility, and proper card usage. They are designed to ensure that individual users and those responsible for supervising cardholders comply with all policies and procedures regarding Credit Card usage and Agency travel.

Employees utilizing Agency CAL-Cards do so with an understanding of and under all conditions set forth in the CAL-Card Use Policy and Procedure documents. CAL-Card users shall sign the included CAL-Card usage agreement (found in the CAL-Card Use Procedure) to indicate their understanding of and adherence to these rules. Failure to comply with the CAL-Card Use Policy and/or Procedure may result in the disciplinary action of an employee up to and including termination.

PUBLIC RECORD:

All documents related to the use of any CAL-Card may be fully disclosed as public records to the extent provided for by the California Public Records Act.

RESPONSIBILITY:

Every employee is required to abide by the provisions outlined in the Credit Card Use Policy. The authorized employee, who is issued a card in their name, is responsible for its protection, custody and proper use to ensure the card is only utilized only for legitimate business purposes. They shall immediately notify their supervisor and the Finance Manager if the card is lost or stolen. Cardholders must adhere to purchasing limits and restrictions. The individual issued a card must return the card to the Agency upon termination or when moving to a position that does not require a card.

The Executive Director or designee is responsible for the administration, interpretation, and application of the Credit Card Use Policy and Procedure.

The Boards of Commissioners are responsible for policy adoptions and revisions.

GENERAL INFORMATION:

The credit card must be issued under the ~~PHA's~~ Agency's name and Federal Tax ID number with the employee as the authorized user. ~~Payment of the charges~~ Charges/purchases on the credit card must be reviewed prior to payment as per this policy and the Credit Card Control Policy.

Any credit card the ~~Housing Authority~~ Agency issues to an employee must be used for business purposes in conjunction with the employee's job duties. Employees with such credit cards shall not use them for any non-business, non-essential purpose, i.e., transactions for the benefit of anyone or anything other than the ~~Housing Authority~~ Agency business. ~~The Housing Authority~~ HACM will not regard expenses for employee's business-related use, such as lodging and meals while on ~~Housing Authority~~ Agency approved business trips, as personal purchases, as long as such expenses are consistent with the ~~Housing Authority's~~ Agency's travel and expense reimbursement policy. If any employee uses a company credit card for personal purchases in violation of this policy, the cost of such purchase(s) will be immediately due.

The following will result in disciplinary action up to and including termination of employment:

1. Failure to immediately repay any costs due that are a result of violating this policy,
2. Any one or more incidents of misuse of a ~~Housing Authority~~ Agency credit card,
3. A pattern of abuse of the credit card policy.

Employees violating this policy may be subject to additional action to include professional sanction, debarment, and/or criminal prosecution.

AUTHORIZED USERS

To ensure good financial management and sound governance, credit cards will be issued to the minimum number of employees that will allow the ~~Housing Authority~~Agency to satisfy its business objectives. The credit card can only be used by the designated employee after they have signed the Acceptance and Agreement document to abide by the Terms and Conditions of Use as detailed and participated in required training prior to issuance of Agency issued credit card. The credit card will be immediately terminated if the authorized card holder ceases to have job responsibilities that require it.

~~The Housing Authority~~HACM must maintain an up to date list of Authorized Users including date of issue/termination, card limit, etc. This list should be held by the Executive Director and/or the appropriate administrative staff member.

The Authorized Users ~~should~~will familiarize themselves with the policies and regulations for procurement, travel and subsistence and must ensure that the credit card is not used for transactions which are not appropriate. The Authorized user will sign an acknowledgement of receipt of policies and regulations.

LIMITS

The credit limit of the card will be determined by the Executive Director, in consultation with the Board of Commissioners.

The card ***must not*** be used for:

- Cash advances/withdrawing cash, or
- Wire Transfer-Money Orders, or
- Purchase of communications equipment such as pagers, cellular phones, walkie-talkies, personal computers, or copiers, etc. except as approved by the Finance Service Manager and/or the Executive Director, or
- Rental EXCEPT for small pieces of equipment/materials not exceeding a week in duration,
- Machinery that requires a maintenance agreement,
- Payments to independent contractors,
- Fixed Assets purchases, unless accompanied by a HACM purchase order,
- Fuel purchases except when fuel is unavailable using the existing Agency wide fuel purchase agreement., or
- any type of personal expenditure (even if the employee intends to repay the expense).

Other restrictions may be applied by the Department Manager and the Program Administrator. If you have any questions regarding restricted purchases, contact the Program Administrator.

THE PURPOSE OF AN AGENCY ISSUED CREDIT CARD

Use of a HACM issued credit card is intended to enable employees the opportunity to engage in authorized Agency-related financial transactions without incurring a personal financial burden while conducting business on behalf of the Agency as well as making emergency purchases. To minimize the use of the credit card (s), Staff are strongly encouraged to request vendors/ suppliers to provide invoices for payment processing for better cost tracking.

The card **may be** used for:

- accommodation, meals, and bookings payment,
- payment of travel costs (air, train, taxi, etc.) where it has not been possible to pre-book prior to departure, or,
- the purchase of goods as specified in the Procurement Policy.

ROLE OF AUTHORIZED USER

Payment Authorization Forms

~~Immediately following a credit card purchase, it is the responsibility of the Authorized User to complete the Purchase Request Document (PRD) providing details of the purchase and a copy of the receipt(s). The form must be submitted and approved by the appropriate PHA official. The appropriate PHA official will sign to approve the purchase or follow up if the purchase cannot be approved. Any disputes regarding the credit card statements must be noted and relevant documents regarding the outcome of the dispute must be kept for audit purposes.~~

1. Sign your card on the signature panel.
2. Maintain card security to prevent unauthorized charges against your account.
3. Obtain a receipt at the point of purchase and verify it for accuracy.
4. Enter a purchase order onto the Agency's accounting software system, indicating the appropriate departmental allocation, account codes and description for each transaction.
5. Each cardholder will reconcile receipts, documentation, and purchase order to their monthly statement.
6. Attach all sales receipts in the same order as listed on the statement. Note: If there are excessive instances of lost receipts, the CAL-Card will be revoked.
7. Upload the statement onto the applicable vendor and/or purchase order for proper approval.
8. The cardholder will call Issuing Bank Customer Service immediately to report lost or stolen cards and notify the immediate supervisor and/or Program Administrator.
9. The cardholder will notify Issuing Bank Customer Service of any billing discrepancies posted on your Cardholder Statement that cannot be resolved with the merchant.
10. Notify Program Administrator on name, telephone, address, or other account changes.

11. Comply with all the Agency's purchasing policies and guidelines for purchase of commodities.

12. Do not allow any member of your staff, family, or supervisor to use this card. You, alone, are authorized to use this card. It may not be delegated. It has been especially designed to prevent you from confusing it with your personal credit cards. The card is to be used for Agency business and may not be used for personal purchases.

14. VIOLATIONS IN ANY OF THE ABOVE AREAS ARE GROUNDS FOR REVOCATION OF ALL PROCUREMENT CARD PRIVILEGES AND MAY BE GROUNDS FOR DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.

Payment Authorization Forms

Immediately following a credit card purchase, it is the responsibility of the Authorized User to complete a Purchase Order (PO) in the Agency's accounting software providing details of the purchase and upload a copy of the receipt(s). The form must be submitted and approved by the appropriate Agency official using the PO approving workflow. The appropriate approving official will approve the purchase or follow up if the purchase cannot be approved. Any disputes regarding the credit card statements must be noted and relevant documents regarding the outcome of the dispute must be kept for audit purposes.

Review Procedure

1. Credit card authorized users ~~submit-uploads~~ documentation (~~PRD-PO~~ and Receipt) immediately following purchase to the appropriate ~~PHA-official-PO~~.
2. ~~PHA-Approving~~ official reviews and approves purchase documentation or rejects the purchase and follows up with the employee as needed.
3. A monthly statement will be received ~~at-by~~ the ~~Housing-Authority~~~~HACM~~ office, ~~by mail, fax, or email,~~ -from the credit card issuer detailing charges.:-
4. Statements must be reviewed by the ~~PHA-cardholder~~official immediately upon receipt ~~and ensure the statement, receipt/invoice is attached to the applicable PO. The reviewer will attach the submitted purchase forms previously supplied by the credit card user.~~
5. Where a receipt is not on file, the Authorized User will be asked to provide verification of the transaction immediately. The Authorized User will be required to reimburse the ~~Housing-Authority~~~~Agency~~ for any expenditure(s) that cannot be supported by appropriate documentation.
6. Any item appearing on the statement which is not recognized as a business expense and would not have been authorized for payment by the Authorized User will be investigated immediately with the credit card company.
7. The credit card statement along with the supporting documentation will be reviewed by the appropriate ~~PHA-approving~~ official within 5 days of receipt of the statement. The ~~PHA approving~~ official will ~~approve the PO and forward to the next approving official sign the PRD-~~indicating approval and authorizing payment of the statement. The approved statement and documentation will ~~be attached to the payment and retained in the software system~~ for audit purposes.

8. The balance on the credit card statement must be cleared each month by the specified date to ensure that no interest charges are incurred.

FINANCE DEPARTMENT RESPONSIBILITIES

The Finance Department will be responsible for issuing final payment, upon correct & complete submission of cardholder statements.

CARDHOLDER RESPONSIBILITIES

1. Sign your card on the signature panel.
2. Maintain card security to prevent unauthorized charges against your account.
3. Obtain a receipt at the point of purchase and verify it for accuracy.
4. Enter a purchase order onto the Agency's accounting software system, indicating the appropriate departmental allocation, account codes and description for each transaction.
5. Each cardholder will reconcile receipts, documentation, and purchase order to their monthly statement.
6. Attach all sales receipts in the same order as listed on the statement. Note: If there are excessive instances of lost receipts, the CAL-Card will be revoked.
7. Upload the statement onto the applicable vendor and/or purchase order for proper approval.
8. The cardholder will call Issuing Bank Customer Service immediately to report lost or stolen cards and notify the immediate supervisor and/or Program Administrator.
9. The cardholder will notify Issuing Bank Customer Service of any billing discrepancies posted on your Cardholder Statement that cannot be resolved with the merchant.
10. Notify Program Administrator on name, telephone, address, or other account changes.
11. Comply with all the Agency's purchasing policies and guidelines for purchase of commodities.
12. Do not allow any member of your staff, family, or supervisor to use this card. You, alone, are authorized to use this card. It may not be delegated. It has been especially designed to prevent you from confusing it with your personal credit cards. The card is to be used for Agency business and may not be used for personal purchases.
14. VIOLATIONS IN ANY OF THE ABOVE AREAS ARE GROUNDS FOR REVOCATION OF ALL PROCUREMENT CARD PRIVILEGES AND MAY BE GROUNDS FOR DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.

APPROVING AUTHORITY RESPONSIBILITIES

1. Ensure Cardholder Statements are received in a timely manner as described in this policy and the procedures manual.
2. Ensure all proper documentation is attached to the monthly statements and review all charges for appropriateness, prohibited items, and correct budget/program allocations.
3. Resolve questions that you may have on the purchases that appear in the cardholder statement.
4. Submit all approved purchase orders with statements in the accounting software prior to the statement due date.

5. Request new cards.

6. Request and/or approve increased limits to existing Cardholder's Account.

7. The Approving Authority is responsible for insuring that all purchases comply with the Agency's Credit Card Use and with the Agency's Purchasing Policy and Procedures. Resolution for improper use of the credit card may result in card revocation and disciplinary action, up to and including termination.

TERMS AND CONDITIONS OF USE

Credit Card usage in the day-to-day business of ~~HACM~~~~the Housing Authority~~ is intended to facilitate transactions on a limited basis. The instances when the card (s) may and may not be used are described in the LIMITS section of this policy.

The card ~~may be~~ used for:

- ~~• Payment of travel costs (air, train, taxi, etc.) accommodations, meals, etc. in compliance with the PHA travel policy, or~~
- ~~• the purchase of goods as specified in the Procurement Policy.~~

The card ~~must not~~ be used for:

- ~~• Withdrawing cash, or~~
- ~~• any type of personal expenditure, even if the intention is to repay such expenditure.~~

Credit card usage will be subject to management review to guard against fraud, to ensure compliance with current travel/procurement policies, and regulations. Documentation of any expenditure will be reviewed and approved by the Executive Director, or Chairperson of the Board of Commissioners, or the appropriate administrative staff person.

Credit card(s) must always be kept in a secure location. The Authorized User will be responsible for custody of the card. To guard against possible fraud, the Authorized User should not lose sight of the card during a transaction. Loss of a credit card must be reported immediately to the issuer, the Executive Director, or Chairperson of the Board of Commissioners, or the appropriate administrative staff person.

The Authorized User will be responsible for completing the Credit Card Payment Authorization form, ensuring that items charged to the credit card have incurred in the conduct of official business, providing details of each occasion of use, and for submitting receipts/vouchers for all expenditure. Any expenditure for which supporting receipts/vouchers are not presented will become the liability of the User.

Before using the credit card, the Authorized User must sign the Acceptance and Agreement document. A copy should be retained for personal reference and the original will be maintained in the employee personnel file.

Unauthorized usage of credit card(s) issued in accordance with the above Terms &

Conditions will be considered a violation of this policy and could result in disciplinary action up to and including termination. Additional penalties could include professional sanction, debarment, and/or criminal prosecution.

HOUSING AUTHORITY OF THE CITY OF MADERA
EMPLOYEE ACCEPTANCE AND AGREEMENT
OF CREDIT CARD USE POLICY

I have read the Housing Authority of the City of Madera Credit Card Use Policy. I fully understand and accept the Terms and Conditions of Use.

I understand and agree that I am personally liable for any expenditure(s) charged to the card that do not comply with the Terms and Conditions of Use.

I agree to immediately repay any funds that do not comply with the Terms and Conditions.

I understand that misuse of credit card(s) could result in disciplinary action up to and including termination and that additional penalties could include professional sanction, debarment, and/or criminal prosecution.

My signature below indicates that I have read, understand, and agree to the limitations and expectations associated with the use of the issued Agency Credit Card (s). I agree to abide within the terms of the Agency Credit Card Use Policy as well as those herein.

<u>Employee Name:</u>		<u>Position:</u>
<u>Signature:</u>		<u>Dept:</u>
<u>Supervisor's Signature:</u>		<u>Date:</u>

Signed: _____ Date: _____
_____ **Authorized Credit Card User**

Name: _____
_____ **Print Name**



**NASPO VALUE POINT
STATE OF CALIFORNIA PARTICIPATING ADDENDUM 7-20-99-42
LOCAL AGENCY SUBSIDIARY AGREEMENT**

This Local Agency Subsidiary Agreement ("**Subsidiary Agreement**") is entered into by undersigned entity, organized under the laws of the State of California ("**Local Agency**"), and U.S. Bank. This Subsidiary Agreement shall become effective upon signing by U.S. Bank.

RECITALS

1. The State of California, Department of General Services (the "**State**") and U.S. Bank entered into California Participating Addendum 7-20-99-42 effective January 1, 2021, as amended, supplemented or otherwise modified (the "**Participating Addendum**") for the purpose of making available a Commercial Card Services Program ("**Program**") as described in the Participating Addendum for use by state agencies and local agencies of the State;
2. Local Agency desires to participate as a "Participating Agency" under the Program and Agreement, with sole liability for its own obligations it may incur under the Program and Participating Addendum; and
3. U.S. Bank has agreed to allow Local Agency to be bound under the Participating Addendum and participate in the Program as a "Participating Agency."

AGREEMENT

Now, therefore, for and in consideration of the mutual promises contained in this Subsidiary Agreement and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, Local Agency and U.S. Bank agree as follows:

1. **DEFINITIONS.** Unless otherwise stated in this Subsidiary Agreement, all capitalized terms shall have the same meaning as set forth in the Participating Addendum.
2. **DESIGNATION.** Local Agency is hereby designated as a "Participating Agency" under the Participating Addendum, and upon U.S. Bank's execution of this Subsidiary Agreement (after completing its necessary due diligence) Local Agency shall be deemed a "Participating Agency" thereunder until Local Agency so elects to remove such designation or such designation is revoked as set forth in section 6 below. U.S. Bank will take direction from such Local Agency in the issuing of Accounts (or the suspension of Accounts issued at Local Agency's direction).

3. LOCAL AGENCY REPRESENTATIONS, WARRANTIES AND COVENANTS. Local Agency:

- 3.1** Represents and warrants that it received a copy of the Participating Addendum;
- 3.2** Represents that it is a valid political subdivision of the State of California;
- 3.3** Represents and warrants that as of the date hereof that each of the representations and warranties made by the State in the Participating Addendum to U.S. Bank can be made by Local Agency without breach on the date hereof;
- 3.4** Represents and warrants that all financial and other information provided to U.S. Bank by or about Local Agency is true and correct;
- 3.5** Agrees to comply with and be bound by the terms and conditions of the Participating Addendum, including any future amendment regardless of whether Local Agency has received notice of such amendment;
- 3.6** Agrees it is liable for its own performance of the terms and conditions of the Participating Addendum (including as it may be amended from time to time) as if Local Agency signed the Participating Addendum, including for all obligations incurred by it or by any party issued an Account at its direction, but shall not be liable for any obligations incurred by the State or any other Local Agencies; and
- 3.7** Agrees that it may not assign or transfer its rights under this Subsidiary Agreement or the Participating Addendum without the express consent of U.S. Bank.

4. LIABILITY FOR LOCAL AGENCY'S PERFORMANCE AND OBLIGATIONS. Local Agency agrees that it shall be solely liable for its performance of the terms and conditions of the Participating Addendum and this Subsidiary Agreement. The State shall have no liability for any obligations incurred under the Program by Local Agency and any Account holder designated by such Local Agency.

5. NOTICES. The notice address for Local Agency is:

205 N. G Street

Madera, CA 93637

Attn: Accounts Payable

6. CHANGE OF CONTROL. Local Agency shall immediately notify U.S. Bank in writing of the occurrence of any event concerning Local Agency that (i) would prevent Local Agency from making the representations and warranties contained in section 3 at such time or (ii) results in a change of the legal name of such Local Agency. Local Agency shall promptly provide such additional details as reasonably requested by U.S. Bank regarding such event. At the election of U.S. Bank, the rights of Local Agency to be designated a "Participating Agency" under the Participating Addendum may be revoked based upon the notification provided by pursuant to section 6 (i) and this Subsidiary Agreement shall terminate.

- 7. BINDING AGREEMENT.** The representations, warranties and covenants of Local Agency in this Subsidiary Agreement constitute valid, binding and enforceable agreements of Local Agency. The execution of this Subsidiary Agreement and the performance of the obligations hereunder are within the power of Local Agency, have been authorized by all necessary action and do not constitute a breach of any agreement to which Local Agency is a party or is bound. Local Agency represents and warrants that this transaction is within the scope of the normal course of business and does not require further authorization for Local Agency to be duly bound by this Subsidiary Agreement. Any breach of the terms of this Subsidiary Agreement by the Local Agency shall also be a default under the Participating Addendum by the Local Agency giving rise on the part of U.S. Bank to exercise remedies outlined within the Participating Addendum based upon such default. A breach of the terms of the Subsidiary Agreement by Local Agency shall give rise to the right of U.S. Bank to terminate this Subsidiary Agreement in accordance with terms outlined within the Participating Addendum and remove Local Agency from the Program.
- 8. RATIFICATION, AMENDMENT AND TERMINATION OF AGREEMENT.** Local Agency acknowledges that U.S. Bank and the State may from time to time enter into amendments of the Participating Addendum. No such amendments shall require the consent of, or notification to, Local Agency and Local Agency shall be bound by the terms contained in any such amendments. **In the event of a termination of the Subsidiary Agreement, Local Agency acknowledges and agrees that Local Agency shall remain liable for all debts arising from the use of a card and/or account prior to the termination date and U.S. Bank will pay applicable rebates in accordance with the Participating Addendum.**

9. AUTHORIZATION AND EXECUTION. This Subsidiary Agreement may be executed in several counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. This Subsidiary Agreement may be executed and delivered by the parties electronically, and fully executed electronic versions of this Subsidiary Agreement, or reproductions thereof, will be deemed to be original counterparts.

The signer(s) represents and warrants that (i) he or she is authorized by an applicable authority to enter into all transactions contemplated by this Subsidiary Agreement, and (ii) the signatures appearing on all supporting documents of authority are authentic.

LOCAL AGENCY**U.S. BANK**

DATE:

1/19/2024

DATE:

Housing Authority of the City of Madera

U.S. Bank National Association

Legal Name of Local Agency



(Signature of Authorized Individual)

Blanca Mendoza-Navarro

(Printed Name of Authorized Individual)

Interim Executive Director

Vice President

(Printed Title of Authorized Individual)

F: ED REPORT



Housing Authority of the City of Madera

BOARD MEMORANDUM

TO: Board of Commissioners
Housing Authority of the City of Madera

BOARD MEETING: February 14, 2024

AGENDA ITEM: F-1

FROM: Blanca Mendoza-Navarro, Interim
Executive Director

AUTHOR: Blanca Mendoza-Navarro, Interim Executive
Director

DATE: February 8, 2024

SUBJECT: COMMUNICATIONS, TRAININGS, AND AUDITS

1. **HUD AUDIT** – HACM Senior Leadership Team met with HUD on January 24, 2024, to discuss the PHARS and SEMAP. HUD will set up monthly meetings to review and ensure compliance with the Recovery Plan.
2. **AGENCY AUDIT** – Smith Marion (auditor) concluded the on-site visit on January 25, 2024, testing began week of 01/29/2024. Unofficial findings went from six down to two or three, which will potentially go down to zero with timely financial documentation submission.
3. **FEE ACCOUNTANT** – BDO submitted a “placeholder” for the FY09/23 Unaudited Financials by the due date of 01/30/2024.
4. **DEPARTMENTAL REPORTS:**
 - a. **HCV** –Staff pulled an additional 250 applicants from the HCV waitlist. There were approximately 70 applicants that returned their initial intake packet. These initial appointments resulted in 20 issuances of vouchers for the month of January. Staff is working on the late HQS inspections. HQS inspections went from over 500 past due down to less than 80, we are at 13% late reporting. iSterling will begin training the new inspector in the new HUD inspection requirements (Nspire) along with Yardi Mobile Inspection. HCV department received two new iPads to conduct the mobile inspection.
 - b. **PUBLIC HOUSING** – Staff continue to work on lease up for the upcoming vacancies. Nspire inspections will start this quarter. Staff is finalizing the purchasing of cameras for Public Housing. We have sim cards.
 - c. **FARM LABOR** – Staff continue to work on lease up for the upcoming vacancies. Staff received the approved 2024 Budget through HCD and completed the 2022 audit. Cameras have been installed at a couple of cameras at the Farm Labor property.
 - d. **MIGRANT** – Staff is finalizing year end reports to submit to OMS.
 - e. **FINANCE** - The department sent all 1099's out to our vendors and landlords and submitted to the IRS before the January 31, 2024, deadline. Finance staff are the first participants in the Madera Housing Authority University through Aspire. Pilot launch – January 16, 2024.





Housing Authority of the City of Madera

5. **NEW STAFF:**

- a. Inspector – Larry Perez – January 29, 2024
 - b. Executive Director – in recruitment, deadline to apply February 29, 2024
 - c. Pomona Maintenance staff – Staff posted the position internally. We received one (1) interest form and made the offer.
6. **CAPITAL FUND GRANT** – HUD granted FY21 Capital Fund grant extension for 18 months, the new date is August 22, 2024. Staff submitted an extension for FY20 & FY22 Capital Fund before the deadline of February 9, 2024. Staff is pending HUD's response. The Capital Fund is used for projects identified in the five (5) year Annual Agency Plan.
7. **MADERA AFFORDABLE HOUSING CORP.** – Staff received a letter from the IRS approving the non-profit status.
8. **MORES Inc.** – Staff and Emilio Huerta met with MORES, Executive Director and MORES legal counsel.
9. **OTHER** – CIIVIC – second co-hort will begin in April. Staff is coordinating to facilitate access to the Kennedy Community Center.

