

# 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](http://www.maderaha.org)

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

### Notice and Agenda

6:00 PM  
Wednesday, August 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](http://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:

[Link to the Zoom Meeting](https://cityofmadera.zoom.us/j/83551779051?pwd=6bawzJxqJQPCs6jaaL4icy5TVNxZvA.1)

<https://cityofmadera.zoom.us/j/83551779051?pwd=6bawzJxqJQPCs6jaaL4icy5TVNxZvA.1>

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. Giselle Flores at [giselle@maderaha.org](mailto:giselle@maderaha.org) or by regular mail sent to the Housing Authority at 205 N G Street, Madera, CA 93637, Attention Giselle Flores.

***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:**

Fred Thurman from Madera Ministries.

**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: FY 2023-2024 HACM Budget Update**

**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 July 10<sup>th</sup>, 2024, Board Meeting Minutes.**

**B-2 Approval of Register Audited Demands for July 2024.**

**B-3 Approval for Out-of-State Travel Training:**

**NAHRO Conference – Orlando Florida – 09/24/2024-09/28/2024**

- Blanca Mendoza-Navarro, Executive Director
- Elsa Mejia, Board Chair

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

**C-1 RESOLUTION NO. 1293 of The Housing Authority of the City of Madera discussion and approval of the HACM By-Laws.**

**C-2 RESOLUTION NO. XXXX of The Housing Authority of the City of Madera, approval to renew lease with CAPMC for Pomona Ranch Daycare.**

**C-3 INFORMATIONAL MEMO – HUD PHARS Recover Agreement.**

**C-4 DISCUSSION MEMO – Special Meetings, scheduled dates.**

**D. WRITTEN COMMUNICATIONS: Giselle Flores, Executive Administrative Assistant**

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

**E-1: Monthly Housing Activity Report**

	24-Jan	24-Feb	24-Mar	24-Apr	24-May	24-Jun	24-Jul	24-Aug	24-Sep	24-Oct	24-Nov	24-Dec
<b>Section 8</b>	<b>Section 8</b>											
Households Assisted	748	761	734	751	715	731	736					
YTD Lease Up projection	93%	95%	91%	93%	89%	91%	92%					
MTD HAP Expenses	\$437,236	\$444,106	\$444,106	\$464,536	\$486,624	\$466,894	\$467,991					
Waiting List	516	516	516	269	270	270	270					
<b>Public Housing</b>	<b>Public Housing</b>											
Vacancies	2	5	2	2	2	2	2					
Waiting List	2794	2800	2800	4382	2,825	2,830	2830					
Unit Turnover	0	1	2	2	1	1	1					
<b>Farm Labor</b>	<b>Farm Labor</b>											
Vacancies	2	2	1	2	2	2	2					
Waiting List	17	20	17	17	14	11	14					
Unit Turnover	1	0	1	2	1	1	1					
<b>Maintenance</b>	<b>MAINTENANCE</b>											
<b>Public Housing</b>	<b>Public Housing</b>											
Open Work Orders	17	14	17	65	52	53	218					
Average days	5	2.4	2.5	15.5	2.4	2.9	26.1					
<b>Farm Labor</b>	<b>Farm Labor</b>											
Open Work Orders	3	2	3	13	25	20	18					
Average days	7.8	4.8	2.6	3.4	3.5	3.6	6.23					

**F. EXECUTIVE DIRECTOR REPORT: Blanca Mendoza-Navarro, 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:** Discussion of litigation matters pursuant to CA Govt. Code Section 54956.9(d)(4):

A. Potential litigation: Public Housing Accommodation – 800 Yosemite

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

**I. ADJOURNMENT:**

The next Regular Monthly Meeting will be Wednesday September 11, 2024, at 6:00 p.m., in the City of Madera, Council Chambers.

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**Certificate of Posting**

I, Giselle Flores, declare under the penalty of perjury under 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 **August 14<sup>th</sup>, 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. 4<sup>th</sup> Street, Madera, CA 93637, at or about 4:30 p.m.

Executed this 8<sup>th</sup> day of August 2024.

*Giselle Flores*

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Giselle Flores  
Executive Administrative Assistant  
Housing Authority of the City of Madera

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## **MINUTES OF THE JULY 10, 2024 REGULAR BOARD MEETING OF THE HOUSING AUTHORITY OF THE CITY OF MADERA**

### **CALL TO ORDER:**

The July 10, 2024, Regular Meeting for the Housing Authority of the City of Madera was called to order by Commissioner Santos Garcia 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:**

Commissioner Cece Gallegos	(In Person at the City of Madera Council Chambers)
Commissioner Jose Rodriguez	(In Person at the City of Madera Council Chambers)
Commissioner Santos Garcia	(In Person at the City of Madera Council Chambers)
Commissioner Artemio Villegas	(In Person at the City of Madera Council Chambers)

### **COMMISSIONERS ABSENT:**

Chairperson Elsa Mejia	(Absent Resulting from a Family Emergency)
Vice Chairperson Anita Evans	(Absent for Medical Reasons)
Commissioner Steve Montes	(Absent for Business Reasons)

### **GUESTS/STAFF PRESENT:**

HACM Executive Director Blanca Mendoza-Navarro (In Person)  
HACM Executive Administrative Assistant Giselle Flores (In Person)  
HACM Legal Counsel Emilio J. Huerta (Via Zoom)  
HACM Finance Manager Alex Estrada (Via Zoom)  
HACM Programs Manager Lucia Lopez (In Person)  
HACM Maintenance Manager Jared Garza (In Person)  
HACM Maintenance Employee Thomas Gonzales (In Person)

**INVOCATION:**

Brandon Hopkins from Madera Ministries led the invocation.

**PLEDGE OF ALLEGIANCE**

HACM Executive Administrative Assistant, Giselle Flores led the Pledge of Allegiance.

**APPROVAL OF AGENDA:**

Commissioner J. Rodriguez moved to approve the Agenda. Commissioner C. Gallegos seconded the motion. The motion passed unanimously.

AYES: (4) Commissioner Cece Gallegos,  
Commissioner Jose Rodriguez,  
Commissioner Santos Garcia, and  
Commissioner Artemio Villegas

ABSENT: (3) Chairperson Elsa Mejia,  
Vice-Chairperson Anita Evans,  
Commissioner Steve Montes,

ABSTAIN: (0)

**PUBLIC COMMENT:**

There were no comments from the public in attendance nor via zoom.

**A. WORKSHOPS:**

None.

**B. CONSENT CALENDAR:**

Approval of consent items.

**B-1 Approval of June 12<sup>th</sup>, 2024, Regular Board Meeting Minutes.**

**B-2 Approval of Register Audited Demands for June 2024.**

There were no comments from the public in attendance nor via zoom.

Commissioner C. Gallegos moved to approve the Consent Calendar items. Commissioner A. Villegas seconded the motion. The motion passed unanimously.

AYES: (4) Commissioner Cece Gallegos,  
Commissioner Jose Rodriguez,  
Commissioner Santos Garcia, and  
Commissioner Artemio Villegas

ABSENT: (3) Chairperson Elsa Mejia,  
Vice-Chairperson Anita Evans,  
Commissioner Steve Montes,

ABSTAIN: (0)

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

**C-1 RESOLUTION NO. 1296 of The Housing Authority of the City of Madera Regarding Acceptance of the Audited Financial Statements for The Fiscal Year Ended September 30, 2023.**

Cole Monroe with Smith Marion presented Resolution No. 1296 Regarding Acceptance of the Audited Financial Statements for The Fiscal Year Ended September 30, 2023. The audit was completed successfully in three (3) months with the help of BDO.

Commissioner J. Rodriguez asked about the statement of cash flows and how it would provide a better projection of the Agency's options. Commissioner J. Rodriguez also inquired if the Agency is in good standing. Mr. Monroe clarified that the Agency is in good standing and suggested reviewing the Agency's budget quarterly to ensure adherence to the approved budget.

There were no comments from the public in attendance nor via zoom.

Commissioner J. Rodriguez moved to approve Resolution No. 1296. Commissioner C. Gallegos seconded the motion. The motion passed unanimously.

AYES: (4) Commissioner Cece Gallegos,  
Commissioner Jose Rodriguez,  
Commissioner Santos Garcia, and  
Commissioner Artemio Villegas

ABSENT: (3) Chairperson Elsa Mejia,  
Vice-Chairperson Anita Evans,  
Commissioner Steve Montes,

ABSTAIN: (0)

**C-2 RESOLUTION NO. 1297: of The Housing Authority of The City of Madera Regarding Annual Agency Plans.**

HACM Executive Director Blanca Mendoza-Navarro presented Resolution No. 1297 regarding the Agency Annual Plans. These plans encompass the Admissions and Continued Occupancy Policy (ACOP) for the Public Housing (PH) program, as well as the Administrative Plan policy

book for the Housing Choice Voucher (HCV) program. Changes to the plans were primarily made to comply with the Housing Opportunity Through Modernization Act (HOTMA) final rules. The Agency Plans need to be submitted to the Consortium before being submitted to HUD.

There were no comments from the public in attendance nor via zoom.

Commissioner J. Rodriguez moved to approve Resolution No. 1297 Commissioner A. Villegas seconded the motion. Commissioner C. Gallegos moved to disapprove the motion.

AYES: (3) Commissioner Jose Rodriguez,  
Commissioner Santos Garcia, and  
Commissioner Artemio Villegas

ABSENT: (3) Chairperson Elsa Mejia,  
Vice-Chairperson Anita Evans,  
Commissioner Steve Montes

ABSTAIN (1) Commissioner Cece Gallegos

The motion passed with three (3) ayes votes and one (1) abstain vote.

### **C-3 RESOLUTION NO. 1298 of The Housing Authority of the City of Madera Regarding Updates to the Procurement Policy**

HACM Executive Director Blanca Mendoza-Navarro presented Resolution No. 1298 regarding updates to the Procurement Policy to comply with current federal and state procurement rules. Staff reviewed the Procurement Policy and updated it based on feedback provided by HUD. Staff recently attended the Housing Agency Procurement and Contracts Management Seminar, sponsored by the Housing Agency Procurement Assistance (HAPA). HUD also reviewed HACM's policy and provided guidance on the threshold for small/micro purchases and the Executive Director's contract signing authority.

Commissioner J. Rodriguez requested clarification on the need to change the contract signing authority from \$25,000 to \$150,000. Ms. Mendoza-Navarro stated that the language in the policy provided updates to the previously adopted threshold; however, she clarified that the procurement requirements would still apply. The update would change the contract signing authority from \$25,000 to \$150,000.

Commissioner J. Rodriguez moved to approve Resolution No. 1298 Commissioner A. Villegas seconded the motion. Commissioner C. Gallegos moved to disapprove the motion.

AYES: (3) Commissioner Jose Rodriguez,  
Commissioner Santos Garcia, and  
Commissioner Artemio Villegas

ABSENT: (3) Chairperson Elsa Mejia,  
Vice-Chairperson Anita Evans,



Commissioner Steve Montes

ABSTAIN: (1) Commissioner Cece Gallegos

The motion passed with three (3) ayes votes and one (1) abstain vote.

**C-4 INFORMATIONAL ITEM: Update on Farm Labor Budget, Rents and Utility Allowances**

HACM Executive Director Blanca Mendoza-Navarro presented an informational update on the Farm Labor budget and proposed changes to the rents and utility allowance. Staff requested a 12% increase to the current Farm Labor Basic Rents. Staff also conducted a utility allowance analysis, which resulted in an increase to the allowance and a decrease in the residents' portion of their Net Tenant Contributions for families receiving Rental Assistance (RA). Residents not receiving RA would see an increase in their Tenant Contribution. Staff prepared an analysis showing that families not receiving RA will still pay less than 30% of their adjusted monthly income.

**D. WRITTEN COMMUNICATIONS:**

No written communications were received.

**E. ADMINISTRATIVE REPORTS:**

**E-1: Monthly Housing Activity Report:**

Executive Director Blanca Mendoza-Navarro presented an update on the numbers for the Housing Choice Voucher (HCV), Public Housing (PH), and Farm Labor (FML) Programs' monthly report. Ms. Mendoza-Navarro stated that the Section 8 program has increased the number of households being assisted for the month of June.

There were no comments from the public in attendance nor via zoom.

**F. EXECUTIVE DIRECTOR REPORT:**

Executive Director Blanca Mendoza-Navarro provided a summary of departmental reports. She mentioned that there are no updates from HUD at this time. The audit for the fiscal year ending September 30, 2023, was submitted on time. Public Housing will begin NSPIRE inspections next week, the first of this type. Ms. Mendoza-Navarro shared statistics on annual certifications and inspections from September 30, 2023, to June 30, 2024. On September 30, 2023, the Agency had 42 late re-examinations and 427 late HQS inspections. By June 30, 2024, these numbers had improved to 11 late re-examinations and 1 late HQS inspection. She expressed appreciation for the HCV staff and inspector for their hard work, which will positively impact the Section Eight Management Assessment Program (SEMAP) scores.

Ms. Mendoza-Navarro also reported that the FSS/ROSS Program held a Resident Advisory Board (RAB) meeting with HCV and Public Housing participants to discuss Agency Plan updates and changes. Staff participated in a community meeting that included neighborhood watch discussions and preparations for National Night Out.

She provided updates on Public Housing (PH), Farm Labor (FML), and the Pomona Migrant Center, which now has 100% Wi-Fi coverage and completed kitchen and bathroom renovations. Regarding the Finance Department, Ms. Mendoza-Navarro stated that the Farm Labor Budget for 2024-2025 was submitted and approved. The staff has implemented the Procure to Pay module in the invoicing system to streamline accounting processes. The Finance Department filled a vacancy with Ricky Santellana, who will start as Accountant Technician II on July 8, 2024. Staff has contracted with NAHRO for a salary compensation and classification study. NAHRO will be on-site on August 6, 2024, to review job duties with staff.

The Finance and Maintenance Managers attended procurement training in Tennessee in June 2024. Ms. Mendoza-Navarro and Finance Manager Alex Estrada will attend Disaster Response and Prevention training in San Francisco at the end of July and will meet with the Consortium. She will also attend the NAHRO National Conference in Orlando, Florida, at the end of September for an Executive Director Bootcamp. Additionally, there is a Commissioner's training in the upcoming NAHRO Conference as well.

There were no comments from the public in attendance nor via zoom.

#### **G. COMMISSIONER REPORTS:**

1. Commissioner C. Gallegos thanked staff for the Neighborhood Watch meeting held at the Kennedy location last night. Commissioner Gallegos also inquired about the installation of cameras at certain facilities, citing the high number of crimes in the area. Additionally, Commissioner Gallegos questioned why the By-Laws were not included in this Board Meeting's agenda, noting that it has been in progress for over a year.

Attorney Emilio J. Huerta explained that due to the absence of several commissioners at this Board Meeting, it was deemed ideal to postpone the By-Laws discussion and present it at the next Board Meeting, given the importance of the topic.

2. Commissioner J. Rodriguez wished everyone a good 4th of July and mentioned the great turnout at the 4th of July Fireworks Spectacular Show. He hopes to have an even better event next year and suggested partnering with the Housing Authority to better inform residents and increase attendance.
3. Commissioner A. Villegas had nothing to report.
4. Commissioner S. Garcia stated that it was important to postpone the By-Laws discussion given the significance of the document and the extensive time invested in it. This postponement would allow other commissioners the opportunity to contribute to this important topic. He also mentioned that the City of Madera, the County, and other sponsors invested significant time and money into the 4th of July Fireworks Show at the Madera Fairgrounds, aiming to reduce the use of illegal fireworks and provide families with a free, enjoyable event.

**H. CLOSED SESSION:** Attorney Emilio J. Huerta

Pursuant to CA Govt. Code 54956.9 (d)(4), the Board of Commissioners temporarily adjourned from open session and met in closed session at 7:34 p.m. regarding the following:

**H-1:** Discussion of litigation matters pursuant to CA Govt. Code Section 54956.9(d)(4):

- A. Phillis Channg v. West Coast USA Properties LLC
- B. Renee Wright v. Housing Authority of the City of Madera
- C. Potential litigation: Public Housing

Upon resuming the closed session, the Board of Commissioners had nothing to report.

There were no other reportable actions.

**I. ADJOURNMENT:**

Commissioner S. Garcia announced that the next regularly monthly scheduled meeting of the Board of Commissioners will be held on Wednesday, August 14<sup>th</sup>, 2024, at 6:00 p.m., in the City of Madera Council Chambers.

The meeting was adjourned at 7:24 p.m.

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**CERTIFICATE OF THE BOARD OF COMMISSIONERS**

The undersigned hereby certifies that the foregoing July 10<sup>th</sup>, 2024, 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 August 14<sup>th</sup>, 2024, where a quorum was present in accordance with the HACM Bylaws.

Executed on this 14<sup>th</sup> day of August 2024.

By: \_\_\_\_\_  
Giselle Flores  
Executive Administrative Assistant  
Housing Authority of the  
City of Madera

# Payment Summary

Bank=revfund AND mm/yy=07/2024-07/2024 AND All Checks=Yes AND Include Voids=All Checks

Bank	Check#	Vendor	Check Date	Post Month	Total Amount	Date Reconciled
revfund - WF Revolving Fund	81	mis01 - MISSION UNIFORM SERVICE 3	07/11/2024	07/2024	-3.41	
revfund - WF Revolving Fund	82	pge01 - P. G. & E.	07/11/2024	07/2024	-4.24	
revfund - WF Revolving Fund	83	mis02 - MISSIONSQUARE-303376	07/10/2024	07/2024	3,346.87	
revfund - WF Revolving Fund	84	pub01 - CA PUBLIC EMPLOYEES' RETIREMENT ...	07/10/2024	07/2024	7,519.10	
revfund - WF Revolving Fund	85	usbank001 - U.S. Bank National Association	07/30/2024	07/2024	4,368.51	
revfund - WF Revolving Fund	86	mis02 - MISSIONSQUARE-303376	07/19/2024	07/2024	3,222.23	
revfund - WF Revolving Fund	87	pub01 - CA PUBLIC EMPLOYEES' RETIREMENT ...	07/22/2024	07/2024	7,279.58	
revfund - WF Revolving Fund	88	pub02 - CA Public Employees' Health	07/17/2024	07/2024	20,912.01	
revfund - WF Revolving Fund	46799	scha001 - Chambers	07/01/2024	07/2024	1,443.22	
revfund - WF Revolving Fund	46800	ADP00 - ADP, INC.	07/03/2024	07/2024	105.00	
revfund - WF Revolving Fund	46801	ale00 - ALESHIRE & WYNDER, LLP	07/03/2024	07/2024	3,986.00	
revfund - WF Revolving Fund	46802	app00 - APPLEONE EMPLOYMENT SVCS	07/03/2024	07/2024	3,993.96	
revfund - WF Revolving Fund	46803	att06 - AT&T CALNET	07/03/2024	07/2024	232.77	
revfund - WF Revolving Fund	46804	bct00 - BCT CONSULTING, INC.	07/03/2024	07/2024	763.73	
revfund - WF Revolving Fund	46805	bdo00 - BDO USA, P.A.	07/03/2024	07/2024	438.75	
revfund - WF Revolving Fund	46806	BRI04 - BRIAN'S HEATING & COOLING	07/03/2024	07/2024	1,041.00	
revfund - WF Revolving Fund	46807	CEN14 - CENTRAL VALLEY OVERHEAD D	07/03/2024	07/2024	95.00	
revfund - WF Revolving Fund	46808	com0h - COMCAST	07/03/2024	07/2024	701.35	
revfund - WF Revolving Fund	46809	CRE03 - CREATIVE COPY	07/03/2024	07/2024	536.30	
revfund - WF Revolving Fund	46810	CWS01 - CORBIN WILLITS SYSTEM INC	07/03/2024	07/2024	755.50	
revfund - WF Revolving Fund	46811	FER04 - FERGUSON ENTERPRISES, INC	07/03/2024	07/2024	1,494.13	
revfund - WF Revolving Fund	46812	hartford - THE HARTFORD	07/03/2024	07/2024	779.27	
revfund - WF Revolving Fund	46813	hds00 - HD SUPPLY FACILITIES MAINTENANCE	07/03/2024	07/2024	575.97	
revfund - WF Revolving Fund	46814	hue01 - LAW OFFICE OF EMILIO J. HUERTA	07/03/2024	07/2024	4,485.00	
revfund - WF Revolving Fund	46815	ins01 - INSIGHT EMPLOYEE ASSISTANCE PROGRAM	07/03/2024	07/2024	45.00	
revfund - WF Revolving Fund	46816	JOH04 - JOHNSON CONTROLS FIRE PRO	07/03/2024	07/2024	1,032.26	
revfund - WF Revolving Fund	46817	kjwater00 - KJ Water Services	07/03/2024	07/2024	476.00	
revfund - WF Revolving Fund	46818	lls00 - Language Line Services, Inc.	07/03/2024	07/2024	10.67	
revfund - WF Revolving Fund	46819	mad02 - CITY OF MADERA UTILITY BILLING	07/03/2024	07/2024	17,680.20	
revfund - WF Revolving Fund	46820	mad03 - CITY OF MADERA CITY SERVICES	07/03/2024	07/2024	7,916.67	
revfund - WF Revolving Fund	46821	met00 - METROPOLITAN LIFE INSURANCE COMPANY	07/03/2024	07/2024	1,203.49	
revfund - WF Revolving Fund	46822	mis01 - MISSION UNIFORM SERVICE 3	07/03/2024	07/2024	143.46	
revfund - WF Revolving Fund	46823	nav04 - NAVIA BENEFIT SOLUTIONS,	07/03/2024	07/2024	200.00	
revfund - WF Revolving Fund	46824	off02 - ODP BUSINESS SOLUTIONS, LLC	07/03/2024	07/2024	71.40	
revfund - WF Revolving Fund	46825	pera4 - PERIMETER PEST CONTROL	07/03/2024	07/2024	420.00	
revfund - WF Revolving Fund	46826	pge01 - P. G. & E.	07/03/2024	07/2024	1,063.79	
revfund - WF Revolving Fund	46827	qua06 - QUADIENT LEASING USA, INC	07/03/2024	07/2024	681.69	
revfund - WF Revolving Fund	46828	qua07 - QUADIENT FINANCE USA, INC	07/03/2024	07/2024	1,304.00	
revfund - WF Revolving Fund	46829	QUI9B - QUINN COMPANY	07/03/2024	07/2024	2,144.59	
revfund - WF Revolving Fund	46830	ric05 - RICOH USA, INC.	07/03/2024	07/2024	501.20	
revfund - WF Revolving Fund	46831	rlts001 - Rod's Landscape and Tree Service Inc.	07/03/2024	07/2024	13,895.00	

# Payment Summary

Bank=revfund AND mm/yy=07/2024-07/2024 AND All Checks=Yes AND Include Voids=All Checks

Bank	Check#	Vendor	Check Date	Post Month	Total Amount	Date Reconciled
revfund - WF Revolving Fund	46832	rot01 - ROTH STAFFING COMPANIES, L.P.	07/03/2024	07/2024	5,675.72	
revfund - WF Revolving Fund	46833	rvd02 - RVD HEATING & AIR AND SON	07/03/2024	07/2024	4,050.00	
revfund - WF Revolving Fund	46834	smith001 - Smith Marion & Co., Inc	07/03/2024	07/2024	9,098.00	
revfund - WF Revolving Fund	46835	spe00 - SPECIALTY LANDSCAPE, INC.	07/03/2024	07/2024	15,890.00	
revfund - WF Revolving Fund	46836	ste02 - STERICYCLE, INC.	07/03/2024	07/2024	716.12	
revfund - WF Revolving Fund	46837	TEC06 - TECH HEROES, INC.	07/03/2024	07/2024	2,763.00	
revfund - WF Revolving Fund	46838	TMO00 - T-MOBILE USA INC.	07/03/2024	07/2024	854.74	
revfund - WF Revolving Fund	46839	van00 - VAN DE POL ENTERPRISES	07/03/2024	07/2024	301.30	
revfund - WF Revolving Fund	46840	WIL01 - SHERWIN WILLIAMS COMPANY	07/03/2024	07/2024	306.77	
revfund - WF Revolving Fund	46841	law0001 - Lawlor	07/18/2024	07/2024	66.00	
revfund - WF Revolving Fund	46842	law0001 - Lawlor	07/18/2024	07/2024	66.00	
revfund - WF Revolving Fund	46843	pge01 - P. G. & E.	07/18/2024	07/2024	66.00	
revfund - WF Revolving Fund	46844	rub0002 - Rubio	07/18/2024	07/2024	57.00	
revfund - WF Revolving Fund	46845	saa0002 - Saavedra	07/18/2024	07/2024	75.00	
revfund - WF Revolving Fund	46846	ADP00 - ADP, INC.	07/18/2024	07/2024	100.00	
revfund - WF Revolving Fund	46847	agu00 - AGUILAR, DANENE L.	07/18/2024	07/2024	12,900.00	
revfund - WF Revolving Fund	46848	app00 - APPLEONE EMPLOYMENT SVCS	07/18/2024	07/2024	2,828.64	
revfund - WF Revolving Fund	46849	att06 - AT&T CALNET	07/18/2024	07/2024	171.80	
revfund - WF Revolving Fund	46850	bct00 - BCT CONSULTING, INC.	07/18/2024	07/2024	367.50	
revfund - WF Revolving Fund	46851	ben00 - BENJAMIN, NICHOLAS	07/18/2024	07/2024	780.06	
revfund - WF Revolving Fund	46852	BOG00 - THOMAS AND ASSOCIATES	07/18/2024	07/2024	805.00	
revfund - WF Revolving Fund	46853	com0h - COMCAST	07/18/2024	07/2024	701.53	
revfund - WF Revolving Fund	46854	con0c - CONCENTRA MEDICAL CENTERS	07/18/2024	07/2024	99.00	
revfund - WF Revolving Fund	46855	DIA01 - DIAMOND COMMUNICATION,INC	07/18/2024	07/2024	204.00	
revfund - WF Revolving Fund	46856	gec01 - GE Appliances, A Haier Company	07/18/2024	07/2024	54.59	
revfund - WF Revolving Fund	46857	hds00 - HD SUPPLY FACILITIES MAINTENANCE	07/18/2024	07/2024	5,447.32	
revfund - WF Revolving Fund	46858	jrod001 - Jesse Rodriguez	07/18/2024	07/2024	512.00	
revfund - WF Revolving Fund	46859	mad02 - CITY OF MADERA UTILITY BILLING	07/18/2024	07/2024	34,759.46	
revfund - WF Revolving Fund	46860	mad03 - CITY OF MADERA CITY SERVICES	07/18/2024	07/2024	7,916.63	
revfund - WF Revolving Fund	46861	mad0g - MADERA CHAMBER OF	07/18/2024	07/2024	390.00	
revfund - WF Revolving Fund	46862	mil0002 - Milan	07/18/2024	07/2024	337.00	
revfund - WF Revolving Fund	46863	mis01 - MISSION UNIFORM SERVICE 3	07/18/2024	07/2024	71.73	
revfund - WF Revolving Fund	46864	nah03 - NAHRO	07/18/2024	07/2024	1,896.00	
revfund - WF Revolving Fund	46865	nat0l - NATIONAL CREDIT REPORTING	07/18/2024	07/2024	134.25	
revfund - WF Revolving Fund	46866	nel00 - The NelRod Company	07/18/2024	07/2024	2,685.00	
revfund - WF Revolving Fund	46867	off02 - ODP BUSINESS SOLUTIONS, LLC	07/18/2024	07/2024	324.85	
revfund - WF Revolving Fund	46868	pera4 - PERIMETER PEST CONTROL	07/18/2024	07/2024	450.00	
revfund - WF Revolving Fund	46869	pge01 - P. G. & E.	07/18/2024	07/2024	7,085.49	
revfund - WF Revolving Fund	46870	pre06 - PRESTIGE CUSTOM GLASS	07/18/2024	07/2024	719.65	
revfund - WF Revolving Fund	46871	psw02 - PSWRC-NAHRO	07/18/2024	07/2024	307.20	
revfund - WF Revolving Fund	46872	QUI9B - QUINN COMPANY	07/18/2024	07/2024	2,048.39	

Payment Summary

Bank=refund AND mm/yy=07/2024-07/2024 AND All Checks=Yes AND Include Voids=All Checks

Bank	Check#	Vendor	Check Date	Post Month	Total Amount	Date Reconciled
refund - WF Revolving Fund	46873	ric05 - RICOH USA, INC.	07/18/2024	07/2024	2,419.09	
refund - WF Revolving Fund	46874	rot01 - ROTH STAFFING COMPANIES, L.P.	07/18/2024	07/2024	3,864.32	
refund - WF Revolving Fund	46875	rvd02 - RVD HEATING & AIR AND SON	07/18/2024	07/2024	1,170.00	
refund - WF Revolving Fund	46876	sie05 - SIERRA HR PARTNERS	07/18/2024	07/2024	308.95	
refund - WF Revolving Fund	46877	spec001 - Charter Communications Holdings, LLC	07/18/2024	07/2024	597.32	
refund - WF Revolving Fund	46878	ste02 - STERICYCLE, INC.	07/18/2024	07/2024	357.40	
refund - WF Revolving Fund	46879	TOP01 - TOP PLUMBING	07/18/2024	07/2024	1,200.00	
refund - WF Revolving Fund	46880	van00 - VAN DE POL ENTERPRISES	07/18/2024	07/2024	556.35	
					251,413.19	



## Housing Authority of the City of Madera

### **BOARD MEMORANDUM**

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

**BOARD MEETING:** August 14, 2024

**AGENDA ITEM:** B-3

**FROM:** Blanca Mendoza-Navarro, Executive  
Director

**AUTHOR:** Blanca Mendoza-Navarro, Executive Director  
**DATE:** August 6, 2024

**SUBJECT:** Out-Of-State Travel: 2024 National NAHRO Conference in Orlando FL 09/24/2024 through 09/28/2024.

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#### **EXECUTIVE SUMMARY:**

The purpose of this memo is to request out-of-state travel approval for Executive Director Blanca Mendoza-Navarro and Chair Elsa Mejia to attend the 2024 National NAHRO Conference.

The conference will be held at the Marriott Orlando World Center Hotel. This year's National Conference will be focused on various topics such as, Advocacy, Community Development, Commissioners training, Community Partnerships, Cybersecurity and IT, FSS, HCV, Homelessness, Public Housing, Small Agencies, and professional growth in the affordable housing industry to name a few.

The conference begins on Wednesday, September 25, 2024, with the NAHRO Commissioner Fundamentals seminar which will take place over a day and half (1-1/2) and a full day of Executive Director Bootcamp. The conference ends on Saturday, September 28, 2024, with a closing plenary session.

On Thursday, September 26, 2024, the Commissioner Fundamental seminar continues. The conference agenda features an overview for first time attendees, and eight (8) concurrent plenary sessions throughout the day on various topics, such as HUD Programs for Public Housing Preservation and Development and Eradicating Homelessness Using HUD Programs. Orlando Housing Authority is coordinating a tour of the Local Housing and Community Development.

On Friday, September 27, 2024, the conference continues with concurrent sessions throughout the day with Repositioning and Understanding Instrumentalities and Affiliates, Strategies to Avoid Troubled Status for Small PHAs, and Public Housing Energy and Water Efficiency Opportunities to name a few.

The conference wraps up on Saturday morning, September 28, 2024, with a closing plenary session.





## Housing Authority of the City of Madera

The NAHRO National Conference will be beneficial for Staff and Chair, specifically with the Executive Director's Bootcamp, Commissioners training, and Strategies to Avoid Troubled Status for Small PHAs. These topics will help better understand the HUD housing programs, requirement, roles, and strategic planning for the Agency's future.

### **RECOMMENDATION:**

Staff Recommends the Board Approve Out-Of-State travel for the HACM Executive Director, Blanca Mendoza-Navarro, and Chair, Elsa Mejia to attend the 2024 National NAHRO Conference.

### **FISCAL IMPACT:**

There is no fiscal impact as this training and travel have been budgeted in the FY2023-2024 Budget.







## Housing Authority of the City of Madera

### **BOARD MEMORANDUM**

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

**BOARD MEETING:** August 14, 2024

**AGENDA ITEM:** C-1

**FROM:** Blanca Mendoza-Navarro, Executive  
Director

**AUTHOR:** Blanca Mendoza-Navarro, Executive Director

**DATE:** August 8, 2024

**SUBJECT:** Resolution #1293 of the Housing Authority of the City of Madera Discussion and Consideration of Approval of the By Laws.

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#### **EXECUTIVE SUMMARY:**

The purpose of this memo is to discuss the updates for the By Laws of the Housing Authority of the City of Madera with the Board of Commissioners and approve the final draft.

Staff along with the Ad Hoc By Laws Committee and Legal Counsel have been working on updating the By Laws for HACM.

Staff reviewed the comments received by the Board of Commissioners. Attached is the most recent draft that incorporates the original language under Article IV – Officers for comparison. The highlighted areas identify either current language (red text) or new language. Staff is seeking a consensus for either current or new language and adoption of the HACM By Laws.

#### **RECOMMENDATION:**

Staff recommends the Board of Commissioners to approve the updated By Laws for the Housing Authority of the City of Madera. Staff recommends the selection of a new Chair and Vice Chair for the new term be held at the annual meeting in January 2025.

#### **FISCAL IMPACT:**

There is no Fiscal Impact



## **RESOLUTION NO. 1293**

### **RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF MADERA APPROVING AMENDED HOUSING AUTHORITY BYLAWS**

#### **RECITALS**

A. **WHEREAS**, the Board of Commissioners of the Housing Authority of the City of Madera (the “Housing Authority”) has not revised its By Laws since their initial adoption;

B. **WHEREAS**, Housing Staff, along with an Ad Hoc By Laws Committee of the Board of Commissioners and Legal Counsel, have been working on updating the Housing Authority By Laws;

C. **WHEREAS**, the Ad Hoc Committee reviewed the original By Laws and incorporated the previous language with the updated needed language;

D. **WHEREAS**, if Board of Commissioners approves the Amended By Laws, then the election process will take place at the Annual Meeting in January 2025; and

E. **WHEREAS**, the Housing Authority staff recommends the Board of Commissioners to approve to adopt the amended By Laws.

**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. Approval of Amended Bylaws for the Housing Authority of the City of Madera. The Housing Authority’s Board of Commissioners, having considered the above request for a resolution, herein approves the adoption of Amended Bylaws.

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 14<sup>th</sup> day of August, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Chairperson Elsa Mejia

ATTEST:

\_\_\_\_\_  
Executive Director  
Blanca Mendoza-Navarro

I, Giselle Flores, Executive Administrative Assistant to the Executive Director for the Housing Authority of the City of Madera herein attests or certifies, as a witness to a board meeting held on August 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: \_\_\_\_\_  
Giselle Flores  
Executive Administrative Assistant

Approved as to Legal Form:

\_\_\_\_\_  
Emilio J. Huerta, Legal Counsel

**BY-LAWS  
OF THE  
HOUSING AUTHORITY OF THE CITY OF MADERA**

**AS AMENDED ON \_\_\_\_\_, 2024  
BY RESOLUTION NO. \_\_\_\_**

**ARTICLE I - RECITALS**

**WHEREAS**, pursuant to California Health and Safety Code Section 34240, et seq., in December 1968, the City of Madera, a governmental entity politic, established the Housing Authority of the City Madera ("**Housing Authority**").

**WHEREAS**, under the provisions of the United States Housing Act of 1937, as amended, ("**Act**"), the Department of Housing and Urban Development ("**HUD**") is authorized to provide financial assistance to public housing agencies for undertaking and carrying out the development and operation of low rent housing projects that will assist in the meeting of this goal;

**WHEREAS**, the mission of the Housing Authority is to increase the inventory of affordable housing in and around Madera County by developing, constructing, and/or owning affordable housing units; and

**WHEREAS**, in furtherance of its mission, the Housing Authority, through HUD, issues housing vouchers for tenants in need of financial assistance to secure safe and decent affordable rental housing.

**NOW THEREFORE**, the Board of Commissioners of the Housing Authority adopts the following rules and regulations with respect to the governance of the Housing Authority.

**ARTICLE II - THE HOUSING AUTHORITY**

**Section 1. Name of the Housing Authority**

The name of the Housing Authority shall be the "***Housing Authority of the City of Madera.***"

**Section 2. Seal of Housing Authority**

The seal of the Housing Authority shall be in the form of a circle and shall bear the name of the Housing Authority and the year of establishment.

**Section 3. Office of Housing Authority**

The offices of the Housing Authority shall be at 205 N G Street, Madera, California, or at such a location in the City of Madera, State of California, as the Housing Authority may from time to time designate by resolution. The Housing Authority may hold its meetings at such places as may from time to time designate by resolution.

**Section 4. Responsibility of the Housing Authority**

The legal responsibilities of the Housing Authority are delineated in the Housing Authorities Law of the State of California ([California Health and Safety Code Section 34200](#), et seq.) and all other applicable laws of the State of California.

**ARTICLE III - GENERAL PROVISIONS**

**Section 1. Bylaws**

These Bylaws shall serve to govern the Housing Authority's Board of Commissioners, who shall serve as the governing body for the Housing Authority ("**Board of Commissioners**"). A copy of these Bylaws shall be maintained at the office of the Housing Authority and posted on the Housing Authority's website.

**Section 2. Number of Commissioners**

The Board of Commissioners shall consist of seven (7) members.

**Section 3. Appointment of Commissioners – Council Members of the City of Madera**

Members of the Board of Commissioners shall consist of elected and/or appointed members of the Madera City Council, individual professionals who are residents of the City of Madera, and residents of residential property owned by the Housing Authority ("**Resident Commissioners**").

**Section 4. Non-Elected Council Members**

Upon a vote of a majority of the Board of Commissioners, the Commissioners may appoint individual professionals who are residents of the City of Madera and Resident Commissioners, as permitted by the California Housing Authorities Law.

**Section 5. Term of Office**

Upon election and/or appointment, Commissioners shall serve a four (4) year term.

**Section 6. Eligibility for Continued Membership**

All Commissioners must be residents of the City of Madera. Individuals shall be eligible to serve on the Board of Commissioners so long as they retain their elected or appointed status. Should the offices of the Chair or Vice Chair become vacant, the Housing Authority shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office.

**Section 7. Vacancies**

A vacancy will occur upon the resignation or death of a Commissioner, a Commissioner no longer resides in the City of Madera, upon a Commissioner's removal for neglect or misconduct, and/or upon the removal of office by the Board of Commissioners as provided in these By Laws.

**Section 8. Per Diem/Reimbursement**

Commissioners are not entitled to receive any per diem for attendance at a regular or special meetings unless such meetings are out of town and attended to specifically for behalf of the Housing Authority; whereupon a Commissioner attending such meeting shall be eligible to be

reimbursed reasonable costs of travel, lodging, and meals. There will be no reimbursement for community meetings, committee meetings, or other similar Ad Hoc sessions. For the purposes of Per Diem/Reimbursement for travel to Housing Authority trainings or conferences, the Board of Commissioners shall follow the Housing Authority's Travel Policy.

**Section 9. Meeting Attendance**

Commissioners must attend all meetings of the Housing Authority in person, unless otherwise excused **as provided by** the Brown Act, as amended from time to time.

**Section 10. Removal for Unexcused Absences**

The Board of Commissioners shall have the authority, upon a majority vote, to remove a Commissioner as a result of having missed three (3) or more meetings in a single year without a reasonable excuse.

**Section 11. Contract for Personnel Services**

The Board of Commissioners may satisfy the Housing Authority's management and personnel needs through direct hiring, contracts with other public agencies, or contracts with individuals whom it deems necessary to exercise its powers, duties and functions as prescribed by the Housing Authorities Law of California. When feasible, the Board of Commissioners shall issue requests for proposals in accordance with the Housing Authority's procurement policies and procedures.

**Section 12. Inquiries and Recommendations**

The Board of Commissioners may make inquiries and make recommendations to the Executive Director but will refrain from engaging in the day-to-day operations of the Housing Authority.

**ARTICLE IV - OFFICERS**

**Section 1. Officers**

The Officers of the Housing Authority shall be the (1) Chair, (2) Vice Chair, and (3) Secretary.

**Section 2. Election Chair and Vice Chair**

The Chair and Vice Chair shall be elected from the Board of Commissioners at the Annual Meeting. Upon election, the Chair and Vice Chair shall immediately assume their offices at the meeting where they are elected.

RESO #615 adopted 12/13/2000 Method used when electing Chairperson and Vice Chair (Current process).

Chairman and Vice Chairman shall be elected at HACM annual meeting from among the Commissioners of the Authority and shall hold office for one year or until their successors are elected and qualified; except that the first Chairman shall hold office until the expiration of his term as Commissioner.

(a) At its regular meeting in the month of December, the Board of Commissioners shall meet and choose one of its members as Chairperson, and one of its members as Vice-Chairperson. *The Commissioner selected as Chairperson, however, shall have served at least one year as a*

*member of the Board of Commissioners* and shall be chosen from such members of the Board of Commissioners who have not previously served as Chairperson unless all members have served.

(b) All Board of Commissioners Members have served a term as Chairperson, *the person to be selected as Chairperson shall be the person who has not served as Chairperson* for the longest period of time.

(c) Selection of Chairperson is to be made from Commissioners who have not yet served as Chairperson, the person who is otherwise qualified and has served on the Board of Commissioners the longest without being Chairperson shall be selected as Chairperson. In the case where two or more persons qualified to be selected as Chairperson have served the same amount of time as a Commissioner without being Chairperson, the names of those person shall be placed in nomination and elected by popular vote of the Board of Commissioners.

(d) If the person who is to be selected pursuant to these Bylaws as Chairperson declines the position, then the person who would next be selected as Chairperson under these Bylaws, shall be selected.

(e) At the time of selection of Chairperson, the Commissioner who would qualify to be selected as Chairperson in the next following year by the criteria above shall be named Vice-Chairperson for the current year.

### **Section 3. Term of Office**

The Chair and Vice Chair shall be elected for a two (2) year term of office.  
Current By Laws state one (1) year term.

### **Section 4. Duties of the Chair**

The Chair shall preside over all meetings of the Board of Commissioners. Except as otherwise authorized by these Bylaws or upon adoption of a resolution, the Chair shall sign all checks, all contracts, deeds and other instruments approved by the Board of Commissioners and such other documents required be the United States Department of Housing and Urban Development (“HUD”) or required by law.

### **Section 5. Duties of the Vice Chair**

The Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair; and in case of the resignation or death of the Chair, the Vice Chair shall perform such duties as are imposed on the Chair until such time as the Board of Commissioners elects a new Chair. Designated <sup>1</sup>Commission (s) as alternates to execute orders and checks when the same cannot be executed by Chair.

### **Section 6. Past Chair**

The Past Chair shall perform the duties of the Chair in the absence or incapacity of the Chair and/or Vice Chair and in the case of the resignation or death of either shall perform such duties as are

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<sup>1</sup> Resolution #12 Adopted 05/18/1970 – added Designated Commissioners as alternates to execute orders and checks when the same cannot be executed by chairman.

imposed on the Chair until such time as the Board of Commissioners elects a new Chair or Vice Chair.

Adopted Bylaws (Reso #12 adopted 05/18/1970) had Designated Commissioners as alternates to execute orders and checks when the same cannot be executed by the Chairman. Added Past Chair to capture the above. (Current language)

**Section 7. Removal of Chair and Vice Chair**

Upon a vote of a majority of Commissioners, the Chair and Vice Chair may be removed from office for dereliction of duty, negligence, or malfeasance prior to the expiration of their term of office.

**Section 8. Filing of Vacancy of Chair and Vice Chair**

Should the office of the Chair or Vice Chair become vacant, a successor shall be elected from the Board of Commissioners at its next meeting, for the remainder of the unexpired term of the office for which such Commissioner was elected.

**Section 9. Secretary of the Board of Commissioners**

The Executive Director of the Housing Authority shall serve as the Secretary of the Board of Commissioners.

**Section 10. Additional Duties**

The Officers of the Housing Authority shall perform such other duties and functions as may be required from time to time by the Housing Authority, these Bylaws, and HUD.

**ARTICLE V - EXECUTIVE DIRECTOR**

**Section 1. Employment of the Executive Director**

The Executive Director shall be employed under an agreement, the terms and conditions of which will be solely negotiated and entered into by and between the Board of Commissioners and the Executive Director.

**Section 2. Duties of the Executive Director**

The duties of the Executive Director shall include, but will not be limited to, the following:

- A. The Executive Director shall serve in the capacity of the Chief Executive Officer and manage all business affairs of the Housing Authority.
- B. Serve as the Secretary of the Board of Commissioners.
- C. Serve as the Chair and Executive Director of all Housing Authority non-profit corporate subsidiaries.
- D. The Executive Director shall have the power and it shall be his/her duty to:
  - 1. Provide for the care and custody of all funds and deposit the same in the name of the Housing Authority in such bank(s) as the Board of Commissioners may select.



2. Sign all orders and checks for the payment of money and pay out and disburse funds under the direction of the Board of Commissioners.
3. Keep or cause to be kept regular books of accounts showing receipts and expenditures and render to the Board of Commissioners, at each regular meeting, an account of transactions and financial condition of the Housing Authority.
4. Keep a written record of all business transacted by the Housing Authority.
5. Plan, organize, coordinate, all meetings of the Board of Commissioners.
6. Coordinate the scheduling of Special Meetings of the Board of Commissioners. Upon scheduling a Special Meeting, the Executive Director shall poll Commissioners so as to determine their availability in an effort to ensure participation of all Commissioners at such Special Meeting.
7. Meet with the Chair of the Board of Commissioners prior to all meetings so as to review the proposed Agenda for any meeting.
8. Maintain the official records of the Board of Commissioners.
9. Keep the records and the seal of the Housing Authority.
10. Prepare the Housing Authority's budget.
11. Supply the Board of Commissioners with information and recommendations necessary to carry out the purposes of the Housing Authority and to properly administer its affairs.
12. Carry out all policies established by the Board of Commissioners and advise the Board of Commissioners on formation of those policies.
13. Review, and administer all Housing Authority programs and activities, including setting rents and security deposits, maintenance charges, and approving utility allowances in accordance with applicable federal and state laws.
14. Sign all binding contracts, deeds, and other instruments made by the Housing Authority as authorized by the Board of Commissioners, except said documents required to be signed by the Chair by virtue of law or HUD regulations.
15. The Executive Director may satisfy the Housing Authority's management and personnel needs through direct hiring, contracts with other public agencies, or contracts with individuals whom he/she deems necessary to fulfill the needs of the Housing Authority.
16. Adhere to the Housing Authority's procurement policies and procedures when contracting for services for the benefit of the Housing Authority.
17. Assign and supervise employees in the performance of their duties.

18. Approve all timecards for all Housing Authority employees.
19. Authorize all Housing Authority employee payroll.
20. Appoint, discipline, and remove all employees of the Housing Authority.
21. Undertake, as often as necessary, performance evaluations of all Housing Authority Department Managers.
22. Direct, review, and approve the performance evaluations of all Housing Authority employees.
23. Establish policies and procedures for the safe-guard and maintenance of “Petty Cash” and provide an accounting of all Petty Cash expenditures.
24. Timely notify the Board of Commissioners of any act or event which may subject the Housing Authority to legal liability and potential damages.
25. Perform such other duties as the Board of Commissioners may prescribe to the Executive Director from time to time.

## **ARTICLE VI - MEETINGS**

### **Section 1. Place of Regular Meetings**

The Housing Authority shall hold all meetings at 205 West 4th Street, Madera, CA 93637.

### **Section 2. Date and Time of Regular Meetings**

Regular meetings shall be held at 6:00 p.m. on the second Wednesday of each month, unless the same shall be a legal holiday, in which event said meeting shall be held on the next succeeding business day. Meetings will continue until such a time as all scheduled business has been completed. The date and time of Regular meetings may be changed from time-to-time to accommodate public access.

### **Section 3. Annual Meeting<sup>2</sup>**

The Annual Meeting of the Housing Authority shall be held on the second Wednesday of January at 6:00 PM at the regular meeting place of the Housing Authority.

### **Section 4. Special Meetings**

Special meetings may be called by either the Chair, the Executive Director, or alternatively by two (2) Commissioners for the purpose of transacting only those items of business specifically set forth in the notice issued for such a special meeting. Upon scheduling a Special Meeting, the Executive Director will be tasked with undertaking a poll or survey of all Commissioners to determine their availability in an effort to seek **the** participation of all Commissioners at such meeting. The notice of the special meeting shall specify the time and place of such special meeting.

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<sup>2</sup> Resolution #769 – approved 01/10/20217, Annual Meeting is the second Wednesday of January at 6:00 PM, regular meeting is the second Wednesday of the month at 6:00 PM.

**Section 5. Conformance with Ralph M. Brown Act**

At all times while serving as a member of the Housing Authority's Board of Commissioners, each member and each meeting of the Board of Commissioners shall conform to the provisions of the Ralph M. Brown Act (California Government Code Section 54950 et seq.). All of the meetings of the Board of Commissioners, whether regular or special, shall be open to the public except Closed Session meetings.

**Section 6. Closed Sessions**

The Board of Commissioners may call for Closed Session in accordance with the Ralph M. Brown Act at any Regular or Special meeting. All Closed Session meetings shall be closed to the public. Minutes will be recorded by the Housing Authority's legal counsel as to any actions voted upon during a Closed Session meeting.

**Section 7. Order of Business - Meeting Agendas**

At the regular meetings of the Housing Authority, the following shall be the order of business:

- A. CALL TO ORDER
- B. ROLL CALL
- C. INVOCATION
- D. PLEDGE OF ALLEGIANCE
- E. APPROVAL OF AGENDA
- F. PUBLIC COMMENT: (Non-Agenda, Public Comment). All meeting agendas posted for public consideration shall include the following statement: "The first 15 minutes of the meeting are reserved for members of the public to address the Housing Authority's Board of Commissioners on items which are within the subject matter jurisdiction of the Board of Commissioners. Speakers shall be limited to 3 minutes. Speakers will be asked, but are not required, to identify themselves and state the subject of their comments. If the subject is an item on the agenda, the Chair has the option of asking the speaker to hold the comment until such an item is called. Comments on items listed as a public hearing on the agenda should be held until the hearing is open. The Board of Commissioners is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusion should be drawn if the Board of Commissioners does not respond to the public comment at this time.
- G. WRITTEN COMMUNICATIONS (Correspondence or communications received from the public or third parties).
- H. PRESENTATIONS
- I. INTRODUCTIONS
- J. WORKSHOPS

- K. CONSENT CALENDAR: Items considered routine, and which will be enacted, approved, or adopted by a single motion, unless a Commissioner or a member of the public requests removal of an item from the Consent Calendar for separate discussion and or explanation.
- L. RESOLUTIONS, AGREEMENTS, BIDS, HEARINGS, AND/OR PETITIONS
- M. ADMINISTRATIVE REPORTS
- N. EXECUTIVE DIRECTOR'S REPORT
- O. COMMISSIONERS' REPORTS/FUTURE AGENDA ITEMS
- P. CLOSED SESSION
- Q. ADJOURNMENT

#### **Section 8. Public Discussion**

- A. Public discussion should not be used to elicit a debate between the Board of Commissioners and the public.
- B. Speakers should not be interrupted unless they are out of order.
- C. No one shall be allowed to speak for more than three (3) minutes unless granted additional time by the Chair.
- D. When a motion is pending, no person other than a Commissioner shall address the Board after first requesting permission from the Chair.
- E. Public discussion shall precede deliberation on a motion.
- F. Absent Board approval, no public discussion shall be permitted after a motion to terminate further deliberation has been adopted.

#### **Section 9. Board Deliberation and Action**

- A. **Board Chair.** The Board Chair may participate in deliberations on all items and shall not be deprived of any of the rights and privileges as a member of the Board of Commissioners by reason of being the Presiding Officer.
- B. **Getting the Floor.** Every member desiring to speak shall first address the Board Chair and, upon recognition by the Chair, shall confine comments to questions on the subject matter under deliberation.
- C. **Interruptions.** A Commissioner, once recognized, shall not be interrupted when speaking, except to clarify a point of order. If a point of order is raised while a Commissioner is speaking, said Commissioner shall cease speaking until the question of order is clarified, and, if in order, said Commissioner shall be permitted to proceed.

- D. **Remarks Entered in Minutes.** Any Commissioner may request, through the Board Chair, the privilege of having a written abstract of said Commissioner's statement on any subject under consideration by the Board entered into the Minutes. If the Board consents thereto, such a statement shall be entered in the Minutes.
- E. **Motion to Reconsider.** A motion to reconsider any action taken by the Board of Commissioners may be made only on the date such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion must be made by a member voting with the majority and may be made at any time and have precedence over all other motions, or while a member has the floor. Any motion for reconsideration shall be debatable. Nothing herein shall be construed to prevent any Commissioner from making or remaking the same or other motion at a subsequent meeting of the Board or making a motion to rescind.
- F. **Motion to Table.** A motion to table a matter shall preclude all amendments or deliberation of the subject under consideration. If the motion prevails, the consideration of the subject may be resumed only upon a motion of a member voting with the majority.
- G. **Motion to Call for a Question or Continue to a Specific Date.** A motion to call for the question or continue the matter to a specific date shall preclude all amendments to or deliberation of the subject under consideration and is not debatable.
- H. **Statement of Position.** When a motion to call for question or table is adopted, Commissioners shall be allowed to briefly state their position on the matter before calling for a vote on such motion.
- I. **Privilege of Closing Deliberation.** The Commissioner moving for the adoption of a motion or resolution, shall have the privilege of closing deliberations or making the final statement.
- J. **Division of Question.** If the motion contains two (2) or more divisible propositions, the Chair, upon the request of any Commissioner, may separate the proposed matters for separate deliberation on each matter.
- K. **Second Required.** All motions, except for nominations and a point of order, shall require a second.
- L. **Majority Vote.** The actions of the Board of Commissioners shall be taken by a vote of the majority of the Commissioners.
- M. **Manner of Voting.** Each Commissioner present at a meeting of the Board of Commissioners shall vote on all matters put to a vote, unless a member is excused from voting by a motion adopted by a majority of the members present, or unless legal counsel has recommended that a Commissioner recuse him/herself due to the Commissioner's actual or potential conflict of interest regarding the item. The

voting of such matters may be by roll call, and the ayes and noes shall be entered into the minutes of such meetings. Any Commissioner can request a roll call vote. Unless otherwise provided herein, an affirmative vote of a majority of the Commissioners empowered to vote shall be required for the passage of all matters put to a vote. A roll call shall not be interrupted, but a member may, prior to the calling of the roll, explain his or her vote or file with the Commission Clerk in writing an explanation thereof after the result of the roll call has been announced and recorded.

- N. **Other Matters.** All other matters not covered by these Bylaws or Roberts Rules of Order shall be decided by a majority vote of the Board of Commissioners.

## ARTICLE VII - ACTIONS

### Section 1. Quorum

- A. **Majority of the Board of Commissioner.** A quorum of the Commissioners is necessary to take action. A quorum is defined as a majority (four (4) members) of the Board of Commissioners. The Chair will declare the absence of a quorum if he/she notices a quorum is no longer present before taking any vote or stating the question of any new motion.
- B. Debate on an already-pending question can be allowed to continue after a quorum is no longer present, until such time as a member raises a point of order.
- C. **Absence of a Quorum.** In the absence of a quorum, or at any time that a quorum is no longer present, the Board of Commissioners is not authorized to transact any business. The only action authorized at a meeting lacking a quorum is to recess, fix the date of a subsequent meeting and adjournment, adjourn, recess, or take measures to obtain a quorum.
- D. Measures to obtain a quorum are treated as privileged motions that take precedence over a motion to recess, are not required to be agendized, are not debatable, are amendable, require a majority vote, and can be reconsidered. By way of example, of a measure to obtain a quorum is a motion that absent members be contacted during a recess. Meetings that are unable to transact business for lack of a quorum are nonetheless considered meetings under the Housing Authorities Law of the State of California.
- E. If there is a lack of a quorum at a regular or special meeting, the inability to transact business does not detract from the fact that the rules requiring the meeting to be held were complied with and the meeting was convened.

### Section 2. Majority Vote

Actions of the Housing Authority shall be made, except as provided in Article VII, Section 1, by a vote of a simple majority, defined as more than half of the voting members.

### Section 3. Form of Action

The Housing Authority may act by motion or resolution. All motions shall be recorded in the minutes verbatim. All resolutions shall be in writing and the title shall be recorded verbatim in the minutes as well as the vote. All resolutions shall be entered in a journal of the proceedings of the Housing Authority.

**Section 4. Rules of Order**

The Housing Authority shall follow Robert's Rules of Order, except as otherwise provided in these Rules and Procedures, for its meetings.

**ARTICLE VIII - MISCELLANEOUS**

**Section 1. Amendment**

These Bylaws may be amended by a resolution adopted by a vote of a super majority, defined as two-thirds of the Board of Commissioners at a regularly scheduled meeting or special meeting held or called in the manner provided herein.

**Section 2. Conflict of Interest**

The Commissioners, employees, and contracted personnel of the Housing Authority shall comply with the provisions of Health and Safety Code Section 34281 and Government Code Sections 1090 et seq. and Sections 87100 et seq. as amended in the area of matters involving possible conflict of interest.

**Section 3. Public Disclosures**

Each Commissioner shall notify the Board Chair and Secretary whenever:

- a. A Commissioner is contacted by a party having business pending before the Board of Commissioners if the communication concerns a business matter.
- b. A Commissioner makes a comment to the media. Unless otherwise authorized by the Board of Commissioners, in the event that a Commissioner make a public comment or speaks to the media, such Commissioner shall specify that he/she is speaking in his/her individual capacity and providing his/her own individual perspective regarding a matter before or within the Housing Authority's jurisdiction. Such Commissioner shall preface such communication with the statement that the comments are made as their own individual expression of opinion, and do not necessarily reflect the position of the Board of Commissioners or the Housing Authority of the City of Madera.

**Section 4. Repeal**

All other previously adopted Bylaws, amendments thereto, and ancillary rules and procedures relating thereto, are hereby repealed.

**CERTIFICATE OF SECRETARY**

I, the undersigned, do hereby certify:

(1) That I am the Secretary of the Housing Authority of the City of Madera, a public body, corporate and politic (the “**Authority**”); and

(2) That the foregoing Bylaws, comprising XXX (XX) pages, constitute the Bylaws of the Housing Authority as adopted by the Board of Commissioners of such Housing Authority on \_\_\_\_\_, 2024.

IN WITNESS THEREOF, I have hereunto subscribed my name, this \_\_\_\_ day of \_\_\_\_\_, 2024.

By: \_\_\_\_\_  
Executive Director, Secretary



TABLE OF CONTENTS

<b>ARTICLE I - RECITALS .....</b>	<b>1</b>
<b>ARTICLE II - THE HOUSING AUTHORITY .....</b>	<b>1</b>
<b>Section 1.</b> Name of the Housing Authority .....	1
<b>Section 2.</b> Seal of Housing Authority .....	1
<b>Section 3.</b> Office of Housing Authority .....	1
<b>Section 4.</b> Responsibility of the Housing Authority .....	2
<b>ARTICLE III - GENERAL PROVISIONS .....</b>	<b>2</b>
<b>Section 1.</b> Bylaws .....	2
<b>Section 2.</b> Number of Commissioners.....	2
<b>Section 3.</b> Appointment of Commissioners – Council Members of the City of Madera .....	2
<b>Section 4.</b> Non-Elected Council Members .....	2
<b>Section 5.</b> Term of Office .....	2
<b>Section 6.</b> Eligibility for Continued Membership .....	2
<b>Section 7.</b> Vacancies .....	2
<b>Section 8.</b> Per Diem/Reimbursement .....	2
<b>Section 9.</b> Meeting Attendance.....	3
<b>Section 10.</b> Removal for Unexcused Absences .....	3
<b>Section 11.</b> Contract for Personnel Services .....	3
<b>Section 12.</b> Inquiries and Recommendations .....	3
<b>ARTICLE IV - OFFICERS .....</b>	<b>3</b>
<b>Section 1.</b> Officers.....	3
<b>Section 2.</b> Election Chair and Vice Chair .....	3
<b>Section 3.</b> Term of Office .....	4
<b>Section 4.</b> Duties of the Chair .....	4
<b>Section 5.</b> Duties of the Vice Chair .....	4
<b>Section 6.</b> Past Chair .....	4
<b>Section 7.</b> Removal of Chair and Vice Chair .....	5
<b>Section 8.</b> Filing of Vacancy of Chair and Vice Chair .....	5
<b>Section 9.</b> Secretary of the Board of Commissioners.....	5
<b>Section 10.</b> Additional Duties.....	5
<b>ARTICLE V - EXECUTIVE DIRECTOR .....</b>	<b>5</b>
<b>Section 1.</b> Employment of the Executive Director.....	5
<b>Section 2.</b> Duties of the Executive Director .....	5

<b>ARTICLE VI - MEETINGS .....</b>	<b>7</b>
<b>Section 1.</b> Place of Regular Meetings .....	7
<b>Section 2.</b> Date and Time of Regular Meetings .....	7
<b>Section 3.</b> Annual Meeting.....	7
<b>Section 4.</b> Special Meetings .....	7
<b>Section 5.</b> Conformance with Ralph M. Brown Act .....	8
<b>Section 6.</b> Closed Sessions.....	8
<b>Section 7.</b> Order of Business - Meeting Agendas.....	8
<b>Section 8.</b> Public Discussion .....	9
<b>Section 9.</b> Board Deliberation and Action.....	9
<b>ARTICLE VII - ACTIONS .....</b>	<b>11</b>
<b>Section 1.</b> Quorum.....	11
<b>Section 2.</b> Majority Vote.....	11
<b>Section 3.</b> Form of Action .....	11
<b>Section 4.</b> Rules of Order .....	12
<b>ARTICLE VIII - MISCELLANEOUS .....</b>	<b>12</b>
<b>Section 1.</b> Amendment .....	12
<b>Section 2.</b> Conflict of Interest .....	12
<b>Section 3.</b> Public Disclosures .....	12
<b>Section 4.</b> Repeal.....	12
<b>CERTIFICATE OF SECRETARY.....</b>	<b>13</b>

Placeholder for Item C-2



## Housing Authority of the City of Madera

### **BOARD MEMORANDUM**

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

**BOARD MEETING:** August 14, 2024

**AGENDA ITEM:** C-3

**FROM:** Blanca Mendoza-Navarro, Executive  
Director

**AUTHOR:** Blanca Mendoza-Navarro, Executive Director

**DATE:** August 7, 2024

**SUBJECT:** INFORMATIONAL ITEM – HUD PHAS Recovery Agreement Update

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#### **EXECUTIVE SUMMARY:**

The purpose of this memo is to provide an update to the Board of Commissioners regarding the Recovery Agreement (Agreement) between the Housing Authority of the City of Madera (HACM) and the United States Department of Housing and Urban Development (HUD).

Staff received the attached Recovery Agreement on July 30, 2024. This Agreement is based on its 2022 PHAS Assessment, where HACM was designated “Troubled” pursuant to section 6(j)(2) of the Act, 42 U.S.C. § 1437d, and 24 C.F.R. part 902, for financial, physical and/or management indicators, or other such deficiencies as HUD has identified. The designation was due to HACM receiving a Management Assessment Subsystem (MASS) score of 10 of 25 points and Financial Assessment Subsystem (FASS) score of 0 of 25 points.

The United States Housing Act of 1937 (Act) requires HUD and each Troubled Public Agency (PHA) enter into a recovery agreement that establishes specific strategies and benchmarks intended to improve the Troubled PHA’s performance such as to no longer be designated “Troubled”.

HUD has identified the areas that require improvement, benchmarking, and reporting by HACM, and the services available from HUD, such as training and contract support to facilitate accomplishment of the Performance Requirements.

The Agreement states that HACM agrees to strictly comply with all the terms of the agreement, including all performance requirements, outcomes, and deadlines under the “Performance Requirements”.

Performance Requirements:

#### **1. General**

- a. HACM must submit Progress Reports to HUD beginning 30 days after the execution of the Agreement and every 30 days thereafter until the Agreement is terminated. The Progress Reports must include supporting documentation and must describe the activities in a manner that HUD can adequately monitor.





## Housing Authority of the City of Madera

- b. HACM will improve its performance by 4 points (at least 50% from the initial PHAS assessment which led to the Troubled designation) by the first released PHAS assessment FYE 09/30/2024, and an overall PHAS score of at least 60% for FYE 09/30/2025.

### 2. Improve Financial Performance:

- a. HACM must submit unaudited and audited financial statements for the FYE 09/30/2023 by 06/30/2024.
  - i. HACM submitted FYE 09/30/2023 submitted the requirement financial statements on 06/28/2024 and received 25 out of 25 points.
- b. HACM shall increase the Financial sub-indicator (“FASS”) score on the first released PHAS assessment to at least 15 out 25 points, or 60% for FYE ending on or after 09/30/2024.

#### *HACM Response:*

- i. HACM is working to ensure the FYE 09/30/2024 financials are submitted in compliance with HUD deadline requirements and meet or exceed the required points in this Agreement.

### 3. Improve PHA Governance and Financial Management.

- a. HACM must complete specific training offered through the HUD Exchange platform within one (1) year of this Agreement.
  - i. Board of Commissioners must complete HUD’s Lead the Way: PHA Governance and Financial Management.
  - ii. HACM must complete HUD’s PHA Procurement Training.
  - iii. HACM must complete HUD’s Financial Management Training.

#### *HACM Response:*

- 1. HACM Staff will schedule the above training with completion deadlines.
- b. HUD’s recommendations:
  - i. HACM should avail itself of the Valley Authorities Consortium benefits.
  - ii. HACM shall evaluate repositioning its Public Housing portfolio utilizing a HACM funded Technical Assistance (TA) contract or other consulting to make recommendations within two (2) years of this agreement.

### 4. Defaults and Remedies:

- a. If HACM is in substantial default after breach of the Agreement, HUD may seek any available remedy consistent with the Act and its implementing regulations which may include but not limited to:
  - i. HUD soliciting competitive proposals including HUD for management of all or part of HACM’s public housing programs and project (s), complete proposals for





## Housing Authority of the City of Madera

experienced in construction management to oversee implementation of HACM's public housing Capital Funds.

### 5. **Modifications, Amendments, and Changed Circumstances:**

- a. The Agreement may only be modified in writing.

As indicated above, Staff has submitted Item #a of the Improved Financial Performance and received 100% of the possible points indicating a successful submission of the financial records. Staff has been working diligently with the Fee Accountant BDO to ensure compliance with HUD requirements and will continue to work to property and timely submissions.

### **FISCAL IMPACT:**

There is no fiscal impact to the current budget, this is informational only.

### **RECOMMENDATION:**

The item is informational only.



**Recovery Agreement between the Housing Authority of the City of Madera**  
**And**  
**the United States Department of Housing and Urban Development**

This Recovery Agreement (“Agreement”) is entered into between the Housing Authority of the City of Madera (HACM) and the United States Department of Housing and Urban Development (“HUD”) as of this 30th day of July, 2024 (the “Effective Date”).

**RECITALS**

**WHEREAS**, under the United States Housing Act of 1937 (“Act”), as amended, 42 U.S.C. § 1437 *et seq.*, HUD is responsible for administering low-income housing programs, and pursuant to the Act, HUD has entered into an Annual Contributions Contract (“ACC”) with HACM to develop and operate public housing projects of HACM; and

**WHEREAS**, pursuant to the Act, HUD must evaluate public housing performance and has instituted the Public Housing Assessment System (“PHAS”); and

**WHEREAS**, on August 14, 2023, HACM received an initial “Troubled” designation based on its unaudited financial submission for the fiscal year ending September 30, 2022; and

**WHEREAS**, on June 7, 2024, HACM received a final failing PHAS score of record of 52 based on its audit for the fiscal year ending September 30, 2022 (the “2022 PHAS Assessment”); and

**WHEREAS**, based on its 2022 PHAS Assessment, HACM has been designated “Troubled” pursuant to section 6(j)(2) of the Act, 42 U.S.C. § 1437d, and 24 C.F.R. part 902, for financial, physical and/or management indicators, or other such deficiencies as HUD has identified; and

**WHEREAS**, the 2022 PHAS Assessment reflects a failing Management Assessment Subsystem (MASS) Score of 10 of 25 points; and

**WHEREAS**, the 2022 PHAS Assessment reflects a failing Financial Assessment Subsystem (FASS) Score of 0 of 25 points; and

**WHEREAS**, the Act requires HUD and each Troubled Public Housing Agency (“PHA”) to enter into a recovery agreement that establishes: performance targets; strategies for meeting targets; and incentives or sanctions for effective implementation of such strategies intended to improve the Troubled PHA’s performance such that the agency is no longer designated Troubled; and

**WHEREAS**, the parties desire to correct all HUD-identified deficiencies through the implementation of this Agreement.

**NOW THEREFORE**, in consideration for the obligations contained herein, HUD and HACM agree as follows:

**General**

1. HACM agrees to strictly comply with all terms of this Agreement, including all performance requirements, outcomes, and deadlines in paragraphs 5 through 7 below (“Performance Requirements”).

2. HUD, in its discretion, may provide technical assistance to HACM, including training or contract support, in order to facilitate accomplishment of the Performance Requirements. However, HACM's compliance with this Agreement shall not be contingent on HUD's provision of any technical assistance or other discretionary assistance.
3. HACM must submit Progress Reports to HUD commencing 30 days after execution of the Agreement, and every 30 days thereafter until this Agreement is terminated. Each Progress Report, including any supporting documentation, must describe the status of HACM's activities such that HUD can adequately monitor HACM's progress toward the Performance Requirements.
4. Notwithstanding any Performance Requirements, consistent with section 6(j)(3)(B)(ii) of the Act and 24 C.F.R. 902.75(d) HACM agrees to:
  - a. improve its performance by 4 points (at least 50% of the difference between the initial PHAS assessment score that led to the Troubled designation and the score necessary to remove the PHA's Troubled designation) by the first released PHAS assessment for the fiscal year ending on September 30, 2024; and
  - b. improve its performance and achieve an overall PHAS score of at least 60% of the total points available by the next sequential fiscal year (PHAS assessment for the fiscal year ending on September 30, 2025).

Consistent with paragraph 9 below, failure by HACM to comply with the PHAS assessment improvement requirement in this paragraph 4 shall be a basis for HUD to find HACM in substantial default under section 6(j)(3)(A) of the Act.

### **Performance Requirements**

5. **Improve Financial Performance.** HACM agrees to:
  - a. Submit unaudited and audited financial statements for the fiscal year(s) ending September 30, 2023, by June 30, 2024.
  - b. For the first released PHAS assessment for fiscal years ending on or after September 30, 2024, the HACM shall increase the Financial sub-indicator ("FASS") on the PHAS assessment to at least 15 out of 25 possible points, or 60%.
6. **Improve PHA Governance and Financial Management.** HACM and their board of commissioners agree to:
  - a. Complete HUD's Lead the Way: PHA Governance and Financial Management - A Training for Board Members within one year of this agreement.<sup>1</sup>
  - b. Complete HUD's PHA Procurement Training within one year of this agreement.<sup>2</sup>

<sup>1</sup> <https://www.hudexchange.info/trainings/courses/lead-the-way-pha-governance-and-financial-management/>

<sup>2</sup> <https://www.hudexchange.info/trainings/pha-procurement-training/#chapter-1-introduction>



- c. Complete HUD's PHA Financial Management Training within one year of this agreement.<sup>3</sup>
- d. HUD also recommends, but does not require, HACM to avail itself of the Valley Authorities Consortium benefits.
- e. Evaluate repositioning HACM's Public Housing portfolio utilizing an HACM-funded Technical Assistance (TA) contract or other consultant to make recommendations within two years of this agreement.

### **Term**

- 7. This Agreement begins on the Effective Date and will continue until the later of: (A) HACM fulfilling all Performance Requirements; or (B) HACM improving its performance pursuant to paragraph 4 of this Agreement.

### **Default and Remedies**

- 8. Failure of HACM to strictly comply with the terms of this Agreement, including failure to meet any discrete Performance Requirements, shall constitute a default under this Agreement and shall be a basis for a determination of substantial default by HUD under section 6(j)(3)(A) of the Act.
- 9. In making a determination of substantial default, HUD will do so in compliance with the procedures in 24 C.F.R. 907.5. The notice of substantial default pursuant to 24 C.F.R. 907.5(a) shall constitute the notice of default under this Agreement.
- 10. If HACM is determined to be in substantial default after breaching this Agreement, HUD may seek any available remedy, including any one or several of the following actions consistent with the Act and its implementing regulations:
  - a. Solicit competitive proposals from other PHAs and private housing management agents to manage all or part of HACM's public housing program and project(s);
  - b. Petition for the appointment of a judicial receiver for HACM;
  - c. Solicit competitive proposals from other PHAs and private entities with experience in construction management to oversee implementation of HACM's public housing Capital Fund;
  - d. Take possession of all or part of HACM, including all or part of its public housing program and project(s);
  - e. Require HACM to make any other arrangements acceptable to HUD, in its full discretion, for managing all or part of the public housing program and project(s).
- 11. Notwithstanding anything in this Agreement, HUD retains its full discretion to exercise any rights available under applicable law, including those in section 6(j) of the Act, to make

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<sup>3</sup> <https://www.hudexchange.info/trainings/courses/public-housing-authority-financial-management-training/>

a determination of substantial default or take any available remedial action against HACM, regardless of HACM's compliance with the terms of this Agreement.

12. HUD's exercise or non-exercise of any available rights or remedies under this Agreement or any applicable law will not be construed as a waiver of HUD's right to exercise that or any right or remedy at any time.
13. This Agreement does not in any way contemplate money damages for breach of this Agreement by HUD.

#### **Modifications, Amendments, and Changed Circumstances**

14. This Agreement contains the complete and final expression of the recovery agreement between the parties and supersedes any other oral or written proposals, negotiations, conversations, discussions, or agreements between the parties related to the recovery agreement.
15. This Agreement does not supersede, modify, or amend the ACC between HUD and HACM, or in any way excuse HACM from complying fully with its obligations under the ACC. Nothing contained in this Agreement shall serve to limit, modify, or preclude HUD's right to take any remedial action under the ACC.
16. This Agreement may only be modified or amended by a written instrument signed by all of the parties expressly stating that such instrument is intended to modify or amend this Agreement. Any modification or amendment shall be limited to the provisions of this Agreement specifically referred to therein and shall not be deemed a modification or amendment of any other provision.
17. Modification or amendment of this Agreement shall not constitute a waiver of the applicable statutory or regulatory requirements.
18. Should any provision of this Agreement be determined to be invalid or unenforceable by any statute, regulation, or judicial ruling, such determination shall not affect any other provision of this Agreement to the extent that the Agreement shall remain operable, enforceable and in full force and effect to the extent permitted by law. Accordingly, each obligation imposed by this agreement should be construed as severable from the others to the extent it is practicable.
19. The parties shall not be responsible for any failure to implement the terms of this Agreement due to unforeseen and unavoidable circumstances outside of their control, provided that the failure to perform is excused by HUD in writing.
20. To the extent authorized by the Act and HUD regulations, and notwithstanding any other provision of this Agreement, HUD has the total discretion to unilaterally amend this Agreement to address changed factual circumstances affecting the PHA's implementation of this Agreement and, more generally, its programs.

#### **Conflicts**

21. In the event of any conflict between the provisions of this Agreement and public housing requirements, including but not limited to the Act, applicable regulations, and the ACC, as those requirements may be amended from time to time, the public housing requirements shall prevail. HUD reserves the right to determine and resolve any such conflict.

#### **No Third-Party Beneficiaries**

22. This Agreement confers no rights or remedies upon any person or entity other than HUD or HACM.

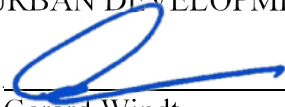
#### **Miscellaneous**

23. No provision, term, or language contained in this Agreement shall be construed by any Court against HUD for having drafted the agreement. Further, this Agreement shall be read consistently with all applicable federal statutes, regulations, the ACC, or interpretive rule. If the agreement may not be read consistently with a statute, regulation, ACC, or interpretive rule, then the statute, regulation, ACC, or interpretive rule shall control. This Agreement places the exclusive authority with HUD to determine and reconcile any conflict.
24. Any citation of law in this Agreement includes the application of any succeeding law, regulation, ACC, or interpretive rule such as a PIH notice.
25. The parties agree that any cost related to their compliance with this Agreement shall be their individual responsibilities.
26. This Agreement may be executed and delivered in separate counterparts, which, when so executed and delivered, shall be deemed an original.
27. This Agreement may be executed electronically, and electronic signatures must be treated in all respects as having the same force and effect as handwritten or original signatures.
28. HUD and HACM (their employees, subcontractors, partners or assigns) shall comply with all applicable federal, state, and local laws and regulations, as amended from time to time during the term of this Agreement, in the execution of this Agreement.

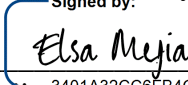
IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this Agreement on the date first written above.

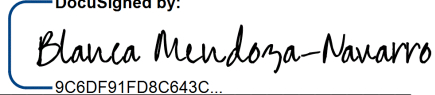
*Signature Page Follows*

UNITED STATES DEPARTMENT OF HOUSING  
AND URBAN DEVELOPMENT

By:   
Gerard Windt  
Public Housing Director  
San Francisco Field Office

Housing Authority of the City of Madera (HACM)

Signed by:  
By:   
Elsa Mejia 3401A32CC6FB4C1...  
Chair  
Housing Authority of the City of Madera  
(HACM)

DocuSigned by:  
By:   
Blanca Mendoza-Navarro 9C6DF91FD8C643C...  
Executive Director  
Housing Authority of the City of Madera  
(HACM)



## Housing Authority of the City of Madera

### **BOARD MEMORANDUM**

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

**BOARD MEETING:** August 14, 2024

**AGENDA ITEM:** C-4

**FROM:** Blanca Mendoza-Navarro, Executive  
Director

**AUTHOR:** Blanca Mendoza-Navarro, Executive Director

**DATE:** August 9, 2024

**SUBJECT:** Discussion on Availability for Special Meeting in late September

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#### **EXECUTIVE SUMMARY:**

The purpose of this memo is to discuss availability for a Special Meeting of the Board of Commissioners at or near the end of September. The request is to ensure timely submission and approval of the HACM FY 2024-2025 Budget.

Staff is working diligently to prepare the Budget by the next Regular Scheduled meeting, however due to unforeseen circumstances we need to request availability for the Special Meeting.

#### **RECOMMENDATION:**

Staff recommends that the Board of Commissioners provide availability for a Special Meeting for late September.

#### **FISCAL IMPACT:**

There will be no fiscal impact for this item.





## Housing Authority of the City of Madera

### **BOARD MEMORANDUM**

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

**BOARD MEETING:** August 14, 2024

**AGENDA ITEM:** F-1

**FROM:** Blanca Mendoza-Navarro, Executive  
Director

**AUTHOR:** Blanca Mendoza-Navarro, Executive Director

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**SUBJECT:** COMMUNICATIONS, TRAININGS, AND AUDITS

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#### **1. DEPARTMENTAL REPORTS:**

- a. **HCV** – Staff continues to work on issuing vouchers, signing new HAP contracts, and processing certifications. HQS Inspections are getting completed.
- b. **ROSS/FSS** – Staff is working on planning the National Night Out event with local community agencies.
- c. **PUBLIC HOUSING** – NSPIRE inspections for public housing were conducted on July 16<sup>th</sup> and 17<sup>th</sup>. We were pleased to hear that our preliminary results came in already, AMP 1 received a preliminary score of 90 and AMP 2 received a preliminary score of 94. These scores may change if the deficiency corrections are not submitted timely.
- d. **FARM LABOR** – Staff continues to work on lease up for the upcoming vacancies and completing annual certifications.
- e. **MIGRANT** – The 2024 Migrant season has started and is 100% occupied.
- f. **FINANCE** – Staff is preparing for the FY 2024-2025 Budget along with working on the anticipated Year End process for FYE 2024 (10/01/2023-09/30-2024).
- g. **MAINTENANCE:** Staff has been working hard completing urgent workorders to clear the findings from the NSPIRE public housing inspections conducted in July. Staff is also working to complete the over 200 workorders resulting from the preparation for the NSPIRE public housing inspections along with the day-to-day work orders, and upcoming vacant units. Staff is working on sewer pump issues at 337 Knox. Staff was able to repair the pump despite no one in the Agency having experience with the system. There have been no further issues. With the recent heatwave, staff has also been managing a high volume of calls for A/C repairs. Staff has been educating residents on how to properly operate the A/C especially during extreme heat waves.
- h. **ADMINISTRATIVE:** Staff has been working on gathering information for open enrollment for the health benefits for the Agency. Staff had a kickoff meeting for the Salary Class and Compensation study on July 11, 2024. The study is set to start the first week of August and be completed before the fiscal yearend.
- i. **TRAINING** – HACM continues to invest in staff training. Below is a summary of recent training courses attended.





## Housing Authority of the City of Madera

- i. Management Staff participated in the Disaster Readiness, Preparation, and Readiness virtual training hosted by HUD on July 30<sup>th</sup> – July 31<sup>st</sup>.
- ii. Finance Services Manager and the Housing Services Manager are preparing to go to San Diego at the end of the month to attend the Yardi YASC annual conference.

### 2. RECRUITMENT/NEW STAFF:

- a. Maintenance Worker II – Staff currently conducting Interviews.
- b. Executive Administrative Assistant – pending Classification and Compensation study.
- c. Housing Programs Compliance Manager – pending Classification and Compensation study.

### 3. VALLEY AUTHORITIES' CONSORTIA: Management Staff attended a hybrid meeting with the Consortia. The meeting was to discuss the advantages and disadvantages of participating in the Consortia and what the next steps would be. The Consortia discussed the option of having an intergovernmental agency agreement in lieu of the Consortia regulated by a CFR. Whether there is a consortia or an intergovernmental agreement the goal is to leverage shared resources when possible. There will be a future meeting with the Board Chairs.

