



HOUSING AUTHORITIES CITY OF EUREKA & COUNTY OF HUMBOLDT



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AGENDA REGULAR MEETING OF THE HOUSING AUTHORITY OF THE CITY OF EUREKA BOARD OF COMMISSIONERS

DATE AND TIME
Tuesday, February 20, 2024
7:30pm

LOCATION

Housing Authority of the City of Eureka
735 W. Everding St., Eureka CA

All or portions of this meeting will be conducted by teleconferencing in accordance with Government Code Section 54953(b). Teleconference locations are as follows: 735 W. Everding St., Eureka CA. This location is accessible to the public, and members of the public may address the Housing Authority of the City of Eureka Board of Commissioners from any teleconference location.

PUBLIC PARTICIPATION

Public access to this meeting is available at the location above.

Persons wishing to address the Board of Commissioners are asked to submit comments for the public speaking portion of the agenda as follows:

- Send an email with your comment(s) to heatherh@eurekahumboldtha.org prior to the Board of Commissioners meeting.
- Call and leave a message at (707) 443-4583 ext. 219.

When addressing the Board on agenda items or business introduced by Commissioners, members of the public may speak for a maximum of five minutes per agenda item when the subject is before the Board.

1. Roll Call

2. Public Comment (Non-Agenda):

This time is reserved for members of the public to address the Committee relative to matters of the County of Humboldt Housing Authority not on the agenda. No action may be taken on non-agenda items unless authorized by law. Comments will be limited to five minutes per person and twenty minutes in total.

3. Approve minutes of the Board of Commissioners meetings:

3a. Regular meeting, January 16, 2024

4. Bills and Communications: None



The Housing Authorities are Equal Housing Opportunity Organizations



5. Report of the Secretary:

The Report of the Secretary is intended to brief the Commission on items, issues, key dates, etc., that do not require specific action, and are not separate items on the Board of Commissioners Agenda.

5a. Occupancy and Leasing Report

5b. HCV Utilization Reports

5c. Repositioning Updates

6. Reports of the Commissioners:

This time is reserved for Commissioners to share any relevant news or Housing related endeavors undertaken by Commissioners.

7. Unfinished Business: None

8. New Business:

8a. Resolution 1995, Resolution to Approve Submission of Waiver Request to HUD in Support of HACE Repositioning Activities and Related Voucher Support from HACH
Recommended Board Action: Accept and Adopt for Approval

9. Closed Session – If needed.

10. Adjournment

* * * Note * * *

Documents related to this agenda are available on-line at:

<https://eurekahumboldtha.org/governance/>

Know Your Rights Under The Ralph M. Brown Act: Government's duty is to serve the public, reaching its decisions in full view of the public. The Board of Commissioners exists to conduct the business of its constituents. Deliberations are conducted before the people and are open for the people's review.

MINUTES

REGULAR MEETING OF THE HOUSING AUTHORITY OF THE CITY OF EUREKA BOARD OF COMMISSIONERS

Tuesday, January 16, 2024

Chairperson Serotta declared a quorum present and called the meeting to order at 7:30pm.

1. Roll Call:

Present: Chairperson Serotta, Vice Chairperson Konkler, Commissioner Byers,
Commissioner Escarda

Absent: Commissioner Pittman, Commissioner Raymond

Staff: Churchill, Humphreys, Wiesner

Public: None

2. Public Comment (Non-Agenda): None heard

3. Approve minutes of the board of commissioners meeting, held November 20, 2023.

Motion to approve the minutes of the meeting of November 20, 2023, made by
Vice Chairperson Konkler.

Second – Commissioner Escarda

Ayes: Serotta, Konkler, Escarda

Nays: None

Abstain: Byers

Absent: Pittman, Raymond

Chairperson Serotta declared the motion carried to approve the minutes of November 20,
2023.

4. Bills and Communication:

4a. Tenant Newsletter, Q4 2023

Secretary Churchill comments that the tenants appreciate the newsletter and find it
informative.

5. Report of the Secretary:

5a. Occupancy and Leasing Report

Secretary Churchill updates the board on this report, explaining key points of the report.

5b. HCV Utilization Reports

Secretary Churchill updates the board and goes over keys points of the report.

5c. Repositioning Updates

Secretary Churchill notes that HACE has an upcoming outreach meeting scheduled for

January 24, 2024. Secretary Churchill goes on to comment that the MOU has been signed with Brinshore. Also, HACE discussed the application to HUD Special Application Center.

6. Reports of the Commissioners: None heard.

7. Unfinished Business: None.

8. New Business:

8a. Resolution 1993 Smoke-free Housing Policy, Lease Attachment H
Recommended Board Action: Accept and Adopt for Approval

RESOLUTION 1993

UPDATE TO PUBLIC HOUSING LEASE AGREEMENT ATTACHMENT H – SMOKE FREE HOUSING

WHEREAS, The Housing Authority of the City of Eureka updates the Public Housing Conventional Housing Lease Agreement and attachments as needed; and

WHEREAS, The Housing Authority of the City of Eureka has reviewed and updated the Conventional Housing Lease Agreement Attachment H for Smoke Free Housing; and

WHEREAS, The updated Lease Attachment H has been provided to all Public Housing tenants, and the tenant body given thirty (30) days to review and comment on the policies; and

WHEREAS, No comments requesting or requiring substantive changes have been received from the tenant body; therefore

BE IT RESOLVED, That the Board of Commissioners approve and adopt the updated and revised Conventional Properties Dwelling Lease Attachment H, Smoke Fee Housing, to be effective February 1, 2024.

Motion to approve Resolution 1993 made by Commissioner Escarda

Second – Vice Chairperson Konkler

Ayes: Serotta, Konkler, Escarda, Pittman, Raymond

Nays: None

Abstain: None

Absent: Pittman, Raymond

Chairperson Serotta declared the motion carried to approve Resolution 1993.

8b. Resolution 1994, Proposed Utility Allowance Study Schedule for 2024
Recommended Board Action: Accept and Adopt for Approval

RESOLUTION 1994

ADOPT UPDATED UTILITY SCHEDULE
PUBLIC HOUSING – CITY OF EUREKA

WHEREAS, The U.S. Department of Housing and Urban Development requires a survey of utility usage and fees be done to ascertain a schedule of Public Housing allowances for resident furnished utilities; and

WHEREAS, The Housing Authorities have contracted with The Nelrod Company to complete a Resident Life Utility Allowance Survey and Study for Public Housing; and

WHEREAS, The Survey demonstrates a need to adjust the present utility allowances to bring them in line with actual usage figures;

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners of the Housing Authority of the City of Eureka approve and adopt the June 2023 updated schedule for Public Housing Utility Allowances for Resident Furnished Utilities and Other Services, effective May 01, 2024

Motion to approve Resolution 1994 made by Vice Chairperson Konkler

Second – Commissioner Byers

Ayes: Serotta, Konkler, Byers, Escarda
Nays: None
Abstain: None
Absent: Pittman, Raymond

Chairperson Serotta declared the motion carried to approve Resolution 1994.

9. Closed Session: None needed.

10. Adjournment

There being no further business to come before the Commissioners, the meeting was adjourned at 8:05pm.

Secretary

Chairperson

**Occupancy and Leasing Report
April 2023 - December 2023**

**HOUSING AUTHORITY OF THE CITY OF EUREKA
HOUSING AUTHORITY OF THE COUNTY OF HUMBOLDT**

Program	Total Units													Wait List End of Month
	Available	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	
HACE														
Public Housing	195	185	184	184	183	185	185	186	188	186	189	186	186	711
Eureka Family Housing	51	48	47	49	49	49	48	48	46	46	46	47	48	745
Eureka Senior Housing	22	19	19	21	21	21	21	21	21	21	21	21	21	267
Total City Units	268	252	250	254	253	255	254	255	255	253	256	254	255	

HACH														
<u>Tenant Based Vouchers</u>														
Housing Choice Vouchers	1234	808	810	810	783	775	780	790	785	784	767	764	764	1220
VASH Vouchers	95	33	33	35	61	62	61	60	62	62	77	75	74	N/A
Mainstream vouchers	75	43	45	48	50	50	51	52	53	50	51	50	51	N/A
Emergency Housing Vouchers (EHV)	182	86	100	102	108	111	114	127	127	137	135	141	147	N/A
Total All Vouchers	1586	970	988	995	1002	998	1006	1029	1027	1033	1030	1030	1036	

<i>Project Based Vouchers (note that these are a subset of HCV & VASH voucher counts shown above)</i>														
PBV-VASH - Bayview Heights (Eureka)	22	22	22	22	22	22	22	22	22	22	22	22	22	N/A
PBV-HCV - Bayview Heights (Eureka)	3	3	3	3	3	3	3	3	3	3	3	3	3	1
PBV-HCV - Sorrell Place (Arcata)	5	5	5	5	5	5	5	5	5	5	5	5	5	161
PBV-HCV - Providence (Eureka)	42	(Projects not yet completed)											N/A	
PBV-HCV - Laurel Canyon	35	(Projects not yet completed)											71	
Total Project Based Vouchers	107	30	30	30	30	30	30	30	30	30	30	30	30	

Vouchers issued but not under contract, end of month (aka "Searching")	85
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Note: Occupancy / utilization numbers shown are as of the first day of the month.

- Total PH units is 198; 3 units are exempted for EPD use, Boys & Girls Club, and Maintenance use and are unavailable for tenant rental.
- Mainstream vouchers were awarded December 2020. Funding and voucher issuance began April 2021.
25 Mainstream vouchers will be allocated via waitlist pulls; 50 will be via referral from CoC partners.
Mainstream applicants share waitlist with HCV applicants.
- No PHA waitlist for EHV's; all are issued based on referral from HHC or HDVS. Referrals began Q4 2021.
- 25 Project Based Vouchers at Bayview Heights Veteran's housing at 4th & C Street, Eureka; contract signed 6/30/2020.
- 5 Project Based HCV vouchers at Sorrell Place, extremely low income units at 7th & I Street, Arcata; effective 6/1/2022.
- Providence Mother Bernard House PBV's - Occupancy based on referral from CoC; contract signed 01/08/2024.
- Laurel Canyon (7th & Myrtle Ave.) 35 senior PBV units; contracts signed 12/07/2023.

COUNTY OF HUMBOLDT HOUSING AUTHORITY
All Voucher Programs
For the month of December 2023

	January	February	March	April	May	June	July	August	September	October	November	December	Total
Traditional HCV & VASH (Includes PBVs)													
HAP income (budget authority)	\$ 554,989	\$ 561,152	\$ 561,152	\$ 561,152	\$ 561,152	\$ 513,444	\$ 513,444	\$ 513,444	\$ 513,444	\$ 505,969	\$ 528,590	\$ 528,590	\$ 6,416,518
HAP expenses	(526,451)	(537,222)	(542,783)	(543,583)	(543,351)	(545,994)	(553,858)	(554,820)	(555,264)	(552,024)	(557,138)	(577,643)	(6,590,131)
Surplus (Deficit)	28,538	23,930	18,369	17,569	17,801	(32,551)	(40,415)	(41,377)	(41,821)	(46,055)	(28,548)	(49,053)	(173,614)
* % Total income utilized	94.86%	95.74%	96.73%	96.87%	96.83%	106.34%	107.87%	108.06%	108.15%	109.10%	105.40%	109.28%	102.71%
Administrative/Other Income	75,927	91,889	76,230	75,898	75,742	76,587	76,007	107,199	136,664	74,797	82,855	82,818	1,032,613
Operating expenses	(57,389)	(65,305)	(70,107)	(62,912)	(60,073)	(59,020)	(59,984)	(61,826)	(69,929)	(58,863)	(67,720)	(72,182)	(765,310)
Surplus (Deficit)	18,538	26,584	6,123	12,986	15,669	17,567	16,023	45,373	66,734	15,934	15,135	10,636	267,302
B Remaining HAP Cash	15,197	2,741	29,886	(3,180)	93,597	18,802	17,902	21,091	86,035	27,653	45,965	32,830	
Remaining Non-HAP Cash	546,993	597,179	567,907	610,780	469,621	556,625	577,095	623,326	630,324	690,165	699,965	741,000	
Total HCV Cash	562,189	599,919	597,793	607,600	563,218	575,427	594,997	644,416	716,359	717,818	745,930	773,830	
Cash Increase/(Decrease)	14,569	37,730	(2,126)	9,806	(44,381)	12,209	19,570	49,420	71,942	1,459	28,112	27,900	
# of Households Assisted	843	844	844	844	838	841	849	847	846	844	839	838	10,117
Average HAP Payment	\$ 624	\$ 637	\$ 643	\$ 644	\$ 648	\$ 649	\$ 652	\$ 655	\$ 656	\$ 654	\$ 664	\$ 689	\$ 651
Mainstream (disabled & non-elderly)													
HAP income (budget authority)	\$ 23,639	\$ 23,639	\$ 24,287	\$ 24,287	\$ 23,833	\$ 23,833	\$ 23,833	\$ 23,833	\$ 23,833	\$ 23,833	\$ 23,546	\$ 23,546	\$ 285,942
HAP expenses	(29,831)	(30,983)	(32,401)	(33,608)	(33,704)	(34,267)	(34,480)	(35,043)	(33,614)	(33,811)	(34,270)	(35,223)	(401,235)
Surplus (Deficit)	(6,192)	(7,344)	(8,114)	(9,321)	(9,871)	(10,434)	(10,647)	(11,210)	(9,781)	(9,978)	(10,724)	(11,677)	(115,293)
A % Total income utilized	126.19%	131.07%	133.41%	138.38%	141.42%	143.78%	144.67%	147.04%	141.04%	141.87%	145.54%	149.59%	140.32%
Administrative/Other Income	2,768	2,768	9,761	2,811	2,949	7,175	2,949	8,636	10,467	2,949	4,789	4,795	62,817
Operating expenses	(2,659)	(3,434)	(3,623)	(3,001)	(4,218)	(3,640)	(3,170)	(3,570)	(4,020)	(3,547)	(3,828)	(3,871)	(42,580)
Surplus (Deficit)	109	(666)	6,138	(190)	(1,269)	3,535	(221)	5,066	6,447	(598)	961	924	20,237
B Remaining HAP Cash	(1,723)	122	5,938	(1,852)	5,074	2,916	2,495	(2,476)	5,784	(1,532)	2,659	2,233	
Remaining Non-HAP Cash	42,711	42,545	41,764	48,416	42,822	53,790	53,358	58,187	57,129	63,789	60,559	60,646	
Total MSV Cash	40,988	42,667	47,702	46,564	47,896	56,706	55,853	55,711	62,913	62,257	63,218	62,879	
Cash Increase/(Decrease)	(1,906)	1,679	5,035	(1,138)	1,332	8,810	(853)	(142)	7,203	(656)	961	(339)	
# of Households Assisted	43	45	48	50	50	51	52	53	50	51	50	51	594
Average HAP Payment	\$ 694	\$ 689	\$ 675	\$ 672	\$ 674	\$ 672	\$ 663	\$ 661	\$ 672	\$ 663	\$ 685	\$ 691	\$ 675
Emergency Housing Vouchers (EHVs)													
HAP income (budget authority)	\$ 37,098	\$ 37,098	\$ 37,098	\$ 37,098	\$ 55,647	\$ 55,647	\$ 55,647	\$ 55,647	\$ 55,647	\$ 55,647	\$ 55,647	\$ 55,647	\$ 593,567.00
HAP expenses	(76,264)	(82,314)	(86,565)	(88,899)	(90,776)	(99,809)	(101,882)	(102,098)	(109,125)	(109,681)	(117,447)	(121,309)	(1,186,169)
Surplus (Deficit)	(39,166)	(45,216)	(49,467)	(51,801)	(35,129)	(44,162)	(46,235)	(46,451)	(53,478)	(54,034)	(61,800)	(65,662)	(592,602)
A % Total income utilized	205.57%	221.88%	233.34%	239.63%	163.13%	179.36%	183.09%	183.47%	196.10%	197.10%	211.06%	218.00%	199.84%
Administrative/Other Income	11,884	27,313	25,144	20,721	37,745	35,438	72,519	37,667	43,275	30,333	58,780	50,902	451,721
Operating expenses	(16,160)	(37,880)	(27,311)	(21,459)	(31,262)	(32,921)	(64,475)	(32,622)	(41,481)	(25,330)	(54,428)	(47,905)	(433,234)
Surplus (Deficit)	(4,276)	(10,566)	(2,167)	(738)	6,483	2,517	8,044	5,045	1,794	5,003	4,352	2,997	18,487
B Remaining HAP Cash	27,743	-	1,538	1,177	14,662	3,259	1,639	80	(9,160)	(6,181)	(3,036)	-	
Remaining Non-HAP Cash	149,958	114,694	96,854	82,378	51,376	50,163	162,206	142,969	275,805	264,761	227,396	188,919	
Total EHV Cash	177,701	114,694	98,391	83,555	66,037	53,422	163,845	143,049	266,645	258,581	224,361	188,919	
Cash Increase/(Decrease)	(107,282)	(63,007)	(16,303)	(14,836)	(17,518)	(12,615)	110,422	(20,796)	123,597	(8,065)	(34,220)	(35,442)	
# of Households Assisted	86	100	102	108	111	114	127	127	137	135	141	147	1,435
Average HAP Payment	\$ 887	\$ 823	\$ 849	\$ 823	\$ 818	\$ 876	\$ 802	\$ 804	\$ 797	\$ 812	\$ 833	\$ 825	\$ 827

COUNTY OF HUMBOLDT HOUSING AUTHORITY
All Voucher Programs
For the month of December 2023

	January	February	March	April	May	June	July	August	September	October	November	December	Total
Total All Voucher Programs													
HAP income (budget authority)	\$ 615,726	\$ 621,889	\$ 622,537	\$ 622,537	\$ 640,631	\$ 592,923	\$ 592,923	\$ 592,923	\$ 592,923	\$ 585,449	\$ 607,783	\$ 607,783	\$ 7,296,027
HAP expenses	(632,546)	(650,519)	(661,749)	(666,090)	(667,831)	(680,070)	(690,220)	(691,961)	(698,003)	(695,516)	(708,855)	(734,175)	(8,177,535)
Surplus (Deficit)	<u>(16,821)</u>	<u>(28,631)</u>	<u>(39,213)</u>	<u>(43,554)</u>	<u>(27,200)</u>	<u>(87,147)</u>	<u>(97,297)</u>	<u>(99,038)</u>	<u>(105,080)</u>	<u>(110,067)</u>	<u>(101,072.13)</u>	<u>(126,392.13)</u>	<u>(881,509)</u>
A % Total income utilized	102.73%	104.60%	106.30%	107.00%	104.25%	114.70%	116.41%	116.70%	117.72%	118.80%	116.63%	120.80%	112.08%
Administrative/Other Income	90,579	121,971	111,134	99,430	116,436	119,200	151,475	153,502	190,405	108,079	146,424	138,515	1,547,151
Operating expenses	(76,208)	(106,619)	(101,040)	(87,372)	(95,553)	(95,581)	(127,629)	(98,018)	(115,430)	(87,740)	(125,976)	(123,958)	(1,241,125)
Surplus (Deficit)	<u>14,371</u>	<u>15,352</u>	<u>10,094</u>	<u>12,058</u>	<u>20,884</u>	<u>23,619</u>	<u>23,846</u>	<u>55,484</u>	<u>74,975</u>	<u>20,340</u>	<u>20,448</u>	<u>14,557</u>	<u>306,026</u>
Remaining HAP Cash	41,217	2,863	37,362	(3,855)	113,332	24,977	22,035	18,694	82,659	19,940	45,589	35,063	
Remaining Non-HAP Cash	739,662	754,418	706,525	741,574	563,819	660,578	792,659	824,481	963,258	1,018,715	987,920	990,565	
Total Program Cash	<u>780,878</u>	<u>757,280</u>	<u>743,886</u>	<u>737,719</u>	<u>677,151</u>	<u>685,555</u>	<u>814,694</u>	<u>843,175</u>	<u>1,045,917</u>	<u>1,038,656</u>	<u>1,033,509</u>	<u>1,025,628</u>	
Cash Increase/(Decrease)	(94,619)	(23,598)	(13,394)	(6,168)	(60,568)	8,404	129,139	28,481	202,742	(7,262)	(5,147)	(7,881)	
# of Households Assisted	972	989	994	1,002	999	1,006	1,028	1,027	1,033	1,030	1,030	1,036	12,146
Average HAP Payment	\$ 651	\$ 658	\$ 666	\$ 665	\$ 668	\$ 676	\$ 671	\$ 674	\$ 676	\$ 675	\$ 688	\$ 709	\$ 673

Notes

* Larger increase than expected to HCV budget authority for 2023. Expecting award to get reduced after federal budget finalization, or for excess funds to be placed in reserves.

A Spending above 100% indicates full utilization of monthly funding plus spending down of HUD-held reserves (which is encouraged/required by HUD).

B HAP cash on hand is minimal, but sufficient HAP reserves are held with HUD. HUD held reserve requests submitted as necessary. Restricted cash position may go "negative" while waiting for HUD held reserve deposits and is temporarily funded with excess unrestricted funds.

HUD Held Reserves as of 12/11/2023

HCV - \$2,664,225
MSV - \$152,151
EHV - \$723,876

**Additional \$2,142,682 awarded to reserves to support voucher growth.*

C Cash decrease due to timing of HUD stopping EHV HAP and Admin Fee disbursements; expecting cash to continue to decrease as initial program funding is utilized per HUD program mandate. Once initial program funding gets below a certain level, HUD will initiate monthly funding again. Second installment of EHV Services Fees received in July of 2023 for \$159,250. Third and final installment of EHV Services Fees received in September of 2023 for \$159,250.

Housing Authority of the City of Eureka (HACE)
Repositioning Updates

Date	Description
Accomplishments	
1/24/2024	<p>Community Outreach Meeting A Zoom meeting was held 6:00-7:30pm, with 32 attendees which consisted of tenants, neighborhood members, commissioners, staff, consultants, and developers. After a brief educational session about the planned Housing Authority repositioning, a breakout session was held to get participant feedback on the following questions:</p> <ul style="list-style-type: none"> • How does affordable housing impact the community, and what types of housing are most needed? • What improvements would you like to see to public housing in your neighborhood, and what amenities would make housing more desirable? • How can the housing authority make sure that housing is well-integrated into your neighborhood? • Do you have any other concerns about the Repositioning Plan? <p>Participants were invited to provide their email address anonymously to be put on the email list for future correspondence.</p>
2/2024	Developer working with City of Eureka to plan for design review, permitting, CEQA review, etc.
Issues	
2/2024	CA HCD reviewing 10/2023 IIG applications; has asked developer to update application to make HACE co-applicant. HACE Articles of Incorporation were requested, but are either nonexistent or unable to locate; we're working to gather other documents needed to update IIG application.
Risks	
N/A	No imminent risks.
Next Steps	
2/2024	<p>Notice sent to tenants 2/2/2024 regarding upcoming site work</p> <ul style="list-style-type: none"> • Crawford & Associates percolation test (weather dependent) • ECORP Consulting cultural resources visual survey
3/2024	Planning for outreach with Hiler/Burrill residents/neighbors to give input regarding preliminary designs (tentative 3/6/2024 Zoom).
Budget Status	
N/A	Cost of contract work is covered by developers; no HACE budget updates.

Housing Authority of the City of Eureka

Board of Commissioners Meeting

February 20, 2024

Agenda Item 8a

Memorandum

To: Commissioners

From: Cheryl Churchill, Executive Director

Subject: Waiver Request to HUD related to HACE repositioning activities

BACKGROUND AND HISTORY:

The Housing Authority of the City of Eureka (HACE) is undertaking activities related to repositioning for its entire Public Housing portfolio. This includes not only rehabilitating existing units, but redeveloping certain properties as appropriate, with plans to increase the inventory of affordable units from 195 to approximately 350. Repositioning also entails converting from the traditional public housing operating subsidy annual contributions contract with HUD, to Project Based Voucher (PBV) HAP contract assistance for the rehabilitated/redeveloped units. While tenant-protection vouchers convertible to PBVs will be provided for existing Public Housing units (195), which would be new vouchers on top of the Housing Authority of the County of Humboldt's ("HACH's") existing voucher allocation, HACH could also provide additional PBVs from its current voucher allocation (1,404 total vouchers; excludes 182 EHV's as these cannot be project based) to further support the long-term sustainability of the new units exceeding 195. However, HACH's ability to utilize additional PBVs in HACE's new units would be dependent upon the request of certain waivers and approval by HUD.

Overview of waivers being requested:

1. "PHA Owned Housing" – HACH does not and would not own any of the HACE units. However, it is a simpler process to issue vouchers for PHA owned housing. We will request that HACH and HACE be treated as a single entity for purposes of defining ownership related to issuing PBVs, though this will not give HACH any ownership right to HACE properties.
2. Percent limitations – PBV projects are limited to a cap of 25% of the units being assisted. This means that, without waiver, all 350 units could not be assisted with PBVs, endangering the long-term financial viability of the project. We will request that HUD waive the limit and allow up to 100% of units be able to receive project based voucher assistance.
3. Units Not Subject to Percentage Limitation – Projects are allowed to go above 25% PBV assistance if they meet specific requirements (units are for elderly, disabled, or families receiving supportive services). However, these are not the intended populations for the majority of repositioned units. We will request that HUD not require these specific populations or services to allow us to assist up to 100% of units with PBVs.

-
4. Competitive Process – Typically a competitive process must be followed for issuing PBVs, unless they are being attached to units owned by the issuing PHA. In our situation, HACE or its affiliate nonprofit will be the owner, and HACH is the voucher administrator. Consistent with #1 above, we will request that HACH and HACE be treated as a single entity for purposes of issuing vouchers for “PHA Owned” units.

Impact to Personnel:

N/A

Fiscal Impact:

If HACH and HACE cannot request and receive the requested waivers, the financial viability of HACE’s repositioning plan is questionable. HACH would only see financial gains by adding more vouchers, as we currently have some capacity to add vouchers to current caseloads, and a significant increase in vouchers would cover the administrative costs of adding new staff.

Alternatives:

None recommended. Failure to request the waivers outlined makes HACE’s repositioning plan questionable as to its viability.

STAFF RECOMMENDATION:

Staff recommend that the Board approve the resolution to submit a combined waiver request to HUD.



HOUSING AUTHORITIES CITY OF EUREKA & COUNTY OF HUMBOLDT



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DATE TBD

Gerard Windt, Director
Office of Public Housing – Northern California
U.S. Department of Housing and Urban Development
One Sansome Street, 12th Floor
San Francisco, CA 94104

Re: Request for Regulatory Waiver for the Housing Authorities of the City of Eureka and the County of Humboldt in Support of Public Housing Repositioning

Dear Mr. Windt:

I am writing to request a waiver of four specific regulatory elements found in 24 CFR 982 and 24 CFR 983, itemized more fully below, to facilitate the repositioning of public housing undertaken by the Housing Authorities of the City of Eureka and the County of Humboldt. A waiver, if granted, would allow the Housing Authority of the County of Humboldt to follow the exemptions currently available to a Combined¹ public housing authority when undertaking the repositioning of public housing.

For context, this request seeks the identical exemptions recently made available by PIH 2023-08 Rental Assistance Demonstration – Supplemental Notice 4B to public housing repositioning projects completed under the RAD program. With this request, we seek identical exemptions but for a Section 18 Disposition project.

1)	PHA Owned Housing	24 CFR §983.3, 24 CFR §982.352, and 24 CFR §982.628(d), PIH 2017-21
2)	Percent Limitations (Program Cap)	24 CFR §983.6
3)	Units Not Subject to Percentage Limitation (Program Cap) or Income-Mixing Requirement (Project Cap)	24 CFR §983.6, 24 CFR §983.56(a), 24 CFR §983.56(b)(1) and (2)
4)	Attaching PBVs to Certain PHA-Owned Projects Without Following a Competitive Process (Attachment L)	24 CFR § 983.51(b)

¹ Used to mean a public housing authority that has both a public housing and Housing Choice Voucher Annual Contributions Contract with HUD.



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Housing Authorities of the City of Eureka and the County of Humboldt

The Housing Authority of the City of Eureka (HACE) (CA025) was incorporated on August 6, 1946, a few years before the massive expansion in public housing under the Housing Act of 1949. HACE is an independent agency with operations separate from the City of Eureka. HACE operated exclusively traditional public housing until the development of its first Low-Income Housing Tax Credit Project (LIHTC) in 1998. HACE owns and operates several housing projects throughout the City of Eureka, including Eureka Family Housing, Eureka Senior Housing, and Public Housing Projects.

The Housing Authority of the County of Humboldt (HACH) (CA086) was incorporated on December 1, 1970. HACH was established to help obtain clean, decent, safe, sanitary, affordable housing for low-income families. HACH is an independent agency with operations separate from those of the County of Humboldt and HACE. HACH administers assistance through the Section 8 Housing Choice Voucher (HCV) program with nearly 1,600 vouchers. The program allows income-eligible individuals to receive vouchers for rental assistance payments for qualified housing throughout the County of Humboldt.

HACE and HACH operate together as the Housing Authorities of the City of Eureka and the County of Humboldt, with two separate boards and one staff. The Humboldt County Board of Supervisors appoints the Board for the Housing Authority of the County of Humboldt. The Board for the Housing Authority of the City of Eureka is appointed by the mayor of the City of Eureka and confirmed by the City Council. There are currently five (5) Commissioners for the Housing Authority of the City of Eureka and five (5) Commissioners for the Housing Authority of the County of Humboldt.

Public Housing Repositioning

HACE has set out to reposition all of its traditional public housing. HACE owns and operates 196 traditional public housing units across 12 separate properties. Among the households served, there are approximately 500 total residents.

Buildings in the HACE portfolio were constructed between 1952 and 1983. Given the age, expected capital needs and general maintenance needs exist. Additionally, due to changes in the zoning code, there are properties with the capacity for more units on the same sites. This presents an opportunity to leverage HACE's land resources for additional units.

An evaluation of physical, financial, and social information related to the HACE portfolio was completed to understand existing conditions and opportunities available. Details of the current conditions, desired outcomes, and implementation steps are provided in the Repositioning Plan. HACE's board of commissioners adopted the Repositioning Plan in June of 2022.



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The Repositioning Plan calls for HACE to reposition the entire public housing portfolio. Implementation of this strategy would rely on a series of Section 18 Disposition applications to the U.S. Department of Housing and Urban Development (HUD), seeking incremental approvals for the desired project outcome.

In support of HACE’s Repositioning Plan, HACH’s board of commissioners passed a resolution on July 11, 2022, indicating support of the Repositioning Plan and commitment to perform Housing Choice Voucher administrative functions needed to support public housing repositioning.

Regulatory Waiver Request

Project Based Vouchers (PBV) are a component of HACH’s Housing Choice Voucher (HCV) program. Regulations found at 24 CFR 983 establish basic regulations for PBV programs. The Housing Opportunity Through Modernization Act of 2016 (HOTMA) changed the definition of PHA-owned housing and the project-based voucher (PBV) program. Notice 2017-21 provides guidance on implementing these changes.

Regulatory Waiver Sought		Precedent for Waiver Available to a Combined public housing authority
1)	PHA Owned Housing 24 CFR §983.3, 24 CFR §982.352, and 24 CFR §982.628(d), PIH 2017-21	HOTMA Reference: Sec. 105, which amends Sec. 8(o)(11) of the Act. PIH 2017-21 Attachment A
2)	Percent Limitations (Program Cap) 24 CFR §983.6	HOTMA Reference: Sec. 106(a)(2), which amends Sec. 8(o)(13)(B) of the Act. PIH 2017-21 Attachment C
3)	Units Not Subject to Percentage Limitation (Program Cap) or Income-Mixing Requirement (Project Cap) 24 CFR §983.6, 24 CFR §983.56(a), 24 CFR §983.56(b)(1) and (2)	HOTMA Reference: Sec. 106(a)(2), which amends Sec. 8(o)(13)(B) of the Act, and Sec. 106(a)(3), which amends Sec. 8(o)(13)(D) of the Act PIH 2017-21 Attachment F PIH 2023-19 Section VIII.3
4)	Attaching PBVs to Certain PHA-Owned Projects Without Following a Competitive Process 24 CFR § 983.51(b)	HOTMA Reference: Sec. 106 (a)(9), which adds Sec. 8(o)(13)(N) to the Act PIH 2017-21 Attachment L PIH 2023-19 Section VIII.3





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In summary, this request seeks that HUD determine, to apply the specific waivers detailed above, that the Housing Authorities of the City of Eureka and the County of Humboldt are viewed as a Combined public housing authority.

Rationale for Approving this Request

HACE and HACH believe there is sufficient good cause for approving this waiver request. The Housing Authorities of the City of Eureka and the County of Humboldt are each known to be well-run public housing authorities. Through updated Notices, training, and technical assistance, HUD encourages public housing authorities to reposition public housing.

Consistent with Current Practices., RAD Supplemental Notice 4B (H-2023-08 PIH-2023-19) provides the exemptions sought by Housing Authorities of the City of Eureka and the County of Humboldt when the RAD program is used to covert public housing to local Project Based Vouchers. The facts and circumstances of the situation at hand in Humboldt County are identical to those in which HUD provided regulatory relief when using RAD. The only difference is in the repositioning tool used. This request would apply the same exemptions permitted under the RAD program to a Section 18 conversion of public housing.

Housing Authorities of the City of Eureka and the County of Humboldt effectively operate as a Combined public housing authority. For all intents and purposes important to granting this waiver request, the Housing Authorities of the City of Eureka and the County of Humboldt operate in common to deliver housing and housing resources. While two corporate entities, they conduct their business in a highly cooperative manner and share administrative functions.

Legacy decisions resulted in the creation of two public housing authorities operating in Humboldt County. In 1946, HACE was created to own and operate public housing in the City of Eureka. In 1970, Congress passed the Housing and Urban Development Act of 1970 and directed HUD to undertake an experimental program to demonstrate the feasibility of providing families of low income with housing allowances to assist them in obtaining rental housing. This program was the origin of today’s Housing Choice Voucher program. HACH was created in 1970 to implement this “experimental” program throughout Humboldt County. Simply, the community never saw a need to legally merge or consolidate the two organizations. Functionally, it works for our community.

For comparison, the alignment and coordination between the Housing Authorities of the City of Eureka and the County of Humboldt are similar to a single public housing authority creating separate legal entities to own and operate an affordable housing property. Distinction between the entities does exist, but they also share administrative functions and are accepted locally as just the “housing authority.”

It is worth noting that Humboldt County and the City of Eureka are isolated on the coast in Northern California from other cities with public housing authorities. The nearest public housing authorities



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are in City of Crescent City (84 miles or 1.5 hours north), City of Redding (147 miles or 3 hours east), City of Ukiah (Mendocino County) (158 miles or 2.75 hours south). This is relevant to viewing the Housing Authorities of the City of Eureka and the County of Humboldt as a single unit for the purposes of granting this request.

HACH is a well-run Housing Choice Voucher administrator. HACH's recent SEMAP score was 88%. Prior to 2022, HACH achieved 100% for several years. HACH has a demonstrated track record of successfully administering its tenant-based and project-based programs.

Today, HACE and HACH effectively function as a single entity to deliver housing and housing resources to low-income people in Humboldt County, including the City of Eureka. Administrative distinctions between the two public housing authorities are maintained to manage respective Annual Contributions Contracts.

HUD intends to create efficiencies and administrative exemptions to encourage public housing repositioning. Exemptions currently available in PIH Notice 2017-21 and PIH 2023-19 for Combined public housing authorities are intended to remove regulatory barriers for public housing repositioning. Granting this waiver request would be consistent with the policy rationale underlying HUD's approach to repositioning.

Precedent for this waiver was established in other similar situations.

On November 22, 2021, HUD granted a request from the Rice County Housing & Redevelopment Authority (Rice HRA) (MN193) to waive provisions in 24 CFR 983. Here, Rice HRA sought the waiver so that PBVs could be provided to public housing being repositioned by the City of Faribault. This is like the circumstances that exist with HACE and HACH. Unlike Rice HRA and the City of Faribault, HACE and HACH are more closely connected, functioning like a single entity delivering housing and housing services in Humboldt County.

Importance of Waiver

HACE intends to reposition the entire public housing program. The Repositioning Plan established five policy guidelines to shape the implementation of the plan.

1. Continue to serve very low-income populations in these communities.
2. Increase the supply of affordable housing.
3. Maintain ownership or control of the properties.
4. Improve the physical and financial condition of the properties.
5. Partner to optimize public and private resources on behalf of the properties and our residents.

This waiver is needed to ensure that the Housing Authorities of the City of Eureka and the County of Humboldt can deliver on public commitments related to repositioning and that HACH is constrained programmatically for serving as the PBV HAP administrator.



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I appreciate your consideration of this request and your continued support of our efforts to reposition public housing. We have created a solid plan with community support. Our plan reflects goals and objectives shared by HUD and Housing Authorities of the City of Eureka and the County of Humboldt.

Best regards,

Cheryl Churchill
Executive Director
Housing Authorities of the City of Eureka & County of Humboldt
707.443.4583 x224
cherylc@eurekahumboldtha.org



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HOUSING AUTHORITY OF THE CITY OF EUREKA

RESOLUTION 1995

RESOLUTION TO APPROVE SUBMISSION OF WAIVER REQUEST TO HUD IN SUPPORT OF HACE REPOSITIONING ACTIVITIES AND RELATED VOUCHER SUPPORT FROM HACH

WHEREAS, the Housing Authority of the County of Humboldt ("HACH") and the Housing Authority of the City of Eureka ("HACE") are two distinct agencies established under state and federal law to provide affordable housing services within their respective jurisdictions; and

WHEREAS, HACE has initiated repositioning activities for all of its traditional public housing as allowed and encouraged by the United States Department of Housing and Urban Development (HUD) to (1) improve existing public housing units through rehabilitation, (2) increase the number of units provided through redevelopment, and (3) streamline administrative processes and improve efficiency in the administration of providing affordable housing; and

WHEREAS, HACH passed a resolution in support of HACE's Repositioning Plan on July 11, 2022, indicating support of the repositioning plan, as HACH is the housing authority that provides rental assistance in the form of voucher-based programs for tenants and for properties, and would be the Public Housing Authority (PHA) to administer any vouchers issued or necessary for the repositioning of HACE's Public Housing properties; and

WHEREAS, HACH and HACE already operate seamlessly as the "Housing Authorities of the City of Eureka and County of Humboldt", effectively as a combined housing authority with a single staff and recognize the benefits of collaboration to better and more efficiently serve the residents of Humboldt County and the City of Eureka; and

WHEREAS, PHAs are typically limited to a cap of 25% per project being assisted by Project Based Vouchers (PBVs); and

WHEREAS, PHAs also must follow a competitive proposal process for awarding PBVs unless the PHA owns the units to be assisted; and

WHEREAS, HACH and HACE wish to request waivers from HUD regarding the 25% per project cap and the competitive proposal requirement, allowing HACH and HACE to be treated by HUD effectively as a single entity for purposes of issuing and administering vouchers related to HACE repositioning efforts; and

WHEREAS, such waiver would in no way change the ownership or management structure of either HACH or HACE, but would provide for efficiencies in allocation and administration of PBVs related to repositioning, and allow a greater number of new units to be assisted with PBVs, ensuring that they are both affordable and sustainable long-term;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Housing Authority of the City of Eureka hereby approves the submission of a waiver request to HUD to treat HACH and HACE as a single entity for purposes of supporting HACE repositioning activities; and

BE IT FURTHER RESOLVED, that the Executive Director of HACE, or their designee, is authorized and directed to take all necessary actions to request and implement the requested waivers, including but not limited to executing any required agreements or documents and communicating with HUD and other relevant stakeholders.

PASSED AND ADOPTED on the _____ day of _____ 2024 by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

Name

Name

Title

Title

Signature

Signature