



HOUSING AUTHORITY OF THE CITY OF LIVERMORE

3203 LEAHY WAY
LIVERMORE, CALIFORNIA 94550
www.livermoreha.org

(925) 447-3600
Fax (925) 447-0942
TDD/TTY (800) 545-1833 x917

**BOARD OF COMMISSIONERS
REGULAR BOARD
MEETING AGENDA
Wednesday, January 13, 2021 – 5:30 PM**

Due to COVID-19 This meeting will be held virtually at:

Web: <https://us02web.zoom.us/j/83858696333>

Telephone: (669) 900-9128

Meeting ID: 838-5869-6333

1. **CALL TO ORDER / ROLL CALL**
2. **APPOINTMENT OF CHAIR AND VICE-CHAIR**
3. **APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETINGS OF DECEMBER 9, 2020**

4. **PUBLIC COMMENT**

Members of the public may speak to the Board of Commissioners on items within the purview or jurisdiction of the Housing Authority of City of Livermore. Comments are limited to a maximum of 3 minutes per person.

5. **CLOSED SESSION**

- A. **Executive Director Annual Evaluation**

6. **OLD BUSINESS**

- A. **Gelfand Update on Leahy Densification Study**
- B. **Mission Vision, and Values**

7. **NEW BUSINESS**

- A. **Board Committee Appointments**
 1. **Executive**
 2. **Finance**
 3. **Strategic Planning**
 4. **Personnel**
 5. **Leahy**
 6. **Audit**
- B. **Resolution 2021-01-13-A – 501(c)(3) By-Laws**
- C. **Resolution 2021-01-13-B – LHA Board of Commissioners' By-Laws**
- D. **Resolution 2021-01-13-C – Expenditure Limit for ED**
- E. **Resolution 2021-01-13-D – Fremont Bank Loan for Bluebell Apartments**

8. **STAFF REPORTS**

- A. **Report from the Executive Director**

9. **COMMUNICATIONS**

- A. **If any**

10. **REPORTS/ITEMS FROM COMMISSIONERS**

- A. **If Any**

11. **COMMITTEE REPORTS**

- A. **If Any**

12. ADJOURNMENT

*Under Government Code §54957.5, any **supplemental material** distributed to the Board members of the Livermore Housing Authority after the posting of this agenda will be available for public review in the office lobby, Housing Authority of the City of Livermore, 3203 Leahy Way, Livermore, CA. If supplemental materials are made available to the Board members at the meeting, a copy will be available for public review at the same location.*

Pursuant to Title II of the Americans with Disabilities Act (Codified at 42 United States Code Section 12101 and 28 Code of Federal Regulations Part 35), the Livermore Housing Authority does not discriminate on the basis of race, color, religion, national origin, ancestry, sex, disability, age, or sexual orientation in the provision of any services, programs, or activities. To arrange an accommodation in order to participate in this public meeting, please call (925) 447-3600 or (800) 545-1833 ext. 917 TDD/TTY at least 72 hours in advance of the meeting.

Procedure for Public Comment

Public Comment is an opportunity for the public to speak regarding items not listed on the agenda. Speakers are limited to a maximum of three minutes per person. The Chair may reduce the amount of time based on the number of persons wishing to speak. Please be aware that the Board of Commissioners is prohibited by State law from taking action on any items that are not listed on the agenda. However, if your item requires action, the Board of Commissioners may place it on a future agenda or direct staff to work with you and/or report to the Board of Commissioners on the issue.

Speaker Cards - If you wish to address the Board of Commissioners, you must complete a speaker card for each item about which you want to speak. Speakers are limited to a maximum of three minutes per person. The speaker card box is located in the West Wing entrance. Place your speaker card in this box before the item is to be considered. Staff will collect the cards and give the speaker cards to the Chair. The Chair will call speakers. No cards will be accepted once the presentation on that item has commenced.



BOARD OF COMMISSIONERS
REGULAR BOARD MEETING MINUTES
Wednesday, December 9, 2020-5:30 p.m.

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:32 p.m. by Chairperson Mark Palajac. Also present were, Vice-Commissioners Maureen Hamm, Richard Knowles, Matthew Graves and Christine Stuart. Present from LHA were Executive Director D’Jon Scott-Miller and Public Housing Manager Diana Thomas.

2. APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING OF: OCTOBER 14, 2020.

A motion was made by Commissioner Knowles to approve the board meeting minutes of November 18, 2020. Commissioner Stuart seconded the motion and it passed with a vote of 4 ayes and 1 abstention.

<u>VOTING</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Maureen Hamm			X
Mark Palajac	X		
Richard Knowles	X		
Matthew Graves	X		
Christine Stuart	X		

3. PUBLIC COMMENT

None.

4. NEW BUSINESS

A. Gelfand Update on Leahy Study

Austen Diliberto, Architect with Gelfand Partners attended the meeting to present a preliminary densification study to the Board. Gelfand was contracted to complete a study for Leahy Square Apartments to determine the possibilities to add units to the site and create additional housing.

Austen presented 3 schemes; Scheme A consist of an addition of 5 new 3-story townhouses which would add 19 new units and remove 2 existing units; Scheme B would consist of 6 new 3-story townhouses which would add 50 new units and remove 2 existing units; Scheme C would consist of 2 new flats and 2 new stacked apartments which would add 20 new units and remove 2 existing units.

Chairperson Palajac inquired what the demand for unit size is in the City of Livermore. With the majority of the schemes consisting of 2-bedroom units he wants to ensure we are targeting the demand. Austen stated he inquired with D’Jon what the greatest need is and D’Jon stated the demand is mostly for 1 and 2 bedroom units. Commissioner Graves recommended we reach out to the City to inquire as to what the demand is that they are seeing.

Member of the public, Stacey Swanson submitted question, “Is there a study that the City of Livermore has on hand already from the Downtown project market study?”. D’Jon will reach out to the City to follow up.



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Commissioner Hamm expressed concern with losing open space in Schemes A and C and expressed concern with adding 3-story buildings when the existing buildings are 2-story, and a taller building may create a blockage and cast shadows on existing residents.

Commissioner Graves suggested modifying Scheme B and moving the exiting playground to the open space near the basketball court and add additional units where the existing playground resides and near the open space which would result in impacting fewer residents.

Austen inquired if the space behind the office that connects from East Ave bus stop of the property which D'Jon answered no to and Commissioner Graves inquired why we do not open the space to which D'Jon answered it is due to security and privacy with office and Maintenance shop area. Member of the public, Valerie commented that currently any Livermore High students and parents have to walk quite a distance to walk around and opening an access point would be beneficial for students and parents.

B. LHA Mission, Vision and Values

Commissioner Stuart is taking the lead on strengthening the mission, vision, and values of the agency. In doing so, she started with looking at the definitions of each item so we can look at what we can use actively with staff, the board, and our partners. Commissioner Stuart sent a series of questions to LHA staff and the Board and will compile and condense them into our new mission, vision, and values statements.

D'Jon stated that these new statements will drive the work we do on a daily basis and it will extend beyond the staff to the community, partners, tenants, and participants. D'Jon also stated we are not just looking for words that sound nice but something we can live by and hold ourselves to daily.

Chairperson Palajac inquired if we may run into time constraints with the statements and the creation of the 501 (c)(3) to which D'Jon replied the constraint currently is providing 3 names for the nonprofit.

C. Nonprofit Name

D'Jon stated that our attorney, Bill Ford is in the process of creating our 501 (c)(3) and currently needs 3 names to submit to the state. Chairperson Palajac provided potential names; Housing Solutions; Livermore Housing Solutions; LV Housing Solutions; Safe Shelter; LHA Solutions. D'Jon stated he would like to have "Livermore" in the name, so it is clear who we are serving in our name. D'Jon also stated as we are looking at our mission, vision, and values we should incorporate that into the name somehow. Commissioner Stuart suggested the name, LHA Housing Value Center. If any names come to mind they should be emailed to D'Jon.

5. STAFF REPORTS

A. Report from the Executive Director

D'Jon provided an update on agency operations over the month of November. In the HCV department there were 4 vouchers issued, the voucher success rate is 80%, there were 6 move-ins and 13 move-outs, and annual reexaminations are up to date. For property management, overall occupancy rate is 97.60% with 3 vacancies at Bluebell and 1 at Leahy. Diana has conducted



showings for the units at Bluebell and received a request for an existing tenant to transfer into one of the newly renovated unit.

D'Jon had a call with Fremont Bank to follow up on the loan to complete work at Bluebell. Previously it was decided to relocate residents while all units were completed then move them back but with COVID and a 3rd vacancy at Bluebell it may be best to renovate the units one by one and increase the rent as renovations are completed. During that time the exterior work will also be completed at 1057 and 1063 Bluebell.

Chairperson Palajac inquired where we are with the RFP for legal services. D'Jon advised both proposers had errors in the pricing submitted through the online system and therefore we need to conduct best and final interviews with both proposers which we are looking to do in the coming weeks.

Chairperson Palajac inquired on the status of the 40 new Mainstream vouchers. D'Jon advised that he is working on the amendment of the admin plan, public notice or waitlist opening, and working with our waitlist management vendor to add the new preference points and prepare for the opening. D'Jon has had meetings with providers in Alameda County and has another meeting coming up to discuss the new vouchers and how best to move forward and work collaboratively to house the families.

6. COMMUNICATIONS

None.

7. REPORTS/ITEMS FROM COMMISSIONERS

A. Commissioner Vacancies

Vice-Chairperson Wanda Hunter resigned from the board which has created a vacancy for a tenant commissioner. D'Jon will be conducting an outreach to Leahy residents within the coming week. Commissioner Knowles seat expires January 1, 2021 and he has decided not to renew as he will be traveling more in the coming year and cannot meet the Brown Act posting requirements.

With Vice-Chairperson Hunter's resignation the seat is vacant and needs to be replaced. A motion was made by Commissioner Graves to become the Vice-Chairperson. Commissioner Stuart seconded the motion and it passed with a vote of 4 ayes.

<u>VOTING</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Maureen Hamm	X		
Mark Palajac	X		
Matthew Graves	X		
Christine Stuart	X		

8. COMMITTEE REPORTS

A. Strategic Planning

Report out was made from Commissioner Stuart earlier in meeting.

B. Personnel Committee



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The committee has been meeting with staff to conduct interviews for the Executive Director annual evaluation. Once interviews are completed the committee will meet and a report will be made in a closed session during January's regular board meeting.

9. ADJOURNMENT

The board meeting adjourned at 7:20 p.m.

DRAFT

**HOUSING AUTHORITY OF THE CITY OF LIVERMORE
ALAMEDA COUNTY, CALIFORNIA**

RESOLUTION NO. 2021-01-13-A

NONPROFIT BY-LAWS CREATION

WHEREAS, The Housing Authority of the City of Livermore (LHA) is in the process of creating a nonprofit 501(c)(3) corporation named Livermore Housing Collaborative (LHC) that will own and manage Leahy Square Apartments following the Public Housing Section 22 Conversion; and

WHEREAS, the LHC must create By-Laws that shall be the rules and procedures of the corporation; and

WHEREAS, the procedures of the LHC Board of Directors shall be governed by the rules as outlined in the approved By-Laws;

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Housing Authority of the City of Livermore hereby approves the creation of the By-Laws for the Livermore Housing Collaborative.

DATED: January 13, 2021

(SEAL)

ATTEST:

HOUSING AUTHORITY OF THE CITY OF LIVERMORE

D'JON PAUL SCOTT-MILLER
EXECUTIVE DIRECTOR

MARK PALAJAC
CHAIRPERSON, BOARD OF COMMISSIONERS

BYLAWS OF
LIVERMORE HOUSING COLLABORATIVE,
a California Nonprofit Public Benefit Corporation

ARTICLE 1.
NAME

Section 1.1 Name. The name of this corporation is Livermore Housing Collaborative (the "Corporation").

ARTICLE 2.
OFFICE

Section 2.1 Principal Office. The principal office for the transaction of affairs and activities of the Corporation is located at 3203 Leahy Way, Livermore, CA 94550. The Board of Directors of the Corporation (the "Board") may change the principal office from one location to another. Any change shall be noted on these Bylaws, or this section may be amended to state the new location.

Section 2.2 Other Offices. The Board may at any time establish branch or subordinate offices at any place or places where the Corporation is qualified to conduct its activities.

ARTICLE 3.
MEMBERS

Section 3.1 Members. This Corporation shall have no members.

ARTICLE 4.
DIRECTORS

Section 4.1 Powers. Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, all powers and activities of the Corporation shall be exercised directly by or under the ultimate direction of the Board.

Section 4.2 Number of Directors. The number of directors shall be ten (10) unless a greater or lesser number is authorized by the Board of Directors of the Corporation.

Section 4.3 Compensation and Reimbursement of Directors. The directors shall serve without compensation though they may be reimbursed for their actual and necessary expenses incurred on behalf of the Corporation.

Section 4.4 Restriction on Interested Persons as Directors. No more than forty-nine percent (49%) of the persons serving on the Board of directors may be interested persons. An interested person is (a) any person compensated by the Corporation for services rendered to it within the previous twelve (12) months, whether as a full-time or part-time employee, independent contractor, or otherwise, and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person. However, any violation of the provisions of this paragraph shall not affect the validity or enforceability of any transaction entered into by the Corporation.

Section 4.5 Appointment and Qualification of Directors. Subject to Sections 4.8 and 4.9 below and as set forth below, the initial directors shall be appointed by the Incorporator and all subsequent directors shall be appointed by the Board of Directors of Corporation and shall at all times be individuals who are either members of or who have been approved by the Board of Directors of the Corporation.

Section 4.6 Term. Except as provided below for the initial terms of the first full Board of Directors, the term of office of all the directors shall be three (3) years. In order to stagger the terms of the directors, the initial terms of three (3) directors will expire in 2022, the initial terms of another three (3) directors shall expire in 2023, and the initial terms of four (4) directors shall expire in 2024. The expiration of the terms of the initial members of the Board of Directors shall be as specified in the Certification by Incorporator Regarding Adoption of Bylaws and Appointment of Initial Directors. Each director shall hold office until her/his successor is appointed.

Section 4.7 Vacancies on the Board. A vacancy shall be deemed to exist in the event that the actual number of directors is less than the authorized number for any reason. The Board may declare vacant the office of any director who has been absent from three (3) or more consecutive meetings, whether regular or special, without having been excused by resolution.

Section 4.8 Removal of Directors. Corporation may remove any director with or without cause.

Section 4.9 Resignations of Directors. Except as provided below, any director may resign by giving written notice to the Board. The resignation shall be effective when the notice is given unless it specifies a later time for the resignation to become effective. Except on notice to the Attorney General of California, no director may resign if the Corporation would be left without a duly elected director or directors.

Section 4.10 Filling Vacancies. Vacancies shall be filled as provided for in Section 4.5.

Section 4.11 Meetings of the Directors. Regular meetings shall be held at least twice a year at such time and place as shall from time to time be fixed by the directors for the purpose of organization, election of officers and the transaction of other business.

Section 4.12 Special Meetings. Special meetings of the Board for any purpose may be called at any time by the chief executive officer, the secretary, or any two (2) directors.

Section 4.13 Notice. Notice of regular and special meetings shall be given to the directors not less than four (4) days prior to the meeting if delivered by first class mail or not less than seventy-two (72) hours prior to the meeting if the notice is delivered personally, by telephone or by e-mail. The notice must state the date and time of the meeting and the place of the meeting if it is other than the principal office of the Corporation.

Section 4.14 Waiver of Notice. Notice of a meeting need not be given to any director who, either before or after the meeting, signs a waiver of notice, a written consent to the holding of the meeting, or an approval of the minutes of the meeting. The waiver of notice or consent need not specify the purpose of the meeting. All such waivers, consents, and approvals shall be filed with the corporate records or made a part of the minutes of the meetings. Notice of a meeting need not be given to any director who attends the meeting and does not protest, before or at the commencement of the meeting, the lack of notice to him or her.

Section 4.15 Quorum. A majority of the duly elected directors constitutes a quorum of the Board of Directors for the transaction of business except as hereinafter provided.

Every action taken or decision made by a majority of the directors present at a duly held meeting at which a quorum is present shall be an act of the Board, subject to the more stringent provisions of the California Nonprofit Public Benefit Corporation Law, including, without limitation, those provisions relating to: (a) approval of contracts or transactions in which a director has a direct or indirect material financial interest, (b) approval of certain transactions between corporations having common directorships, (c) creation of and appointments to committees of the Board, and (d) indemnification of directors.

A meeting at which a quorum is initially present may continue to transact business, despite the withdrawal of some directors from that meeting, if any action taken or decision made is approved by at least a majority of the required quorum for that meeting.

Except as otherwise provided in these bylaws or in the Articles of Incorporation of this corporation, or by law, no business shall be considered by the Board at any meeting at which a quorum is not present and the only motion which the Chair shall entertain at such meeting is a motion to adjourn.

Section 4.16 Adjournment. A majority of the directors present, whether or not a quorum is present, may adjourn any meeting to another time and place. If the meeting is adjourned for more than twenty-four (24) hours, notice of any adjournment to another time and place shall be given to the directors who were not present at the time of the adjournment.

Section 4.17 Action Without a Meeting. Any action that the Board is required or permitted to take may be taken without a meeting if all members of the Board consent in writing to the action. Such action by written consent shall have the same force and effect as any other validly approved action of the Board. All such consents shall be filed with the minutes of the proceedings of the Board.

Section 4.18 Meetings by Conference Telephone. Members of the Board may participate in a meeting through use of conference telephone or similar communications equipment, so long as all persons participating in the meeting can hear one another. Participation by directors in a meeting in the manner provided in this section constitutes presence in person at the meeting.

Section 4.19 Committees of Directors. The Board may, by resolution adopted by a majority of the directors then in office, designate one (1) or more committees, each consisting of two (2) or more directors, to serve at the pleasure of the Board. Appointments to such committees shall be by majority vote of the directors then in office, and the Chairperson of such Board Committees shall be appointed by the President. Committees may recommend action to the Board, but no action may be taken at committee meetings except as specifically delegated by the Board.

Section 4.20 Committee Meetings. No written notice is required for committee meetings so long as less than a majority of the Board members are members of the committee. Oral or email notice must be given to each committee member at least twenty-four (24) hours prior to the meeting.

Section 4.21 Standard of Care- General. A director shall perform the duties of a director, including duties as a member of any committee of the Board on which the director may serve, in good faith, in a manner such director believes to be in the best interest of the Corporation and with such care, including reasonable inquiry, as an ordinarily prudent person in a like situation would use under similar circumstances.

In performing the duties of a director, a director shall be entitled to rely on information, opinions, reports or statements, including financial statements and other financial data, in each case prepared or presented by:

- (a) One (1) or more officers or employees of the Corporation whom the director believes to be reliable and competent in the matters presented;
- (b) Counsel, independent accountants, or other persons as to matters which the director believes to be within such person's professional or expert competence; or
- (c) A committee of the Board upon which the director does not serve, as to matters within its designated authority, which committee the director believes to merit confidence, so long as in any such case, the director acts in good faith, after reasonable inquiry when the need thereof is indicated by the circumstances and without knowledge that would cause such reliance to be unwarranted.

Except in the case of a self-dealing director, as described in Section 4.23 of these Bylaws, a person who performs the duties of a director in accordance with the above shall have no liability based upon any failure or alleged failure to discharge that person's obligations as a director, including, without limiting the generality of the foregoing, any actions or omissions which exceed or defeat a public or charitable purpose to which the Corporation, or assets held by it, are dedicated.

Section 4.22 Standard of Care- Investments. Except with respect to assets held for use or used directly in carrying out this Corporation's charitable activities, in investing, reinvesting, purchasing, acquiring, exchanging, selling and managing the Corporation's investments, the Board shall avoid speculation, looking instead to the permanent disposition of the funds, considering the probable income, as well as the probable safety of the Corporation's capital. The provisions of Section 4.21 of these Bylaws shall apply to this Section.

Section 4.23 Self-Dealing Transactions. Except as provided below, the Board shall not approve a self-dealing transaction. A self-dealing transaction is one in which the Corporation is a party and in which one or more of the directors has a material financial interest or a transaction between the Corporation and any entity in which one or more of its directors has a material financial interest. The Board may approve a self-dealing transaction if a majority of the Board, not including the self-interested director, determines that the transaction is fair and reasonable to the Corporation and, after reasonable investigation under the circumstances, determines that it could not have secured a more advantageous arrangement with reasonable effort under the circumstances.

Section 4.24 Inspection. Every director shall, at his or her own expense, have the absolute right at any reasonable time during the business hours of the Corporation to inspect and copy all books, records, and documents, and to inspect the physical properties of this Corporation.

ARTICLE 5. OFFICERS

Section 5.1 Officers of the Corporation. The officers of the Corporation shall be a President, Vice President, Secretary, and Chief Financial Officer (Treasurer). The Corporation may also have, at the Board's discretion, such other officers as may be appointed in accordance with Section 5.2 of these Bylaws. The President and Vice President must be directors. Any number of offices may be held by the same person, except that the same person may not concurrently serve as the President and the Chief Financial Officer.

- President/Chief Executive Officer – D'Jon Scott-Miller
- Vice President -
- Secretary – Diana Thomas
- Chief Financial Officer – Jenny King

(a) **Appointment of Officers.** Except as otherwise provided herein, the Board shall designate all officers of the Corporation for terms of one (1) year or until their successors are designated and qualified.

Section 5.2 **Other Officers.** The Board may appoint or may authorize the President or other officer, to appoint any other officers that the Corporation may require. Each officer so appointed shall have the title, hold office for the period, have the authority, and perform the duties specified in the Bylaws or determined by the Board.

Section 5.3 **Election.** The officers of the Corporation, except such officers as may be appointed in accordance with the provisions of Section 5.2, shall be chosen annually at a meeting of the Board of Directors and shall serve at the pleasure of the Board, and shall hold their respective offices until their resignation, removal or other disqualification from service, or until their respective successors are elected.

Section 5.4 **Removal of Officers.** Any officer may be removed with or without cause by the Board of Directors at any time.

Section 5.5 **Resignation of Officers.** Any officer may resign at any time by giving written notice to the Board. The resignation shall take effect as of the date the notice is received or at any later time specified in the notice and, unless otherwise specified in the notice, the resignation need not be accepted to be effective.

Section 5.6 **Vacancies in Office.** A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these Bylaws for regular appointments to that office, provided, however, that vacancies may be filled as they occur and not on an annual basis.

Section 5.7 **Reimbursement of Expenses.** The Corporation shall provide reimbursement for monies expended on behalf of the Corporation by its officers, subject to the approval of the Board of Directors.

Section 5.8 **President.** The President shall be responsible for conducting the affairs of the Corporation in a manner consistent with the policies and directives of the Board. The President shall preside at meetings of the Board and shall exercise and perform such other powers and duties as may from time to time be assigned to the President by the Board.

Section 5.9 **Vice President.** In the absence or disability of the President, the Vice President shall perform all the duties of the President, and when acting, shall have all the powers, and be subject to all the restrictions upon, the President. The Vice President shall have such other powers and perform such other duties as from time to time may be prescribed by the Board.

Section 5.10 **Secretary.** The secretary shall have the following duties:

(a) The Secretary shall keep or cause to be kept, at the Corporation's principal office or such other place as the Board may direct, a book of minutes of all meetings, proceedings, and actions of the Board and of committees of the Board. The minutes of the meetings shall include

the time and place that meeting was held, whether the meeting was annual, regular, or special, and, if special, how authorized and the notice given.

(b) The Secretary shall keep or cause to be kept at the Corporation's principal office, a copy of the Articles of Incorporation and Bylaws of the Corporation, as amended to date.

(c) The Secretary shall give, or cause to be given, notice of all meetings of the Board and of committees of the Board required by these Bylaws to be given. The Secretary shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

Section 5.11 Chief Financial Officer (Treasurer). The Chief Financial Officer shall have the following duties:

(a) The Chief Financial Officer shall be the treasurer of the Corporation and shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the Corporation's properties and transactions. The Chief Financial Officer shall send or cause to be given to the directors such financial statements and reports as are required to be given by law, by these Bylaws, or by the Board. The books of account shall be open to inspection by any director at all reasonable times during the business hours of the Corporation.

(b) The Chief Financial Officer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the Corporation with such depositories as the Board may designate, shall disburse the Corporation's funds as the Board may order, shall render to the President and the Board, when requested, an account of all transactions as Chief Financial Officer and of the financial condition of the Corporation, and shall have other powers and perform such other duties as the Board or the Bylaws may prescribe.

ARTICLE 6. MISCELLANEOUS

Section 6.1 Fiscal Year. The fiscal year of this Corporation shall be from July 1st through June 30th of each year.

Section 6.2 Corporate Seal. This Corporation may have a seal which shall be specified by resolution of the Board. The seal may be affixed to any corporate instruments, as directed by the Board or any of its officers, but failure to affix it shall not affect the validity of the instrument.

Section 6.3 Execution of Checks. Except as otherwise provided by law, every check, draft, promissory note, money order, or other evidence of indebtedness of the Corporation shall be signed by such individuals as are authorized by the Board.

Section 6.4 Indemnification. The Corporation shall indemnify its directors, officers, employees, and agents, including persons formerly occupying any such position, to the fullest extent permitted by law, against all expenses, judgments, fines and other amounts actually and

reasonably incurred by them in connection with any threatened, pending or completed action or proceeding, whether it is civil, criminal, administrative or investigative.

In all cases where indemnification is sought, the Corporation shall be subject to the following restrictions and requirements:

(a) Where the action or proceeding is brought on behalf of the Corporation or involves self-dealing transactions, as defined in Section 4.23 of these Bylaws, the Corporation shall not indemnify against amounts paid in settlement or judgment amounts, but shall, upon the express authorization of the Board, indemnify the director, officer, employee or agent against expenses incurred in defense of an action arising from his or her relation to the Corporation. To indemnify in such cases the Board must find the person met the statutorily prescribed standard of care by acting (1) in good faith, (2) in the best interests of the Corporation, and (3) with the care of an ordinarily prudent person.

(b) Where the person seeking indemnification under this section has been held liable to the Corporation or has settled his or her liability to the Corporation, the Corporation shall not indemnify against expenses without the approval of the court or the Attorney General.

(c) The Board shall determine whether the person seeking indemnification has acted in accordance with the standard of care set forth in subsection (a) of this section by a majority vote of a quorum consisting of disinterested directors. The termination of any proceeding in a manner adverse to the defendant seeking indemnification shall not create a presumption that such person failed to meet the standard of care.

(d) Where the person seeking indemnification has been successful on the merits in defense of any action or proceeding brought on behalf of the Corporation or in defense of any claim or issue involved in such action or proceeding, the Corporation shall indemnify against all expenses actually or reasonably incurred.

(e) The Corporation shall not advance any money to the person seeking indemnification for the purpose of defending against any action or proceeding without the receipt of an undertaking by such person to repay all advances unless it is ultimately determined that he or she is entitled to indemnification.

Section 6.5 Insurance. The Board may adopt a resolution authorizing the purchase of insurance on behalf of any director, officer, employee or agent of the Corporation against any liability asserted against or incurred by the director, officer, employee or agent in such capacity or arising out of the director's, officer's, employee's or agent's status as such, whether or not this Corporation would have the power to indemnify the director, officer, employee, or agent against that liability under law; except, the Corporation may not purchase insurance to protect self-dealing directors (as defined in Section 4.23 of these Bylaws) from liability.

Section 6.6 Reports to Directors. The President shall furnish a written report at the first regular meeting of the fiscal year to all directors of the Corporation containing the following information:

- (a) The assets and liabilities, including the trust funds, of the Corporation as of the end of the fiscal year;
- (b) The principal changes in assets and liabilities, including trust funds, during the fiscal year;
- (c) The revenue or receipts of the Corporation both unrestricted and restricted for particular purposes, for the fiscal year;
- (d) The expenses or disbursements of the Corporation, for both general and restricted purposes during the fiscal year.

The President must furnish a written report to all directors that lists any transaction during the prior fiscal year involving One Thousand Dollars (\$1,000) or more between the Corporation or a subsidiary and any director or officer of the Corporation or a subsidiary. The report must disclose the name of the director or officer and the person's relationship to the Corporation, the nature of such person's interest in the transaction and, where practicable, the amount of such interest. The President must also furnish an annual written report to all directors disclosing the amount and circumstances of any indemnifications or advances aggregating more than Ten Thousand Dollars (\$10,000) paid during the prior fiscal year to any officer or director of the Corporation.

ARTICLE 7. AMENDMENT OF BYLAWS SECTION

Section 1 Amendment of Bylaws. Subject to any provision of law applicable to the amendment of bylaws of public benefit nonprofit corporations, these bylaws, or any of them, may be altered, amended, or repealed and new bylaws adopted by a two-thirds (2/3) vote of the entire Board of Directors elected pursuant to these bylaws. These bylaws may not be amended to include any provision that conflicts with law or with the corporation's Articles of Incorporation.

ARTICLE 8. AMENDMENT OF ARTICLES OF INCORPORATION SECTION

Section 1 Amendment of Articles. Subject to limitations placed by Corporations Code Section 5810(a) and any other provision of law applicable to the amendment of Articles of Incorporation of public benefit nonprofit corporations, the Articles of Incorporation may be altered, amended, or repealed and new Articles adopted by a two-thirds (2/3) vote of the entire Board of Directors elected pursuant to these bylaws.

Section 2. Limitations on Amendments. Notwithstanding the above section of this Article, this corporation shall not amend its Articles of Incorporation to alter any statement which appears in the original Articles of Incorporation of the names and addresses of the first directors of this corporation, nor the name and address of its initial agent, except to correct an error in such statement.

ARTICLE 9.
PROHIBITION AGAINST SHARING CORPORATE PROFITS AND ASSETS

Section 1. Prohibition Against Sharing Corporate Profits and Assets. No director, officer, employee, or other person connected with this corporation, or any private individual, shall receive at any time any of the net earnings or pecuniary profit from the operations of the corporation, provided, however, that this provision shall not prevent payment to any such person of reasonable compensation for services performed for the corporation in effecting any of its public or charitable purposes, provided that such compensation is otherwise permitted by these bylaws and is fixed by resolution of the Board of Directors; and no such person or persons shall be entitled to share in the distribution of, and shall not receive, any of the corporate assets on dissolution of the corporation.

The Board of Directors of the corporation shall be deemed to have expressly consented and agreed that on such dissolution or winding up of the affairs of the corporation, whether voluntarily or involuntarily, the assets of the corporation, after all debts have been satisfied, shall be distributed as required by the Articles of Incorporation of this corporation and not otherwise.

Livermore Housing Collaborative
Certification by Incorporator Regarding Adoption of
Bylaws and Appointment of Initial Directors

I, Bill Ford, am the Incorporator of Livermore Housing Collaborative (the "Corporation"). Pursuant to the Articles of Incorporation filed on _____. I hereby adopt the Bylaws for the Corporation in the form attached to this certification.

I hereby appoint the following persons as initial directors of the Corporation, with their initial terms ending as provided below:

1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Executed this ____ day of _____, 2021.

CERTIFICATE OF THE SECRETARY

I, the undersigned, do hereby certify:

- (1) That I am the duly elected and acting Secretary of Livermore Housing Collaborative, a California nonprofit public benefit corporation; and
- (2) That the foregoing Bylaws, comprising ten (10) pages including the Certificate by the Incorporator Regarding Adoption of Bylaws and Appointment of Initial Directors, constitute the Bylaws of such corporation as adopted by the directors of the Corporation at a duly constituted meeting held on _____, 2021.

IN WITNESS THEREOF, I have hereunto subscribed my name, this ___ day of _____ 2021.

Signature

_____, Secretary
Typed Name

**HOUSING AUTHORITY OF THE CITY OF LIVERMORE
ALAMEDA COUNTY, CALIFORNIA**

RESOLUTION NO. 2021-01-13-B

APPROVAL OF AMENDMENTS TO THE LHA BOARD OF COMMISSIONERS' BY-LAWS

WHEREAS, The Housing Authority of the City of Livermore (LHA) has a seven (7) member Board that is governed by the existing By-Laws which were last updated March 8, 2017; and

WHEREAS, the By-Laws have been reviewed in comparison with the City of Livermore Housing Authority Rules of Procedures; and

WHEREAS, the existing By-Laws have been amended to incorporate the City's rules of procedures;

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Housing Authority of the City of Livermore hereby approves the amendments of the LHA By-Laws.

DATED: January 13, 2021

(SEAL)

ATTEST:

HOUSING AUTHORITY OF THE CITY OF LIVERMORE

D'JON PAUL SCOTT-MILLER
EXECUTIVE DIRECTOR

MARK PALAJAC
CHAIRPERSON, BOARD OF COMMISSIONERS

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

ARTICLE I – THE AUTHORITY

Section 1. Name of the Authority – The name of the Authority shall be the "Housing Authority of the City of Livermore."

Section 2. Seal of Authority – The seal of Authority shall be in the form of a circle and shall bear the name of the Authority and the year of its organization

Section 3. Office of Authority – The office location of the Authority shall be at 3203 Leahy Way, in the city of Livermore, County of Alameda, State of California, Zip Code 94550.

These By-Laws shall be known as the Rules and Procedures of the Housing Authority of the City of Livermore. A copy of these Rules and Procedures shall be filed in the office of the Housing Authority of the City of Livermore for examination by the public.

The procedures of the Board of Commissioners shall be governed by these rules, including any amendments hereafter adopted; provisions of the latest edition of Robert’s Rule of Order (newest revision) shall govern any procedural situation not covered by these rules, either expressly or by necessary implications.

ARTICLE II – BOARD OF COMMISSIONERS

Section 1. Commissioners of the Authority

The governing board of the Authority shall be the Board of Commissioners. The members of the Board shall be appointed by the Livermore City Council according to law. The Board of Commissioners shall consist of at least seven (7) residents of the City of Livermore. Each Commissioner appointed by the City Council shall serve no more than two consecutive four (4) year terms or a total of eight (8) years, unless the member was selected to complete an unexpired term. Two (2) of these seven (7) commissioners shall be Tenant Commissioners, currently participating in Housing Authority Programs, these commissioners per California Health & Safety Code 34270. One (1) of the two (2) Tenant Commissioners shall be “over 62 years of age” as required by law.

When a member resigns, a replacement will be appointed to fill the unexpired term of the resigning member. Terms of the commissioners are renewable at the discretion of the City Council. Appointed members shall serve their full terms unless they choose to resign voluntarily, no longer live in the City of Livermore, or the Tenant Commissioner no longer resides in a Housing Authority-owned dwelling unit or is no longer a participant of the Housing Choice Voucher program in Livermore. The City Council may remove any member from the board for inefficiency, neglect of duty, or behavioral misconduct.

Section 2. Meeting Attendance

Board members may not be absent for more than three (3) Regular Board meetings per year. If a member is unable to attend a scheduled meeting, they must notify the Chairperson or Executive Director prior to the start of the meeting. Board members who are absent for more than three (3) Regular Board meetings per year may be recommended for removal by the City Council. The Chairperson can call for a vote to remove the member with excessive absences. The member may appeal the request for removal to the City Council. The final decision to remove a member from the Authority rests solely with the City Council.

Section 3. Powers

The Authority shall have all the powers granted pursuant to the law including the California Housing Authorities Laws Act, Health and Safety Code Sections 34200 et seq. and Section 8 of the United States Housing Act of 1937. The Authority shall notice and conduct its meetings in accordance with the requirements of the Ralph M. Brown Act, California Government Code Section 54950-et seq.

Section 4. Indemnification/ Insurance

The Authority shall indemnify and hold a Commissioner of the Board harmless to the fullest extent permitted by law against any lawsuit or threat of lawsuit arising out of or resulting from acts of said Commissioner which are performed within the scope of his or her duties as a Commissioner, including reasonable attorneys' fees (from reasonable competent counsel selected by the Authority), and judgments incurred in connection with such litigation and to the fullest extent permitted by law against all expenses, judgments, fines and other amount actually and reasonably incurred by them in connection with any threatened, pending or completed action or proceeding, whether civil, criminal, administrative, or investigative.

A commissioner shall repay any amount(s) paid by the Authority pursuant to the preceding paragraph, if it is later determined that the act or acts of the Commissioner (giving rise to the suit or threat of suit) were performed outside (rather than under) the scope of the Commissioner's duties as a Commissioner.

Section 5. Insurance of Board Members

The Authority, shall procure and maintain through the action of its Board of Commissioners Errors and Omissions insurance coverage naming the Authority and the individual Commissioners, as joint and several beneficiaries of said Errors and Omissions insurance policy. Any deductible shall be payable by the Authority.

Section 6. Fiduciary Obligation

The Commissioners of the Authority and its officers shall have a fiduciary obligation to take actions in the best interest of the Authority. Commissioners shall abstain from voting on or influencing any business where the commissioner has a conflict or is not able or willing to take actions in the best interest of the Authority. Officers shall notify the Authority in writing if or when there is an item of Authority business where the officer has a conflict with his/her duties or responsibilities as an officer of the Authority.

ARTICLE III – OFFICERS

Section 1. Officers

The officers of the Commission shall be the Chairperson, Vice Chairperson, and a Secretary, who shall be the Executive Director and who shall not be a voting member of the Board of Commissioners. No members of the Commission shall serve more than two (2) successive terms.

- a) Chairperson – The Chairperson shall preside at all meetings of the Board of Commissioners. Except as otherwise authorized by the Commission of the Authority. At each meeting, the Chairperson shall be responsible for the conduct of the meetings and expediting the business of the Authority consistent with the majority opinion of the Commission. The Chairperson shall sign all contracts, deed and other instruments made by the Authority. At each meeting, the Chairperson shall submit any recommendations and information as s/he may consider proper concerning the business affairs and policies of the Authority.
- b) Vice Chairperson – The Vice chairperson shall perform the duties of Chairperson in the absence or incapacity of the Chairperson; and in the case of resignation or the Chairperson can no longer continue, the Vice Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Authority shall elect a new Chairperson.
- c) Presiding Officer – In the absence of the Chairperson or Vice Chairperson, the members present shall select a Presiding Officer.
- d) Secretary – This position serves at the pleasure of the Board. The Executive Director of the Housing Authority shall be the Secretary of the Authority and, shall have general supervision over the day to day administration of the Authority's business and affairs, subject to the direction of the Authority. The Secretary shall be charged with the management of the housing projects of the Authority. The Secretary shall keep the records of the Authority, shall act as secretary of the meetings of the Authority and record all votes and shall keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to the office. The Secretary shall keep in safe custody the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorize to be executed by the Authority. The Secretary shall have the care and custody of all funds of the Authority and shall deposit same

in the name of the Authority in such bank or banks as the Authority may select. The secretary shall normally sign all orders and checks for the payment of money and shall pay out and disburse such money under the direction of the Authority. In the absence of the Secretary, all such instruments will be signed by one of the Commissioners as authorized by the Commission. However, investments shall require two authorized signatures for transactions. The Secretary shall keep regular books of accounts showing receipts and expenditures and shall render to the Authority, at each regular meeting (or more often when requested) an account of his transactions also the financial condition of the Authority. The Secretary shall give such bond for the faithful performance of his duties as the Authority may determine. The secretary shall not execute any contract or make an expenditure over the limit set by the Board, which shall be set at its first meeting in January.

The Secretary shall be appointed by the Authority. Any person appointed to fill the office of Secretary, or any vacancy therein, shall have such term as the Authority fixes, but no Commissioner of the Authority shall be eligible to this office except as a temporary appointee. The compensation of the Secretary/Executive Director shall be determined by the Authority, provided that a temporary appointee selected from the Commissioners of the Authority shall serve without compensation, other than the payment of necessary expenses.

Section 2. Additional Duties

The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Authority or by the by-laws or rules and regulations of the Authority.

Section 3. Election or Appointment

The Chairperson and Vice Chairperson shall be elected by the first meeting held after January of each year of the Authority from among the Commissioners of the Authority, and shall hold office for one (1) year or until their successors are elected and qualified. The Commission, by majority vote, shall elect for a term of one (1) year, a Chairperson and Vice-Chairperson from among its Commission.

Section 4. Vacancies

Should the offices of Chairperson or Vice Chairperson become vacant, the Authority shall elect a successor from its membership at the next regular meeting. Such election shall be for the unexpired term of said office. When the office of Secretary becomes vacant, the Authority shall appoint a Successor as provided in Section 5 of this article.

Section 5. Executive Director and Additional Personnel

The Authority may from time to time employ such personnel, including the Executive Director, as it deems necessary to exercise its powers, duties and functions as prescribed by the Housing Authorities Law, as amended, and all other laws of the State of California applicable thereto. The selection and compensation of such personnel shall be determined by the Authority subject to the laws of the State of California. Should the Executive Director for any reason be unable to fulfill his/ her duties or term of appointment, the Authority may appoint and/ or hire an interim Executive Director to serve.

ARTICLE IV – COMMITTEES

There shall be such standing committees as followed below. Members of these committees may be appointed by the Chair of the Commission. The only standing sub-committee to the Commission shall be the Personnel Committee.

Section 1. Executive Committee

The Chairperson may establish an Executive Committee composed of the Chairperson, Vice Chairperson and one other Commissioner and an alternate. The Executive Committee may take action for the Authority between regular meetings if such action cannot await action of the full commission. However, such actions must be submitted for approval to the full Commission at its next regular meeting. The Executive Committee may also review business items prior to any meeting for recommendations to the full Commission.

Section 2. Other Committees

The Chairperson shall appoint a Finance Committee which shall make budget and investment recommendations to the full commission and shall review Housing Authority financial transactions on a quarterly basis. The Chairperson may appoint members to any committees for specific issues. All committees shall make recommendations to the full commission for action. The Chairperson shall also appoint a Personnel Committee, an Audit Committee and a By Law Committee.

Section 3. Standing and Ad Hoc Committees

The Standing Committees of the Authority shall be the Executive Committee, Finance Committee, Personnel Committee Audit Committee, Leahy Committee and Strategic Planning Committee. The Authority shall create such Ad-Hoc Committees as necessary to carry out its responsibilities for managing the Authority business.

ARTICLE V – MEETINGS

Advance publicity shall be given to reasonably ensure that the public is notified of all Commission meetings. More information regarding Board of Commission meetings can be found at the Authority website livermoreha.org. All meetings shall be public and shall follow an agenda prepared by the Secretary.

Section 1. Order of Business

The following is established as the Order of Business for regular Commission meetings.

- 1) Call to Order/Roll Call
- 2) Approval of Meeting Minutes
- 3) Public Comment
- 4) Old Business

- 5) New Business

- 6) Staff Reports
- 7) Communications
- 8) Reports/Items from Commissioners
- 9) Committee Reports
- 10) Adjournment

The Secretary shall cause an agenda of items of business, in conformity with this rule, to be prepared and distributed by email to Commission members no later than the Thursday preceding each meeting of the Commission. The Commission, by vote, may alter the foregoing order of business at any meeting, however, action by the Commission on items not on the meeting agenda can only be taken if a finding is made that an emergency exists or if the need to take action arose after the posting of the agenda.

All resolutions shall be in writing and shall be copied in a journal of the proceedings of the Authority.

Section 2. Regular Meetings

Regular meetings shall be held monthly with time and place and date set by resolution of the Commission. Regular meetings shall be held on the second Wednesday of every month, except no meetings shall be held on a legal holiday, in which event the said meeting shall be held the following week or on another day designated by the Board of Commission. Meetings shall be held at the Livermore Housing Authority offices, located at 3203 Leahy Way, Livermore, CA. 94550 beginning @5:30pm. A minimum of one (1) meeting each calendar quarter is mandatory. Regular meetings may only be moved or changed upon majority vote of the Commissioners.

Section 3. Special & Emergency Meetings

- a) Special Meetings – The Chairperson of the Authority or designee may, when s/he deems it expedient, call a special meeting of the Authority for the purpose of transacting any business designated in the request for the meeting, in accordance with the Brown Act. The Chairperson of the Authority or designee shall, upon written request of two Commissioners of the Authority, call a special meeting for the purpose of transacting any business designated in the call. The Notice of a special meeting may be delivered to each Commissioner of the Authority via mail to the business or home address of each Commissioner of the Authority and must be posted at least two days prior to the date of such special meeting. No business shall be considered at such Special Meeting other than as designated in the Notice.
- b) Emergency Meetings – The Chairperson of the Authority or designee may call such emergency meetings, as necessary. All meetings must be held in accordance with the Brown Act.

c) Section 4. Closed Sessions

Business may be conducted in closed session for personnel evaluations or labor negotiations, pending litigation suits, and real estate negotiations as permitted and in accordance with the Brown Act.

Section 5. Quorum

The powers of the Authority shall be vested in the Board of Commissioners thereof. Four (4) Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers, and for all other purposes, except as otherwise stated herein, and where a quorum is in attendance, action may be taken by a vote of majority of the Commissioners present.

- a. Actions shall be by formal motion or resolution.
- b. Each Commissioner shall have one (1) vote.
- c. Proxy votes shall not be permitted.

Section 6. Alternate Chair

In the event a quorum of the Board is present for the meeting, but both the Chair and Vice Chair are absent, the Commissioners present shall select from among themselves a Commissioner to preside as Chair for that meeting.

Section 7. Manner of Voting

The voting on any resolution or business coming before the Authority shall be by hand or voice vote as expressed by "Ayes", "Nay" or "Abstain". All "Ayes", Nays and "Abstention" on any votes shall be recorded in the minutes of such meeting. A roll call vote may be requested by any Commissioner, the vote shall be recorded in the minutes of such meeting.

Section 8. Brown Act: Open Meetings Closed Sessions

All meetings of the Authority shall be open to the public, and all persons shall be permitted to attend any meetings of the Authority except that the Authority may hold closed sessions during the course of any regular or special meeting as permitted by the Brown Act, Government Code sections – 54950 – 54962, in which the public cannot attend.

Section 9. Adjournment of Meetings

The Authority may adjourn any regular or special meeting to a time or place specified in the order of adjournments.

Section 10. Rules of Procedure

All rules of order and governance that are not herein provided in these By Laws, shall be determined in accordance with "Roberts Rules of Order, Revised".

ARTICLE VI – PUBLIC PARTICIPATION

Section 1. Policy

Members of the public shall be afforded the opportunity to speak on any agenda item of a substantive nature providing the Chairperson first recognizes them. Persons speaking to the Commission on an agenda item shall confine their remarks to the subject under discussion. A speaker comment card must be completed and given to the Commission prior to the beginning of the meeting.

Section 2. Discussions Between Citizens & Authority

All remarks should be addressed to the Commissioners as a whole.

Section 3. Manner of Addressing Authority

Prior to speaking, a member of the public may be requested to state his or her name in a clear and audible tone of voice but cannot be required.

Section 4. Time Limit

Individuals, designated spokespersons for recognized groups or organizations who wish to address the Commissioners shall have three minutes to address the Commissioners. However, they may request additional time and said additional time will only be granted with the permission of the Chairperson and subject to the consent of the Authority.

ARTICLE VII – AMENDMENTS

Section 1. Amendments to By-Laws

The Bylaws of the Authority shall be amended only with approval of at least four (4) of the Commissioners of the Authority at a regular or special meeting, but no such amendments shall be adopted unless seven days written notice thereof has been previously given to all of the members of the Authority.

ARTILCE VIII – CONFLICT WITH STATE STATUTES

Section 1. Conflicts

Nothing within these By-Laws shall be inconsistent with State Statutes. To the extent there is a conflict, State Law shall prevail.

GENERAL PROVISIONS

Severability

If any provision or clause of these By-Laws or the application thereof to any person or circumstance is held to be unconstitutional, or to be otherwise invalid, by any court of competent jurisdiction, such invalidity

shall not affect other provisions, clauses, or applications thereof which can be implemented without the invalid provision, clause or application and to this end the provision and clauses of these By-laws are declared to be severable.

Date of Adoption by the Board:

Resolution No:

**HOUSING AUTHORITY OF THE CITY OF LIVERMORE
ALAMEDA COUNTY, CALIFORNIA**

RESOLUTION NO. 2021-01-13-C

APPROVAL OF EXPENDITURE LIMIT FOR EXECUTIVE DIRECTOR

WHEREAS, The By-Laws of the Housing Authority of the City of Livermore (LHA) require that the Board of Commissioners establish from time to time an expenditure limit for the Executive Director without prior approval of the Board; and

WHEREAS, It is recommended that the Board establish that any contract or expenditure in excess of \$50,000 shall be subject to prior Board approval; that any contract or expenditure below that level be within the discretion of the Executive Director, except that any expenditure in excess of \$10,000 that is not within the approved operating budget shall be reported as part of the presentation of the monthly financial statements at the first meeting following such expenditure; and

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Housing Authority of the City of Livermore hereby approves an expenditure limit such that any contract or expenditure in excess of \$50,000 shall be subject to prior Board approval; that any contract or expenditure below that level be within the discretion of the Executive Director, except that any expenditure in excess of \$10,000 that is not within the approved operating budget shall be reported as part of the presentation of the monthly financial statements at the first meeting following such expenditure.

DATED: January 13, 2021

(SEAL)

ATTEST:

HOUSING AUTHORITY OF THE CITY OF LIVERMORE

D'JON PAUL SCOTT-MILLER
EXECUTIVE DIRECTOR

MARK PALAJAC
CHAIRPERSON, BOARD OF COMMISSIONERS

**HOUSING AUTHORITY OF THE CITY OF LIVERMORE
ALAMEDA COUNTY, CALIFORNIA**

RESOLUTION NO. 2021-01-13-D

FREMONT BANK LOAN FOR BLUEBELL APARTMENTS

WHEREAS, The Housing Authority of the City of Livermore (LHA) owns Bluebell Apartments located at 1057 and 1063 Bluebell Drive in Livermore California; and

WHEREAS, the units are market rate and not governed by The Department of Housing and Urban Development (HUD); and

WHEREAS, there is no restriction placed on LHA barring the entity from obtaining a bank loan for the property; and

WHEREAS, the LHA has been working with Fremont Bank to obtain a loan to complete renovations on the exteriors and interiors at 1057 and 1063 Bluebell Drive;

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Housing Authority of the City of Livermore hereby authorizes the Executive Director to proceed with Fremont Bank to obtain a loan that will fund the renovations.

DATED: January 13, 2021

(SEAL)

ATTEST:

HOUSING AUTHORITY OF THE CITY OF LIVERMORE

D'JON PAUL SCOTT-MILLER
EXECUTIVE DIRECTOR

MARK PALAJAC
CHAIRPERSON, BOARD OF COMMISSIONERS



LHA Monthly Report

Presented by D'Jon Paul Scott-Miller

December
2020

Monthly Progress and Productivity Report

A snapshot of the activity and productivity for the Livermore Housing Authority.

MONTHLY ACTIVITY

Vouchers Issued

The following are Housing Choice Vouchers (HCV) that were issued during the month of December 2020.

Vouchers Looking
1

Vouchers Success Report

The following is the success rate for vouchers issued between; January 2020 through December 2020.

Success Rate				
Overall	0 – 30 Days	31 – 60 Days	61 – 90 Days	91 + Days
85.96%	05.26%	54.39%	12.28%	14.03%

Moves

The following are unit move ins and outs for HCV and Property Management (PM) during the month of December 2020.

HCV	
In	Out
8	4
PM	
In	Out
0	0

End of Participations

The following are end of participations for the HCV program that were processed during the month of December 2020.

End of Participations
0

Occupancy Rate

The following are PM occupancy rates for December 2020.

Occupancy			
Property	Total Units	Occupied	Rate
Bluebell	27	24	88.89%
Chestnut	6	6	100.00%
Las Posadas	9	9	100.00%
Leahy Square	125	124	99.20%
Total	167	163	97.60%

Tenant Account Receivables

The following are TARs for December 2020.

Tenant Account Receivables			
	Charged	Paid	Rate
Property			
Bluebell	\$28,002.00	(\$25,972.50)	92.75%
Chestnut	\$7,803.00	(\$7,790.00)	99.83%
Las Posadas	\$9,969.00	(\$8,672.00)	86.99%
Leahy Square	\$78,198.00	(\$76,320.00)	97.60%
Total	\$123,972.00	(\$118,754.50)	95.79%

Annuals Reexaminations

The following are the HCV and PM annual reexaminations completed/pending during the month of December 2020.

HCV Annuals Processed/Pending	
Completed	25
Pending	0
PM Annuals Processed/Pending	
Completed	7
Pending	7

Interim Reexaminations

The following are the HCV and PM interim reexaminations completed during the month of December 2020.

HCV Annuals Processed/Pending	
Completed	28
PM Annuals Processed/Pending	
Completed	16

Inspections

The following are HCV inspections completed during the month of December 2020.

Inspections Completed/Scheduled			
	Pass	Fail	No Show
Inspection Type			
Annual Inspections	0	0	0
Initial Inspections	12	0	0
Quality Control Inspections	0	0	0
Self-Certifications	0	0	0
Total	12	0	0

Work Orders

The following are Work Orders opened in December 2020.

Work Orders			
	Opened	Closed	Remaining Open
Property			
Bluebell	4	4	0
Chestnut	1	1	0
Las Posadas	2	2	0
Leahy Square	54	52	2
Total	61	59	2