



Executive Committee Meeting

January 21, 2015

AGENDA

O (559) 443-8400

F (559) 445-8981

1331 Fulton Mall
Fresno, California 93721
TTY (800) 735-2929

www.fresnohousing.org

EXECUTIVE COMMITTEE Meeting of the Boards of Commissioners

12pm January 21, 2015 – Board Room
1331 Fulton Mall, Fresno, CA 93721

Interested parties wishing to address the Boards of Commissioners regarding this meeting's Agenda Items, and/or regarding topics not on the agenda but within the subject matter jurisdiction of the Boards of Commissioners, are asked to complete a "Request to Speak" card which may be obtained from the Board Secretary (Tiffany Mangum) at 11:45 a.m. You will be called to speak under Agenda Item 3, Public Comment.

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made at least one (1) full business day prior to the meeting. Please call the Board Secretary at (559) 443-8475, TTY 800-735-2929.

12pm

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1. Call to Order

2. Public Comment

This is an opportunity for the members of the public to address the Boards of Commissioners on any matter within the subject matter jurisdiction of the Boards of Commissioners that is not listed on the Agenda. At the start of your presentation, please state your name, address and/or the topic you wish to speak on that is not on the agenda. Presentations are limited to a total of three (3) minutes per speaker.

3. Discussion Items

- a. ACTION: Consideration of the minutes of November 12, 2014 and December 10, 2014 1
- b. Fresno Housing 75th Anniversary Update
- c. Review of the Tentative Agenda for the next regularly scheduled Board Meeting
- d. 2015 Early Retirement Program
- e. Board Development

- f. Development Update
- g. Administrative Matters Update
- h. Spring 2015 Board Retreat

4. Adjournment

Minutes of the Meeting
Of the Fresno Housing Authority
EXECUTIVE COMMITTEE

Wednesday, November 12, 2014

12:00 p.m.

There was a duly noticed meeting of the Executive Committee on November 12, 2014.

1. The meeting was called to order by Commissioner Scharton at 12:40 p.m., and members present and absent were as follows:

PRESENT: Reneeta Anthony
 Craig Scharton
 Adrian Jones
 Stacy Sablan

ABSENT: Jim Petty
 Rueben Scott

Also in attendance were: Preston Prince, CEO/Executive Director; Tracewell Hanrahan, CFO/Deputy Director; Rebecca Craigo, Chief Operations Officer; Ken Price of Baker, Manock and Jensen - General Counsel; Kevin Dale, Atkinson, Andelson, Loya, Ruud, & Romo, and Tiffany Mangum, Special Assistant to the CEO/Executive Director.

2. PUBLIC COMMENT

No public comment.

3. DISCUSSION ITEMS

- a. ACTION: Consideration of the August 20, 2014 Minutes

Commissioner Anthony motioned for the Committee's approval of the August 20, 2014 Executive Committee meeting minutes. This action was seconded by Commissioner Jones, and by unanimous vote of the Executive Committee, the minutes for August 20, 2014 were approved.

- b. Review of the Tentative Agenda for the November Board Meeting

Direction from the Executive Committee suggested to keep presenting Pre-Development concepts and project summaries during the Boards of Commissioners' Meetings.

c. Review of Draft Bylaws

After discussion, questions, and further clarity provided by the Executive Committee, the committee agreed to the recommended changes in the Bylaws, taking the Bylaws as an action item for the November Boards of Commissioners Meeting.

d. Development Update

The Executive Committee discussed and provided guidance for Tenant Based Vouchers and Project Based Vouchers, recommending staff begin creating a policy for Board consideration.

e. Administrative Matters Update

The Executive Committee discussed and provided guidance on the solicitation of tenants for commercial space at properties. Staff will begin developing a policy for consideration.

4. CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code § 54957.6)

Agency Designated Representatives: Tracewell Hanrahan, Rebecca Craigo, Clayton Lucas, Lisa Bechtel, Emily Williams

Employee Organization: Service Employees International Union (SEIU) Local 521

The Boards went in to open session announcing there was no reportable activity or action taken.

5. ADJOURNMENT

There being no further business to be considered by the Executive Committee, the meeting was adjourned at approximately 2:15 p.m.

Preston Prince, Secretary

Minutes of the Meeting
Of the Fresno Housing Authority
EXECUTIVE COMMITTEE

Wednesday, December 10, 2014

12:00 p.m.

There was a duly noticed meeting of the Executive Committee on December 10, 2014.

1. The meeting was called to order by Commissioner Scharton at 12:00 p.m., and members present and absent were as follows:

PRESENT: Craig Scharton
 Rueben Scott
 Jim Petty
 Adrian Jones
 Stacy Sablan

ABSENT: Reneeta Anthony

Also in attendance were: Preston Prince, CEO/Executive Director; Tracewell Hanrahan, CFO/Deputy Director; Lauren Layne of Baker, Manock and Jensen - General Counsel; and Tiffany Mangum, Special Assistant to the CEO/Executive Director.

2. PUBLIC COMMENT

No public comment.

3. DISCUSSION ITEMS

- a. Review of the Tentative Agenda for the next regularly scheduled Board Meeting

The Executive Committee discussed and decided to begin the Boards of Commissioners Meeting with the Closed Session at 4:00 p.m.

- b. Development Update

The update included discussion on the HOME Funds. In addition, the committee discussed upcoming funding opportunities for Trailside Terrace and Calaveras.

- c. Administrative Matters Update

The Executive Committee discussed administrative matters that included discussion on the RFP Auditing Services, Bank of the West, and the Madera Housing Authority. The consideration for the auditing services proposal will be presented to the Boards of Commissioners during the December Board Meeting.

The Executive Committee discussed the distribution of a letter to the Bank of the West team and the distribution of the results of their proposal.

The Executive Committee reviewed information concerning Per Diem for meetings and events. The pay for attendance is \$50.00 per meeting for up to four meetings a month. Further discussion included mileage, meals, and the policy outlining the Boards' philosophy on how the Commissioners will receive per diems.

Preston Prince, CEO/Executive Director, also informed the Committee of his discussions with the Board Leadership of the Madera Housing Authority. As he continues his meetings, he will update the committee on his plans to work with the agency on various administrative matters.

4. CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code § 54957.6)

Agency Designated Representatives: Tracewell Hanrahan, Rebecca Craigo, Clayton Lucas, Lisa Bechtel, Emily Williams

Employee Organization: Service Employees International Union (SEIU) Local 521

The Boards went in to open session announcing there was no reportable activity or action taken.

5. ADJOURNMENT

There being no further business to be considered by the Executive Committee, the meeting was adjourned at approximately 1:15 p.m.

Preston Prince, Secretary

Orientation Outline

Purpose

To equip newly appointed Commissioners with the necessary tools and information for successful execution of their duties and responsibilities.

Goals

At the conclusion of the Orientation, a Commissioner will:

- Demonstrate a broad understanding of issues and trends in the affordable housing industry
- Possess a thorough knowledge of the agency's structure, programs and services
- Understand the Boards' structure and collective role in the agency
- Be familiar with the roles and responsibilities of a Commissioner
- Have a general understanding of the financials of the agency
- Fully understand and be able to engage in the mission, vision, and strategic outlook of the agency

Topics

- Overview of the state of affordable housing
- Vision, Mission and Strategic Outlook
- The Boards of Commissioners
- The Role of a Commissioner
- About Fresno Housing
 - o Organizational Structure and Roles of the Senior Staff
 - o Overview of Financials
 - o Programs and Services (*Includes a brief tour – Parc Grove Commons and Cedar Courts*)
- Agency Initiatives
 - o Homelessness
 - o Fresno Housing Education Corps
 - o Grade Level Reading Campaign
 - o Building Neighborhood Capacity Program
- Lunch with the Chair and CEO

Details

- Overview of the state of affordable housing (20 min)
 - o Current trends, issues, policy matters
 - o NAHRO, CLPHA
- Vision, Mission and Strategic Outlook (10 min)
- The Boards of Commissioners (10 min)
 - o Structure
 - o Conduct of meetings
- The Role of a Commissioner (10 min)
 - o Review of roles and responsibilities
 - o Fiduciary and other legal responsibilities (General Counsel)
- About Fresno Housing
 - o Organizational Structure and Roles of the Executive Senior Staff (10 min)
 - Discuss the structure of the agency through senior management staff
 - Discuss the roles of each of the executive officers
 - o Overview of Financials (20 min)
 - Current operations and capital funds budgets
 - LP Budgets
 - Audited financials
 - o Programs and Services (30-45 min)
 - Housing Choice Voucher Program
 - Public Housing (Housing Management)
 - Resident Services
 - Development
- Agency Outreach and Initiatives (20 min)
 - o Homelessness
 - o Fresno Housing Education Corps
 - o Grade Level Reading Campaign
 - o Building Neighborhood Capacity Program
- Tour of Parc Grove Commons and Cedar Courts
- Lunch with the Chair and CEO

AGENDA

O (559) 443-8400

F (559) 445-8981

1331 Fulton Mall
Fresno, California 93721
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Regular Joint Meeting of the Boards of Commissioners of the Fresno Housing Authority

5pm January 27, 2015

1331 Fulton Mall, Fresno, CA 93721

Interested parties wishing to address the Boards of Commissioners regarding this meeting's Agenda Items, and/or regarding topics not on the agenda but within the subject matter jurisdiction of the Boards of Commissioners, are asked to complete a "Request to Speak" card which may be obtained from the Board Secretary (Tiffany Mangum) at 4:45 p.m. You will be called to speak under Agenda Item 3, Public Comment.

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made at least one (1) full business day prior to the meeting. Please call the Board Secretary at (559) 443-8475, TTY 800-735-2929.

5pm Board Meeting

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1. **Call to Order and Roll Call**
2. **Approval of agenda as posted (or amended)**
3. **Public Comment**

This is an opportunity for the members of the public to address the Boards of Commissioners on any matter within the subject matter jurisdiction of the Boards of Commissioners that is not listed on the Agenda. At the start of your presentation, please state your name, address and/or the topic you wish to speak on that is not on the agenda. Presentations are limited to a total of three (3) minutes per speaker.

4. **Consent Agenda**
 - a. Consideration of the Minutes of December 17, 2014
 - b. Consideration of Out of State Travel
 - c. Consideration of the Return to Work Policy
 - d. Consideration of an Amendment to the CalPERS Employer-Paid Member Contribution

5. **2014 Agency Highlights**
6. **Informational**
 - a. Fresno Housing 75th Anniversary Update
 - b. 2014 HAP Report and Presentation
 - c. Quality Housing through Property Owner Engagement
 - d. Resident Services Overview
 - e. Development Update
7. **Action Items – Commissioners may Consider, Approve, Deny, and/or Continue**
 - a. Consideration of the Agreement with the Boys and Girls Clubs of Fresno County
 - b. Consideration of the Memorandum of Understanding – Edison Plaza II, LLC
 - c. Consideration of the 2015 Early Retirement Program
8. **Executive Director’s Report**
9. **Adjournment**

CELEBRATING VIBRANT COMMUNITIES



Our Goals

Increase Visibility and Image

- Tell the stories
- Expand understanding of Public Housing
- Launch signature program/Project

Break Stereotypes

- Address misperceptions
- Inform broad community
- Promote Fresno Housing mission/vision
- Housing more than building; role in education

Acknowledge Accomplishments

- Promote achievements
- Advance stature
- Emphasize commitment
- Bolster staff pride in working at Fresno Housing

Enhance Communications

- Brand existing annual/regular events with 75th identity/message
- Launch 75-related outreach campaign
- Promote the story and messages
- Set stage for ongoing communications

Signature Strategies/Actions/Events

- “Soft Launch” of the celebration for Staff
- Strategic Media, Public Relations, and Promotional Events
- State of Housing Event
- Community Outreach Activities and Events
- Staff-Lead Community Engagement Activities
- Re-Branding of Fresno Housing with 75th Anniversary Messaging
- Launch of our Signature Program – Fresno Housing Scholars in partnership with the Fresno Housing Education Corps

COMMISSIONER (draft)

Purpose

To advise, govern, oversee policy and direction, and assist with the Agency's strategic oversight so as to support the established mission and goals.

Board of Commissioners – Governing Body

The Housing Authority is governed by a Board of Commissioners. The Board of Commissioners, a seven (7) member body, acts as the governing body of the Housing Authority, exercising both fiduciary and policy-making responsibilities for the established housing programs within its jurisdiction. The Housing Authority is authorized by California law, to manage, plan, and develop housing assistance programs and public housing. The Fresno Housing Authority is the local administrative agency for these housing assistance programs that are primarily funded by the U.S. Department of Housing and Urban Development (HUD).

Powers and Duties of the Board of Commissioners

The Board of Commissioners serves as the collective governing body of the authority, and its responsibilities include, but are not limited to, the following:

- Select, appoint, and evaluate the CEO/Executive Director
- Establish a clear vision for the programs and activities of the Agency
- Establish and evaluate the Strategic Plan and priorities
- Appoint the Auditor of Financial Statements, and oversee their activities
- Appoint Legal Counsel for the Agency, and oversee their activities
- Ratify collective bargaining agreements (Memoranda of Understanding)
- Establish and adopt agency policies
- Establish, adopt, and monitor operating and capital budgets (federal, state, local, and granted or awarded funds)

Commissioner

Power belongs not to individual Commissioners; rather, to the full Board of Commissioners, acting as a corporate body through collective action. Commissioners have authority only when acting as a Board in a legal and authorized meeting, pursuant to the Ralph M. Brown Act (Brown Act), and with a quorum present. The state or action of an individual Commissioner or group of Commissioners shall not bind the Board of Commissioners, except when the statement or action is specifically authorized by official action

taken by the Board. This does not preclude individual Board members from representing the Board at meetings or events.

While individual commissioners may have opinions on a variety of subjects, commissioners represent the Board only on official policy positions taken by the full Board. Individual Board members should not make commitments or in any way commit the full Board or Authority to an action, decision or outcome.

Role and Responsibilities of the Commissioner

A Commissioner serves as one contributing to the Board in the oversight, thinking, planning and support that are needed in executing the agency's mission and core objectives. Serving to meet the agency's interests and needs is the foundation of all efforts of a Commissioner. The following include some of the core responsibilities of a Commissioner:

- Submit to all state/federal regulations and requirements for a public official of a local agency
- Demonstrate an understanding of and passion for the mission, values, and work of the agency
- Ensure transparency, compliance, and accountability for the work of the agency and its programs
- Attend special and regularly scheduled meetings of the Board
- Serve on Committees as appointed by the Board Chair
- Uphold the legal and ethical standards of conduct, and all related laws, regulations and policies
- Compliance with the statutory requirements under the California open meeting laws (Brown Act)
- Cooperatively participate in the deliberations and action of the Board for the appointment, employment, evaluation of performance, discipline, or dismissal of the CEO/Executive Director
- Seek information, present questions, and communicate concerns that will contribute to meaningful discussion and foster a productive exchange of views in order to reach a collective decision of the Board.

Role and Responsibilities of the Board Chairperson

In addition to the aforementioned, the following include some of the core responsibilities and skills of a Board Chair:

- Healthy understanding of the role of the Board Chairperson in the overall agency
- Ability to incorporate core leadership skills
- Appoints commissioners and others to committees, as delegated by the Board, being sure the assignments are clear and submit to the policies and bylaws of the Board
- Serves as facilitator of the board meetings, provoking conversation, debate and full deliberations on all matters being considered.

Nonprofit Board Members: Role and Responsibilities

The value of a well-informed board of directors at nonprofit organizations cannot be taken for granted. Because board members are usually selected for multiple-year terms, clarifying the function of a board of directors and the responsibilities of its individual members is essential.

The basic legal responsibility of a board member is to exercise reasonable business judgment and do what is in the best interests of the nonprofit. The board has voting and decision-making authority and other responsibilities that are clearly separate from management's authority and duties. Board members should have knowledge of finance, accounting and business, be willing to have hands-on involvement in audits and use sound judgment in decision-making.



What is the job description of a board member?

Board members do not always realize the varied duties they may be expected to fulfill for the nonprofit. While serving on the board, members may find themselves making policy, planning strategies, forming or leading committees, enforcing regulations and mediating disputes.

Take steps to ensure that your board is functioning the way it should and that nonprofit board members are meeting their legal responsibilities. Board membership obligates members to be diligent in their pursuit of an appropriate amount of understanding of the issues before they pass judgment on any request by management.

GELMAN, ROSENBERG

& FREEDMAN

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Personal Attention Will Never Become Obsolete



In other words, they must do their due diligence. Board members should be conscientious and diligent and stay informed. They should be knowledgeable about federal, state and local laws that may affect the nonprofit organization.

Nonprofits concerned about possible conflict of interest of board members should have a conflict of interest policy or statement that their board members are required to sign. Board directors have a duty of loyalty to the nonprofit and should not profit at the nonprofit's expense.

What are the responsibilities of board members?

The basic legal responsibility of a board member is to exercise reasonable business judgment and do what is in the best interests of the nonprofit and its stakeholders or donors.

“It is necessary to attend all board meetings, committee meetings and specialized committee meetings – in particular, audit committee meetings.”

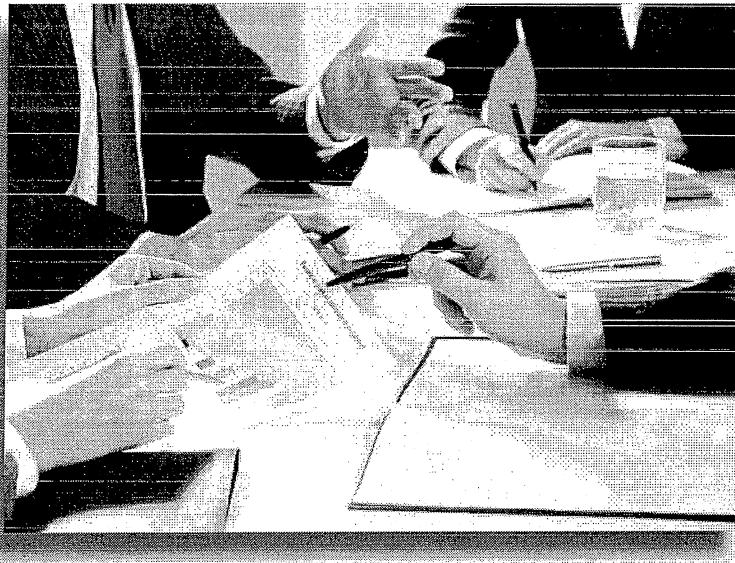
This responsibility requires board members to put aside their personal interests and opinions when performing board duties and participating in decision-making. In addition, board members should

consider the impact of their decisions on the interests of other parties, including the nonprofit's beneficiaries and employees.

Board members should insist that materials and board minutes of the previous meeting are sent to them before the scheduled meeting so that they can carefully review the materials. The preparatory work is a great time to formulate questions, ask for clarifications and perhaps determine other potential agenda items.

Reviewing the nonprofit's bylaws, rules and regulations for inconsistencies or inaccuracies is important. It is also necessary to attend all board meetings, committee meetings and specialized committee meetings – in particular, audit committee meetings. The board approves annual budgets and is responsible for ensuring that adequate financial resources are available to the nonprofit organization.

Nonprofit Board Members: Role and Responsibilities



The board of directors is ultimately responsible for a nonprofit's system of internal control. It should set appropriate policies on internal control and seek regular assurance that the system is functioning effectively. Audit committee members must make sure that proper internal controls are established and that committee members are informed of all critical accounting choices adopted by the nonprofit.

Board members should insist on reviewing all documentation that supports the risk assessment review of all of the tough choices between auditor and management.

Potential board members should inquire about the firm's indemnity policy and its "D&O" (directors and officers) insurance coverage. Failing to have this insurance is not a good sign.

Why is a nonprofit's tone of interest to the board?

The mission of board members is to encourage a tone within the nonprofit that fosters a better financial disclosure and reporting environment. Board members should be careful to monitor the "tone at the top" within the existing culture.

**GELMAN, ROSENBERG
& FREEDMAN**

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Sample Document

Member of the Board of Directors Job Description and Expectations

Purpose: To advise, govern, oversee policy and direction, and assist with the leadership and general promotion of (name of the organization) so as to support the organization's mission and needs.

***Major responsibilities:**

- Organizational leadership and advisement
- Organization of the board of directors, officers, and committees
- Formulation and oversight of policies and procedures
- Financial management, including adoption and oversight of the annual budget
- Oversight of program planning and evaluation
- Personnel evaluation and staff development
- Review of organizational and programmatic reports
- Promotion of the organization
- Fundraising and outreach

**Members of the board share these responsibilities while acting in the interest of (name of org). Each member is expected to make recommendations based on his or her experience and vantage point in the community.*

Length of term: Three years, which may be renewed up to a maximum of three consecutive terms, pending approval of the board.

Meetings and time commitment:

- The board of directors meets September through June on the second Monday of the month, 7:00 p.m., at (location). Meetings typically last 90 minutes.
- Committees of the board meet an average of four times per year, pending their respective work agenda.
- Board members are asked to attend no more than two special events or meetings per year, as they are determined.

Expectations of board members:

- Attend and participate in meetings on a regular basis, and special events as able.
- Participate on a standing committee of the board, and serve on ad-hoc committees as necessary.
- Be alert to community concerns that can be addressed by (name of org) mission, objectives, and programs.
- Help communicate and promote (name of org) mission and programs to the community.
- Become familiar with (name of org) finances, budget, and financial/resource needs.
- Understand the policies and procedures of (name of org).
- Financially support (name of org) in a manner commensurate with one's ability.

HOUSING AUTHORITY COMMISSIONER

MISSION STATEMENT: The Linn-Benton Housing Authority assists people to overcome barriers to safe and affordable housing due to income, disability or special needs, increasing their opportunities, respecting their personal dignity and maintaining the public trust.

POSITION SUMMARY: Volunteer position as member of citizen board of commissioners responsible for long-range planning, policy development, and fiscal oversight of a regional public agency.

APPOINTED BY: The Benton County Board of Commissioners appoints four Commissioners and four are appointed by the Linn County Commissioners. The eight so appointed then elect a ninth commissioner who must be a participant in the housing programs administered by the Linn-Benton Housing Authority. Commissioners serve a four-year term and may be reappointed if they so choose.

SUPERVISION EXERCISED: None individually, although as a member of the Board, hires, directs and evaluates the Executive Director.

TIME COMMITMENT: Approximately five (5) hours per month including: review monthly Director's Report, attend Board meeting on the third Tuesday of each month, occasional committee or special project work.

DESCRIPTION OF DUTIES AND RESPONSIBILITIES: The following represent the major essential and secondary duties of the position, however they are not intended to be all-inclusive. The Housing Authority Board of Commissioners reserves the right to redefine the position at any time.

ESSENTIAL BOARD FUNCTIONS:

1. Determine the mission and purpose of the organization.
2. Hire, direct and evaluate the Executive Director.
3. Ensure effective organizational planning.
4. Convene monthly Board meeting. Evaluate and act on recommendations made in Director's Report.
5. Ensure adequate organizational resources. Approve administrative, program and project budgets.
6. Manage resources effectively. Review financial and audit reports.

POSITION DESCRIPTION

LINN-BENTON HOUSING AUTHORITY

7. Conduct annual public hearing for the agency's Public Housing Authority plan, (PHA Plan) as required by HUD. Adopt annual resolution and certifications regarding PHA Plan.
8. Approve the agency's annual Section 8 Management Assessment Program (SEMAP) submission as required by HUD.
9. Adopt, review and revise LBHA Section 8 Administrative Plan, LBHA Personnel Policy, LBHA Procurement Policy and associated matters.
10. Review proposals for new, or changes to existing, housing programs or projects.
11. Enhance the organization's public image. Participate in public relations efforts to create and maintain the interests of the general public, clients, landlords, local and HUD officials in current and future housing development.
12. Review legal matters. May respond to difficult and sensitive employee, client or citizen complaints. May be requested to review Authority staff decisions on such matters.
13. Act on such other matters that may properly come before the Linn-Benton Housing Authority Board of Commissioners.
14. Assess its own performance.

SECONDARY FUNCTIONS:

As an individual Commissioner, may serve as an officer and may serve on a committee.

QUALIFICATIONS:

1. Demonstrated interest in affordable housing issues. Knowledge of local community.
2. Ability to participate in public meetings. Willingness to make necessary time commitment.
3. Ability to work as a team member with other commissioners and Executive Director, building consensus towards the best stewardship of scarce public resources to address local housing needs.
4. Prior public commission or committee experience desired. Specialized knowledge of Real Estate, Construction, Landlord/Tenant, Finance, or Social Services helpful but not required.
5. Cannot be a current Section 8 landlord or rent to a Section 8 participant during term as a commissioner.

THE BOARD & EXECUTIVE DIRECTOR – AN EFFECTIVE TEAM

Housing & Community Development Commissioners provide leadership, set policy, approve budgets, and earn support in the community for housing programs. They, however, must allow the Executive Director and staff to handle the day-to-day management of the agency's programs. Their role is that of policy maker, while the responsibility of the Authority's administration belongs to a paid professional working full or part-time as the Executive Director of the agency. This person is the Chief Executive Officer who manages the operations and reports to the board.

Without an effective Executive Director, an authority cannot be successful. Without a positive working relationship with the Board, an Executive Director cannot be effective.

Defining Responsibilities

It is easy to say that the Board sets policy while the Executive Director (ED) is responsible for the management. There are, however, gray areas within this definition, and the Board and ED must come to an agreement on these if they are to succeed.

The Board creates policies for financial management and approves budgets, but the ED invests funds, makes sure bills are paid and handles day-to-day expenditures. The Board approves bids for major purchases, but the ED makes a recommendation and then carries out the actual purchase. The ED usually makes small purchases without board approval.

The Board hires an auditor to audit the financial records, but the ED seeks bids for the audit and makes a recommendation to the Board.

The Board is responsible for writing the agency's long-range plan, but the ED makes recommendations and implements the plan once it is completed.

The Board approves departmental budgets and general funding for staff salaries, but the ED decides the scope of each department's activities and recommends individual salaries and the amount of raises the staff receives.

The Board sets broad personnel policies, but the ED determines the level of staffing, writes job descriptions, and hires, promotes, evaluates, or fires staff. It is not unusual for a staff person to take a concern or complaint directly to the Board or to an individual Board Member. However, when this occurs, it is the Board Member's responsibility to clearly remind the staff person of the chain of command. The board member should urge the staff person to take up the issue with the ED (or his immediate supervisor) and to follow the internal grievance procedure as necessary.

Roles of Board vs. Executive Director

TASK	BOARD ROLE	EXECUTIVE DIRECTOR ROLE
Long-term Goals	Approves	Recommends & Provides Input
Short-term Goals (less than 1 year)	Monitors & Evaluates Progress	Establishes and Carries Out
Day-to-Day Operations	No Role	Makes All Decisions
Budget	Approves	Develops & Recommends
Routine Monthly Expenditures	Monitors	Establishes & Carries Out
Development of Policy	Adopts & Monitors	Recommends & Carries Out
Billing, Credit & Collections	Adopts Policy	Recommends & Carries Out
Hires, Directs, & Evaluates Staff	No Role	Approves
Staff Grievances	No Role	The Grievances Stop Here
Staff Salaries	Allocates by Line Item in the Budget	Approves Salaries with Recommendation from Supervisors
Evaluating Staff	Evaluates the Executive Director	Evaluates all Other Staff

Areas of Responsibility

Main areas of responsibility for Commissioners include:

1. Making decisions that are in the best interest of your agency. Your job is to serve as an advocate for the Housing Authority.
2. Setting policy for the operation of the Housing Authority. These policies are very important, as they will ensure that the agency is run in an effective, efficient, ethical and legal manner.
3. Approving financial statements. Although you do not have direct responsible for the daily income and expenses, you could be held responsible if funds are used inappropriately. So it is important that you review these statements and ask questions if you don't understand something.
4. Setting long and short-range goals, with input from the Executive Director. These goals will determine the direction in which your agency is to proceed.

What Makes an Effective Commissioner

An effective Commissioner will:

1. Have knowledge of the purpose, goals, policies, programs, services and needs of your agency.
2. Exhibit leadership capabilities.
3. Avoid making decisions or judgments based on information received from individuals or outside groups.
4. Deal honestly and fairly in all matters related to Housing Authority operations.
5. Be an advocate in the community for your agency. Never discuss actions, decisions, staff or any aspect of the Housing Authority in a negative manner with outside individuals or groups.
6. Refrain from getting involved with the day-to-day operations.

Chairperson Responsibilities

The Board Chairperson must understand that he or she has no special authority beyond that of any other Board Member unless the full board decides otherwise. For example, the board may delegate specific powers to the Board Chairperson/President like managing meetings, representing the Board to the public or signing contracts and checks on behalf of the board.

In other words, any powers the Board Chairperson/President has must first be granted by the full Board either in policy or accepted board practice. This means that the Chairperson/President cannot speak or act for the board unless the full board has formally or informally delegated this privilege.

Traditionally, the Board Chairperson/President has several duties:

- **Planner** – The Chairperson works with the ED to plan the meeting agenda as well as how the meeting will be conducted. The Chairperson keeps an overall view of the board calendar and makes sure that duties mandated by board policy or by law are completed on time.
- **Facilitator** – The Chairperson must be viewed as a facilitator, rather than a controller, of Board Meetings. He or she begins the meetings on time, directs the Board through the agenda and attempts to adjourn the meeting on schedule. As facilitator, the chairperson/president ensures that all Board Members have the opportunity for a fair participation, attempts to make sure all sides are heard, and moves the Board to action on the issues.
- **Delegation** – The Chairperson/President traditionally has the power to appoint Board Members and others to committees, with Board consent. To do this, he or she must spend extra time with individual members to learn their skills, strengths and interests so that appropriate assignments can be made. It is also the Chairperson's/President's responsibility to make sure that committee assignments are clear and to hold the committees accountable to the job assigned. The Chairperson/President often serves on committees.
- **Liaison** – The Chairperson/President must be able to communicate the Board's needs and concerns to the ED and vice versa. In addition, the Chairperson/President offers personal support and counsel to the ED and acts as his or her sounding board.
- **Team-builder** – It is the duty of the Chairperson/President to foster team spirit among Board Members. When this cooperation is endangered, he or she must mediate, counsel and discipline fellow board members to keep the team intact.

Tenant Commissioners

With legislation passed in recent years, most housing authorities now have Tenant Commissioners serving on their agency boards. The purpose of including tenants on the Board is to bring their perspective to Board discussions and, ultimately, to the decisions that are made. They are not there to represent any other tenant or organization, but rather to share their knowledge from the tenant's viewpoint. The Tenant Commissioner has the same duties and responsibilities as the others.

INTRODUCTION

The great contributions that low-income housing programs have made to cities across Alabama is attributable, in a large respect, to the efforts of professionals just like you. Commissioners, who may come from all walks of life, are often leaders in their communities. Alabama commissioners receive no pay for their services and it is unlikely that you will receive thanks from any source. However, the personal satisfaction that one receives through the knowledge that you are a part of an organization providing safe, sanitary and affordable housing for a needy segment of the population of your community is immeasurable.

The information in this booklet is provided to help you better understand your role as an Alabama Public Housing Commissioner.

Section I. General Information

HOW COMMISSIONERS ARE APPOINTED:

Commissioners are appointed by the Mayor or other governmental agency in accordance with state law. There are five commissioners on the board, (one of which must be a recipient of housing assistance) and they are appointed for a term of five years. The terms are staggered so that one vacancy occurs each year. Commissioners may serve successive terms if allowed by the By-Laws of the Authority.

HOW COMMISSIONERS GET THINGS DONE:

Commissioners have the duty to pass resolutions and policies for the governance of the housing authority. The Department of Housing and Urban Development (HUD) and the Executive Director will keep Commissioners informed about current policies, regulations, and changes in policies which need to be made. Commissioners hire the Executive Director who is the chief executive officer of the Authority and is charged with the day to day management of the housing programs of the Authority, and who executes the policies adopted by the Commissioners.

COMMISSIONERS STAY INFORMED:

The Executive Director will inform the Commissioners of change in regulation or policy at a federal or state level which need to be made. Commissioners need to review state laws, policies of the housing authority, HUD rules and regulations, federal regulation and law, know the differences between the roles of Commissioners and the Executive Director, and have a good working relationship with the Executive Director. Commissioners should attend workshops, training and seminars to keep up to date on current issues concerning public housing authorities.

COMMISSIONERS MUST BE CONCERNED:

Commissioners must be concerned about the well being of the residents and the property of the authority. Commissioners should talk with residents, visit the various housing communities, attend resident meetings, and work with social service agencies to provide services for the residents.

LIABILITY OF COMMISSIONERS:

Commissioners have some immunity under the Alabama Volunteer Service Act. Commissioners must take action in good faith and within the scope of their official function, and must not cause damage for willful or wanton misconduct. Commissioners should maintain directors and officers' insurance, make policies clear and not arbitrary or capricious, and monitor and evaluate the Executive Director and the housing authority to see that policies are carried out.

RESPONSIBILITIES OF COMMISSIONERS:

Responsibilities are provided for in the Annual Contributions Contract (ACC), Federal Regulations, HUD Notices and HUD Handbooks. HUD requires the Commissioners to develop policy and monitor and establish controls for providing safe and sanitary housing to the residents. Commissioners have the ultimate responsibility for Public Housing Authority (PHA) operations including:

- ✓ Approving Bylaws, Resolutions, Policies and Procedures.
- ✓ Hiring and evaluating a qualified Executive Director.
- ✓ Establishing and adopting PHA policies such as: Personnel, Grievance, Procurement, Disposition, Admissions, Continued Occupancy, Section 8 Administration Plans, Leases, Rent Collection, etc.
- ✓ Reviewing and monitoring budgets and other financial documents to insure expenditures are in compliance with federal and local laws and other requirements.
- ✓ Approving policies and procedures for internal and external monitoring controls.
- ✓ Approving policies and procedures to detect and prevent program fraud, waste, mismanagement and abuse.
- ✓ Insuring that the PHA is acting legally and with integrity in its daily operations.
- ✓ To observe the chain of command and act collectively to avoid situations where commissioners appear to be managers instead of policy makers.
- ✓ Prevent conflicts of interest as defined in state law and the ACC.
- ✓ Avoid the appearance of conflicts of interest.

PURPOSE OF THE PUBLIC HOUSING PROGRAM:

The public housing program was established to provide decent, safe, sanitary and drug free

housing for persons of lower income. State law also provides powers and duties of the housing authority. State law and Federal law, along with rules, regulations, guidelines, handbooks, and directives provide assistance and guidance for the carrying out of the purposes of the public housing program.

WHO OWNS PUBLIC HOUSING?

Public Housing was authorized by the Federal Government and is funded with federal funds. The program is regulated by HUD. State law provides for the establishment of each housing authority. The title to all property is vested in the local public housing agency. The local housing agency is prohibited from leasing, selling or mortgaging property under the ACC without HUD approval.

HOW IS PUBLIC HOUSING FINANCED?


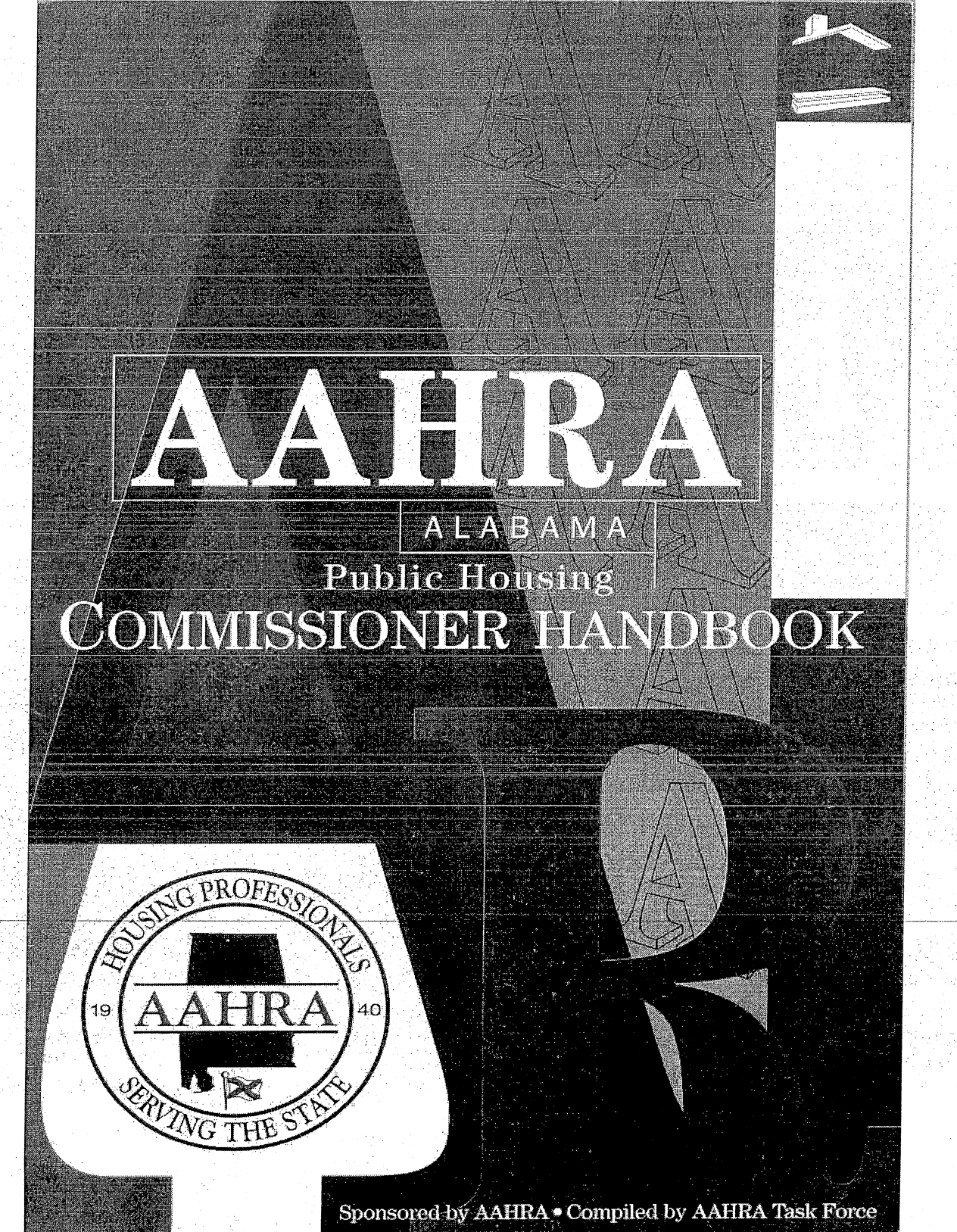
Originally Public Housing was financed by the sale of tax exempt government-guaranteed bonds and notes. Today Public Housing is financed by federal subsidy, rental income from tenants, grants, etc.

DO HOUSING AUTHORITIES PAY TAXES?

No. Payments in lieu of taxes (PILOT) are authorized by law and by the Cooperation Agreement made between the housing authority and the governing body. These payments are made to the local government for services provided, which are the same services provided to other property owners.

DUTIES OF THE EXECUTIVE DIRECTOR:

The Executive Director serves not only as Executive Director, but also as the Secretary/Treasurer of the Board of Commissioners. The Executive Director is hired by the Board of Commissioners by written contract, or, if there is no written contract, subject to the Personnel Policy of the Authority. The Executive Director is the chief executive officer of the Authority, and is charged with the day to day management of the housing programs of the Authority. He or she also executes the policies adopted by the Commissioners. The Executive Director informs and advises the Board on recommended policy changes and required regulatory changes in policy. In a small housing authority, the Executive Director may also be the Housing Manager. In that event, he or she is responsible for rent collection, repairs, maintenance, resident training and services, accounting, bookkeeping, and other duties associated with housing.



AAHRA

ALABAMA

Public Housing

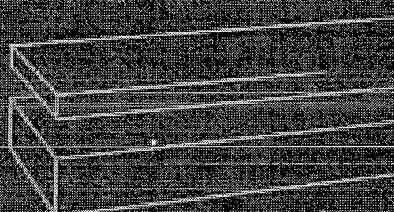
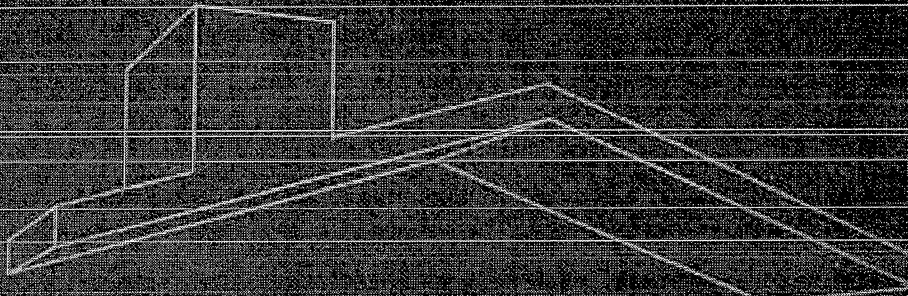
COMMISSIONER HANDBOOK



Sponsored by AAHRA • Compiled by AAHRA Task Force

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WHO SELECTS THE RESIDENTS?

The Board of Commissioners adopts the Admissions and Continued Occupancy Policy (ACOP). This policy is approved by HUD and is derived from the federal rules and regulations, along with local policy. Residents are selected by the Executive Director or his/her designee in accordance with the ACOP after: applying, having information confirmed, having a background/criminal history check, credit checks, etc. and after being deemed qualified for tenancy.

HOW IS RENT CALCULATED?

The minimum rent for housing is \$0.00 to \$50.00 depending upon the decision of the Board in establishing the minimum rent. A person's income and exclusions from income are used to calculate the person's rent based upon income of qualified family members. A formula, developed in accordance with the federal rules and regulations is applied to calculate the total rent payment due by the tenant each month.

DO'S AND DON'TS?

DO: ✓

- ✓ Pass resolutions and policies only after thorough discussion and understanding of the purposes, usage, intent and implication after consultation with the Executive Director.
- ✓ Monitor policies and procedures to insure that the result is what was intended and see if any modifications need to be made.
- ✓ Establish controls to detect and prevent conflicts of interest, fraud and abuse.
- ✓ Ensure that an audit is conducted annually and that the report is reviewed by commissioners. Ask the auditors to expand their review to include areas of concern.
- ✓ Conduct meetings at least quarterly with Resident Council leaders to solicit comments. Consider having training sessions for Resident Councils.
- ✓ Ensure that the housing authority operates legally and with integrity. Establish high ethical standards for staff and act as positive role models.
- ✓ Become aware of the policies and regulations which govern the operation of the housing authority, and review the laws concerning your service on the Board of Commissioners.
- ✓ Fully support all board approved resolutions even on split votes.

