



Meeting Date: 04/08/2008

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input checked="" type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Arturo Casillas, Housing Programs Manager Agenda Item No. K-2

Reviewed By: City Manager City Attorney Finance Other (Specify)

DATE: March 27, 2008

TO: Housing Authority Commission

FROM: S.D. Gonzalez, Housing Director
Housing Department

SUBJECT: **Housing Authority Agency Plan**

RECOMMENDATION

That the Board of Commissioners of the Housing Authority of the City of Oxnard:

1. Hold a public hearing to receive comments concerning the proposed Agency Plan.
2. Adopt a resolution:
 - a. Approving the Agency Plan for the Housing Authority; and
 - b. Authorizing and directing the Chairman to execute the Department of Housing and Urban Development (HUD) Public Housing Agency (PHA) Certification Compliance Form certifying the Housing Authority's compliance with HUD's polices and procedures.
3. Authorize the Housing Director to execute and submit all reports and documents required to comply with HUD's policies and procedures regarding the Agency Plan, which include the revised Admissions and Occupancy Policies and Section 8 Administrative Plan.

SUMMARY

The Agency Plan is comprised of a Five-Year Plan and an Annual Plan. The Five-Year Plan describes the mission of the Housing Authority and the long-range goals and objectives for achieving the mission over the five-year period. The Oxnard Housing Authority is in the third year of the current Five-Year Plan, which began July 1, 2005. The Annual Plan provides details about the Housing Authority's immediate operations, program participants, programs and services, and the Housing Authority's strategy for handling operational and resident concerns for the upcoming fiscal year. The two planning mechanisms (the Five-Year Plan and the Annual Plan) require the Housing Authority to examine existing operations and needs, and to design long- and short-range strategies to address those needs.

mechanisms (the Five-Year Plan and the Annual Plan) require the Housing Authority to examine existing operations and needs, and to design long- and short-range strategies to address those needs.

The Agency Plan is consistent with the City's Consolidated Plan and like the Consolidated Plan, the Agency Plan involves consultation with affected groups in its development.

This year, HUD reduced and simplified the amount of information required from agencies rated as Higher Performers, such as the Oxnard Housing Authority. The Annual Plan includes information on capital improvement needs, project-based housing assistance vouchers, a certification that the Agency Plan is consistent with the City's Consolidated Plan, a list of supporting documents available for review, and an annual statement and performance and evaluation report for the Housing Authority's Capital Fund Program. The Annual Plan is also the mechanism by which funds are requested from HUD for the Capital Fund Program for Fiscal Year 2008.

The proposed policy changes include increased flexibility to serve disabled residents in the Section 8 Program and victims of crime in Public Housing, programmatic and procedural changes, a new contract for group cable television rates, and significant increases in utility deductions for tenants in both the Public Housing and Section 8 Programs, which will result in rent decreases for families.

DISCUSSION

The Agency Plan, derived from provisions of the Quality Housing and Work Responsibility Act of 1998 (QHWRA), requires housing authorities to develop a Five-Year and Annual Plan. The purpose of the Annual Plan is to provide a framework for local accountability and an easily identifiable source by which public housing residents, participants in the Section 8 program, and other members of the public may locate basic information regarding the Housing Authority's policies, rules and regulations, and services that are provided by the Housing Authority.

Annual Plan updates must be submitted to HUD prior to the beginning of each fiscal year. The Agency Plan includes a certification that the Housing Authority's plan is consistent with the City's Consolidated Plan and a certification of compliance form which states that the Housing Authority is operating within HUD's requirements.

The Five-Year Plan includes plans to transform public housing at Colonia Village in the project known as "the Courts." This activity involves the planned demolition, disposition and redevelopment of Colonia Housing Project 31-1. The plan includes the establishment and operation of a non-profit corporation to administer the new housing units, which will be affordable, but will no longer be public housing units. This project will provide public housing residents with opportunities to purchase homes, as well as reduce the concentrations of poverty in the housing project by creating a mixed income community.

Overall, the Agency Plan is similar to last year's plan. This year's plan includes the following significant proposed changes, clarifications and updates:

1. Write Off of Uncollectible Accounts.

6. Section 8 Program Insufficient Funds Scenario.
7. Public Housing Program Preference.
8. Veteran's Preference Criteria Clarification.
9. Miscellaneous Clarifications in policies.
10. Utility Allowances for Section 8 Program Tenants.
11. Enterprise Income Verification.

Significant in the proposed policy changes are increased utility deductions ranging between 43% and 63% for most residents in Public Housing, and 42% to 58% for most residents in the Section 8 Program. Families in five bedroom units in Public Housing and those that rent houses under the Section 8 Program will receive higher utility deductions. These rates are based on a current market study of utility costs. A detailed description of all the proposed policy changes is contained in Attachment 3.

The law permits the Housing Authority to change or modify the Agency Plan at any time. Any "significant amendment or modification" to the Agency Plan will require a public notification and hearing process.

HUD considers the following to be significant amendments or modifications:

1. Changes to rent or admission policies or organization of the waiting list;
2. Additions of nonemergency work items (items not included in the current Annual Statement or Five-Year Action Plan) or change in the use of replacement reserve funds under the Capital Fund;
3. Any change with regard to demolition or disposition, designation, homeownership program or conversion activities.

Changes in HUD regulatory requirements are not considered significant amendments by HUD.

The Annual Plan also contains the Authority's submittal of the Capital Fund Program (Modernization) funding request to HUD. The Capital Fund Program Annual Statement and Five Year Plan are included in the Agency Plan. This grant funds being requested from HUD for the Capital Fund Program for the next fiscal year are \$1,858,137. The Annual Agency Plan also includes as an attachment the Performance and Evaluation Report for Capital Funds.

The Housing Authority is required to hold a public hearing and provide a 45-day public notice and comment period prior to the hearing. The comment period began on February 9, 2008, and ended on March 25, 2008. Housing Authority staff held two meetings with the Resident Advisory Board, which was established for five years by the Housing Commission at its November 16, 2004 Commission meeting. The Resident Advisory Board elected a Chairperson and Vice-Chairperson and provided input into the development of the Agency Plan as required by the Act. During the 45-day comment period, HUD recommended an elaboration of our "Enterprise Income Verification" policy, which includes internal security procedures for safeguarding tenant information accessed from a HUD database that contains employment information. No other responses were received.

If the Housing Commission approves the Agency Plan, HUD requires an electronic submission as well as a hard copy of the Plan and all certifications and supporting documentation. The Agency Plan must be submitted 75 days in advance of the new fiscal year which is no later than April 16, 2008.

FINANCIAL IMPACT

The approval of the recommended action will permit the Housing Authority to obtain \$1,858,137 under the Capital Fund, as well as other potential funds.

Attachment #1 - Resolution Approving the Agency Plan
#2 - PHA Certification of Compliance Form
#3 - Proposed Significant Policy Changes
#4 - Streamlined Annual PHA Plan

Note: Attachment #3 Proposed Significant Policy Changes and Attachment #4 Streamlined Annual PHA Plan have been provided to City Council under separate cover. Copies for review are available at the Circulation Desk in the Library after 6:00 p.m. on Thursday prior to the Council meeting and in the City Clerk's Office after 8:00 a.m. on Monday prior to the Council meeting.

HOUSING AUTHORITY OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION APPROVING THE AGENCY PLAN AND AUTHORIZING THE
CHAIRMAN TO EXECUTE AND SUBMIT THE AGENCY PLAN FOR THE
HOUSING AUTHORITY

WHEREAS, the Housing Authority of the City of Oxnard ("OHA") is required by the U.S. Department of Housing and Urban Development ("HUD") to approve and submit the Agency Plan for the Housing Authority for HUD's review and approval; and

WHEREAS, the OHA is required by HUD to certify that the OHA is in compliance and will comply with HUD's policies and procedures; and

WHEREAS, the OHA, as required under the Quality Housing and Work Responsibility Act of 1998 ("QHWRA"), has had the Agency Plan available to the public for a 45-day comment and review period, and has held the requisite advance meetings with the Resident Advisory Board between February 7, 2008 and March 10, 2008, as well as the required public hearing on April 8, 2008;

NOW, THEREFORE, the Board of Commissioners of the Housing Authority of the City of Oxnard resolves as follows:

1. The Commission approves the Agency Plan for the Housing Authority and directs the Housing Director to submit it to HUD for review and approval, as required by QHWRA.
2. The Commission authorizes and directs the Chairman to execute the PHA Certification Compliance Form for the Agency Plan.
3. The Commission certifies that the OHA developed the Agency Plan with involvement and input from local government and the residents within the jurisdiction of the Agency Plan.

APPROVED AND ADOPTED this 8th day of April 2008, by the following vote:

AYES:

NOES:

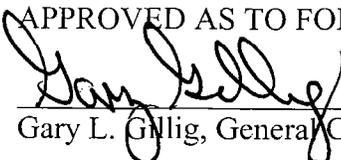
ABSENT:

Dr. Thomas E. Holden, Chairman

ATTEST:

Daniel Martinez, Secretary Designate

APPROVED AS TO FORM:

 03-27-08

Gary L. Gillig, General Counsel

**PHA Certifications of Compliance with the PHA Plans and Related Regulations:
Board Resolution to Accompany the *Streamlined Annual PHA Plan***

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the streamlined Annual PHA Plan for PHA fiscal year beginning 7/1/2008, hereinafter referred to as the Streamlined Annual Plan, of which this document is a part and make the following certifications, agreements with, and assurances to the Department of Housing and Urban Development (HUD) in connection with the submission of the Streamlined Plan and implementation thereof:

1. The streamlined Annual Plan is consistent with the applicable comprehensive housing affordability strategy (or any streamlined Plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, and provided this Board or Boards an opportunity to review and comment on any program and policy changes since submission of the last Annual Plan.
3. The PHA made the proposed streamlined Annual Plan, including policy and program revisions since submission of the last Annual Plan, and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the streamlined Plan and invited public comment.
4. The PHA will carry out the streamlined Annual Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
5. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
6. For streamlined Annual Plans that include a policy or change in policy for site-based waiting lists:
The PHA regularly submits required data to HUD's MTCS in an accurate, complete and timely manner (as specified in PIH Notice 99-2);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(b)(2).
7. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
8. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
9. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
10. The PHA has submitted with the streamlined Plan a certification with regard to a drug-free workplace required by 24 CFR Part 24, Subpart F.
11. The PHA has submitted with the streamlined Plan a certification with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.
12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
14. The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58.
15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.

17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments.).
19. The PHA will undertake only activities and programs covered by the streamlined Annual Plan in a manner consistent with its streamlined Annual Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its streamlined Plan.
20. All certifications and attachments (if any) to the streamlined Plan have been and will continue to be available at all times and all locations that the PHA streamlined Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the streamlined Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its streamlined Annual Plan and will continue to be made available at least at the primary business office of the PHA.
21. The PHA certifies that the following policies, programs, and plan components have been revised since submission of its last Annual PHA Plan (check all policies, programs, and components that have been changed):

- 903.7a Housing Needs
- 903.7b Eligibility, Selection, and Admissions Policies
- 903.7c Financial Resources
- 903.7d Rent Determination Policies
- 903.7h Demolition and Disposition
- 903.7k Homeownership Programs
- 903.7r Additional Information
 - A. Progress in meeting 5-year mission and goals
 - B. Criteria for substantial deviation and significant amendments
 - C. Other information requested by HUD
 - 1. Resident Advisory Board consultation process
 - 2. Membership of Resident Advisory Board
 - 3. Resident membership on PHA governing board

22. The PHA provides assurance as part of this certification regarding its streamlined annual PHA Plan that:
- (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA board of directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.

Housing Authority of the City of Oxnard
PHA Name

031
PHA Number

Streamlined Annual PHA Plan for Fiscal Year: 2008

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Dr. Thomas E. Holden, Mayor	Chairman of the Oxnard Housing Authority
Signature	Date
X	April 8, 2008