

## NOTICE OF A SPECIAL MEETING

YOU ARE HEREBY NOTIFIED THAT A SPECIAL MEETING OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF SANTA CRUZ IS TO BE HELD ON WEDNESDAY, DECEMBER 18, 2019 AT 11:30A.M. AT THE HOUSING AUTHORITY OFFICES LOCATED AT 2160 41<sup>st</sup> AVENUE, CAPITOLA CALIFORNIA 95010

### HOUSING AUTHORITY OF THE COUNTY OF SANTA CRUZ AGENDA OF THE SPECIAL BOARD MEETING

1. Roll Call
2. Consideration of Late Additions and Changes to the Agenda
3. Consent Agenda
  - A. Minutes of the Regular Meeting held October 23, 2019  
Motion to Approve as Submitted
  - B. Minutes of the Special Meeting held November 18, 2019  
Motion to Approve as Submitted
  - C. Response to Commissioner Questions  
Receive Report
  - D. Housing Choice Voucher Administrative Plan Update  
Motion to Approve Update to Housing Choice Voucher Administrative Plan with Regards to Farmworker PBV Units at San Andreas
  - E. Application for Family Unification Program Grant  
Motion to Adopt **Resolution No. 2019-18:** Resolution Retroactively Authorizing Submission of a Family Unification Program Application to the U.S. Department of Housing and Urban Development (HUD) under the Housing Choice Voucher Program
4. Oral Communications (All oral communications must be directed to an item not listed on this agenda and must be within the jurisdiction of the Board. Presentations must not exceed three minutes in length. The Board will not take action or respond immediately to any Oral Communication presented, but may choose to follow up at a later time or schedule item for a subsequent agenda. The Board may limit the total amount of time allowed for oral communication). Anyone addressing the Board of Commissioners is asked to complete a card and leave it with the Board secretary so that their names may be accurately recorded in the Minutes.
5. Unfinished Business
6. New Business

A. Repositioning Low-Income Public Housing Units through Section 22 Streamlined Voluntary Conversion

Motion to Adopt **Resolution No. 2019-19**: Resolution to Approve the Streamlined Voluntary Conversion Plan, the Public Housing Removal Action, and the Submission of the Inventory Removals Application

B. Section 8 Waiting List Preference for Homeless Families with Minor Children

Motion to Adopt Limited Waiting List Preference for Homeless Families with Minor Children in 2020 Section 8 Housing Choice Voucher Administrative Plan

C. 5 Year Agency Plan: PHA Goals and Objectives

Review Draft PHA Goals and Objectives for Upcoming 5 Year Plan; Provide Direction to Staff

7. Written Correspondence
8. Report of Executive Director
9. Reports from Board Members  
(Board members may report on meetings attended, if any, or other items of interest.)
10. Closed Session  
(The Board will recess to discuss those items listed, if any.)
11. Report on Closed Session
12. Adjournment

\*The Housing Authority complies with the Americans with Disabilities Act. If you are a person with disabilities and you require special assistance in order to participate, please contact the Board secretary at 831-454-9455, ext. 201 at least 72 hours in advance of the meeting in order to make arrangements. Persons with disabilities may request a copy of the agenda in an alternative format.

Spanish language translation is available on an as needed basis. Please make arrangements 72 hours in advance by contacting the Housing Authority at 831-454-9455, ext. 280.

*Agendas can be obtained from the Housing Authority of the County of Santa Cruz Administration Department.*

HOUSING AUTHORITY OF THE COUNTY OF SANTA CRUZ, MINUTES OF THE REGULAR MEETING OCTOBER 23, 2019 AT THE HOUSING AUTHORITY OF THE COUNTY OF SANTA CRUZ, 2160 41<sup>ST</sup> AVENUE, CAPITOLA, CA 95010

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**AGENDA ITEM NO. 1**

Roll Call

Chairperson Brunner called the meeting to order at 11:29 a.m. Members present Commissioners Berg, Brunner, Eligio, Schiffrin and Schmale

**Members Absent**

Commissioner Garcia (excused)

**Staff Present**

Jennifer Panetta and Courtney Byrd of the Housing Authority

**AGENDA ITEM NO. 2**

Consideration of Late Additions or Changes to the Agenda

None.

**AGENDA ITEM NO. 3**

Consent Agenda

Chairperson Brunner asked for a motion to approve the Consent Agenda.

Commissioner Schiffrin had asked for a change in the Minutes prior to the meeting. The change requested was under **AGENDA ITEM NO. 9** Reports from Board Members. Commissioner Schiffrin requested that the sentence, "Commissioner Pomerantz informed the Board that he and another resident of the City of Santa Cruz sued the city over Measure O violations and that they won the lawsuit" be changed to, "Commissioner Pomerantz informed the Board that he and another resident of the City of Santa Cruz sued the city over Measure O violations and a successful settlement was reached." Staff also removed, "The Board of Commissioners congratulated Commissioner Pomerantz." The corrected Minutes were passed out and are before the Board for consideration.

Commissioner Schiffrin moved for approval of the Consent Agenda with Minutes as amended; Commissioner Berg seconded the motion and it was passed by the following vote:

AYES: Commissioners Berg, Brunner, Eligio, Schiffrin and Schmale

NOES: None

ABSENT: Commissioner Garcia

ABSTAIN: None

Agenda Item 3A. Approval of the Minutes of the Regular Meeting held September 25, 2019 as amended

Agenda Item 3B. Authorized Write-Off of Accounts Receivable for Former Tenants

Agenda Item 3C. Approval of the Cancellation of the Regular Meeting of December 25, 2019

and Call a Special Meeting on December 18, 2019 at the Regular Time of 11:30 a.m.

Agenda Item 3D. Adopted Resolution No. 2019-16: Authorization of a Grant Application Submittal, the

Execution of a Grant Agreement and Any Amendments Thereto, and Any Other

Documents Necessary to Secure a U.S. Department of Housing and Urban

Development (HUD) Family Self Sufficiency (FSS) Coordinator Renewal Grant

Agenda Item 3E. Received Report regarding Repositioning Low-Income Public Housing Units through

HOUSING AUTHORITY OF THE COUNTY OF SANTA CRUZ, MINUTES OF THE REGULAR MEETING OCTOBER 23, 2019 AT THE HOUSING AUTHORITY OF THE COUNTY OF SANTA CRUZ, 2160 41<sup>ST</sup> AVENUE, CAPITOLA, CA 95010

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Section 22 Streamlined Voluntary Conversion  
Agenda Item 3F. Approval of the Certificate of Appreciation for Ron Pomerantz

**AGENDA ITEM NO. 4** Oral Communications  
None.

**AGENDA ITEM NO. 5** Unfinished Business  
None.

At 11:36 a.m., Chairperson Brunner opened the Public Comment Hearing portion of the meeting. No members of the public were in attendance and the Public Comment Hearing was subsequently closed.

**AGENDA ITEM NO. 6A** Public Hearing, Review and Consideration of Draft Agency Plan for the Housing Authority of the County of Santa Cruz

Secretary Panetta informed the Board that the Housing Authority prepares an annual PHA Plan in accordance with HUD requirements. At this time, the Housing Authority is currently in the process of preparing an application for a Section 22 Streamlined Voluntary Conversion of Low-Income Public Housing (LIPH) Units to Tenant Protection Vouches. This change represents a significant amendment to the Housing Authorities PHA Plan. Additionally, today before the Board, is a revision to the Section 8 Administrative Plan regarding the addition of LIPH waiting list applicants to the Section 8 waiting list. Housing Authority staff presented a draft revision of the PHA Plan and Administrative Plan to the Resident Advisory Board (RAB) in September of this year. The RAB engaged in a productive discussion of the draft revisions, and the conversion plan was enthusiastically supported by the group. For the past 45 days the draft revisions have been available on the Housing Authority website. Also, a public notice regarding the opportunity to review the Agency Plan, soliciting comments and stating the time, date and place of the public hearing to consider the plan, was published in the Santa Cruz Sentinel, the Register-Pajaronian, and the Hollister Free Lance. This is now before the Board with a staff recommendation to adopt the resolutions and certifications. A discussion followed.

Commissioner Schiffrin made a motion to adopt Resolution No. 2019-17; Commissioner Berg seconded the motion and it was passed by the following vote:

AYES: Commissioners Berg, Brunner, Eligio, Schiffrin and Schmale  
NOES: None  
ABSENT: Commissioner Garcia  
ABSTAIN: None

**AGENDA ITEM NO. 6B** Section 8 Waiting List Preference for Homeless Families with Minor Children

Secretary Panetta informed the Board that the County Board of Supervisors unanimously directed Chair Coonerty to request that the Housing Authority Board of Commissioners adopt a limited waiting list

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preference for homeless families with minor children on the Housing Choice Voucher (Section 8). Secretary Panetta brought the Boards attention to the letter from Chair Coonerty located after the agenda item.

Secretary Panetta informed the Board of Commissioners that any waiting list preference must be included in the Section 8 Administrative Plan, which is updated annually. The adoption of preferences is considered a significant amendment to the Plan, prompting review from the Resident Advisory Board (RAB) and a public notification period / public hearing. Staff are in the process of drafting next year's Administrative Plan, with a goal of presenting the plan to the RAB in January and the Board of Commissioners in February. Therefore, although staff have not had adequate time to complete our analysis of the request and present a recommendation to the Board of Commissioners, staff wishes to initiate the discussion now, to begin to explore initial concerns from staff and receive feedback from Commissioners, with a goal of presenting a staff recommendation and receiving Commissioner direction at the December meeting. A discussion followed. The Board acknowledged the importance of this preference given the homeless crisis that is facing Santa Cruz County, and directed staff to complete the analysis and return with a recommendation.

**AGENDA ITEM NO. 6C**                      5 Year Agency Plan

Secretary Panetta informed the Board that HUD requires that housing authorities prepare annual Agency Plans. Additionally, every five years all housing authorities are required to submit a more comprehensive Five-Year Agency Plan. The Housing Authority of the County of Santa Cruz will be preparing this Five-Year Plan over the coming months, in preparation to finalize the plan in March 2020, and submit the plan to HUD by April 15, 2020. In addition to all of the standard elements of the Annual Agency Plan, which most current Board members may be familiar with, the Five-Year Plan includes further elements, such as our mission statement, criteria for defining significant amendments, and the development of goals and objectives for the coming five year period.

During the September meeting, the Board discussed the mission statement, the criteria for defining significant amendment or substantial deviation from the Agency Plan, and the progress made on goals from the previous Five-Year Agency Plan.

This month, staff would like to begin a discussion of the goals and objectives that the Board and staff will establish for the upcoming Five-Year period, from July 2020 through June 2025. A discussion followed regarding the goals and objectives, including requests that staff develop goals and objectives that are more specific and measurable where possible, that reflect recent successful efforts such as FMR studies and the landlord incentive program, as well as goals that are specific to the proposed Section 22 Streamlined Voluntary Conversion of the LIPH program. A new draft of the goals will be provided to the Board at the December meeting.

**AGENDA ITEM NO. 7**                      Written Correspondence  
None.

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**AGENDA ITEM NO. 8**

Report of Executive Director

Chairperson Brunner asked the Board of Commissioners if anyone had any questions on the Report of Executive Director. There were no questions from the Board.

**AGENDA ITEM NO. 9**

Reports from Board Members

Commissioner Schiffrin informed the Board that he attended the Water Street Apartments Grand Opening and was impressed with the development. Commissioner Schiffrin congratulated Commissioner Berg who had the library named after her for all her hard work in getting this development completed. The Board of Commissioners and Executive Director Panetta also congratulated Commissioner Berg.

Secretary Panetta directed the Board's attention to a letter Commissioner Garcia requested be passed out during Reports from Board Members with questions that came up during her attendance at the NAHRO conference in San Antonio, TX. Secretary Panetta informed the Board that she will address these questions at the December Board meeting under the Consent Agenda.

**AGENDA ITEM NO. 10**

Closed Session

None.

**AGENDA ITEM NO.11**

None.

**AGENDA ITEM NO. 12**

Adjournment

The Board of Commissioners meeting was adjourned at 1:02 p.m.

I hereby certify that these minutes were approved by the Housing Authority of the County of Santa Cruz, on the Eighteenth Day of December 2019.

\_\_\_\_\_  
Chairperson of the Authority

ATTEST: \_\_\_\_\_

Secretary

HOUSING AUTHORITY OF THE COUNTY OF SANTA CRUZ, MINUTES OF THE SPECIAL MEETING NOVEMBER 18, 2019 AT THE HOUSING AUTHORITY OF THE COUNTY OF SANTA CRUZ, 2160 41<sup>ST</sup> AVENUE, CAPITOLA, CA 95010

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**AGENDA ITEM NO. 1**

Roll Call

Vice Chairperson Schiffrin called the meeting to order at 10:34 a.m. Members present at Housing Authority site; Commissioner Berg, Eligio, Garcia, Schiffrin and Schmale. Members in attendance via teleconference:

- Commissioner Brunner, location: Downtown Association, 740 Front Street, # 160, Santa Cruz, CA 95060

**Members Absent**

None.

**Staff Present**

Jennifer Panetta and Courtney Byrd of the Housing Authority

**AGENDA ITEM NO. 2**

Consideration of Late Additions or Changes to the Agenda

None.

**AGENDA ITEM NO. 3**

Oral Communications

None.

**AGENDA ITEM NO. 4**

Protections for Section 8 Housing Choice Voucher Holders in the City of Santa Cruz

Secretary Panetta explained to the Board that Governor Newsom recently signed into law the Tenant Protection Act of 2019 (AB 1482) which places limits on the rent increases that residential property owners may charge tenants, as well as prohibiting evictions without “just cause”. The law goes into effect on January 1, 2020. On October 29, 2019, the Santa Cruz City Council adopted an emergency ordinance establishing a temporary prohibition against evictions without just cause for tenants who have continuously and lawfully occupied residential real property for 12 months. It has been reported to Santa Cruz City Staff and City Council that many landlords have attempted to evict tenants without cause, before they are prohibited from doing so. The purpose of this temporary prohibition is to prevent landlords from evicting tenants without cause during the period before the state law is enacted. Many jurisdictions throughout the State have also passed similar emergency temporary ordinances, including local jurisdictions such as the County of Santa Cruz, and the Cities of Capitola and Watsonville.

When the Santa Cruz City Council considered this emergency temporary ordinance, they also considered two alternate versions of the ordinance, both of which were non-emergency, non-temporary ordinances, and one of which included additional protections for Section 8 voucher holders that go beyond the protections of 1482. These protections included relocation assistance of four months (or a four-month rent waiver) in the event of a no-fault eviction.

At the City Council meeting, some Council members expressed concern about additional protection for Section 8 voucher holders, as it could potentially create a disincentive for landlords. The Council

HOUSING AUTHORITY OF THE COUNTY OF SANTA CRUZ, MINUTES OF THE SPECIAL MEETING NOVEMBER 18, 2019 AT THE HOUSING AUTHORITY OF THE COUNTY OF SANTA CRUZ, 2160 41<sup>ST</sup> AVENUE, CAPITOLA, CA 95010

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ultimately postponed taking action on such protections, and in addition to the emergency temporary ordinance that was passed, the Council directed City staff to reach out to stakeholders such as the Housing Authority for more information and feedback. Housing Authority staff informed City staff that there were pros and cons to providing additional protection to Section 8 tenants but that HA staff is concerned that although adding additional protections for Section 8 voucher holders would be well intentioned, it is likely to have unintended consequences and could potentially do more harm than good by undermining our efforts to encourage landlord participation. A discussion of protections for Section 8 Housing Choice Voucher holders proposed by Santa Cruz City Council and determination regarding agency feedback or position followed.

Commissioner Berg moved to strongly recommend to the Santa Cruz City Council that they extend the just cause protections of AB1482 to Section 8 tenants but not provide additional benefits beyond those provided to other renters, and also directs Housing Authority staff to contact the County to explore the potential for development of a program that provides relocation assistance to low income tenants who are facing no-fault evictions and who are facing significant hardship.; Commissioner Garcia seconded the motion and it was passed by the following vote:

AYES: Commissioners Berg, Brunner, Eligio, Garcia, Schiffrin and Schmale  
NOES: None  
ABSENT: None  
ABSTAIN: None

**AGENDA ITEM NO. 6** Adjournment

The Board of Commissioners meeting was adjourned at 11:15 p.m.

I hereby certify that these minutes were approved by the Housing Authority of the County of Santa Cruz, on the Eighteenth day, of December, 2019.

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Chairperson of the Authority

ATTEST: \_\_\_\_\_

Secretary



## AGENDA ITEM SUMMARY

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**MEETING DATE:** December 18, 2019

**ITEM NUMBER:** 3C

**FROM:** Executive Director

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**SUBJECT:** Response to Commissioner Questions

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**RECOMMENDATION:** Receive Report

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### **BACKGROUND SUMMARY:**

Commissioner Garcia attended NAHRO's National Conference in San Antonio between October 10 – 12, 2019. During the conference, several questions arose. Although Commissioner Garcia was not available to attend the October board meeting, she provided the following questions to staff to share with the Board during Board Member Reports, asking that staff review the questions and provide responses at a subsequent meeting. Following are the questions provided by Commissioner Garcia, and responses provided by staff.

- 1. There were four housing authorities (Charlotte, Cambridge, San Antonio, Seattle) who spoke positively about HUD's Moving To Work (MTW) funding which gave them a lot of flexibility in using HUD's funds. Examples included new construction of affordable units, capitol projects, resident ambassador empowerment and community supportive services. My question is should we consider possibly obtaining MTW funds?**

HUD has established a demonstration program called Moving To Work (MTW). The goal of the demonstration program is to allow a small group of PHAs to design and test innovative, locally designed housing and self-sufficiency strategies for low-income families by permitting PHAs to use funding from the Section 8 and Low Income Housing Program more flexibly and by allowing certain exemptions from existing program rules. The MTW Demonstration Program was originally authorized 1996. Since this time, 39 PHAs (including 6 in the state of California) have been selected as MTW agencies.

Congress recently authorized HUD to expand the MTW Demonstration Program by an additional 100 PHAs over seven years. HUD has announced that the MTW agencies will be added to in four cohorts as follows:

- Cohort 1: Overall impact of MTW flexibility – In the first cohort, the overall effects of MTW flexibility on a PHA and the residents it serves will be evaluated. Cohort 1 is available only to small PHA's with a combined total of less than 1,000 vouchers and public housing units. (HACSC is therefore ineligible for Cohort 1.)
- Cohort 2: Rent reform – In the second cohort, different rent reform models that may or may not be income based, to include tiered rents, and/or stepped-up rents, will be evaluated. In Spring 2019, HUD issued a request for letters of interest from PHAs interested in participating in Cohort 2 of the MTW demonstration. Staff discussed this

opportunity with the Board, and the Board approved for staff to submit a letter of intent to apply for MTW status in Cohort 2. HUD has accepted our letter of interest and informed us that we will be eligible to apply when the application window opens.

- Cohort 3: Work requirements – In this cohort, work requirements for residents/participants who are at least 18 years old, non-elderly and non-disabled will be evaluated. Based on initial discussions with the Board, this Cohort does not seem like an ideal fit for our Agency or community, but the HUD has not provided further information.
- Cohort 4: Landlord incentives – This cohort will evaluate how to improve landlord participation in the HCV program through incentives such as participation payments, vacancy payments, alternate inspection schedules and other methods. Based on initial discussions with the Board, this Cohort seems like the most ideal fit for our Agency and community, but HUD has not provided further information

Staff will continue to keep the Board informed of any opportunities to apply for MTW designation.

**2. Housing Authority tenants have a higher rate of food insecurity than the national average. What is our Housing Authority doing to address food insecurity with our tenants?**

Low income individuals and families presumably do have higher rates of food insecurity than the national average. However, low income individuals and families with rental assistance (such as Housing Authority tenants) are more likely to have food security than low income individuals and families who do not have rental assistance, as a result of their affordable rent. In this way, by providing an affordable rent for thousands of families, we are helping families achieve food security by freeing up the remainder of their income for food and other basic needs.

The Housing Authority participates in various groups of service providers, such as the Human Services Department Benefits Collaborative and Human Services Commission, to keep our staff informed about community programs and resources. Housing Authority staff refer tenants to various programs and services, as needs are identified through the course of our routine interaction with program participants. However, the Housing Authority does not have programs designed to measure or increase food security of the families we assist. If the Housing Authority and/or New Horizons Affordable Housing and Development generates significant revenue through a housing conversion action, the Board may want consider expanding programs and services.

**3. Besides housing, many of our tenants have issues of health and wellness and their children have issues with education. What policies can our Board adopt to address health protection and support of our tenants? What are we doing to support our tenants' children in their education?**

Housing is foundational, and impacts every aspect of quality of life, including health and education. Access to decent, safe, affordable housing is associated with improvements in many indicators regarding health as well as children's educational attainment. In this way, simply by providing affordable housing to thousands of families in Santa Cruz County, we are

already helping to improve health and education. Families receiving the benefits of federal rental assistance pay an average of only \$515 towards their rent, which is much lower than the average paid by non-assisted tenants. This frees up some room in family's budgets for healthy groceries, visits to a doctor, and school supplies for their children, among other things.

Again, Housing Authority staff refer tenants to various programs and services, as needs are identified through the course of our routine interaction with program participants. However, the Housing Authority does not have programs designed to measure or increase health and wellness or educational attainment. If the Housing Authority and/or New Horizons Affordable Housing and Development generates significant revenue through a housing conversion action, the Board may want consider expanding programs and services.

**RECOMMENDATION:** Receive Report

## AGENDA ITEM SUMMARY

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**MEETING DATE:** December 18, 2019

**ITEM NUMBER:** 3D

**FROM:** Executive Director

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**SUBJECT:** Housing Choice Voucher Administrative Plan Update

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**RECOMMENDATION:** Approve Update to Housing Choice Voucher Administrative Plan with Regards to Farmworker PBV Units at San Andreas

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### **BACKGROUND SUMMARY:**

The Housing Choice Voucher Administrative Plan includes information about waiting list procedures for the Section 8 Housing Choice Voucher and Project Based Voucher Programs. The following proposed change does not constitute a significant change or substantial deviation to the Plan.

**Farmworker Units at San Andreas** – There are currently Project Based units at San Andreas that are designated for farmworker families. These units are offered to eligible applicants at the top of the regular Section 8 Housing Choice Voucher waiting list, as opposed to a specific site-based waiting list.

The Housing Choice Voucher waiting list does not currently collect information from applicants about farmworker status. Previously, the Board approved a change to the Administrative Plan allowing acceptance of referrals from MidPen’s San Andreas farmworker waiting list after 120 days of outreach to the Housing Authority’s HCV waiting list. Following recent vacancies, the Housing Authority has sent hundreds of letters to applicants, but none qualified as a low-income farmworker family. While it has been helpful to be able to accept a referral from MidPen’s San Andreas farmworker housing list after 120 days, the outreach has resulted in units remaining vacant for several months. At this time, staff propose removal of the 120 day restriction in order to accept referrals of qualified farmworkers from MidPen’s San Andreas farmworker housing waiting list as soon as vacancies occur.

When we launch our online applicant waiting list portal, all applicants will be asked to update their application, and farmworker status will be asked at that time. Once this information is collected for HCV applicants, staff may propose returning to the model of utilizing the HCV waiting list for these units, but until that time, such outreach does not appear to be fruitful, and has resulted in extended vacancies.

The following is an excerpt from page 4 of the Administrative Plan, with the proposed change presented utilizing “track changes”.

*For the Project Based Units designated for farmworker families at San Andreas, ~~the Housing Authority will conduct outreach to the Housing Choice Voucher waiting list to identify eligible families already on the list. However, if no such eligible families can be identified after 120 days of outreach,~~ the Housing Authority may accept referrals of eligible farmworker families from Mid-Pen's waiting list to avoid an extended vacancy in the unit once the tenant has given notice to vacate.*

A complete copy of the Administrative Plan, as approved by the Board in October 2019, is available on our website at <https://www.hacosantacruz.org/general-information/agency-plans/>.

**RECOMMENDATION:** Approve Update to Housing Choice Voucher Administrative Plan with Regards to Farmworker PBV Units at San Andreas

## AGENDA ITEM SUMMARY

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**MEETING DATE:** December 18, 2019

**ITEM NUMBER:** 3E

**FROM:** Executive Director

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**SUBJECT:** Application for Family Unification Program Grant

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**RECOMMENDATION:** **Adopt Resolution No. 2019-18:** Resolution Retroactively Authorizing Submission of a Family Unification Program Application to the U.S. Department of Housing and Urban Development (HUD) under the Housing Choice Voucher Program

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### **BACKGROUND SUMMARY:**

The Department of Housing and Urban Development (HUD) has made funding available for fiscal years 2019 for the Family Unification Program (FUP). FUP is a program under which housing assistance is provided under the Housing Choice Voucher (HCV) program in partnership with the Public Child Welfare Agency.

The voucher recipients for this Notice of Funding Availability (NOFA) are families for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child or children in out-of-home care; or the delay of discharge to the family from out-of-home care; and Youth, at least 18 and not more than 24 years of age, who left foster care or will leave foster care within 90 days, and are homeless or at risk of homelessness.

There are three parameters for the 2019 FUP application: current PHA HCV program size, utilization of previously awarded FUP vouchers, and the Public Child Welfare Agency determination of unmet need. The NOFA establishes a maximum award threshold based on current PHA HCV program size. The Housing Authority of the County of Santa Cruz meets the maximum threshold of 2,000 or more HCVs and can apply for the maximum of 75 FUP vouchers. The Housing Authority was awarded 58 FUP vouchers last year, bringing our program size to 181 FUP vouchers. This application is for up to 75 additional vouchers.

**RECOMMENDATION:** **Adopt Resolution No. 2019-18:** Resolution Retroactively Authorizing Submission of a Family Unification Program Application to the U.S. Department of Housing and Urban Development (HUD) under the Housing Choice Voucher Program

**BEFORE THE HOUSING AUTHORITY OF THE COUNTY  
OF SANTA CRUZ, STATE OF CALIFORNIA**

**RESOLUTION NO. 2019-18**

On the motion of Commissioner  
Duly seconded by Commissioner  
The Following Resolution is Adopted:

**RESOLUTION RETROACTIVELY AUTHORIZING SUBMISSION OF FAMILY  
UNIFICATION PROGRAM APPLICATION TO THE U.S. DEPARTMENT OF HOUSING  
AND URBAN DEVELOPMENT (HUD) FOR ADDITIONAL HOUSING CHOICE  
VOUCHERS UNDER THE FAMILY UNIFICATION PROGRAM**

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has published the Notice of Funding Availability with a due date of 12/17/2019; and

WHEREAS, there is an urgent need in the County for more vouchers of every kind; and

WHEREAS, the Housing Authority of the County of Santa Cruz is the designated Public Housing Agency (PHA) for said County.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director of the Housing Authority of the County of Santa Cruz is retroactively authorized to submit a Family Unification Program application to HUD for additional Housing Choice Vouchers under the Family Unification Program.

PASSED AND ADOPTED by the Commissioners of the Housing Authority of the County of Santa Cruz, State of California, this Eighteenth of December, 2019 by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Chairperson of the Authority

ATTEST:

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Secretary of the Authority

## AGENDA ITEM SUMMARY

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**MEETING DATE:** December 18, 2019

**ITEM NUMBER:** 6A

**FROM:** Executive Director

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**SUBJECT:** Repositioning Low-Income Public Housing Units through Section 22 Streamlined Voluntary Conversion

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**RECOMMENDATION:** Adopt Resolution No. 2019-19: Resolution to Approve the Streamlined Voluntary Conversion Plan, the Public Housing Removal Action, and the Submission of the Inventory Removals Application

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### **BACKGROUND SUMMARY:**

Over the past several months, Housing Authority staff has been working towards the preparation of an application to reposition Low-Income Public Housing through Section 22 Streamlined Voluntary Conversion (SVC) to Tenant Protection Voucher (TPV) Units. This report provides an update on this effort, culminating in the staff recommendation to approve the submittal of an application for Streamlined Voluntary Conversion.

### **Update to Agency Plan**

The Housing Authority drafted a revision to the Agency Plan, reflecting the proposed conversion activity. The plan was reviewed by the Resident Advisory Board, and a public notification period was conducted over a 45 day period. The Board of Commissioners approved the revision at the October regular meeting, and HUD has subsequently accepted the revised Plan.

### **Resident Involvement**

The Housing Authority has significantly engaged participation by residents of public housing in the conversion plan. The Housing Authority held a Resident Advisory Board (RAB) meeting on September 6, 2019 to discuss the conversion and the amendments to the agency plans. The RAB is comprised of residents representing Housing Authority programs including Public Housing. The RAB supported the proposed conversion plan.

After the RAB meeting, the Housing Authority mailed a letter to each public housing resident with information about the proposed conversion, including a program comparison between public housing and Section 8 vouchers. Additionally, the letter invited each resident to request an individual meeting at a time of the residents' choice. All materials were sent in the language of the household's preference (English or Spanish). The Housing Authority proactively called residents that had special circumstances, such as being over-housed or over-income, to provide them with specific information and assurances regarding the conversion. The Housing Authority met or spoke on the phone with 52 households.



The Housing Authority held a resident meeting for all residents of the affected sites on November 20, 2019 to discuss the conversion plan, answer questions and receive feedback. Thirty-six residents attended the meeting. A power-point presentation was presented in English and Spanish. Questions, answers and comments from the resident meeting were noted. A draft of the conversion plan was distributed at the meeting. At the meeting residents were again invited to meet individually with staff to review how conversion would work for each family. A summary of resident consultation and feedback is included in the application. No residents expressed opposition to the proposed conversion.

At this time, all steps in the application process are complete, and a draft application is attached. If the Board adopts the recommended resolution, staff will provide a draft application package to the San Francisco HUD field office, where local HUD field office staff have offered to do a courtesy review of the application. HA staff would work with HUD field office staff to finalize the application before officially submitting it to HUDs Special Application Center (SAC). It is expected that SAC will process the application in 60 – 90 days. If approved, the process of completing the conversion is expected to take an additional 120 days. Staff will keep the Board update as the process continues.

**RECOMMENDATION: Adopt Resolution No. 2019-19:** Resolution To Approve the Streamlined Voluntary Conversion Plan, the Public Housing Removal Action, and the Submission of the Inventory Removals Application

**BEFORE THE HOUSING AUTHORITY OF THE COUNTY  
OF SANTA CRUZ, STATE OF CALIFORNIA**

**RESOLUTION NO. 2019-19**

On the motion of Commissioner  
Duly seconded by Commissioner  
The Following Resolution is Adopted:

**RESOLUTION TO APPROVE THE STREAMLINED VOLUNTARY CONVERSION PLAN,  
THE PUBLIC HOUSING REMOVAL ACTION, AND THE SUBMISSION OF THE  
INVENTORY REMOVALS APPLICATION**

WHEREAS: The Housing Authority of the County of Santa Cruz (HACSC) wishes to implement Section 22 of the United States Housing Act of 1937, Streamlined Voluntary Conversion via 24 CFR 972, subpart B;

WHEREAS: HACSC explicitly included the proposed conversion in the PHA Annual Plan Revision (adopted October 23, 2019), and covered the conversion plan during the required public hearings;

WHEREAS: The Streamlined Voluntary Conversion Plan was developed with resident participation per 24 CFR §972.227(c);

WHEREAS: HUD requires a copy of the Board of Commissioner Resolution approving the removal action to be submitted as part of the Inventory Removals Application;

WHEREAS: HACSC consulted with necessary public officials per 24 CFR §972.227(b);

WHEREAS: HACSC will submit the proposed Future Use plan per 24 CFR §972.230(a); and

WHEREAS: HACSC will submit a conversion plan to HUD in the Inventory Removals Submodule of IMS/PIC under “Streamlined VC”, and will upload completed forms HUD-52860 and HUD-52860-E.

NOW, THEREFORE, be it resolved that the Board of Commissioners of the Housing Authority of the County of Santa Cruz hereby approves the Streamlined Voluntary Conversion Plan and removal action, as well as the submission of the Inventory Removals Application to HUD, on this the 18<sup>th</sup> day of December, 2019.

PASSED AND ADOPTED by the Commissioners of the Housing Authority of the County of Santa Cruz, State of California, this 18<sup>th</sup> of December, 2019 by the following vote:

AYES:

NOES:

ABSENT:

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Chairperson of the Authority

ATTEST:

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Secretary of the Authority

## AGENDA ITEM SUMMARY

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**MEETING DATE:** December 18, 2019

**ITEM NUMBER:** 6B

**FROM:** Executive Director

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**SUBJECT:** Section 8 Waiting List Preference for Homeless Families with Minor Children

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**RECOMMENDATION:** Adopt Limited Waiting List Preference for Homeless Families with Minor Children in 2020 Section 8 Housing Choice Voucher Administrative Plan

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### **BACKGROUND SUMMARY:**

The County Board of Supervisors has unanimously directed Chair Coonerty to request that the Housing Authority Board of Commissioners adopt a limited waiting list preference for homeless families with minor children on the Housing Choice Voucher (Section 8) waiting list.

Information About Limited Local Preferences: Federal regulations governing the Housing Choice Voucher (HCV) program allow housing authorities to establish a system of local preferences for the selection of families admitted to the program. Such preferences are to be based on local housing needs and priorities, as determined by the housing authority. A local preference is any policy established by the housing authority, to assign some level of preference to any group of individuals, so that these individuals will advance to the top of the HCV waiting list. A “limited” preference is restricted to a pre-established number or percentage of households. Local preferences have the effect of changing an applicant’s position on the waiting list only. Local preferences do not have the effect of adding an applicant to a waiting list, and do not change any eligibility criteria for program participation.

Fair Housing Issues: All local waiting list preferences are subject to federal non-discrimination and equal opportunity requirements. Waiting list policies must not have the purpose or effect of delaying or otherwise denying admission to the program based on federally protected classes such as race, ethnicity, sex, disability, age or any other class or status. Housing Authority staff have completed a demographic analysis, comparing selected demographics of the general homeless population and homeless families with children (from the 2019 Homeless Census and Survey) with demographics from the Section 8 program, and the universe of income eligible persons (from the American Community Survey poverty data). In many cases, the data is limited, or based on small sample sizes. Additionally, while HA staff confirmed the ethnicity data of homeless families with Applied Survey Research, there appear to be anomalies in the data which may indicate that it is not representative of homeless families in Santa Cruz County. In particular, the data show that 39% of homeless families are American Indian / Alaska Native, compared to roughly 1% (or less) from the other populations reviewed. Based on the limited data available, it does not appear that any protected classes are at risk of disparate impact with the implementation of a preference for homeless families. Seniors appear to be under-represented among homeless families with children compared to other populations. However, seniors are over-represented in the voucher program generally, so a homeless family preference is unlikely to result in a disparate impact to seniors.

## Demographic Summary of Homeless Persons, Homeless Families, Section 8 Families, and Income Eligible Families

	Homeless Persons <sup>1</sup>	Homeless Families with Children <sup>2</sup>	Section 8 Households	Income Eligible Households <sup>3</sup>
<b>Race</b>				
Caucasian	70.8%	48.2%	94.3%	71.3%
African American	9.7%	3.6%	3.0%	1.1%
American Indian/Alaska Native	1.2%	38.6%	1.2%	0.5%
Asian	1.2%	0.0%	1.0%	4.3%
Hawaiian/Other Pacific Islander	1.2%	0.5%	0.3%	0.1%
Multiple Races/Unknown	16.1%	9.1%	0.2%	22.6%
<b>Total</b>	342 respondents	419 in families	4,436	50,554
<b>Ethnicity</b>				
Hispanic	29.9%	64.0%	54.7%	53.7%
Non-Hispanic	70.1%	36.0%	45.3%	46.3%
<b>Total</b>	381 respondents	419 in families	4,436	46,228
<b>Gender</b>				
Female	29.1%	64.4%	71.3%	53.3%
Male	66.9%	35.6%	28.7%	46.7%
Transgender/Another Gender	4.01%	0.0%	0.0%	0.0%
<b>Total</b>	399 respondents	419 in families	4,436	50,376
<b>Disability</b>				
Disabled	39.0%	37.0%	41.8%	14.5%
<b>Total</b>	399 respondents	27 respondents	4,436	50,384
<b>Age</b>				
Seniors	8.0%	0.0%	32.4%	8.8%
<b>Total</b>	399 respondents	27 respondents	4,436	50,535

Availability of Supportive Services: As Housing Authority staff and Commissioners have discussed with regards to similar preferences and programs, we must also consider the availability of supportive services for the homeless families proposed to receive this preference. We know from experience that many voucher holders face challenges in finding suitable rental housing with a landlord that will accept a voucher. Homeless individuals and families experience additional barriers, and generally are more likely to succeed when they have the support of case management, housing navigation and/or rental search assistance. The letter from the Board of Supervisors acknowledges that historically our Agency has favored preferences that pair rental assistance with case management, which is a widely accepted national best practice. The County Human Services Department (HSD) is exploring opportunities for a model that could match vouchers with services. HSD staff has been in conversation with Housing Authority staff on this subject since the original request was made, and

<sup>1</sup> Santa Cruz County Homeless Census and Survey, Applied Survey Research 2019

<sup>2</sup> Santa Cruz County Homeless Census and Survey, Applied Survey Research 2019

<sup>3</sup> U.S. Census Bureau, 2013 – 2017 American Community Survey 5 Year Estimates, S1703 Selected Characteristics of People at Specified Levels of Poverty in the Last 12 Months (Less than 125% Poverty Level)

have been enthusiastic about the potential for partnership. Housing Authority staff believe that case management is a vital component of any preference targeted to homeless individuals or families and believe there is a strong potential for connecting potential preference recipients to services provided or coordinated by HSD.

Alignment with Local Needs and Priorities: The letter from the Board of Supervisors provides some information about level of need, based on the most recent Homeless Census which shows 122 families with minor children in the County experiencing homelessness. Additionally, the majority of homeless families with minor children are unsheltered (53%), up from 35% in 2015, and much higher than the national average. There are 1,388 Santa Cruz County households currently on the Section 8 waiting list that have indicated that they are homeless. Of these, 576 have minor children in the household. While the data from the Section 8 waiting list on the number of homeless families differs from the homeless census, it's clear that homelessness in Santa Cruz County is far above national levels and is disproportionately impacting families with children locally. Additionally, the letter highlights research indicating that as the number of adverse experiences in a child's life increases, so does the risk for developmental delays, behavioral problems, low educational attainment, lower wages in adulthood, and poor health outcomes later in life. Conversely, research shows that low-income children who receive housing or rental assistance have better health and educational outcomes than low-income children who do not. The Board of Supervisors has taken action to support early childhood programs, and the All In Strategic Plan to End Homelessness (approved by the Board of Supervisors and all four incorporated cities) recommends the adoption of a limited waiting list preference for homeless families.

Existing Voucher Resources for Homeless Families: The Housing Authority currently administers several voucher programs targeted towards persons experiencing homelessness, including a waiting list preference of 120 vouchers for disabled and medically vulnerable homeless persons, 355 Veterans Affairs Supportive Housing (VASH) vouchers for homeless families, and a Shelter Plus Care program of 35 vouchers for chronically homeless persons. While these programs do include a small number of families with minor children, the only Housing Authority program specifically targeted to homeless families with minor children in the Brommer Street Transitional Housing Program, which is converting from a transitional housing program to a permanent supportive voucher based housing program for 6 households. Additionally, there are special voucher programs primarily targeted towards families with children (but not exclusively homeless families), including 181 Family Unification Vouchers and 24 Welfare to Work (CalWorks) vouchers.

Impact to Current Applicants: The Housing Authority must consider the impact of any waiting list preference on current applicants. At this time, over 12,000 families are on the Santa Cruz County Section 8 waiting list, including over 1,300 homeless county residents (over 500 of whom are households with minor children).

The request from the Board of Supervisors does not specify whether the proposed preference would work as a referral program (like our other homeless preferences) or whether it would apply to all homeless families on the waiting list, regardless of the receipt of case management, and regardless of residency. Undoubtedly, many of the nearly 13,000 individuals and families currently on our waiting list have a dire and immediate need for housing. Any waiting list preference, no matter how small, will increase the time that non-preference eligible families must wait for their turn to receive a voucher. Historically, our agency has expressed value in treating all applicants as having equal need, rather than establishing preferences which prioritize the needs of one group over another group. In 2012, the Housing Authority established our first ever waiting list preferences; one for disabled and medically vulnerable homeless persons, and another for disabled persons transitioning from

institutions. Since that time additional preferences have been added, including a residency preference. With each additional preference, the waiting list becomes more complex, both for applicants and for staff, and staff are cautious about the consideration of any new preference.

Staff Recommendation: Based on the high rate of incidence of homeless families with minor children and the disproportionately high percentage that are unsheltered locally, along with national data regarding the impact of housing stability on the mental health, physical health, and educational attainment of children experiencing homelessness, staff recommend adopting a waiting list preference for families with minor children who are homeless in Santa Cruz County. In order to maximize the potential for such families to be successful in the voucher program, staff recommend that this preference be contingent on the provision of supportive services through the County, including housing search assistance. Additionally, in order to minimize the impact on existing applicants, and to honor the hundreds of homeless families with children already waiting for rental assistance, staff recommend that the preference be offered first to eligible families already on the Santa Cruz County Section 8 waiting list. If there are no eligible families on the waiting list, the Housing Authority would accept referrals from SmartPath, or another lead agency to be determined at a later date. Staff further recommend that the preference initially be limited to 40 households. Preference limitations may be changed at any time based on community needs and voucher utilization.

Any waiting list preference must be included in the Section 8 Administrative Plan, which is updated annually. The adoption of preferences is considered a “significant amendment” to the Plan, prompting review from the Resident Advisory Board (RAB) and a public notification period / public hearing. Staff are in the process of drafting next year’s Administrative Plan, with a goal of presenting the plan to the RAB in January and the Board of Commissioners in February. Staff will incorporate the Board’s direction into this draft Administrative Plan.

**RECOMMENDATION:** Adopt Limited Waiting List Preference for Homeless Families with Minor Children in 2020 Section 8 Housing Choice Voucher Administrative Plan

## AGENDA ITEM SUMMARY

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**MEETING DATE:** December 18, 2019

**ITEM NUMBER:** 6C

**FROM:** Executive Director

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**SUBJECT:** 5 Year Agency Plan: PHA Goals and Objectives

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**RECOMMENDATION:** Review Draft PHA Goals and Objectives for Upcoming 5 Year Plan; Provide Direction to Staff

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### **BACKGROUND SUMMARY:**

Every five years housing authorities are required to submit a Five Year Agency Plan to HUD. The Housing Authority of the County of Santa Cruz will be preparing this Five Year Plan over the coming months, in preparation to finalize the plan in March 2020, and submit the plan to HUD by April 15, 2020. The Board of Commissioners has reviewed and provided feedback on the Agency mission statement, the progress made on goals and objectives since the previous Five Year Plan, and discussed the existing goals and objectives as a starting point on developing goals and objectives for the coming five year period. The Board asked staff to return with a new draft that utilizes existing goals with an emphasis on specific and measurable objectives where possible, incorporating some of the recent accomplishments in our goals and objectives, as well as a consideration of some goals and objectives that may be contingent upon completion of a Section 22 Streamlined Voluntary Conversion.

### **Draft Goals and Objectives for 2020 5 Year Plan**

1. Goal: Expand supply of assisted housing
  - a. Apply for maximum award of additional rental assistance vouchers when available
  - b. Increase ACC of tenant based voucher program by new 200 vouchers
  - c. Increase the size of project based voucher program by 300 vouchers, with the majority of those vouchers provided to new affordable housing developments
  - d. Complete the development of a minimum of 6 new affordable units on Natural Bridges Drive
  - e. If Section 22 SVC is completed: Consider utilizing revenue from non-profit affiliate to:
    - i. Increase density (adding additional units) to existing sites where possible
    - ii. Expand into affordable housing development and/or partnering with developers
    - iii. Pursue the purchase of multifamily housing developments that comes up for sale
2. Goal: Improve quality of assisted housing
  - a. Renovate or modernize existing housing units and complexes as needed
  - b. If Section 22 SVC is completed: Consider utilizing revenue from non-profit affiliate to:
    - i. Develop program to fund repairs to units that cannot pass HQS standards in exchange for committing units to voucher holders
    - ii. Develop program to fund improvements to make units accessible to persons with disabilities



3. Goal: Increase assisted housing choices
  - a. Conduct FMR study bi-annually to continually increase voucher payment standards
  - b. Continue or expand Landlord Incentive Program
  - c. Increase number of landlords participating in Section 8 voucher program by 10%
  - d. If Section 22 SVC is completed: Consider utilizing revenue from non-profit affiliate to:
    - i. Provide voucher mobility counseling
    - ii. Provide additional landlord incentives/bonuses
    - iii. Provide housing counseling and/or information services to non-assisted households, such as affordable housing waiting list alerts
  
4. Goal: Improve agency and program management
  - a. Maintain high performer status with a SEMAP score of at least 95%
  - b. Achieve and maintain high voucher and funding utilization rates of at least 95%
  - c. Implement landlord portal with features including document uploading and electronic signature on contracts
  - d. Implement resident portal with features including online annual re-examination forms, document uploading, and online maintenance requests
  - e. Implement applicant portal with features including online access to application status, online application updates
  
5. Goal: Promote self-sufficiency and asset development of families and individuals
  - a. If Section 22 SVC is completed: Consider utilizing revenue from non-profit affiliate to:
    - i. Provide or attract supportive services to improve tenant employability
    - ii. Provide or attract supportive services to improve financial literacy
  
6. Goal: Utilize housing as a platform to improve quality of life
  - a. If Section 22 SVC is completed: Consider utilizing revenue from non-profit affiliate to:
    - i. Provide or attract supportive services to increase independence for elderly and disabled
    - ii. Provide or attract supportive services to increase health and wellness of residents
    - iii. Provide or attract supportive services to increase food security of residents
    - iv. Provide or attract supportive services to improve educational attainment of residents, including promoting book rich environments
  
7. Goal: Ensure equal opportunity and affirmatively furthering fair housing
  - a. Take affirmative measures to ensure access to assisted housing for all protected classes or persons least likely to access assistance
  - b. Implement measures to deconcentrate poverty and expand housing opportunity, such as regional payment standards, policies that do not limit frequency of transfer, and consideration of poverty rates in assignment of project based vouchers

A draft 5 Year Plan will be prepared in January 2020 for presentation to our Resident Advisory Board. This draft will include the goals and objectives discussed at the December meeting with additional feedback and changes requested by the Board. Additionally, the Board may continue to make changes to the draft plan, including goals and objectives, after the RAB has reviewed the draft. The remainder of the Agency Plan elements will follow the typical timeline, with a draft presented to the Resident Advisory Board in January 2020, a draft presented to the Board of Commissioners, along with a discussion of all modifications in February 2020, and a public hearing and final vote to

approve the draft in March 2020.

**RECOMMENDATION:** Review Draft PHA Goals and Objectives for Upcoming 5 Year Plan;  
Provide Direction to Staff



**County of Santa Cruz Board of Supervisors  
Agenda Item Submittal**

**From:** Board of Supervisors: Administration  
(831) 454-2200

**Subject:** At-Large appointment to the Housing Authority Board of Commissioners (Community Action Board)

**Meeting Date:** November 19, 2019

**Recommended Action(s):**

Accept nomination of Annette Melendrez to the Housing Authority Board of Commissioners, as the at-large representative of the Community Action Board, in accordance with Resolution No. 389-69, for a term to expire September 29, 2023.

**Executive Summary**

Accept nomination to fill an at-large representative of the Community Action Board for a term to expire September 29, 2023.

**Background**

Attached is a letter from Maria Elena De La Garza, CAB Executive Director, nominating Ms. Annette Melendrez for appointment as the representative of the Community Action Board to the Housing Authority Board of Commissioners. Therefore, in accordance with Resolution No. 389-69, I recommend the appointment of Annette Melendrez to the Housing Authority Board of Commissioners, as a representative of the Community Action Board, for a term to expire September 29, 2023.

**Submitted by:**

Ryan Coonerty, Chair, Board of Supervisors

**Attachments:**

Letter of Community Action Board - Appointment of Annette Melendrez  
Annette Melendrez - Application

**cc:**

Community Action Board  
Housing Authority Board of Commissioners  
Annette Melendrez

**APPOINTED**  
11/19/19

## AGENDA ITEM SUMMARY

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**MEETING DATE:** December 18, 2019

**ITEM NUMBER:** 8

**FROM:** Executive Director

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**SUBJECT:** Executive Director's Report – December 18, 2019

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**RECOMMENDATION:** Receive Report

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### **BACKGROUND SUMMARY:**

Please call or e-mail me with questions you might have on any of the Agenda Items for the December 18, 2019 meeting. I would be happy to give you additional background or answer any of your questions in advance of the meeting. My direct phone number is (831) 454-5931 and my email address is [jennyp@hacosantacruz.org](mailto:jennyp@hacosantacruz.org).

**AB1482 and Tenant Protections for Voucher Families:** Housing Authority staff provided a letter to Santa Cruz City Council on behalf of HA staff and board (see attached), recommending that the Council adopt eviction protections for Section 8 Voucher families that are equal to the eviction protections provided to other renters through the new law. HA staff also followed up by discussing this recommendation in advance of the meeting with City staff, as well as Vice Mayor Cummings, who had introduced the original proposed ordinance. The City staff report included a recommendation that matched the recommendation of our Board of Commissioners. At the November 26, Santa Cruz City Council meeting, the Council voted to adopt an urgency mirroring the eviction protections of AB1482 for Section 8 families, and directed City staff to work with the County, Housing Authority, CAB and other stakeholders to explore the development of a relocation assistance program for low income families experiencing a no-fault eviction.

Additionally, although the Santa Cruz City Attorney, the general counsel of our Housing Authority (and the attorneys of several other PHAs we consulted with) have all agreed that Section 8 tenants are exempt from the protections of AB1482, CRLA reached out to both the Housing Authority and the City of Santa Cruz with information supporting their position that tenant based Section 8 tenants are not exempt. It is possible that the applicability of AB1482 will be determined by the courts.

**CAHA Legislative Committee:** I am pleased to share that I have been invited to serve on the California Association of Housing Authorities (CAHA) Legislative Committee. The Committee consists of eight members, four from Northern California, and four from Southern California. The Legislative Committee prepares the Legislative Focus brief that is used for education and advocacy with members of Congress

during NAHRO's Washington DC legislative conference, writes comments on proposed HUD regulations, works with NAHRO, provides feedback on relevant state legislation, etc.

**Legislative Update:** The President signed a second continuing resolution providing funding for the government until December 20, 2019. This averts a government shutdown for the departments and agencies funded by the appropriations bills that were not finalized before the beginning of FY 2020, including T-HUD. The House T-HUD subcommittee has finalized their draft 2020 appropriations bills, reflecting modest increases in HUD funding. The draft bill is estimated to provide sufficient renewal funding for all current voucher holders. It also provides slight increases to administrative fees, but still falls short of the estimated costs to operate the voucher program. The bill includes additional funding for Tenant Protection Vouchers (although not explicitly for LIPH repositioning). The Senate has also released their draft bill, which is generally consistent with the House bill, but which provides additional funding for Section 8 administrative fees. There is some concern among legislative analysts that if a bill is not finalized by December 20<sup>th</sup>, the continuing resolution will be extended several more months into Spring, since Congress is likely to be consumed with impeachment proceedings when they return in January.



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November 19, 2019

Mayor Martine Watkins  
Vice Mayor Justin Cummings  
Councilmember Sandy Brown  
Councilmember Drew Glover  
Councilmember Chris Krohn  
Councilmember Cynthia Mathews  
Councilmember Donna Meyers  
809 Center Street, Room 10  
Santa Cruz, CA 95060

**Re: Eviction Protection for Housing Choice Voucher (Section 8) Families**

Dear Mayor Watkins and members of City Council,

On October 29, 2019, the Santa Cruz City Council adopted an emergency ordinance establishing a temporary prohibition against evictions without just cause for tenants who have continuously and lawfully occupied residential real property for 12 months. At this same meeting, the Council also considered two alternate versions of an ordinance, both of which were non-temporary, and one of which included additional protections for Section 8 voucher families that go beyond the just cause eviction protections of AB 1482. Specifically, the proposal included relocation assistance of four months rent in the event of a no-fault eviction of a Section 8 tenant (as opposed to relocation assistance of one month rent as required for non-Section 8 tenants through AB 1482), as well as provision of relocation assistance within 15 days of serving notice, and first right of refusal to re-occupy a unit where a no fault just cause eviction has been issued for a unit that is taken offline for 30 days or more for the purposes of demolishing and rebuilding or substantial remodel. City staff reached out to the Housing Authority for information and feedback about this proposal.

The Housing Authority staff and Board of Commissioners are concerned that providing additional protections to Section 8 voucher families may have unintended consequences. The Section 8 program is underutilized, meaning that despite an overwhelming need for rental assistance, many vouchers go unused while hundreds of families countywide search for an available unit with a landlord that will rent to them. The success of the Section 8 program, and of the thousands of families who rely on it, is completely dependent on the voluntary participation of landlords. The Housing Authority works hard to provide incentives to encourage landlords to participate in the Section 8 program, and we believe that the combination of increasing payment standards and offering incentives like loss mitigation through the Landlord Incentive Program is starting to make a difference. In fact, we've added 64 new landlords to the Section 8 program in the past two months alone. Housing Authority staff and our Board of Commissioners are concerned that

although adding additional eviction protections for Section 8 voucher holders would be well intentioned, it is likely to have unintended consequences and could potentially undermine our efforts to encourage landlord participation, and therefore limit the extent to which we can expand the rental assistance to serve more families.

Housing Authority staff believe that Section 8 households are exempt from AB 1482, under the following provision, which exempts:

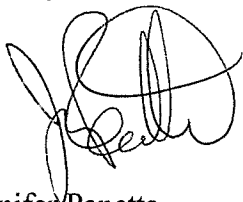
*Housing restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code, or subject to an agreement that provides housing subsidies for affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code or comparable federal statutes.*

The staff interpretation has been confirmed by our legal counsel, but there are some advocates throughout the State who are challenging this interpretation, and it is possible that a determination of the law's applicability to the Section 8 program will be decided in the courts.

While the rent paid by Section 8 tenants is already limited by several regulatory provisions of the Section 8 program, it appears that Section 8 tenants currently lack the just cause eviction protections provided to other renters through AB 1482. As stated above, Housing Authority Board and staff have concerns about providing *additional* protections to Section 8 voucher holders. However, extending *the same* just cause eviction protections provided in AB 1482 (no more, but no less) to voucher holders is a measure that the City of Santa Cruz might consider to *increase protections* for Section 8 voucher holders without the risk of creating a disincentive for Section 8 landlords.

Therefore, the Housing Authority Board of Commissioners and staff recommend that the Santa Cruz City Council extend exactly the same Just Cause Evictions protections of AB 1482 to Section 8 Housing Choice Voucher families to bring them up to the same level of protection provided to other renters.

Thank you for considering the needs of Section 8 families!

A handwritten signature in black ink, appearing to read 'Jennifer Panetta', written in a cursive style.

Jennifer Panetta  
Executive Director