

**HAWAII PUBLIC HOUSING AUTHORITY
NOTICE OF MEETING
REGULAR BOARD OF DIRECTORS MEETING
1002 North School Street, Building A Boardroom
Honolulu, Hawaii 96817
Thursday, April 16, 2020
9:00 a.m.**

AGENDA - AMENDED

THIS MEETING WILL BE HELD VIA ALTERNATIVE MEANS OF COMMUNICATION ONLY.

The Governor's Supplementary Proclamation dated March 16, 2020, suspended Chapter 92, HRS, Public Agency Meetings and Records, to the extent necessary to enable Boards to conduct business in person or through remote technology without holding meetings open to the public. Boards shall consider reasonable measures to allow public participation consistent with social distancing practices, such as providing notice of meetings, allowing submission of written testimony on agenda items, live streaming meetings, and posting minutes of meetings online.

NOTICE: Due to limitations/restrictions with the State's website, the HPHA may not be able to post changes to this agenda on the Lieutenant Governor's website or the State of Hawaii Calendar after April 10, 2020. As such, any changes to the agenda can be found at the HPHA's website at www.hpha.hawaii.gov.

I. CALL TO ORDER/ESTABLISHING QUORUM

II. PUBLIC TESTIMONY

In consideration of the current COVID-19 situation, the HPHA's **physical office locations are closed to the public**. Individuals may submit written testimony up until 15 minutes before the date/time of the meeting which will be distributed to Board members. You may submit written testimony via email to jennifer.k.menor@hawaii.gov or by U.S. mail to PO Box 17907, Honolulu, HI 96817.

The Board will consider public testimony on any item relevant to this agenda. Pursuant to section 92-3, Hawaii Revised Statutes, and section 17-2000-18, Hawaii Administrative Rules.

III. APPROVAL OF MINUTES

IV. FOR ACTION/INFORMATION

- A. To Approve the Hawaii Public Housing Authority's Annual Public Housing Agency Plan for the Fiscal Year Beginning July 1, 2020 to June 30, 2021; and to Authorize the Executive Director to Take Required Actions to Submit the Approved Plan to the U.S. Department of Housing and Urban Development
- B. To Adopt and Extend the 2019 Utility Allowance Rates for the Hawaii Public Housing Authority's (HPHA) Housing Choice Voucher "Section 8" Program to Cover the Period from July 1, 2020 to June 30, 2021; and to Authorize the Executive Director to Accept Comments on the Current Utility Rates and Undertake All Actions Necessary to Extend the Current Utility Allowance Rates as Allowed Under Federal Regulations
- C. To Authorize the Executive Director to Take All Actions Necessary to Implement Any and All Applicable Waivers Identified in HUD Notice 2020-05, ("HUD Notice") dated April 10, 2020 for up to the Maximum Time Allowed Under the HUD Notice Which Are Deemed Appropriate and Necessary for the Continued Operations of the Hawaii Public Housing Authority ("HPHA") and in the Best Interests of the Residents in the HPHA's Housing Programs, the HPHA, and/or the State of Hawaii
- D. To **(1)** Adopt Hawaii Administrative Rules Entitled "Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency", Which: **(a)** Sets Forth the Requirements for Social Distancing, Waiver of Minimum Rent, Waiver of Late Fees, Annual and Interim Reexaminations, Use of Enterprise Income Verification System and Monitoring, Community Service and Self-Sufficiency Requirement, Over Income Families, Utility Allowances, Termination of Rental Agreements, and Evictions Throughout the COVID-19 Emergency Relief Period; and **(b)** Applies to and Amends Certain Sections in Following Administrative Rules: Chapters 15-185: Section – Housing Choice Voucher Program; Chapter 15-186: State-Aided Elderly Public Housing Projects; Chapter 15-193: State-Aided Family Public Housing Projects; Chapter 17-2021: Eviction - Practice and Procedure; Chapter 17-2028: Federally-Assisted Public Housing Projects; Chapter 17-2032: Resident Advisory Board; Chapter 17-2033: Rent Supplement Program; Chapter 17-2036: Section 8 Homeownership Option Program; and Chapter 17-2038: State Eviction – Practice and Procedure, to Provide Emergency Relief and Emergency Management Functions to Address the COVID -19 Emergency Declared by the Governor in his Emergency Proclamation for COVID-19 dated March 4, 2020, and Supplemental Proclamations dated March 16, 2020, March 21, 2020,

March 23, 2020, and March 31, 2020; and **(2)** Authorize the Executive Director to Undertake All Other Actions Necessary to Implement the Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency.

The Proposed “Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency” may be viewed on the internet on or about April 10, 2020 on the Lieutenant Governor’s website at: <http://ltgov.hawaii.gov/the-office/administrative-rules>.

The Board may go into executive session pursuant to Hawaii Revised Statutes sections 92-4 and 92-5(a)(4) to consult with the Board’s attorneys on questions and issues pertaining to the Board’s powers, duties, privileges, immunities, and liabilities as related to this motion.

- E. To **(1)** Adopt Hawaii Administrative Rules Entitled “Hawaii Public Housing Authority Section 8 Emergency Rules Relating to the COVID-19 Emergency”, Which: **(a)** Sets Forth the Requirements for Section 8 Interim Rent Adjustment and Suspension of Requirements for Reexaminations, Housing Quality Standards Inspections, Various Program Timelines or Due Dates Throughout the COVID-19 Emergency Relief Period; and **(b)** Applies to and Amends the Following Administrative Rule Section: Chapter 15-185: Section 8 – Housing Choice Voucher Program, to Provide Emergency Relief and Emergency Management Functions to Address the COVID-19 Emergency Declared by the Governor in his Emergency Proclamation for COVID-19 dated March 4, 2020, and Supplemental Proclamations dated March 16, 2020, March 21, 2020, March 23, 2020, and March 31, 2020; and **(2)** Authorize the Executive Director to Undertake All Other Actions Necessary to Implement the Hawaii Public Housing Authority Section 8 Emergency Rules Relating to the COVID-19 Emergency

The Proposed “Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency” may be viewed on the internet on or about April 15, 2020 on the Lieutenant Governor’s website at: <http://ltgov.hawaii.gov/the-office/administrative-rules>.

The Board may go into executive session pursuant to Hawaii Revised Statutes sections 92-4 and 92-5(a)(4) to consult with the Board’s attorneys on questions and issues pertaining to the Board’s powers, duties, privileges, immunities, and liabilities as related to this motion.

- F. To Authorize the Executive Director to Make Changes to Improve Grammar, Clarity and Formatting of Any and All Emergency Rules Adopted by the Board of Directors to Address the COVID-19 Emergency Declared by the Governor in His Emergency Proclamation for COVID-19

dated March 4, 2020, and Supplementary Proclamations dated March 16, 2020, March 21, 2020, March 23, 2020, and March 31, 2020

- G. Discussion Regarding HPHA's Responses Related to COVID-19 Pandemic

The Board agenda for this meeting is available for inspection on the HPHA's website.

HAWAII PUBLIC HOUSING AUTHORITY
MINUTES OF THE REGULAR MEETING
HELD AT 1002 NORTH SCHOOL STREET, BUILDING A
HONOLULU, HAWAII 96817
ON THURSDAY, APRIL 16, 2020
IN THE CITY AND COUNTY OF HONOLULU, STATE OF HAWAII

The Board of Directors of the Hawaii Public Housing Authority held their Regular Board Meeting at 1002 North School Street, on Thursday, April 16, 2020. Pursuant to the Governor's Supplementary Proclamation dated March 16, 2020, suspending Chapter 92, HRS, Public Agency Meetings and Records, to the extent necessary to enable Boards to conduct business in person or through remote technology without holding meetings open to the public, the Hawaii Public Housing Authority conducted the Board meeting by use of alternative means of communication only without a physical quorum present in the boardroom at 1002 N. School Street, Honolulu, HI 96817. At approximately 9:07 a.m., Chairperson Hall called the meeting to order, held a roll call and declared a quorum present. Those present were as follows:

PRESENT: Director Robert Hall, Chairperson

PRESENT: Director Pono Shim, Vice-Chairperson
(Via teleconference) Director George De Mello, Secretary
Director Lisa Darcy
Designee Daisy Hartsfield
Director Roy Katsuda
Director Susan Kunz
Director Betty Lou Larson
Director Kymberly Sparlin
Director Todd Taniguchi

Deputy Attorney General Jennifer Sugita
Deputy Attorney General Klemen Urbanc

STAFF PRESENT: Hakim Ouansafi, Executive Director
Barbara Arashiro, Executive Assistant
Benjamin Park, Chief Planner
Sarah Beamer, Acting Section 8 Subsidy Program Branch Chief
Jennifer Menor, Secretary to the Board

The Board considered reasonable measures to allow public participation consistent with social distancing practices, such as providing notice of meetings, allowing submission of written testimony on agenda items, live streaming meetings, and posting minutes of meetings online.

NOTICE: Due to limitations/restrictions with the State's website, the HPHA wasn't able to post changes to the agenda on the Lieutenant Governor's website or the State of Hawaii Calendar after April 10, 2020. As such, any changes to the agenda can be found at the HPHA's website at www.hpha.hawaii.gov.

Public Testimony

In consideration of the current COVID-19 situation, the HPHA's **physical office locations are closed to the public**. Individuals were allowed to submit written testimony up until 15 minutes before the date/time of the meeting which would be distributed to the Board members. The public was instructed to submit written testimony via email to jennifer.k.menor@hawaii.gov or by U.S. mail to PO Box 17907, Honolulu, HI 96817.

Chairperson Hall stated that the Board would consider public testimony on any item relevant to this agenda. Pursuant to section 92-3, Hawaii Revised Statutes, and section 17-2000-18, Hawaii Administrative Rules.

Chairperson Hall stated that public testimony was received from Desiree Kihano, Palolo Valley Homes tenant and Chairperson for the Resident Advisory Board. The written testimony dated April 16, 2020 was read which was supportive of the proposed changes to policies. Ms. Kihano thanked the HPHA staff for their efforts and was pleased that she doesn't have to worry about payment of rent during this crisis.

Approval of Minutes

Director Katsuda moved,

To Approve the Regular Meeting Minutes of March 19, 2020

The minutes were unanimously approved as presented.

Director Kunz moved,

To Approve the Regular Meeting Minutes of February 20, 2020

The minutes were unanimously approved as presented.

For Action/Information

Director De Mello moved,

To Approve the Hawaii Public Housing Authority’s Annual Public Housing Agency Plan for the Fiscal Year Beginning July 1, 2020 to June 30, 2021; and to Authorize the Executive Director to Take Required Actions to Submit the Approved Plan to the U.S. Department of Housing and Urban Development

Executive Director Ouansafi reported that on January 16, 2020 the HPHA Board of Directors voted to accept the HPHA draft PHA Annual Plan for FY 2020 – 2021. Public hearings were held in each county on March 9, 2020.

HPHA staff reviewed and considered all testimony received prior to and at the public hearings, along with recommendations of the RAB, as required by 24 C.F.R. Section 903.19. After thorough review of the comments received at the public hearings and the recommendations of the RAB, no changes were made to the draft plans.

A summary of the testimony received at the hearings and a summary of the RAB’s final recommendations and HPHA’s responses were prepared and attached to the Board packet.

Designee Hartsfield referred to page 78 of the Board packet, which indicated an update to the Housing Choice Voucher minimum rent policy to institute a minimum of \$50, and asked what the current minimum payment is. She referred to page 79 of the Board packet and pointed out a typographical error in the second bullet point.

Executive Director Ouansafi reported that there is currently no minimum rent payment. He confirmed that it should read “quiet times” instead of “quite times” on page 79.

The motion was unanimously approved.

Director Shim moved,

To Adopt and Extend the 2019 Utility Allowance Rates for the Hawaii Public Housing Authority’s (HPHA) Housing Choice Voucher “Section 8” Program to Cover the Period from July 1, 2020 to June 30, 2021; and to Authorize the Executive Director to Accept Comments on the Current Utility Rates and Undertake All Actions Necessary to Extend the Current Utility Allowance Rates as Allowed Under Federal Regulations

Executive Director Ouansafi reported that HPHA annually reviews the utility allowance schedule to determine whether the allowances are required to be adjusted, as required by the program regulations. HPHA is required to adjust the utility allowances if the utility rate changes by 10% since the last revision of the schedule.

HPHA last updated the schedule in 2019. Executive Director Ouansafi reported that since the rates haven’t increased more than 10%, HPHA doesn’t project any increases

in expenses as the utility schedule didn't change. A chart of the proposed utility allowance schedule by dwelling type and bedroom size was provided in the Board packet.

The motion was unanimously approved.

Director Shim moved,

To Authorize the Executive Director to Take All Actions Necessary to Implement Any and All Applicable Waivers Identified in HUD Notice 2020-05, ("HUD Notice") dated April 10, 2020 for up to the Maximum Time Allowed Under the HUD Notice Which Are Deemed Appropriate and Necessary for the Continued Operations of the Hawaii Public Housing Authority ("HPHA") and in the Best Interests of the Residents in the HPHA's Housing Programs, the HPHA, and/or the State of Hawaii

Executive Assistant Arashiro reported that on April 10, 2020, the U.S. Department of Housing and Urban Development (HUD) issued a variety of waivers to program requirements for the public housing program, the Section 8 housing choice voucher program, the Section 8 project-based voucher program and the capital fund program. HUD strongly encourages public housing agencies (PHAs) to utilize any and all waivers and alternative requirements as necessary to keep public housing and housing choice voucher programs operational to the extent practicable. The public housing agencies are responsible for tracking any waivers that they choose to apply, including recording when the waiver was implemented and to file them in their records.

The waivers that HPHA are interested in implementing provide benefit to both tenants and HPHA staff which allow the agency to apply the following:

- Practice social distancing and utilize other means of communication
- Delay deadlines (such as annual recertification and unit inspection)
- Suspend monitoring of certain requirements
- Extend due dates

Executive Director Ouansafi explained how the current pandemic situation suspends HUD's usual process, where PHAs would normally need written approval for each waiver adopted.

As mentioned at a previous Board of Director's meeting, HPHA took immediate action when the pandemic began and requested HUD waivers for certain due dates. HUD responded that they would be issuing global waivers for all PHAs due to COVID-19. Executive Assistant Arashiro stated that none of the waivers are mandatory, and each PHA is able to determine which waivers to implement that will best fit their program's needs.

Executive Director Ouansafi reported that HPHA anticipates the possibility of additional waivers to be announced during a future conference call hosted by HUD's Deputy Secretary.

Director Larson and Director Katsuda sought information on the length of each waiver and if the waivers' timeline is adequate.

Executive Assistant Arashiro clarified that each waiver comes with a different lifespan. Many waivers will expire on July 31, 2020. Some will allow for a one-year extension and some can last as long as two years. Due to the effects and results of the pandemic, HPHA will ask HUD for extensions if needed.

Executive Director Ouansafi added that HPHA will evaluate each waiver and monitor the need for COVID-19 waivers. HPHA will adjust any waiver accordingly following their usual process.

Designee Hartsfield asked if the Board will need to review and approve additional waivers that may be offered by HUD.

Executive Director Ouansafi clarified that the motion only covers the waivers that were presented to the Board at the meeting. Any additional waivers that are established require Board review and approval.

Deputy Attorney General Sugita concurred with Executive Director Ouansafi. Any adopted policy is required to comply with Administrative Rules under Chapter 91, Hawaii Revised Statutes. Although Governor Ige's Emergency Proclamation for COVID-19 suspended part of Chapter 91, he didn't suspend rule making.

Executive Director Ouansafi explained the process and extent of making changes to rules.

Chairperson Hall commented that, if needed, the Board can conduct an emergency Board meeting.

Director Darcy asked if HPHA anticipates other matters not covered in the waivers that could use some consideration and support of the Board.

Executive Assistant Arashiro stated that HPHA has addressed everything necessary in their proposed emergency rules and will monitor what's discussed by HUD within the next week.

Executive Director Ouansafi reported that HPHA asked HUD to consider the idea of suspending rent in Hawaii for a few months, but no response was received. Other than that, HPHA's proposed waivers are adequate to accomplish HPHA's main objective of keeping the staff and tenants safe, while maintaining operations.

Chairperson Hall thanked Executive Director Ouansafi and his staff for their hard work and commitment. He summarized how the initial waivers benefit both HPHA staff and the tenants. Chairperson Hall also commended Deputy Attorney General Sugita and Deputy Attorney General Urbanc on their efforts.

The motion was unanimously approved.

Director Katsuda moved,

To (1) Adopt Hawaii Administrative Rules Entitled “Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency”, Which: (a) Sets Forth the Requirements for Social Distancing, Waiver of Minimum Rent, Waiver of Late Fees, Annual and Interim Reexaminations, Use of Enterprise Income Verification System and Monitoring, Community Service and Self-Sufficiency Requirement, Over Income Families, Utility Allowances, Termination of Rental Agreements, and Evictions Throughout the COVID-19 Emergency Relief Period; and (b) Applies to and Amends Certain Sections in Following Administrative Rules: Chapters 15-185: Section – Housing Choice Voucher Program; Chapter 15-186: State-Aided Elderly Public Housing Projects; Chapter 15-193: State-Aided Family Public Housing Projects; Chapter 17-2021: Eviction - Practice and Procedure; Chapter 17-2028: Federally-Assisted Public Housing Projects; Chapter 17-2032: Resident Advisory Board; Chapter 17-2033: Rent Supplement Program; Chapter 17-2036: Section 8 Homeownership Option Program; and Chapter 17-2038: State Eviction – Practice and Procedure, to Provide Emergency Relief and Emergency Management Functions to Address the COVID -19 Emergency Declared by the Governor in his Emergency Proclamation for COVID-19 dated March 4, 2020, and Supplemental Proclamations dated March 16, 2020, March 21, 2020, March 23, 2020, and March 31, 2020; and (2) Authorize the Executive Director to Undertake All Other Actions Necessary to Implement the Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency

Executive Director Ouansafi reported that the proposed Emergency Rules apply to all HPHA programs, which allow HPHA staff to provide services in a safe manner and to provide certain allowances to the tenants. The proposed Emergency Rules relating to COVID-19 were provided in the Board packet for the Board’s consideration.

Deputy Attorney General Sugita clarified that the motion starts on page 237 of the Board packet, and the updated rules that the Board were considering on adopting were emailed on the morning of the meeting by Executive Assistant Arashiro. She requested the Board to carefully review the “Findings” presented in section 1 of Attachment C.

(Director Sparlin joined the meeting at approximately 9:40 a.m.)

Director Sparlin thanked the HPHA staff and the Deputy Attorney Generals (AGs) on their hard work.

Director Larson asked how long social distancing will last and if HPHA has had any issues with tenants not abiding the social distancing order.

Executive Director Ouansafi stated that HPHA follows the guidelines of Governor Ige's proclamations as they are announced. Once the social distancing order is released by Governor Ige, HPHA will adjust their rules accordingly. Executive Director Ouansafi reported that many of the tenants have been following the social distancing order.

Director Katsuda asked who HPHA will take direction from, if any inconsistencies in orders arise between the President of the United States and the Governor of Hawaii.

Executive Director Ouansafi clarified that HPHA will follow the orders promulgated by the State's Governor.

Director Shim commented that what the U.S. President orders may be irrelevant to the public in some respects. A parent's main concern will be keeping their children safe. For example, parents won't return their children to school, if they feel it's unsafe.

Executive Director Ouansafi stated that each State and their Governor will determine what's best for their own State. He reclarified that HPHA will follow the guidance and proclamations declared by Governor Ige.

Chairperson Hall stated having discussions with Executive Director Ouansafi. He was happy and relieved to hear the measures Executive Director Ouansafi and Executive Assistant Arashiro have taken to keep their staff safe. He discussed how the HPHA staff are wearing masks, plexiglass have been installed at each cubicle, arrangements were made for maintenance staff to utilize their own vehicle and the housing families have been instructed to stay out of their unit when emergency repairs are being completed. Chairperson Hall commended the HPHA staff on their efforts and professionalism.

Director Larson expressed how the new safety measures implemented will be the "new normal". Looking ahead, she encouraged HPHA to continue applying the health and safety practices.

Director Sparlin concurred with Director Larson. The outcome of COVID-19 will become the "new normal", where the results of the CARES Act and the increased safety measures will remain as deemed necessary.

Executive Director Ouansafi assured the Board that HPHA has obtained adequate amount of supply of medical masks, gloves, and sanitizers. HPHA is prepared to continue servicing the community, while protecting its staff, tenants and the community.

Director Larson discussed her concern with the community not having access or money for masks and asked how HPHA can assist tenants in gaining access to the appropriate masks. She commended HPHA on their website and suggested if information on where tenants can obtain masks can be included.

Executive Director Ouansafi confirmed that HPHA has adequate supply and plans to distribute masks to tenants that need it. HPHA staff are in the process of making cloth masks, which will be provided to the elderly tenants. Another shipment of masks is scheduled to be delivered on April 20, 2020. Executive Director Ouansafi reported that HPHA is monitoring the COVID-19 situation and is prepared to look after its staff and tenants, as well as aiding its sister agencies and other departments in need. Clorox wipes will also be distributed accordingly.

Director Taniguchi asked if HPHA has discussed their coordination with the Department of Health (DOH) and the policy HPHA plans to implement to ensure that tenants are receiving proper information in a timely manner.

Chairperson Hall redirected the discussion back to the motion at hand.

The motion was unanimously approved.

Director Larson moved,

To (1) Adopt Hawaii Administrative Rules Entitled “Hawaii Public Housing Authority Section 8 Emergency Rules Relating to the COVID-19 Emergency”, Which: (a) Sets Forth the Requirements for Section 8 Interim Rent Adjustment and Suspension of Requirements for Reexaminations, Housing Quality Standards Inspections, Various Program Timelines or Due Dates Throughout the COVID-19 Emergency Relief Period; and (b) Applies to and Amends the Following Administrative Rule Section: Chapter 15-185: Section 8 – Housing Choice Voucher Program, to Provide Emergency Relief and Emergency Management Functions to Address the COVID-19 Emergency Declared by the Governor in his Emergency Proclamation for COVID-19 dated March 4, 2020, and Supplemental Proclamations dated March 16, 2020, March 21, 2020, March 23, 2020, and March 31, 2020; and (2) Authorize the Executive Director to Undertake All Other Actions Necessary to Implement the Hawaii Public Housing Authority Section 8 Emergency Rules Relating to the COVID-19 Emergency

Executive Director Ouansafi reported that the proposed Emergency Rules apply to the HPHA’s Section 8 (Housing Choice Voucher Program) and clarified that the motion begins on page 287 of the Board packet.

Deputy Attorney General Sugita confirmed the proposed Emergency Rules relating to the COVID-19 emergency in this motion apply only to Section 8. The updated rules

were emailed by Executive Assistant Arashiro on the morning of the meeting to the Board for their consideration. Deputy Attorney General Sugita explained that two separate emails were sent, which are two different sets of rules.

Designee Hartsfield asked what actions are necessary, if the Board would like to extend the rules beyond 120 days.

Deputy Attorney General Sugita explained the process of extending the rules and stated precedence for extending if deemed necessary. She added that HPHA has done this in the past with rules for the homeless.

Director Sparlin referred to S8-§6, subsection e, of the proposed rules regarding interim rent adjustment (on page 323 of the Board packet) and asked if “a reasonable time” is defined somewhere as everyone’s definition of what’s reasonable is subjective.

Executive Director Ouansafi explained that the language used was taken from the current rules. One of HPHA’s top priority is rent adjustment which is favorable to the tenants. Unlike the usual process, if a tenant lost his/her job on April 3rd, the rent adjustment would be effective May 1st (the following month). Under the proposed rules, the HPHA would allow for the rent adjustment to be effective the date of employment loss. Executive Director Ouansafi added that Section 8 is 100% federally funded; rents that aren’t collected from the Section 8 tenants (due to loss of income) are covered by the HAP for the federal government.

Director Sparlin appreciated the efforts of HPHA. Being on the receiving end of many phone calls and texts messages, she explained her concern with the Section 8 tenants’ expectation with what is considered “a reasonable time”.

Deputy Attorney General Sugita understood the concern that Director Sparlin posed. She explained that the wording of “reasonable time” comes from the C.R.F., but stated that it is possible to adjust the proposed rules to identify a timeframe if the Board deemed necessary.

Executive Director Ouansafi reported that every situation and process is different. Due to the COVID-19 situation, Section 8 tenants are instructed to send certified mail of appropriate documentation showing decreased income, and HPHA will usually handle each case within days upon receipt. Executive Director Ouansafi was open to adding a timeframe if the Board wishes to. He expressed his only concern of having adequate leniency for HPHA, such as situations where all the proper documentation wasn’t received by the Section 8 tenant or in an event that a positive case becomes known and the HPHA offices need to close for a period of time.

Director Sparlin expressed concern of the possibility that the Deputy Attorney General’s office may receive lawsuits due to personal expectations of what is considered a reasonable amount of time.

Deputy Attorney General Sugita explained that subsection e of S8-§6 covers the annual reexamination, while subsection c relates to tenant's getting reimbursed.

Executive Assistant Arashiro clarified that it is likely that the Section 8 tenant would have already paid rent to the landlord, as well as the Section 8 office. If during the month, the tenant loses income based on wages, the proposed rules allow HPHA to reimburse the Section 8 tenant. HPHA's aim is creating additional benefit for their Section 8 tenants by retro-reimbursing them.

Director Sparlin clarified her concern isn't with the functionality of the rule but with the language used.

Director Katsuda asked if HPHA will pursue a greater subsidy, when rent is adjusted.

Executive Director Ouansafi and Executive Assistant Arashiro confirmed that it'll be a wash when adjustments are made to the rent in favor of the Section 8 tenant.

Executive Director Ouansafi responded to Director Sparlin's concern. He restated that HPHA's management has no issues with revising the proposed rules to include a specific timeline, as long as unforeseen issues that may arise are accounted for, such as 2,000 tenants submitting rent adjustments simultaneously. Executive Director Ouansafi reported that it currently takes approximately less than a week to make rent adjustments.

Director Larson expressed her support in the proposed rules and acknowledged the significance of having it be flexible, especially with the unknown nature of what's to come of COVID-19.

Executive Director Ouansafi asked Director Sparlin for clarification of her concern.

Director Sparlin explained how everyone interprets "a reasonable time" differently.

Deputy Attorney General Sugita acknowledged that everyone's definition of "reasonable time" differs. However, she recommended that the language remain as is, for every situation is different and the current language will allow the flexibility especially if 2,000 rent adjustments are submitted to HPHA at the same time. She stated that a set timeframe isn't required.

Deputy Attorney General Urbanc concurred with Deputy Attorney General Sugita.

Executive Director Ouansafi added that the proposed rule regarding interim rent adjustment is an added benefit for HPHA's Section 8 tenants. He understood Director Sparlin's concern and reassured the Board that adjusting rent for the Section 8 tenants is the main priority. Thus far, current rent adjustments haven't taken more than seven days.

Deputy Attorney General Urbanc clarified that the decision in writing is not the operative date of adjustment but instead the date of notification, and the operative date will relate to the intervening event.

Director Larson asked for details on the reimbursement process and expressed her concern of tenants getting money back so that it could go towards food or other essentials.

Executive Director Ouansafi reported that the reimbursement is issued immediately to the landlord.

Executive Assistant Arashiro added that HAP funds aren't allowed to be given directly to the tenant as a federal requirement. She explained that a check will be made to the landlord, and the landlord is responsible of refunding the tenant. This information will be sent to both the Section 8 tenant and landlord.

Director Larson asked if HPHA has any plans in place as funds are expended and when the fiscal year ends.

Executive Assistant Arashiro and Chairperson Hall confirmed that the fiscal year ends on June 30th.

Executive Director Ouansafi stated that he doesn't anticipate any shortfalls. The CARES Act provided HUD with additional millions of dollars for the purpose of supplying more funding to PHAs as tenants lose their jobs during this time. Executive Director Ouansafi added that his staff are in the process of finalizing a fillable application to offer vouchers to families in increments of one hundred, which will start as early as next week. HPHA will continue to update the Board on HPHA's progress.

Director Larson was pleased to hear that HPHA will still be able to sustain housing for the community.

Chairperson Hall thanked the Board for their consideration and discussions. Given that the Section 8 programs are federally funded, if shortfalls arise in the future, HUD is available to assist with the funds.

The motion was unanimously approved.

Director Sparlin moved,

To Amend the Agenda to Include a Motion to Authorize the Executive Director to Make Changes to Improve Grammar, Clarity and Formatting of Any and All Emergency Rules Adopted by the Board of Directors to Address the COVID-19 Emergency Declared by the Governor in His Emergency Proclamation for COVID-19 dated March 4, 2020, and

Supplementary Proclamations dated March 16, 2020, March 21, 2020, March 23, 2020, and March 31, 2020

The motion to amend the agenda was unanimously approved.

Director Darcy moved,

To Authorize the Executive Director to Make Changes to Improve Grammar, Clarity and Formatting of Any and All Emergency Rules Adopted by the Board of Directors to Address the COVID-19 Emergency Declared by the Governor in His Emergency Proclamation for COVID-19 dated March 4, 2020, and Supplementary Proclamations dated March 16, 2020, March 21, 2020, March 23, 2020, and March 31, 2020

Executive Director Ouansafi apologized for the existing typographical errors to the proposed emergency rules. He thanked his staff and the AGs for their hard work on getting the rules completed in time for the meeting. This motion doesn't change the content, but only allows HPHA to correct the formatting and grammatical errors before officially submitting them to the Governor's office.

The motion was unanimously approved.

Chairperson Hall asked to restart the discussion that Director Taniguchi began earlier in the meeting.

Deputy Attorney General Sugita confirmed that an amendment needs to be made to the agenda if the Board would like to discuss other matters.

Director Larson stated that she had questions related to legislative CIP actions and Kauhale updates. She asked if the discussion could include a general discussion of HPHA's operational activities.

Chairperson Hall reported that there are no Legislative activities as the Legislature is currently in recess.

Deputy Attorney General Sugita suggested that the discussion item only relate to HPHA and COVID-19, as Governor Ige's Emergency Proclamation suspended chapter 92 to the extent necessary for the Board to take action and respond to COVID-19.

Director Larson moved,

To Amend the Agenda to Add Discussion Item IV (G) Discussion Regarding HPHA's Responses Related to COVID-19 Pandemic

The motion to amend the agenda was unanimously approved.

For Discussion:

Discussion Regarding HPHA's Responses Related to COVID-19 Pandemic

Director Taniguchi asked how HPHA is working with other departments when positive cases are identified and how tenants will be informed while upholding confidentiality. He also asked if HPHA has had to deal with any positive cases and if so, how was it handled.

Executive Director Ouansafi reported that HPHA isn't aware of any positive cases within its staff and tenants. As a response to COVID-19, HPHA has established a plan. When HPHA becomes aware of a COVID-19 situation, from any source, Executive Director Ouansafi confirmed the following:

1. HPHA would immediately contact the State Department of Health (DOH). They are the lead for the State of Hawaii, and they would provide information on how best to ensure quarantine, how to inform the community, and whether other family members should be handled in a certain way.
2. HPHA would immediately inform the staff and the residents through flyers, phone calls, emails, or whatever means necessary. All AMP staff have ample supply of PPE and hand sanitizers or soap to practice good hygiene. Staff who are eligible, would be continued to be on approved work from home plans. Maintenance staff would be instructed not to enter the subject unit, and N95 masks would be provided to all staff.
3. HPHA also has alternate units available if the State DOH or CDC recommend that the family be quarantined in another location.
4. Only State certified companies would be used to perform cleaning of the unit(s). The unit would be sanitized at no cost to the family. All offices would receive a deep cleaning.
5. Emails, texts and other means are currently negotiating on the ability to do mass text messages to help spread the message to the different AMPs.
6. HPHA's new website would also be used to help spread the message.
7. With regards to privacy issues, HPHA would consult with the AGs to protect patient confidentiality.

Executive Director Ouansafi expressed gratitude to his staff. He stated that HPHA created an additional website hphashereforyou.org, which received positive feedback from HUD. Executive Director Ouansafi reassured the Board that HPHA's number one priority is safety for staff and the tenants. No known positive cases have been presented. Several people have been tested, but all tests were negative for COVID-19.

Executive Director Ouansafi reported communication and cooperation with other departments, where HPHA has offered masks. HPHA staff participate in teleconference

briefings with HI-EMA, DHS, and HUD. He acknowledged the efforts of the HPHA staff and was pleased to report that all staff continue to effectively serve the public.

Director Taniguchi sought more information on the timeframe of when DOH and HPHA are informed of possible COVID-19 cases.

Executive Director Ouansafi clarified that of those he mentioned that were tested which came back negative for COVID-19 were HPHA staff. The information was provided to management by its staff. DOH is aware of all test, whether results are positive or negative, so HPHA didn't need to report the negative cases to DOH. Executive Director Ouansafi assured the Board that HPHA staff have been instructed to stay home and are sent home, if showing any flu or cold-like symptoms.

Director Larson asked if the unbudgeted expenses related to COVID-19 are affecting the Kauhale project in Kalaeloa.

Executive Director Ouansafi reported on a positive impact, where HPHA was able to determine, through the work of the AGs, how Kauhale will be serving and helping in implementing social distancing and overcrowding, which will aid in preventing the spread of COVID-19 throughout the homeless population. The work on Kauhale continues, and the next steps involve coordinating with the entities to sweep the area. 2-3 units have already been completed and the additional information needed for Building 32 has been submitted. Executive Director Ouansafi confirmed not having any delays on the project.

Director Larson sought information on the timeline of Kauhale's opening.

Executive Director Ouansafi reported that the project has two phases. He estimated approximately 30-45 days for the completion of the first phase including the physical units, and an extra 45-60 days thereafter for the completion of the entire project including Building 32. With regards to funding, HPHA is federally funded so HPHA is able to expend funding as needed.

Director Taniguchi asked Executive Director Ouansafi on how he perceives the lack of funds or the likelihood of budget restrictions for new projects.

Executive Director Ouansafi reported that over 86% of HPHA's funds are received from federal sources. The only area that could have an impact would be the CIP. HPHA has identified multiple shovel-ready projects totaling approximately \$80M, which was submitted to the Legislature and the Governor's office. Although the HPHA offices are closed to the public, the work of the staff continues. Executive Director Ouansafi reported that the developers are prepared to move forward and there has been positive progress. While the federal sources are stable, HPHA has no control over the CIP funds.

(Director Shim left the meeting at approximately 10:44 a.m.)

Chairperson Hall discussed how the economic recovery for Hawaii will be a large focus for the Administration in paying past bills and with creating new revenues. He expressed the significance HPHA will have with stimulating the economy through their developments. Chairperson Hall welcomed the challenge of helping the economy turnaround from the COVID-19.

Chairperson Hall added that he's been working alongside with Director Taniguchi and Director Katsuda as the Redevelopment Task Force and anticipates reporting on their findings within the next few months, which will be an adequate response to what's occurring with the pandemic and how best to move forward.

Director Katsuda asked for clarification on HPHA's operations and if HPHA is functioning with a reduced amount of staff on site.

Executive Director Ouansafi reported that HPHA is mainly operating at 100% unless staff are sick. HPHA management have created plans to approve certain staff (approximately 30-40) to work remotely with the condition that they produce the same quantity and quality worth of work that they would if in the office. HPHA has purchased approximately 50 laptops, which were provided to certain staff to use when working from home. HPHA has also hired a company to assist with scanning of HPHA's files.

Director Darcy commended HPHA on their efforts and commitment. She suggested linking the hphaishereforyou.org website to the main HPHA website and vice versa. Director Darcy sought for reassurance that the same amount of organization is being done on Maui. She asked how tenants are receiving updated information and how to respond to symptoms experienced by themselves or loved ones.

Executive Director Ouansafi reported that CDC flyers and other communications have been sent by mail, along with making them available online. He added that HPHA has prepared vacant units that are on standby on every island, if needed.

Executive Assistant Arashiro stated that a lot of information are also posted in the common areas, and many documents were translated and provided to LEP tenants. HPHA has been providing as much information as possible to the tenants.

Executive Director Ouansafi added that the [hphaishereforyou](http://hphaishereforyou.org) website also has a feature at the bottom of the page, which allows the website to be translated into a variety of languages.

Director Darcy asked if the main HPHA website and the [hphaishereforyou](http://hphaishereforyou.org) website are linked to each other.

Executive Director Ouansafi confirmed that the main HPHA website has a link to the COVID-19 [hphaishereforyou](http://hphaishereforyou.org) website; however, the [hphaishereforyou](http://hphaishereforyou.org) website doesn't link back to the main HPHA website.

Director Larson stated that she took a look at the HPHA's COVID-19 website and commended HPHA on their hard work. She agreed with Chairperson Hall that the CIP will assist with rebuilding the economy from the effects of COVID-19. Director Larson discussed her findings on the CIP list and asked for clarification on the areas that indicated funding was "unfunded".

Executive Director Ouansafi reported that negotiations are occurring between House and Senate. He confirmed that HPHA has never lapsed large sums of money in the past and reassured the Board that HPHA will meet each deadline, especially during this COVID-19 pandemic. HPHA and its partners are prepared to move the economy forward. Executive Director Ouansafi stated that HPHA would be able to move forward on all phases (800 units) of the School Street redevelopment when funding is received. Contractors are on standby ready to work. The EIS and NEPA are completed, and certain stages of the 201 application have been completed.

Director Larson stated that Partners in Care and Catholic Charities are strong supporters of the School Street redevelopment, as they are concerned with elderly housing. Seeing the significance of the redevelopment, she stated that Partners in Care are in the process of writing and submitting a letter to the Legislature to show their support. Director Larson sought suggestions on how the community can support HPHA and their efforts.

Director Sparlin moved,

To Adjourn the Meeting

The motion was unanimously approved.

The meeting adjourned at 10:57 a.m.

MINUTES CERTIFICATION:

Minutes Prepared by:



Jennifer K. Menor
Secretary to the Board

05/21/2020

Date

Approved by the Hawaii Public Housing Authority Board of Directors at their Regular Meeting on May 21, 2020 [] As Presented [] As Amended



George De Mello
Board Secretary

May 21, 2020

Date