HAWAII PUBLIC HOUSING AUTHORITY
NOTICE OF MEETING
SPECIAL BOARD OF DIRECTORS MEETING
1002 North School Street, Building A Boardroom
Honolulu, Hawaii 96817
Wednesday, June 9, 2021
9:00 a.m.

AGENDA

THIS MEETING WILL BE HELD VIA TELECONFERENCE CALL OR OTHER ALTERNATIVE MEANS OF COMMUNICATION ONLY INCLUDING BOARD MEMBERS, STAFF, DEPUTY ATTORNEYS GENERAL, AND THE PUBLIC.

The Governor’s Nineteenth Supplementary Proclamation dated April 9, 2021, suspended Chapter 92, HRS, Part I. Meetings, to the extent necessary to enable Boards to conduct meetings without any board members or members of the public physically present in the same location. In consideration of the current COVID-19 situation, the HPHA’s offices are closed to the public. Individuals should submit written testimony no later than 12:00 noon on Monday, June 7, 2021 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 public may participate in the Board meeting as it happens via Zoom app at: https://zoom.us/j/91577766311?pwd=aXdwd2RKVEJQVVlPRUYyMTg0VGE2Zz09. When prompted, enter the Meeting ID: 915 7776 6311 and the Password: 9wLUaM.

Alternatively, the public may also participate via telephone by calling: 1-669-900-6833. When prompted, callers should enter the Meeting ID: 915 7776 6311 and the Password: 816242. We request that meeting participants change the display on their device to show their first and last name to expedite rollcall. Please keep in mind that many devices will display your cellphone number if not changed.

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, the Board may limit public testimony to three minutes per agenda item.

I. CALL TO ORDER/ESTABLISHING QUORUM

II. PUBLIC TESTIMONY

Public testimony on any item relevant to this agenda shall be taken at this time. Pursuant to section 92-3, Hawaii Revised Statutes, and section 17-2000-18, Hawaii Administrative Rules, the Board may limit public testimony to three minutes per agenda item.
III. DISCUSSION AND/OR DECISION MAKING

A. To (1) Adopt Amendments to the Hawaii Public Housing Authority's (HPHA) Public Housing Agency (PHA) Annual Plan for the Fiscal Year Starting July 1, 2021 and Ending June 30, 2022, to Provide Notice of the HPHA’s Intent to: a) Approve a Policy to Allow for the Use of Emergency Housing Vouchers (EHV) and any Additional Offering or Allocation of Special Purpose Vouchers; b) Pursue a Moving-to-Work (MTW) Agency Designation; and, c) Explore Free or Low Cost Broadband Internet Opportunities for Public Housing Properties; and (2) Authorize the Executive Director to: a) Hold Public Hearings on the Proposed Changes to the HPHA’s PHA Annual Plan as Required; b) Undertake All Actions Necessary to Accept, Adopt, or Respond to Comments from the Public and the Resident Advisory Board; and c) Submit the Amended PHA Annual Plan to the U.S. Department of Housing and Urban Development, if No Substantive Changes are Made to the Amended PHA Annual Plan.

Copies of the plan can be viewed by the public on the HPHA’s website at http://www.hpha.hawaii.gov/housingplans/index.htm, all AMP offices listed below, through the Resident Advisory Board, and the Section 8 office:

<table>
<thead>
<tr>
<th>Hawaii Public Housing Authority</th>
<th>HPHA Section 8 Office</th>
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<tbody>
<tr>
<td>1002 North School Street, Bldg. E 1002 North School Street</td>
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<tr>
<td>Honolulu, Hawaii 96817 Honolulu, Hawaii 96817</td>
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<tr>
<th>Puuwai Momi</th>
<th>Kalihi Valley Homes</th>
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<tr>
<td>99-132 Kohomua Street 2250 Kalena Drive</td>
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<tr>
<td>Aiea, Hawaii 96701 Honolulu, Hawaii 96819</td>
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<tr>
<th>Mayor Wright Homes</th>
<th>Kalakaua Homes</th>
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<tr>
<td>521 N. Kukui Street 1545 Kalakaua Ave.</td>
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<tr>
<th>Kapaa</th>
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<td>4726 Malu Road 2015 Holowai Place</td>
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<tr>
<td>Kapaa, Hawaii 96746 Wailuku, Hawaii 96793</td>
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<th>Ka Hale Kahaluu</th>
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<tr>
<td>1410 Ahonui Street 78-6725 Makolea Street</td>
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<tr>
<td>Honolulu, Hawaii 96819 Kailua-Kona, Hawaii 96740</td>
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<th>Koolau Village</th>
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<tr>
<td>85-186 McArthur Street 45-1027 Kamau Place</td>
<td></td>
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<tr>
<td>Waianae, Hawaii 96792 Kaneohe, Hawaii 96744</td>
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B. To Adopt Resolution No. 21-03 Approving the Hawaii Public Housing Authority’s (HPHA) Operating Budget for Fiscal Year 2021 – 2022 and to Authorize the Executive Director to Take All Actions Necessary to Submit Budget Certifications to the U.S. Department of Housing and Urban Development (HUD-Form 52574) and Implement the Approved Budget

C. To (1) Adopt “Amendment of the Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency”, to Revise Mandates to Wear Face Coverings to Exclude Common Areas Where There is no Overhead Roof, Eave, Patio, Lanai, or Structure Designed to Provide Shade or Cover; and, to Include Reference to the Centers for Disease Control and Prevention, Order Under Section 361 of the Public Health Services Act (42 U.S.C. 264) and 42 Code of Federal Regulations 70.2 Which Mandates a Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19, and (2) Authorize the Executive Director to Undertake All Other Actions Necessary to Continue to Implement these Emergency Rules

The Proposed “Extension of the Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency” may be viewed on the internet on or about June 3, 2021 on the Lieutenant Governor’s website at: https://ltgov.hawaii.gov/the-office/administrative-rules/. A hard copy of the rules may be requested by calling (808) 832-4696 or submitting an email request to hpha@hawaii.gov.

D. To (1) Adopt “Amendments of the Hawaii Public Housing Authority Section 8 – Housing Choice Voucher Emergency Rules Relating to COVID-19 Emergency”, Which Amends the “Hawaii Public Housing Authority Section 8 – Housing Choice Voucher Emergency Rules Relating to the COVID-19 Emergency”, to Extend Housing Assistance Payment (HAP) Contract Rules and Establish Over Occupancy Rules Which Allow for the Addition of Household Members, and (2) Authorize the Executive Director to Undertake All Actions Necessary to Continue to Implement these Emergency Rules

The Proposed “Amendments of Hawaii Public Housing Authority Section 8–Housing Choice Voucher Emergency Rules Relating to COVID-19
Emergency” may be viewed on the internet on or about June 3, 2021 on the Lieutenant Governor’s website at: https://ltgov.hawaii.gov/the-office/administrative-rules/. A hard copy of the rules may be requested by calling (808) 832-4696 or submitting an email request to hpha@hawaii.gov.

The Board agenda for this meeting is available for inspection on the HPHA’s website: http://www.hpha.hawaii.gov/boardinfo/packets.htm.
The Board of Directors of the Hawaii Public Housing Authority held a Special Board Meeting at 1002 North School Street, on Wednesday, June 9, 2021. Pursuant to the Governor’s Nineteenth Supplementary Proclamation dated April 9, 2021, suspending Chapter 92, HRS, Part I Meetings, to the extent necessary to enable Boards to conduct meetings without any board members or members of the public physically present in the same location, the Hawaii Public Housing Authority conducted the Board meeting by use of teleconference call or other alternative means of communication only without a physical quorum present in the boardroom at 1002 N. School Street, Honolulu, HI 96817.

At approximately 9:08 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  
Director Pono Shim, Vice-Chairperson  
Director Roy Katsuda, Secretary  
Designee Joseph Campos II  
Director George De Mello  
Director Susan Kunz  
Director Betty Lou Larson  
Director Leilani Pulmano  
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  
Kevin Auger, Redevelopment Officer  
Bennett Liu, Acting Chief Financial Officer  
Rick Sogawa, Contracts and Procurement Officer  
Sarah Beamer, Acting Section 8 Subsidy Programs Branch Chief  
Becky Choi, State Housing Development Administrator  
Benjamin Park, Chief Planner  
Shirley Befitel, Human Resources Supervisor  
Nelson Lee, IT Supervisor  
Gen Fujitani, Compliance Specialist
Public Testimony

In consideration of the current COVID-19 pandemic, the HPHA’s physical office locations are closed to the public. Individuals were allowed to submit written testimony no later than 12:00 noon on Monday, June 7, 2021 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. The public was also allowed to participate via Zoom app or teleconference.

Chairperson Hall stated that the Board would accept public testimony on any item relevant to the agenda. Pursuant to section 92-3, Hawaii Revised Statutes, and section 17-2000-18, Hawaii Administrative Rules, the Board may limit public testimony to three minutes per agenda item.

There was no public testimony given or submitted.

Discussion and Decision Making

Director Shim moved,

To (1) Adopt Amendments to the Hawaii Public Housing Authority’s (HPHA) Public Housing Agency (PHA) Annual Plan for the Fiscal Year Starting July 1, 2021 and Ending June 30, 2022, to Provide Notice of the HPHA’s Intent to: a) Approve a Policy to Allow for the Use of Emergency Housing Vouchers (EHV) and any Additional Offering or Allocation of Special Purpose Vouchers; b) Pursue a Moving-to-Work (MTW) Agency Designation; and, c) Explore Free or Low Cost Broadband Internet Opportunities for Public Housing Properties; and (2) Authorize the Executive Director to: a) Hold Public Hearings on the Proposed Changes to the HPHA’s PHA Annual Plan as Required; b) Undertake All Actions Necessary to Accept, Adopt, or Respond to Comments from the Public and the Resident Advisory Board; and c) Submit the Amended PHA Annual
Plan to the U.S. Department of Housing and Urban Development, if No Substantive Changes are Made to the Amended PHA Annual Plan

Executive Director Ouansafi thanked the Board for holding the Special Board meeting. He indicated that the request for this meeting, which is being held earlier than its usual meeting, is due to upcoming deadlines. Executive Director Ouansafi added that HPHA accepted emergency housing vouchers from HUD and is working with the staff on how to best issue them. Due to the acceptance of these vouchers, HPHA needs to update its PHA Plan.

Executive Director Ouansafi reported that the Public Housing Agency (PHA) Five-Year and Annual Plan is a federal requirement. Public housing agencies that administer federal public housing and the Section 8 Housing Choice Voucher (HCV) assistance programs must submit their plans to the U.S. Department of Housing and Urban Development (HUD) to be eligible to receive administrative, operating, Capital Fund Program, and Section 8 HCV assistance monies.

The PHA Plan is a comprehensive guide to PHA policies, programs, operations, and strategies for meeting local housing needs and goals. There are two parts to the PHA Plan: the 5-Year Plan, which each PHA submits to HUD once every 5th PHA fiscal year, and the Annual Plan, which is submitted to HUD every year by non-qualified agencies. (Qualified agencies have a combined unit total of 550 or less public housing units and Section 8 vouchers. The HPHA is considered a large housing authority by HUD’s criteria.)

The PHA Annual Plan does not govern or apply to the State public housing programs or any other State assisted programs that are administered and managed by the HPHA.

The HPHA’s PHA Annual Plan for Fiscal Year 2021-2022 was approved by the U.S. Department of Housing and Urban Development on May 24, 2021.

Pursuant to the HPHA’s rules and as stated in the HPHA’s PHA Annual Plan for Fiscal Year 2021-2022, a significant amendment or modification to the Annual PHA Plan is the 1) adding or eliminating of major strategies to address housing needs and to major policies or programs; or 2) modifying a major strategy such that a substantial transfer of resources away from others is necessary in order to carry it out.

The HPHA’s PHA Annual Plan of Fiscal Year 2021-2022 is being amended to provide public notice and to inform HUD that the HPHA intends to add major programs to address housing needs and improve living conditions for the low income community by: 1) accepting and implementing the use of Emergency Housing Vouchers (EHVs), 2) accepting and implementing allocations of other special purpose vouchers as they become available under the federal Section 8 Program, 3) pursuing the Moving-to-Work (MTW) designation from HUD under the MTW Expansion Program; and 4) explore opportunities to obtain free or low cost broadband internet opportunities for public housing properties.
Emergency Housing Vouchers

- The EHV program was authorized under the American Rescue Plan (ARP) Act of 2021. Under the ARP, HUD has allocated approximately 70,000 EHV’s to certain qualifying public housing agencies. These vouchers are to assist individuals and families who are experiencing homelessness; at risk of experiencing homelessness; fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking; or were recently homeless and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability.

(Director Larson joined the meeting at approximately 9:19 a.m.)

- HPHA qualified for the EHV program. PHAs have a choice of accepting the entire allocation, declining, or accepting reduce amounts. HPHA decided to accept the entire allocation and asked for an additional 150 more.

- HPHA is currently working on plans to execute this program and is evaluating concerns with staffing capacity to take on additional vouchers.

Special Purpose Vouchers

- The HPHA is unable to anticipate when special purpose vouchers will be issued or made available to eligible agencies. In order to streamline its efforts to bring additional housing resources into the State, the HPHA is amending its PHA Plan to address the opportunity to accept new special purpose vouchers in the future.

- From time to time as funding becomes available, HUD issues allocations of special purpose vouchers to eligible public housing agencies. When the HPHA accepts special purpose vouchers, the PHA Plan must reflect the HPHA’s intent to accept and implement those vouchers, including establishing program rules when appropriate.

- Looking at President Biden’s budget, there is approximately an additional $9 billion that’s being suggested to be given to HUD. If HUD receives additional funds, the change to the HPHA’s PHA Plan will provide for more effective acceptance of special purpose vouchers.

MTW Expansion Program

- The MTW Demonstration Program provide PHAs the opportunity to design and test innovative, locally designed strategies that 1) use federal dollars more efficiently, 2) help residents find employment and become self-sufficient, and 3) increase housing choices for low-income families.
• The HPHA intends to apply to the MTW Expansion program under Cohort #4 which will test landlord incentives and their effect on landlord participation in the Housing Choice Voucher Program.

• The PHA Plan is being amended to clarify the HPHA’s intent to apply for MTW designation under the MTW Expansion program. A copy of the HPHA’s application under the MTW Expansion will be presented to the Board for approval prior to submission to HUD.

Free or Low Cost Internet Service

• Obtaining free or low-cost broadband internet opportunities for public housing properties is vitally important for education, employment, health, and connection to others. Executive Director Ouansafi added that Governor Ige approved $25M for the Department of Transportation (DOT) to get free broadband internet access. HPHA is working with DOT, University of Hawaii, and some non-profits to assist with the funding needed to provide its tenants free internet.

Meetings will continue to be held with the Resident Advisory Board (RAB) members and the HPHA staff to discuss the proposed amendments in the draft Amended PHA Annual Plan for Fiscal Year 2021-2022. The RAB will provide preliminary comments and recommendations, and the HPHA will respond to those recommendations.

The following schedule has been established:

<table>
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<tr>
<th>Action</th>
<th>Timeframe</th>
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<tbody>
<tr>
<td>Input from RAB</td>
<td>June-July, 2021</td>
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<tr>
<td>Board – “For Action” (set Public Hearing)</td>
<td>June 9, 2021</td>
</tr>
<tr>
<td>Publish Hearing Notice (45 Day Notice)</td>
<td>June 10, 2021</td>
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<tr>
<td>Public Hearing</td>
<td>July 26, 2021</td>
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<tr>
<td>Meet with RAB for Final Comments</td>
<td>July 28, 2021</td>
</tr>
<tr>
<td>Board – “For Action” (To Approve Plan)</td>
<td>August 5, 2021</td>
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<tr>
<td>Transmit Approved PHA Plan to HUD</td>
<td>August 5, 2021</td>
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To notify the public of the hearings, notices will be published in the Honolulu Star-Advertiser, The Garden Island (Kauai), The Maui News, West Hawaii Today (Kailua-Kona), and the Hawaii Tribune Herald (Hilo) upon Board approval.

The draft Amended PHA Annual Plan for Fiscal Year 2021-2022 was provided to the Board for their review.

Copies of the plan could be viewed by the public on the HPHA’s website at http://www.hpha.hawaii.gov/housingplans/index.htm, all AMP offices listed below, through the Resident Advisory Board, and the Section 8 office.
Director Larson thanked the HPHA staff for their continued efforts in serving the needs of the community. She referred to page 13 of the Board packet and asked if HPHA maintains separate data for those categorized under native Hawaiians. Director Larson added that such information could be beneficial.

Executive Director Ouansafi explained that there is currently no reliable data other than what is self-reported by the applicants or tenants. HPHA is working on a new software which will include other ethnicities, however, reporting will remain voluntary for individuals to provide.

Director Pulmano echoed Director Larson’s comments and thanked the HPHA staff for their hard work. She asked how many emergency housing vouchers were allocated to HPHA and sought more information on the Continuum of Care (CoC) that was mentioned on page 7 of the Board packet.

Executive Director Ouansafi reported that HPHA has 182 vouchers and have asked for an additional 150. He added that the CoC is a non-profit organization that consist of other non-profit groups that organize data on homelessness. Each County has a CoC program.

Director Kunz added that all of the public housing authority Counties are getting allocated for these special vouchers and acknowledged the extra effort and coordination this entails. She thanked Executive Director Ouansafi for taking this on and hopes to partner with HPHA for the County of Hawaii.

Chairperson Hall echoed the sentiments of the Board. He thanked Executive Director Ouansafi and his staff for their commitment and hard work.

**The motion was unanimously approved.**

**Director Shim moved,**

To Adopt Resolution No. 21-03 Approving the Hawaii Public Housing Authority’s (HPHA) Operating Budget for Fiscal Year 2021 – 2022 and to Authorize the Executive Director to Take All Actions Necessary to Submit Budget Certifications to the U.S. Department of Housing and Urban Development (HUD-Form 52574) and Implement the Approved Budget

Executive Director Ouansafi reported that the HPHA budget must be approved by the Board of Directors prior to the start of the fiscal period. As part of the review process, the Board’s Finance Task Force conducted a thorough review of the HPHA’s proposed budget and provided its report at the May 20, 2021 Board meeting. Executive Director Ouansafi thanked the Board Finance Task Force (Chairperson Hall, Director Pulmano and Director De Mello) for their efforts.
During the period of July 1, 2021 to June 30, 2022, the HPHA will administer the following programs:

1. Federal Public Housing Programs: Funds are awarded directly to the public housing authority’s asset management projects.

2. State Public Housing Programs: These properties are funded through rental receipts and general fund appropriated by the State legislature.

3. Federal and State Rent Subsidy Programs: The HPHA administers federally funded rental assistance programs - Section 8 Housing Choice Voucher Program, Performance Based Contract Administration (PBCA), Mainstream Voucher Program, Foster Youth Initiative, and the Veterans Affairs Supportive Housing (VASH) Program, and the State funded rental assistance program.

The HPHA is required to approve an annual operating budget prior to the commencement of each fiscal year. Funds appropriated to the HPHA and earned through rental receipts are for the most part not eligible to be used across the programs.

The operating budget must be prepared based on requirements of the U.S. Department of Housing and Urban Development (HUD) and approved by the Board of Directors prior to the fiscal year start date of July 1st.

Since Fiscal Year 2011-2012, HPHA has been in full compliance with asset management as defined by HUD’s Asset Management model which requires federal public housing to adopt a business model similar to multi-family housing, with project-based budgeting, project-based accounting and project-based management.

This budget incorporates HUD’s requirements as detailed in Financial Management Handbook such as:

1. An operating budget shall be developed for each Asset Management Project (AMP).

2. Operating budgets shall include estimates for all revenues and expenses under the Operating Fund and Capital Fund Programs (CFP) that directly or indirectly support the operations of the AMP, as well as capital expenses to be paid with operating funds, including all data needed to complete AMP-based financial statements in accordance with generally accepted accounting principles. In this context, the operating budget should contain such CFP activities as operating transfers, management improvements, or other CFP activity allowed by HUD that is not capital in nature.

3. Operating budget revenues shall include operating subsidy, dwelling rents, federal Capital Fund used for eligible non-capital activities, and all other revenue used to support the AMP. Subsidy levels should be based on the project formula.
components (i.e., the AMP’s expense level, utility expense level, add-ons, and formula income), with an estimate of the projected proration rate.

4. Operating budget expenses shall include, but are not limited to, direct administrative costs, utilities, maintenance, security, general expenses, and non-routine or capital expenses to be paid with operating funds. These categories also include any Central Office Cost Center (COCC) frontline costs charged as fee-for-service.

Capital expenditures are separately budgeted and funded by capital funds from the State and HUD. An asset which meets the capitalization criteria is depreciated over its estimated useful life after it is put into service. However, for operating budget purposes, depreciation expense is not included in the budget as it is a non-cash, non-controllable item at the AMP level.

Under HUD’s rules, public housing agencies are recommended, but not required, to prepare a budget for the COCC. Management has prepared a budget for the COCC as a matter of good business practice and for Board approval.

In order to prepare such budgets, certain assumptions have to be made. The following budget assumptions were used in the budget preparation.

1. Operating subsidy projection was calculated and submitted in March and has since been approved by HUD. The operating budget adopts a proration rate of 96%, the actual proration rate of year 2020.

2. AMPs should include all vacant positions that are projected to be filled in their budgets during the fiscal year; this includes state projects also.

3. Operating expenses reflect the following projected increases:

   a. An inflation rate of 3% is factored in the budget for those expense items which do not have specific amounts to be increased.

   b. Utility expenses are projected based on the verified rates of increase and an increase of 3% over the annualized actual expenses of FY2021 if there are not verified rates of increase available.

   c. Employment fringe benefit: 63.08%. This amount could change during the fiscal period depending on actual rates issued by the Department of Accounting and General Services. The HPHA does not have control over the fringe benefit rate as these rates are negotiated on behalf of all State agencies for employees of the State.
Director Larson referred to page 41 of the Board packet and sought the difference between Section 8 HCV Program and Mainstream Voucher Program, and then of the Homeless Vouchers.

Executive Director Ouansafi explained that the Mainstream Voucher Program falls under the Section 8 HCV Program; however, the Mainstream Vouchers are specifically given to families with a disabled family member. The Mainstream Vouchers are allocated and funded differently with its own set number of vouchers. HPHA has approximately 78 Mainstream Vouchers (this was corrected later in the meeting from 68 to 78), where approximately 60 have already been issued. Executive Director Ouansafi added that the Emergency Housing Vouchers are completely different with separate funding and specific activities. While the Mainstream Vouchers administrative fees earned can be and is grouped within the total Administrative Rules, the Emergency Housing Vouchers are not considered Housing Choice Vouchers and requires a separate set of rules.

Director Pulmano referred to page 50 of the Board packet and noticed a few lines were missing in the budget spreadsheet and sought more details on the totals.

Acting Chief Financial Officer Bennett Liu shared his screen to show the missing rows, which included: 1) Excess (Deficiency) of Total Revenue and Other Financial Sources Over (Under) Total Expenses and 2) Total FTE.

Executive Director Ouansafi reported a deficiency of approximately $1.3M and a total FTE of 314. For CIP monies, HPHA is not allowed to use federal sources. Executive Director Ouansafi explained that requests were submitted to Budget and Finance and is hoping funding is approved.

Executive Assistant Arashiro clarified the funds that are allocated by program aren’t allowed to be transferred among the different programs. For example, a federal public housing surplus wouldn’t be able to cover a deficiency for a State public housing program. Each program is managed as an individual business with its own funds pursuant to the statutes of the funding authority.

Executive Director Ouansafi added that HPHA hasn’t had any issues with receiving adequate CIP monies in the past. Only in the prior three years was language added where monies weren’t able to be used to pay staffing.

Chairperson Hall requested the full budget spreadsheet be resent to the Board.

The motion was unanimously approved.

Director Shim moved,
To (1) Adopt “Amendment of the Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency”, to Revise Mandates to Wear Face Coverings to Exclude Common Areas Where There is no Overhead Roof, Eave, Patio, Lanai, or Structure Designed to Provide Shade or Cover; and, to Include Reference to the Centers for Disease Control and Prevention, Order Under Section 361 of the Public Health Services Act (42 U.S.C. 264) and 42 Code of Federal Regulations 70.2 Which Mandates a Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19, and (2) Authorize the Executive Director to Undertake All Other Actions Necessary to Continue to Implement these Emergency Rules

Executive Director Ouansafi reported that the Hawaii Public Housing Authority’s (HPHA) programs are governed by a variety of federal, state, and agency statutes and rules, such as the United States Code, Code of Federal Regulations and Chapter 356D, Hawaii Revised Statutes (HRS).

Section 356D-4 and 356D-13, HRS, authorize the HPHA to adopt administrative rules with the force and effect of law to govern its programs.

The extension of these emergency rules is needed to continue to enable the HPHA to quickly house people in the low-income public housing program, continue to require health, safety and other pertinent measures in public housing properties to assist the HPHA manage the COVID-19 emergency.

Pursuant to the Emergency Proclamation, the Governor further directed all State agencies and officers to take protective action in order to prevent the spread of COVID-19 and provide for the health, safety, and welfare of the people as may be required, to assist in all efforts to eliminate the dangers addressed in the Emergency Proclamation.

These Emergency Rules apply to all HPHA programs. The rules are being amended to correspond with the relaxing of face covering mandates outside. The proposed rules allow for staff and tenants to be without face coverings outside and/or in common areas excluding areas where there is an overhead rood, eave, patio, lanai, or structure designed to provide shade or cover.

Due to the number of individuals and families living in public housing, it is often difficult to maintain 6’ of physical distancing in certain areas, such as lobbies and hallways. In an abundance of caution, it is recommended that any covered, enclosed, or partially enclosed common areas continue to require individuals to wear face coverings.

Notwithstanding Chapters 15-186, 15-193, 17-2028, Hawaii Administrative Rules (HAR), and any subsequent repeal or revisions, these proposed Emergency Rules shall apply to all aforementioned Hawaii Public Housing Authority HAR.
The Hawaii Administrative Rules entitled Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency, these rules will remain in effect for 87 days after June 9, 2021.

Executive Director Ouansafi added that for the last few emergency administrative rules and amendments, HPHA hand delivered the documents to all tenants, posted them in common areas, posted them on the HPHA website and very recently posted a notice in the newspaper.

Once the amendments are approved by the Board and signed by the Governor, HPHA will follow the same actions mentioned above, in addition to posting it in the newspaper within 5 days.

Chairperson Hall acknowledged that the proposed rules are set to remain in effect for 87 days and sought details on what happens after the said timeframe.

Executive Director Ouansafi confirmed that the rules will be suspended after 87 days, and if any necessary actions need to occur, HPHA will present them to the Board at that time.

The motion was unanimously approved.

Director Shim moved,

To (1) Adopt “Amendments of the Hawaii Public Housing Authority Section 8 – Housing Choice Voucher Emergency Rules Relating to COVID-19 Emergency”, Which Amends the “Hawaii Public Housing Authority Section 8 – Housing Choice Voucher Emergency Rules Relating to the COVID-19 Emergency”, to Extend Housing Assistance Payment (HAP) Contract Rules and Establish Over Occupancy Rules Which Allow for the Addition of Household Members, and (2) Authorize the Executive Director to Undertake All Actions Necessary to Continue to Implement these Emergency Rules

Executive Director Ouansafi reported that the Emergency Rules apply to the HPHA’s Section 8 program and will continue to provide benefits to the program participants including:

- Allowing for interim rent adjustments due to loss of income
- Allowing execution of a housing assistance payments (HAP) contract if the unit has non-life-threatening deficiencies to allow a tenant to move in quickly
- Allowing the use of alternate means to conduct voucher briefings
- Allowing the increase of a payment standard during interim rent adjustments
- Allowing use of a lottery system to select waitlist participants
- Non-termination of the HAP contract if the tenant’s income increases and no HAP is paid thereby protecting his/her standing in the Section 8 program if their income decreases.
The proposed amendments will enable the HPHA to add additional family members to the household when the addition may result in a unit exceeding housing quality space and security standards, and will continue to allow the execution of HAP contracts no later than 120 days from the beginning of the lease term. Allowing an increase in the household composition policy will allow the agency to add individuals to a household without requiring the family to break a lease and search for a unit while the State is still recovering from the COVID-19 pandemic, or denying an addition of a significant other due to the family being at maximum capacity. Allowing the agency to enter into HAP contracts 120 days after the lease term starts will enable the Section 8 office greater flexibility to comply with regulations while assisting other families in need.

This proposed amendment does not require landlords to allow families to add individuals to their household. The landlord retains the rights under their lease between the landlord and the Section 8 family to deny additions to their unit.

HUD has encouraged public housing authorities to utilize waivers provided in Notice PIH 2021-14(HA) as a means to continue operations in a safe manner.

These rules will remain in effect until 80 days after June 9, 2021. The expiration of U.S. Department of Housing and Urban Development waivers on December 31, 2021 extends beyond the Governor’s current proclamation and extension of the rules would require additional Board action.

Executive Director Ouansafi added that for the last few emergency administrative rules and amendments, HPHA hand delivered the documents to all tenants, posted them in common areas, posted them on the HPHA website and very recently posted a notice in the newspaper.

Once the amendments are approved by the Board and signed by the Governor, HPHA will follow the same actions mentioned above, in addition to posting it in the newspaper within 5 days.

Director Sparlin was curious how prevalent these emergency rules are, if needs are being met and sought more information on the demands and difference between items b and c mentioned on page 96 of the Board packet. She understood that this is for existing leases, nor is it for new leases or lease extensions.

Executive Director Ouansafi clarified that these amendments cover the Section 8 program, which cover both existing and prospective new tenants when waiting lists open. Unlike the regular rules, the emergency rules allow for electronic inspections and application process.

(Designee Campos left the meeting at approximately 10:12 a.m.)

Acting Section 8 Subsidy Programs Branch Chief Sarah Beamer discussed how HPHA has recently had a handful of situations where Lease-In-Place (LIP) households are...
increasing their family size due to births. The proposed amendment would allow families to stay housed without having to move to another unit. Although HPHA hasn’t seen a large amount of cases, there have been a noticeable amount. Acting Section 8 Subsidy Programs Branch Chief Sarah Beamer explained that all new families coming into the program would need to be housed in the adequate size unit, as well as for when a lease term ends for families whose lease was extended.

Director Larson referred to page 79 of the Board packet that states allowing the agency to enter HAP contracts 120 days after the lease term starts and asked if this would impact when the landlord would receive their rent and if prolonged payment would affect landlords from accepting new vouchers such as the Homeless Vouchers.

Acting Section 8 Subsidy Programs Branch Chief Sarah Beamer assured the Board that the agency processes affairs as expeditiously as possible. She stated not anticipating matters taking 120 days; however, the timeframe depends on the workload at that time.

Executive Director Ouansafi added that this amendment allows for flexibility, and although some cases may require extra time, all landlords will receive payment despite some tenants losing their job or lessening of work hours. Executive Director Ouansafi stated that the issuance and processing of new vouchers are staggered, which wouldn’t affect landlords receiving rent. The flexibility of the 120 days is mainly for the LIP households.

Director Shim acknowledged the significance of emergency proclamations that are in place and these emergency rules, which is keeping many families housed and landlords getting paid. Without these measures, homelessness would be hugely increased. Director Shim thanked HPHA management and staff for their efforts and the federal government for providing opportunities of relief for both tenants and landlords.

Director Katsuda echoed Director Shim’s sentiments and thanked the HPHA management and staff for their hard work and commitment.

Chairperson Hall also concurred and recognized the continued efforts of Acting Section 8 Subsidy Programs Branch Chief Sarah Beamer and her staff.

The motion was unanimously approved.

Chairperson Hall conveyed that there were currently no pressing matters to address for the remaining of this month, so the next Board meeting will take place in July.

Executive Director Ouansafi confirmed that the next meeting is scheduled to take place in July, unless any emergency matters need to be addressed before then.
Director Shim moved,

To Adjourn the Meeting

The motion was unanimously approved.

The meeting adjourned at 10:23 a.m.

MINUTES CERTIFICATION:

Minutes Prepared by:

Jennifer K. Menor
Secretary to the Board

Approved by the Hawaii Public Housing Authority Board of Directors at their Regular Meeting on July 22, 2021 [✓] As Presented [ ] As Amended

Roy Katsuda
Director Roy Katsuda
Board Secretary

07/22/21

07/22/21
date