NOTICE OF MEETING
BOARD OF DIRECTORS SPECIAL MEETING
1002 North School Street, Building A Boardroom
Honolulu, Hawaii 96817
Thursday, September 2, 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 Emergency Proclamation dated August 5, 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, August 30, 2021 which will be distributed to Board members. You may submit written testimony via email to didi.l.ahakuelo@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/95896813213?pwd=ekVHTU1sanBMelpzUGE2aFJFWIROZz09. When prompted, enter the Meeting ID: 958 9681 3213 and the Password: 9xzHdN.

Alternatively, the public may also participate via telephone by calling: 1-669-900-6833. When prompted, callers should enter the Meeting ID: 958 9681 3213 and the Password: 420101. 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.

If we lose internet or Zoom connection during the meeting, the public may continue to participate in the Board meeting via conference call by calling: 1-862-799-9759. When prompted, callers outside of the United States should enter the Access Code: 8232649.

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. APPROVAL OF MINUTES

Special Meeting Minutes, August 5, 2021

IV. DISCUSSION AND/OR DECISION MAKING

A. To (1) Adopt Amendments to the Hawaii Administrative Rules “Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency” to Mandate the Use of Physical Distancing Strategies, Mandate the Use of Facial Coverings, Reinstate Visitor Restrictions Which Restrict Visitors at Public Housing Properties, and Restrict Gatherings in Common Areas; and (2) Authorize the Executive Director to Undertake All Actions Necessary Including Drafting the Ramseyer Format of these Emergency Rules and Making Non-Substantive Changes such as Style, Grammar and Formatting to the Standard Format Emergency Rules; and to Continue to Implement these Emergency 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.)

The Proposed Amendments to the “Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency” may be viewed on the internet on or about August 30, 2021 on the Lieutenant Governor’s website at: https://ltgov.hawaii.gov/the-office/administrative-rules/ and in person at 1002 N. School Street, Building E, Honolulu, HI 96817. Alternatively, interested persons may request a copy of the rules be mailed to them by calling (808) 832-4696 or emailing a request to: HPHA@hawaii.gov.

B. To (1) Adopt Hawaii Administrative Rules (HAR) Entitled “Emergency Housing Voucher Program Emergency Rules”, Which Establishes Temporary Rules to Begin Administering a New U.S. Housing And Urban Development (HUD) Tenant-Based Rental Assistance Voucher Program Designed 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 and For Whom Providing Rental Assistance
Will Prevent Individual's or Family's Homelessness or Having a High Risk of Housing Instability as Required by HUD Notice PIH 2021-15; and (2) Authorize the Executive Director to Undertake All Actions Necessary Including Drafting the Ramseyer Format of these Emergency Rules and Making Non-Substantive Changes such as Style, Grammar and Formatting to the Standard Format Emergency Rules; and to Continue to Implement the Emergency Housing Voucher Program Emergency 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.)

The Proposed “Emergency Housing Voucher Program Emergency Rules” may be viewed on the internet on or about August 30, 2021 on the Lieutenant Governor’s website at: https://ltgov.hawaii.gov/the-office/administrative-rules/ and in person at 1002 N. School Street, Building H, Honolulu, Hawaii 96817. Alternatively, interested persons may request a copy of the rules be mailed to them by calling (808) 832-4690 or emailing a 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.

If any person requires special needs (i.e., large print, taped materials, sign language interpreter, etc.) please call Ms. Jennifer Menor at (808) 832-4694 by close of business three days prior to the meeting date. If a request is received after August 30, 2021, the HPHA will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled.
The Board of Directors of the Hawaii Public Housing Authority held a Special Board Meeting at 1002 North School Street, on Thursday, September 2, 2021. Pursuant to the Governor's Emergency Proclamation dated August 5, 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 9:06 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  
(Via Zoom)  
Director Roy Katsuda, Secretary  
Designee Joseph Campos II  
Director Susan Kunz  
Director Betty Lou Larson  
Director Todd Taniguchi  
Deputy Attorney General Jennifer Sugita  
Deputy Attorney General Klemen Urbanc

**EXCUSED:**

Director Pono Shim, Vice-Chairperson  
Director George De Mello  
Director Leilani Pulmano  
Director Kymberly Sparlin

**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  
Stephanie Fo, Acting Property Management and Maintenance Services Branch Chief
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, August 30, 2021 which would be distributed to the Board members. The public was instructed to submit written testimony via email to didi.l.ahakuelo@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.

Tina Owen testified that she currently owns a condo and has been forced to sleep in her car for approximately over one month due to harsh chemical odors entering her home, while she has asthma. She stated that she submitted a complaint to HUD, which was sent to Hawaii Civil Rights Commission (HCRC). Ms. Owen added that she received a determination after HCRC conducted an investigation and understood that she has 30 days to appeal the decision. She requested the process be more transparent and easier, especially for those with a disability. Although she isn’t low-income, Ms. Owen asked if she could receive an emergency housing voucher because she is unable to live in her current resident. She was curious when the last time HCRC had an audit performed to evaluate their process.

Approval of Minutes

Director Katsuda moved,

To Approve the Special Meeting Minutes of August 5, 2021

Director Larson asked if it’s allowable for her to vote on this motion, even though she wasn’t present at the meeting.
Deputy Attorney General Sugita confirmed that Director Larson was able to vote on this motion.

The minutes were unanimously approved as presented.

**Discussion and Decision Making**

Director Larson moved,

**To (1) Adopt Amendments to the Hawaii Administrative Rules “Hawaii Public Housing Authority Emergency Rules Relating to COVID-19 Emergency” to Mandate the Use of Physical Distancing Strategies, Mandate the Use of Facial Coverings, Reinstall Visitor Restrictions Which Restrict Visitors at Public Housing Properties, and Restrict Gatherings in Common Areas; and (2) Authorize the Executive Director to Undertake All Actions Necessary Including Drafting the Ramseyer Format of these Emergency Rules and Making Non-Substantive Changes such as Style, Grammar and Formatting to the Standard Format Emergency Rules; and to Continue to Implement these Emergency Rules**

Executive Director Ouansafi reported that the State Department of Health has conveyed that the highly contagious Delta variant of the COVID-19 virus has been found in all Counties, and the HPHA is concerned because its public housing properties are largely multi-family dwellings which means that common areas, such as elevators, lobbies, stairways, playgrounds, and parking lots, are shared by numerous families.

The State Department of Health reported that over the past 30 days, the number of active COVID-19 cases in public housing has gone from 1 case at one property to over 300. As of today, HPHA has 193 active cases (an average of 12 per AMP) in all AMPs except one.

The amendments of these emergency rules are 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 in managing the spread of the COVID-19 virus.

The draft Emergency Rules apply to all HPHA programs and accomplish some of the following that were added:

1. Mandates the wearing of face coverings in all common areas of public housing properties.
2. Restricts gathering in all common areas at all public housing properties.
3. Reinstates Visitor Restrictions which restrict visitors at public housing properties.

Director Katsuda asked for more details on the restriction of gatherings.
Executive Director Ouansafi discussed limiting resident-to-resident contact by restricting all gatherings in the common areas by individuals from different households. In other words, within HPHA’s properties, no gatherings would be allowed in the common areas.

Director Larson was curious if there are areas where children could play and asked for contact specifics regarding the 300 cases.

Executive Director Ouansafi stated that, for the health and safety of the community, HPHA encourages residents to seek open public parks and to limit gathering to their family/household. Although the news indicates social gatherings being a common cause of the public testing positive for COVID-19, the Department of Health only provides HPHA with the number of cases at its properties. Executive Director Ouansafi confirmed that HPHA continues to support their residents with masks and sanitizers as needed and providing free testing and vaccination clinics. HPHA also has approximately 18 units available for isolation.

Director Taniguchi asked if the isolation unit capacity is currently full.

Executive Director Ouansafi reported that HPHA will increase units being held to quarantine or isolate COVID positive individuals, as needed. He restated that there are currently a number of isolation units available and an additional number were submitted for HUD approval.

Director Kunz asked if HPHA has or anticipates tenants not complying with the emergency rules and what sanctions are used for violations of the rules.

Executive Director Ouansafi explained that the majority of HPHA residents have been adhering to the rules and found it beneficial that many are educated on the situation. For those that choose not to follow the rules, HPHA will follow a process of warnings but doesn’t anticipate having to evict families.

Chairperson Hall discussed a concern with implementation. During the beginning of the pandemic, he recalled that there was a communications breakdown with the Micronesian population and was curious how these mandates would be handled. Chairperson Hall also asked how these mandates are being enforced with HPHA staff.

Executive Director Ouansafi reported that HPHA takes Limited English Proficiency (LEP) guidance very seriously. Documents are translated in to a variety of languages and HPHA staff are trained to provide translator services as needed. Although Executive Director Ouansafi recognized some challenges with enforcing the rules, security was instructed on what to monitor at the larger HPHA properties. If rules aren’t followed, HPHA will continue with its usual process of sending the resident a violation notice and educate families on the seriousness of the matter.

Executive Director Ouansafi added that HPHA staff are also mandated to wear facial covering and will face consequences if rules aren’t followed. Although HPHA can’t
guarantee full cooperation, Executive Director Ouansafi is optimistic that these rules will be beneficial in keeping the health and safety of its residents and staff a priority.

Director Katsuda asked for clarification on how HPHA is handling the usage of the elevators at the public housing properties while adhering to physical distancing.

Executive Director Ouansafi stated that the risk is minimal as the contact in the elevator is less than 15 minutes. HPHA has also placed stickers in the elevators for families to stand on opposite corners and continue to encourage wearing of facial coverings.

The motion was unanimously approved.

Director Katsuda moved,

To (1) Adopt Hawaii Administrative Rules (HAR) Entitled “Emergency Housing Voucher Program Emergency Rules”, Which Establishes Temporary Rules to Begin Administering a New U.S. Housing And Urban Development (HUD) Tenant-Based Rental Assistance Voucher Program Designed 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 and For Whom Providing Rental Assistance Will Prevent Individual's or Family's Homelessness or Having a High Risk of Housing Instability as Required by HUD Notice PIH 2021-15; and (2) Authorize the Executive Director to Undertake All Actions Necessary Including Drafting the Ramseyer Format of these Emergency Rules and Making Non-Substantive Changes such as Style, Grammar and Formatting to the Standard Format Emergency Rules; and to Continue to Implement the Emergency Housing Voucher Program Emergency Rules

Executive Director Ouansafi reported that on May 24, 2021, the Hawaii Public Housing Authority accepted 182 special vouchers under HUD’s Emergency Housing Voucher (EHV) Program. He expressed his gratitude to his staff, Deputy Attorney General Sugita and Deputy Attorney General Urbanc for their dedication and hard work.

The EHV is a new program created by the American Rescue Plan (ARP) Act of 2021, which was signed into law (by President Biden on March 11, 2021).

In order to be eligible for an EHV, a family must be referred to the HPHA through the jurisdiction’s Continuum of Care’s (CoC) Coordinated Entry System.

HUD rules require that in order to be eligible for an EHV, an individual or family must meet one of four eligibility categories:

i. Homeless;
ii. At risk of homelessness;
iii. Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking

iv. Recently homeless and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability

The verification that the individual or family meets one of these four eligibility categories is conducted by the CoC or another partnering agency that will make direct referrals to the HPHA. The CoC must provide supporting documentation to the HPHA that the family meet one of the four eligible categories for housing assistance.

To comply with HUD requirements, the HPHA must establish administrative rules to implement the EHV program. HUD waivers permit the establishment of temporary policies and provisions to be adopted no later than 9/30/2021, so long as all provisions are formally adopted by 12/31/2021.

The Emergency Rules will allow the HPHA to begin implementing the new Emergency Housing Voucher Program, while regular administrative rules move through the process of adoption, thereby allowing immediate assistance to some of Hawaii’s most vulnerable families during the COVID-19 pandemic.

The emergency rules shall include, but not be limited to, eligibility and admission requirements, lease up, housing assistance payments and rent, inspections, and landlord incentives.

Once these emergency rules are adopted, the HPHA will present proposed regular (non-emergency) administrative rules for approval to go to public hearing by the HPHA Board of Directors. After public hearings are held for these rules, the HPHA will present interested persons’ written and oral submissions concerning the proposed rules to the HPHA Board of Directors when the HPHA staff presents the proposed rules for adoption at a board meeting. It is not expected that the regular administrative rules will be substantively different from the emergency rules.

The HPHA consulted with the CoC on the proposed emergency rules and will continue to engage in active discussions about the proposed regular rules during the initial implementation of the program. Implementing the program under these emergency rules will allow the HPHA and CoC to make improvements to the regular rules.

The Hawaii Administrative Rules entitled “Emergency Housing Voucher Program Emergency Rules” shall remain in effect for 120 days after filing with the Office of the Lieutenant Governor.

Director Larson sought more details on the issuance of the EHV.s.

Executive Director Ouansafi clarified that the HPHA will only be issuing EHV.s to Oahu residents, while each County will handle their own. He added that all families don’t have to be housed by December 31, 2021. Executive Director Ouansafi confirmed that
there is no deadline for these special vouchers. HPHA will continue to issue all of the EHV$s until they’ve reach the maximum 182 special vouchers that were received. If a family returns the EHV, so long as there is funding, HPHA will reissue the special voucher. Executive Director Ouansafi added that the EHV program is tracked and funded separately from the regular Section 8 Housing Choice Voucher program.

Chairperson Hall asked if the portability feature apply to these special vouchers.

Executive Director Ouansafi and Acting Section 8 Subsidy Programs Branch Chief Sarah Beamer confirmed that this program is structured differently, where EHV recipients would be allowed to transfer to another state with the special voucher immediately without the usual standard waiting period of one year.

The motion was unanimously approved.

Chairperson Hall announced that the next Board meeting is scheduled in two weeks and acknowledged that Director Kunz won’t be able to attend.

Director Larson added that she won’t be able to attend future Board meetings until November 2021.

Chairperson Hall requested:

To Adjourn the Meeting

The motion was unanimously approved.

The meeting adjourned at 9:45 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 November 18, 2021 [✓] As Presented [ ] As Amended

Director Roy Katsuda
Board Secretary

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Nov 18, 2021