



**Regular Meeting**  
**Monday February 13, 2023 at 6:00pm**  
**AGENDA**

Pledge of Allegiance

- I. Roll Call and Declaration of Quorum
- II. Public Comment (Comments are limited to 3 minutes)
- III. Previous Minutes: Regular Meeting January 9, 2023
- IV. Old Business:
  - A. Motion to Waive Reading of Resolution #1130
  - B. Adopt Resolution #1130, Renewing Its Declaration on the Need for Housing Authority Board to Continue Conducting Meetings Remotely Due to Health and Safety Concerns Pursuant to Assembly Bill 361. (With Hybrid Option)
- V. New Business:
  - A. Motion to approve Addendum to Agreement with Fox Rothchild LLP to increase maximum amount of contract from \$5,000 to \$10,000.
- VI. Closed Session:
  - A. Conference With Legal Counsel –Anticipated Litigation:  
Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2)(4) one (1) case  
**The attorney client and/or work product privilege is claimed for this communication as authorized by law.**
  - B. Public Employee Performance Evaluation Government Code Section 54957  
(Executive Director Performance Review)
- VII. Executive Director Report
- VIII. Approval of Disbursements: Management Vouchers #1875 to # 1915 & ACH Payments from 1-4-2023 to 1-31-2023
- IX. Comments from Commissioners
- X. Adjournment

Next Meeting March 13, 2023

**South San Francisco Housing Authority  
Regular Meeting  
Date: 2/13/2023 6:00 PM**

**TELECONFERENCE MEETING NOTICE**

**THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDERS N-25-20 AND N-29-20 ALLOWING FOR DEVIATION OF TELECONFERENCE RULES REQUIRED BY THE BROWN ACT & PURSUANT TO THE ORDER OF THE HEALTH OFFICER OF SAN MATEO COUNTY DATED MARCH 31, 2020 AS THIS MEETING IS NECESSARY SO THAT THE SOUTH SAN FRANCISCO HOUSING AUTHORITY CAN CONDUCT NECESSARY BUSINESS AND IS PERMITTED UNDER THE ORDER AS AN ESSENTIAL GOVERNMENTAL FUNCTION.**

**This meeting will be conducted as a hybrid meeting, whereby members of the Board of Directors and of the public may attend in person. The opportunity to participate remotely will still be provided. Public Comment will be limited to 3 minutes per person.**

**Members of the public not wishing to participate remotely or in person are encouraged to submit public comments in writing in advance of the meeting by 12:00 p.m. on Monday February 13, 2023. Public comments provided in advance should identify the Agenda Item Number in the SUBJECT Line of the email. The comments will be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to the Chairperson's discretion.**

**All emailed comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting and read into the record. Comments that are not in compliance with the Housing Authority's rules of decorum may be summarized for the record rather than read verbatim. We value your input and participation, if you cannot attend by zoom please send us your 3 minute comments as follows: Email: [sosfha@sbcglobal.net](mailto:sosfha@sbcglobal.net)**

**Phone: 650-583-7631 (3 minutes max by 12noon, 2-13-2023)**

**Join Zoom Meeting**

**Topic: SSF Housing Authority**

**Time: Feb 13, 2023 06:00 PM Pacific Time (US and Canada)**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/89138221814?pwd=MFgwbFF1Z3c1VExqQ1J6dUJFZhc0UT09>**

**Meeting ID: 891 3822 1814**

**Passcode: 319265**

**We ask that you limit your electronic comments so that they will comply with the 3-minute time limitation for public comment.**

**MINUTES OF THE REGULAR MEETING OF  
THE HOUSING AUTHORITY OF THE CITY OF SOUTH SAN FRANCISCO  
HELD ON: January 9, 2023**

The meeting was called to order at 6:04 pm by Chair L. Mercado, followed by the pledge of allegiance. Present were as follows and a quorum was declared:

**PRESENT:**

Commissioners L. Mercado, S. Pitocchi, D. Vong-Spillan, M. Rashid, A. Sharma, T.Powell and J. Rivas

**ABSENT:**

None

**PUBLIC COMMENT:**

No public comment

**PREVIOUS MINUTES**

The Board reviewed the previous minutes of the Regular Meeting of December 12, 2022, Commissioner S. Pitocchi asked that we include the wording “As Amended” under the previous minutes section before approved. A motion was made to approve the minutes of the Regular Meeting of December 12, 2022 as amended, by Commissioner S. Pitocchi and seconded by Commissioner T. Powell. Motion passed.

**OLD BUSINESS:**

A. Motion was made by Commissioner D. Vong-Spillan to waive the reading of Resolution #1129 and seconded by Commissioner S. Pitocchi. Roll Call was taken as follows:

L. Mercado-Aye

A. Sharma-Aye

S. Pitocchi- Aye

D. Vong-Spillan-Aye

T. Powell-Aye

M. Rashid- Aye

J. Rivas- Aye

No Nays

No Abstentions

Motion passed unanimously by Commissioners present.

**OLD BUSINESS- CONTINUED:**

B. Motion was made by Commissioner T. Powell to approve Resolution # 1129, motion was seconded by Vice-Chair A. Sharma. Roll call was taken as follows:

L. Mercado-Aye

A. Sharma-Aye

S. Pitocchi- Aye

D. Vong-Spillan-Aye

T. Powell, Aye

M. Rashid- Aye

J. Rivas- Aye

No Nays

No Abstentions

Motion passed unanimously by Commissioners present.

**NEW BUSINESS:**

A. Fiscal Year Ending 3-31-2022, Financial audit Report Smith Marion & Co CPA Presentation given by Special Guest Douglas Englehart, Principal/Assurance & Advisory and Joey Harding, Senior/Assurance & Advisory. Commissioner S. Pitocchi pointed out an error in the Audit Report concerning the titles of the Commissioners, they have Commissioner S. Pitocchi listed as a Tenant Commissioner when he is not and it should be Commissioner M. Rashid. D. Englehart confirmed the error and that a correction will be made.

The Auditors reported as follows:

Financial statements are good. The numbers look good. No issues were found. Likewise for the Yellow Book audit, no instances found of noncompliance or any issues with regard to internal controls. Additionally, no instances of fraud were discovered. There was full cooperation from management. There are no unusual related party transactions. Additionally, auditors are supposed to make a determination if there's any concern for the entity to continue operations, and there were no such concerns about that.

The Auditors followed up on the prior year's/prior management's internal controls over cash disbursements and the issue that had been noted in the prior year relating to the previous management was not repeated. The Auditors did not find the same problem so it appears that internal controls have been improved by current management. The Auditors also found that the Capital Fund Program Five Year Action Plan had been approved and implemented, so that problem had also been corrected. Executive Director L. Taylor, stated that it was brought to her attention that the HUD Field Office had the wrong dates for the Five-Year Plan, therefore the SSF Housing Authority was not out of compliance as the correct dates are from 2022 through 2026. The Auditors concluded that there were no findings this year to report. Chair L. Mercado asked if there was anyway the Auditors could provide the Housing Authority with a tax-exempt document that confirms the Housing Authority's tax-exempt status. D. Englehart stated that could be done and it will be sent as soon as possible to the Executive Director.

**B. Establishment of Committee for Executive Director Performance Review.**

The Executive Director L. Taylor, selected Commissioner S. Pitocchi to serve on the Executive Director Performance Review committee along with Chair L. Mercado and Vice-Chair A. Sharma. Commissioner S. Pitocchi accepted the appointment. A request was made by Commissioner D. Vong-Spillan to allow Board Members who are not on the committee to give additional written input outside of the regular process which is done at a regularly scheduled board meeting. Commissioner S. Pitocchi stated that is not part of the regular procedure and policy Chair L. Mercado stated the Committee will review the request and send a memo to the Board of Commissioners with their decision on the request.

**CLOSED SESSION:**

The Board went into closed session at 6:49 pm and came out of closed session at 6:54pm. No report out of closed session.

**Executive Director's Report:**

- Preventive maintenance work done to the roofs and pruning and removing dead trees reduced the amount of water damage from the recent rains to most of the units. There was one unit that suffered water damage from a faulty roof deck which was not reported or fixed previously and with the years and weather it finally gave way. The roof deck problem will be reviewed with structural experts as well as the roofers to gather some information for a long-term solution.
- Emergency repairs were done to the office with the removal of asbestos and carpet. Security locks have also been installed to secure the office should there be public meetings held in the office and to protect sensitive information from the public.

**Approval of Disbursements:**

Approval of Disbursements: Management Vouchers #1838 to #1874 in the amount of \$98,836.55 and Approval of ACH Payments from 12-01-2022 to 12-31-2022, in the amount of \$55,334.94 for a grand total of \$154,171.49. Motion was made by Commissioner S. Pitocchi and seconded by Commissioner T. Powell, Motion passed unanimously.

**COMMENTS FROM COMMISSIONERS:**

Chair L. Mercado wanted to thank fellow Commissioners for their participation and valuable service to the community of South San Francisco, the community of San Mateo County, and for the residents of the Housing Authority. Chair L. Mercado also stated that he hopes everyone remains safe through the next storms that are coming. Commissioner T. Powell stated that her work scheduled for the next few months will be difficult but she will try to attend the first portion of the meetings. Meeting was adjourned at 7:15pm

Seal

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Chairperson

Attest

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Secretary

## RESOLUTION NO.1130

### A RESOLUTION OF THE BOARD OF DIRECTORS OF HOUSING AUTHORITY OF THE CITY OF SOUTH SAN FRANCISCO MAKING FINDINGS AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS PURSUANT TO ASSEMBLY BILL 361.

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**WHEREAS**, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of the novel coronavirus (COVID-19); and

**WHEREAS**, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act to allow local legislative bodies to conduct meetings telephonically or by other means; and

**WHEREAS**, as a result of Executive Order N-29-20, The Authority staff set up Zoom meetings for its meetings; and

**WHEREAS**, on September 16, 2021, the Governor signed Assembly Bill ("AB") 361 into law as an urgency measure that went into effect immediately; and

**WHEREAS**, AB 361 authorizes local legislative bodies to continue to conduct meetings using teleconferencing without complying with the Ralph M. Brown Act's standard teleconferencing requirements if certain conditions are met; and

**WHEREAS**, on April 11, 2022, pursuant to Assembly Bill 361, the Board adopted Resolution #1113 making findings on the need for the Board to continue to teleconference in order to ensure the health and safety of the public; and

**WHEREAS**, each month since the passing of Resolution on record, the Board has reviewed the situation and adopted a Resolution renewing its declaration for the need to continue conducting meetings remotely due to health and safety concerns, pursuant to AB 361; and

**WHEREAS**, while the Board will attempt a transition to meeting in person following a hybrid meeting format as of May 9, 2022; and

**WHEREAS**, adopting a Resolution making findings and authorizing the option for the Board to continue conducting meetings remotely due to health and safety concerns, pursuant to AB 361 also provides members of the Board with the flexibility to participate via teleconference in the event of potential COVID-19 exposure, future orders restricting attendance, a new variant causing the need to return to full remote meetings or other COVID-19 related concerns.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Directors of the Housing Authority of the City of South San Francisco hereby makes the following findings, in compliance with AB 361, and in order to continue to teleconference under the modified Brown Act requirements:

- a. The Board has reconsidered the circumstances of the state of emergency;
- b. The Governor's proclamation for a state of emergency issued on March 4, 2020 remains in effect;
- c. Full return to in person meetings would cause imminent risk to attendees who are vulnerable or where staff or councilmembers may have an asymptomatic, or where they are only able to attend remotely due to an infection, and it would be unsafe for the public to attend at their remote meeting location; and
- d. State and local officials continue to strongly recommend masks be worn by all individuals in indoor settings.

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I, Leah Taylor, hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Board of Directors at a scheduled meeting thereof held on the 13th day of February 2023, by the following vote:

**AYES, BOARDMEMBERS:**

**NOES, BOARDMEMBERS:**

**ABSENT, BOARDMEMBERS:**

\_\_\_\_\_  
**CLERK OF THE HOUSING AUTHORITY  
OF THE CITY OF SOUTH SAN  
FRANCISCO**

APPROVED:

\_\_\_\_\_  
**CHAIR OF THE BOARD**

**RESOLUTION NO. 1131**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HOUSING AUTHORITY OF THE CITY OF SOUTH SAN FRANCISCO, AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN THE ADDENDUM WITH FOX ROTHSCHILD LLP FOR THE ADJUSTMENT OF THE NOT TO EXCEED AMOUNT OF \$5000.00 FOR SPECIALIZED LEGAL SERVICES RELATING TO ORGANIZATION OF AFFILIATED ENTITIES REAL ESTATE DEVELOPMENT AND FINANCING**

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**WHEREAS**, The Authority engaged the Affordable Housing practice group at Fox Rothschild LLP ("**Fox**") to provide certain legal services.

**WHEREAS**, The Authority and Fox entered into a Legal Services Agreement on March 1, 2022 (the "**Agreement**").

**WHEREAS**, Pursuant to the Agreement, Fox is to provide Legal Services for a not-to-exceed amount of \$5,000.

**WHEREAS**, The Authority's Board of Commissioners desire to adjust the not-to-exceed amount of \$5,000 to an additional \$5,000 for a total of \$10,000 through the end of the Term.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Directors of the Housing Authority of South San Francisco hereby approves the addendum from Fox Rothschild LLP, Michael H. Syme the designated Legal Counsel effective February 13, 2023 and authorizes the Executive Director to execute the Addendum on behalf of the Authority.

I, Leah Taylor, Secretary hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the South San Francisco Housing Authority at a regular scheduled meeting thereof held on February 13, 2023 by the following vote:

**AYES, BOARDMEMBERS:**

**NOES, BOARDMEMBERS:**

**ABSENT, BOARDMEMBERS:**

APPROVED:

APPROVED

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**Clerk of the Authority**

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**Chair of the Board**