

NOVEMBER 23, 2020
10:00 A.M.

The Board of Commissioners will meet via Zoom.

Join the Meeting by using the Link, Meeting ID and Password provided below:

<https://us02web.zoom.us/j/2496318264?pwd=TmVYWEVVRM3JRK1pPMHdhNmVDWDTNvQT09>

Dial by your location
1-346-248-7799 US (Houston)
Meeting ID: 249 631 8264
Password: 547394

I. Call to Order / Roll Call / Confirmation of Quorum

MISSION STATEMENT: The Housing Authority of Travis County, Texas, preserves and develops affordable housing and vibrant communities which enhance the quality of life for all.

II. PUBLIC FORUM / CITIZEN COMMUNICATION

- Anyone desiring to discuss or comment on items directly related to the HATC is always welcome.
- If the item is deemed related to an Agenda item at the current meeting, the presiding officer will inform the citizen that pending action(s) remain.
- Speakers must sign-in prior to the start of the Board Meeting by emailing Debbie Honeycutt at Debbie.Honeycutt@traviscountytexas.gov
- Maximum three-minute limit per speaker.

III. ACTION ITEM

A. Resolution No. HATC-2020-24

To Authorize the submission of an MTW Application to HUD, and to make associated certifications.

IV. NEW / UNFINISHED BUSINESS

- A. Discussion and consideration regarding Board of Commissioners issues and concerns.

V. EXECUTIVE SESSION

- The Board of Commissioners may consider any item posted on the Agenda in Executive Session if there are issues that require consideration, and the Board of Commissioners announce that the item will be considered during such time in accordance with one or more of the following:

- *Texas Government Code Annotated 551.071, Consulting with Attorney*
- *Texas Government Code Annotated 551.072, Real Property*
- *Texas Government Code Annotated 551.074, Personnel Matters*
- *Texas Government Code Annotated 551.076, Security*
- *Texas Government Code Annotated 551.087, Economic Development Negotiations*

VI. ADJOURNMENT

**HATC Action Item III.A.
November 23, 2020**

Resolution No. HATC-2020-24: To Authorize the submission of the MTW Application to HUD and make certain certifications and agreements in connection with the submission and implementation of MTW

Background Information:

In Section 239 of the 2016 Appropriations Act, Congress authorized HUD to expand the MTW Demonstration Program by 100 additional agencies over seven years. On October 11, 2018 HUD issued Notice PIH-2018-17 which offered eligible public housing agencies the opportunity to apply for admission to the Moving to Work (MTW) Demonstration Program. MTW allows PHAs to design and test innovative, locally designed housing and self-sufficiency strategies for low-income families by permitting PHAs to use assistance more flexibly and by allowing certain exemptions from existing public housing and Housing Choice Voucher (HCV) program rules, as approved by HUD. The Board authorized a commitment to participate in the MTW expansion as its October 8, 2020 Board meeting. HATC submitted a letter of interest and was determined to meet the eligibility criteria (high performer with less than 1,000 units of public housing and vouchers) established by HUD. In August 2020, HUD conducted a lottery of all eligible submissions. HATC, as a result of the lottery, was invited to submit a full MTW Plan and application to participate in the first cohort of the MTW expansion.

Since that time, HATC has developed a MTW Plan and full application, which is attached as Attachment B. We have had at least two resident/client meetings and one public hearing. The participants offered various suggestions for policy changes related to such things allowing additional deductions, modification of income calculations, and the like.

HUD requires that the following 25 certifications and agreements the Department of Housing and Urban Development (HUD) in connection with the submission of the application and implementation are to be made and signed by either the Chairman or Secretary of the Board:

- (1) The PHA will adhere to HUD guidance in the MTW Operations Notice or successor notice in continuing to ensure at least 75% of families assisted are very low-income as defined in Section 3(b)(2) of the 1937 Act throughout the PHA's participation in the MTW Demonstration Program.
- (2) The PHA will adhere to HUD guidance in the MTW Operations Notice or successor notice in establishing a reasonable rent policy that is designed to encourage employment and self-sufficiency.
- (3) The PHA will adhere to HUD guidance in the MTW Operations Notice or successor notice in continuing to assist substantially the same total number of eligible low-income families as would have been served absent MTW throughout the PHA's participation in the MTW Demonstration Program.
- (4) The PHA will adhere to HUD guidance in the MTW Operations Notice or successor notice in continuing to maintain a comparable mix of families (by family size) as would have been provided had the funds not been used under the MTW Demonstration Program throughout the PHA's participation in the MTW Demonstration Program.
- (5) The PHA will adhere to HUD guidance in the MTW Operations Notice or successor notice in continuing to ensure housing assisted under the MTW Demonstration Program meets housing quality standards established or approved by the Secretary throughout the PHA's participation in the MTW Demonstration Program.
- (6) The PHA published a notice that a hearing would be held, that the application and all information relevant to the public hearing was available for public inspection for at least 30 days, that there were no less than 15 days between the public hearing and the approval of the application by the Board of Commissioners, and that the PHA conducted a public hearing to discuss the application and invited public comment.

(7) The PHA took into consideration public and resident comments (including those of its Resident Advisory Board or Boards) before approval of the application by the Board of Commissioners or Board of Directors in order to incorporate any public comments into the application.

(8) The PHA certifies that the Board of Commissioners has reviewed and approved the budget for the Capital Fund Program grants contained in the Capital Fund Program Annual Statement/Performance and Evaluation Report, form HUD-50075.1 (or successor form as required by HUD).

(9) The PHA must certify that it will carry out its application in conformity with Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-4), the Fair Housing Act (42 USC 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and title II of the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.), regulations implementing these authorities, and other applicable Federal, State, and local civil rights law and that it will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified by the Assessment of Fair Housing conducted in accordance with the requirements of 24 CFR 5.150-5.180 and 903.15, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR 903.7(o)(3) and 903.15(d). Until such time as the PHA is required to submit an AFH, and that AFH has been accepted by HUD, the PHA will address impediments to fair housing choice identified in the Analysis of Impediments to fair housing choice associated with any applicable Consolidated or Annual Action Plan under 24 CFR part 91 the PHA will affirmatively further fair housing by fulfilling the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions. The PHA will carry out its plan in conformity with HUD's Equal Access Rule at 24 CFR 5.105(a)(2).

(10) The application is consistent with the applicable Comprehensive Plan (or any plan incorporating such provisions of the Comprehensive Plan) for the jurisdiction in which the PHA is located.

(11) The application contains a certification by the appropriate State or local officials that the application is consistent with the applicable Consolidated Plan, which incorporates a fair housing strategy that reflects the jurisdiction's Assessment of Fair Housing or Analysis of Impediments to Fair Housing Choice, as applicable, and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.

(12) The PHA affirmatively furthers fair housing. A PHA shall be considered in compliance with the certification requirements of 24 CFR 903.7(o)(1)-(3) and 903.15(d) if it: (i) Examines its programs or proposed programs; (ii) Identifies fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154; (iii) Specifies actions and strategies designed to address contributing factors, related fair housing issues and goals in the applicable Assessment of Fair Housing (AFH) consistent with 24 CFR 5.154, in a reasonable manner in view of the resources available; (iv) Works with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; (v) Operates programs in a manner consistent consolidated plan under 24 CFR Part 91, and with any order or agreement, to comply with the authorities, specified in paragraph (o)(1) of this section; (vi) Complies with any contribution or consultation requirement with respect to any applicable Analysis of Fair Housing, in accordance with 24 CFR 5.150-5.180; (vii) Maintains records reflecting these analyses, actions, and the results of these actions; and (viii) Takes steps acceptable to HUD to remedy known fair housing and civil rights violations. PHAs that are not yet required to submit an AFH shall adhere to the requirements under 24 CFR 903.7(o) in effect prior to August 17, 2015.

(13) The PHA complies with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.

(14) The PHA complies with the Architectural Barriers Act of 1968 and its implementing regulations at 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.

- (15) The PHA complies with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
- (16) The PHA complies with requirements with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
- (17) The PHA complies with requirements with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.
- (18) The PHA complies with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
- (19) The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
- (20) The PHA will provide HUD or the responsible entity any documentation needed to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58. Regardless of who acts as the responsible entity, the PHA will maintain documentation that verifies compliance with environmental requirements pursuant to 24 Part 58 and 24 CFR Part 50 and will make this documentation available to HUD upon its request.
- (21) With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
- (22) The PHA will keep records in accordance with 2 CFR 200.333-200.337 and facilitate an effective audit to determine compliance with program requirements.
- (23) The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
- (24) The PHA will comply with the requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Rewards at 2 CFR Part 200.
- (25) The application and all attachments are available at the primary business office of the PHA and at all other times and locations identified by the PHA in its Plan and will continue to be made available at least at the primary business office of the PHA.

Requested Action:

Consideration and appropriate action regarding Resolution No. HATC-2020-24, To Authorize the submission of the MTW Application to HUD and make certain certifications and agreements in connection with the submission and implementation of MTW.

The passage of the resolution allows HATC to participate in the MTW program which will allow HATC to further our mission of preserving and developing affordable housing and vibrant communities which enhance the quality of life for all. We have a vision where HATC is able to create our own local version of the federal housing choice voucher program. Creating locally designed programs to address the challenges we see here in Travis County.

Alternate Option:

The Board of Commissioners could elect to **Not** authorize the submission of the MTW Application to HUD and make certain certifications and agreements in connection with the submission and implementation of MTW.

Fiscal Impact:

The MTW program is designed to be revenue neutral. The grant does not come with any extra funding and HATC still needs to serve substantially the same number of people. However, one of the goals of MTW is cost-effectiveness and by using the flexibility offered by MTW, HATC hopes that it will show cost savings in the operations of its voucher program.

Attachment:

Prepared and Approved by:

Patrick B. Howard

Patrick B. Howard, CEO / Executive Director

**HATC Action Item III.A.
November 23, 2020**

Resolution No. HATC-2020-24: To Authorize the submission of the MTW Application to HUD and make certain certifications and agreements in connection with the submission and implementation of MTW

WHEREAS, HATC desires to participate in the MTW program, believing that MTW will improve and enhance our ability to further our mission, and

WHEREAS, HATC submitted a letter of interest to HUD, and was subsequently invited by HUD to submit a full MTW plan and application, and

WHEREAS, HATC has conducted resident meetings and a public hearing and received support from the Board of Commissioners and other stakeholders to pursue becoming an MTW agency, and

WHEREAS, HATC can make the 25 certifications and agreement with HUD.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of HATC hereby:

1. Approves Resolution No. HATC-2020-24,
2. Authorizes the CEO / Executive Director to execute all necessary documents and extensions.

Passed and approved the 23th day of November 2020.

Eddie Karam, Chair, Board of Commissioners

Attested and approved as to form:

Patrick B. Howard, CEO / Executive Director