

HACSA MEMORANDUM

TO: HACSA Board of Commissioners
FROM: Dorothy Cummings, Administrative Services Director
AGENDA ITEM TITLE: ORDER/RESOLUTION/In the Matter of Approving the Submission of the 5-Year and Annual Agency Plan for the Fiscal Year Beginning October 1, 2003
AGENDA DATE: July 16, 2003

I. MOTION

It is moved that the Order/Resolution be adopted approving the submission of the 5-Year and Annual Agency Plan for the fiscal year beginning October 1, 2003.

II. ISSUE

The 5-Year and Annual Agency Plan requires Board approval and certification that the Agency has complied with the applicable requirements listed on the certification form.

III. DISCUSSION

A. Background/Analysis

The Agency is required by Section 511 of the Quality Housing and Work Responsibility Act of 1998 (and ensuing HUD requirements) to submit a 5-Year and Annual Plan to HUD.

This year's Plan includes updates and changes to the Annual Plan and a progress report on our original 5-Year Plan. The second section of the Plan book is labeled *Plan Update* and includes both the progress report on our 5-year goals and the changes made to last year's annual plan.

The focus of the Plan is to identify the programs and services provided under the Public Housing and Section 8 Tenant Based Assistance Programs and to allow public access and comment on those programs and services. The Work Responsibility Act requires that housing authorities work with their Public Housing Resident Advisory Boards on the planning and development of the Plan. The Agency met this requirement by working with the elected resident representatives on changes to the Annual Plan and the Capital Fund Program.

The Act also requires that the 5-Year and Annual Plan be consistent with the Consolidated Plan. As the lead agency of the Eugene/Springfield Consolidated Plan, Dennis Taylor, Eugene City Manager, has certified that the Plan is consistent with the Eugene/Springfield Consolidated Plan.

HUD requires that housing authorities provide public notice of a 45-day comment period and a public hearing on the proposed plan. The Agency has met this requirement through public advertisement, resident meetings, and a public hearing. Throughout the comment period, the Plan and supporting documents have been available for public viewing at both Agency administration buildings and at each Public Housing development site.

Using the template required by HUD, the Agency must submit the Plan electronically to HUD no later than July 18, 2003. Because of the Agency's high performer status, the Agency is allowed to submit a streamlined version of its Plan; therefore, some sections of the plan are left blank (as indicated by the instructions under each section). Along with the electronic submission, the Agency is required to submit the Board certification, along with other required certifications, to HUD.

C. Alternatives/Options

In order to receive subsequent HUD funding, the 5-Year and Agency Plan and the related certification must be submitted to HUD.

D. Recommendation

Approval of the proposed motion is recommended.

IV. IMPLEMENTATION/FOLLOW-UP

Upon approval by the Board, the Executive Director will submit the order/resolution and 5-Year and Annual Plan to HUD.

V. ATTACHMENT

Copies of the 5-Year and Annual Agency Plan including all supporting documents have been provided to the members of the Board. In addition a copy, including all attachments, is available for review in the office of the Management Services Supervisor.

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

In the matter of Approving the Submission of the
Annual Agency Plan for the Fiscal Year beginning

October 1, 2003.

**PHA Certifications of Compliance with the PHA Plans
and Related Regulations
Board Resolution to Accompany the PHA Plan**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 5-Year Plan and Annual Plan for PHA fiscal year beginning 10/01/2003, hereinafter referred to as the Plan of which this document is a part and make the following certifications and agreements with the Department of Housing Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
7. For PHA Plan that includes a policy for site based waiting lists:
 - The PHA regularly submits required data to HUD's MTCS in an accurate, complete and timely manner (as specified in PIH Notice 99-2);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).

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8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply 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.
11. The PHA has submitted with the Plan a certification with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
12. The PHA has submitted with the Plan a certification 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.
13. For PHA Plan that includes a PHDEP Plan as specified in 24 CFR 761.21: The PHDEP Plan is consistent with and conforms to the "Plan Requirements" and "Grantee Performance Requirements" as specified in 24 CFR 761.21 and 761.23 respectively and the PHA will maintain and have available for review/inspection (at all times), records or documentation of the following:
 - Baseline law enforcement services for public housing developments assisted under the PHDEP plan;
 - Consortium agreement/s between the PHAs participating in the consortium and a copy of the payment agreement between the consortium and HUD (applicable only to PHAs participating in a consortium as specified under 24 CFR 761.15);
 - Partnership agreements (indicating specific leveraged support) with agencies/organizations providing funding, services or other in-kind resources for PHDEP-funded activities;
 - Coordination with other law enforcement efforts;
 - Written agreement(s) with local law enforcement agencies (receiving any PHDEP funds); and
 - All crime statistics and other relevant data (including Part I and specified Part II crimes) that establish need for the public housing sites assisted under the PHDEP Plan.
14. The PHA will comply 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.
15. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
16. The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58.
17. 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.
18. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
19. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
20. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments.).
21. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.

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22. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and attachments at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.

HOUSING AND COMMUNITY

SERVICES AGENCY OF LANE COUNTY

OR-006

PHA Name

PHA Number

Peter Sorenson, Chair
HACSA Board of Commissioners

APPROVED AS TO FORM

Date 7/7/03 Lane county

Teresa J. Smith
OFFICE OF LEGAL COUNSEL