

Housing Authority of the City of Alameda Board of Commissioners Frequently Asked Questions (FAQs)

1. What is the role of a commissioner?

The Board of Commissioners ("BOC") of the Housing Authority of the City of Alameda ("AHA") is the governing body of AHA and provides oversight to ensure that AHA complies with all applicable statutory, regulatory, and contractual obligations, remains financially sound, and meets its mission to provide quality housing and services to its community.

In accordance with California Housing Authorities Law, AHA is comprised of seven commissioners, two of which must be tenants. One tenant commissioner must be over 62 years of age. (California Health and Safety Code §34200 et seq.)

In accordance with federal law, one tenant commissioner must be a recipient of the tenant based Section 8 program, also known as Housing Choice Voucher ("HCV") program, whose name appears on the lease, and is 18 years of age or older. (24 Code of Federal Regulations ("CFR") §§ 964.400-964.415)

2. What is a conflict of interest?

Generally, a conflict of interest occurs when a commissioner's role, actions, or duties as a commissioner lack independence or impartiality, either real or perceived, and may be unduly influenced by a secondary interest such as financial gain, professional advancement, or a wish to do favors for family members.

Under the conflict of interest provisions of 24 CFR §982.161, neither AHA nor its contractors or subcontracts may enter into any contract or arrangement in connection with the HCV program in which any of the following "covered individuals" has any direct or indirect interest during their tenure, or for one year thereafter:

- (1) Any present or former member or officer of AHA (except a tenant commissioner);
- (2) Any employee of AHA, or any contractor, subcontractor or agent of AHA, who formulates policy or who influences decisions with respect to the HCV program;
- (3) Any public official, member of a governing body, or state or local legislator, who exercises functions or responsibilities with respect to the HCV program; or
- (4) Any member of the Congress of the United States.

2 CFR §200.318 provides that no AHA "employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her registered domestic partner, or an organization which employs any of the referenced parties, has a

financial or other interest in, or tangible personal benefit from, a firm being considered for a contract.”

All commissioners must comply with the State of California’s conflict of interest laws which include the Political Reform Act of 1976 (Government Code Section 87100, et seq.), regulations promulgated by the California Fair Political Practices Commission (FPPC), and the anti-self dealing statutes codified in Government Code Sections 1090 through 1099.

3. What is an “immediate family member” for purposes of a conflict of interest?

Immediate family members generally include the commissioner’s spouse or registered domestic partner, parent (including step-parent), child (including step-child), grandparent, grandchild, sister or brother (including step-sister or step-brother).

4. What is a domestic partnership for purposes of a conflict of interest?

A domestic partnership is one that is registered with the California Secretary of State.

5. What financial assistance is relevant to determining the existence of any conflict of interest?

A conflict of interest may exist if you, your spouse or domestic partner, immediate family member, or employer(s) receive any assistance that is reviewed, approved, or administered by AHA. Examples of such assistance include: public housing, Section 8, Low Income Housing Tax Credits, Emergency Rental Assistance, Community Development Block Grant, disaster assistance, predevelopment loans, or other loan types.

6. What else may trigger a conflict of interest?

Conflicts of interest are best addressed on a case-by-case basis, however the below are examples of potential interests that may pose a conflict.

- Direct or indirect relationship with, or interest in, any current AHA contractors, subcontractors, or vendors, including the Non-Profit Groups defined below;
- Direct or indirect relationship with, or interest in, any company, business, nonprofit, or other entity with whom AHA does business, including but not limited to the Non-Profit Groups;
- Direct or indirect interest in any contract or arrangement for goods, services, assistance, or benefits administered by AHA;
- Direct or indirect interest or tangible personal benefit in any AHA operational or development activities, including real estate and housing;
- Has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

The term, "Non-Profit Groups" includes:

- Alameda Family Services
- Alameda Point Collaborative
- Building Futures
- Eden Housing

- LifeSTEPS
- Midpeninsula Housing

7. What are my obligations regarding conflicts of interest?

Applicants to the BOC must disclose any current or potential conflict of interest to the Mayor and AHA prior to any final consideration of the applicant for a commissioner position. Further, all commissioners during their tenure on the BOC (i.e., on an on-going basis) are required to disclose any current or potential conflict of interest. Failure to disclose such conflict of interest may lead to disqualification or any other remedies, including the potential recapture of federal funds issued to AHA by federal authorities.

8. What form is required to disclose conflicts of interest?

California State law requires all board and commission members, as well as elected officials, to file a FPPC Form 700 Statement of Economic Interests. BOC members file their Form 700s with AHA and also participate in biannual ethics training.

9. What residential units are owned by AHA affiliates Alameda Affordable Housing Corporation (AAHC) and Island City Development (ICD)?

AAHC:

Anne B. Diament Plaza	920 Park Street
China Clipper	460 Buena Vista Avenue
Eagle Village	700 block Eagle Avenue
Esperanza Plaza	1903 Third Street
Independence Plaza	703 Atlantic Avenue
Lincoln Willow Apartments	2101/2103 Lincoln Avenue & 1600/1602 Willow Street
Parrot Village	1800 block St. Charles, Chapin & Wood Streets
Pulte Condos (1-18)	640 Martin Mariner Avenue

ICD:

Littlejohn Commons	1301 Buena Vista Avenue
Everett Commons	2437 Eagle Avenue
Rosefield Redevelopment	727 Buena Vista Avenue
Stargell Commons	2700 Bette Street