

NOTICE OF PUBLIC HEARING

On March 14, 2008, the U.S. Department of Housing and Urban Development (HUD) executed a ten-year Moving to Work (MTW) Agreement with the Housing Authority of the County of San Bernardino (HACSB) and on September 25, 2008, HUD approved HACSB's first Annual MTW Plan. As an MTW agency, HACSB is provided with more flexibility and authorization to develop policies that are outside the limitations of certain HUD regulations in order to more successfully achieve its mission and program goals, and to enhance its ability to serve the needs of low-income families in San Bernardino County.

HUD has prepared the Fifth Amendment to HACSB's MTW Agreement. The Amendment is a revision to the MTW Agreement Attachment A – Calculation of Subsidies, to incorporate into HACSB's MTW funding calculation the subsidies transferred from the Housing Authority of the City of Upland (UHA) to HACSB as a result of the voluntary transfer of UHA's Housing Choice Voucher and Public Housing programs to HACSB effective July 1, 2017.

The Amendment will be available to the public for review for 7 days starting Wednesday, May 9, 2018, at the following location:

Housing Authority of the
County of San Bernardino
715 E. Brier Drive
San Bernardino, CA 92408

The Amendment is available on HACSB's website at www.hacsb.com under the "MTW Plans, Reports, and Factsheets" section and any HACSB satellite office.

Notice is hereby given that the Housing Authority of the County of San Bernardino will conduct a public hearing regarding the Amendment on Monday, May 14, 2018 2:00 p.m. at 715 E. Brier Drive, San Bernardino, CA 92408. If a citizen wishes to challenge the nature of the above action(s) in court he/she may be limited to raising only those issues he/she or someone else raised at the public hearing described in this notice, or in written correspondence delivered Monday through Friday to the MTW Office located at 715 E. Brier Drive, San Bernardino, CA 92408 prior to the hearing.

In accordance with the Rehabilitation Act of 1973, the Housing Authority will make reasonable efforts to accommodate persons with disabilities. Please call (909) 890-0644 at least three days in advance if you require special accommodations.

Para recibir copias de este aviso en español, por favor hable al (909) 890-0644.



Housing Authority of the County of San Bernardino Proposed Moving to Work Agreement Amendment #5

Background: HACSB's Moving to Work Designation

- In 2008 HACSB was designated by Congress as a Moving to Work (MTW) agency. This designation provides HACSB with flexibility to adapt the programs we administer to the local community by changing program rules and requirements. These changes are called MTW activities.
- As a MTW agency, HACSB has signed a contract with the U.S. Department of Housing and Urban Development (HUD) that specifies the requirements and responsibilities of the MTW designation. The contract is known as the MTW Agreement.
- The MTW Agreement includes Attachment A – Calculation of Subsidies. This document specifies how HACSB receives funding from HUD to support the MTW program.
- Any modification to the MTW Agreement or its Attachment A must be posted for public comment and approved by the Housing Commission before it can become effective.

May 2018 Proposed Change

- In July 2017 the Upland Housing Authority (UHA) voluntarily transferred its Public Housing and Housing Choice Voucher to HACSB.
 - The Public Housing units and Housing Choice Vouchers, including the families served by UHA, became part of HACSB's MTW program.
 - As part of that transfer, the HUD funds previously issued to UHA were also transferred to HACSB.
 - It is necessary to amend HACSB's MTW Agreement, Attachment A, to include the funds transferred from UHA to HACSB.
 - This proposed MTW Agreement Amendment #5 revises the funding calculation to include the former-UHA funding as part of HACSB's MTW funding for calendar year 2018 and future years.

Next Steps

- Public comment period is open from May 9 through May 16, 2018
- Resident Advisory Board on May 11, 2018 @ 10: a.m. at HACSB's Central Office
- Public hearing on May 14, 2018, @ 2:00 p.m. at HACSB's Central Office

Contact Information

- Nicole Beydler, Senior Management Analyst – nbeydler@hacsb.com or (909) 332-6330

REVISED
ATTACHMENT A
CALCULATION OF SUBSIDIES
TO
MOVING TO WORK AGREEMENT
BETWEEN
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
AND
HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO

Upon execution of this Revised Attachment A, the U.S. Department of Housing and Urban Development (HUD) and the Housing Authority of the County of San Bernardino (Agency), HUD will provide the Agency with operating subsidy, capital funds and Housing Choice Voucher Program assistance as described below. This revised Attachment A supersedes and replaces any previous Attachment A's between HUD and the Agency and any previous amendments thereto.

A. Operating Subsidy

1. The calculation of operating subsidy will continue in accordance with applicable operating subsidy formula law and regulations.
2. For operating funds provided in years prior to the execution of the MTW Agreement, the Agency may use any accumulated operating reserves for eligible MTW purposes, subject to applicable provisions of the MTW Agreement.
3. All funds programmed for MTW purposes will be recorded and drawn from MTW designated line items on relevant HUD forms.

B. Capital Funds Program

1. The Agency's formula characteristics and grant amounts will continue to be calculated in accordance with applicable law and regulations.
2. All funds programmed for MTW purposes will be recorded and drawn from MTW designated line items on relevant HUD forms.
3. For capital funds provided in years prior to the execution of the MTW Agreement, the Agency may submit, and HUD will, as permitted by law, approve a request to reprogram, by grant year, any unobligated funds for eligible MTW purposes.

C. Housing Choice Voucher Program (HCVP) Subsidy

1. Until CY 2018, as provided in paragraph 6 of this Attachment A, for purposes of the Housing Choice Voucher Program funding, the Initial Year is calendar year 2009 (January 1, 2009 through December 31, 2009).
2. For purposes of the Housing Choice Voucher program funding, the base period for calculating initial funding is the baseline period established in the 2009 Appropriations or otherwise established for FFY 2009.

3. Initial year (CY 2009) HCVP housing assistance payments (HAP) subsidy will be based on the actual HAP expenses incurred by the Agency in the base period (established in the 2009 Appropriations or otherwise established for FFY 2009.). Initial year HCVP administrative fee funding will be based on the requirements of the Consolidated Appropriations Act, FY 2008.
4. Funding eligibility for the HCVP HAP in the Initial Year of this agreement will be equal to the base period expenses, adjusted for new units not fully represented in the base period expenses, and adjusted by the Annual Adjustment Factor (AAF) and by the applicable proration factor. The Administrative Fee funding will be adjusted by the applicable proration factor.
5. For subsequent years, the HAP renewal eligibility will be equal to the previous year's HAP renewal eligibility, adjusted by the current year's AAF and applicable proration factor percentage. Similarly, the Administrative Fee funding for subsequent years will be equal to the previous year's Administrative Fee eligibility, adjusted by the applicable proration factor. Funding eligibility in any year is subject to the requirements of the applicable Appropriations Act as it applies to an MTW Agency.
6. In CY 2018, as a result of the Agency's absorption of the Upland Housing Authority (Upland), the agency's CY 2018 HAP renewal eligibility will be adjusted to include Upland's CY 2016 HAP expenses, adjusted by the 2017 and 2018 AAFs and by the CY 2018 national proration factor. In CY 2019 and thereafter for the duration of this agreement, the renewal eligibility will be calculated in accordance with paragraph 5 of this Attachment A.
7. In CY 2018, the agency's CY 2018 administrative fee eligibility will be adjusted to include the Upland's CY 2016 ongoing administrative fee eligibility (based on units reported leased in the CY 2016 period), subject to the CY 2018 national proration factor. In CY 2019 and thereafter for the duration of this agreement, the administrative fee eligibility will be calculated in accordance with paragraph 5 of this Attachment A.
8. If the Agency receives incremental HCVP funding, the Agency must decide to either apply the incremental funding to their MTW block grant or to keep the incremental funding separate, as provided by law. In some cases, incremental funding may not be eligible for inclusion in the block grant as may be dictated by law.
9. All HCVP funding provided by HUD and not restricted under paragraph 8, above, or otherwise prohibited by law in the Initial Year and subsequent years under this agreement may be eligible for inclusion in the MTW flexible block grant.
9. The Agency will be eligible to receive Family Self Sufficiency coordinator funding in accordance with available appropriations and requirements.
10. There will be no year-end settlement of annual funds provided for the MTW HCVP subsidy. All funds provided through this calculation will remain available for authorized purposes.
11. Any sum held by the Agency in the Net Restricted Assets account resulting from HAP funding that exceeded HAP expenses for the period of January 1, 2005 through September 30, 2007, shall remain available and may be used for authorized purposes, subject to applicable provisions of the MTW Agreement and future appropriations statutes. Any sum held by the Agency resulting from Forfeited FSS Escrows and Fraud Recovery funds for the period of January 1, 2005 through September 30, 2007, shall remain available and may be used for authorized purposes, subject to applicable provisions of the MTW Agreement and future appropriations statutes. Any sum held by the Agency as excess administrative funds (Net Unrestricted Assets) shall remain available and

may be used for authorized purposes subject to applicable provisions of the MTW Agreement and future appropriations statutes.

12. The agency will continue to receive reimbursement for FSS escrows deposited into participant's accounts, in any year for which the appropriations provides FSS escrow funding deposits for housing authorities. Funding eligibility in any year is subject to the requirements of the applicable Appropriations Act as it applies to MTW Agency.

13. Any vouchers received as part of a RAD Component I conversion shall be added to the ACC via funding of \$1 for the remainder of the CY in which they are awarded. HUD will issue a new increment of voucher funding in the first full CY following a RAD conversion. These amounts will be renewed in subsequent years based on the per unit funding of the increment award, adjusted via the renewal inflation factor and the applicable proration factor.

Administrative fees for RAD vouchers will be earned per each year's posted administrative fee rates and RAD vouchers under lease each month. Fees for RAD vouchers will be prorated at the same level that applies to all non-MTW agencies.

IN WITNESS WHEREOF, the parties have caused this Revised Attachment A to be executed by their duly authorized representatives.

HOUSING AUTHORITY OF THE COUNTY OF
SAN BERNARDINO

By: _____

Name: Maria Razo

Its: Executive Director

Date: _____

UNITED STATES DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT

By: _____

Name: _____

Its: _____

Date: _____