

Commission Members

CHAIR GREGORY D. HARTWIG
VICE-CHAIR ANNE GRIFFITH
COMMISSIONER JANNY CASTILLO
COMMISSIONER LYNETTE JUNG LEE
COMMISSIONER BETTYE LOU WRIGHT
COMMISSIONER BARBARA MONTGOMERY
COMMISSIONER MARK J. TORTORICH

Executive Director

Patricia Wells

In accordance with Article III, Section 1 and 2, of the Oakland Housing Authority Bylaws, NOTICE IS HEREBY GIVEN that the **Special Meeting** of the Board of Commissioners has been called. The meeting will be held as follows:

HOUSING AUTHORITY OF THE CITY OF OAKLAND, CALIFORNIA SPECIAL MEETING

Monday, September 13, 2021 at 6:00 p.m.

Tele-Conference

***NOTE:** Pursuant to the Governor's Executive Order N-29-20, dated March 17, 2020, Suspending Brown Act Requirements for public meetings due to Coronavirus (COVID-19), a local legislative body is authorized to hold public meetings via teleconferencing and make public meetings accessible "telephonically or electronically" to all members of the public seeking to observe and to address the legislative body.*

Join Zoom Meeting Online:

<https://oakha-org.zoom.us/j/92018221687?pwd=STJOU DRGWEp3RVI0NWFXNGxOUk5MQT09>

Meeting ID (access code): 920 1822 1687 **Meeting Password:** 622810

Closed Caption – provided through the link

To participate by Telephone: 1 (669) 219-2599

Meeting ID (access code): 920 1822 1687 **Meeting Password:** 622810#

If you need special assistance to participate in the meetings of the Oakland Housing Authority Board of Commissioners, please contact (510) 874-1517 (TDD: 510-832-0633). Notification 48 hours prior to the meeting will enable the Oakland Housing Authority Board of Commissioners to make reasonable arrangements to ensure accessibility.

All public comment on action items will be taken at the public comment portion of the meeting. You may comment via zoom by “raising your hand” or by submitting an e-mail to publiccomments@oakha.org or leave a voicemail at: 510-874-1510 before 4:30PM

- You may request to make a public comment by “raising your hand” through Zoom’s video conference or phone feature, as described below. Requests will be received only during the designated times in which to receive such requests and only for eligible Agenda items. Public comments will be subject to the appropriate time limit of three (3) minutes.
- To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on the eligible Agenda item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time of three (3) minutes, you will then be re-muted. Instructions on how to “Raise Your Hand” is available at: <https://support.zoom.us/hc/en-us/articles/205566129> - Raise-Hand-In-Webinar.
- To comment by phone, please call on one of the phone numbers listed below. You will be prompted to “Raise Your Hand” by pressing “*9” to request to speak when Public Comment is being taken on the eligible Agenda Item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time of three (3) minutes, you will then be re-muted. Please unmute yourself by pressing *6. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone.



Oakland Housing
Authority

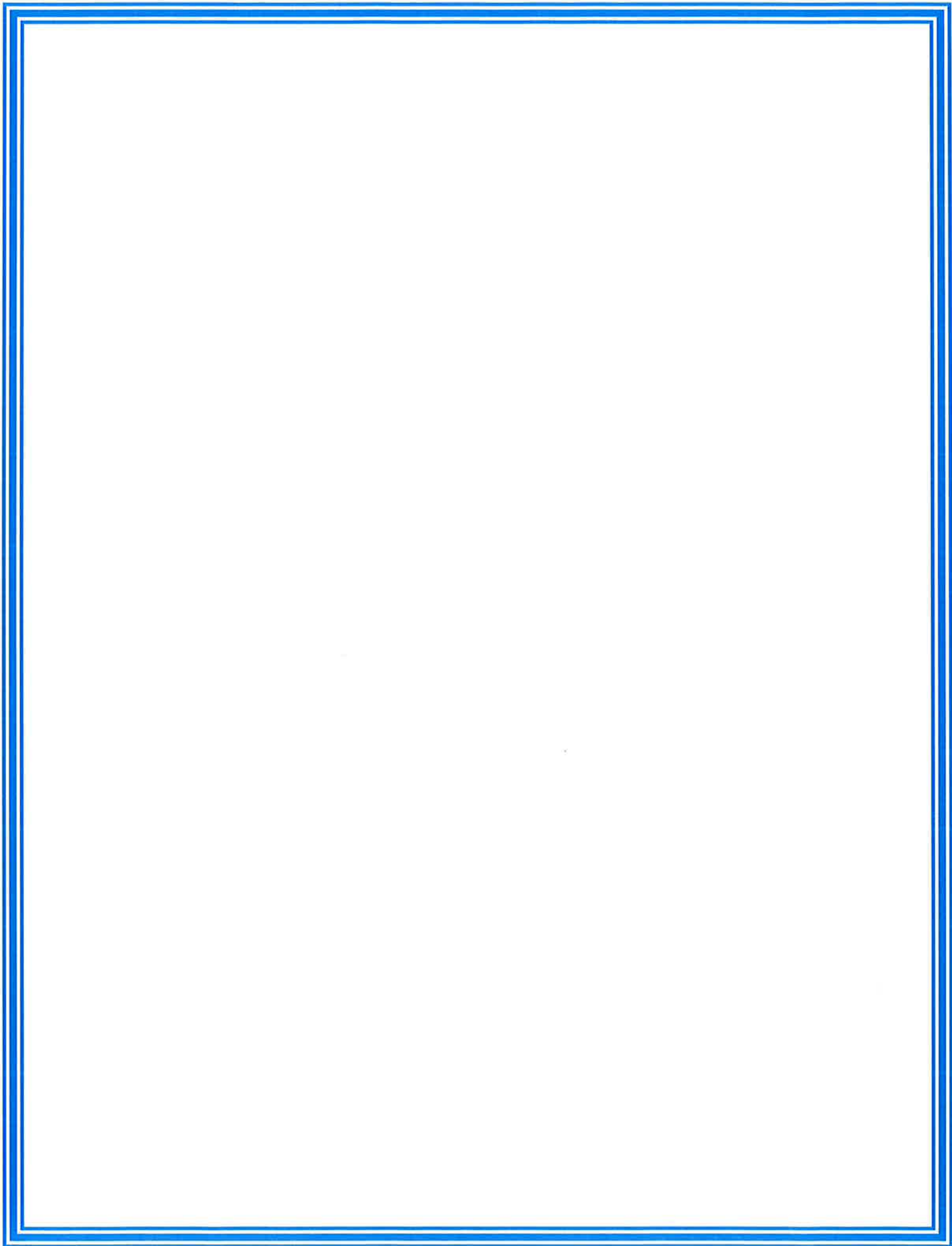
AGENDA
Special Meeting
September 13, 2021
6:00 pm

- I. Pledge of Allegiance
- II. Roll Call
- III. Recognition of people wishing to address the Commission
- IV. Old or Unfinished Business
- V. Modifications to the agenda
(Allows for any change in the order of business or the announcement of the postponement or continuation of agenda items.) The Board can only take action on items listed on this agenda unless a finding is made that an emergency exists.
- VI. Adjournment to Closed Session
 - A. Purpose: PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code section 54957 (b)
Title: Executive Director
- VII. New Business
 - A. Approve the Notice of Renewal and First Amendment to Executive Director/Chief Executive Officer Employment Contract between the Housing Authority of the City of Oakland and Patricia Wells, and Adopt Resolution No. 4994 Renewing the Term of the Executive Director/Chief Executive Officer Employment Contract for an Additional Period from October 15, 2021 to October 15, 2022 with automatic annual extensions thereafter, and Approving an Adjustment to the Executive Director's Annual Salary

Gregory D. Hartwig, Chair of the Commission


By


Secretary/Executive Director



Executive Office
Oakland Housing Authority MEMORANDUM

To: Board of Commissioners

From: Drew Felder, Director of Human Resources 

Subject: Authorizing and Approving the Renewal of the Term of the Executive Director/Chief Executive Officer Employment Contract for an Additional Period from October 15, 2021 to October 15, 2022 with Automatic Annual Extensions Thereafter, Approving an Adjustment to the Executive Director's Annual Salary, and Approving the Notice of Renewal and First Amendment To Executive Director/Chief Executive Officer Employment Contract

Date: September 13, 2021

Purpose: To Renew the Term of the Executive Director/Chief Executive Officer Employment Contract for an Additional Period from October 15, 2021 to October 15, 2022 with Automatic Annual Extensions Thereafter, approve an adjustment to the Executive Director's annual salary, and Approve the Notice of Renewal and First Amendment to Executive Director/Chief Executive Officer Employment Contract

Funding: This increase will be funded through salary savings from the Fiscal Year 2022 budget as approved by the Board of Commissioners on June 7, 2021. In budget line item: GL4110-00-000.

Background:

The Housing Authority of the City of Oakland ("Authority") and Patricia Wells ("Executive Director") entered into that certain Oakland Housing Authority Executive Director/Chief Executive Officer Employment Contract dated October 14, 2019 ("Agreement") to serve as the Authority's Executive Director/Secretary and Chief Executive Officer, as more specifically set forth therein. Th initial term of the Agreement commenced on October 14, 2019 with an end date of October 14, 2021, with the option to renew.

The Board of Commissioners has completed an annual review of the Executive Director and satisfied all requirements set forth in Section 5.C. of the Agreement. The Authority, based on the direction from the Transition Committee, recommends that the Board of Commissioners renew the term of the Agreement for an additional period from October 15, 2021 to October 15, 2022 with automatic annual extensions thereafter pursuant to the existing terms of the Agreement. In addition, the Authority, based on the direction from

the Transition Committee, recommends that the Board of Commissioners increase the Executive Director's base salary from Two Hundred and Sixty-Two Thousand Dollars (\$262,000) to Three Hundred and Ten Thousand Dollars (\$310,000), pursuant to Section 5.C. of the Agreement. The proposed salary increase was determined by utilizing the factors set forth in Section 5.C. of the Agreement, a component of which included the consideration of OHA's large scale residential property management operations, three non-profit affiliates OAHPI, CAHI and OHI/KHI, the operation of large PBV and PBRA portfolios, a full scale community services department and a PHA Police Department.

The Authority, based on the direction from the Transition Committee, also recommends that the Board of Commissioners, authorize and approve the form of Notice of Renewal and First Amendment to Executive Director/Chief Executive Officer Employment Contract attached to the Resolution as Exhibit A.

Recommendations:

1. Adopt the Resolution Authorizing and Approving the Renewal of the Term of the Executive Director/Chief Executive Officer Employment Contract for an Additional Period from October 15, 2021 to October 15, 2022 with Automatic Annual Extensions Thereafter, Approving an Adjustment to the Executive Director's Annual Salary, and Approving the Notice of Renewal and First Amendment To Executive Director/Chief Executive Officer Employment Contract.
2. Authorize and approve the Renewal of the Term of the Executive Director/Chief Executive Officer Employment Contract for an Additional Period from October 15, 2021 to October 15, 2022 with Automatic Annual Extensions Thereafter.
3. Authorize and approve the increase in the Executive Director's base salary from Two Hundred and Sixty-Two Thousand Dollars (\$262,000) to Three Hundred and Ten Thousand Dollars (\$310,000), pursuant to Section 5.C. of the Agreement.

**NOTICE OF RENEWAL AND FIRST AMENDMENT TO EXECUTIVE
DIRECTOR/CHIEF EXECUTIVE OFFICER EMPLOYMENT CONTRACT**

THIS NOTICE OF RENEWAL AND FIRST AMENDMENT TO EXECUTIVE DIRECTOR/CHIEF EXECUTIVE OFFICER EMPLOYMENT CONTRACT (“Amendment”) is entered into as of September 13, 2021, (“**Effective Date**”) by and between the HOUSING AUTHORITY OF THE CITY OF OAKLAND, a public body corporate and politic (“**Authority**”), and PATRICIA WELLS, an individual (“**Wells**”). The Authority and Wells are individually referred to herein as a “**Party**” and collectively as the “**Parties.**”

RECITALS

A. The Authority and Wells entered into that certain Oakland Housing Authority Executive Director/Chief Executive Officer Employment Contract dated October 14, 2019 (“**Agreement**”) to serve as the Authority's Executive Director/Secretary and Chief Executive Officer, as more specifically set forth therein. All capitalized terms not defined in this Amendment will have the meaning ascribed to such terms in the Agreement.

B. The initial term of the Agreement commenced on October 14, 2019 with an end date of October 14, 2021.

C. The Authority desires to renew the term of the Agreement for an additional one year period pursuant to Sections 2.B., 2.C., and 5.C. of the Agreement, with automatic annual extensions thereafter pursuant to the existing terms of the Agreement.

D. The Board of Commissioners have completed an annual review of Wells and satisfied all requirements set forth in Section 5.C. of the Agreement. As such, pursuant to the authority set forth in Board of Commissioners Resolution No. _____ the Authority desires to increase Wells' salary pursuant to Section 5.A. and 5.C. of the Agreement.

E. The Parties desire to provide notice of renewal of the term of the Agreement pursuant to Section 5. B.ii. of the Agreement, to amend the Agreement to adjust Ms.Wells' salary and such other modifications as set forth below.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is mutually acknowledged, the Parties agree as follows:

1. **Recitals**. The Recitals and attachments referenced above are incorporated in this Amendment by this reference and adopted by the Parties to be true and correct.
2. **Notice to Renew Contract**. Pursuant to Section 2.B. and 5.C. of the Agreement, the Board adopted Resolution No. _____ renewing Wells' contract for the additional period from October 15, 2021 to October 15, 2022, with automatic annual extensions thereafter. Both this Amendment

and Resolution No. _____ shall serve as the Board's notice of its intent to renew the Agreement prior to the expiration of the initial two-year term as required in Section 2.C. of the Agreement.

3. **Renewal Terms.** Section 2.B. of the Agreement titled, "Renewal Terms" is hereby amended in its entirety to add the following clarification language after the first sentence:

"It is the intention of the parties that this provision shall operate as an "automatic extension clause" so that the Contract will automatically be extended for one additional year as of each anniversary of the Effective Date and so that the Agreement (if not earlier terminated by notice of either party as described herein) shall always have a remaining one year term."

4. **Salary.** Pursuant to Section 5.C. of the Agreement, as of the Effective Date of this Amendment Wells' salary shall be Three Hundred and Ten Thousand Dollars (\$310,000) annually for the period through October 14, 2022, adjusted annually by a Cost of Living percentage equal to the amount provided other unrepresented OHA staff on July 1 of each year. Payment of the salary will be made in bi-monthly installments, with payroll deductions for taxes and other items deducted as if Wells were an employee not subject to a contract. Pursuant to Section 5.C. of the Agreement, the effective date of the salary so determined in this Paragraph 4. shall be retroactive to July 1, 2021.

5. **Miscellaneous.**

a. **Further Cooperation.** The Parties agree to execute such other instruments, agreements, and amendments to documents as may be necessary or appropriate to effectuate the Agreement as amended by this Amendment.

b. **Interpretation.** This Amendment, when combined with the Agreement, sets forth and contains the entire understanding and agreement of the Parties. There are no oral or written representations, understandings, or ancillary covenants, undertakings, or agreements, which are not contained or expressly referred to within this Amendment or the Agreement.

c. **Attachments.** Each of the attachments and exhibits attached or to be attached to this Amendment are incorporated in this Amendment by this reference.

d. **Effectiveness of Agreement.** Except as modified and amended by this Amendment, all other terms and conditions of the Agreement remain unmodified and in full force and effect.

e. **Counterparts.** This Amendment may be signed by the Parties in counterparts, each of which will be an original but all of which together will constitute one and the same Agreement.

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SIGNATURES ON FOLLOWING PAGE

IN WITNESS WHEREOF, Authority and Wells have executed this Amendment as of the Effective Date.

AUTHORITY:

HOUSING AUTHORITY OF THE CITY
OF OAKLAND, a public body corporate and politic

By: _____
Gregory D. Hartwig,
Chairman of the Board of Commissioners

WELLS:

PATRICIA WELLS, an individual

By: _____
Patricia Wells

**THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF OAKLAND, CALIFORNIA**

On Motion of Commissioner:

Seconded by Commissioner:

And approved by the following vote:

AYES:

NAYS:

ABSTAIN:

EXCUSED:

ABSENT:

THE FOLLOWING RESOLUTION WAS ADOPTED:

NUMBER:

**AUTHORIZING AND APPROVING THE RENEWAL OF THE TERM OF THE
EXECUTIVE DIRECTOR/CHIEF EXECUTIVE OFFICER EMPLOYMENT CONTRACT
FOR AN ADDITIONAL PERIOD FROM OCTOBER 15, 2021 TO OCTOBER 15, 2022
WITH AUTOMATIC ANNUAL EXTENSIONS THEREAFTER, APPROVING AN
ADJUSTMENT TO THE EXECUTIVE DIRECTOR'S ANNUAL SALARY, AND
APPROVING THE NOTICE OF RENEWAL AND FIRST AMENDMENT TO
EXECUTIVE DIRECTOR/CHIEF EXECUTIVE OFFICER EMPLOYMENT CONTRACT**

WHEREAS, pursuant to California Health and Safety Code Section 34278, a public housing authority may employ a secretary who shall also serve as its executive director;

WHEREAS, the Housing Authority of the City of Oakland ("Authority") and Patricia Wells ("Executive Director") entered into that certain Oakland Housing Authority Executive Director/Chief Executive Officer Employment Contract dated October 14, 2019 ("Agreement") to serve as the Authority's Executive Director/Secretary and Chief Executive Officer, as more specifically set forth therein;

WHEREAS, the initial term of the Agreement commenced on October 14, 2019 with an end date of October 14, 2021, with the option to renew;

WHEREAS, the Board of Commissioners have completed an annual review of the Executive Director and satisfied all requirements set forth in Section 5.C. of the Agreement;

WHEREAS, pursuant to Sections 2.B., 2.C., and 5.C. of the Agreement the Board of Commissioners desire to renew the term of the Agreement for an additional period from

October 15, 2021 to October 15, 2022 with automatic annual extensions thereafter pursuant to the existing terms of the Agreement;

WHEREAS, effective as of the date of this resolution, the Board of Commissioners desire to increase the Executive Director's base salary from Two Hundred and Sixty-Two Thousand Dollars (\$262,000) to Three Hundred and Ten Thousand Dollars (\$310,000), pursuant to Section 5.C. of the Agreement. The Board of Commissioners used the factors set forth in Section 5.C. of the Agreement to determine the amount of the salary increase;

WHEREAS, pursuant to Section 5.C. of the Agreement, the salary increase so determined by the Board of Commissioners shall be retroactive to July 1, 2021; and

WHEREAS, the notice of renewal of the Agreement term and Executive Director salary increase determined herein shall also be memorialized in a Notice of Renewal and First Amendment to Executive Director/Chief Executive Officer Employment Contract conforming in form and substance to the Notice of Renewal and First Amendment to Executive Director/Chief Executive Officer Employment Contract attached hereto as Exhibit A and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF OAKLAND, CALIFORNIA:

THAT, the Board of Commissioners hereby extends the term of that certain Oakland Housing Authority Executive Director/Chief Executive Officer Employment Contract dated October 14, 2019 and executed by the Housing Authority of the City of Oakland ("Authority") and Patricia Wells ("Executive Director") ("Agreement") for an additional period from October 15, 2021 to October 15, 2022, with automatic annual extensions thereafter pursuant to the existing terms of the Agreement; and

THAT, the Board of Commissioners authorizes and approves an increase in the Executive Director's base salary under the Agreement from Two Hundred and Sixty-Two Thousand Dollars (\$262,000) to Three Hundred and Ten Thousand Dollars (\$310,000) effective as of the date of the adoption of this Resolution, pursuant to Section 5.C. of the Agreement ("Salary Increase"); and

THAT, the Board of Commissioners hereby determines that the Salary Increase authorized and approved by the Board of Commissioners pursuant to this Resolution shall be retroactive to July 1, 2021; and

THAT, the Board of Commissioners authorize and direct the Chairman of the Board of Commissioners to execute a Notice of Renewal and First Amendment to Executive Director/Chief Executive Officer Employment Contract conforming in form and substance to the Notice of Renewal and First Amendment to Executive Director/Chief Executive Officer Employment Contract attached hereto as Exhibit A and incorporated herein by this reference; and

THAT, the Chairman of the Board of Commissioners, on behalf of the Authority, is hereby authorized to take all actions necessary to implement the foregoing Resolution.

I hereby certify that the foregoing Resolution is a full, true and correct copy of a resolution passed by the Commissioners of the Housing Authority Of the City of Oakland, California on September 13, 2021.

Secretary / Executive Director

ADOPTED:

RESOLUTION NO.

EXHIBIT A

**FORM OF NOTICE OF RENEWAL AND FIRST AMENDMENT TO EXECUTIVE
DIRECTOR/CHIEF EXECUTIVE OFFICER EMPLOYMENT CONTRACT
(behind this page)**