

Council Meeting of
August 19, 2008

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

PUBLIC HEARING

Members of the Council:

SUBJECT: Community Development - Consideration of a change to the
Administrative Plan for the Section 8 Rental Assistance Program

Expenditure: None

RECOMMENDATION

Recommendation of the Community Development Director that the City Council conduct a public hearing, consider any comments received during the hearing and approve the attached change to the Administrative Plan for the Section 8 Rental Assistance Program.

The Community Development Director also recommends that the City Council adopt the attached Resolution of Approval for the Plan.

FUNDING: Not applicable

Prior Hearings and Publications

A legal advertisement was **published** in the Daily Breeze on August 8, 2008. The proof of publication is included as Attachment A.

BACKGROUND

The City of Torrance has administered a Section 8 Rental Assistance Program since 1977, allowing it to assist low or very low income senior citizens, disabled persons and families to afford decent, safe and sanitary housing. Over time, the regulations governing the program have changed, with major structural changes made during the past few years. The Administrative Plan is a policy manual containing the administration of the program. It was last updated in December 2007 to address changes to program regulations.

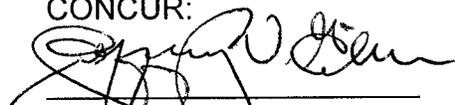
The Housing Office recently purchased an updated Utility Allowance Schedule form Los Angeles County Housing. The Schedule does not include an allowance for air conditioning. Since the schedule we previously used did include such an allowance, the Administrative Plan is being amended to reflect this change. Housing Authorities are not required to apply an allowance for air conditioning unless a majority of units in their jurisdiction are air conditioned.

ANALYSIS

Attachment C contains the proposed change to the Administrative Plan. The Administrative Plan is essentially a policy manual for the administration of the rental assistance program. Much of the information included in the Plan is regulatory in nature and outlines procedures contained in the most recent applicable legislation. In other areas, local housing authorities are given discretion to make decisions that reflect local needs. For example, the Plan contains Torrance's local preferences for calling applicants from the Waiting List. These include assisting Torrance residents before non-residents, as well as giving preferences to elderly and disabled households. The Plan also addresses the occupancy standards, which means the number of bedrooms that will be allocated to a family.

As noted above, we are not required apply an allowance for air conditioning unless the majority of units in our jurisdiction are air conditioned. Most rental units on the program are not air conditioned. The change will make our Administrative Plan consistent with the utility allowance schedule that will be used effective September 1, 2008. No other changes to the Plan are proposed at this time. Attachment C contains the amended language

CONCUR:



Jeffery W. Gibson
Community Development Director

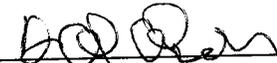
Respectfully submitted,

JEFFERY W. GIBSON
Community Development Director

NOTED:



LeRoy J. Jackson
City Manager

By 

D.R. Richardson
Housing Administrator

Attachments:

- A. Proof of Publication
- B. Resolution of Approval
- C. Proposed Changes to the Administrative Plan for the Rental Assistance Program
- D. Mayor's Script (Limited Distribution)

Daily Breeze

5215 TORRANCE BLVD * TORRANCE CALIFORNIA 90503-4077
(310) 543-6635 * (310) 540-5511 Ext. 396

PROOF OF PUBLICATION

(201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the THE DAILY BREEZE

a newspaper of general circulation, printed and published

in the City of Torrance
County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of

June 10, 1974

Case Number SWC7146

that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit

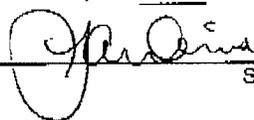
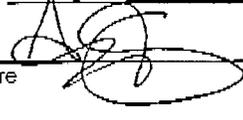
August 8,

all in the year 2008

the foregoing is true and correct.

Dated at Torrance

California, this 8 August 2008


Signature 

This space is for the County Clerk's Filing Stamp

Proof of Publication of

DB

Public Notices 51 Public Notices 51 Public Notices 51

DB 8-45
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Board of Governors for the Housing Authority of the City of Torrance at 7:00 P.M., August 19, 2008, in the City Council Chambers, City Hall, 3031 Torrance Boulevard, Torrance, California, on the following matter:

The City Council, sitting as the Board of Governors for the Housing Authority, will conduct a public hearing on a proposed change in the Administrative Plan for the Section 8 Rental Assistance Program.

Material can be reviewed in the Housing Office. All persons interested in the above matters are requested to be present at the hearing or to submit their comments to the Community Development Department/Housing Office, City Hall, 3031 Torrance Boulevard, Torrance CA 90503.

If you challenge any of the above matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department or the office of the City Clerk, prior to the public hearing and further, by the terms of City Council Resolution No. 88-19, you may be limited to ninety (90) days in which to commence such legal action pursuant to Section 1094.6 of the Code of Civil Procedure.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (310) 618-5990. If you need a special hearing device to participate in this meeting, please contact the City Clerk's Office at (310) 618-2870. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

For further information, contact the HOUSING OFFICE of the Community Development Department at (310) 618-5840.
SUE HERBERS
CITY CLERK

Pub: Aug 08, 2008

RESOLUTION NO.: _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING AN AMENDMENT TO THE ADMINISTRATIVE PLAN FOR THE CITY OF TORRANCE SECTION 8 RENTAL ASSISTANCE PROGRAM**

WHEREAS, the City of Torrance has a Section 8 Rental Assistance Program;

WHEREAS, Federal Regulations governing the program have changed, requiring changes in the administration of the Section 8 Program, and;

WHEREAS, Policies and policy changes regarding the administration of the Section 8 Program must be established in an Administrative Plan, and:

WHEREAS, Policies relating to the Utility Allowance Schedule are included in the Administrative Plan:

WHEREAS, A recent update in the Utility Allowance Schedule eliminated the allowance for air conditioning provided in the Administrative Plan:

WHEREAS, The portion of the Administrative Plan covering utility allowances has been revised to reflect this change:

WHEREAS, said Administrative Plan must be adopted by the Governing Body of the Housing Authority, and;

WHEREAS, the City Council of the City of Torrance conducted a public hearing on August 19, 2008 to consider an updated and revised Administrative Plan for the City of Torrance Section 8 Rental Assistance Program:

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND AND DETERMINE AS FOLLOWS:

IT HEREBY ADOPTS THE AUGUST 2008 UPDATE AMENDMENT TO THE ADMINISTRATIVE PLAN FOR THE SECTION 8 PROGRAM FOR THE HOUSING AUTHORITY OF THE CITY OF TORRANCE

Introduced, approved and adopted this _____ day of August, 2008.

Mayor of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By _____

16-II.C. UTILITY ALLOWANCES [24 CFR 982.517]

A PHA-established utility allowance schedule is used in determining family share and PHA subsidy. The PHA must maintain a utility allowance schedule for (1) all tenant-paid utilities, (2) the cost of tenant-supplied refrigerators and ranges, and (3) other tenant-paid housing services such as trash collection.

The utility allowance schedule must be determined based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same locality. In developing the schedule, the PHA must use normal patterns of consumption for the community as a whole, and current utility rates.

The utility allowance must include the utilities and services that are necessary in the locality to provide housing that complies with housing quality standards. Costs for telephone, cable/satellite television, and internet services are not included in the utility allowance schedule.

In the utility allowance schedule, the PHA must classify utilities and other housing services according to the following general categories: space heating; air conditioning; cooking; water heating; water; sewer; trash collection; other electric; cost of tenant-supplied refrigerator; cost of tenant-supplied range; and other specified housing services.

The cost of each utility and housing service must be stated separately by unit size and type. Chapter 18 of the *HCV Guidebook* provides detailed guidance to the PHA about establishing utility allowance schedules.

Air Conditioning

An allowance for air-conditioning must be provided when the majority of housing units in the market have central air-conditioning or are wired for tenant-installed air conditioners.

PHA Policy

The PHA has not included an allowance for air-conditioning in its schedule. Central air-conditioning or a portable air conditioner must be present in a unit before the PHA will apply this allowance to a family's rent and subsidy calculations.

Reasonable Accommodation

HCV program regulations require a PHA to approve a utility allowance amount higher than shown on the PHA's schedule if a higher allowance is needed as a reasonable accommodation for a family member with a disability. For example, if a family member with a disability requires such an accommodation, the PHA will approve an allowance for air-conditioning, even if the PHA has determined that an allowance for air-conditioning generally is not needed (See Chapter 2 for policies regarding the request and approval of reasonable accommodations).

Utility Allowance Revisions

The PHA must review its schedule of utility allowances each year, and must revise the schedule if there has been a change of 10 percent or more in any utility rate since the last time the allowance for that utility was revised.

The PHA must maintain information supporting its annual review of utility allowance and any revisions made in its utility allowance schedule.

