

**Newark Housing Authority
Board of Commissioners
February 13, 2019
REVISED MARCH 13, 2019**

Summary of Meeting Minutes

Opening:

Prior to the regular meeting of the Board of Commissioners was called to order, the board members presents discussed and voted who would chair the meeting in the absence of Chairperson & Vice-Chairperson.

Mrs. Lane made a motion for Ms. Shand to chair the meeting. The motion was 2nd by Mr. Brown. At approximately 5:05 p.m. the meeting was called to order by Acting-Chairperson, Donna Shand.

Aye 3 (Mrs. Lane, Mr. Brown and Ms. Ashley)
Nay 0
Motion passed, Vote: 3 to 0
Abstain: 0

I. Roll Call:

Board of Commissioners present: Emile Brown, Nikki Lane, Donna Shand and newly appointed board member Marguerite Ashley. Marene Jordan; Executive Director and Donald Gouge Jr. NHA's attorney were also present.

Absent: Mark Doughty, Lloyd Harris and Kevin Heitzenroder.

II. Welcome New Board Member:

All Board Members present welcomed newly appointed board member, Marguerite Ashley, to the Newark Housing Authority's Board of Commissioners. Ms. Ashley was appointed by the Mayor and approved by council during the City Council regular meeting held on January 14, 2019. Mrs. Ashley was appointed to a three year term expiring on January 15, 2022.

III. Approval of Minutes:

(a). Minutes from January, 2019

The Acting-Chairperson asked for approval of the January 9, 2019 meeting minutes. Mrs. Lane made a motion to approve the minutes. The motion was 2nd by Mr. Brown.

Aye 3 (Mrs. Lane, Mr. Brown and Ms. Ashley)
Nay 0
Motion passed, Vote: 3 to 0
Abstain: 0

IV. Report of the Executive Director:

(a). Staff Report:

The Acting-Chairperson asked for the report of the Executive Director for the month of January 2019.

Mrs. Jordan provided the following report:

Government Shut-Down:

In recent correspondence dated for February 8th and 12th received from the U.S. Department of Housing and Urban Development, it appears that there will be no interruptions in federal funding through April/May as the threat of a 2nd government shut-down continues. HUD has communicated the department will be operating on a continued resolution that provides funding through February.

Mrs. Lane suggested that NHA contact its congressional delegation to express concerns regarding the government shut-down. As a result, NHA received responses from Senator Coons and Carpers offices. The discussion allowed NHA to communication the long term affects the government shut-down may have on the programs administered by NHA if the government remains closed. NHA shared that our jurisdiction is unique. Being that Newark is a college town, rents are extremely high. The possibility exists that tenants will face eviction once landlords who rent to our program participants don't receive the agency's portion of the contract rent. This will then allow the landlords to re-rent to the college students at a premium forcing the low-income participants onto the streets; thus, creating a homeless epidemic within the city limits of Newark, DE. The idea that HUD had communicated that landlords should consider dipping into their reserves to offset the contract rent is ridiculous especially because of the uncertainty of not knowing when the government shut-down will be lifted.

The representatives from both senators' office equally expressed their concerns as well and have communicated that in a joint letter from the congressional delegation to President Trump and HUD Secretary Ben Carson, which highlights the effects of the shutdown on HUD affordable housing programs and urges the Administration to put the American people's best interests over their own political agenda.

NHA also mailed letters to all our landlords making them aware of the possibility that they will not receive their HAP payment in May due to the uncertainty of federal funding. The NHA asked for the landlord's consideration and patience if payments are not made timely and to avoid any court proceedings seeking evictions as this delay in funding is not caused by our participants or the NHA. The landlords we received feedback from are willing to work with NHA and its program participants avoiding any means of eviction proceeding as the payments relate to NHA's portion of the rent ONLY.

For our Housing Choice Voucher Program (Section 8)

- In correspondence received as of February 12, 2019, HUD has communicated that NHA will receive Housing Assistance Payments and Administrative Fees for March and April.

For our Public Housing Program

- In correspondence received as of February 7, 2019, HUD has communicated that NHA will receive Operating subsidy for the month of March, April and May and will be available within the next six business days. The proration will be at 88.7% (for these months) which is a slight decrease from the 90% proration used to determine January and February funding.

Ms. Ashley asked how has the spending levels been over the past years?

Mrs. Jordan responded the funding levels for the section 8 and public housing programs have been pretty consistent. However, she has noticed an increase in the awards of Capital Funds over the past several years. She noted, NHA is a high performer based on how we obligated and expend funds which we receive bonus funds for.

Interpretive Sign/Historical Marker & Webpage Narrative for 101 New London Road:

Since the placement of the Interpretive Sign/Historical Marker relating to 101 New London Road property, NHA has received some concerns regarding the information/history that is displayed on the marker and as it is communicated to the public. Pastor Hackett from St. John's Church on New London Road expressed some concerns after the sign was fabricated and installed. It is important to recall that everyone (inclusive of Pastor Hackett) who attended the meeting in March of 2017 (with the following two agencies) was provided instructions from the U.S. Department of Housing and Urban Development along with the DE State Preservation Office as to how and when to respond with comments regarding the process moving forward. Those in attendance were provided with the recommendations of information to be included on the sign as well as the information for the website narrative before the marker's creation. In the elapsed time, from the March meeting to the marker's installation, there were no comments (written or otherwise) from any representative from St. John's Church.

It was Ms. Jordan's understanding that Pastor Hackett's concerns were shared with Mr. Mayhew in an attempt to make some modifications to the existing sign. It was also Ms. Jordan's understanding that the church was fabricating its own historical marker and preferred the two markers (NHA's and theirs) not be installed in close proximity to each other.

NHA has communicated that since there are plans for the church to fabricate their own sign, that it may be best to share some additional history that would be beneficial to the community as a whole rather than to modify the existing sign. A meeting was suggested; however, no date was scheduled. It was conveyed that NHA will not be re-creating or sharing any expense to modify the existing sign.

CDBG Representative:

NHA received communication from Mayor, Polly Sierer that Mrs. Lane has expressed interest in being appointed as NHA's representative for the CDBG/Revenue Sharing Committee. Mrs. Lane is expected to be added to the council meeting/agenda for February or March. Mrs. Jordan stated that Mrs. Lane will be replacing Mr. Ram Ray who held this seat previously as NHA's representative.

The Acting-Chairperson asked for approval of the Staff Report for the month of January 2019. Mrs. Lane made a motion to accept the Staff Report. The motion was 2nd by Mr. Brown.

Aye 3 (Mrs. Lane, Mr. Brown and Ms. Ashley)
Nay 0
Motion passed, Vote: 3 to 0
Abstain: 0

V. Committee Reports:

A. Report of Policies & Procedures & Compliance & Personnel Committee – Chairperson (Mr. Doughty):

(a). Annual Review of the Executive Director:

The Chairperson of this sub-committee, Mr. Doughty, was not present. Mrs. Shand reported that the absence of Mr. Doughty, she will be presenting the results of the Executive Director's Annual Review during Executive Session.

B. Report form Development Committee – Chairperson (Mr. Heitzenroder):

The Chairperson of this sub-committee, Mr. Heitzenroder, was not present for the meeting. Mrs. Jordan provided a general overview.

(1). Overview – Update:

Mrs. Jordan reported that NHA has signed an agreement for our consortium partner, Nelrod, to perform an updated Physical Needs Assessment. The purpose of the assessment is to determine if the cost to redevelop exceeds HUD cap. The assessment and a full report is expected within 90 days from the date of when the agreement was signed.

Mrs. Jordan reported the report from the Environmental Consultant, TenBears, is expected within the next couple of weeks. The results from this review will be forwarded to HUD for their review and approval. This report (as a supplement to our demolition application submitted to the SAC office for their review and approval) will be included as re-development plans materialize.

(2). RFP 2018-02 – Mixed Finance Housing Development Legal Counsel:

Mrs. Jordan reported, NHA solicited the services of a Mixed Finance Housing Development Legal Counsel (RFP 2018-02) to oversee the redevelopment of its Independence/Delaware Circle public housing complex proposed for demolition. NHA received three responses.

1. Reno & Cavanaugh located in Washington, DC
2. Klein Hnoring located in Boston, MA
3. Conaty Law Office located in Newark, DE

A review committee was established to review and evaluate the merit of each proposal against the criteria published in the RFP. The review committee consists of:

1. Don Gouge, NHA attorney
2. Kevin Heitzenroder, Chairperson of the Development Committee
3. CSG Advisors, (our agency representative – Tanya Dempsey)
4. Marc DeBeary, Fee Accountant

The findings of the evaluations will be presented at the next board meeting.

Mrs. Lane asked is the cost for CSG Advisor to review the RFP included in their current budget? Mrs. Jordan responded yes.

(3). RFP 2018-01 – Appraisal Services:

Mrs. Jordan reported that with the assistance of Mrs. Lane, Mr. Heitzenroder and Mr. Gouge, we were able to collectively provide a strategic plan into separating and re-soliciting the RFP to obtain appraisal services while still achieving the goals outlined in the RFP.

RFP 2018-01A will seek the appraisal services for Independence/Delaware Circle which includes residential and commercial properties. RFP 2018-01B will seek the appraisal services for the scattered site residential properties only. Both RFP's were available as of February 8, 2019 with responses due on March 8, 2019. Mrs. Jordan responded, NHA has received some interest in both of the RFP's.

(4). Scheduling of a Committee Meeting:

No Action Taken

C. Report of Finance Committee – Chairperson (Ms. Shand):

The Chairperson of this sub-committee, Ms. Shand, was present but asked that the financial report from this committee be tabled as the current financials were not on hand.

D. Strategic Planning Committee – Chairperson (Ms. Shand):

The Chairperson of this sub-committee, Ms. Shand, was present however no report given. A meeting will be held after the development committee meets to determine the timeline in meeting the goals established in the 3 year strategic plan.

VI. Attorney Issues:

N/A

VII. Old Business:

- A. From the other Commissioners: None
- B. From the Executive Director: None
- C. From Legal Counsel:
 - 1. Mr. Gouge reported that NHA attended a Fair Housing Complaint on February 7th regarding a former participant who lost her rental assistance/section 8 voucher about 1 ½ years ago. This complaint alleges that NHA did not grant a reasonable to a person with a disability. Mr. Gouge reported a conciliation agreement was reached. The former participant is expected to receive her voucher once funding is restored.
 - 2. Mr. Gouge reported, an agreement was reached in court with a tenant whereas all parties agree to a voluntary move by February 15th outlined in a stipulated agreement.

Mrs. Jordan added that both families will need to meet the eligibility requirements prior to them receiving a voucher.

Mrs. Lane asked are these new court cases? Mr. Gouge reported no. Both of these cases were reported last month.

VIII. New Business:

- A. From Commissioners: None
- B. From the Executive Director: None
- C. From Legal Counsel: None

IX. Visitors and/or Petition:

The Acting-Chairperson opened the floor to our visitor Ms. White.

Mrs. White was in attendance. She provided some insight into her approach in the process of providing comments, suggestions and edits to the historical marker as well as the narrative for the website prior to its fabrication and installation. She mentioned working with the representative from Dovetail, Sean Mahoney, who was very nice in making her suggested revisions. She mentioned having some concerns with sign too.

Mr. Brown asked what she found wrong with the sign.

Mrs. White mentioned boundaries specific to locations, churches and homes in the New London area but was able to get her concerns addressed.

Mrs. White what were Pastor Hackett's concerns with the sign?

Mrs. Jordan replied she didn't know but suggested a meeting.

Mr. Brown added that Pastor Hackett may have been pre-occupied with the church renovations as to a reason why he was not as involved in the process.

X. Executive Session:

At approximately 5:55 p.m. the Acting-Chairperson informed the public that the board of commissioners will be entering into Executive Session to discuss the Annual Review of the Executive Director. She mentioned this part of the meeting is closed to the public. She asked for a motion to enter into Executive Session. Mrs. Lane made a motion to enter Executive Session for the purpose mentioned. The motion was 2nd by Mr. Brown.

Aye 3 (Mrs. Lane, Mr. Brown and Ms. Ashley)
Nay 0
Motion passed, Vote: 3 to 0
Abstain: 0

At approximately 6:16 p.m. the board of commissioners came out of Executive Session. The Acting-Chairperson asked for a motion for the meeting to become public. Mrs. Lane made a motion for the meeting to become public. The motion was 2nd by Mr. Brown.

Aye 3 (Mrs. Lane, Mr. Brown and Ms. Ashley)
Nay 0
Motion passed, Vote: 3 to 0
Abstain: 0

The Acting-Chairperson informed all that further review and discussion regarding the Annual Review of the Executive Director will be tabled until next month. The board members present seek clarification from the Chairperson of this committee (Mr. Doughy) regarding the evaluation.

XI. Adjournment:

The Acting-Chairperson asked for a motion to adjourn the meeting. Mr. Brown made a motion for the board to adjourn. The motion was 2nd by Mrs. Lane.

Aye 3 (Mrs. Lane, Mr. Brown and Ms. Ashley)
Nay 0
Motion passed, Vote: 3 to 0
Abstain: 0

Meeting adjourned at approximately 6:18 PM

Minutes Submitted by: Marene M. Jordan, Executive Director

APPROVED