

**Newark Housing Authority  
Board of Commissioners  
October 14, 2020**

**Summary of Meeting (Virtual Zoom) Minutes**

Before the Board of Commissioners meeting was called to order, Mr. Gouge (attorney) stated for the record that the Chairperson and Vice-Chairperson were not present for this meeting. He asked that the board members present vote among themselves for a member from the board to chair the meeting. Mr. Brown made a motion for Ms. Shand to chair the meeting. The motion was 2<sup>nd</sup> by Ms. Lane and Mr. Tillman.

Aye 4 (Ms. Shand, Mr. Brown, Ms. Lane and Mr. Tillman)  
Nay 0  
Motion passed, Vote: 4 to 0

**Opening:**

The regular meeting of the Board of Commissioners was called to order at approximately 5:04 PM by the acting Chairperson, Donna Shand.

**I. Roll Call:**

Board of Commissioners present: Nikki Lane, Donna Shand, Emile Brown and Paul Tillman. Marene Jordan (Executive Director) and Attorney Donald Gouge Jr. were also present.

Mrs. Jordan acknowledged Ms. Roxanne Hayes (one of NHA's tenants) as also being in attendance.

**Note: Vice-Chairperson Marguerite Ashely was not present for this meeting.**

**II. Approval of Minutes:**

**(a). Meeting Minutes from August 12, 2020**

The acting Chairperson asked for a motion to approve the meeting minutes from the August 12, 2020 meeting. Before the minutes were approved, Mr. Tillman noted an incorrect statement located on the bottom of page 2. The statement was removed. With the noted correction, Ms. Lane made a motion to approve the meeting minutes from August 12, 2020. The motion was 2<sup>nd</sup> by Mr. Brown

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

**(b). Approval of the Executive Session Meeting Minutes from August 12, 2020**

The acting Chairperson asked for a motion to approve the Executive Session meeting minutes from the August 12, 2020 meeting. Mrs. Lane made a motion to approve the meeting minutes. The motion was 2<sup>nd</sup> by Mr. Tillman.

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

### **III. Report of the Executive Director:**

#### **(a). Staff Reports from August and September 2020**

The acting Chairperson asked for the report of the Executive Director for the months of August and September 2020. Mrs. Jordan provided the following report.

Before Mrs. Jordan proceeded with the Staff Reports, she reported that Mayor and Council members had appointed a new board member during their October 12<sup>th</sup> meeting. Mrs. Jordan reported that the newly appointed board member is Ms. Denise Forman Gaines.

#### **August Staff Report:**

##### **CDBG Update**

NHA received its \$25,000 in CDBG funding for the 45th year. The funding for the 46th year is pending. NHA also submitted an application for the 47th year which is being reviewed. The recent funding requested is to assist with pre-development costs.

##### **The Family Reentry Program (FRP)**

The Public hearing held on August 20, 2020 was a huge success. All letters received with the exception of one were positive and in support of the program. Prior to the public hearing comment period closing on September 10<sup>th</sup>, NHA received three more positive letters.

As part of the screening process for the FRP program, NHA was approved for use of DELJIS. DELJIS is a screening mechanism that will be used by all PHA's to ensure continuity in the same information being used in the approval or denial of applications for this program.

Currently, NHA is not aware of any PHA receiving a referral for consideration of unifying someone involved in the criminal systems with a public housing family under the FRP program.

##### **FYE March 31, 2020 Independent Audit**

NHA's FYE audit for March 31, 2020 is in draft form. It is currently being reviewed. Should anyone want a copy of the audit, please let me know.

##### **Admin (Section 8) CARES ACT Funds**

NHA received another round of CARES ACT funds in the amount of \$20,417 for the Section 8 Program. As a result of Covid-19, NHA is looking into outsourcing the Section 8 inspections in an effort to utilize a portion of these funds. In total (under this program) NHA has a little over \$36,000. HUD has also provided notice that the funding deadline to expend these funds is extended to December of 2021.

##### **Operating Supplemental CARES ACT Funds**

As a follow-up to a discussion during our last board meeting, we reached out to families with school aged children to ensure their children had the equipment and resources needed for remote learning which is in place due to restrictions caused by COVID-19. If a need does exist, NHA may be able to assist the families

through Supplemental CARES ACT Funds for equipment and/or resources for this school year. The families, who responded to our inquiry, informed us that they received their Chrome Books for remote learning.

NHA also followed-up with the Christina School District to inquire as to how this year's schooling will be facilitated. The representative informed us that after the first six weeks of remote learning the parent will have the choice to continue with remote learning or have their children attend school in person.

#### **City of Newark Support**

NHA received the resolution from Mayor and Council in support of our proposed redevelopment of George Reed Village II. The vote was 5 to 0 by the council members present. Mrs. Jordan thanked Vice-Chairperson Ashley for representing the agency during this council meeting.

#### **September Staff Report:**

##### **COVID-19 Free Testing**

During our last board meeting, we discussed the possibility of providing our residents with home kits or providing a location for free COVID-19 testing to utilize some of the CARES Act Funding. NHA was made aware of free COVID-19 testing available at the Hudson State Service Center. The testing is by appointment and the date is open ended. NHA did a massive mailing to all our program participants, including Alder Creek, informing them of this free testing. We encouraged them to take full advantage of this opportunity given the location for the testing is local.

##### **Admin (Section 8) CARES ACT Funds**

Potential CARES Act Funding being used to perform inspections for Section 8 is currently being considered. We are currently pursuing an intergovernmental agreement under New Castle County and WHA. This procurement process is pending approval.

##### **Operating Supplemental CAREAS ACT Funds**

NHA installed a new telephone system utilizing some of the operating supplemental CARES Act funding under the Public Housing Program. Since NHA's administration building remains closed to the public due to COVID-19 restrictions/recommendations, NHA installed the new phone system to: assist in handling the increased volume in phone calls; to assist in the remote re-certification process; etc.

##### **Community Rental Property Interest**

NHA has received continued interest in some of NHA's rental properties. NHA is working on the disposition application for HUD approval. Once NHA receives HUD approval, the process will include a public listing of the properties for sale providing all interested parties an opportunity for a walk-thru. This process will also include a disclosure of how each interested party is to submit their proposal for board consideration.

NHA also received notification from one of our scattered site families of their interest in purchasing the NHA property they are currently renting. NHA referred them to an outside mortgage company (Pike Creek Mortgage) to provide some assistance in the possibility of their qualifying for a mortgage.

**Newark Area Welfare Committee**

NHA received a request for rental assistance, due to issues related to COVID-19, from a Section 8 Program participant. The request was referred to the Newark Area Welfare Committee and was approved for payment. The payment was issued directly to the landlord.

After the presentation of the Staff Reports, Mrs. Jordan asked if there were any questions or comments as to what she had reported.

Ms. Lane inquired as to how many months for which the Section 8 family received assistance. Mrs. Jordan responded, “The family received assistance with her portion of the contract rent for the month of October 2020 (one month).”

Ms. Lane wanted clarification as to the inspection protocol NHA is looking into regarding the Section 8 annual inspections and wanted confirmation that New Castle County is outsourcing their inspections. Mrs. Jordan confirmed that they are. She added, “NHA is looking to join the existing agreement to outsource the inspections utilizing the Admin Section 8 CARES Act Funds.”

Ms. Lane also suggested that we follow-up with our residents to inquire as to how the children are progressing with the remote learning. This was suggested in an effort to determine if resources from the CARES Act Funds could be used in providing resources for tutoring if needed.

Mr. Brown asked if replacing the office computers was an option in utilizing some of the CARES Act Funds. Mrs. Jordan responded with, “The computers appear to be working and operating well with the minor tweaks and recent upgrade from WiFi access to remote individual access.”

Mr. Brown also inquired as to if the Housing Manager’s position was filled. Mrs. Jordan responded, “The candidate selected who made the short list did not respond timely with her response. NHA is in the process of resuming with the interview process.”

The acting-Chairperson asked for a motion to approve the Staff Reports for the months of August and September 2020. Ms. Lane made a motion to approve the minutes. The motion was 2nd by Mr. Brown.

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

**IV. Committee Reports:**

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

The Chairperson of this sub-committee, Mr. Brown was present for this meeting. In an attempt to establish a process for the review of the Executive Director due to constraints related to COVID-19, a brief

discussion took place. It was agreed that Mr. Brown will send an email to each board member individually seeking their comments, suggestions and/or questions related to this year's evaluation.

An Executive Session (a break-out meeting) will be hosted by Mr. Gouge a half hour before the next regularly scheduled board meeting scheduled for November 11<sup>th</sup> at 4:30 PM to discuss and proceed with the evaluation. At some point, the Chairperson of this sub-committee will meet one-on-one with Mrs. Jordan.

There was no Executive Session held during the commissioners' meeting.

Mrs. Jordan noted that there was no action taken by the Board of Commissioners on the proposed language to the By-Laws for "Action without Meeting" proposed by Mr. Brown during the last meeting. Mr. Gouge commented he will be reporting on this issue later in the meeting.

## **B. Report from Development Committee – Chairperson (Vacant):**

### **(a). Committee Update:**

The acting Chairperson of the Board acknowledged that this committee still does not have a Chairperson so she asked Mrs. Jordan to provide the update. Mrs. Jordan provided the following report.

NHA held its first virtual strategy meeting with our developer partner on August 18th. We are just 7 months away from the tax credit application due date. We are making progress. In our planning process, we have requested that all new units be 100% affordable.

During this meeting, NHA learned that DSHA updated their Q&A Plan process to allow for higher points if market rate units are included in the tax credit application. In the first phase, LNWA is proposing 40-one (1) bedroom units of which 4 units will be Market Rate units. This will create a healthy mix that will increase the possibility of receiving higher points as we plan to submit an application for 9% tax credits which are very competitive. We will have some competition when we submit our application so we want to be as creative as possible in submitting a sound and fundable application.

LNWA will pursue a subdivision plan and rezoning as part of the redevelopment. The title search of the parcel is complete. LNWA have procured Karins and Associates for Land Surveying Services. Young Conaway has also been procured as the land development attorney.

As far as the retail space is concerned, it is envisioned as space being utilized to offer supportive services for our residents. The space would be called the Community Resource Center.

In an effort to offer resident supportive services, NHA has reached out to and received positive feedback in partnering with the UD's Cooperative Extension and the Newark Arts Alliance. Some specific activities may include an agricultural component since our proposed plans include a raised community garden. We would also like to offer services for youth (4-H programs, after school programs, educational support, learning activities, etc.) as well as nutrition and food safety for all. We are also including arts and craft activities.

On September 18th, a virtual meeting was held with the City of Newark's Planning department to discuss our proposed redevelopment plans. A preliminary site plan was circulated to assist in the conversation.

The meeting also afforded the opportunity for questions and answer in an open discussion regarding the preliminary site plan. It's proposed that the plan will include; a 4 story building, 65 - 70 units, retail space, office space, lobby, a community space and 104 parking spaces. The city has offered to waive the parking requirements to allow for more green space offering walkable space and outdoor amenities which works well with the plan that has space available for a raised garden. With the rezoning from RD to AC in phase #1, this classification is specific for seniors 55 and older (no children). For phase #2, the classification would be RM.

In terms of relocation, we are working on a relocation plan that will include the residents/staff and the associated costs. NHA submitted a five-year plan to HUD outlining how we would use our annual award of capital funds. In that plan we stated that we would reserve funds to assist with the relocation of our residents.

Mrs. Jordan added, "To minimize the cost in relocation, we envision that the tenants (10-14 families) in buildings in close proximity to the administration building will be relocated prior to the demolition." She added that the relocation cost includes moving tenants from their existing unit and back into the newly constructed unit. We envision that we may use two apartment complexes in Newark for relocating NHA residents and enter into annual leases for them."

NHA's internal timeline includes the following:

- Section 18 Application submitted by mid-October 2020  
(Includes a HUD approved Environmental Review that is pending)
- Planning Commission Submission by mid-February 2021
- Tax Credit Application submitted in mid-April 2021
- DSHA to announce the award of the 9% tax credits mid-July 2021
- Settlement to close the deal early in 2022

The planning commission has confirmed that there are a lot of proposals being reviewed. They could not give us a timeline for a recommendation to Mayor and Council for their approval. However, they suggested that we present a complete and thorough submission to avoid delays.

NHA's team prepared the Master Developer Agreement and LNWA is reviewing it. We should have their comments on the agreement next week.

After the development update, Mrs. Jordan asked if there were any questions or comments as to what she had reported from this sub-committee.

Mr. Tillman asked if during the relocation process whether the tenants will be responsible for paying rent. Mrs. Jordan responded, "Tentatively, what will happen is that the families will be issued a voucher to be

used at one of the apartment complexes based on their income and the proposed contract rent. The family will pay their portion of the contract rent to the landlord and NHA will pay the balance.”

Mr. Brown asked if DNREC will be involved. Mrs. Jordan responded, “No. The site does not appear to have any related environmental issues as there were at Alder Creek.”

Mr. Gouge added, “DNREC was involved at Alder Creek due to the site being used as a former landfill.”

Mr. Tillman asked of the proposed retail space, “Will this space be rented?” Mrs. Jordan responded, “We are looking into how the community resource center will bring in revenue. If the supportive services are equipped with the funding and will be offering services free to our residents, then perhaps no rent will be charged. This component of the redevelopment is still being thought out.”

**(b). Revised Board Resolution #396A:**

The acting Chairperson (Ms. Shand) asked for a motion, made by Mr. Tillman and approved by Ms. Lane, for the proposed board resolution #396A regarding the HUD Section 18 Application for the redevelopment of the George Reed Village II. She asked if any of the board members had any questions regarding the resolution.

Mr. Tillman inquired as to whether the first date (January 2019) of the initial resolution was necessary since it is being proposed again today.

Mr. Gouge thought the first date was a good point of reference.

Since there were no other questions or comments, Ms. Lane made a motion to approve the resolution as written. The motion was 2<sup>nd</sup> by Mr. Brown.

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

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

**(a) Monthly Financials:**

The Chairperson of this sub-committee, Ms. Shand, was present. She acknowledged that all commissioners received a copy of the financial reports for the period covering April – June of 2020. She added that Mrs. Jordan informed her that the fee accountant has been ill and there is a delay in our receiving updated financials.

Ms. Shand provided the commissioners with an opportunity to review and ask questions.

Mr. Tillman asked why there were two different financial reports.

Ms. Shand noted that there are two separate programs that are funded, tracked and reported on separately.

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

The Chairperson of this sub-committee, Ms. Shand, was present. There was no report from this sub-committee.

**V. Attorney Issues:**

Mr. Gouge reported that he had no report.

**VI. Old Business:**

- A. From the other Commissioners: N/A
- B. From the Executive Director: N/A
- C. From Legal Counsel:

1. Board Vacancies

Mr. Gouge referred to the last discussion regarding the removal of Mr. Harris from NHA’s board. Mr. Gouge acknowledged having written the Governor’s office regarding this vacancy. He is waiting for a response.

2. Mr. Gouge referred to the proposed By-Law language presented by Mr. Brown during the last board meeting regarding “Action without Meeting” whereas action can be taken by the board without a meeting. Mr. Gouge referred to the Delaware Code and reported that he thinks incorporating this language into the By-Laws is a good suggestion. Mr. Gouge reported research is consistent with Mr. Brown’s thinking. He informed the board that he will have proposed language to present at the next meeting for the board to consider.

**VII. New Business:**

- A. From Commissioners: N/A
- B. From the Executive Director: N/A
- C. From Legal Counsel:

Mr. Gouge reported that NHA received a default judgment on a court filing for damage to property. He also reported that he filed two non-payments of rent cases for the month of October. Due to COVID-19, he does not foresee a court case being held until January or February of 2021.

One change is that the courts are holding pre-trial cases as a form of mediation to resolve these cases. In some incidences stipulated agreements are being considered and offered.

**VIII. Executive Session:** No Executive Session was held

**IX. Visitors and/or Petition:**

The acting Chairperson opened the floor to our visitor. Ms. Hayes (NHA’s senior resident) had no comments at this time.



**X. Adjournment:**

The acting Chairperson asked for a motion to adjourn the meeting. Mr. Brown made a motion for the meeting to adjourn. The motion was 2<sup>nd</sup> by Mr. Tillman.

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

**Meeting adjourned at approximately 6:17 PM**  
**Minutes Submitted by: Marene M. Jordan, Executive Director**