



DELRAY BEACH HOUSING AUTHORITY

REGULAR BOARD MEETING JANUARY 15, 2009 MINUTES

I. CALL TO ORDER

Meeting called to order at 8:50 a.m.

II. ROLL CALL

Angela Randolph - Present
Morris Weinman - Absent
Joseph Hepp - Present
Sylvia Morris - Absent
Thuy Shutt - Present
Christel Silver - Present

III. APPROVAL OF AGENDA

With the addition of a report by the Chief Operations Officer becoming Item A under Old Business and the President/CEO's report becoming Item B and Item C being approval of Resolution 2008-18 – the approval of the Annual Plan, a motion was made by Commissioner Silver to approve the Agenda. Motion seconded by Commissioner Hepp. All in favor. Motion passed.

IV. APPROVAL OF MINUTES OF DECEMBER 18, 2008

Motion to approve minutes of December 18, 2008 made by Commissioner Silver. Motion seconded by Commissioner Shutt. All in favor. Motion passed.

V. RECOGNITION OF VISITORS

Connie Staudinger – The Auburn Group
Gregory Clay – Families First

VI. PUBLIC COMMENTARY

None

VII. CONSENT

- a. Section 8 Coordinator's Report – Bridgette Huff
- b. Chief Financial Officer's Report – Naomi Durham
- c. Administrative/Grant Report – Nina Levine
- d. Quality Control Report – Jakeleen Fernandez
- e. Families First Quarterly Report – Kathy Rainey-Holman

Motion to approve Consent Agenda made by Commissioner Shutt. Motion seconded by Commissioner Silver. All in favor. Motion passed.

VIII. CORRESPONDENCE

Journal of Housing

IX. OLD BUSINESS

- A. Chief Operations Officer's Report – With regard to the proposed budget for fiscal year 4/1/2009 – 3/31/2010, as requested by the Board, staff salaries will be frozen as of April 1, 2009. This will avoid the elimination of one employee position. Also, the Public Housing Operations Funds Allocation has been adjusted to \$102,617 and Administrative Fees changed to \$760,000. With these changes there will be \$48,922 remaining in the budget.
- B. President/CEO's Report
1. 82 Northwest 5th Avenue – The Development Team for the project will consist of the President/CEO, Commissioner Shutt and Gloria Valazquez of Weiss, Serota, Pastoriza, et al. Note was made that a meeting was held with Legacy Bank and the President/CEO was told that all was progressing well. The Term Sheet presented by the Bank had been reviewed by certain Board Members and all of the terms presented were satisfactory. Commissioner Hepp will be contacting representatives of Legacy Bank to determine if there is a possibility of obtaining an even better loan agreement.
 2. Update on Redevelopment Partnership Activity – Note was made that several meetings had taken place with representatives of the Auburn Group. They had expressed concerns regarding the \$3.5 million somewhat committed by the CRA to the redevelopment project. The CRA has expressed concerns regarding the relationship between Auburn and the Delray Beach Housing Authority as well as the 100% low income units currently being proposed by Auburn. The CRA's position is that until matters of concern have been worked out and the DBHA's Board of Commissioners approve the 100% low income project or it is approved by the City of Delray Beach, they do not want to proceed. At this time, Connie Staudinger, of Auburn stated that with regard to CWHIP funding, even with the hold placed by the CRA, Auburn would still be in a good position to receive CWHIP funding. The President/CEO noted that during a conversation with David Westcott, Director of Homeownership Programs (who oversees the CWHIP program), he had noted that if there was not a permanent commitment in place, the funds would be recaptured. Because Auburn has a preliminary commitment, they fall into that category of having funding recaptured. Gilberto Pastoriza, legal counsel for the DBHA, noted that a total one type of unit mix for the rental project violates the Master Development Agreement.

A meeting was held on January 5, consisting of City Commissioner Mack Bernard, City Department Heads, Staff from the Planning and Zoning Department, Community Improvement, the CRA, the Police Department and the DBHA. The main concern or issue was the change in the scope of the project. With the increase in density being based on Workforce Housing as it relates to the Workforce Housing Ordinance, it was recalled that the DBHA was successful in obtaining the increased density for the Carver Estates site based on plans to build a mixed income community. The change to a 100% low income rental community created concerns for City staff in that this change violates approvals received in terms of workforce housing. City staff felt that it would be best to take this matter to the City Commission for a decision on how to move forward with the project. It was also suggested at the meeting that Auburn discuss this item with the DBHA's Board. Tom Hinners stated that he did not want to meet with the Board, but would prefer to meet with the President/CEO and would call her to arrange a meeting. Mr. Hinners never called. This item is scheduled for the City Commission meeting for Tuesday January 20 at 6:00 p.m. At this point in the meeting, some background relating to the Workforce Housing Ordinance was described.

The Police Department voiced CPTED (Crime Prevention Through Environmental Design) concerns. They felt that with a density of 24 units per acre there would not be enough open space, not enough recreation area for the children and the wall would also be a problem. Auburn was of the belief that these issues were presented too late to be taken into consideration.

Mr. Pastoriza recommended that such a deviation from the Master Development Agreement as changing the scope of the rental project to a 100% low income community required an

amendment to the MDA. He felt that until such time as an amendment is passed by the DBHA Board of Commissioners, the official position of the Board should be that it be included in the MDA. Mr. Pastoriza recommended that Auburn be reminded, in writing, that a change in the mix of the rental project violates the MDA. He would do this, once authorized by the Board of Commissioners. A motion to have Mr. Pastoriza write a letter to the Auburn Group reminding them of certain requirements as noted in the MDA relating to press releases or outside communications as well as the change to a 100% low income vs. a mixture of workforce and low income project was made by Commissioner Shutt. Motion seconded by Commissioner Silver. All in favor. Motion passed.

- C. Approval of Resolution 2008-18 Approving the Annual Plan for Fiscal Year 4/1/2009 – 3/31/2010 – Presented previously in November and December, The Plan is now being presented for final approval. Once it has been approved, it will be electronically submitted to HUD. Approval is recommended. A motion to approve Resolution 2008-18 was made by Commissioner Shutt. Motion seconded by Commissioner Hepp. All in favor. Motion passed.

X. NEW BUSINESS

- A. Resolution 2008-19 Amending the Section 8 Administrative Plan to Include the Family Unification Plan – Bridgette Huff, Section 8 Coordinator, noted that an addendum has been added to the Section 8 Administration in chapter 3. This addendum relates to the Family Unification Program and provides tenant based housing assistance in coordination with the Florida Department of Children. This Program avoids foster care placement as well as furnishes housing for youths between the ages of 18 to 21 who have aged out of foster care. Approval is recommended. Motion to approve made by Commissioner Shutt. Motion seconded by Commissioner Silver. All in favor. Motion passed.
- B. Approval of Resolution 2008-20 Authorizing the Pursuit of Family Unification vouchers and Authorizing Staff to Enter into a Memorandum of Understanding with the Department of Children and Families – Family Unification Program – Note was made that working together with the Department of Children and families, the DBHA will be submitting an application for Grant funding for Section 8 Vouchers through the Family Unification Program. A major requirement of the Grant is that the DBHA enter into an MOU with the Department of Children and Families. Approval is recommended. Motion to approve made by Commissioner Silver. Motion seconded by Commissioner Hepp. All in favor. Motion passed.

XI. COMMENTS

- a. President/CEO
b. Attorney
c. Commissioners – Commissioner Silver noted that the deed to the Kings Point condominium donated to the DBHA is scheduled to be recorded in the next day or so.

X. ADJOURNMENT

Meeting adjourned at 9:55 a.m.