



## DELRAY BEACH HOUSING AUTHORITY

### **REGULAR BOARD MEETING** **MARCH 19, 2009** **MINUTES**

#### **I. CALL TO ORDER**

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

#### **II. ROLL CALL**

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

#### **III. APPROVAL OF AGENDA**

With the request by the Chairman to move item A under Consent to item A under Old Business, a motion to approve the Agenda was made by Vice Chairman Weinman. Motion seconded by Commissioner Hepp. All in favor. Motion passed.

#### **IV. APPROVAL OF MINUTES OF FEBRUARY 20, 2009**

Motion to approve minutes of February 20, 2009 made by Vice Chairman Weinman. Motion seconded by Commissioner Silver. All in favor. Motion passed.

#### **V. RECOGNITION OF VISITORS**

Sandra Rocha – R2T  
Kathy Rainey-Holman – Families First  
Connie Staudinger – The Auburn Group

#### **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. Resolution 2008-21 – 2006-2007 Annual Local Government Financial Report
- f. Resolution 2008-22 – 2007-2008 Annual Local Government Financial Report

Motion to approve Consent Agenda made by Vice Chairman Weinman. Motion seconded by Commissioner Hepp. All in favor. Motion passed.

## **VIII. CORRESPONDENCE**

None

## **IX. OLD BUSINESS**

- a. Section 8 Coordinator's Report – With the Chairman requesting an update on the Family Self-Sufficiency Program, it was noted that one participant now has a home under construction. The CEO gave background information on the FSS Program, updating the Board on the success of the program, including families who have attained homeownership as well as the non-HUD Resident Business Opportunity Program established for Carver Estates families. It was noted that one of the 2 business is still operational and provides cleaning services for the DBHA office.
- b. Chief Operations Officer's Report – Resolution 2008-23 – Amending the Annual Plan To Reflect Additional Capital Fund Program Funding – These additional funds, coming from the National Recovery Reinvestment Act of 2009 is part of the Stimulus Bill signed into law on February 17, 2009. The additional funds amount to \$393,601 and will accommodate the partial construction of a three (3) story mixed use building. This building will include three (3) dwelling units and the new permanent offices of the Delray Beach Housing Authority. Approval of Resolution 2008-23 is recommended. Motion to approve made by Vice Chairman Weinman. Motion seconded by Commissioner Shutt. All in favor. Motion passed.
- c. Resolution 2008-24 – Approving an Amendment to the Smart, Inc. Contract – This item, for discussion purposes relates to the Smart, Inc. work plan only. There is no monetary change to the Agreement. The modification focuses on the reconstruction of the relationships related to Carver Estates, working with the attorney, and working with the DBHA in dealing with the current relationship with the Auburn Group. At this time, although this item was brought before the Board for discussion purposes, a motion to approve the amendment was made by Vice Chairman Weinman. Motion seconded by Commissioner Hepp. All in favor. Motion passed.
- d. President/CEO's Report – It was noted that the President/CEO had been in Tallahassee until yesterday on behalf of FAHRO, working with the Florida Legislature regarding Housing Authority issues as it relates to the housing needs of the State. This is in conjunction with the CEO's membership on the FAHRO Legislative Committee.
  1. Update on 82 Northwest 5<sup>th</sup> Avenue – The architect has provided a redesign for 3 units, rather than 4 (which would have exceeded the density limit), of the third floor which will be used as residences. This reduction in the number of units puts the project in compliance with density requirements of the Land Development Regulations (LDR). The design enables the tenants to leave the elevator and go directly to their dwelling. After work hours, the elevators will not stop at the second floor (the home of the administrative offices of the Delray Beach Housing Authority), but rather go directly to the third floor. After a brief discussion, Commissioner Shutt agreed to meet with the Architect to discuss the placement of 2 of the rental units. She will also discuss the concerns regarding the appearance of the roof.

It was noted that the City of Delray Beach had entered into a contract with an engineering firm to do the alleyway adjacent to the site. Their plan is to have the alleyway drain onto the Housing Authority property. It was noted that this would not be suitable and this item will have to be worked out. As agreed this is the responsibility of the CRA.

The CEO reported that it is possible to address the parking fee constraint (we need 6 off-site parking spaces) through a Payment in Lieu of Parking per the City of Delray Beach LDR. She reminded the Board that the Purchase Agreement requires the CRA to provide for parking either through the lot that they own on NW 1<sup>st</sup> Street or through a parking agreement with the Mt. Olive Baptist Church located across the street from the proposed West Settler's Office Building. If neither of the two options work out for the CRA, then it would be expected that they pay the Payment in Lieu of Parking fee of \$24,000 (\$4000/space). Since the options have not been addressed to date (the CRA's Agreement with Mt. Olive is not final and the first Street lot is not being designed) we will re-submit with the Payment in Lieu of parking proposal.

2. Update on Redevelopment Partnership Activity – Note was made that at the City Commission meeting held on March 12, at the request of the City Commissioners, it was reported that the DBHA was in a dispute with the Auburn Group and that there was a possibility that it could go to litigation. Representatives of the Auburn Group were present at the meeting and reported that they had spent \$7 million on the project. It was noted that in September of 2008 they had reported spending \$1.2 million. When asked for an accounting of these expenditures by the DBHA, they were unable to produce an accounting.

After further discussion it was decided that the President/CEO request that a City of Delray Beach Workshop, generally scheduled for every other Tuesday, include the Housing Authority to discuss matters relating to affordable housing.

Gilbert Pastoriza, legal counsel for the DBHA, related that, as instructed by the Board, the DBHA's counter offer had been submitted to Auburn. As of this date, no response has been received. He also noted that, as requested by HUD, supportive documentation had been furnished to HUD. Once this information is reviewed, HUD will get back to the Housing Authority with a determination if this matter can be resolved amicably. If HUD approves the litigation, the DBHA will proceed with the lawsuit. It is a requirement that HUD approve any litigation involving Housing Authorities. As soon as word is received from Auburn's counsel Mr. Pastoriza will bring it to the Board and a Special Board Meeting will be scheduled to discuss the matter.

**X. NEW BUSINESS**

None

**XI. COMMENTS**

- a. President/CEO
- b. Attorney
- c. Commissioners

Commissioner Shutt suggested that relating to the development of the NW 5th Avenue property, an open-house, held at the DBHA office, be conducted for minority contractors to make them aware of the upcoming construction of the West Settlers Building.

**XII. ADJOURNMENT**

10:10 a.m.