



DELRAY BEACH HOUSING AUTHORITY

ANNUAL BOARD MEETING
OCTOBER 14, 2008
MINUTES

I. CALL TO ORDER

Meeting called to order at 8:55 a.m.

II. ROLL CALL

Angela Randolph - Present
Sylvia Morris - Present
Thuy Shutt - Present
Christel Silver - Present
Morris Weinman - Present
Russell Yeager - Absent

III. APPROVAL OF AGENDA

Motion to approve the Agenda made by Commissioner Weinman. Motion seconded by Commissioner Silver. All in favor. Motion passed.

VI. ANNUAL ELECTION

- a. Election of Chairman – Vice Chairman Randolph was nominated for the position of Chairman. By acclamation Ms. Randolph was elected Chairman.
- b. Election of Vice-Chairman – Commissioner Weinman was nominated for the position of Vice Chairman. By acclamation Commissioner Weinman was elected Vice Chairman.
- c.

V. APPROVAL OF MINUTES OF SPECIAL MEETING OF SEPTEMBER 12, 2008

Motion to approve minutes of the September 12, 2008 Special Board Meeting, amending the minutes to make note that the Amended Articles of the LLC were approved by both the Delray Beach Housing Authority and the Auburn Group, but that Auburn had failed to record this document with the State, was made by Vice Chairman Weinman. Motion seconded by Commissioner Morris. All in favor. Motion passed.

VI. RECOGNITION OF VISITORS

Sandra Rocher – R2T, Inc.
Gloria Velazquez-Meiten – Weiss, Serota, Helfman, Pastoriza, etal
Kathy Rainey-Holman – Families First

VII. PUBLIC COMMENTARY

None

VIII. CONSENT

- a. Chief Operating Officer's Report – Shirley Erazo
- b. Section 8 Coordinator's Report – Bridgette Huff
- c. Chief Financial Officer's Report – Naomi Durham

- d. Administrative/Grant Report – Nina Levine
 - e. Quality Control Report – Jakeleen Fernandez
- Motion to approve the Consent Agenda made by Vice Chairman Weiman. Motion seconded by Commissioner Silver. All in favor. Motion passed.

XI. CORRESPONDENCE

Journal of Housing

Letter from James Helf – Ruden McClosky – Attorneys for the Auburn Group – Requesting copies of audio tapes and paper copies from Board Meeting from September, 2004 through September, 2008

X. OLD BUSINESS

a. President/CEO’s Report –

At this time, the President/CEO noted that with reference to the request made by Mr. Helf for copies of audio tapes and paper copies of all Board Meeting for the period of September, 2004 through September, 2008, that this request would require reimbursement from Mr. Helf’s firm to the DBHA. The total amount to be incurred comes to \$3,279. A letter has been sent to Mr. Helf’s attention requesting reimbursement for this cost.

1. Note was made that Carver Estates had been removed from the HUD electronic systems as required. As a result of this, funding will be greatly reduced. Once the Housing Replacement Plan is approved some additional funding will be received.
2. HOPE VI Application – Unfortunately, this third and final application round did not prove to be successful. The DBHA was not awarded funding.
3. Master Development Agreement Update – As requested by the Board, the Notice of Default letter to the Auburn Group was hand delivered to their office, located at 777 East Atlantic Avenue. The letter was faxed and mailed to Michael Reardon of Nixon Peabody LLP; Auburn’s attorney. The letter was also mailed to the address noted in the Master Development Agreement for the Auburn Group. The Developer has thirty (30) days (November 30) to cure their default. The Default letter sent to the Housing Authority was also cured in this letter. It was noted that another letter had been received from the Developer, and had been furnished to the Board. This letter stated that the actions taken by the Housing Authority did not cure the defaults noted in the Developer’s letter to the DBHA. Mr. Pastoriza recommended that the Housing Authority continue to cooperate with all governmental agencies, third parties, etc., to reach a successful completion of the project. He also noted that if this were the case, as Auburn was stating, that the default on the DBHA’s had not been cured, there were remedies available to them that they could pursue.

b. Resolution 2008-14 - Approval of Contract to Purchase Property located at 85 Northwest 5th Avenue, Delray Beach, West Settlers Office Building – Enclosed in the Board packets was the final version of the agreement. It has been reviewed by DBHA legal council. A brief outline of the Agreement is as follows:

- ◆The DBHA will purchase the land from the CRA for a price of \$324,000 (appraisal amount)
- ◆The CRA will not participate in any further development of the property
- ◆Mr. Pastoriza has added language making closing subject to financing.
- ◆The Agreement does not require closing until site plan approval and building permits are secured (approximately 6 month for site plan approval and an additional 6 months for permitting for a total of about one (1) year).
- ◆The Agreement notes the CRA’s responsibility for the construction of the alleyway, located west of the site.
- ◆The CRA is responsible for constructing a public parking lot either at 429 NW 1st Street or to negotiate the use of parking at the Mt. Olive Baptist Church. The DBHA will be responsible for obtaining City Approval for the parking arrangement.
- ◆The CRA will approve the architectural design and site plan
- ◆The CRA has the right to repurchase.

Noting that there required a minor change to the Agreement on page 9, subject to this revision, a motion to approve Resolution 2008-14 was made by Vice Chairman Weinman. Motion seconded by Commissioner Shutt. All in favor. Motion passed.

XI. NEW BUSINESS

Approval of Resolution 2008-13 – Approving a change to the Date of Regularly scheduled Board Meetings of the Delray Beach Housing Authority Board of Commissioners - This Resolution changes the regularly scheduled Board Meeting from the second Friday, at 8:45 a.m. of each month to the third Thursday, at 8:45 of each month. Approval is recommended. Motion to approve made by Vice Chairman Weinman. Motion seconded by Commissioner Silver. All in favor. Motion passed.

XI. COMMENTS

None

XII. ADJOURNMENT

Meeting adjourned at 9:25 a.m.