



TACOMA HOUSING AUTHORITY

BOARD OF COMMISSIONERS MEETING MINUTES SPECIAL SESSION THURSDAY, January 7, 2010

The Commissioners of the Housing Authority of the City of Tacoma met in Special Session at 902 South L Street, Tacoma, WA at 3:00 PM on Thursday, January 7, 2010.

1. CALL TO ORDER

Chairman Miller called the meeting of the Board of Commissioners of the Housing Authority of the City of Tacoma (THA) to order at 3:00 PM.

2. ROLL CALL

Upon roll call, those present and absent were as follows

PRESENT

ABSENT

Commissioners

Ken Miller, Chairman*

Janis Flauding, Vice Chair

Arthur Banks, Commissioner*

Greg Mowat, Commissioner

Stanley Rumbaugh, Commissioner (joined at 3:02 PM)*

Staff

Michael Mirra, Executive Director

Christine Wilson, Executive Administrator

Tina Hansen, Interim RED Director

Roberta Schur, Project Manager

* participating by phone conference on speaker phone that was audible to everyone in the room

Chairman Miller declared there was a quorum present @ 3:01 PM and proceeded.

3. NEW BUSINESS

3.1 RESOLUTION 2010-1-7 (1)

SALISHAN SEVEN: EXECUTION OF DOCUMENTS

Whereas, the Housing Authority of the City of Tacoma (the “Authority”) seeks to encourage the provision of long term housing for low income persons residing within the City of Tacoma, Washington (the “City”);

Whereas, the Authority intends to construct 91 rental dwelling units as part of the Salishan Seven component of the Authority’s Salishan redevelopment project to provide housing for low-income persons within the City (the “Project”), and to acquire, construct and install infrastructure improvements that will facilitate the development of the Project and other housing in the vicinity thereof;

Whereas, the U.S. Department of Housing and Urban Development (“HUD”) currently has Declarations of Trust recorded in the real property records of Pierce County, Washington, affecting the property upon which the Project and related infrastructure improvements will be developed (the “Property”), which Declarations of Trust must be partially released to facilitate the financing of the Project and the infrastructure improvements;

Whereas, in connection with its request to HUD that said Declarations of Trust be removed, the Authority deems it necessary to the financial feasibility of the Project that the Authority obtain an exception under 24 CFR part 85.6(c) from the provisions of 24 CFR part 85.31(c)(1) that otherwise would require the Authority to reimburse HUD for the proportionate share of the fair market value of the Property subject to said partial release of the Declarations of Trust;

Whereas, the Authority wishes to undertake those steps as may be necessary, reasonable and/or advisable for it to obtain such exception; and

Whereas, RCW 35.82.040 authorizes the Authority to “delegate to one or more of its agents or employees such powers or duties as it may deem proper”; NOW, THEREFORE,

Resolved by the Board of Commissioners of the Housing Authority of the City of Q Tacoma, Washington that:

1. Request to Remove the Declarations of Trust. The Authority requests approval from HUD to remove the Declarations of Trust from the Property. To support such request, the Board finds and determines that there is good cause for such action because (i) the Authority will have replaced (after the Project is completed) 855 public housing units that had previously existed at the Salishan redevelopment site with 950 affordable housing units serving households with incomes at or below 60% of AMGI, and (ii) the Project is targeted for residents with incomes at or below 60% AMGI (with 45 of the units being set aside for tenants with incomes at or below 30% AMGI), thereby addressing needs to provide for such tenants at the Salishan redevelopment site.

2. Request for Exception Under 24 CFR Part 85.6(c). The Authority requests an exception under 24 CFR part 85.6(c) from the provisions of 24 CFR part 85.31(c)(1) that would otherwise require the Authority to reimburse HUD for the proportionate share of the fair market value of the Property subject to the partial release of the Declarations of Trust requested by Section 1 of this resolution. The Authority expects to incur debt obligations in the aggregate amount of \$20,840,923 to finance the development of the Project and the related infrastructure improvements. Because of its commitment to maintain rent restrictions and to target low and very low income tenants for the Project, the Authority does not expect to derive income from the Project that would be sufficient to pay the Project's capital and operating costs, as well as the reimbursement payment that otherwise might be required by 24 CFR part 85.31(c)(1).
3. Fair Market Value of the Property. The Board finds and determines that the fair market value of the Property is \$297,617. This finding and determination is based on the fair market value appraisal dated September 23, 2009, for 25 acres of land that include the 5.17 acres that comprise the Property.
4. Finding Regarding the Authority's Operation of Public Housing. The Board further finds and determines that the disposition or reassignment of the Property to the COCC will not be detrimental to the operation of public housing for the Authority because (i) no public housing units currently are located on the Property, and (ii) the redevelopment of the Salishan site has resulted in the development of 290 public housing units operated by, or under the control of, the Authority.
5. Amendment of Public Housing Agency Plan. The Authority's Public Housing Agency Plan required by 24 CFR part 903 (the "PHA Plan") shall be amended to reassign the Property to the COCC. The PHA must include the disposition or reassignment in their PHA Plan. The Executive Director and his designees are authorized and directed to reflect such reassignment in the PHA Plan.
6. Preparation of Request Package. The Executive Director and his designees are authorized and directed to prepare, execute and deliver to HUD, on behalf of the Authority, a request package that includes: (i) a request for removal of the Declarations of Trust (including statements showing good cause for such request) and reassignment of the non-dwelling property to the COCC, (ii) a request for an exception under 24 CFR part 85.6(c) to reimburse the federal government for its equity in the project (including statements showing good cause for such request), (iii) a copy of this resolution, and (iv) if required by HUD, the amended PHA Plan.
7. Supplemental Authorization. The Executive Director is further authorized and directed on behalf of the Authority to execute and deliver and, if applicable, file any government forms, affidavits, certificates, letters, documents, agreements and instruments that such officer determines to be necessary or

advisable to give effect to this resolution and to consummate the transactions contemplated herein.

8. Acting Officers Authorized. Any action required by this resolution to be taken by the Executive Director of the Authority may in his absence be taken by either the Chairman of the Board or the duly-authorized acting Executive Director of the Authority;
9. Ratification and Confirmation. Any actions of the Authority or its officers prior to the date hereof and consistent with the terms of this resolution are ratified and confirmed; and
10. Effective Date. This resolution shall be in full force and effect from and after its adoption and approval.

Approved: January 7, 2010 _____

Ken Miller, Chairman

Commissioner Flauding motioned to approve the resolution. Commissioner Rumbaugh seconded the motion.

Upon roll call, the vote was as follows:

AYES:	4
NAYS:	None
Abstain:	None
Absent:	1

Motion approved

4. ADJOURNMENT

There being no further business to conduct, Commissioner Banks moved to adjourn, Commissioner Flauding seconded the motion. Meeting adjourned at 3:08 PM.

APPROVED AS CORRECT

Adopted: January 27, 2010 _____

Ken Miller, Chair