



TACOMA HOUSING AUTHORITY

BOARD OF COMMISSIONERS MEETING MINUTES REGULAR SESSION WEDNESDAY, June 23, 2010

The Commissioners of the Housing Authority of the City of Tacoma met in Regular Session at Hillside Terrace 2300 Community Room, 2330 South G Street Tacoma, WA at 4:00 PM on Wednesday, June 23, 2010.

1. CALL TO ORDER

Chair Miller called the meeting of the Board of Commissioners of the Housing Authority of the City of Tacoma (THA) to order at 4:03 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

Staff

Michael Mirra, Executive Director
Christine Wilson, Executive Administrator

Ken Shalik, Finance and Administration
Director
April Davis, REMHS Director

Nancy Vignec, Community Services Director

Barbara Tanbara, Human Services Director

Tina Hansen, Interim RED Director

Chair Miller declared there was a quorum present @ 4:04 PM and proceeded.

3. APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Chair Miller asked for any corrections to or discussion of minutes for the regular meeting of the Board of Commissioners of Wednesday, May 26, 2010. Commissioner Mowat moved to adopt the minutes, Commissioner Flauding seconded.

Upon roll call, the vote was as follows:

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

Motion approved.

4. GUEST COMMENTS

Mr. Hope Rehn from Wright Street Apartments spoke on behalf of Joan and Jerry Baze who recently received a 10-day notice from Property Management. Ms. Rehn presented the Baze's concerns stating that Ms. Baze was in the audience. Ms. Rehn explained that the Bazes requested a grievance hearing. She also said that staff denied the hearing. Chair Miller asked ED Mirra to inquire into the matter. ED Mirra asked Ms. Rehn and Ms. Blaze if they can linger after the meeting to confer with him and Property Manager Pat Patterson...Ms. Rehn also reported that SAFE will hold their annual picnic at People's Park on Friday, July 30th from 12-2 PM and that the THA Board is invited. She also reported that SAFE coordinated a tour of Pike Place Market in Seattle and traveled with 31 tenants to Seattle; they all had a wonderful time.

5. COMMITTEE REPORTS

HOPE VI Community Task Force – No Report

Finance Committee – Commissioner Mowat met several times with staff discussing the proposed FY2011 budget. He went on to state that the budget will be presented this evening and believes it is in good workable order for the coming year.

6. ADMINISTRATIVE REPORTS

Finance Administration

Commissioner Mowat moved to ratify the payment of cash disbursements totaling \$5,699,867 for the month of May, 2010, Commissioner Banks seconded.

Upon roll call, the vote was as follows:

AYES: 4

NAYS: None
Abstain: None
Absent: 1

Motion approved.

Finance Manager Duane Strom directed the board to Director Shalik's report. Director Shalik is attending the CLPHA conference in Denver. Mr. Strom stated the budget situation is looking much better than originally anticipated. Chair Miller asked if there is a way to isolate I.T. dollars and compare IT expenditures from 2010 to what we anticipate for 2011? Mr. Strom thought that was possible and he will arrange for the Board to get that information. Mr. Strom added that VisualHomes is improving, the Finance Department is currently closing year end, and the Desk Manual project is moving along nicely.

Real Estate Management and Housing Services

Property Manager Pat Patterson directed the board to Director Davis' report. Director Davis is also attending the CLPHA Conference in Denver. Mr. Patterson reported our properties are gearing up for REAC inspections which will occur in a short 45 day window. Discussion ensued related to how high performer status links to MTW. ED Mirra explained that that link for MTW agencies is the subject of negotiations between those agencies and HUD. A discussion also ensued related to renters insurance and whether THA tenants use it or know about it. Mr. Patterson will look into this issue and report back to the board. ED Mirra thanked Property Management staff for the reduction in the number of turn days. Mr. Patterson underscored Ms. Julie LaRocque and her leasing team for stepping up their efforts to solve the number of days it is taking to turning a unit.

Real Estate Development

Interim Director Hansen referred the board to her report. Salishan 7 has a large amount of construction taking place and it is evident from Portland Avenue. She reported we are anticipating \$750,000 more capital fund dollars from HUD than we initially expected. A brief discussion ensued regarding the HOPE VI grant we did not receive. Director Hansen and ED Mirra mentioned that staff will be debriefing with HUD and we will share what we learn with the board. Chair Miller requested a list of development projects in THA's pipeline.

Community Services

Director Vignec referred the board to her report. Discussion ensued related to the FIT program. Chair Miller asked if we are taking enough risk with our FIT families and are families remaining in the program. Director Vignec stated the families must be willing to participate in FSS.

7. NEW BUSINESS

7.1 RESOLUTION 2010-6-23 (1), FISCAL YEAR 2011 ANNUAL BUDGET

Whereas, The Housing Authority of the City of Tacoma (“Authority”) intends to incur expenses and other cash outflows for Fiscal Year 2011; and

Whereas, The U.S. Department of Housing and Urban Development (HUD) requires the Authority’s Board to approve it’s annual Site-based budgets;

Whereas, Authority staff has prepared and the the Board of Commissioners of the Housing Authority of the City of Tacoma as reviewed and provided input to the proposed Fiscal Year 2011 annual budget,

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

1. The Board of Commissioners of the Housing Authority of the City of Tacoma adopts the attached FY 2011 Agency wide budget. The HUD required site-based budgets are also approved and are a subset of the overall agency wide budget. The Board of Commissioners hereby authorizes the Executive Director to implement and execute said budget. Expenses and other cash outflows are projected as follows:

<u>Expenses</u>	
Executive	436,379
Human Resources	355,111
Finance & Administration	1,588,076
Community Services	1,340,086
Development	1,683,986
Rental Assistance	34,066,594
Property Management	5,628,925
Moving to Work	<u>232,107</u>
Subtotal	45,331,264
<u>Additional Cash Outflows</u>	
Capital Expenditures	31,611,629
Debt Service	<u>157,833</u>
Subtotal	31,769,462
TOTAL APPROVED BUDGET	<u>77,100,726</u>

Approved: June 23, 2010

Ken Miller, Chairman

Commissioner Mowat motioned to approve the resolution. Commissioner Banks seconded the motion.

Upon roll call, the vote was as follows:

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

Motion approved

**7.2 RESOLUTION 2010-6-23(2)
RESTRUCTURING INFRASTRUCTURE IMPROVEMENT REVENUE
BONDS**

A RESOLUTION providing for the restructuring of the Housing Authority of the City of Tacoma Infrastructure Improvement Revenue Bonds, Series 2008 issued and currently outstanding in the aggregate principal amount of \$13,200,000, the proceeds of which were used to finance the construction of infrastructure improvements on property owned by the Authority as part of the Salishan redevelopment project; approving the forms of a supplemental trust indenture and other agreements and documents; and authorizing the execution and delivery of the supplemental trust indenture, amended and restated bonds and other agreements, documents and certificates.

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 in the City of Tacoma, Washington;

Whereas, RCW 35.82.070(2) provides that a housing authority may “prepare, carry out, acquire, lease and operate housing projects” and “provide for the construction, reconstruction, improvement, alteration or repair of any housing project or any part thereof . . .”;

Whereas, RCW 35.82.020 defines “housing project” to include, among other things, “any work or undertaking . . . to provide decent, safe and sanitary urban or rural dwellings, apartments, mobile home parks or other living accommodations for persons of low income”;

Whereas, RCW 35.82.020(11) and 35.82.130 together provide that a housing authority may issue bonds, notes or other obligations for any of its corporate purposes;

Whereas, RCW 35.82.070(5) provides that a housing authority may pledge any interest in real property;

Whereas, 42 USC 1437z-2 permits the Secretary of the United States Department of Housing and Urban Development (“HUD”) to authorize a public housing agency to

mortgage or otherwise grant a security interest in a public housing project or other property of the public housing agency;

Whereas, pursuant to Resolution No. 2007-10-24(1) adopted on October 24, 2007, as amended and supplemented by Resolution No. 2007-12-12(2) adopted on December 12, 2007, the Authority issued its Infrastructure Improvement Revenue Bonds, Series 2008 (the “Bonds”), in the original aggregate principal amount of \$13,200,000, to provide part of the funds with which to construct infrastructure improvements on property owned by the Authority, as part of the Salishan redevelopment project, to provide housing for low-income persons within the City of Tacoma, Washington (the “Project”);

Whereas, the Bonds are payable, in part, from the net proceeds from the sale of 182 certain individual lots, as depicted on Plat of Salishan Division 3, prepared by Parametrix, dated December 4, 2007 (the “Lots”); and

Whereas, because of certain changes in expectations regarding the timing of the sale of the Lots and the amount of net proceeds to be received from the sale of those Lots, the Authority and Citicorp Municipal Mortgage Inc. (the “Bondowner Representative”), as the owner of all of the outstanding Bonds, have agreed to restructure certain provisions of the Bonds and the related documents to, among other things, extend the maturity date of the Bonds, modify the redemption provisions of the Bonds, revise minimum Lot sale prices and certain provisions relating to the release of Lots from the lien of the Deed of Trust, and provide for future pledges of security interests in certain individual lots located in Salishan Division 4 or Area 2b (“Additional Collateral – Area 2b”) as additional security for the Bonds; and

Whereas, in order to effect the modification of the terms of the Bonds agreed to by the Authority and the Bondowner Representative, it is necessary to amend certain provisions of the Bonds, the Trust Indenture (as amended from time to time, the “Indenture”) relating to the Bonds between the Authority and The Bank of New York Mellon Trust Company, N.A., as successor trustee (the “Trustee”); and certain other documents and agreements; and

Whereas, it is in the best interest of the Authority to modify the terms of the Bonds and amend the Indenture and certain other documents relating to the Bonds;

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

1. Definitions. As used in this resolution, the following words have the following meanings:

“Additional Collateral - Area 2b” means such individual lots located in Salishan Division 4 or Area 2b, as shown on the Plat of Salishan Division 4 prepared by Parametrix, dated June 21, 2010, as may be added to the Deed of Trust Property from time to time.

“Authority” means the Housing Authority of the City of Tacoma, a public body corporate and politic duly organized and existing under and by virtue of the laws of the State of Washington.

“Board” means the Board of Commissioners of the Authority.

“Bondowner Representative” means Citicorp Municipal Mortgage, Inc.

“Bond” or “Bonds” means one or more of the Housing Authority of the City of Tacoma Infrastructure Improvement Revenue Bonds, Series 2008, or any replacement thereof authorized by, and at any time outstanding pursuant to, under the authority of and for the purposes provided in the Bond Resolution and the Indenture.

“Bond Resolution” means, collectively, Resolution No. 2007-10-24 (1) adopted by the Authority on October 24, 2007, as amended and supplemented by Resolution No. 2007-12-12(2) adopted by the Authority on December 12, 2007, and this resolution.

“Code” means the Internal Revenue Code of 1986, as amended.

“Deed of Trust” means the Construction Deed of Trust, with Assignment of Rents, Security Agreement and Fixture Filing made by the Authority for the benefit of the Trustee, as beneficiary, as it may be amended from time to time.

“First Supplemental Indenture” means the First Supplemental Trust Indenture between the Authority and the Trustee relating to the Bonds and approved by this resolution.

“HUD” means the Secretary of the United States Department of Housing and Urban Development and his designees.

“Indenture” means the Trust Indenture dated as of January 1, 2008, between the Authority and the Trustee relating to the Bonds, as it may be amended from time to time, including by the First Supplemental Indenture.

“Lots” means the 182 individual lots to be subdivision, composing the original Deed of Trust Property as of January 22, 2008, as depicted on Plat of

Salishan Division 3, prepared by Parametrix, dated December 4, 2007. "Lots" expressly excludes Additional Collateral – Area 2b.

"Project" means, depending on the context, (i) the construction of infrastructure improvements on certain property constituting "Area 3" of the Authority's Salishan redevelopment project, or (ii) such improvements and property.

"Sale Proceeds" means the net proceeds, if any, from the sale of lots in Area 3 of the Salishan redevelopment project designated for home ownership.

["Security Document Amendments" any amendments, supplements or modification of the original Security Documents, (as defined in the indenture) that the Executive Director determines to be necessary or desirable in connection with the modification of the Bonds authorized by this resolution.

"Trustee" means the trustee under the Indenture, currently The Bank of New York Mellon Trust Company, N.A., as successor to The Bank of New York Trust Company, N.A.

All capitalized terms used but not defined herein shall have the meanings assigned to them in the Indenture.

General Approval of Modification of Bonds. The Authority hereby approves the modification of the terms of the Bonds substantially as described in the form of the First Supplemental Indenture on file with

2. the Executive Director of the Authority, with additional or alternative modifications as the Executive Director of the Authority shall deem necessary or appropriate.

3. Approval of Pledge of Additional Security for the Bonds. The Bonds are currently secured by a pledge of the Sale Proceeds received by the Authority, by amounts held by the Trustee under the Indenture; the General Revenues of the Authority up to a maximum amount of \$3,300,000, subject to the parity lien of other obligations; and by other funds and assets, all as set forth in the Indenture. In connection with the modification of the terms of the Bonds, the Authority approves the grant of security interests in Additional Collateral – Area 2b from time to time, as described in the First Supplemental Indenture. Until HUD approves the use of Area 2B lots as collateral, THA

will provide \$830,000 in cash to be held by the trustee. Upon HUD's approval, the Trustee will return this cash to THA.

4. Form and Execution of Bonds. The amended and restated Bonds shall be in a form consistent with the provisions of the Bond Resolution, the Indenture and state law, shall bear the manual or facsimile signatures of the Chair of the Board and Executive Director of the Authority and shall be impressed with the seal of the Authority or shall bear a facsimile thereof. The amended and restated Bonds shall be authenticated by the Bond Registrar as set forth in the Indenture. No Bonds shall be valid for any purpose until so authenticated.

The authorized signing of a Certificate of Authentication shall be conclusive evidence that the Bond so authenticated has been duly executed, authenticated and delivered and is entitled to the benefits of the Bond Resolution.

5. Preservation of Tax Exemption for Interest on Bonds. The Authority covenants that it will take all actions necessary to prevent interest on the Bonds from being included in gross income for federal income tax purposes, and it will neither take any action nor make or permit any use of proceeds of the Bonds or other funds of the Authority treated as proceeds of the Bonds at any time during the term of the Bonds which would cause interest on the Bonds to be included in gross income for federal income tax purposes. The Authority also covenants that, to the extent arbitrage rebate requirements of Section 148 of the Code are applicable to the Bonds, it will take all actions necessary to comply (or to be treated as having complied) with those requirements in connection with the Bonds, including the calculation and payment of any penalties that the Authority has elected to pay as an alternative to calculating rebatable arbitrage, and the payment of any other penalties if required under Section 148 of the Code to prevent interest on the Bonds from being included in gross income for federal income tax purposes.

6. Authorization of Documents and Execution Thereof. The Board approves the First Supplemental Indenture and, substantially in the forms on file with the Executive Director of the Authority, with such changes as the Executive Director of the Authority shall deem necessary or appropriate. The Board authorizes and approves the execution by the Executive Director of the Authority and delivery of the amended and restated Bonds, the First Supplemental Indenture, the [Security Document Amendments] any other documents reasonably required to be executed by the Authority to carry out the transactions contemplated by this resolution or, the First Supplemental Indenture. The Board authorizes and approves the performance by the Authority of its obligations contained in, and the consummation by the Authority of all other transactions contemplated by the Bond Resolution, the

Indenture as amended by the First Supplemental Indenture and the Security Documents as amended by the [Security Document Amendments]. The appropriate Authority officials are authorized and directed to do everything necessary in connection with the modification of the Bonds and the execution and delivery of the amended and restated Bonds, including the execution and delivery of the First Supplemental Indenture, the [Security Document Amendments] and any other documents that may be useful or necessary in connection with the modification of the Bonds.

7. HUD Approvals. The Authority shall submit documents and materials to HUD as necessary to obtain approval for the modification of the Bonds, if necessary, and for the pledge of the Additional Collateral – Area 2b, and shall take any other actions as necessary to obtain HUD approval of the transactions contemplated by this resolution and the First Supplemental Indenture.

8. Designation of the Bonds as a “Qualified Tax-Exempt Obligation.” It is anticipated that the Bonds will be treated as reissued under the Code. The Authority has determined and certifies that (a) the Bonds are not “private activity bonds” within the meaning of Section 141 of the Code; (b) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds and other obligations not required to be included in such calculation) that the Authority and all entities subordinate to the Authority (including any entity that the Authority controls, which derives its authority to issue tax-exempt obligations from the Authority or that issues tax-exempt obligations on behalf of the Authority) will issue during the calendar year in which the Bonds are issued will not exceed \$30,000,000; and (c) the amount of tax-exempt obligations, including the Bonds but excluding qualified 501(c)(3) bonds, designated by the Authority as “qualified tax-exempt obligations” for the purposes of Section 265(b)(3) of the Code during the calendar year in which the Bonds are issued, does not exceed \$30,000,000. The Authority designates the Bonds as a “qualified tax-exempt obligation” for the purposes of Section 265(b)(3) of the Code.]

9. Acting Officers Authorized. Any action required by this resolution to be taken by the Chair of the Board or Executive Director of the Authority may in the absence of such person be taken by the duly authorized acting Chair of the Board or acting Executive Director of the Authority, respectively.

10. 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.

11. Effective Date. This resolution shall be in full force and effect from and after its adoption and approval.

Approved: June 23, 2010

Ken Miller, Chairman

Commissioner Mowat motioned to approve the resolution. Commissioner Banks seconded the motion.

Upon roll call, the vote was as follows:

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

Motion approved

7.3 RESOLUTION 2010-6-23 (3) **Writing Off Bad Debts**

WHEREAS, Tacoma Housing Authority (THA) provided housing services to Housing Choice Voucher and Public Housing participants who discontinued housing assistance with debt owing to THA.

WHEREAS, each individual included in this tenant account write off has been notified of their debt and given the opportunity to pay prior to this resolution.

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

1. Approve Resolution 2010-6-23 (3) authorizing THA staff to "write off" the following accounts and send these debts to an external collection agency to pursue collection action:

Client Number	Housing Program	Total Debt
137363	Housing Choice Voucher	\$1130
142114	Housing Choice Voucher	\$1340.52
135693	Housing Choice Voucher	\$792
139593	Housing Choice Voucher	\$978

Client Number	Housing Program	Total Debt
129045	Housing Choice Voucher	\$79
130095	Housing Choice Voucher	\$1879.17
133180	Housing Choice Voucher	\$8292
	Total for HCV program	\$14,490.69
102997	Public Housing	\$317.18
141531	Public Housing	\$2177.01
132639	Public Housing	\$1319.83
126458	Public Housing	\$202.56
135748	Public Housing	\$4540
140716	Public Housing	\$565.57
122451	Public Housing	\$145.54

Client Number	Housing Program	Total Debt
139122	Public Housing	\$1420.36
143512	Public Housing	938.21
132738	Public Housing	\$99.81
140770	Public Housing	\$1567.32
125392	Public Housing	\$152.01

Client Number	Housing Program	Total Debt
122264	Public Housing	\$119.99
112247	Public Housing	\$51.24
139823	Public Housing	\$63.15
130876	Public Housing	\$937.12
126155	Public Housing	\$123.75
143287	Public Housing	\$563.32
136328	Public Housing	\$1001.72
124962	Public Housing	\$69.27
140518	Public Housing	\$862.80
140441	Public Housing	\$170.46
124803	Public Housing	\$559.15
140749	Public Housing	185.95
	Total Public Housing	\$18,153.32
	Total	\$32,644.01

Approved: June 23, 2010

Ken Miller, Chairman

Commissioner Mowat motioned to approve the resolution. Commissioner Banks seconded the motion.

Upon roll call, the vote was as follows:

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

Motion approved

**7.4 RESOLUTION 2010-6-23(4)
MOVING TO WORK AGREEMENT**

WHEREAS, Tacoma Housing Authority (THA) applied to become a Moving to Work agency;

WHEREAS, THA was awarded MTW authority on March 5, 2010;

WHEREAS, the Department of Housing and Urban Development has offered an Amended and Restated Moving to Work Agreement that will be effective from July 1, 2010 through the end of the THA's 2018 fiscal year;

WHEREAS, execution of this agreement will allow THA to become a Moving to Work agency which allows for funding and regulatory flexibility.

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

Approve Resolution 2010-6-23 (4) authorizing the Executive Director to negotiate and execute the Amended and Restated Moving to Work Agreement and First Amendment to the Standard MTW Agreement.

Approved: June 23, 2010

Ken Miller, Chairman

Commissioner Banks motioned to approve the resolution. Commissioner Mowat seconded the motion.

Upon roll call, the vote was as follows:

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

Motion approved

7.5 RESOLUTION 2010-6-23 (5), Dixon Village Boiler Replacement

Whereas, The Housing Authority of the City of Tacoma (the "Authority") has identified a need to replace the aging combined unit and hot water boiler heating systems in 22 units at Dixon village apartments;

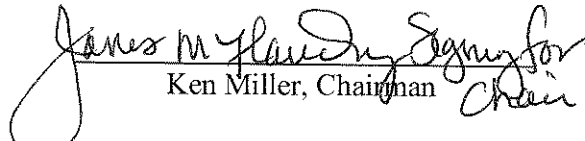
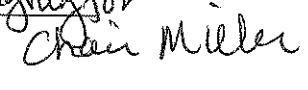
Whereas, \$180,000 of 2008 Capital Funds are available to fund the replacement for 22 units and the preliminary estimate for the work is \$179,517; and

Whereas, a firm cost will be received from Construction Enterprise and Constructors prior to commencement of the work;

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

1. \$180,000 of 2008 Capital Funds is approved as a Not-to-Exceed budget to retrofit 22 living units with a new heating and ventilating system to replace the aging combined boiler systems. This authorizes the Executive Director to enter into a Change Order agreement with Construction Enterprise and Constructors for a Not-to-Exceed cost of \$180,000.

Approved: June 23, 2010


Ken Miller, Chairman 

Commissioner Banks motioned to approve the resolution. Commissioner Mowat seconded the motion.

Upon roll call, the vote was as follows:

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

Motion approved