



TACOMA HOUSING AUTHORITY

BOARD OF COMMISSIONERS MEETING MINUTES REGULAR SESSION WEDNESDAY, September 23, 2015

The Commissioners of the Housing Authority of the City of Tacoma met in Regular Session at EB Wilson, 1202 South M Street, Tacoma, WA 98405 at 4:45 PM on Wednesday, September 23, 2015.

1. CALL TO ORDER

Chair Rumbaugh called the meeting of the Board of Commissioners of the Housing Authority of the City of Tacoma (THA) to order at 5:02 pm.

2. ROLL CALL

Upon roll call, those present and absent were as follows:

PRESENT	ABSENT
Commissioners	
Chair Rumbaugh (Stan)	
Vice Chair Banks (Arthur)	
Commissioner Flauding (Janis)-by phone	Commissioner Hodge (Minh-Anh)
	Commissioner Young (Derek)
Staff	
Michael Mirra, Executive Director	
Sha Peterson, Executive Assistant	
April Black, Deputy Executive Director	
Ken Shalik, Finance Department Director	Barbara Tanbara, Human Resources Director
Kathy McCormick, RED Director	
Greg Claycamp, Client Services Director	
Todd Craven, Information Technology and Asset Management Director	
Pat Patterson, Property Management Director	

Chair Rumbaugh arrived at 5:00 pm. He declared there was a quorum present @ 5:02 and proceeded.

3. APPROVAL OF MINUTES OF THE PREVIOUS MEETING

3.1 August 26, 2015-Regular Meeting

Chair Rumbaugh asked for any corrections to or discussion of minutes for the Regular Meeting of the Board of Commissioners for Wednesday, August 26, 2015. Commissioner Janis Flauding moved to adopt the minutes, Vice Chair Banks seconded.

Upon roll call, the vote was as follows:

AYES: 3
NAYS: None
Abstain: None
Absent: 2

Motion approved.

3.2 August 26, 2015-Annual Meeting

Chair Rumbaugh asked for any corrections to or discussion of minutes for the Annual Meeting of the Board of Commissioners for Wednesday, August 26, 2015. Commissioner Janis Flauding moved to adopt the minutes, Vice Chair Banks seconded.

Upon roll call, the vote was as follows:

AYES: 3
NAYS: None
Abstain: None
Absent: 2

Motion approved.

3.3 September 16, 2015-Special Meeting

Chair Rumbaugh asked for any corrections to or discussion of minutes for the Special Meeting of the Board of Commissioners for Wednesday, September 16, 2015. Commissioner Janis Flauding moved to adopt the minutes, Vice Chair Banks seconded.

Upon roll call, the vote was as follows:

AYES: 3
NAYS: None
Abstain: None
Absent: 2

Motion approved.

4. GUEST COMMENT

Pete Rego

Mr. Peter Rego addressed the Board. Mr. Rego is a resident at the 6th Avenue Apartments. He informed the Board about a tenant at 6th Avenue who was dealing drugs and causing fear in the building. The same person punched another tenant, stole from the community room, and vandalized the laundry room. Mr. Rego said that THA staff have done nothing. Mr. Rego said that others at 6th Avenue felt the same way, indicating the ten or so people in the room from 6th Avenue. Executive Director (ED) Michael Mirra informed Mr. Rego and the Board that staff have details regarding the situation. They have a plan with Tacoma Police Department (TPD) to respond in ways that they cannot describe. The response should be evident within days. ED Mirra asked the Board if it would like to hold the next Board meeting at 6th Avenue. That would allow the residents to report back to the Board on the progress or lack of progress. The Board agreed. The meeting for October 28th will be held at 2302-6th Avenue, Tacoma.

Joel Williamson

Mr. Joel Williamson addressed the Board. He too lives at the 6th Avenue apartments. He informed the Board that the person the other tenants are complaining about is known to have "riff raffs" and drug addicts at his unit. The Tacoma Police Department informed the 6th Avenue tenants that they know who this person is but they cannot do anything about it. Mr. Williamson said that this person is entering people's houses and taking prescription drugs. He added that the security guard is not doing anything. He stated that the building manager did not call police when one tenant was being beaten up even after numerous cries for help. Mr. Williamson is asking the Board to do something, and asked for certain tenants to be moved. Chair Rumbaugh informed Mr. Williamson that THA cannot move people but asked to let THA know if no progress is made.

Kathy Ray

Ms. Kathy Ray addressed the Board. She too lives on 6th Avenue. She informed that Board that she knows THA is trying to do something regarding the situation, but it has been days. People are breaking into people's houses and threatening them. Tenants are scared to leave their units. She added that tenants should not be afraid in their own apartments. This has been going on for a long time and she would hate for any resident to end up dead. Chair Rumbaugh asked for the tenants to let THA know if the problem is getting better or not. She ended by saying that TPD will not even go to 6th Avenue apartments anymore.

William Yelladay

Mr. Williams Yelladay addressed the Board. He is a resident at EB Wilson. He asked why it took THA staff six months to get rid of black mold in his unit and asked why the tenants are prevented from cleaning their own flower beds. He stated that it takes weeks or months for the lawn to be cleaned and for trash to be picked up. He asked the Board why they are not allowed to clean if THA is not going to do it. Chair Rumbaugh asked PM Director Patterson to look into the issue. Mr. Yelladay also stated that people are going to arm themselves and will not tell anyone. He urged the Board to make this issue a priority. Every night tenants' lives are at stake.

Shay Larsen

Ms. Shay Larsen addressed the Board. She too resides at the 6th Avenue Apartments. She worked in law enforcement back in the days. She stated that there are tenants who have been at EB Wilson for ten years who are still fighting drug dealers in the apartments.

Sally Spinney

Ms. Sally Spinney addressed the Board. She is a resident at EB Wilson. She too has a concern about the mold in the building. She informed the Board that one tile was taken out today only because the Board was going to be on location. She and other tenants have made numerous complaints to the property manager regarding a tenant who has couch potatoes at his place. She is concerned because the drug dealers are on the benches on the street outside the property. Tenants are asked to smoke by the benches but they are not safe.

Diane Massey

Ms. Diane Massey addressed the Board. She is a tenant at the 6th Avenue Apartments. Her apartment got broken into twice in two weeks and the perpetrators stole her medication. She is a cancer survivor. She informed the Board that this is the sixth time perpetrators came into her apartment to steal her medication. The last time they left blood inside her unit. It is hard for her to get some more medication. Chair Rumbaugh informed her that THA has a plan in place to address the security issues at the building. Ms. Massey asked the Board if she should get protection for herself. Chair Rumbaugh asked her what kind of protection she was referring to, and Ms. Massey said a gun. Chair Rumbaugh informed her that there are better ways to protect herself. She informed the Board that she is tired of her unit getting broken into. Ms. Massey also informed the

Board that she cleans the hallways on her floor because her grandkids visit her. Chair Rumbaugh thanked her for this.

Andrew Wooley

Mr. Andrew Wooley addressed the Board. He has been a tenant at EB Wilson for nine years. He informed the Board that he cannot park his truck without someone coming up asking what he wants (drugs). Mr. Wooley addressed the audience and informed them that the first security begins at home. "We want to make our building better, but we must start with ourselves."

Crystal Gomez

Ms. Crystal Gomez addressed the Board. Ms. Gomez is a resident at EB Wilson. She informed the Board that she knew something was up because all today and yesterday the building was getting cleaned. During Board meetings at EB Wilson is the only time the building gets cleaned, the lawn gets mowed, the community room gets cleaned, and the outside of the building gets cleaned. She too has mold in her apartment that keeps coming back—the third time now. She added that there were people who cleaned the streets but were told that they could not do that because it is for the union jobs. Chair Rumbaugh informed her that she and the other tenants are free to clean their flower beds and surrounding areas.

Ms. Gomez ended by informing the Board that there are now four units with bed bugs at EB Wilson. Chair Rumbaugh informed her that THA will fight the bed bugs. If THA needs to fumigate, they will. Chair Rumbaugh asked PM Director Patterson to follow-up.

5. COMMITTEE REPORTS

5.1 Real Estate Development Committee – Commissioner Rumbaugh

The Real Estate Development Committee met to review the purchase of Outrigger and New Look apartments. Chair Rumbaugh stated that much of it has resulted in resolutions for today's Board meeting.

5.2 Citizen Oversight Committee – Commissioner Arthur Banks

Nothing to report.

6. COMMENTS FROM THE EXECUTIVE DIRECTOR

Executive Director Michael Mirra referred to his proposal should the government shut down. He recommends that THA do nothing for now. The Board voted unanimously to accept the proposal

7. ADMINISTRATION REPORTS

7.1 Finance

Finance Department (FD) Director Ken Shalik addressed the Board. FD Director Shalik has nothing to report to the Board for this month. He informed the board that there are no challenges with THA's financials. THA's cash position is doing well both in Moving to Work (MTW) and business activities. At the end of this month, THA will be spending MTW funds for New Look and to pay its WCRA loan of \$1.8M. In addition, THA will be purchasing Outrigger for \$600k with business funds. Chair Rumbaugh noted that the current balance sheet does not reflect this. FD Director Shalik informed him that it show on next month's balance sheet.

Vice Chair Banks moved to ratify the payment of cash disbursements totaling \$4,104,446 for the month of August, 2015. Commissioner Flauding seconded.

Upon roll call, the vote was as follows:

AYES:	3
NAYS:	None
Abstain:	None
Absent:	2

Motion Approved

7.2 Administration

Administration Department (AD) Director Todd Craven directed the Board to his report. AD Director Craven informed the Board that Open Door is the new name for THA's new software, which staff chose. He informed the Board that the focus right now is selecting a financial system. There will be software demonstrations all day tomorrow. Chair Rumbaugh asked if the rest of the platform has to articulate with the rest of finance, and AD Director Craven said yes. AD Director Craven stated that the document management is something THA is moving into right now. The AD department has selected ShareFile, which integrates with Salesforce. AD is in the process of reviewing documents that will be moved and is also in the process of renaming documents. AD Director Craven added that once THA converts to Salesforce it will be completely paperless. He anticipates that the shift will take about a year. The administration department is moving full speed ahead.

Associate Director of Asset Management Sandy Burgess addressed the Board. She provided the Board with an update regarding the Rental Assistance Demonstration (RAD) conversion. She stated that THA received Community

Housing Assistance Program Services (CHAPS) from the Housing and Urban Development (HUD). She added that THA made HUD's September deadline for submitting documents to HUD. THA will not make some later deadlines in November, which will mean the closing will occur in January. Even that schedule may not be possible if the government shuts down. THA is starting rehabilitation in January.

7.3 Client Services

Client Services (CS) Director Greg Claycamp addressed the Board. He talked about the reorganization in client services. He informed the Board that he will present the client services organizational chart at next month's Board meeting. Under this reorganization, client services will be creating a property management collaborating team. CS Director Claycamp will be basing the staff at the properties. There will also be meeting space available. This reorganization is a way of contributing to a much better presence of client services. Chair Rumbaugh informed CS Director Claycamp that he was taken by the story of H on the CS report. He stated that it seems that this is an anomaly. CS Director Claycamp said yes, that it is an anomaly.

7.4 Property Management

Chair Rumbaugh shared his concerns regarding the security issues that the guest speakers described at 6th Avenue. He was also concerned about the reports of bed bugs. Property Management (PM) Director Pat Patterson informed the Board that there is only one unit with bed bug problems and not four units as stated by the tenants. PM Director Patterson updated the Board regarding the Salishan tenant. PM Director Patterson directed the Board to his report. His report includes a vacancy report that shows the vacancies broken down into more detail. Deputy Executive Director (DED) April Black gave an update regarding the program to help tenants pay security deposits. It should start soon. Chair Rumbaugh asked how often PM inspects THA units. According to PM Director Patterson, the units are inspected quarterly. Chair Rumbaugh also asked how PM develops maintenance issues which takes 28 days to complete when units are inspected quarterly. PM Director Patterson stated that it depends on the volume of issues.

He also addressed the efforts to improve security at 6th Avenue.

ED Mirra informed the tenants that the RAD fix up will install security cameras. In the buildings. He asked Real Estate Development (RED) Director Kathy McCormick when she thinks this will happen. RED Director McCormick said that they are finalizing specifications, but should be finished by the end of 2016. PM Director Patterson added that the upgrades are phased in. The project will start on January 1st on two buildings.

7.5 Real Estate Development

Real Estate Development (RED) Director Kathy McCormick reviewed the ongoing RAD work.

8. NEW BUSINESS

8.1 2015-9-23 (1) Approval of Tenant Account Receivable Write Offs

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

WHEREAS, Tacoma Housing Authority (THA) provided housing assistance payments to property owners in excess of the amount the owner is entitled to receive and the owner has not repaid this amount to THA; and

WHEREAS, THA has notified each individual included in this tenant account write off of their debt and given them the chance to pay prior, therefore, be it

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

Authorizes THA staff to “write off” the following accounts and send these debts to an external collection agency to pursue collection action:

<u>Collection Status</u>	<u>M-O Project #</u>	<u>Client #</u>	<u>Balance</u>
<u>W-O Collect</u>			
	N G Street		
		00005118	<u>\$2,154.38</u>
	6th Ave		
		00006404	<u>\$1,854.78</u>
	Salishan VII		
		XX001052	\$2,535.57
		xx001067	\$3,459.80
		xx001108	\$870.97
		Subtotal	<u>\$6,866.34</u>
	North K Street		
		00127216	\$1,229.82
		00143482	\$449.00
		Subtotal	<u>\$1,678.82</u>
	S Fawcett		
		00006242	<u>\$95.81</u>
	S Wright Street		
		00000421	\$41,668.00
		00144406	\$37,596.52

	<i>Subtotal</i>	<u>\$79,264.52</u>
Section 8		
	00007266	\$549.00
	00132904	\$67,404.00
	00134285	\$11,580.00
	718032	\$1,484.00
	712900	\$3,598.00
	<i>Subtotal</i>	<u>\$84,615.00</u>

W-O No Collect

S Lawrence Street (Ludwig)		
	00111915	<u>\$76.57</u>
North K Street	00005129	<u>90.77</u>

Grand Total Write Off 176,696.99

*Uncollectable accounts where tenant is deceased, bankruptcy or old balance under \$30.00

Approved: September 23, 2015

Stanley Rumbaugh, Chair

8.2 2015-9-23 (2) Ballard Spahr Contract Increase

A **RESOLUTION** of the Board of Commissioners of the Housing Authority of the City of Tacoma

WHEREAS, On January 30, 2012, Tacoma Housing Authority (THA) entered into a contract with Ballard Spahr LLP to meet THA wide legal services; and

WHEREAS, The original contract amount was capped at a Not-to-Exceed (NTE) amount of \$100,000; and

WHEREAS, The original contract term was amended to extend the term to end January, 2016 with an approved option to extend an additional 12 months to January, 2017; and

WHEREAS, THA has estimated an additional \$260,000 in legal services needed for the financial closing of the Rental Assistance Demonstration (RAD) Traditional Portfolio and RAD Tax Credit Portfolio; and

WHEREAS, THA is requesting to amend the Ballard Spahr LLP NTE contract amount to a total of \$360,000; now, therefore, be it

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

Authorize THA Executive Director to execute the Amendment to the Ballard Spahr LLP Legal Services contract increasing the Not-to-Exceed payment to \$360,000.

Approved: September 23, 2015

Stanley Rumbaugh, Chair

8.3 2015-9-23 (3) Approval of THA's 2016 Moving to Work Plan

Certifications of Compliance

**Annual Moving to Work Plan Certifications of Compliance
U.S. Department of Housing and Urban Development, Office of Public and
Indian Housing**

Board Resolution to Accompany the Annual Moving to Work Plan*

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the Annual Moving to Work Plan for the PHA fiscal year beginning 2015, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The PHA published a notice that a hearing would be held, that the Plan and all information relevant to the public hearing was available for public inspection for at least 30 days, that there were no less than 15 days between the public hearing and the approval of the Plan by the Board of Commissioners, and that the PHA conducted a public hearing to discuss the Plan and invited public comment.
2. The PHA took into consideration public and resident comments (including those of its Resident Advisory Board or Boards) before approval of the Plan by the Board of Commissioners or Board of Directors in order to incorporate any public comments into the Annual MTW Plan.
3. The PHA certifies that the Board of Directors have reviewed and approved the budget for the Capital Fund Program grants contained in the Capital Fund Program Annual Statement/Performance and Evaluation Report, form HUD-50075.1.

4. The PHA will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
5. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
6. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
7. The PHA will affirmatively further fair housing by examining its programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA will comply with requirements with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
12. The PHA will comply with requirements with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.
13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.

14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide HUD or the responsible entity any documentation needed to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58. Regardless of who acts as the responsible entity, the PHA will maintain documentation that verifies compliance with environmental requirements pursuant to 24 Part 58 and 24 CFR Part 50 and will make this documentation available to HUD upon its request.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements. 18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the Moving to Work Agreement and Statement of Authorizations and included in its Plan.
20. All attachments to the Plan have been and will continue to be available at all times and all locations that the Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its Plan and will continue to be made available at least at the primary business office of the PHA.

Housing Authority of the City of Tacoma
PHA Name

WA005
PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Stanley Rumbaugh
Name of Authorized Official

Chair
Title

Signature

September 23, 2015

*Must be signed by either the Chairman or Secretary of the Board of the PHA's legislative body. This certification cannot be signed by an employee unless authorized by the PHA Board to do so. If this document is not signed by the Chairman or Secretary, documentation such as the by-laws or authorizing board resolution must accompany this certification.

8.4 2015-9-23 (4) Amendment to Foster Peppers Legal Services Contract

A **RESOLUTION** of the Board of Commissioners of the Housing Authority of the City of Tacoma

WHEREAS, On January 30, 2012, Tacoma Housing Authority (THA) entered into a contract with Foster Pepper to meet THA wide legal services; and

WHEREAS, The original contract amount was capped at a NTE amount of \$100,000; and

WHEREAS, The original contract term was amended to extend the term to end January, 2016 with an approved option to extend an additional 12 months to January 2017; and

WHEREAS, The original contract not-to-exceed amount was amended by Resolution Number 2013-7-24 (1) in July, 2013 to an amount not-to-exceed \$562,000; and

WHEREAS, THA has estimated and additional \$578,300 in legal services needed for New Look and Outrigger acquisitions, and the financial closing of Bay Terrace Phase II and RAD tax credit projects; and

WHEREAS, THA is requesting to amend the Foster Pepper not-to-exceed contract amount to a total of \$1,140,300; now, therefore, be it

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

Authorize THA Executive Director to execute the Amendment to the Foster Pepper Legal Services Contract increasing the Not-to-Exceed payment to \$1,140,300.

Approved: September 23, 2015

Stan Rumbaugh, Chair

8.5 2015-9-23 (5) Amendment to Absher’s Pre-Construction Services Contract

A **RESOLUTION** of the Board of Commissioners of the Housing Authority of the City of Tacoma

WHEREAS, On February 24, 2010, the Board approved Resolution 2010-2-24 (6) authorizing the Executive Director to negotiate and award a CM/GC contract to Absher Construction, Inc., for the 1800 and 2500 Hillside Terrace redevelopment; and

WHEREAS, On January 28, 2015, the Board of Commissioners authorized with Resolution 2015-01-28 (5) the Executive Director to negotiate and enter into a Pre-construction Services Agreement with Absher Construction not-to-exceed \$133,000; and

WHEREAS, On September 3, 2015, Absher Construction received design/build bids for HVAC, Plumbing, Electrical and Fire Sprinkler system with the following results; and

Scope	Bidder	Bid Results	Included Engineering & Permit Fees
Fire	Red Hawk	\$189,537	\$16,800
Plumbing	DM Kelly	\$1,073,000	\$55,000
HVAC	Air Systems Engineering	\$303,282	\$31,295
Electrical	JM Corp	\$1,564,965	\$66,500
Total Engineering Fees			\$169,595

WHEREAS, The Executive Director is seeking authorization to amend Absher’s Modification No. 3 Pre-Construction Services Agreement to increase the not-to-exceed amount by \$169,595 to a not-to exceed amount of \$302,595 for HVAC, Plumbing, Electrical and Fire Sprinkler systems design services only; now, therefore, be it

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

Authorize THA Executive Director to amend Modification No. 3 to Abschers contract in an amount not-to-exceed of \$302,595.00 for the Bay Terrace Phase II project pre-construction services.

Approved: September 23, 2015

Stanley Rumbaugh, Chair

8.6 2015-9-23 (6) Third Amendment to the Moving to Work Agreement

WHEREAS, Amendments to the Moving to Work Agreement must be approved by THA Board of Commissioners;

WHEREAS, A Moving to Work Agreement Amendment addressing Rental Assistance Demonstration Project Based Voucher funding must be approved by HUD prior to RAD conversion; and

WHEREAS, THA received a portfolio RAD conversion award from HUD in February, 2015 and subsequently intends to convert all Public Housing units to Project Based Vouchers.

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

Authorize THA to execute the third amendment to its Moving to Work Standard Agreement.

Approved: September 23, 2015

Stanley Rumbaugh, Chair

8.7 2015-9-23 (7) Bond Resolution for Acquisition of Outrigger Apartments

A **RESOLUTION** of the Board of Commissioners of the Housing Authority of the City of Tacoma authorizing the issuance of a single revenue bond of the Authority in the principal amount of not to exceed \$3,100,000, the proceeds of which will be used to finance all or a portion of the cost of acquiring and rehabilitating a 49-unit apartment complex located at 6102 6th Avenue, Tacoma, Washington, known as the Outrigger Apartments and to pay costs of the issuance and sale of the bond; establishing a bond fund; determining the form, terms and covenants of the bond; authorizing the execution and delivery of the bond, a deed of trust, and other agreements, documents and certificates; authorizing the sale

and delivery of the bond to Heritage Bank; and adopting amended and restated post issuance compliance policies and procedures for tax-exempt obligations.

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 (the “City”); and

WHEREAS, RCW 35.82.070 (2) provides that a housing authority may acquire and provide for the construction, reconstruction, improvement, alternation or repair of housing projects; and

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 parts or other living accommodations for persons of low income”; and

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

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; 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”; and

WHEREAS, the Board of Commissioners of the Authority deems it necessary and advisable and in the best interest of the Authority to issue a revenue bond (the “Bond”) in the principal amount of not to exceed \$3,100,000 to provide all or part of the funds required to acquire and rehabilitate a 49-unit complex known as the Outrigger Apartments located at 6102-6th Avenue, Tacoma, Washington, as a housing project of the Authority (the “Project”) and to pay costs of issuance and sale of the Bond; and

WHEREAS, it is anticipated that Heritage Bank (the “Bank”) will offer to purchase the Bond on the terms set forth in this resolution; and

WHEREAS, the Authority desires to adopt amended and restated post-issuance compliance policies and procedures for tax-exempt bonds issued by the Authority; now, therefore, be it

RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF TACOMA as follows:

Section 1. Definitions.

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

“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.

“Bank” means Heritage Bank.

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

“Bond” means the Housing Revenue Bond, 2015 (Outrigger Project), of the Authority issued pursuant to, under the authority of and for the purposes provided in this resolution.

“Bond Fund” the Authority’s Housing Revenue Bond Fund, 2015 (Outrigger Project), created by 0 of this Resolution for the purpose of paying principal of and interest on the Bond.

“Bond Registrar” means the Executive Director of the Authority.

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

“Deed of Trust” means the Deed of Trust under which the Authority is the grantor and the Bank is the beneficiary constituting a lien on the real property and improvements constituting the Project

“Environmental Indemnity Agreement” means Environmental and Hazardous Substances Indemnity Agreement made by the Authority for the benefit of the Bank relating to the Project.

“Loan Agreement” means the Business Loan Agreement between the Authority and the Bank relating to the Bond.

“Project” means, depending upon the context, (1) the acquisition and rehabilitation the apartment complex known as the Outrigger Apartments located at 6102 6th Avenue, Tacoma, Washington, which is declared by this resolution to be a housing project of the Authority; or (2) the apartment complex so acquired and rehabilitated.

“Project Revenues” means all amounts due to or received by the Authority for the account of the Authority pursuant or with respect to the Project, including without limitation all payments on contractors’ bonds, all lease payments, insurance proceeds and condemnation awards and proceeds resulting from foreclosure of the Deed of Trust, and all investment earnings.

“Registered Owner” means the Bank, as registered owner of the Bond, or any subsequent owner of the Bond.

“Term Sheet” means the term sheet of the Bank transmitted to the Authority by letter dated August 26, 2015, as it may be amended or supplemented, describing certain terms under which the Bank proposes to purchase the Bond, and any commitment letter issued pursuant thereto.

Section 2. Authorization and Description of Bond.

The Authority shall issue the Bond as a single revenue bond designated Housing Revenue Bond, 2015 (Outrigger Project), in the principal amount of not to exceed \$3,100,000 for the purpose of providing financing for the Project and to pay the costs of issuance and sale of the Bond. The Bond shall be issued in fully registered form; shall be dated its date of issue, shall be numbered R-1; shall mature not more than 11 years from its date of issue. From the date of issue to the seventh anniversary of the date of issue, the Bond shall bear interest at a fixed rate of not to exceed 6.0% per annum, to be determined as set forth in the Term Sheet. The interest rate on the Bond is subject to change on the seventh anniversary of the date of issuance, and to adjustment upon default or determinations of taxability, as described in the Bond and the Term Sheet. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months and the actual number of days elapsed.

Principal of and interest on the Bond shall be payable in equal monthly installments in the amount necessary to amortize the principal of and interest on the Bond over a 30-year period. At maturity, any remaining outstanding principal balance and accrued interest on the Bond shall be due and payable in full.

Section 3. Bond Registrar; Registration and Transfer of Bond.

The Executive Director of the Authority shall serve as Bond Registrar for the Bond. The Bond Registrar shall keep, or cause to be kept, at its office in Tacoma, Washington, sufficient books for the registration of the Bond (the "Bond Register"), which shall contain the name and mailing address of the Registered Owner of the Bond. The Bond Registrar is authorized, on behalf of the Authority, to authenticate and deliver the Bond in accordance with the provisions of the Bond and this resolution, to serve as the Authority's paying agent for the Bond and to carry out all of the Bond Registrar's powers and duties under this resolution.

The Bond shall be issued only in registered form as to both principal and interest and shall be recorded on the Bond Register. The Bond may not be assigned or transferred by the Bank, except that the Bank may assign or transfer the Bond to any successor to the business and assets of the Bank.

Section 4. Place, Manner and Medium of Payment of Bond.

Both principal of and interest on the Bond shall be payable in lawful money of the United States of America and shall be paid by check mailed to arrive on or before each payment date, or in immediately available funds delivered on or before each payment date, to the Registered Owner at the address appearing on the Bond Register on the date payment is mailed or delivered. Upon the final payment of principal of and interest on the Bond, the Registered Owner shall surrender the Bond at the principal office of the Bond Registrar in Tacoma, Washington, for destruction or cancellation in accordance with law.

Section 5. Prepayment Option.

The Authority reserves the right and option to prepay the Bond, in whole or in part, at any time prior to its stated maturity date at par plus accrued interest to the date of prepayment or redemption. Interest on the principal amount of the Bond called for prepayment shall cease to accrue on the date fixed for prepayment unless the principal amount called for prepayment is not paid on the prepayment date.

Section 6. Bond Fund; Security for the Bond.

The Bond Fund is hereby established as a special fund of the Authority and is to be known as the Housing Revenue Bond Fund, 2015 (Outrigger Project). The Bond Fund is to be drawn upon for the sole purpose of paying the principal of and interest on the Bond. The Authority irrevocably obligates and binds itself to set aside and pay into the Bond Fund from Project Revenues money sufficient in amount to pay principal of and interest on the Bond when due. The Bond is also secured by the Deed of Trust.

The Bond shall not be a debt of City, the State of Washington or any political subdivision thereof, and the Bond shall so state on its face. Neither the City, the State of Washington nor any political subdivision thereof (except the Authority, from the sources specified herein) shall be liable for payment of the Bond nor in any event shall principal of, premium, if any, on and interest on the Bond be payable out of any funds or assets other than those pledged to that purpose by the Authority herein. The Authority has no taxing power.

Neither the Authority nor any of the Commissioners, officers or employees of the Authority shall be personally liable for the payment of the Bond.

Section 7. Form and Execution of Bond.

The Bond shall be prepared in a form consistent with the provisions of this resolution 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.

To be valid or obligatory for any purpose or entitled to the benefits of this resolution, the Bond shall bear a Certificate of Authentication in the following form, manually signed by the Bond Registrar:

CERTIFICATE OF AUTHENTICATION

This Bond is the fully registered Housing Revenue Bond, 2015 (Outrigger Project), of the Housing Authority of the City of Tacoma described in the Bond Resolution.

Executive Director of the Authority and Bond Registrar

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 this resolution.

If any officer whose facsimile signature appears on the Bond ceases to be an officer of the Authority authorized to sign bonds before the Bond bearing his or her facsimile signature is authenticated or delivered by the Bond Registrar or issued by the Authority, the Bond nevertheless may be authenticated, issued and delivered and, when authenticated, issued and delivered, shall be binding on the Authority as though that person had continued to be an officer of the Authority authorized to sign bonds. The Bond also may be signed on behalf of the Authority by any person who, on the actual date of signing of the Bond, is an officer of the Authority authorized to sign bonds, although he or she did not hold the required office on the date of issuance of the Bond.

Section 8. Preservation of Tax Exemption for Interest on Bond.

The Authority covenants that it will take all actions necessary to prevent interest on the Bond 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 Bond or other funds of the Authority treated as proceeds of the Bond at any time during the term of the Bond which would cause interest on the Bond 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 Bond, it will take all actions necessary to comply (or to be treated as having complied) with those requirements in connection with the Bond, 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 Bond from being included in gross income for federal income tax purposes.

Section 9. Designation of Bond as "Qualified Tax-Exempt Obligation".

The Authority has determined and certifies that (a) the Bond is not a "private activity bond" 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) which the Authority and all entities subordinate to the Authority (including any entity which the Authority controls, which derives its authority to issue tax-exempt obligations from the Authority or which issues tax-exempt obligations on behalf of the Authority) will issue during the calendar year in which the Bond is issued will not exceed \$10,000,000; and (c) the amount of tax-exempt obligations, including the Bond, 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 Bond is issued does not exceed \$10,000,000. The Authority designates the Bond as a "qualified tax-exempt obligation" for the purposes of Section 265(b) (3) of the Code.

Section 10. Approval of Term Sheet.

It is anticipated that the Bank will offer to purchase the Bond under the terms and conditions contained in this resolution and in the Term Sheet, including payment of a loan fee in the amount of 0.5% of the principal amount of the Bond, the costs of appraisal, appraisal review, environmental reports, legal fees (including the Bank's legal fees) and closing costs in connection with the Bond. The Board finds that such offer is in the best interest of the Authority, and authorizes the Executive Director of the Authority to accept such offer on behalf of the Authority.

Section 11. Authorization of Documents and Execution Thereof.

The Authority authorizes and approves the execution and delivery of, and the performance by the Authority of its obligations contained in, the Bond, this resolution, the Deed of Trust, the Environmental Indemnity Agreement, the Loan Agreement and all other terms and conditions of the Term Sheet, and the consummation by the Authority of all other transactions contemplated by this resolution in connection with the issuance of the Bond. The appropriate Authority officials are authorized and directed to do everything necessary for the issuance, execution and delivery of the Bond, and the Executive Director of the Authority is authorized and directed to execute and deliver the Deed of Trust, the Environmental Indemnity Agreement, the Loan Agreement and any other documents that may be reasonably required to be executed in connection with the issuance of the Bond, or useful or necessary to ensure the proper use and application of the proceeds of the Bond.

The Bond will be prepared at the Authority's expense and will be delivered to the purchaser thereof, with the approving legal opinion of Foster Pepper PLLC, municipal bond counsel of Seattle, Washington.

Section 12. Adoption of Amended and Restated Post Issuance Compliance Policies and Procedures.

The amended and restated post-issuance compliance policies and procedures for tax-exempt obligations and other tax-advantaged obligations in the form on file with the Executive Director and incorporated herein by reference are hereby adopted.

Section 13. 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.

Section 14. Changes to Titles or Parties.

While the titles of and parties to the various documents described herein may change, no change to such titles or parties shall affect the authority conferred by this resolution to execute, deliver, file (if required), enforce and perform the documents in their final form.

Section 15. 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.

Section 16. Effective Date.

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

ADOPTED by the Board of Commissioners of the Housing Authority of the City of Tacoma at an open public meeting thereof this 23rd day of September, 2015.

Adopted: September 23, 2015

Stanley Rumbaugh, Chair

CERTIFICATE

I, the undersigned, the duly chosen, qualified and acting Secretary-Treasurer and Executive Director of the Housing Authority of the City of Tacoma (the "Authority") and keeper of the records of the Authority, CERTIFY:

1. That the attached Resolution 2013-9-23 (7) (the "Resolution") is a true and correct copy of the resolution of the Board of Commissioners of the Authority, as adopted at a meeting of the Authority held on September 23, 2015, and duly recorded in the minute books of the Authority.

2. That such meeting was duly convened and held in all respects in accordance with law, and, to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a majority of the members of the Board of Commissioners of the Authority present at the meeting voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of September, 2015

By: _____
Executive Director and Secretary-Treasurer of the Authority

8.8 2015-9-23 (8) Amended and Restated Post Issuance Compliance Policies and Procedures for Tax Exempt Bonds (WALK-ON)

WHEREAS, The Authority desires to meet the requirements of the Internal revenue Code of 1986, as amended, and Treasury Regulations (the "Tax Code") concerning tax exempt and other obligations ("tax-exempt bonds") for which federal tax exemption is provided by the Tax Code; and

WHEREAS, Non-compliance with the tax Code may result in fines and/or loss of preferential status of tax-exempt bonds; and

WHEREAS, Use of tax-exempt bonds plays an important role in funding a significant portion of THA's capital projects; and

WHEREAS, Authority management adopted the original Post-Issuance Compliance Policy for Tax-Exempt Bonds in April, 2013; and

WHEREAS, The Internal Revenue Service ("IRS") recently began requiring issuers of tax exempt bonds to adopt written policies and procedures, which require timely updates to meet change IRS requirements, now, therefore, be it

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

The Board amends THA Policy F-35 Setting Post Issuance Compliance Policies and Procedures for Tax Exempt Bonds in substantially the form set forth in the attached draft, allowing for changes to format and procedures, and other changes pursuant to THA Policy G-01 on the Adoption, Amendment and Promulgation of Policies.

Approved: September 23, 2015

Stanley Rumbaugh, Chair

9. COMMENTS FROM COMMISSIONERS

None.

10. EXECUTIVE SESSION

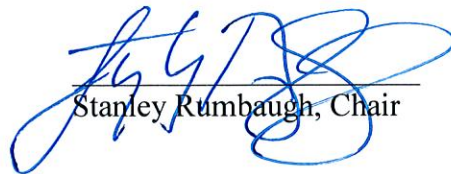
None.

11. ADJOURNMENT

There being no further business to conduct the meeting ended at 6:55 pm.

APPROVED AS CORRECT

Adopted: October 28 2015



Stanley Rumbaugh, Chair