



# TACOMA HOUSING AUTHORITY

## BOARD OF COMMISSIONERS MEETING MINUTES REGULAR SESSION WEDNESDAY, September 28, 2016

The Commissioners of the Housing Authority of the City of Tacoma met in Regular Session at Ludwig, 5425 S. Lawrence Street, Tacoma, WA at 4:45 PM on Wednesday, September 28, 2016.

### 1. CALL TO ORDER

Chair Banks called the meeting of the Board of Commissioners of the Housing Authority of the City of Tacoma (THA) to order at 5:05 PM.

### 2. ROLL CALL

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

PRESENT	ABSENT
<b>Commissioners</b>	
Chair Arthur Banks	
Vice Chair Janis Flauding	
	Commissioner Stanley Rumbaugh
	Commissioner Minh-Anh Hodge
Commissioner Derek Young	
<b>Staff</b>	
	Michael Mirra, Executive Director
Sha Peterson, Executive Assistant	
April Black, Deputy Executive Director	
	Ken Shalik, Finance Director
Toby Kaheiki, Human Resources Director	
Pat Patterson, Property Management Director	
Kathy McCormick, Real Estate Development Director	
	Todd Craven, Administration Director
Greg Claycamp, Client Services Director	
Sandy Burgess, Associate Director for AD & Asset Management	

Chair Banks declared there was a quorum present @ 5:05 and proceeded. Commissioner Young arrived at 5:02 pm.

### 3. APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Chair Banks asked for any corrections to or discussion of minutes for the Regular Session of the Board of Commissioners for Wednesday, August 24, 2016. Vice Chair Flauding moved to adopt the minutes, Commissioner Young seconded.

Upon roll call, the vote was as follows:

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

**Motion approved.**

Chair Banks asked for any corrections to or discussion of minutes for the Annual Session of the Board of Commissioners for Wednesday, August 24, 2016. Vice Chair Flauding moved to adopt the minutes, Commissioner Young seconded.

Upon roll call, the vote was as follows:

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

**Motion approved.**

### 4. GUEST COMMENT

There were no guest comments.

### 5. COMMITTEE REPORTS

***Real Estate Development Committee—Commissioner Rumbaugh***

Commissioner Rumbaugh was not in attendance.

***Finance Committee—Commissioner Hodge and Commissioner Young***

Nothing to report.

***Education Committee—Commissioner Hodge***

Commissioner Hodge was not in attendance.

***Citizen Oversight Committee—Vice Chair Banks***

Nothing to report.



## **6. COMMENTS FROM THE EXECUTIVE DIRECTOR**

Executive Director (ED) Michael Mirra was not in attendance. Deputy Executive Director (DED) April Black addressed the board on his behalf.

DED Black provided the board highlights from ED Mirra's report. Andrea Cobb departed her position as program manager. Her position will be posted this week. DED black will forward the job description to the commissioners. THA is considering some changes to the Childrens' Savings Account program. In particular, we will consider concerns from parents that the present rules that restrict enrollment only to children in kindergarten and sixth grade.

ED Mirra is in Washington, DC for the Corporation for Enterprise Development Assets Learning Conference. He will be presenting on Rent Reporting. ED Mirra will then be traveling to New Orleans for the Community College Trustees Conference. He will be presenting with Tacoma Community College's President Dr. Ruhland on College Housing Assistance Program in partnership with the college.

On October 5, 2016, ED Mirra will be honored at the Housing Washington Conference that will be held at the Greater Tacoma Convention and Trade Center. He is one of the recipients of the Friend of Housing Award.

## **7. ADMINISTRATIVE REPORTS**

### **Finance**

Finance Director Ken Shalik was not in attendance. Director Shalik's report included a copy of the preliminary audit, which had no findings.

Vice Chair Flauding moved to ratify the payment of cash disbursements totaling \$8,413,285 for the month of August, 2016. Commissioner Young seconded.

Upon roll call, the vote was as follows:

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

<b>Motion Approved.</b>
-------------------------

## **Client Services**

Client Services (CS) Director Greg Claycamp directed the board to his report.

Adjustements will be made to the CSA program to address parents' concerns. Parents are being encouraged to sign up for the Family Self-Sufficiency (FSS) program to see if it is a good fit for their family. Part of participating in the FSS program is to have a case worker assigned to the family. Families who would rather not have a case worker may be referred to the Family Investment Center to be connected with Sound Outreach.

Public Housing Scattered Sites homes will be sold at market value and THA will retain a restriction for the difference between market value and the effective sales price. There are 27 homes left to sell. Director McCormick will send the board a list of homes available including contact information.

Client Services will have a list of McCarver students eligible for the McKinney Vento program. The goal this year is to recruit 18 households to fill up the 50 family cohort.

## **Property Management**

Property Management (PM) Director Pat Patterson directed the board to his report.

Last month, the board approved THA's executive director to execute a contract with Security Company. Director Patterson introduced two officers from that company to the board. According to the officers, all property managers have been pleased with the new reporting system. The officers have been visiting THA properties and meeting property managers and tenants. One of the issues they are dealing with is illegal parking. The Security Company require approval from the Property Management Director and Property Managers prior to towing vehicles. Security Company has a good relationship with the Tacoma Police Department. There is cooperation and mutual respect. Salishan Association has its own security through Pierce County Security. Although the company's contract is with the Salishan Association, THA Directors Patterson, Shalik and Burgess sit on the are part of the Association board. This allows for necessary coordination among security service policies. Director Patterson will invite some of the Pierce County officers to next month's board meeting.

The Salishan home that recently had a fire is out to bid for repairs. The work will be awarded to the contractor October 6<sup>th</sup>. We project that the homes will be back online within 60 days.

Unit turn times are still high. Families turn homes down for various reasons including features of units, location to and from work, ADA, floor plan and room locations. Client Services and Property Management are working together with the leasing process so we can identify the next tenant faster. A few months ago, Client Services reported to the



board some of the changes they are proposing. One of the changes proposed is limiting the number of unit turn downs from families.

## **Real Estate Development**

Real Estate Development (RED) Department Director Kathy McCormick directed the board to her report.

THA and the City of Tacoma extended the timeline for the Hilltop Lofts and THA owned properties master development plan by two years.

HomeSight and THA staff have completed the deed restriction language for the Public Housing Scattered Sites. The homes will be sold at market value and THA will retain a restriction for the difference between market value and effective sales price. Current THA residents and clients have first priority to purchase.

## **8. NEW BUSINESS**

### **8.1 RESOLUTION 2016-09-28 (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 to the amount the owner is entitled to receive and the owner has not repaid this amount to THA; and

**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; now, therefore, be it

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

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

Collection Status	Project	Client #	Balance
W-O Collect	Section 8		
		00000990	\$6,291.00
		00014297	\$1,280.00
		717797	\$150.00
		<b>Subtotal</b>	<b>\$7,721.00</b>
	Salishan VII		
		XX001034	\$1,393.47
		XX001076	\$1,396.96
		<b>Subtotal</b>	<b>\$2,790.43</b>
* W-O No Collect	S Wright Str		
		00131534	\$422.94
<b>Grand Total</b>			<b>\$10,934.37</b>
* Uncollectable accounts where tenant is deceased, bankruptcy or old balance under \$30.00			

Vice Chair Flauding motioned to approve the resolution. Commissioner Young seconded the motion.

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

**Motion Approved:** September 28, 2016

\_\_\_\_\_  
Dr. Arthur C. Banks, Chair

## 8.2 RESOLUTION 2016-09-28 (2)

### 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**

### **Certifications of Compliance with Regulations: 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 has 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.

19. 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).



20. 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.

21. 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)

Arthur Banks  
**Name of Authorized Official**

Chair  
**Title**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\*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.

Vice Chair Flauding motioned to approve the resolution. Commissioner Young seconded the motion.

Upon roll call, the vote was as follows:

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

**Motion Approved:** September 28, 2016

\_\_\_\_\_  
Dr. Arthur C. Banks, Chair

**8.3 RESOLUTION NO 2016-09-28 (3)**  
**(1800 Court F Hillside Terrace Authorizing Resolution)**

A **RESOLUTION** of the Housing Authority of the City of Tacoma authorizing (i) the formation of a limited liability limited partnership of which the Authority will be the sole general partner in connection with the acquisition, construction and operation of an affordable multifamily rental housing project located at 1800 Court F in the City of Tacoma, Washington; (ii) the submission of applications for funding and credit enhancement for such housing project; and (iii) the disposition by sale or lease of all or portions of the project site to the partnership; and providing for other matters properly related thereto.

**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”); and

**WHEREAS**, The Authority is authorized by the Housing Authorities Law (chapter 35.82 RCW) to, among other things: (i) “prepare, carry out, acquire, lease and operate housing projects; to provide for the construction, reconstruction, improvement, alteration or repair of any housing project or any part thereof” (RCW 35.82.070(2)); (ii) “lease or rent any dwellings . . . buildings, structures or facilities embraced in any housing project” (RCW 35.82.070(5)); (iii) “make and execute contracts and other instruments, including but not limited to partnership agreements” (RCW 35.82.070(1)); (iv) “delegate to one or more of its agents or employees such powers or duties as [the Authority] may deem proper” (RCW 35.82.040); and (v) “make . . . loans for the . . . acquisition, construction, reconstruction, rehabilitation, improvement, leasing, or refinancing of land, buildings, or developments for housing persons of low income” (RCW 35.82.070(18)); and

**WHEREAS**, The phrase “housing project” is defined by RCW 35.82.020 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”; and

**WHEREAS**, The Authority expects to develop an affordable multifamily rental housing project consisting of up to 75 dwelling units, to be located at the 1800 Court F in the City of Tacoma (the “Project”). The total financing for the project will require the use of various funding sources, which may include low-income housing tax credits, the issuance of tax-exempt bonds, loans from public and private lenders, and/or grants. Certain of those sources will require the creation of a limited partnership or limited liability company to maximize the benefits and minimize the risks to the Authority; and

**WHEREAS**, The Board finds and determines that both the Partnership (as defined below) and the Project will provide for the necessary support of the poor within the City; and

**WHREAS**, Based on its consideration of the funding sources available for the Project, the need for affordable housing in the City, and other matters, the Authority's Board of Commissioners (the "Board") has deemed it necessary to proceed with the transactions described in this resolution; now, therefore, be it

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

1. The Authority is authorized to: (i) participate in the formation of, and become the sole general partner in, a Washington limited liability limited partnership (the "Partnership"), which Partnership shall have an initial limited partnership agreement (the "Partnership Agreement") and a certificate of limited partnership (the "Certificate of Limited Partnership") substantially in the forms on file with the Authority's Executive Director (the "Executive Director"), with such changes as the Executive Director may deem necessary or advisable (and not inconsistent with the terms of this resolution). The Board intends that the Partnership will develop the Project and receive low income housing tax credits in connection therewith.
2. The Executive Director and his designee (each, an "Authorized Officer" and, together, the "Authorized Officers"), and each of them acting alone, are authorized on behalf of the Authority to: (i) execute, deliver and file (or cause to be executed, delivered and filed), to the extent required by law, and cause the Authority to perform its duties under, the Partnership Agreement, the Certificate of Limited Partnership, all such forms, certificates, applications and other documents that are necessary to form the Partnership; (ii) approve any changes to the Partnership Agreement and the Certificate of Limited Partnership, including any material changes, that any Authorized Officer may deem necessary or advisable (and not inconsistent with the terms of this resolution); (iii) determine the name of the Partnership (it being understood that the words "Court F" should appear in the name to the greatest extent feasible); and (iv) take any other action that they deem necessary and advisable to give effect to this resolution and the transactions contemplated herein. The Authority's Executive Director is delegated the authority to cause, in his discretion, the Partnership to be created as a Washington limited liability company, in which case all references in this resolution to limited partnership, partnership agreement, general partner, limited partner, and certificate of limited partnership shall be deemed to be references to limited liability company, operating agreement, managing member, investor member, and certificate of formation, respectively.



3. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority (in its individual capacity and/or in its capacity as the Partnership's general partner) to: (i) apply for, and enter into contracts relating to, such funding for the Project as they deem necessary or desirable, including without limitation public and/or private sector financing, an allocation of private activity bond volume cap from the Washington State Department of Commerce (if it is determined that tax-exempt bonds should be issued to finance the Project), Washington State Housing Trust Fund grant(s) and/or loans(s), and other federal, state and local funds; (ii) apply for any and all necessary approvals from the U.S. Department of Housing and Urban Development in connection with such funding; (iii) lend or grant all or any portion of the money derived from such funding sources to the Partnership, and/or cause any contracts relating to such funding to be assigned to the Partnership; (iv) apply to the Washington State Housing Finance Commission for an allocation of (or approval of the use of) low income housing tax credits for the Project (depending on whether the Authorized Officers determine to pursue "9%" or "4%" tax credits), prepare, execute and enter into such agreements (including a credit reservation and carryover allocation contract), provide such documents (including cost certifications) necessary to secure such allocation, and cause such allocation (or any portion thereof) to be assigned to the Partnership if the allocation is initially made to the Authority; (v) seek and approve investors to serve as subsequent limited partners in the Partnership in connection with the receipt of low income housing tax credits for the Project; (vi) negotiate with potential investors regarding their acquisition of limited partnership interests in the Partnership and, if the Executive Director determines the same to be advisable, limited partner or member interests in limited partnerships and/or limited liability companies formed to finance other Authority tax credit projects; (vii) prepare all appropriate resolutions for Board review and approval; (viii) prepare all documents required so that the Authority and the Partnership comply with state and federal securities laws; (ix) negotiate contracts relating to the use, management and naming of Project buildings; (x) take all necessary and appropriate actions to dispose of the Project by sale or lease to the Partnership (including entering into any option to lease, or lease, necessary to provide the Partnership with control of the Project site); (xi) apply for bond insurance and other credit enhancement for any bonds to be issued by the Authority for the Project (but only if the Authority's Executive Director determines such credit enhancement to be cost effective); (xii) solicit investment banking firms to serve as the lead underwriter(s) and as members of a selling group (if any) for any bonds to be issued for the Project, and select such lead underwriter(s) and the members of any selling group (if the Executive Director determines that a selling group is desirable); (xiii) apply for ratings of any bonds to be issued by the Authority for the Project (but only if the Authority's Executive Director

determines such ratings to be desirable); (xiv) assist in the preparation of any official statement to be used in connection with the offering of any bonds by the Authority for the Project; and (xv) otherwise execute the Authority's rights under the Partnership Agreement. Nothing herein shall commit the Authority to issuing bonds to finance the Project.

4. The Authorized Officers, and each of them acting alone, are hereby directed, and granted the discretionary authority, to execute and deliver any and all other certificates, documents, agreements and instruments that are necessary or appropriate in their discretion to give effect to this resolution and to consummate the transactions contemplated herein, including, but not limited to, a development services agreement between the Partnership and the Authority (and/or others) providing for the development of the Project, contracts with architects, engineers and other consultants, and construction contracts.
5. The Authority is authorized to expend such funds as may be necessary to be paid by the Authority in connection with filing fees, application fees, registration fees and other costs relating to the actions authorized by this resolution. To the extent any fees or predevelopment costs are incurred and payable by the Partnership prior to the time the Authority enters into a formal loan agreement, the Authority may lend up to \$1.5 million to the Partnership to pay such costs, with the loan bearing interest at such rate that the Executive Director determines, in his discretion (which may be 0% per annum).
6. Any action required by this resolution to be taken by the Executive Director of the Authority may, in his absence, be taken by the duly authorized acting Executive Director of the Authority.
7. 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.
8. This resolution shall be in full force and effect from and after its adoption and approval.

Vice Chair Flauding motioned to approve the resolution. Commissioner Young seconded the motion.

Upon roll call, the vote was as follows:

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

**Motion Approved:** September 28, 2016

\_\_\_\_\_  
Dr. Arthur C. Banks, Chair

**8.4 RESOLUTION 2016-09-28 (4)  
(Architectural and Engineering Services Crisis Recovery Center and Master Plan Arlington Drive)**

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

**WHEREAS**, On August 5, 2016, Tacoma Housing Authority (THA) Staff issued a Request for Proposals (RFP) from firms interested in providing architectural and engineering services for the Crisis Residential Center Project and to master plan the Arlington Drive property; and

**WHEREAS**, The RFP was posted on the Washington Electronic Business Solutions and THA's websites on August 5, 2016; and

**WHEREAS**, Five firms submitted proposals by the deadline of August 29, 2016, all were deemed responsive and responsible; and

**WHEREAS**, An evaluation team, comprised of THA staff and community stakeholders reviewed and scored the proposals according to evaluation criteria listed in the RFQ; and

**WHEREAS**, The evaluation team voted unanimously in favor of awarding contracts to the firm of SMR Architects;

**WHEREAS**, THA and the City of Tacoma are negotiating development agreement by which the City will cover the costs of development of the Crisis Residential Center, including the costs of design, now, therefore, be it

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

Once THA and the City of Tacoma execute a development agreement by which the City will cover the costs of development of the Crisis Residential Center, including the costs of this contract for architectural and engineering services, THA's Executive Director is authorized to negotiate, and if those negotiations are successful, execute a Contract with SMR Architects for architectural and engineering services for the Crisis Residential Center at Arlington Drive in an amount not-to-exceed of \$300,000. If staff is unable to negotiate a contract with that firm, authorize THA's



Executive director to negotiate and award a contract with the second highest ranking firm of Buffalo Design.

Vice Chair Flauding motioned to approve the resolution. Commissioner Young seconded the motion.

Upon roll call, the vote was as follows:

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

**Motion Approved:** September 28, 2016

\_\_\_\_\_  
Dr. Arthur C. Banks, Chair

**8.5 RESOLUTION 2016-09-28 (5)**  
**(Authorization to acquire limited partner and investor member interests in certain existing THA-controlled entities)**

A **RESOLUTION** authorizing the Authority to acquire the investor interests in Hillside Terrace Phase I Limited Partnership, Hillside Terrace Phase II Limited Partnership, Salishan One LLC, Salishan Two LLC, and Salishan Three, LLC; authorizing the execution and delivery of certain agreements and other documents with respect to the acquisition of such interests; and providing for other matters properly related thereto.

**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”); and

**WHEREAS**, The Authority is the general partner or managing member of Hillside Terrace Phase I Limited Partnership, Hillside Terrace Phase II Limited Partnership, Salishan One LLC, Salishan Two LLC and Salishan Three LLC (each, a “LIHTC Entity”), each of which developed and operates an affordable rental housing project on property leased to such LIHTC Entity by the Authority; and

**WHEREAS**, Boston Financial Investment Management and/or its affiliates (collectively, “BFIM”) owns all of the limited partner interest and investor member interest in the LIHTC Entities; and

**WHEREAS**, BFIM is willing to transfer its investor interests in the LIHTC Entities to the Authority (or an affiliate of the Authority), so long as the LIHTC

Entities continue to comply with exiting regulatory agreements applicable to each project; and

**WHEREAS**, The Board finds and determines that the Authority can obtain greater control of the various projects owned by the LIHTC Entities if it acquires such investor interests from BFIM, and that such greater control is in the best interests of the Authority and the persons it serves; now, therefore, be it Resolved by the Board of Commissioners of the Housing Authority of the City of Tacoma, Washington, as follows:

1. The Authority's Executive Director and Deputy Executive Director (each, an "Authorized Officer" and, collectively, the "Authorized Officers"), and each of them acting alone, are authorized on behalf of the Authority to negotiate with BFIM regarding the Authority's acquisition of BFIM's interests in each LIHTC Entity.
2. Subject to the limitation specified in Section 5 of this resolution, the Authority is authorized to acquire all of BFIM's interests in each or any of the LIHTC Entities. Each Authorized Officer is delegated the authority to determine the order in which BFIM's interests are to be acquired; which BFIM's interests, if any, are to be acquired and the amount (subject to the limitation specified in Section 5 of this resolution) the Authority will pay to (or reimburse) BFIM with respect to any such acquisition.
3. Each Authorized Officer is authorized on behalf of the Authority (in its individual capacity and/or in its capacity as each LIHTC Entity's general partner or managing member) with respect to any acquisition to be made pursuant to this resolution to: (i) execute, deliver and file (or cause to be executed, delivered and filed), to the extent required by law, such agreements, certificates, documents and instruments as are necessary or appropriate in each Authorized Officer's discretion to give effect to this resolution and to consummate such acquisition; and (ii) take any other action that each Authorized Officer deems necessary and advisable to give effect to this resolution and consummate the transactions contemplated herein.
4. If the Authority acquires the interests of BFIM in any LIHTC Entity, each Authorized Officer is authorized on behalf of the Authority (in its individual capacity and/or in its capacity as the LIHTC Entity's general partner or managing member) to cause BFIM to transfer all of its interests in each LIHTC Entity to the Authority and/or an affiliate of the Authority, including but not limited to Tacoma Housing Development Group.

5. The Authority is authorized to expend available Authority funds in a total amount that is the lowest cost reasonably possible in connection with the acquisition of BFIM's interests in the LITHC Entities, including payments to and reimbursements of BFIM, as well as payment of any applicable filing fees, application fees, registration fees and other costs relating to the actions authorized by this resolution.
6. 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.
7. This resolution shall be in full force and effect from and after its adoption and approval.

Vice Chair Flauding motioned to approve the resolution. Commissioner Young seconded the motion.

Upon roll call, the vote was as follows:

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

**Motion Approved:** September 28, 2016

\_\_\_\_\_  
Dr. Arthur C. Banks, Chair

### **CERTIFICATE**

I, the undersigned, the duly chosen, qualified and acting 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 No. 2016-09-28 (5) (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 28, 2016, 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 on September 28, 2016.  
HOUSING AUTHORITY OF THE CITY OF TACOMA

By: \_\_\_\_\_  
Michael Mirra, Executive Director

**8.6 RESOLUTION 2016-09-28 (6)**  
**(Amend the Initial Program and Income Certification and Leasing Services with Allied Residential)**

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

**WHEREAS**, Tacoma Housing Authority (THA) signed a Contract with Allied Residential dated for initial program and income certification and leasing services in preparation for RAD. The purpose of this contract is to assist THA in preparing the resident files to qualify for tax credit requirements; and

**WHEREAS**, On January 27, 2016, under Resolution No. 2016-01-27 (5) THA received board approval increasing the contract an additional \$50,000 to cover re-certification of tenant files due to the RAD delay in closing; and

**WHEREAS**, On April 27, 2016, under Resolution No. 2016-04-27 (1), THA received board approval to increase the contract Amendment No. 2 for an additional \$25,000 for the additional work on the re-certification. At the time the 1<sup>st</sup> amendment was prepared, it was not known how many re-certifications had to be done; and

**WHEREAS**, The accumulative budget from services rendered are near the contract limit of \$175,000, authorized by the Executive Director; and

**WHEREAS**, Due to the RAD financing closing being extended, some of the certifications had to be re-certified to meet RAD requirements by July 17, 2016; therefore causing Allied Residential to work expeditiously to complete the work by the schedule due date; and

**WHEREAS**, The amended contract amount with Allied Residential will be a Not to Exceed \$186,000 for the Initial Program and Income Certification and Leasing Services Contract; now, therefore, be it

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

The Executive Director be authorized to amend the existing Initial Program and Income Certification and Leasing Services contract to increase the contract value to a Not Exceed \$186,000.

Vice Chair Flauding motioned to approve the resolution. Commissioner Young seconded the motion.

Upon roll call, the vote was as follows:

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

**Motion Approved:** September 28, 2016

  
Dr. Arthur C. Banks, Chair

#### **9. COMMENTS FROM COMMISSIONERS**

None.

#### **10. EXECUTIVE SESSION**

The commissioners adjourned the regular meeting at 5:57 pm to discuss limited partner and investor interests in certain existing THA-controlled entities in executive session for approximately 11 minutes. The commissioners voted unanimously to amend resolution 5.

The commissioners came back into regular board meeting at 6:08 pm. The appropriate announcements were made to the area outside the meeting room.

#### **11. ADJOURNMENT**

There being no further business to conduct the meeting ended at 6:10 PM.

**APPROVED AS CORRECT**

**Adopted:** October 26, 2016

  
Dr. Arthur C. Banks, Chair