



TACOMA HOUSING AUTHORITY

BOARD OF COMMISSIONERS MEETING MINUTES REGULAR SESSION WEDNESDAY, September 27, 2017

The Commissioners of the Housing Authority of the City of Tacoma met in Regular Session at Ludwig, 5425 S. Lawrence, Tacoma, WA at 4:45 PM on Wednesday, September 27, 2017.

1. CALL TO ORDER

Chair Flauding called the meeting of the Board of Commissioners of the Housing Authority of the City of Tacoma (THA) to order at 4:53 PM.

2. ROLL CALL

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

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

Chair Flauding declared there was a quorum present @ 4:55 pm and proceeded.

3. APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Chair Flauding asked for any corrections to, or discussion of the minutes for the Special Session of the Board of Commissioners on Monday, August 21, 2017. Vice Chair Hodge moved to adopt the minutes; Commissioner Banks seconded.

Upon roll call, the vote was as follows:

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

Motion approved.

Chair Flauding asked for any corrections to, or discussion of minutes for the Annual Meeting of the Board of Commissioners on Wednesday, August 23, 2017. Commissioner Banks moved to adopt the minutes; Vice Chair Hodge seconded.

Upon roll call, the vote was as follows:

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

Motion approved.

Chair Flauding asked for any corrections to, or discussion of minutes for the Regular Session of the Board of Commissioners on Wednesday, August 23, 2017. Commissioner Young moved to adopt the minutes; Commissioner Banks seconded.

Upon roll call, the vote was as follows:

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

Motion approved.

4. GUEST COMMENTS

Bettina Carson, North K Tenant commented as follows:

1. At the April 2017 board meeting, a tenant approached the board about a defective bathroom fan in her unit. THA maintenance addressed the issue by disconnecting the fan, but that has caused additional problems.
2. Entry of unauthorized persons in the building, suspected of having a master key. It has been several years since tenants requested a new locking system but no action has been taken and break-ins continue.
3. Smoking outside the building and by the fence. The smoke is getting into the apartments, which is a health risk to tenants. Ms. Carson would be willing to work with THA to find a suitable solution.
4. The cart provided to tenants to carry items from their car to their apartments isn't very useful because it has no sides. Ms. Carson showed building Property Manager Denise Day-Joseph a possible replacement cart.
5. Temperature in the building during summer. The south side and 3rd floor of the building are exposed to the sun; tenants are getting sick. They feel it unsafe to open windows and are requesting air conditioners to be installed in each unit. Hope Rehn who is a tenant at Wright Street informed the board that tenants at her building also share the same problem. In fact, it is even worse now that the awnings were removed.

Ms. Carson also mentioned that the building has not been cleaned and paint is starting to chip. She notified Denise and Maintenance Specialist Steve Carr.

Frankie thanked Ms. Carson for bringing her items to the board's attention; they will meet after the meeting.

5. COMMITTEE REPORTS

Real Estate Development Committee—Commissioner Rumbaugh

Commissioner Rumbaugh was not in attendance.

Finance Committee—Vice Chair Hodge and Commissioner Young

Nothing to report.

Education Committee—Vice Chair Hodge

Nothing to report.

Citizen Oversight Committee—Commissioner Banks

Nothing to report.

6. COMMENTS FROM THE EXECUTIVE DIRECTOR

Executive Director (ED) Michael Mirra introduced Frankie Johnson as THA's Property Management Director. She has been filling the position since February as Interim Director.

ED Mirra reported that Housing and Urban Development (HUD) has continued discussions with Moving to Work (MTW) agencies about their statutory requirement to serve "substantially the same" number of families that they would serve if they were not MTW. This number is called the "baseline", which HUD calculated and assigns to each agency. HUD has been deliberating on the meaning of the statute. It has proposed alternative definitions, some of them troublesome. Two weeks ago HUD reported that it would define the requirement to mean that a MTW agency has to serve 100% of the baseline. In other words, as Comissioiinier Young observed, this definition means that "substantially the same" means "the same". THA does not count this as a victory. ED Mirra noted that up to the end of 2016, THA has been at 100% of its baseline. However 100% is going to be hard to sustain as Tacoma's hot rental market continues to get more expensive, requiring THA to increase the value of its vouchers. Arithmetic tells us that we cannot serve the same number of families whose vouchers are getting more expensive while Congressional funding remains at best flat. THA will have to decide how it will respond. It will do this as part of the 2018 budget. THA has three general options. **First**, it can decrease the value of vouchers further ("thin the soup" further) and try to serve more people at the risk of making those vouchers even less competitive in a hot market. **Second**, THA can redirect money spent on other services and purposes and spend it instead on paying rent. This would weaken those other services, like the Education Project, supportive services and administrative support. **Third**, THA can lower utilization targets to something below 100%. Other housing authorizites in the same predicament are lowering their utilization goals. This risks some HUD directive to require corrective action. Staff will make a proposal to the board as part of the budget process.

7. ADMINISTRATIVE REPORTS

Finance

Finance Department (FD) Director Ken Shalik directed the board to the finance report. The auditors are currently working on the accountability portion, and there have been no challenges. One minor issue is reporting Family Self-Sufficiency (FSS) and what is on the general ledger. THA expects a no-findings report from the auditors.

Finance is working on the budget process. Approximately \$8M from Rental Assistance Demonstration (RAD) will be coming next year. Commissioner Banks thanked Director Shalik and his staff for their hard work.

Commissioner Banks moved to ratify the payment of cash disbursements totaling \$4,334,254 for the month of August, 2017. Commissioner Young seconded.

Upon roll call, the vote was as follows:

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

Motion Approved.

Policy, Innovation and Evaluation

Director April Black introduced Policy, Innovation and Evaluation's (PIE) new Project Manager Ava Pittman who has been at THA for three years in a different capacity. Pittman will be able to review policies from the perspective of client-services. She will lead the MTW program and will be the point of contact for other projects.

Director Black reported that the McCarver redesign and expansion discussion is delayed a bit while THA procures some technical assistance. She heard what other agencies are doing at a recent education committee she attended. Commissioner Hodge suggested reaching out to Pat Cummings who used to work with the school district.

A transportation problem has triggered the need for a fast interim change to the McCarver program pending the full redesign and expansion. The increasing rents in the Hilltop have forced McCarver families to live outside the school's catchment area. The school district provided them with bus transportation, using McKinney-Vinto funding to do it. A recent TPS audit found this to be inappropriate since those families are no longer homeless. THA filled in with its own funding for two more weeks but at \$1,100 a day, it was not affordable. Two weeks ago, THA and TPS decided to allow McCarver program families to transfer their kids away from McCarver or to stay at McCarver and be responsible for their own transportation. This is a significant change to the program and will take effect October 9. McCarver staff and some parents are relieved. Chair Flauding noted that when THA started the program, it was to keep kids in the same school and families in the same area until Jr. High. Director Black agreed but noted that the program model does not work in the new rental market. Commissioner Banks suggested that instead of focusing on one school, the program's focus should be on keeping kids in school. ED Mirra asked, Vice Chair Hodge to help with the program's redesign. She agreed.

Administration

Administration (AD) Director Todd Craven reminded the board that during the previous month, he provided the board information on Salesforce. Since that time, AD has made

progress. Problems remain. He noted in particular that more than 100 landlords get the wrong rental payment each month. ED Mirra asked when that will be fixed. Director Shalik replied that we do not know. Director Craven added that there will be a short and a long term fix.

According to Associate Director Sandy Burgess, THA is buying out Boston Financial and currently negotiating a guarantee against the recapture of its tax credits. More information will be provided to the board in November or December.

AD, with THA attorneys, is revising the procurement policy to reflect state law more accurately. Through the policy revision, it was discovered that tax credit entities and other affiliates are not considered public entities and do not have to abide by the same rules. Staff will present the board with a resolution acknowledging this and stating that, even if the law may not require it, those entities will pay residential prevailing wages on construction contracts if doing so is feasible. This would reflect THA's support for residential rates but not support for the higher commercial rates.

THA has been considering a change to its business insurance provider and hired a risk manager and insurance broker to analyze THA's coverage. Staff expect to find improved coverage at lower cost. Staff will give the board more information in October or November.

ED Mirra introduced Sandy as the Interim Director of Administrative Services while THA searches for Todd's successor.

Client Services

The board was just provided with a letter reporting on the results of a Housing and Urban Development (HUD) audit of our Section 8 program. There are two findings and two concerns that Client Services (CS) was not expecting:

Finding (1): Housing Choice Voucher waiting list to be purged on a yearly basis
According to Director Claycamp, THA did not need to purge the waiting list because CS worked through the vouchers quickly. THA will not purge if all vouchers are utilized.

Finding (2) Incomplete orientation materials

Concern (1) THA has not developed and implemented BOC approved policies for capitalization and disposition.

Director Claycamp will seek clarification from Associate Director Burgess.

Concern (2)—THA is not exempt from the pre-procurement review.

Director Claycamp will provide the board information regarding resolutions to these findings at the next board meeting.

Property Management

Property Management (PM) Director Frankie Johnson reported that the PM department has been trending in a good direction for unit turns. The overall average is 19 days, which includes leasing. She will note what is included in the overall average on future board reports.

Bay Terrace 2 is leasing up and PM met every leasing benchmark. PM continues to have no work orders over 24 days. Director Johnson recognized her staff for all their hard work.

Real Estate Development

Real Estate Development (RED) Department Director Kathy McCormick reported that RED decided to slow down developing the rental units for Arlington Drive. This delay in large part results from the state legislature's delay in passing a capital budget, which has \$3 million for the project. This will not delay the schedule for the CRC. RED is planning on submitting 2018 tax credit application for 1800 block, which is the 3rd and final phase of Bay Terrace.

8. OLD BUSINESS

None.

9. NEW BUSINESS

9.1 RESOLUTION 2017-09-27 (1) (Requesting Review by the Health Care Authority to Participate in the Washington State Insurance Plans)

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

WHEREAS, the Health Care Authority administers the medical, dental, life, and long term disability insurance coverage for the employees of the state of Washington, as set forth in chapter 41.05 RCW; and,

WHEREAS, the Board of Commissioners of the Housing Authority of the City of Tacoma representing the Housing Authority of the City of Tacoma has reviewed

the state insurance plans, chapter 41.05 RCW, RCW 41.04.205, chapter 182-08 WAC, and chapter 182-12 WAC; and,

WHEREAS, we deem the state insurance plans as providing desirable insurance coverage for the non-represented and OPEIU-represented employees; and,

WHEREAS, we certify that all non-represented and OPEIU-represented employees enrolled are eligible to participate in the state insurance plans;

BE IT RESOLVED, that the Housing Authority of the City of Tacoma requests approval by the Health Care Authority to participate in the state insurance plans for the employees of the Housing Authority of the City of Tacoma subject to the requirement of RCW 41.04.205 and the rules adopted thereunder.

Comments

Commissioner Banks asked how the Obama Care impacts the state insurance plans. According to Director Kaheiki, it does not. Vice Chair Hodge asked how THA determines the portion employees pay. THA pays 97.5% for employee and 81% for dependents. ED Mirra asked if a board resolution is necessary to submit the application. Director Kaheiki stated that THA only needs a sponsor from the City Council; Council Member Lauren Walker-Lee sponsored the application and approved it at last night's council meeting.

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

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

Motion Approved: September 27, 2017

Janis Flauding, Chair

**9.2 RESOLUTION 2017-09-27 (2)
(Purchase of Highland Crest Apartments)**

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

WHEREAS, THA owns and manages affordable rental housing in Tacoma; and

WHEREAS, THA is interested in acquiring existing rental housing to meet its short and long term financial and community goals; and

WHEREAS, THA believes time is of the essence and that there is potential that future development in West Tacoma will diminish affordably priced rental housing for the neighborhood; and

WHEREAS, Due diligence tasks have been completed and the property was found to be in good, operable condition; and

WHEREAS, A combination of tax exempt bond financing and second mortgage has been identified to purchase this property; and

WHEREAS, THA will allocate up to \$3.5 Million of its reserves to purchase Highland Crest Apartments; now, therefore, be it
Resolved by the Board of Commissioners of the Housing Authority of the City of Tacoma, Washington as follows:

Approve Resolution 2017-09-27 (2) authorizing THA's Executive Director to finalize the purchase of Highland Crest Apartments pursuant to the terms of the Purchase and Sale Agreement.

Commissioner Banks motioned to approve the resolution. Vice Chair Hodge seconded the motion.

Upon roll call, the vote was as follows:

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

Motion Approved: September 27, 2017

Janis Flauding, Chair

**9.3 RESOLUTION 2017-0-27(3)
(Highland Crest Apartments Bond)**

A RESOLUTION of the Board of Commissioners of the Housing Authority of the City of Tacoma authorizing the issuance of a revenue bond of the Authority in the principal amount of not to exceed \$6,400,000, the proceeds of which will be used to finance all or a portion of the cost of acquiring a 73-unit apartment complex located at 729-730 South Vassault Street, Tacoma, Washington, known as the Highland Crest Apartments; 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 Highland Crest Apts., L.L.C.; and determining related matters.

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 parks 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 Authority has entered into an agreement to purchase a 72-unit apartment complex located at 729-730 South Vassault Street, Tacoma, Washington, known as the Highland Crest Apartments, to be a housing project of the Authority (the "Project"); 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 \$6,400,000 to the seller of the Project to finance a portion of the purchase price of the Project; 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.

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

“Bond” means the Housing Revenue Bond, 2017 (Highland Crest Apartments Project), of the Authority issued pursuant to, under the authority of and for the purposes provided in this resolution.

“Bond Fund” means the Authority’s Housing Revenue Bond Fund, 2017 (Highland Crest Apartments Project), created by Section 6 of this Resolution for the purpose of paying principal of and interest on the Bond.

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

“City” means the City of Tacoma, Washington.

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

“Deed of Trust” means the deed of trust, assignment of rents and leases, security agreement and fixture filing under which the Authority is the grantor and the Seller is the beneficiary constituting a lien on the real property and improvements constituting the Project.

“Environmental Indemnity Agreement” means hazardous substances warranty/indemnity agreement made by the Authority for the benefit of the Seller relating to the Project.

“Project” means, depending upon the context, (1) the acquisition of the apartment complex known as the Highland Crest Apartments located at 729-730 South Vassault Street, Tacoma, Washington, which is hereby declared to be a housing project of the Authority; or (2) the apartment complex so acquired.

“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 thereon.

“Purchase and Sale Agreement” means the Real Estate Purchase and Sale Agreement, between the Authority and the Seller, providing for the Authority’s purchase of the Project from the Seller, together with any amendments thereto.

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

“Seller” means Highland Crest Apts., L.L.C., a Washington limited liability company.

Section 2. Authorization and Description of Bond. The Authority shall issue the Bond as a single revenue bond designated Housing Revenue Bond, 2017 (Highland Crest Apartments Project), in the principal amount of not to exceed \$6,400,000 for the purpose of paying a portion of the purchase price for the Project. The Bond shall be issued in fully registered form; shall be dated its date of issue, shall be numbered R-1; shall mature ten years from its date of issue. Up to and including the fifth anniversary of the date of issue, interest only on the Bond shall be payable on the first business day of each calendar month. Commencing with the first business day of the first full calendar month after the fifth anniversary of the date of issue, 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, based on the outstanding principal amount of the Bond on the fifth anniversary of the date of issue. 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 be assigned or transferred by the Registered Owner only with the prior written consent of the Authority and only if endorsed in the manner provided thereon and surrendered to the Bond Registrar, together with an executed Certificate of Transferee, in the form attached to the Bond.

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 Bond may not be prepaid by the Authority prior to the fifth anniversary of the date of issue. The Authority reserves the right and option to prepay the Bond, in whole or in part, at any time after the fifth anniversary of the date of issue 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, 2017 (Highland Crest Apartments 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, 2017 (Highland Crest Apartments 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. Approval of Transaction. The Board finds that the terms and conditions contained in this resolution and the Purchase and Sale Agreement are in the best interest of the Authority, and authorizes and approves the execution and delivery of, and the performance by the Authority of its obligations contained in, the Purchase and Sale Agreement and this resolution.

Section 10. 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, the Deed of Trust and the Environmental Indemnity Agreement, 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 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 11. 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 12. 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 13. 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 14. 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 27th day of September, 2017.

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 No. 2017-09-27 (3) (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 27, 2017, 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 27th day of September, 2017

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

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

Upon roll call, the vote was as follows:

AYES: 4

NAYS: None
Abstain: None
Absent: 1

Motion Approved: September 27, 2017

Janis Flauding, Chair

**9.4 RESOLUTION 2017-09-27 (4)
(2018 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**

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 2018, 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)

Janis Flauding Chair
Name of Authorized Official **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 Hodge 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: September 27, 2017

Janis Flauding, Chair

**9.5 Resolution 2017-09-27 (5)
(Alberta J. Canada – Amending New Look Inducement)**

A RESOLUTION of the Housing Authority of the City of Tacoma amending Resolution 2017-8-23(2) to increase the anticipated amount of bonds to \$7,500,000.

WHEREAS, the Board of Commissioners (the “Board”) of the Housing Authority of the City of Tacoma (the “Authority”) adopted resolution 2017-8-23(2), declaring its intention to issue bonds in the amount of up to \$6,000,000 for acquiring and rehabilitating 49-units of low-income housing, together with functionally related and subordinate facilities (the “Project”) within a building known as the Alberta J. Canada Building, to proceeds of which are to be lent to The Alberta J. Canada LLLP (the “Borrower”); and

WHEREAS, the estimated cost of acquisition and rehabilitation of the Project has increased; and

WHEREAS, the Authority anticipates that, as a result of that increase, the Borrower will request that the Authority issue and sell its revenue bonds in an amount up to \$7,500,000 for the purpose of assisting the Borrower in financing the acquisition and rehabilitation of the Project; and

WHEREAS, the Authority desires to provide such assistance, if certain conditions are met; NOW, THEREFORE,

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

Section 1. Resolution 2017-8-23(2) is amended by replacing references to \$6 million (or \$6,000,000) each place it occurs in that resolution, with \$7,500,000. Resolution 2017-8-23(2) will remain in full force and effect in all other respects.

Section 2. 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 3. This resolution shall be in full force and effect from and after its adoption and approval.

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. 2017-9-27 (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 27, 2017, 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 27, 2017.
HOUSING AUTHORITY OF THE CITY OF TACOMA

By: _____
Michael Mirra, Executive Director

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

Upon roll call, the vote was as follows:

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

Motion Approved: September 27, 2017

Janis Flauding, Chair

9. COMMENTS FROM COMMISSIONERS

Vice Chair Hodge mentioned how very nice the Eastside Community Center celebration was that weekend. Chair Flauding asked if Salishan residents receive a discount to use the center. According to ED Mirra, THA is negotiating a discount for Salishan residents. Chair Flauding suggested a free day to use the center.

ED Mirra informed the board that he will be bringing a resolution to the next board meeting requesting approval to provide vouchers to disaster victims.

10. EXECUTIVE SESSION

None.

11. ADJOURNMENT

There being no further business to conduct the meeting ended at 6:47 PM.

APPROVED AS CORRECT

Adopted: October 25, 2017


Janis Flauding, Chair