

**THE HOUSING AUTHORITY
OF THE CITY OF AUSTIN**



BOARD OF COMMISSIONERS

Chairperson - Carl S. Richie, Jr.

Charles Bailey

Mary Apostolou

Tyra Duncan-Hall

Edwina Carrington

Michael G. Gerber, President & CEO

BOARD OF COMMISSIONERS

Regular Meeting

Wednesday, June 26, 2019

10:00 AM

HACA Central Offices

1124 S. IH 35

Austin, TX

**PUBLIC NOTICE OF A MEETING
TAKE NOTICE OF A BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
OF THE HOUSING AUTHORITY OF THE CITY OF AUSTIN**

**TO BE HELD AT
HACA Central Offices
1124 S. IH 35
Austin, TX
(512.477.4488)**

**Wednesday, June 26, 2019
10:00 AM**

CALL TO ORDER, ROLL CALL

CERTIFICATION OF QUORUM

Citizens Communication (Note: There will be a three-minute time limitation)

Employee of the Year

CONSENT ITEMS

1. Presentation, Discussion, and Possible Action regarding the Approval of the Board Minutes Summary for the Board Meeting held on May 23, 2019

ACTION ITEMS

2. Update on HACA's Rental Assistance Demonstration Program
3. Presentation, Discussion and Possible Action Regarding Resolution No: 02602: A resolution authorizing the Housing Authority of the City of Austin to take such actions necessary or convenient to facilitate the development of the Pathways at Chalmers Courts East (the "Project")
4. Presentation, discussion, and possible action on Resolution No. 02607 by the Board of Commissioners of the Housing Authority of the City of Austin (the "Authority") to take the following actions with regard to Woodway Village (the "Development") in Austin, Texas: (i) acquire the site of the Development; (ii) lease the development site to the owner of the Development; and (iii) such other actions necessary or convenient to carry out this Resolution
5. Presentation, Discussion, and Possible Action regarding Resolution No. 02606: Approval of the Revised 2019 Capital Fund Program (CFP) and Work Items

EXECUTIVE SESSION

The Board may go into Executive Session (close its meeting to the public) Pursuant to:

- a. 551.071, Texas Gov't Code, consultations with Attorney regarding legal advice, pending or contemplated litigation; or a settlement offer;
- b. 551.072, Texas Gov't Code, discussion about the purchase, exchange, lease or value of real property;

- c. 551.074, Texas Gov't Code, discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.
- d. 551.087, Texas Gov't Code, discuss certain economic development negotiations.

OPEN SESSION

If there is an Executive Session, the Board will return to Open Session for discussion, consideration and possible action of matters discussed in Executive Session.

REPORTS

The Board accepts the following reports:

- President's Report
- Other Staff Reports
- Commissioners' Reports/Questions to the Department Staff

- President's Report
- Other Staff Reports

- Commissioners' Reports/Questions to the Department Staff

ADJOURNMENT

"Pursuant to 30.06, Penal Code, (trespass by holder of license with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not attend this meeting with a concealed handgun."

"Pursuant to 30.07, Penal Code (trespass by holder of license with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not attend this meeting with a handgun that is carried openly."

"En virtud del 30.06, Código Penal, (traspaso titular de licencia con una pistola), una persona bajo el subcapítulo H, capítulo 411, código de gobierno (Ley de licencia de arma o pistola), no se permiten en esta reunión con una arma o pistola.

"En virtud de 30.07, Código Penal (prevaricación por titular de la licencia con un arma o pistola abiertamente llevado), una persona bajo el subcapítulo H, capítulo 411, código de gobierno (Ley de licencia de arma o pistola), no se permiten en esta reunión con un arma o pistola que lleva abiertamente.

*The Housing Authority of the City of Austin (HACA) Board of Commissioners reserves the right to discuss and consider items out of order on the agenda on an as needed basis.

The Housing Authority of the City of Austin is committed to compliance with the Americans with Disability Act. Reasonable modifications and equal access to the communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Please call Judy Paciocco or Nidia Hiroms at HACA at 512.477.4488, for additional information; TTY users route through Relay Texas at 711. For more information on HACA, please contact Nidia Hiroms at 512.477.4488 x 2104.

HOUSING AUTHORITY OF THE CITY OF AUSTIN

BOARD ACTION REQUEST

EXECUTIVE

ITEM NO. 1.

MEETING DATE: June 26, 2019

STAFF CONTACT: Michael Gerber, President & CEO

ITEM TITLE: Presentation, Discussion, and Possible Action regarding the Approval of the Board Minutes Summary for the Board Meeting held on May 23, 2019

BUDGETED ITEM: N/A

TOTAL COST: N/A

ACTION

The Board is being asked to review and approve the Board Minutes Summary for the Board Meeting held on May 23, 2019.

ATTACHMENTS:

- **20190523 HACA Minutes Summary**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN
PROGRAM REVIEW COMMITTEE AND BOARD OF COMMISSIONERS
REGULAR BOARD MEETING**

MAY 23, 2019

SUMMARY OF MINUTES

PROGRAM REVIEW COMMITTEE

The Program Review Committee Meeting of the Housing Authority of the City of Austin, of May 23, 2019, was called to order by Dr. Tyra Duncan-Hall, Chairperson, at 10:39 a.m. The meeting was held at HACA Central Office, 1124 S. IH 35, Austin, Texas 78704

Roll call certified a quorum was present.

MEMBERS PRESENT:

Dr. Tyra Duncan-Hall, Chairperson
Mary Apostolou, Vice-Chairperson
Edwina Carrington, 2nd Vice-Chairperson

MEMBER(S) ABSENT:

Carl S. Richie, Jr., Commissioner
Charles Bailey, Commissioner

ALSO IN ATTENDANCE:

Wilson Stoker, Cokinos, Bosien & Young
Bill Walter, Coats Rose

1: Community Development Youth Educational Success (YES) Programs

Leilani Lim-Villegas, Community Development Director, Barbara Jackson, Jobs Plus Project Director presented on the HACA Community Development Youth Education Success program.

The meeting Adjourned at 11:57 a.m.

THE HOUSING AUTHORITY OF THE CITY OF AUSTIN (HACA) BOARD OF COMMISSIONERS PUBLIC MEETING NOTICE WAS POSTED FOR 12:00 NOON ON THURSDAY, MAY 23, 2019, AND WAS HELD AT THE HACA CENTRAL OFFICE, 1124 S. IH 35, AUSTIN, TX

CALL TO ORDER, ROLL CALL, CERTIFICATION OF QUORUM

The Board of Commissioners Regular Board Meeting of the Housing Authority of the City of Austin, of May 23, 2019, was called to order by Chuck Bailey, HACA Vice-Chairperson, at 12:14 p.m. Carl S. Richie, Jr., HACA Chairperson arrived at 12:18 p.m. The meeting was held at the HACA Central Office, 1124 S. IH 35, Austin, TX

Roll call certified a quorum was present.

MEMBERS PRESENT:

Carl S. Richie, Jr., Chairperson
Charles Bailey, Vice Chairperson
Tyra Duncan-Hall, 2nd Vice Chairperson
Edwina Carrington, Commissioner
Mary Apostolou, Commissioner

MEMBER(S) ABSENT:

STAFF PRESENT:

Andrea Galloway, Ann Gass, Barbara Jackson, Kelly Crawford, Ken Bodden, Leilani Lim-Villegas, Lisa Garcia, Martha Ross, Michael Cummings, Michael Gerber, Michael Roth, Nidia Hiroms, Pilar Sanchez, Ron Kowal, Suzanne Schwertner

ALSO IN ATTENDANCE:

Bill Walters, Coats Rose
Wilson Stoker, Cokinos, Bosien & Young

CITIZENS COMMUNICATION – NONE.

CITYWIDE ADVISORY BOARD (CWAB) -

•**Felicia Vargas**, CWAB President, reported that the May CWAB Meeting was held on May 14, 2019 at Gaston Place. •**Isele Guerra** with Central Health discussed the MAP program. •**Domonica Foster** with Austin Area Urban League (AAUL) mentioned the Pathways to Career classes. •**Robin** with Health Start informed everyone that Health Start will be at

eight properties this summer. •**Catherine Crago**, HACA Strategic Initiatives and Resource Development Manager, provided Digital Inclusion updates. •**Pilar Sanchez**, HACA Vice President of Housing & Community Development, provided RAD updates and answered questions regarding parking permits. •**Mike Gerber**, HACA President and CEO, requested support from residents to oppose HUD on evicting undocumented residents. •**Amber Ware** with Workforce Solutions mentioned the Apprenticeship Showcase for Trade Up Texas. •**Leilani Lim-Villegas**, HACA Director of Community Development stated that more officers are needed to serve on resident councils, and that additional resident council binders will be distributed in June or July. **Ms. Lim-Villegas** also stated that all properties need to provide AROW reports. •**Dominique Sam**, HACA ROSS Specialist, invited residents to participate in the Health and Public Safety Event at Meadowbrook on Friday, May 24th from 4 – 7 p.m. •**Nancy Garcia**, HACA Jobs Plus Career Coach, provided Jobs Plus updates. •**Murphy Roland**, HACA Workforce Development Manager, provided Workforce Development updates. •AROW reports were provided from North Loop, Bolden Oaks, Northgate and Shadowbend.

Carl S. Richie, Jr., HACA Chairperson arrived at 12:18 p.m.

CONSENT AGENDA

APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:

ITEM 1: Presentation, Discussion, and Possible Action regarding the Approval of the Board Minutes Summary for the Board Meeting held on April 18, 2019

Commissioner Carrington moved to Approve the Board Minutes Summary for the Board Meeting held on April 18, 2019. **Commissioner Apostolou** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

ACTION ITEMS

APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS

ITEM 2: Presentation, Discussion and Possible Action regarding Resolution No. 02600: Approving the submittal of the Section 8 Management Assessment Program (SEMAP) Certification to the Department of Housing and Urban Development (HUD)

The Section 8 Management Assessment Program (SEMAP) became effective October 13, 1998 (24 CFR Part 985). This rule establishes SEMAP to objectively measure Public Housing Authorities' (PHAs) performance in the administration of the Housing Choice Voucher program in fourteen (14) key performance areas and a Deconcentration Bonus indicator. In order to receive a deconcentration bonus, worth up to 4 points, the following rules apply.

1. 50% or more of HCV families with children would need to reside in low poverty census tracts in the PHA's principal operating area; or
2. For HCV families with children who moved, the percent that moved to low poverty census tracts would need to be two percentage points higher than the percent of all HCV families with children residing in low poverty census tracts at the end of the last completed PHA Fiscal year or the last two completed Fiscal Years. Exhibit 2 provides the data for the deconcentration bonus indicator for the 2018/2019 Fiscal Year.

The Board of Commissioners is required to approve the SEMAP certification, and PHAs are required to submit the certification electronically to HUD within 60 calendar days after each fiscal year end.

HUD will independently assess HACA's performance under SEMAP using annual audit reports for indicators 1-7 and the deconcentration bonus indicator and information maintained in HUD's Public and Indian Housing Information Center (PIC) for indicators 8-14. The Lease-up rate is obtained from HUD's Financial Management Center.

HACA's Quality Control Division completed quality control sample audits for indicators #1, #2, and #3. The Intake Director and Assistant Housing Director completed the quality control sample audit for indicator #6. There were 4 errors identified for indicator #3. There were zero errors identified under indicator #1, 2 and #6.

For this fiscal year's Deconcentration Bonus point analysis, HACA used data from the 2016 American Community Survey. Data analysis shows that the total percentage of families with children that live in and moved to low poverty census tracts as of the last day of the fiscal year was 38.1%, a decrease of 0.7% from the previous fiscal year. Thus, HACA is not eligible for the deconcentration bonus points for the 2018-2019 fiscal year.

Staff recommends that the Board approve the submittal of the SEMAP Certification to HUD for the 2018/2019 Fiscal Year with a score of 100%.

2nd Vice-Chairperson Duncan-Hall moved to Approve Resolution No. 02600: Approving the submittal of the Section 8 Management Assessment Program (SEMAP) Certification to the Department of Housing and Urban Development (HUD). **Commissioner Apostolou** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

ITEM 3: Presentation, Discussion and Possible Action regarding Resolution No. 02601: Approval of Multiple Vendor Contracts for Integrated Pest Management at All HACA Properties

The U.S. Department of Housing and Urban Development's (HUD) Model Lease requires owners to "provide extermination services, as needed."

The pest management landscape continues to change and evolve. New laws have restricted the use of certain treatments. Various insects and pests have developed resistance to certain chemicals. New forms of pest control treatments are found to be successful. To ensure that HACA is meeting the responsibility to provide safe, decent and sanitary housing to residents, it is important for HACA to conduct a regular review of pest management services and consider different approaches.

HACA's Request for Proposals (RFP) was advertised in the Austin American-Statesman (3/3/2019 and 3/10/2019), on HACA's website, and on the online bidding service, Housing Agency Marketplace. In addition, HACA faxed the RFP to our Minority Business Contact List. HACA emailed 26 copies of the RFP and received 6 proposals. A five-person evaluation committee reviewed the proposals and recommends awarding contracts to four vendors for the following reasons.

1. Different building types (high rise tower, duplexes, row houses, single family home) need different approaches to integrated pest management to be successful.
2. Using four qualified vendors with different approaches gives HACA the opportunity to evaluate what works best for each property type.
3. The four selected vendors each demonstrated experience working in affordable housing settings, knowledge of multiple approaches to IPM and capacity to handle the volume of work requested of each.
4. Having multiple vendors allows HACA to quickly address problems should a vendor not perform to the contract requirements without the properties having to wait for procurement of a new vendor.

The evaluation team identified the specific properties to award to each vendor. The cost effectiveness of each proposal was a determining factor in this decision. Cost effectiveness included a consideration of the needs at each property, the type of buildings, and the IPM approach that fit best for each property.

After competing this evaluation, it is the recommendation to award the monthly service contracts totaling not to exceed \$124,260 to four vendors. The contract with each vendor will be reviewed annually or as needed to amend, with renewals not to exceed five years. Distribution as follows:

1. Pest Management to receive \$56,100 provide services at Chalmers Courts, Rosewood Courts, Santa Rita Courts, Meadowbrook Apartments, Booker T. Washington Terraces, Salina Apartments, Bouldin Oaks, Thurmond Heights, and Georgian Manor
2. Worldwide Pest Control, Inc. to receive \$4,500 to provide services at Northgate Apartments, Coronado Hills, Shadowbend Ridge, Manchaca II and Manchaca Village
3. Heat Wave, LLC to receive \$50,400 to provide services at Lakeside Apartments, Gaston Place and North Loop Apartments
4. Oliver Termite and Pest Control to receive \$13,260 to provide services at the 22 Scattered Site homes, 1124 S. IH 35, 1100 S. IH 35, 205 Chicon St., 1503 S. IH 35, and 1507 S. IH 35

Commissioner Apostolou moved to Approve Resolution No. 02601: Approval of Multiple Vendor Contracts for Integrated Pest Management at All HACA Properties). **Vice-Chairperson Bailey** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

ITEM 4: Update on HACA's Rental Assistance Demonstration Program (RAD)

Ann Gass, HACA Director of Strategic Housing Initiatives, provided an update to the Board regarding progress with HACA's Rental Assistance Demonstration Program, ongoing construction and rehabilitation of units in HACA's public housing portfolio, and implications for residents and the broader community.

ITEM 5: Presentation, Discussion, and Possible Action regarding Resolution No. 02603: Approving multiple contracts for Comprehensive Youth Development Clubs

Engaging youth in activities that build academic, social, and interpersonal skills, while fostering positive relationships with caring adults is an important part of HACA's dropout prevention strategy. Programs such as youth development clubs for students who are residents of HACA PBRA/PH communities are an essential part of the Housing Authority's ongoing effort to improve the education and economic well-being of its residents.

HACA's Request for Proposals (RFP) was advertised in the Austin American-Statesman on 1/13/2019, and 1/20/2019. The RFP was also advertised on HACA's website; 48 packets were distributed. Seven sealed proposals were received, opened and read aloud on 2/19/2019, at 2:00 PM by Nora Morales, Director of Operations and Procurement, and recorded by Jeff Lyon, Buyer. Below are the names of the respondents to the RFP:

1. HealthStart
2. Girls Scouts of Central Texas

3. Latinitas
4. Beyond Buckets After School Academy
5. Creative Action
6. Start Up Kids Club
7. Boys and Girls Club of Austin

The proposals were reviewed and scored by an evaluation committee consisting of Leilani Lim-Villegas, Director of Community Development, Barbara Jackson, Director of Jobs Plus, Murphy Roland, Workforce Development Manager, Ralph Hill, Data Integrity Specialist, and Felisa Epps, Youth Educational Success Manager.

Staff recommends that the Comprehensive Youth Development Program Contracts (\$181,000 total) be awarded to:

1. Boys and Girls Club to serve Chalmers and Meadowbrook for \$114,030
2. Creative Action to serve Thurmond Heights and Booker T. Washington for \$57,920
3. HealthStart Foundation to serve Bouldin Oaks, Coronado Hills, Georgian Manor, Manchaca Village, Northgate, Santa Rita Courts, and Shadowbend during the summer at Central Texas Food Bank Youth Lunch Program sites for \$9,050

These contracts will be reviewed annually not to exceed five years.

Commissioner Carrington moved to Approve Resolution No. 02603: Approving multiple contracts for Comprehensive Youth Development Clubs to Boys and Girls Club in the amount of \$114,030; Creative Action in the amount of \$57,920; HealthStart Foundation in the amount of \$9,050 for a total of \$181,000. **Commissioner Apostolou** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

ITEM 6: Presentation, Discussion, and Possible Action regarding Resolution No. 02604: Approving a resolution regarding the U.S. Department of Housing and Urban Development's (HUD) proposed Rule on mixed-status families and ineligible household members

The U.S. Department of Housing and Urban Development has proposed a new rule that would require immigrant residents to provide documentation of legal status to be in the United States. Additionally, the rule would prevent immigrants without legal status or who are unable to provide documentation of legal status, from being a leaseholder. The effect of this rule would be to disallow immigrants without documentation of legal status from living in federally subsidized housing. Mixed Families (Families with eligible and ineligible members) would be forced to either split the family or move the entire family out of their home.

The proposed rule is a radical change from the current and long-standing HUD policy for determining how to provide subsidy to mixed family households. For the past 25 years, individuals ineligible for subsidy have been allowed to reside with the household, but the subsidy has been prorated according to the number of household members eligible for subsidy. Mixed families receive lower assistance amounts from HUD, and pay higher rents to make up for the difference in subsidy.

HUD conducted a study on the impact of implementing this proposed rule. By HUD's study, as many as 55,000 children may be displaced from housing across the nation. Many of these children are U.S. citizens or have eligible immigrant status.

At HACA there are over 130 mixed families participating in our Public Housing, Housing Choice Voucher and Project Based Rental Assistance programs. While this may be a small percentage of the total number of families served, it represents hundreds of individuals forced to choose between family separation and moving out of their home. Many of these individuals are children. Many are citizens or have eligible status. All will be negatively affected by this rule.

On May 10, 2019, HUD posted the proposed rule in the Federal Register for a 60 day public comment period. Upon completion, HUD will review the comments received and consider any changes to the rule. If HUD chooses to move forward with implementation of the rule, they would post the final rule in the Federal Register with an implementation date.

HACA staff have reviewed this proposed rule and discussed the potential consequences of the rule. Staff strongly oppose the implementation of the proposed rule for the following reasons:

1. The policy will harm families by forcing them to choose either family separation or moving out of their home.
2. The policy will harm the stability of each person in those families. Connections to school, health care, employment, extended family and community will be disrupted.
3. The policy will put an increased burden on our community. Austin has a very limited supply of affordable housing. These families will be challenged to quickly find housing that they can afford. They will be at risk of homelessness or burdening their families and friends. Austin's social service agencies will be challenged to step in and fill the gap.
4. The policy will negatively impact many residents with eligible status (citizens and eligible immigrants), contradicting the stated purpose of the policy to help eligible people.
5. The policy will create a greater divide between people: Citizens against immigrants; Residents against other Residents; Residents against Staff

The policy will create fear in many residents (eligible and ineligible alike), undermining the broader mission of helping all residents move toward self-sufficiency or age well in place.

Staff strongly recommends that the Board approve this resolution to oppose the proposed rule and encourage all staff and residents to voice their opposition through appropriate means.

Vice-Chairperson Bailey moved to Approve Resolution No. 02604: Approving a resolution regarding the U.S. Department of Housing and Urban Development's (HUD) proposed Rule on mixed-status families and ineligible household members. **Commissioner Apostolou** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

THE BOARD RECESSED INTO EXECUTIVE SESSION AT 1:55 P.M.

THE BOARD RETURNED INTO OPEN SESSION AT 2:45 P.M. NO ACTION WAS TAKEN.

REPORTS

The Board accepts the following reports from the President:

- NONE

ADJOURNMENT

Commissioner Apostolou moved to Adjourn the meeting. **2nd Vice-Chairperson Duncan-Hall** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

The meeting adjourned at 2:51p.m.

Michael G. Gerber, Secretary

Carl S. Richie, Jr., Chairperson

HOUSING AUTHORITY OF THE CITY OF AUSTIN
REPORT
RENTAL ASSISTANCE DEMONSTRATION
ITEM NO. 2.

MEETING DATE: June 26, 2019

STAFF CONTACT: Ann Gass, Director of RAD

ITEM TITLE: Update on HACA's Rental Assistance Demonstration Program

BUDGETED ITEM: N/A

TOTAL COST: N/A

ACTION

No action is being requested. Staff will provide an update to the Board regarding progress with HACA's Rental Assistance Demonstration Program, ongoing construction and rehabilitation of units in HACA's public housing portfolio, and implications for residents and the broader community.

HOUSING AUTHORITY OF THE CITY OF AUSTIN

BOARD ACTION REQUEST

RESOLUTION NO. 02602

RENTAL ASSISTANCE DEMONSTRATION

ITEM NO. 3.

MEETING DATE: June 26, 2019

STAFF CONTACT: Ann Gass, Director of RAD

ITEM TITLE: Presentation, Discussion and Possible Action Regarding Resolution No: 02602: A resolution authorizing the Housing Authority of the City of Austin to take such actions necessary or convenient to facilitate the development of the Pathways at Chalmers Courts East (the "Project")

BUDGETED ITEM: N/A

TOTAL COST: TBD

ACTION

The Board is being asked to approve Resolution No. 02602, authorizing HACA to take actions necessary or convenient to develop Pathways at Chalmers Courts East.

SUMMARY

Background:

Pathways at Chalmers Courts East (Chalmers East) is the second in the three-phase redevelopment of Chalmers Courts. Chalmers East will be a 156-unit property, developed in partnership with Carleton Residential and financed using 9% Low Income Housing Tax Credits (LIHTC) through the Texas Department of Housing and Community Affairs. In addition to the 78 Project Based Rental Assistance (PBRA) units that will replace the current 78 public housing units, HACA will project-base 50 Housing Choice Vouchers at Chalmers East. Eight of those will be VASH vouchers that will serve homeless veterans.

The redevelopment of Chalmers Courts marks a milestone for HACA, as this is one of the three original public housing developments built in 1939. To honor this rich history, HACA intends to preserve the two buildings along Chicon Street and adapt them for use as medical and dental clinics. HACA is working with CommUnity Care and the Design Institute for Health at Dell Medical School to implement this vision, which will bring much-needed services to the residents of Chalmers and the neighborhood. Staff is also working with residents and the design team to incorporate Chalmers' history into the new property through exploration of the use of photos and reclaimed building materials.

Chalmers East is part of HACA's conversion to the Rental Assistance Demonstration (RAD) Program. The Rental Assistance Demonstration (RAD) Program was authorized by the Consolidated and Further

Continuing Appropriations Act of 2012. RAD is a tool that enables Public Housing Authorities to convert public housing subsidies into long-term, Section 8 rental assistance subsidy. This is beneficial to PHAs because historically public housing subsidies and funding for capital projects have been unpredictable and fluctuate annually due to federal budget cuts. The project based rental assistance program provides a much more stable and predictable annual subsidy, benefitting PHAs and their residents.

More importantly, the RAD program provides PHAs an opportunity to make substantial physical improvements to its properties, resulting in a higher quality of life for residents. Additionally, provisions with RAD ensure that existing residents are protected and enjoy more choices on where they wish to reside. The Housing Authority of the City of Austin (HACA) has successfully converted sixteen properties through RAD. The two remaining properties, Chalmers and Lakeside will convert over the next two years.

Process:

The families who currently live at Chalmers East will be relocated using Housing Choice Vouchers or to another HACA subsidized property. All but four of the families have chosen to relocate to the new Chalmers South, adjacent to the current site of Chalmers Courts. All families will have the right to return to the newly redeveloped Chalmers East. HACA staff has worked closely with the residents to ensure that all residents understand their right to return. Staff will continue to meet with the residents regularly in an effort to maintain the sense of community that has developed as the residents prepared for the redevelopment of Chalmers.

Staff Recommendation:

HACA recommends that the Board approve Resolution 02602 in order to proceed with the development of Chalmers East.

RESOLUTION NO. 02602

Resolution authorizing the Housing Authority of the City of Austin (the “Authority”) to take such actions necessary or convenient to facilitate the development of the Pathways at Chalmers Courts East (the “Project”)

WHEREAS, the Authority owns the site on which the Project will be constructed and/or rehabilitated (the “Land”);

WHEREAS, the Authority and Pathways at Chalmers Courts East, LP, a Texas limited partnership (the “Partnership”), desire to enter into a ground lease (the "Ground Lease") granting site control of the Land to the Partnership;

WHEREAS, pursuant to the terms of the Ground Lease, the Partnership is required to develop and rehabilitate the Project as a development dedicated for low-income persons in compliance with the laws and regulations applicable to eligible tenants under the federal low income housing tax credit program as established at 26 U.S.C. §42 and regulations promulgated pursuant thereto;

WHEREAS, the Authority desires to convey title to the existing improvements located on the Land to the Partnership via a bill of sale;

WHEREAS, the Authority has submitted an application with the United States Department of Housing and Urban Development (“HUD”) for approval under the Rental Assistance Demonstration (“RAD”) Program to designate certain units within the Development as RAD units, and upon receipt of HUD approval, the Authority desires to implement the RAD units pursuant to certain documents (the “RAD Documents”) by and among the Authority, HUD and the Partnership;

WHEREAS, the Authority has submitted a proposal with HUD for approval of the placement of certain project-based voucher (“PBV”) assistance in certain of the units within the Project, and with the receipt of HUD approval, the Authority desires to implement the PBV units pursuant to certain documents including an agreement to enter into housing assistance payments contract and, upon completion of the Project, a housing assistance payments contract (“PBV Documents”) by and among the Authority, HUD and the Partnership;

WHEREAS, the Authority may grant or loan demolition, relocation, capital and/or other financing funds in an amount not to exceed \$700,000 to the Austin Affordable Housing Corporation to facilitate the development of the Project;

NOW, THEREFORE, in connection with the development, construction, rehabilitation and equipping of the Project, the Board of Commissioners hereby adopt the following resolutions:

BE IT RESOLVED, that any officer of the Authority (the “Executing Officer”), acting alone, is hereby authorized to review, approve and execute all certificates, affidavits, agreements, documents and other writings including without limitation the Ground Lease, RAD Documents and PBV Documents (collectively the "Agreements") the Executing Officer shall deem to be necessary or desirable in the consummation of the transactions herein contemplated;

BE IT FURTHER RESOLVED, that all acts, transactions, or agreements undertaken prior hereto by the Executing Officer of the Authority, in connection with the foregoing matters are hereby ratified and confirmed

as the valid actions of the Authority, effective as of the date such actions were taken; and

BE IT FURTHER RESOLVED, that the Executing Officer is hereby authorized and directed for and on behalf of, and as the act and deed of the Authority, to take such further action in the consummation of the transactions herein contemplated and to do any and all other acts and things necessary or proper in furtherance thereof, as the Executing Officer shall deem to be necessary or desirable, and all acts heretofore taken by the designee of the Executing Officer to such end are hereby expressly ratified and confirmed as the acts and deeds of the Authority.

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

PASSED, APPROVED AND ADOPTED this 26th day of June, 2019.

Michael G. Gerber, Secretary

Carl S. Richie, Jr., Chairperson

HOUSING AUTHORITY OF THE CITY OF AUSTIN

BOARD ACTION REQUEST

RESOLUTION NO. 02607

AUSTIN AFFORDABLE HOUSING CORPORATION

ITEM NO. 4.

MEETING DATE: June 26, 2019

STAFF CONTACT: Ron Kowal, Vice President of Housing Development/Asset Mgmt

ITEM TITLE: Presentation, discussion, and possible action on Resolution No. 02607 by the Board of Commissioners of the Housing Authority of the City of Austin (the “Authority”) to take the following actions with regard to Woodway Village (the “Development”) in Austin, Texas: (i) acquire the site of the Development; (ii) lease the development site to the owner of the Development; and (iii) such other actions necessary or convenient to carry out this Resolution

BUDGETED ITEM: N/A

TOTAL COST: N/A

ACTION

Motion to approve Resolution No. 02607 by the Board of Commissioners of the Housing Authority of the City of Austin (the “Authority”) to take the following actions with regard to Woodway Village (the “Development”) in Austin, Texas: (i) acquire the site of the Development; (ii) lease the development site to the owner of the Development; and (iii) such other actions necessary or convenient to carry out this Resolution

SUMMARY

Background:

Austin Affordable Housing Corporation (AAHC) has been presented an opportunity to partner with Dominion on Woodway Village located at 4600 Nuckols Crossing Road, Austin, TX 78744. The property was built in 2004 and consists of 160 family apartment units. There is a Land Use Restriction Agreement (LURA) on the property restricting units all units to 60% Area Median Income (AMI).

The property currently has many unit amenities including fully equipped kitchens, attached garages on every unit, private patio or balcony and washer and dryer connections. The property also has many common area amenities including a clubhouse, perimeter fencing with controlled gate access, fitness center, recreational and wade pools, picnic area with BBQ grills, playground, on-site day care and laundry facility.

This property is located immediately southeast of Signature at Franklin Park located at 4509 East Saint Elmo Road, Austin, TX 78744 in which we are partnering with Dominion under the same structure to be admitted as General Partner and then re-syndicate using 4% tax credits and bonds to finance the redevelopment. This

location is a rapidly changing area with many new development from multi-family market apartments to retail shopping.

Process:

The Dominion Group has asked AAHC to participate in the existing ownership structure, as the new General Partner (GP) of this asset; it is the intention of the partnership to re-syndicate this property using 4% tax credits with bonds to be able to make necessary upgrades and improvements to the development later this year. The property will be managed by the management arm of the Dominion Group.

Staff Recommendation:

In order to facilitate this transaction, Austin Affordable Housing Corporation is requesting a Resolution from the Housing Authority of the City of Austin to acquire the land, lease the development site to the owner of the development, and such actions necessary or convenient to carry out this Resolution.

RESOLUTION NO. 02607

Resolution authorizing the Housing Authority of the City of Austin to take the following actions with regard to Woodway Village (the “Development”) in Austin, Texas: (A) acquire the site of the Development; (B) lease the development site to the owner of the Development; and (C) such other actions necessary or convenient to carry out this Resolution

WHEREAS, the Housing Authority of the City of Austin (the “Authority”) plans to acquire the site on which the Development is located (the “Land”); and

WHEREAS, the Authority and Nuckols Crossing Partners, LTD, a Texas limited partnership (the “Partnership”), desire to enter into a ground lease (the "Ground Lease") granting site control of the Land to the Partnership;

WHEREAS, the Partnership has received a loan (the “Loan”) from Merchants Bank or an affiliate thereof (the “Lender”), and desires to modify the documents evidencing the Loan to reflect the Authority’s acquisition of the Land and the Partnership’s acquisition of a leasehold estate pursuant to the Ground Lease;

WHEREAS, it is deemed necessary and advisable that this Resolution be adopted;

NOW, THEREFORE, in connection with the development of the Development, the Board of Commissioners of the Housing Authority of the City of Austin hereby adopts the following resolutions:

BE IT RESOLVED, that any officer of the Authority (the “Executing Officer”), acting alone, is hereby authorized to review, approve and execute all certificates, affidavits, agreements, documents and other writings, including without limitation, the Ground Lease, any and all documents contemplated in connection with the Authority’s acquisition of the Land, and any documents contemplated in connection with the Loan and any other Development financing that require the Authority’s signature in order to subordinate the Authority’s interest in the Ground Lease and/or for purposes of securing the Lender’s liens against the Land (collectively, the “Agreements”), the Executing Officer shall deem to be necessary or desirable in the consummation of the transactions herein contemplated.

BE IT FURTHER RESOLVED, that all acts, transactions, or agreements undertaken prior hereto by the Executing Officer of the Authority, in connection with the foregoing matters are hereby ratified and confirmed as the valid actions of the Authority, effective as of the date such actions were taken; and

BE IT FURTHER RESOLVED, that the Executing Officer is hereby authorized and directed for and on behalf of, and as the act and deed of the Authority, to take such further action in the consummation of the transactions herein contemplated and to do any and all other acts and things necessary or proper in furtherance thereof, as the Executing Officer shall deem to be necessary or desirable, and all acts heretofore taken by the designee of the Executing Officer to such end are hereby expressly ratified and confirmed as the acts and deeds of the Authority.

This Resolution shall be in full force and effect from and upon its adoption.

[End of Resolution]

PASSED this 26th day of June, 2019.

Carl S. Richie, Jr., Chairperson

ATTEST:

Secretary

HOUSING AUTHORITY OF THE CITY OF AUSTIN

BOARD ACTION REQUEST

RESOLUTION NO. 02606

PLANNING AND DEVELOPMENT

ITEM NO. 5.

MEETING DATE: June 26, 2019

STAFF CONTACT: Jimi Teasdale, Planning & Development Director

ITEM TITLE: Presentation, Discussion, and Possible Action regarding Resolution No. 02606:
Approval of the Revised 2019 Capital Fund Program (CFP) and Work Items

BUDGETED ITEM: N/A

TOTAL COST: N/A

ACTION

The Board is being asked to approve the revised 2019 Capital Fund Program Plan.

SUMMARY

Background:

The U.S. Department of Housing and Urban Development (HUD) annually awards eligible Public Housing Authorities (PHAs) a Capital Fund Program (CFP), for the purpose of completing modernization needs, regulatory compliance, accessibility modifications, and emergency work. The fund also provides for administrative costs associated with plan implementation, as well as funds for management improvements. HUD requires Board approval of planned uses of funds under the Capital Fund Program.

This year, HUD has awarded HACA a total of \$783,812.00, which may only be expended at sites and developments that have not fully converted to the RAD platform. At this time, these funds are still applicable to the Chalmers West, Lakeside, and scattered site locations.

Process:

Planned uses of the 2019 CFP funds at Lakeside Apartments include renovation to common areas and repair and replacement of some mechanical systems, in order to address these needs prior to the development's RAD conversion in late 2019. Renovation of some residential units may also be included, as possible, whenever a vacant unit can be provided.

Funds budgeted to Chalmers and scattered sites will be used for resident relocation needs pursuant to RAD actions. This is an eligible use of Capital Funds.

Staff Recommendation:

Staff recommends that the Board of Commissioners approve the 2019 Capital Fund Program, as revised.

ATTACHMENTS:

- **Revised 2019 CFP Annual Statement**

RESOLUTION NO. 02606

Approval of the Revised 2019 Capital Fund Program (CFP) and Work Items

WHEREAS, the US Department of Housing and Urban Development (HUD) annually awards eligible Public Housing Authorities with a Capital Fund Program for modernization and other needs; and

WHEREAS, the Housing Authority of the City of Austin has received notice of the award and has revised its 2019 Capital Fund Program plan and work items to reflect the actual budget provided; and

WHEREAS, the Housing Authority of the City of Austin must inform the HUD of those revisions and enter the work items into HUD computerized systems for funds control and management;

NOW THEREFORE IT IS HEREBY RESOLVED , that the Housing Authority of the City of Austin Board of Commissioners authorizes the President/CEO to direct staff to submit the revised Capital Fund Program plan to HUD for approval and plan implementation.

PASSED, APPROVED AND ADOPTED this **26th** day of **June, 2019**.

Michael G. Gerber, Secretary

Carl S. Richie, Jr., Chairperson

Part I: Summary		
PHA Name: Housing Authority of the City of Austin	Grant Type and Number Capital Fund Program Grant No: TX59P00150118 Rev 1 Replacement Housing Factor Grant No: n/a Date of CFFP:	FFY of Grant: 2018 FFY of Grant Approval: 2018

Type of Grant <input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input checked="" type="checkbox"/> Revised Annual Statement (revision no: 1) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report		
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Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹	
		Original	Revised ²	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 21) ³				
3	1408 Management Improvements	167,228	167,228		
4	1410 Administration (may not exceed 10% of line 21)	167,228	167,228		
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	50,000	50,000		
8	1440 Site Acquisition				
9	1450 Site Improvement	45,000	45,000		
10	1460 Dwelling Structures	762,065	762,065		
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling Equipment				
14	1503 Subsidiary Payment		48,905		
15	1504 Fund Source		451,095		
16	1495.1 Relocation Costs				
17	1499 Development Activities ⁴	500,000	0		

¹ To be completed for the Performance and Evaluation Report.

² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

³ PHAs with under 250 units in management may use 100% of CFP Grants for operations.

⁴ RHF funds shall be included here.

Part I: Summary					
PHA Name: Housing Authority of the City of Austin	Grant Type and Number Capital Fund Program Grant No: TX59P00150118 Replacement Housing Factor Grant No: Date of CFFP:	FFY of Grant:2018 FFY of Grant Approval: 2018			
Type of Grant <input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input checked="" type="checkbox"/> Revised Annual Statement (revision no: (1)) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹	
		Original	Revised ²	Obligated	Expended
18a	1501 Collateralization or Debt Service paid by the PHA				
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment				
19	1502 Contingency (may not exceed 8% of line 20)				
20	Amount of Annual Grant:: (sum of lines 2 - 19)	1,691,521			
21	Amount of line 20 Related to LBP Activities				
22	Amount of line 20 Related to Section 504 Activities	50,000			
23	Amount of line 20 Related to Security - Soft Costs	10,000			
24	Amount of line 20 Related to Security - Hard Costs	20,000			
25	Amount of line 20 Related to Energy Conservation Measures				
Signature of Executive Director			Signature of Public Housing Director		Date
Date					

¹ To be completed for the Performance and Evaluation Report.
² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
³ PHAs with under 250 units in management may use 100% of CFP Grants for operations.
⁴ RHF funds shall be included here.

Part II: Supporting Pages								
PHA Name: Housing Authority of the City of Austin		Grant Type and Number Capital Fund Program Grant No: TX59P00150118 Rev 1 CFFP (Yes/ No): No Replacement Housing Factor Grant No:			Federal FFY of Grant: 2018			
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²	
PHA Wide	Management Improvements	1408						
	-Resident Initiatives	1408		120,000	120,000			
	-Management Improvements	1408		16,114	16,114			
	-Maintenance Improvements	1408		16,114	16,114			
	-MIS/IT Improvements	1408		15,000	15,000			
	Administration	1410		167,228	167,228			
	Fees & Costs	1410		50,000	50,000			
AMP 1 Chalmers	RAD Subsidy Payments	1503	n/a		48,905			
AMP 1 Chalmers	RAD Fund Source	1504	n/a	500,000	451,095			
AMP 7 Lakeside	Unit Interior Repairs/Renovations-	1480	50 U's	200,000	200,000			
AMP 7 Lakeside	Dwelling Bldg. Roof Repairs	1480	1665sf	75,000	75,000			
AMP 7 Lakeside	Common Area Improvements	1480	5,000sf	44,238	44,238			
AMP 2 Rosewood/Salina	Unit HVAC Replacements	1480	26	105,000	105,000			
AMP 11 Thurmond Heights	RAD Fund Source	1503		0	0			
AMP 27 SS Units	Site Improvements-Fences/Tree Trim	1480	18 Units	20,000				
AMP 27 SS Units	Dwelling Structure Renovations	1480	18 Units	162,827				
PHA Wide	Sidewalk Improvements	1480	1,500sf	25,000				
PHA Wide	Asbestos Remediation	1480	5 Units	25,000				
PHA Wide	Internal Construction Management	1480		150,000				

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

² To be completed for the Performance and Evaluation Report.

Part II: Supporting Pages								
PHA Name: Housing Authority of the City of Austin			Grant Type and Number Capital Fund Program Grant No: TX59P00150118 Rev 1 CFFP (Yes/ No): No Replacement Housing Factor Grant No:			Federal FFY of Grant: 2018		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²	

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
² To be completed for the Performance and Evaluation Report.

Part III: Implementation Schedule for Capital Fund Financing Program					
PHA Name: Housing Authority of the City of Austin				Federal FFY of Grant: 2018	
Development Number Name/PHA-Wide Activities	All Fund Obligated (Quarter Ending Date)		All Funds Expended (Quarter Ending Date)		Reasons for Revised Target Dates ¹
	Original Obligation End Date	Actual Obligation End Date	Original Expenditure End Date	Actual Expenditure End Date	

¹ Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

Part III: Implementation Schedule for Capital Fund Financing Program					
PHA Name: Housing Authority of the City of Austin				Federal FFY of Grant: 2018	
Development Number Name/PHA-Wide Activities	All Fund Obligated (Quarter Ending Date)		All Funds Expended (Quarter Ending Date)		Reasons for Revised Target Dates ¹
	Original Obligation End Date	Actual Obligation End Date	Original Expenditure End Date	Actual Expenditure End Date	
1408	05/29/2020		05/29/2022		
1410	05/29/2020		05/29/2022		
1430	05/29/2020		05/29/2022		
1450 (1480)	05/29/2020		05/29/2022		
1460 (1480)	05/29/2020		05/29/2022		

¹ Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.