



PHA BOARD of COMMISSIONERS MEETING MINUTES

Thursday, December 19, 2013, 3 p.m., at 12 S. 23rd St., Philadelphia, PA 19103

The regular meeting of the Board of Commissioners was brought to order at approximately 3:25 p.m. by the Chair, Lynette M. Brown-Sow, with Commissioners Callahan, Murphy, Camarda, Markman, Tate and Wetzel in attendance, as well as President & CEO Kelvin A. Jeremiah ("CEO Jeremiah") and Board Secretary and General Counsel, Barbara Adams. Following introductory remarks, the Chair requested a moment of silent reflection in preparation for the meeting.

The Chair then explained that former Resident Commissioner Shellie Jackson has resigned from the Board, thanked her for her contributions, and stated that the Resident Advisory Board President, Asia Coney, has been nominated by the Mayor to the City Council to fill the open Resident Commissioner position left by Ms. Jackson's departure. That nomination is now in committee and, upon a vote of approval, appointment and training, Ms. Coney would join the Board of Commissioners.

The Chair also announced that, prior to this meeting, the Board had met in executive session for a review of litigation and employment matters.

CEO Jeremiah reviewed the procedure for public comment and announced that: 1) PHA has received an important Choice Neighborhoods Planning Grant for the Sharswood/Blumberg neighborhood; 2) resident meetings have been taking place regarding the Rental Assistance Demonstration ("RAD") Program, as a consequence of which Marcus Kellam has been designated as RAD Resident Ombudsman and PHA has committed to entering into Memoranda of Understanding with the affected sites regarding PHA commitments under RAD; 3) the public hearing was held earlier today regarding PHA's Moving to Work Annual Plan for PHA Fiscal Year 2015, with comments due by December 30, 2013; and 4) PHA's maintenance and specialty staff, property managers and the Community Operations and Resident Development Department are to be commended for their exemplary efforts in responding to the fire at Fairhill Apartments earlier this month.

CEO Jeremiah then welcomed the graduating class from PHA's revamped Pre-Apprenticeship Program, noting that all 14 PHA residents graduating from the program now have union cards and employment with PHA. To enthusiastic applause, the following graduates came forward, in cap and gowns, to be congratulated by the Commissioners and to receive their certificates: Bianca Allen, Devon Finney, Shquel Bright, Ruby Hunt, Thazay McJettters, Abdul Mujahid, Dennis Redding, Serria Scott, Simone Turner, Malik West, Roneesha Williams and Latoya Little. Tynell Butts-Clark and Patricia Powe were also in the graduating class. Representatives from the three unions partnering with PHA in the training, Local 332 (labor), DC 21 (painters), and Local 32BJ (maintenance), offered remarks and congratulations.

The Chair inquired whether there were any corrections to the minutes of the Board meeting of November 21, 2013, and hearing none, declared the minutes approved as submitted.

Nine resolutions were presented.

Resolution 11661, attached in Appendix 1, was for PHA to approve a Memorandum of Understanding between PHA and the Community College of Philadelphia ("CCP") for the establishment of adult basic education, customer service and automotive job training programs for residents, under which PHA will pay CCP up to two hundred and twenty five thousand dollars (\$225,000.00) over a maximum of a two-year period.

Chair Brown-Sow noted that she is an employee of CCP and therefore recused herself from participation in discussion or vote on this resolution, so as to avoid any possible conflict of interest. She left the room and Commissioner Callahan presided over the meeting for this resolution.

Heather McCreary, Executive Vice President – Supply Chain, presented the resolution. Following a motion to approve by Commissioner Wetzel, a second and, there being no discussion, the resolution was unanimously approved by all Commissioners then present, which did not include Chair Brown-Sow. The Chair then returned to the room and resumed presiding over the meeting.

Resolution 11662, attached in Appendix 1, was presented by Joanne Strauss, Executive Vice President – Human Resources, to authorize PHA to adopt certain amendments and revisions to the Employee Handbook, including the addition of new policies on Social Media, Lactation, Idling of Vehicles, Personal Leave of Absence, Sustainability, and Compensatory Leave. Following a motion to approve by Commissioner Camarda, a second and discussion, including the opportunity for public comment, the resolution was unanimously approved.

Resolution 11663, attached in Appendix 1, was presented by Celeste Fields, Executive Vice President – Leased Housing, to authorize PHA to provide a total of seven (7) Project-Based Vouchers to Liberty Housing Development Corp., with two (2) for its development at 2628 Welsh Road, Philadelphia, PA 19152 and five (5) for its development at 4800-04 Disston Street, Philadelphia, PA 19135. Mr. Bruce Connus, President & CEO of Liberty Housing Development Corp. also made brief remarks about the positive impact of the proposed vouchers. Following a motion to approve by Commissioner Callahan, a second and discussion, including the opportunity for public comment, the resolution was unanimously approved.

A resolution, attached in Appendix 1 as "Resolution Approving Plans for Implementation of Amendments to the Philadelphia Housing Authority's Public Housing Admissions and Continued Occupancy Policy and the Housing Choice Administrative Plan," was presented by Erik Soliván, Executive Vice President of Community Operations and Resident Development, to approve the implementation plans for the already approved Amendments to the Admissions and Continued Occupancy Policies ("ACOP") and the Administrative Plan ("Administrative Plan") for the Housing Choice Voucher Program. The Chair explained that Resolution No. 11641, approved on August 15, 2013 did the following: 1) authorized the Amendments set forth in that resolution to the ACOP and the Administrative Plan; 2) provided for public comment on the accepted Amendments (up to December 26, 2013); and 3) required PHA to submit to the Board its implementation plans for the approved Amendments. The Chair stated that "[n]ormally implementation is not a subject for Board approval. The Board approves policies, but implementation of those policies is the role of PHA management, not the Board. However, in this instance, the Board asked PHA to prepare and submit the implementation plans to the Board for its approval, which PHA has done."

Following a motion to approve by Commissioner Markman, a second, and discussion, Commissioner Callahan moved to table the resolution. That motion was seconded and unanimously approved.

CEO Jeremiah stated that he would meet with Community Legal Services and the Resident Advisory Board in January regarding any suggestions or comments they may have and report back in February

regarding any suggestions for future amendments to the ACOP and Administrative Plan. He also noted that any further amendments would be subject to the requisite public comment period for changes to the ACOP or Administrative Plan.

Resolution 11664, attached in Appendix 1, was presented by Clare Ann Fitzgerald, Deputy General Counsel - Office of General Counsel, to ratify PHA's decision to contribute one hundred twenty-eight thousand five hundred twenty-seven dollars and three cents (\$128,527.03) toward the settlement of premises liability litigation. Following a motion to approve by Commissioner Camarda, a second, and there being no discussion, the resolution was unanimously approved.

Resolution 11665, attached in Appendix 1, was presented by Erik Soliván, Executive Vice President of Community Operations and Resident Development, to authorize PHA to execute and submit any and all reasonable documentation and/or take any steps or actions necessary to submit Rental Assistance Demonstration ("RAD") Program grant applications to HUD and certifying to comply with all requirements of the RAD program under PIH Notice 2012-32 (Revision 1). Following a motion to approve by Commissioner Wetzel, a second and discussion, including public comment, the resolution was unanimously approved.

Resolution 11666, attached in Appendix 1, was presented by Heather McCreary, Executive Vice President – Supply Chain, to authorize PHA to amend a contract with JCK Legal, PLLC to provide PHA with technical assistance and administration for a Resident Commissioner Election, for a one-year period and in an amount not to exceed one hundred fifty thousand dollars (\$150,000.00). Following a motion to approve by Commissioner Callahan, a second and discussion, including public comment, the resolution was unanimously approved.

Resolution 11667, attached in Appendix 1, was presented by Heather McCreary, Executive Vice President – Supply Chain, to authorize PHA to contract with the Oliver Sprinkler Company, Inc. for fire protection system inspection maintenance, repair and emergency services for PHA conventional and PAPMC sites, for a two-year base period and three (3) one-year option periods, in a total combined contract amount, if all options are exercised, not to exceed six hundred fifty thousand dollars (\$650,000.00). A motion to approve was made by Commissioner Markman, which was seconded and there was discussion, including the opportunity for public comment.

It was noted that the Fact Sheet attached to the resolution did not specify the Section 3 commitment, but stated that the commitment was "TBD." Ms. McCreary stated that the extent of the commitment, which was expected to be a contribution to scholarships, had not yet been finalized. Commissioner Callahan offered a friendly amendment to Commissioner Markman's motion, which was to make the authorization contingent upon agreement by Oliver Sprinkler Company, Inc. to a commitment under Section 3 of not less than 3% of the total contract with PHA, which motion was seconded and unanimously approved.

The changes are reflected in the attached resolution, in Appendix 1, by underlining the additional wording and inserting an explanatory footnote.

Resolution 11668, attached in Appendix 1, was to authorize PHA to provide a ground lease to Drexel University for parking related to Drexel's health care center expansion, which serves residents of the Richard Allen and Cambridge Homes public housing developments and the 11th Street corridor communities.

Chair Brown-Sow noted that she has a business relationship with an affiliate of Drexel University and therefore recused herself from participation in discussion or vote on this resolution, so as to avoid any

possible conflict of interest. She left the room and Commissioner Callahan presided over the meeting for this resolution.

Kyle Flood, Director - Development and Design, presented the resolution to authorize PHA to enter into a ground lease with Drexel University or its affiliated entity ("Drexel") for parking attendant to Drexel's health care center expansion for portions of 860 N. 11th Street, 843-47 N. 12th Street, and 1100 Poplar Street, consisting of approximately 16,000 aggregate square feet. Drexel's health care center currently serves and will continue to serve residents of the Richard Allen and Cambridge Homes public housing developments and the 11th Street corridor communities. Following a motion to approve by Commissioner Camarda, a second and discussion, including public comment, the resolution was unanimously approved by all Commissioners then present, which did not include Chair Brown-Sow. The Chair then returned to the room and presided over the remainder of the meeting.

The public comment period was then held, beginning at approximately 5:15 p.m., after which the meeting was adjourned by Chair Brown-Sow at approximately 5:40 p.m.

Respectfully submitted,



Barbara Adams
Barbara Adams
Secretary
Philadelphia Housing Authority

APPENDIX 1

**THE PHILADELPHIA HOUSING AUTHORITY
MEETING OF THE BOARD OF COMMISSIONERS
12 S. 23rd St.
PHILADELPHIA, PA 19103
THURSDAY, DECEMBER 19, 2013, at 3 p.m.
AGENDA**

- A. Call to Order** Lynette M. Brown-Sow, Chair of the Board of Commissioners
The Philadelphia Housing Authority Board of Commissioners
- B. Remarks** Lynette M. Brown-Sow, Chair of the Board of Commissioners
Kelvin A. Jeremiah, President & CEO
- C. Approval of Minutes** of the Board Meeting held November 21, 2013, as distributed.
- D. New Business**
1. **RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE COMMUNITY COLLEGE OF PHILADELPHIA FOR EDUCATION AND TRAINING PROGRAMS FOR RESIDENTS**

(Erik Soliván and Heather S. McCreary)
 2. **RESOLUTION ADOPTING AND APPROVING AMENDMENTS AND REVISIONS TO THE PHILADELPHIA HOUSING AUTHORITY EMPLOYEE HANDBOOK**

(Joanne R. Strauss)
 3. **RESOLUTION AUTHORIZING THE AWARD OF SEVEN (7) PROJECT-BASED VOUCHERS FOR LIBERTY HOUSING DEVELOPMENT CORPORATION**

(Celeste Fields)
 4. **RESOLUTION APPROVING PLANS FOR IMPLEMENTATION OF AMENDMENTS TO THE PHILADELPHIA HOUSING AUTHORITY'S PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY AND THE HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN**

(Erik L. Soliván)
 5. **RESOLUTION RATIFYING SETTLEMENT OF LITIGATION**

(Clare Ann Fitzgerald)
 6. **RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO EXECUTE AND SUBMIT RENTAL ASSISTANCE DEMONSTRATION PROGRAM APPLICATIONS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND CERTIFY AN AGREEMENT TO COMPLY WITH ALL REQUIREMENTS OF THE PROGRAM**

(Erik L. Soliván)

7. **RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO AMEND AND EXECUTE A CONTRACT FOR TECHNICAL ASSISTANCE AND ADMINISTRATION, in a total contract amount not to exceed \$150,000.00, FOR A RESIDENT COMMISSIONER ELECTION**

(Heather S. McCreary and Erik L. Soliván)

8. **RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO CONCLUDE AND TO EXECUTE A CONTRACT WITH OLIVER SPRINKLER COMPANY, INC., in a total contract amount not to exceed \$650,000.00, FOR FIRE PROTECTION SERVICES**

(Heather S. McCreary and Hagop Keshishian)

9. **RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO PROVIDE A GROUND LEASE TO DREXEL UNIVERSITY FOR PORTIONS OF 860 N. 11TH STREET , 843-47 N. 12TH STREET AND 1100 POPLAR STREET FOR PARKING FOR DREXEL'S HEALTH CARE CENTER EXPANSION AND TO SUBMIT A DISPOSITION APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AS APPLICABLE**

(Kyle Flood)

E. Public Comment Period

RESOLUTION NO. 11661

RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE COMMUNITY COLLEGE OF PHILADELPHIA FOR EDUCATION AND TRAINING PROGRAMS FOR RESIDENTS

WHEREAS, the Philadelphia Housing Authority ("PHA") has reorganized its education program to ensure that residents at any level of literacy and numeracy achievement can realize their educational goals and reformed PHA's job training programs to ensure that resident participants are prepared for success; and

WHEREAS, the Community College of Philadelphia ("CCP") is a state-designated Community College, created under the Community College Act of 1963, P.L.1132, No.484; and

WHEREAS, CCP works to educate Philadelphia residents and prepare them for the workforce; and

WHEREAS, PHA will purchase placements for PHA residents in CCP's adult basic education, customer service and automotive training programs, in order to prepare residents for the educational rigors of PHA's job training programs, ensure success in job placement through strong customer service and provide an opportunity for those residents interested in the automotive industry to receive essential training and certifications; and

WHEREAS, under the Memorandum of Understanding ("MOU"), PHA will pay CCP an amount not to exceed two hundred and twenty five thousand dollars (\$225,000.00) over a maximum of two (2) years, with a base period of one (1) year and an option period of one (1) year;

BE IT RESOLVED, that PHA's President & CEO or his authorized designee is hereby authorized to conclude and to execute an MOU with the Community College of Philadelphia, in substantially the form attached hereto, for an amount not to exceed two hundred twenty five thousand dollars (\$225,000.00) over a period not to exceed two (2) years, for adult basic education, customer service, and automotive training, subject to the availability of funds therefor, and to take all necessary actions relating to such MOU, including determining whether the option available under the MOU shall be exercised.

I hereby certify that this was
APPROVED BY THE BOARD ON 12/19/13
Barbara Adams, General Counsel
ATTORNEY FOR PHA

ATTACHMENT to CPP MOU RESOLUTION (without Exhibit 1)

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
COMMUNITY COLLEGE OF PHILADELPHIA
AND
THE PHILADELPHIA HOUSING AUTHORITY**

December ____ 2013 - December ____, 2014

This **MEMORANDUM of UNDERSTANDING** (hereafter called the "MOU"), entered into by and between the Community College of Philadelphia (hereafter referred to as "CCP" or the "College") and the Philadelphia Housing Authority (hereafter referred to as "PHA"), effective the ____ day of _____ 2013.

WITNESSETH

WHEREAS, PHA is a public body, corporate and politic, organized and existing as a public housing authority in accordance with the Housing Authorities Law of 1937, which appears at Title 35, §1541 *et seq.*, of the Pennsylvania Statutes; and

WHEREAS, the CCP is an institution of post-secondary education located at 1700 Spring Garden Street, C1-9, Philadelphia, PA 19130-3991 incorporated under the Act of August 24, 1963 (P.L.1132, No.484), known as the Community College Act of 1963; and

WHEREAS, the mission of PHA is to provide safe, decent, and sanitary housing for persons of low income, in accordance with the United States Housing Act of 1937, as amended, which appears at Title 42, §1437 *et seq.*, United States Code, and the Pennsylvania Housing Authorities Law of 1937; and

WHEREAS, the mission of Community College of Philadelphia established in 1965, is an open-admission, associate-degree-granting institution which provides access to higher education for all who may benefit. Its programs of study in the liberal arts and sciences, career technologies, and basic academic skills provide a coherent foundation for college transfer, employment and lifelong learning. The College serves Philadelphia by preparing its students to be informed and concerned citizens, active participants in the cultural life of the city, and enabled to meet the changing needs of business, industry and the professions. To help address broad economic, cultural and political concerns in the city and beyond, the College draws together students from a wide range of ages and backgrounds and seeks to provide the programs and support they need to achieve their goals; and

WHEREAS, the PHA has an interest in partnering with the CCP on initiatives to increase services to public housing residents, including but not limited to, Workforce Development Training Programs, such as basic Workforce Ready Training, Automotive & Driving Related Training, and Customer Service Training (each a "Program" and collectively the "Programs"); and

WHEREAS, in furtherance of mutual objectives, the CCP and PHA agree there could be no better time, than at present, to develop the Programs and identify the resources to support PHA residents seeking to achieve self-sufficiency by partnering to provide a variety of services to adults and students; and

NOW THEREFORE, based upon the mutual promises, covenants, and conditions set forth herein, and agreeing to be bound hereby, CCP and PHA agree and commit to work closely on the following initiatives:

AGREEMENT

INCORPORATION. The document titled CPP Course Descriptions for PHA Workforce Development, attached hereto as Exhibit 1, is specifically made part of this MOU, is incorporated into this agreement and the provisions of this MOU shall prevail if there are any inconsistencies with the language in Section 2 – Activities.

ACTIVITIES.

Workforce Ready

CCP shall provide job training course to prepare PHA residents to be “Workforce Ready.” PHA shall coordinate with CCP for student selection for participation in the Workforce Ready trainings with PHA’s Programs as administered by the Department of Community Operations and Resident Development (“CORD”). The coordination of student selection shall be developed within 30 days from the date of execution of this MOU. Each class shall have a minimum of 10 students and shall not exceed 15 students. The cost to PHA per resident participant charged by CCP shall not exceed \$2,850, and no more than 50 residents shall participate during the initial pilot year of this Program.

Automotive & Driving Related Training Class

CCP shall provide a job training course to PHA residents in field of Automotive Repair. PHA shall coordinate student selection for participation in the training with PHA’s Programs as administered by CORD. The coordination of student selection shall be developed within 30 days from the date of execution of this MOU. Each class shall have a minimum of 10 students and shall not exceed 15 students. The cost per resident participant charged to PHA by CCP shall not exceed \$3,000, and no more than 25 residents shall participate during the initial pilot year of this Program.

Comprehensive Customer Service Training

CCP shall provide a job training course on Comprehensive Customer Service Job Training. PHA shall coordinate student selection for participation in the Customer Service trainings with PHA’s Programs as administered by CORD. The coordination of student selection shall be developed within 30 days from the date of execution of this MOU. Each class shall have a minimum of 10 students and shall not exceed 15 students. The cost per resident participant charged to PHA by CCP shall not exceed \$2,300, and no more than 25 residents shall participate during the initial pilot year of this program.

Data Sharing

CCP and PHA shall identify and share data on PHA residents, as permitted by law, who choose to take advantage of the services detailed in Section 3. Within 30 days from the termination of this MOU, PHA and CCP shall reconcile and update all data from services offered to PHA residents.

AMENDMENTS. This MOU may be amended by the President and Chief Executive Officer of PHA and the _____ of CCP in writing signed by both parties, contingent upon review and signature by CCP legal counsel and the PHA legal counsel. No oral representation, warranty, condition, or agreement of any kind or nature whatsoever shall be binding upon the parties hereto unless incorporated in this agreement in the form of an amendment.

The invalidity or unenforceability of any one or more provisions of this MOU shall not affect the validity or enforceability of the remaining portions of this MOU, unless the invalidity or unenforceability would substantially deprive a party of the benefits of this MOU.

DISSOLUTION. Either PHA or CCP may terminate this MOU by giving (30 days) notice in writing, unless a shorter period of notice is mutually agreeable.

DUAL HOLD HARMLESS CLAUSE. PHA shall hold CCP harmless and CCP shall hold PHA harmless from damages to property or injuries (including death) to any person(s) and any other losses, damages, expenses, claims, demands, suits, and actions by any party against either party to this MOU in connection with the work performed by either party to this MOU, provided; however, that this indemnity and hold harmless provision will not extend to any such damages, losses, expenses, claims, demands, suits and actions insofar as they result from acts of or omissions by employees or agents of the CCP or PHA.

TERM AND REVIEW OF MOU.

The initial term of this MOU will be from December____, 2013 to the ending date of December____, 2014. The parties may agree to extend the term of this MOU and revise or amend the services outlined herein for up to two (2) additional one (1) year terms.

If the MOU expires and is not renewed, the affiliation between the parties will be dissolved and the dissolution procedures set forth in Section 5 of this MOU shall take effect.

NOTICE. Any notice required to be given hereunder shall be made by U.S. Registered Mail, return receipt requested, postage pre-paid, and shall be deemed to have been received on the date noted on the receipt returned to sender. Any such notice shall be addressed as follows:

Community College of Philadelphia:
1700 Spring Garden Street, C1-9
Philadelphia, PA 19130-3991

Philadelphia Housing Authority:
Philadelphia Housing Authority
12 S. 23rd Street
Philadelphia, PA 19103

CHOICE OF LAW. This MOU is executed pursuant to and shall be construed under the laws of the Commonwealth of Pennsylvania. In the event that a dispute arises under this MOU that cannot be resolved by the parties, jurisdiction shall rest with a Pennsylvania tribunal of competent jurisdiction. IN WITNESS WHEREOF, the parties hereto, have caused this Memorandum of Understanding to be executed by their respective officers the date and year of the hereinabove mentioned.

Community College of Philadelphia

Philadelphia Housing Authority

President

Kelvin A. Jeremiah
President and Chief Executive Officer

Date

Date

RESOLUTION NO. 11662

RESOLUTION ADOPTING AND APPROVING CERTAIN AMENDMENTS AND REVISIONS TO THE PHILADELPHIA HOUSING AUTHORITY EMPLOYEE HANDBOOK

WHEREAS, on June 16, 2012, the Philadelphia Housing Authority ("PHA") Board of Commissioner approved the PHA Employee Handbook (the "Handbook"), which sets forth the policies, practices and operational procedures of the employees; and

WHEREAS, upon review of the Handbook, it has been determined that certain provisions of the Handbook need to be revised and six (6) new policies need to be included in the Handbook;

BE IT RESOLVED, that the PHA Board of Commissioners hereby approves and adopts the following new policies for inclusion in the Handbook, in substantially the form distributed to the Board and made available to the public: Social Media, Lactation, Idling of Vehicles, Personal Leave of Absence, Sustainability, and Compensatory Leave; and

BE IT FURTHER RESOLVED, that the PHA Board of Commissioners hereby approves the following revisions to the Employee Handbook, in substantially the form distributed to the Board and as summarized in the attachment to this Resolution:

Vacation Policy (Section 8.1) - Modification of vacation accrual amounts and addition of a provision regarding guidance on accrual and cashing out of excess vacation time.

Non-Fraternization Policy (Section 3.8) – Revision of the policy to ensure that the policy covers vendors, residents and Board Members.

Drug Testing Policy (Section 9.1) – Modification of the policy to include reasonable suspicion/post-accident required testing.

Holiday (Section 8.2) Clarification that December 24th is not to be included as a paid holiday (which clarification has been published and explained for approximately the past year, after erroneous inclusion of this date as a paid holiday in the 2012 Handbook).

Separation from Service (Section 4.5) - Addition of provision stating that an employee who is terminated or abandons his/her job must wait a one-year period to be eligible for rehire at PHA.

Workplace Violence (Section 5.1) - Revised to state that the Human Resources Department, at its discretion, may terminate an employee who displays violent or erratic behavior. Addition of fitness-for-duty policy, where the Human Resources Department refers the employee for such examination.

Job-Related Injury (Section 5.9) – Addition of provision that limits Injured On Duty status to one year from the date of the employee's injury, after which an employee may be terminated.

Electronic and Telephonic Communications Systems (Section 5.11) – Addition of language prohibiting the use of non-business related signatures and tags.

Leave Donation (Section 7.8) – Expansion of Leave Donation Policy to include represented employees.

Executive Roster Employee Benefits (Section 7.11) – Removal of provisions that currently contradict the Affordable Care Act.

Jury Duty Leave (Section 8.9) – Addition of language to ease in the administration of payment for Jury Duty service.

Standards of Ethical Conduct (Section 3.1) – Rewritten to clarify existing requirements and provide additional guidance regarding acceptance of gifts.

Employee Performance Evaluation (Section 5.4) – Removal of Probationary Period Evaluation, as inconsistent with PHA's Performance Management Policy; and

BE IT FURTHER RESOLVED, that these changes shall be effective as of December 20, 2013.

I hereby certify that this was

APPROVED BY THE BOARD ON 12/19/13

Saibusa Adams, General Counsel
ATTORNEY FOR PHA

Modifications and Amendments to the Employee Handbook

Thursday, December 19, 2013

Section	Page No.	Original Language	New Language	Reason for Change
2.10 Sustainability Policy	13	NEW POLICY		As per PHA's Green Accreditation from HUD, this is a requirement
3.1 Standards of Ethical Conduct	13-15		Rewritten to clarify existing requirements and provide additional guidance regarding acceptance of gifts	Policy needed clarification and modification
3.8 Close Relationship Policy	19-21	Non-Fraternization Policy	Name was changed to "Close Relationship Policy" and language added to include conflicts covered under various Conflict laws and HUD FHEO laws/regulations, with respect to vendors and residents	Clarification of Policy and laws
5.1 Workplace Violence	39-40		Added a clearer definition of workplace violence; added a provision which allows PHA to terminate an employee who is exhibiting violent behavior	Clarification of policy
5.2 Workplace Bullying	40		Removed some language that was not necessary	Clarification of Policy

Thursday, December 19, 2013

Section	Page No.	Original Language	New Language	Reason for Change
5.3 Absence and Tardiness	41		Added language about what the policy to return to work ("RTW") following a leave of absence	Provides guidance as to what documentation is required when an employee RTW after a leave of absence; also advises employees of their obligation to continue treatment until released.
5.4 Performance Evaluations	42		Removal of Probationary Performance Evaluation provision	No longer consistent with PHA Performance Management Policy
5.9 Job Related Injury	46		Added a Return to Work provision and added the Limited Duty policy	Expansion of policy and explanation of how employees are expected to RTW and explained that the limited duty policy applies to all employees
5.11 Electronic and Telephonic Communications	48, 49, 51		Added stronger confidentiality language, and added language prohibiting email signatures	PHA deals with a lot of personal identifying information ("PII") that it must take steps to protect; email signatures with personalized messages may be unprofessional
5.11 Electronic and Telephonic Communications	52		Added a Social Media policy	Social Media is a new area that needs to be addressed; employees should not access Social Media sites during working hours
5.16 Smoking	54		Added language about how far from a PHA building employees can smoke	This was needed to be consistent with the Smoking Policy applicable to PHA residents.

Modifications and Amendments to the Employee Handbook

Thursday, December 19, 2013

Section	Page No.	Original Language	New Language	Reason for Change
6.2 Work Week/Work Day	55		Clarified language re: lunch break and unpaid breaks; added a Lactation policy for nursing mothers	There was some confusion about the lunch/break policy; the Lactation Policy is required under Federal laws
7.8 Leave Donation Policy	57		Expanded the policy to include all employees, not just non-represented	Wanted to expand to all employees
7.11 Executive Roster Employee Benefits		Removed	Removed the entire section due to the passage of the Affordable Care Act.	This section was removed after the passing of the Affordable Care Act, as the provisions would have been discriminatory.
8.1 Vacation Leave	59		Created a new vacation allowance schedule; added language about the use of Personal Leave; allows for pay out of unused vacation leave in excess of 350 hours	Policy needed clarification and modification
8.2 Holidays	60		Removal of December 24 as a paid PHA holiday	The inclusion of December 24 in the prior handbook was in error

Modifications and Amendments to the Employee Handbook

Thursday, December 19, 2013

Section	Page No.	Original Language	New Language	Reason for Change
8.4 Personal Leave of Absence	62		Added this to permit HRD to approve an employee for an extended Leave of Absence for other than medical reasons	Addressing an identified need
8.5 Compensatory Leave Policy	62		Created a policy which permits the granting of Compensatory leave to certain employees for time worked during emergencies and other specific work-related situations	Addressing an identified need
8.9 Jury Duty Leave	65		Added language to ensure PHA's written policy matches the practice for payment of wages in connection with Jury duty.	It has been PHA's practice that when an employee returns from Jury Duty, the employee turned over to PHA the check(s) received for service. This has been done to ease administrative processing for payment, and to ensure proper payment to the employee.
9.1 Drug and Alcohol Free Workplace	68		Added Post-Accident drug/alcohol testing	Addressing an identified need
Appendix B Fleet Policy	86		Added an "Idling" Policy to prohibit vehicle idling in excess of five minutes	Consistent with PHA's Green Accreditation and will save PHA money

RESOLUTION NO. 11663

RESOLUTION AUTHORIZING THE AWARD OF SEVEN (7) PROJECT-BASED VOUCHERS TO LIBERTY HOUSING DEVELOPMENT CORPORATION

WHEREAS, the Philadelphia Housing Authority ("PHA") operates a unit-based program for Project-Based Vouchers ("Vouchers"), pursuant to which PHA's Voucher assistance is attached to specific housing units or developments; and

WHEREAS, Liberty Housing Development Corp ("Liberty") is a not-for-profit organization, seeking to ensure housing affordability to the low-income families residing in its 2628 Welsh Road, Philadelphia, PA 19152 ("Welsh") and its 4800-04 Disston Street, Philadelphia, PA 19135 ("Disston") developments; and

WHEREAS, Liberty has requested two (2) Vouchers for its 2628 Welsh development and five (5) Vouchers for its Disston development, for families that are income-eligible; and

WHEREAS, pursuant to 24 C.F.R. § 983.51(b), PHA must select Voucher proposals in accordance with its Administrative Plan and may select a proposal for Voucher assistance if that proposal was selected during a competitive process conducted within the prior three years for another federal, state, or local government housing assistance program; which provisions are also in PHA's Administrative Plan; and

WHEREAS, pursuant to a competitive process, Liberty received an award of HOME/CDBG funds from the Office of Community and Development ("OCHD") on October 6, 2011, for the Welsh development, which award fulfills the requirements of 24 C.F.R. § 983.51 (b)(2); and

WHEREAS, pursuant to a competitive process, Liberty received an award of HOME/CDBG funds from OCHD on October 27, 2010, and Economic Development Initiative funds on April 9, 2010, for the Disston development, which award fulfills the requirements of 24 C.F.R. § 983.51 (b)(2); and

WHEREAS, PHA committed to provide to Liberty the Vouchers for the Disston development in May 2011, and the Welsh development in March 2009; and

WHEREAS, PHA deems it desirable and in the best interest of PHA and its program participants to ratify the award to Liberty of two (2) Vouchers for the Welsh development and five (5) Vouchers for the Disston development, to ensure housing affordability to the low-income families residing in these developments;

BE IT RESOLVED, that the President & CEO or his authorized designee (hereinafter, "CEO") is hereby authorized to award to Liberty two (2) Vouchers for the Welsh development, and five (5) Vouchers for the Disston development, which, subject to annual appropriations, may be each for an initial term of up to fifteen (15) years and renewed for subsequent terms of up to fifteen (15) years, or such periods as permitted by applicable law, provided that any term renewals will only be granted if the CEO determines that such renewals are in the best interest of PHA and/or low-income families in Philadelphia; and

BE IT FURTHER RESOLVED, that the CEO is authorized to negotiate and enter into agreements, contracts, and ancillary documents, including a Memorandum of Understanding, Agreement to Enter into a HAP Contract, and/or HAP Contract, and to take any and all other necessary or desirable actions, as are required to effectuate the resolutions set forth herein; and

BE IT FURTHER RESOLVED, that any and all appropriate actions previously taken by any authorized officer of PHA in connection with the resolutions set forth herein, are hereby ratified.

[Not Numbered, as it was "Tabled"]

**RESOLUTION APPROVING PLANS FOR IMPLEMENTATION OF
AMENDMENTS TO THE PHILADELPHIA HOUSING AUTHORITY'S PUBLIC HOUSING ADMISSIONS
AND CONTINUED OCCUPANCY POLICY AND THE HOUSING CHOICE VOUCHER
ADMINISTRATIVE PLAN**

WHEREAS, the Philadelphia Housing Authority ("PHA") has adopted Admissions and Continued Occupancy Policies ("ACOP") applicable to the Public Housing program, dated February 1, 2012, that provide for PHA to update the ACOP with the approval of the Board of Commissioners; and

WHEREAS, PHA has adopted an Administrative Plan ("Administrative Plan"), applicable to the Housing Choice Voucher Program, dated October 1, 2011, that provides for PHA to update the Administrative Plan with the approval of the Board of Commissioners; and

WHEREAS, by Resolution No. 11641, adopted August 15, 2013, the Board of Commissioners approved certain amendments to the ACOP and the Administrative Plan, but added the following requirement regarding implementation procedures for the approved amendments:

"BE IT FURTHER RESOLVED, that appropriate PHA staff shall prepare a plan describing the implementation of the approved amendments to the ACOP and the Administrative Plan, which implementation plan shall be submitted to the Board for its approval no later than 90 working days from the date of this resolution;" and

WHEREAS, PHA staff has prepared and presented to the Board its implementation plans for the ACOP amendments and the Administrative Plan amendments and a summary of the implementation plans is attached hereto;

BE IT RESOLVED, that the PHA Board of Commissioners hereby approves the Implementation Plan for Amendments to the ACOP and the Implementation Plan for Amendments to the Administrative Plan (together the "Implementation Plans"), in substantially the form made available to the Board and as summarized in the Attachment to this Resolution; and

AND BE IT FURTHER RESOLVED, that the PHA Board of Commissioners hereby authorizes the PHA President & CEO or his authorized designee to take all necessary actions to proceed according to the Implementation Plans to implement the approved amendments to the ACOP and the Administrative Plan.

ATTACHMENT

(RESOLUTION APPROVING IMPLEMENTATION PLANS FOR AMENDMENTS TO PHA'S ACOP AND ADMINISTRATIVE PLAN)

SUMMARY OF IMPLEMENTATION PLAN FOR AMENDMENTS TO ACOP

The amendments to the ACOP fall into four (4) categories:

1. **Amendments Relating to Utilities and Utility Allowances:** ACOP amendments relating to utilities and utility allowances will (a) enable PHA to perform its obligations under an Intergovernmental Cooperation Agreement with the Philadelphia Gas Works approved by the Board pursuant to Resolution #11642; and (b) further PHA's sustainability policy adopted by the Board pursuant to Resolution #11552.

PHA's standard consent form, signed at each eligibility determination, will now allow PHA to obtain consumption and expense information from utility companies, and also requires tenants to provide utility account numbers. The modified form is in use.

An amendment to eligibility standards lowered the limit on unpaid utility bills to \$750. To implement this change, PHA will amend the Desk Manual and property management staff will be trained. These are expected to be completed by April 30, 2014.

A new lease violation has been added: "Failure to comply with any lease requirements to pay utility bills where such failure results in substantial delinquency or the utility provider has threatened enforcement action or lien for non-payment." This amendment will not be implemented unless the PHA standard form lease is also modified.

An amendment requires PHA to cooperate with tenants seeking a release of a credit balance on a utility account. To implement this, PHA will amend the Desk Manual; a PHA staff person will be trained; tenants will be notified; PHA will agree with PGW and PECO on procedures for release of balances. This is expected to be completed by April 30, 2014.

An amendment clarifies that the Utility Assistance Payment or "UAP" may be paid directly to the utility supplier, after notice to the affected tenant, but without tenant consent. Under the Intergovernmental Cooperation Agreement with PGW, PHA agreed to start the direct payment of UAP to PGW by December 15, 2013. This direct payment arrangement has been implemented, along with a similar arrangement with PECO. Notice was sent to all affected tenants by mail on November 1, 2013. The Information Systems Management department made coding and calculation changes and has coordinated with PGW and PECO to assure the proper credit of payment to tenant accounts. A Utility Allowance Payment Hotline: 215.684.4200 and email address: pha.utilities@pha.phila.gov have been established and a staff person has been assigned to help resolve problems with these payments.

2. **Amendments Required to Conform the ACOP to HUD Regulations or Other Laws:** These amendments were mandated by law; there is no discretion whether they must be adopted and implemented. The following are the steps for implementation: (a) the PHA Desk Manual will be revised; (b) Admissions and property management personnel will be trained; (c) the Information Systems Management department will make coding and calculation changes. All of the above are expected to be completed by January 10, 2014.

3. **Amendments Required to Conform to PHA's Year 13 MTW Plan:** These amendments also were mandatory; there is no discretion whether they must be adopted and implemented. The steps for implementation: (a) the PHA Desk Manual will be revised; (b) Admissions and property management

personnel will be trained; (c) the Information Systems Management department will make coding and calculation changes. All of the above are expected to be completed by January 10, 2014.

4. **Amendments to Provide for Special Housing Initiatives:** These amendments enable PHA to develop new special housing initiatives. The steps for implementation: (a) the PHA Desk Manual has been revised; (b) Admissions and property management personnel will be trained. This is expected to be completed by January 10, 2014, except for one program for which the MOU has not yet been signed.

SUMMARY OF IMPLEMENTATION PLAN FOR AMENDMENTS TO HCV ADMINISTRATIVE PLAN

The amendments to the Administrative Plan fall into 5 categories:

1. **Amendments Relating to Utilities and Utility Allowances:** The amendments relating to utilities and utility allowances were adopted in order to (a) further PHA's sustainability policy and (b) provide an option for PHA to, in the future, pay net Utility Allowance Payments directly to utility companies (there is NO plan to implement such a direct payment program for HCV at this time). To implement the policy regarding tenant credit balances on utility accounts, (a) the HCV Desk Manual will be amended; (b) a PHA staff person will be trained to assist in processing tenant requests; (c) tenants will be notified; (d) PHA will agree on procedures with PGW and PECO. To implement changes to the calculation of Gas Utility Allowance to match PGW's Customer Responsibility Program, PHA will use PGW's formulae to calculate a tenant's CRP capped amount and will set the utility allowance to match it. These changes have been implemented as authorized by the MTW Plan.

2. **Amendments to Conform to Law:** The amendments that were required to conform to HUD regulations, notices or other laws were mandated by law; there is no discretion whether they must be adopted and implemented. The steps for implementation: (a) the HCV Desk Manual will be revised (b) Admissions and account management personnel will be trained (c) the Information Systems Management department will make coding and calculation changes. The above are expected to be completed by January 10, 2014.

3. **Amendments to Conform to PHA's Moving to Work Plan:** The amendments required to conform the Admin Plan to PHA's Year 13 MTW Plan also were mandatory; there is no discretion whether they must be adopted and implemented. The steps for implementation: (a) the PHA HCV Desk Manual will be revised; (b) Admissions and account management personnel will be trained; (c) the Information Systems Management department will make coding and calculation changes. The above are expected to be completed by January 10, 2014.

4. **Amendments Relating to Special Housing Initiatives:** To implement amendments adopted to enable PHA to develop special housing initiatives in addition to those already in effect, (a) the HCV Desk Manual will be revised, (b) Admissions and account management personnel will be trained. This is expected to be completed by January 10, 2014, except for the Witness Protection Program, as to which an MOU has not yet been prepared.

5. **General Procedures Amendments:** To implement amendments to to update and make changes requested by PHA staff for more clear and efficient procedures, (a) the HCV Desk Manual will be revised (b) Admissions and account management personnel will be trained (c) the Information Systems Management department will make coding and calculation changes. The above are expected to be completed by January 10, 2014

RESOLUTION NO. 11664

RESOLUTION RATIFYING SETTLEMENT OF LITIGATION

WHEREAS, a guest of a PHA tenant ("Plaintiff") brought a premises liability action against the Philadelphia Housing Authority ("PHA") seeking monetary damages; and

WHEREAS, based on an evaluation of the case made by the Office of General Counsel ("OGC"), in cooperation with outside legal counsel and PHA's general liability insurer, the Housing Authority Risk Retention Group, Inc. ("HARRG"), PHA reached a comprehensive settlement agreement with the Plaintiff, pursuant to which PHA and HARRG paid Plaintiff a total of two hundred thirty-five thousand dollars (\$235,000.00), of which one hundred twenty-eight thousand five hundred twenty-seven dollars and three cents (\$128,527.03) was paid by PHA, in exchange for Plaintiff's release of all claims; and

WHEREAS, the settlement was determined by OGC and represented to the Board in executive session, held in accordance with the Sunshine Act, 65 Pa. C.S.A. §§ 701 *et seq.*, to be in the best interests of PHA; and

WHEREAS, this resolution ratifies the settlement described above; and

WHEREAS, OGC is seeking concurrence from the U.S. Department of Housing and Urban Development in the settlement;

BE IT RESOLVED, that PHA's decision to contribute the amount of one hundred twenty-eight thousand five hundred twenty-seven dollars and three cents (\$128,527.03) to the settlement of the above-referenced litigation is hereby ratified.

I hereby certify that this was
APPROVED BY THE BOARD ON 12/19/13
Barbara Adams, General Counsel
ATTORNEY FOR PHA

RESOLUTION NO. 11665

RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO EXECUTE AND SUBMIT RENTAL ASSISTANCE DEMONSTRATION PROGRAM APPLICATIONS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND CERTIFY AN AGREEMENT TO COMPLY WITH ALL REQUIREMENTS OF THE PROGRAM

WHEREAS, the Board approved Resolution No. 11651 at the October 17, 2013 Board of Commissioners meeting, which provided for the Philadelphia Housing Authority ("PHA") to evaluate the feasibility of converting some public housing units to project-based rental assistance, under the Rental Assistance Demonstration ("RAD") Program, based on an analysis of capital needs and financial feasibility; and

WHEREAS, pursuant to Resolution No. 11651, PHA is required to seek Board approval for making applications to the U.S. Department of Housing and Urban Development ("HUD"), for conversion of units under RAD, subsequent to PHA's analysis of which units might be appropriate for conversion and after conducting two public meetings with residents of the impacted development(s); and

WHEREAS, PHA has conducted the required analysis, identified units that it believes are appropriate for application to HUD for RAD conversion (as set forth on the attachment to this resolution); has conducted two public meetings with residents of each of the impacted development(s); and has prepared RAD Program Applications, as made available to the Board of Commissioners; and

WHEREAS, HUD approval of PHA's RAD Program Applications, as made pursuant to this resolution, would not require PHA to convert units that are approved for conversion, but would allow PHA the option to do so; no RAD conversions can be made without further approvals by the Board of Commissioners and meetings with impacted residents; and the Board of Commissioners will have multiple opportunities to review and approve subsequent required submissions, agreements, contracts and task orders arising from RAD conversion; and

WHEREAS, the RAD program is advantageous for PHA in that it preserves the long term affordability of PHA units and provides substantial protections for PHA tenants including, but not limited to, a right to return, a prohibition on rescreening and the right to organize; and

WHEREAS, HUD requires that the Board Approval Forms, as made available to the Board of Commissioners, be approved by the PHA Board of Commissioners;

BE IT RESOLVED that the PHA Board of Commissioners authorizes the President & CEO or his authorized designee(s) to execute RAD Program Applications for the locations included in the Board Approval Forms with HUD, which applications and Board Approval Forms have been made available to the Board, to certify to comply with all requirements of the program and PIH Notice 2012-32 (Revision 1), and to take all necessary actions related to the submission to HUD of the documents referenced herein.

I hereby certify that this was

APPROVED BY THE BOARD ON 12/19/13

Barbara Adams, General Counsel
ATTORNEY FOR PHA

ATTACHMENT TO RAD APPLICATION RESOLUTION

Summary of Proposed PHA Public Housing Units for Inclusion in RAD Application

Approximately 1,000 Long-term vacant scattered sites

968 Rehabilitation Units

- Arch Homes
- Abbottsford Homes
- Haddington Homes
- Harrison Plaza
- Plymouth Hall
- Blumberg Senior
- Westpark Plaza

631 New Construction units

- Blumberg Family
- Queen Lane
- Norris

834 Alternatively Managed Sites

- MLK I
- MLK III
- Spring Garden I
- Spring Garden II
- Southwark (Courtyard)
- 8 Diamonds

RESOLUTION NO. 11666

RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO AMEND AND EXECUTE A CONTRACT FOR TECHNICAL ASSISTANCE AND ADMINISTRATION FOR A RESIDENT COMMISSIONER ELECTION

WHEREAS, The Philadelphia Housing Authority ("PHA") had previously identified a need for technical assistance for a Resident Commissioner Election; and

WHEREAS, in response to that need for technical assistance for a Resident Commissioner Election, JCK Legal ("JCK") was awarded a contract in February of 2013, as authorized by Board Resolution No. 11592; and

WHEREAS, JCK administered the Resident Commissioner Election, which was subsequently paused before the completion of the process; and

WHEREAS, after some time, the three parties who are required to agree regarding the Resident Commissioner Election, the Mayor of Philadelphia, the Philadelphia City Council President and PHA, have reached an agreement on how to move forward with the Resident Commissioner Election; and

WHEREAS, the agreement between the three parties calls for the restarting of the election process from the beginning, while allowing all eligible candidates who successfully submitted the sufficient number of eligible signatures from the election that was paused to retain their qualifications; and

WHEREAS, as PHA wishes to expedite the election process and ensure the fairness and neutrality of the process, PHA now requires technical assistance and an Independent Third Party Monitor for the Resident Commissioner Election, to complete the election process; and

WHEREAS, PHA has an existing contract with JCK, who was selected as an appropriate vendor in February of 2013, as authorized by Board Resolution No. 11592; and

WHEREAS, the Supply Chain Management Department recommends that the contract with JCK be amended to allow it to continue with providing technical and Independent Third Party Monitoring assistance to PHA for the Resident Commissioner Election, in a timely fashion; and

WHEREAS, it is recommended that an amendment to the JCK contract shall be for a one (1) year period in an amount not to exceed one hundred fifty thousand dollars (\$150,000.00);

BE IT RESOLVED, that PHA's President & CEO or his authorized designee is hereby authorized to conclude and execute an amendment to the contract with JCK for technical assistance for a Resident Commissioner Election, which contract shall be for a one (1) year period in an amount not to exceed one hundred fifty thousand dollars (\$150,000.00), subject to the availability of funds therefor.

I hereby certify that this was

APPROVED BY THE BOARD ON 12/19/13

Barbara Adams General Counsel

ATTORNEY FOR PHA

RESOLUTION NO. 11667

RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO CONCLUDE AND TO EXECUTE A CONTRACT WITH OLIVIER SPRINKLER COMPANY, INC. FOR FIRE PROTECTION SERVICES

WHEREAS, the Philadelphia Housing Authority ("PHA") has identified a need for fire protection system inspection maintenance, repair and emergency services for PHA conventional and PAPMC sites; and

WHEREAS, a solicitation was developed according to established procedures and all applicable laws regarding public contracts and the Request for Proposal was mailed to the appropriate companies on PHA Bidders' List and distributed to those who responded to the invitation through the publications; and

WHEREAS, the proposals were reviewed and evaluated by the evaluation committee and the supporting documents were reviewed by the Contracting Officer; and

WHEREAS, based upon the evaluation, it was recommended that a contract be awarded to Oliver Sprinkler Company, Inc.; and

WHEREAS, the Supply Chain Management Department recommends that a contract be awarded to Oliver Sprinkler Company Inc. for a two-year base period with three (3) one-year option periods in an amount not to exceed: 1) one hundred fifty thousand dollars (\$150,000.00) for the first year of the two-year base period; 2) one hundred twenty-five thousand dollars (\$125,000.00) for second year of the two-year base period; and 3) one hundred twenty-five thousand dollars (\$125,000.00), for each one of the three years that are options following the two-year base period, in a total contract amount, if all options are exercised, not to exceed six hundred fifty thousand dollars (\$650,000.00);

BE IT RESOLVED, that the President & CEO or his authorized designee is hereby authorized to conclude and execute a contract with Oliver Sprinkler Company, Inc. for fire protection services, in a total contract amount, if all options are exercised, not to exceed six hundred fifty thousand dollars (\$650,000.00), subject to the availability of funds therefor, as set forth above, and to take all necessary actions relating to such contract, including determining whether the options available under the contract shall be exercised; and

BE IT FURTHER RESOLVED, that the above authorization is contingent upon agreement by Oliver Sprinkler Company, Inc. to a commitment under Section 3 of not less than 3% of the total contract with PHA.¹

¹ The underlined language was added by the Board of Commissioners as an amendment to this resolution, at the meeting at which this resolution was considered and approved.

I hereby certify that this was

APPROVED BY THE BOARD ON 12/19/13

Barbara Adams, General Counsel
ATTORNEY GENERAL

RESOLUTION NO. 11668

RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO PROVIDE A GROUND LEASE TO DREXEL UNIVERSITY FOR PORTIONS OF 860 N. 11TH STREET, 843-47 N. 12TH STREET AND 1100 POPLAR STREET FOR PARKING FOR DREXEL'S HEALTH CARE CENTER EXPANSION AND TO SUBMIT A DISPOSITION APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AS APPLICABLE

WHEREAS, the Philadelphia Housing Authority ("PHA") is the owner of properties located at 860 N. 11th Street, 843-47 N. 12th Street, and 1100 Poplar Street, Philadelphia, Pa (collectively the "Property"); and

WHEREAS, Drexel University or its affiliated entity ("Drexel") desires to obtain a ground lease of portions of the Property, consisting of approximately 16,000 aggregate square feet of vacant land (the "Leased Property") for vehicular parking, in connection with its Health Care Center and the expansion thereof, which services the Richard Allen and Cambridge Homes public housing developments and the 11th Street corridor communities (the "Project"); and

WHEREAS, Drexel will pay a fair market rental rate for the Property, as determined by an independent market study, or a negotiated rental payment at less than fair market value, as supported by sufficient commensurate benefit, plus associated costs and fees; and

WHEREAS, PHA and Drexel will enter into a 12-month ground lease with the intent of entering into a long-term ground lease for a period of ten (10) years, which long term ground lease of a portion of 860 N. 11th Street (the "Federal Parcel") is subject to the approval of the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, in order to ground lease the Federal Parcel to Drexel for a period greater than 12 months, PHA will be required to comply with certain provisions of the Housing Act of 1937, as amended, the National Environmental Policy Act of 1969, the National Historic Preservation Act of 1966, 24 CFR, Part 970 and other related laws;

BE IT RESOLVED, that the President & CEO, or his authorized designee, is hereby authorized to enter into a short term ground lease of the Leased Property with Drexel for a period of not more than 12 months, and to submit a Disposition Application to HUD regarding the Federal Parcel and if approved, to enter into a long term ground lease of the Federal Parcel and the balance of the Leased Property to Drexel, plus all associated fees and costs and subject to any other required approvals, for a period of 10 years, for use as parking to support the continued operation and expansion of a health care center to service the Richard Allen and Cambridge Homes public housing developments and the 11th Street corridor communities, subject to and in compliance with all applicable local, state and federal laws, statutes and regulations;

BE IT FURTHER RESOLVED, that all appropriate actions taken heretofore with respect to the matters addressed by this resolution by PHA officers and staff are hereby ratified and affirmed.

I hereby certify that this was
APPROVED BY THE BOARD ON 12/19/13
Barbara Adams, General Counsel
ATTORNEY FOR PHA