



**PHILADELPHIA HOUSING AUTHORITY BOARD OF COMMISSIONERS MEETING MINUTES
Thursday, June 18, 2015, 3 p.m., at 12 S. 23rd St., Philadelphia, PA 19103**

The regular meeting of the Philadelphia Housing Authority (“PHA”) Board of Commissioners was brought to order at approximately 3:10 p.m. by the Chair, Lynette Brown-Sow. Vice-Chair Wetzel and Commissioners Camarda, Coney and Danzy were also in attendance, in person, as well as President & CEO, Kelvin Jeremiah (“CEO Jeremiah”) and Board Secretary and General Counsel, Barbara Adams. Commissioner Callahan participated by telephone, as was noted at the beginning of the meeting by CEO Jeremiah. Commissioner Kurland participated in the meeting in person as of approximately 3:30 p.m.

The Chair began the meeting by asking for a moment of silence in preparation for the work to be done in the meeting.

CEO Jeremiah reviewed the procedure for public comment at the Board meeting and then introduced PHA’s 25 summer interns, ten of whom are PHA residents. They received a round of applause, before being dismissed to go back to work.

CEO Jeremiah then noted that the Blumberg transformation plan is moving along well, with “demo/dispo” approval from HUD having been received and the relocation process began on June 8th, with 300 families involved so far. CEO Jeremiah announced that the City Council had that day approved the eminent domain acquisition sought by PHA of approximately 1,300 properties in the neighborhood, which is a significant step in the Blumberg/Sharswood transformation.

As part of the monthly Resident Spotlight, highlighting successes of PHA residents who have excelled with help from PHA’s resident services programs, CEO Jeremiah recognized two residents, Rokeisha Gallashaw and Asia Patterson, who graduated from the Police Academy on June 5th and officially started with PHAPD on June 8, 2015. These two women are the first residents to become PHA Police Officers and were heartily congratulated, as well as presented with awards. An engaging video highlighting the Academy training and background of the new officers was also presented.

The Chair then inquired whether there were any corrections or amendments to the minutes of the Board Meeting of May 21, 2015. Hearing none, the minutes were accepted as submitted.

Six resolutions were presented, all of which were unanimously approved.

Resolution 11786, attached in Appendix 1, was presented by Erik Soliván, Senior Vice President - Policy, Research, and Enterprise Planning, to authorize PHA to approve the Annual Moving to Work Report for submission to HUD for PHA’s Fiscal Year 2015. Vice-Chair Wetzel, as Chair of the Policy

and Planning Committee that reviewed the resolution, moved for its approval. The motion was seconded, after which Vice-Chair Wetzel noted that the Committee recommended its approval. There being no further discussion or public comment, for which an opportunity was provided, the resolution was unanimously approved (prior to the arrival of Commissioner Kurland).

Resolution 11787, attached in Appendix 1, was presented by Erik Soliván, Senior Vice President - Policy, Research, and Enterprise Planning, to authorize PHA to approve submission to HUD of an amendment to PHA's Fiscal Year 2016 Moving to Work Plan to include the conversion to the Rental Assistance Demonstration program ("RAD") of 57 units of new construction in Phase 1 of the Blumberg redevelopment. It was noted that this resolution relates to new construction. CEO Jeremiah also stated that PHA has committed to providing educational briefings on the RAD program as part of communication sessions for residents at sites that may be impacted by RAD, separate from this resolution. Vice-Chair Wetzel, as Chair of the Policy and Planning Committee that reviewed the resolution, moved for its approval and, after the motion was seconded, noted that its adoption was recommended by the committee. Following public comment, the resolution was unanimously approved.

Resolution 11788, attached in Appendix 1, was presented by William Myles, Executive Vice-President - Community Operations & Resident Development, to authorize PHA to enter into a Memorandum of Understanding by and among the City of Philadelphia Department of Human Services, Philadelphia Youth Network and PHA for the provision of 100 jobs for PHA youth as part of the Summer WorkReady Program in Philadelphia. Commissioner Coney, as Chair of the Resident Services Committee to which the resolution was sent for review, moved for its approval. The motion was seconded and Commissioner Coney noted that members of the Committee had discussed the resolution and recommended its approval. There being no further discussion or public comment, for which an opportunity was provided, the resolution was unanimously approved.

Resolution 11789, attached in Appendix 1, was presented by Dave Walsh, Executive Vice President – Supply Chain Management ("EVP – SCM"), to authorize PHA to exercise all three (3) one (1) year options for non-litigation legal services contracts that were entered into pursuant to a previous resolution that required Board approval for the exercise of contract options. The contract option approvals were for the following firms: Ballard Spahr, Dilworth Paxson, Eckert Seamans, Fox Rothschild, Hawkins Delafield, Kleinbard Bell & Brecker, Kolber & Randazzo (formerly, Kolber & Freiman), Pepper Hamilton, Reno & Cavanaugh and Ahmad & Zaffarese (as successor to The Smyler Firm). The total aggregate amount is not to exceed six million dollars (\$6,000,000) for all three (3) years. Commissioner Danzy, as a member of the Finance Committee that reviewed the resolution, moved for its approval, and, after the motion was seconded, noted that the reviewing committee recommended its approval. Following the opportunity for public comment, of which there was none, the resolution was unanimously approved.

Resolution 11790, attached in Appendix 1, was presented by Dave Walsh, EVP – SCM, to authorize PHA to execute a task order with TN Ward Company, under an existing master contract, for construction management services for demolition as part of the Norman B. Blumberg Revitalization, in an amount not to exceed seven million two hundred sixty-three thousand five hundred seventy-five dollars (\$7,263,575.00). Commissioner Danzy, as a member of the Finance Committee that reviewed the resolution, moved for its approval. Following a second

and Commissioner Danzy noting that the Finance Committee recommended approval, there was an opportunity for public comment, of which there was none. The motion was unanimously approved.

Resolution 11791, attached in Appendix 1, was presented by Dave Walsh, EVP – SCM, to execute task orders with VellNiece Construction LLC; DKJ Builders and Construction Managers, Inc.; W & W Contractors, Inc.; and Townes Mechanical Contractors, Inc.¹ for vacant unit rehabilitation, in an amount not to exceed two million five hundred thousand dollars (\$2,500,000.00). Commissioner Danzy, as a member of the Finance Committee that reviewed the resolution, moved for its approval. Following a second and public comment, the motion was unanimously approved.

The public comment period was then held, beginning at 3:50 p.m.

The Chair adjourned the meeting at approximately 4:20 p.m. Sign-up sheets with the name of each member of the public who signed up to speak on specific resolutions and in the general comment period, with a designation of the topic(s) addressed by the speaker, are attached as Appendix 2.

Respectfully submitted,



Barbara Adams
Secretary
Philadelphia Housing Authority

¹ The agenda page distributed at the meeting erroneously included Morgan Construction Management LLC. That company was not part of the resolution nor mentioned in the resolution and CEO Jeremiah indicated that it should be stricken from the agenda page, which it has been, in Appendix 1.

APPENDIX 1

THE PHILADELPHIA HOUSING AUTHORITY
MEETING OF THE BOARD OF COMMISSIONERS
12 S. 23rd St.
PHILADELPHIA, PA 19103
THURSDAY, JUNE 18, 2015, 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 May 21, 2015, as distributed.
- D. **New Business**
1. **RESOLUTION APPROVING THE FISCAL YEAR 2015 ANNUAL MOVING TO WORK ("MTW") REPORT FOR THE PHILADELPHIA HOUSING AUTHORITY ("PHA") FOR SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND CERTIFYING THAT PHA HAS MET THE THREE MTW STATUTORY REQUIREMENTS**

(Erik L. Soliván)
 2. **RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO SUBMIT AN AMENDMENT TO ITS FISCAL YEAR 2016 MOVING TO WORK ("MTW") ANNUAL PLAN ("PLAN") FOR THE CONVERSION OF 57 NEW UNITS TO THE RENTAL ASSISTANCE DEMONSTRATION PROGRAM**

(Erik L. Soliván)
 3. **RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF PHILADELPHIA DEPARTMENT OF HUMAN SERVICES AND PHILADELPHIA YOUTH NETWORK AS PART OF THE SUMMER WORK READY EMPLOYMENT PROGRAM**

(William Myles)

4. RESOLUTION AUTHORIZING THE EXERCISE OF CONTRACT OPTIONS WITH BALLARD SPAHR, DILWORTH PAXSON, ECKERT SEAMANS, FOX ROTHSCHILD, HAWKINS DELAFIELD, KLEINBARD BELL & BRECKER, KOLBER & RANDAZZO (FORMERLY, KOLBER & FREIMAN), PEPPER HAMILTON, RENO & CAVANAUGH, AND AHMAD & ZAFFARESE (AS SUCCESSOR TO THE SMYLER FIRM) FOR NON-LITIGATION LEGAL SERVICES

(Dave Walsh)

5. RESOLUTION AUTHORIZING A TASK ORDER WITH TN WARD COMPANY FOR CONSTRUCTION MANAGEMENT SERVICES FOR BLUMBERG DEMOLITION

(Dave Walsh)

6. RESOLUTION AUTHORIZING TASK ORDERS WITH VELLNIECE CONSTRUCTION LLC; DKJ BUILDERS AND CONSTRUCTION MANAGERS, INC.; W&W CONTRACTORS, INC.; AND TOWNES MECHANICAL CONTRACTORS, INC. FOR REHABILITATION OF VACANT UNITS

(Dave Walsh)

E. Public Comment Period

RESOLUTION NO. 11786

RESOLUTION APPROVING THE FISCAL YEAR 2015 ANNUAL MOVING TO WORK ("MTW") REPORT OF THE PHILADELPHIA HOUSING AUTHORITY ("PHA") FOR SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND CERTIFYING THAT PHA HAS MET THE THREE MTW STATUTORY REQUIREMENTS

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") requires the Philadelphia Housing Authority ("PHA"), as a participant in the Moving to Work Demonstration Program ("MTW"), to submit an Annual Report on the status of its programs, operations, and finances in a form specified and required by HUD; and

WHEREAS, under the MTW Agreement, HUD will assess PHA's performance on an annual basis by comparing, at the end of PHA's fiscal year, its goals as stated in its approved MTW Annual Plan, to its actual performance, as stated in its Annual Report; and

WHEREAS, PHA must include in the MTW Annual Report all required elements as described in the MTW Agreement; and

WHEREAS, the MTW Agreement, in Attachment B, HUD Form 50900 Section VI (A), requires a certification in the Annual Report that PHA has met the three MTW statutory requirements of: 1) assuring that at least 75 percent of the families assisted by PHA are very low-income families; 2) continuing to assist substantially the same total number of eligible low-income families under MTW as would have been served had the funding amounts not been combined under MTW; and, 3) maintaining a comparable mix of families by family size, as would have been served or assisted had the amounts not been used under the MTW demonstration; and

WHEREAS, the Annual Report must be submitted no later than ninety (90) days after the end of PHA's fiscal year; and

WHEREAS, PHA's fiscal year ended on March 31, 2015 and its Annual Report is due to HUD on or before June 30, 2015; and

WHEREAS, PHA has prepared its Annual MTW Report for Fiscal Year 2015, which is ready for timely submission to HUD and which contains all the required elements;

BE IT RESOLVED, that the PHA Board of Commissioners hereby approves PHA's Annual Report for the MTW Demonstration Program for Fiscal Year 2015 (period ending March 31, 2015), as distributed to the Board, for submission to HUD, and certifies that the report reflects that PHA has met the three MTW statutory requirements of: 1) assuring that at least 75 percent of the families assisted by PHA are very low-income families; 2) continuing to assist substantially the same total number of eligible low-income families under MTW as would have been served had the funding amounts not been combined under MTW; and 3) maintaining a comparable mix of families by family size, as would have been served or assisted had the amounts not been used under the MTW demonstration; and authorizes the President & CEO and/or his designee(s) to undertake all necessary actions including, but not limited to, responding to HUD comments and requests for additional information, in order to secure HUD approval for the Annual Report.

I hereby certify that this was
APPROVED BY THE BOARD ON 6/18/15
Barbara Wilson, General Counsel
ATTORNEY FOR PHA

RESOLUTION NO. 11787

RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO SUBMIT AN AMENDMENT TO ITS FISCAL YEAR 2016 MOVING TO WORK ("MTW") ANNUAL PLAN ("PLAN") FOR THE CONVERSION OF 57 NEW UNITS TO THE RENTAL ASSISTANCE DEMONSTRATION PROGRAM

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") administers a Moving to Work ("MTW") Demonstration Program that is designed to provide the opportunity for selected Housing Authorities to explore and demonstrate more efficient ways to provide and administer low-income housing; and

WHEREAS, pursuant to Philadelphia Housing Authority ("PHA") Board of Commissioners Resolution No. 10618, dated December 21, 2000, PHA submitted to HUD an MTW Application Plan and Agreement; and

WHEREAS, since 2002, when HUD accepted PHA's application for participation in the MTW Demonstration Program and HUD and PHA executed a MTW Demonstration Agreement ("MTW Agreement"), PHA has continuously participated in the MTW Demonstration Program, as detailed in Resolution 11577, adopted by the Board on January 11, 2013; and

WHEREAS, as a participant in the Rental Assistance Demonstration Program, PHA is required amend its MTW Annual Plan for any conversion of units to the RAD program; and

WHEREAS, PHA's Phase 1 Blumberg Redevelopment Plan ("Phase 1") anticipates the construction of 57 rental units that will be converted to the RAD Program and provided to residents that are relocated prior to the demolition of the existing Blumberg multi-family buildings; and

WHEREAS, no current PHA residents are impacted or are subject to relocation due to this proposed RAD conversion because the 57 rental units are new construction that will be converted to RAD upon completion and occupancy, which is expected to begin in 2017; and

WHEREAS, PHA has fulfilled the HUD requirement of providing opportunities for resident and public participation and comment on the Amendment to the MTW Plan, including scheduling at least one (1) public hearing and taking into consideration any comments received, by performing the following actions: 1) holding a public hearing on May 20, 2015 with a second one scheduled for June 11, 2015; 2) posting the draft Amendment on PHA's website; 3) making copies of the draft amendment available at PHA site offices; and 4) accepting and considering public comments over a period lasting from May 5, 2015 to June 15, 2015;

BE IT RESOLVED that the Board of Commissioners hereby approves the amendment referenced above to the MTW Fiscal Year 2016 Annual Plan and authorizes PHA's Chair and/or its President & CEO or his or her authorized designee(s) to: 1) submit to HUD the Amended PHA MTW Annual Plan for Fiscal Year 2016; 2) take all steps necessary to finalize and secure HUD approval and implement initiatives as described in the Plan, subject to receipt of adequate funding from HUD; and 3) execute any requirements related to the financial closing for the Phase 1 development.

I hereby certify that this was
APPROVED BY THE BOARD ON 6/18/15
Barbara Collins, General Counsel
ATTORNEY FOR PHA

ATTACHMENT TO MTW ANNUAL PLAN RESOLUTION FOR MTW YEAR FIFTEEN
[Reference Footnotes deleted]

**Philadelphia Housing Authority – Moving to Work (MTW) Program
FY 2016 Amendment**

**Philadelphia Housing Authority
Fiscal Year 2016 Moving to Work Annual Plan Amendment
Rental Assistance Demonstration Significant Amendment**

The Philadelphia Housing Authority (PHA) is amending its Fiscal Year 2016 Moving to Work (MTW) Annual Plan to incorporate additional information as required by the US Department of Housing and Urban Development (HUD) concerning the planned conversion of certain PHA public housing units to project-based assistance under the Rental Assistance Demonstration (RAD) program.

Background

In December 2013, the PHA Board of Commissioners authorized the submission of several applications to HUD to convert certain public housing units under the RAD program, including 57 units located at Blumberg Apartments. The Board's approval came after a series of public meetings were held with residents of the impacted public housing developments to inform residents about the RAD program and their rights under a proposed RAD conversion.

In March 2015, HUD issued a series of RAD award letters to PHA that approved the applications for conversion of 3,189 public housing units, subject to PHA meeting all of the conditions and requirements of the RAD program. The award letters serve as HUD's Commitment to Enter into a Housing Assistance Payments Contract (CHAPs) for the subject public housing developments. Accordingly, PHA intends to proceed with RAD conversion under the guidelines of PIH Notice 2012-32, REV-1 and any other successor Notices issued by HUD.

One of the conditions of the CHAP is that PHA must submit a Significant Amendment to its MTW Annual Plan that incorporates important information on PHA's RAD conversion plans. The information included in this document provides the required information and serves as PHA's RAD Significant Amendment. PHA is providing a thirty-day public comment period and will conduct a Public Hearing on May 20, 2015 to allow residents and the general public an opportunity to review and comment on the RAD Significant Amendment. Following this period, the PHA Board of Commissioners will conduct a vote on the RAD Significant Amendment at a public meeting.

RAD Conversion Plan

HUD has approved the conversion of 3,189 public housing units to project-based assistance under the RAD program. Of this total, 619 are currently occupied (65.6%), with the balance representing long-term vacant and uninhabitable units.

Attachment 1 includes current information on the PHA development at Blumberg that is proposed for RAD conversion. For each development approved for RAD conversion, Attachment 1 includes the following information:

| | |
|--------------------------------|--|
| <i>Current Units:</i> | Total number of units, bedroom size distribution and unit type |
| <i>Post-Conversion Units:</i> | If applicable, any changes proposed to the current number of units, the bedroom size distribution or the unit type including de minimis reductions |
| <i>Transfer of Assistance:</i> | Whether PHA intends to transfer assistance to another development as part of the RAD conversion and, if so, the location, number of units, bedroom size distribution, and unit type where known. |
| <i>PBV or PBRA:</i> | Whether PHA intends to convert the development to the Project Based Voucher (PBV) program or to the Project Based Rental Assistance (PBRA) program, along with information on resident rights, resident participation, waiting list and grievance procedures applicable to each program. A more detailed discussion of PBV and PBRA follows below. |
| <i>Capital Fund Impact:</i> | The current amount of Capital Fund dollars received prior to RAD conversion. Developments converted through the RAD program are not eligible for Public |

Housing Capital Funds. A more detailed discussion of the projected Capital Fund impact of RAD conversion follows below.

Transfer of Waiting List:

How existing waiting lists will be addressed as part of the conversion

Conversion to Project Based Vouchers or Project Based Rental Assistance

Public housing developments that are converted to project-based assistance will no longer be subject to HUD rules and regulations pertaining to the public housing program. Upon conversion to RAD, the former public housing units will be subject to the rules and regulations pertaining to either the Housing Choice Voucher PBV or PBRA programs, depending on which program option is selected by PHA. HUD has modified both the PBV and PBRA program rules and regulations to incorporate additional provisions that apply solely to units converted under RAD. These additional provisions provide important protections to current residents of public housing that are impacted by a RAD conversion.

PHA currently plans to convert the RAD units listed in Attachment 1 to the PBV program. As part of the conversion initiative, PHA will adopt all required RAD PBV rules, and will modify its existing Housing Choice Voucher Program Administrative Plan as needed to incorporate these requirements, including, but not limited to resident rights, resident participation, waiting list, lease, grievance processes and other matters.

Attachment 2 provides information on the PBV program related to: resident screening and right to return; phasing in of rent increases if applicable; eligibility for Family Self Sufficiency and ROSS program services; resident participation rights including the right to operate a resident organization and be eligible for resident participation funding; lease renewal and termination provisions; grievance processes; earned income disregard continued eligibility; and, establishment of a waiting list.

For informational and comparative purposes, Attachment 3 provides information on the PBRA related to: resident screening and right to return; phasing in of rent increases if applicable; eligibility for Family Self Sufficiency and ROSS program services; resident participation rights including the right to operate a resident organization and be eligible for resident participation funding; lease renewal and termination provisions; grievance processes; earned income disregard continued eligibility; and, establishment of a waiting list.

Capital Fund Budget

Conversion of existing public housing developments under the RAD program will enable PHA to leverage existing funds to secure additional private and other funding. This new funding will be used to undertake long-deferred capital improvements and, in instances where transfer of assistance is involved, to construct new affordable housing units.

PHA currently receives HUD Capital Funds on an annual basis, subject to Congressional appropriations for the majority of its public housing units. Attachment 1 includes the current Capital Fund allocation for each RAD conversion site. Upon conversion to RAD, PHA will no longer receive a Capital Fund allocation for units that have been converted and the annual Capital Fund grant will be decreased.

The estimated reduction in PHA Capital Funds on an annual basis is \$159,126, assuming that all public housing units that have been issued a CHAP are converted under RAD. Over a five year period, the estimated Capital Fund reduction is \$795,633. As RAD conversions are completed, PHA will modify its existing capital plans to reflect the reduction in funding and change in work scopes.

The RAD conversion will not impact PHA's existing Capital Fund Financing Program (CFFP) obligations. PHA will utilize Replacement Housing Funds (RHF) to support the RAD conversion as follows:

- \$8.7 Million

Site and Neighborhood Standards for Transfer of Assistance Conversions

PHA has analyzed all currently known replacement sites for those RAD conversions that involve transfer of assistance. All proposed sites meet the current MTW Site and Neighborhood Standards as defined in PHA's MTW Agreement.

Relocation Plan

Temporary relocation may be required for some public housing residents to accommodate construction that is part of the RAD conversion process. Any temporary relocation will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) and its implementing regulations. As part of its RAD Financing Plan submission, PHA will complete and submit the Accessibility and Relocation Plan Checklist provided by HUD.

Compliance

PHA is not presently subject to a voluntary compliance agreement, consent order, consent decree, final judicial ruling or administrative ruling that has any relation to or impact on the planned RAD conversion.

Moving To Work

PHA may utilize MTW fungibility and programmatic flexibility to support the RAD conversion effort subject to Board and HUD approvals. PHA certifies that regardless of any funding changes that may occur as a result of conversion under RAD, PHA will continue to administer and maintain service levels for its remaining portfolio of public housing units. PHA will do this by utilizing available funding including Public Housing Operating Fund, Capital Fund, and Tenant Rental Income.

Significant Amendment Definition

As part of the RAD conversion initiative, a Significant Amendment to the MTW Plan will not be required for the following RAD-specific actions, provided that the adjustments to the RAD plans are authorized by the Board of Commissioners in the normal course of business:

- Changes to the Capital Fund budget produced as a result of each approved RAD conversion regardless of whether the proposed conversion will include use of additional Capital Funds;
- Decisions to apply MTW programmatic flexibility to post-conversion RAD developments;
- Decisions or changes related to the ownership and/or financing structures for each approved RAD conversion including decisions to allocate PHA financial resources as a source of funds to support the RAD conversion initiatives;
- Changes to the construction and rehabilitation plans and scheduled for each approved RAD conversion;
- Changes in the bedroom size distribution or the number of de minimis unit reductions up to the 5% permitted under RAD program rules; and,
- Decisions to convert to either Project Based Vouchers or Project Based Rental Assistance.

RAD Significant Amendment Attachment 1

| | |
|--------------------------------------|------------------------|
| Development Name | Phase 1 |
| PIC Development ID # | PA002000050 |
| Conversion Type (PBV or PBRA) | Project Based Vouchers |
| Capital Fund Grant (FY15) | \$159,126 |
| Pre-Conversion Total Units | 57 |
| Pre-Conversion Unit Type | Multi family |
| Pre-Conversion Bedroom Size | # of Units - 57 |
| 0 BR | |
| 1 BR | 2 |
| 2 BR | 24 |
| 3 BR | 16 |
| 4 BR | 15 |
| 5 BR | |
| 6 BR | |
| Post-Conversion Total Units | 57 |
| Post-Conversion Unit Type | Multi family |
| Post-Conversion Bedroom Size | # of Units |

0 BR
 1 BR 10
 2 BR 25
 3 BR 19
 4 BR 3
 5 BR
 6 BR

Transfer of Assistance Yes

De Minimis Reduction
 Transfer of Waiting List

**Fiscal Year 2016 Moving to Work Annual Plan Amendment
 Rental Assistance Demonstration Significant Amendment
Attachment 2 – Project Based Voucher Program (PBV)**

The following information regarding conversion of public housing units to the Project Based Voucher (PBV) program under the Rental Assistance Demonstration (RAD) program is taken directly from the HUD RAD program instructions found at PIH Notice 2012-32, REV-1.

Section 1.6.C. PBV Resident Rights and Participation

1. **No Re-screening of Tenants upon Conversion.** Pursuant to the RAD statute, at conversion, current households are not subject to rescreening, income eligibility, or income targeting provisions. Consequently, current households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, 24 CFR § 982.201, concerning eligibility and targeting, will not apply for current households. Once that remaining household moves out, the unit must be leased to an eligible family.
2. **Right to Return.** Any residents that may need to be temporarily relocated to facilitate rehabilitation or construction will have a right to return to an assisted unit at the development once rehabilitation or construction is completed. Where the transfer of assistance to a new site is warranted and approved (see Section 1.6.B.7 and Section 1.7.A.8 on conditions warranting a transfer of assistance), residents of the converting development will have the right to reside in an assisted unit at the new site once rehabilitation or construction is complete. Residents of a development undergoing conversion of assistance may voluntarily accept a PHA or Owner's offer to permanently relocate to another assisted unit, and thereby waive their right to return to the development after rehabilitation or construction is completed.
3. **Renewal of Lease.** Under current regulations at 24 CFR § 983.257(b)(3), upon lease expiration, a PHA can choose not to renew the lease, without good cause. In such a case, the regulatory consequence is the loss of the assisted unit. Under RAD, the PHA must renew all leases upon lease expiration, unless cause exists. Consequently, 24 CFR 983.257(b)(3) will not apply. This provision must be incorporated by the PBV owner into the tenant lease or tenancy addendum, as appropriate.
4. **Phase-in of Tenant Rent Increases.** If a tenant's monthly rent increases by more than the greater of 10 percent or \$25 purely as a result of conversion, the rent increase will be phased in over 3 or 5 years. To implement this provision, HUD is waiving section 3(a)(1) of the Act, as well as 24 CFR § 983.3 (definition of "total tenant payment" (TTP)) only to the extent necessary to allow for the phase-in of tenant rent increases. A PHA must create a policy setting the length of the phase in period at three years, five years or a combination depending on circumstances. For example, a PHA may create a policy that uses a three year phase-in for smaller increases in rent and a five year phase-in for larger increases in rent. This policy must be in place at conversion and may not be modified after conversion.

The below method explains the set percentage-based phase-in an owner must follow according to the phase-in period established. For purposes of this section "standard TTP" refers to the TTP calculated in accordance with regulations at 24 CFR §5.628 and the "most recently paid TTP" refers to the TTP recorded on line 9j of the family's most recent HUD Form 50058

Three Year Phase-in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 33% of difference between most recently paid TTP and the standard TTP
- Year 2: Year 2 Annual Recertification (AR) and any Interim Recertification (IR) prior to Year 3 AR – 66% of difference between most recently paid TTP and the standard TTP
- Year 3: Year 3 AR and all subsequent recertifications – Full standard TTP

Five Year Phase in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 20% of difference between most recently paid TTP and the standard TTP
- Year 2: Year 2 AR and any IR prior to Year 3 AR – 40% of difference between most recently paid TTP and the standard TTP
- Year 3: Year 3 AR and any IR prior to Year 4 AR – 60% of difference between most recently paid TTP and the standard TTP
- Year 4: Year 4 AR and any IR prior to Year 5 AR – 80% of difference between most recently paid TTP and the standard TTP
- Year 5: AR and all subsequent recertifications – Full standard TTP

Please Note: In either the three year phase-in or the five-year phase-in, once the standard TTP is equal to or less than the previous TTP, the phase-in ends and tenants will pay full TTP from that point forward.

- 5. Public Housing Family Self Sufficiency (PH FSS) and Resident Opportunities and Self Sufficiency Service Coordinator (ROSS-SC) programs.** Current PH FSS participants will continue to be eligible for FSS once their housing is converted under RAD, and PHAs will be allowed to use any PH FSS funds granted previously or pursuant to the FY 2013 PH FSS NOFA, to serve those FSS participants who live in units converted by RAD and who will as a result be moving to the HCV FSS program, subject to the following:
- a. If a PHA has an HCV FSS program, a PHA must convert the PH FSS program participants at the covered project to their HCV FSS program. Please see future FSS Notices of Funding Availability and other guidance for additional details, including FSS coordinator funding eligibility of PHAs under a RAD conversion.
 - b. If a PHA does not have an HCV FSS program, the PHA must establish an HCV FSS program and convert the PH FSS program participants at the covered project into their HCV FSS program. PHAs are not required to offer enrollment in FSS to residents in converting projects and other HCV participants, other than to residents in converting projects that were enrolled in the PH FSS program. Please see future FSS Notices of Funding Availability and other guidance for additional details, including FSS coordinator funding eligibility of PHAs under a RAD conversion.
- All PHAs will be required to administer the FSS program in accordance with FSS regulations at 24 CFR Part 984 and in accordance with the participants' contracts of participation. However, residents who were converted from the PH FSS program to the HCV FSS program through RAD may not be terminated from the HCV FSS program or have HCV assistance withheld due to the participant's failure to comply with the contract of participation. Consequently, 24 CFR 984.303(b)(5)(iii) does not apply to FSS participants in converted properties.

Current ROSS-SC grantees will be able to finish out their current ROSS-SC grants once their housing is converted under RAD. However, once the property is converted, it will no longer be

eligible to be counted towards the unit count for future public housing ROSS-SC grants, nor will its residents be eligible to be served by future public housing ROSS-SC grants.

6. **Resident Participation and Funding.** In accordance with Attachment 1B, residents of covered projects converting assistance to PBVs will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding.
7. **Resident Procedural Rights.** The following items must be incorporated into both the Section 8 Administrative Plan and the owner's lease, which includes the required tenancy addendum, as appropriate. Evidence of such incorporation may be requested by HUD for purposes of monitoring the program.
 - a. **Termination Notification.** HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects that convert assistance under RAD. In addition to the regulations at 24 CFR § 983.257, related to owner termination of tenancy and eviction, as modified by the waiver in Section 1.6(C)(3) above, the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall not be less than:
 - i. A reasonable period of time, but not to exceed 30 days:
 - If the health or safety of other tenants, PHA employees, or persons residing in the immediate vicinity of the premises is threatened; or
 - In the event of any drug-related or violent criminal activity or any felony conviction;
 - ii. 14 days in the case of nonpayment of rent; and
 - iii. 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.
 - b. **Grievance Process.** HUD is incorporating additional procedural rights to comply with the requirements of section 6 of the Act.

For issues related to tenancy and termination of assistance, PBV program rules require the PHA to provide an opportunity for an informal hearing, as outlined in 24 CFR § 982.555. RAD will waive 24 CFR § 982.555(b) in part, which outlines when informal hearings are not required, and require that:

 - i. In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(vi),³¹ an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to a PHA (as owner) action in accordance with the individual's lease or the contract administrator in accordance with RAD PBV requirements that adversely affect the resident's rights, obligations, welfare, or status.
 - For any hearing required under 24 CFR § 982.555(a)(1)(i)-(vi), the contract administrator will perform the hearing, as is the current standard in the program.
 - For any additional hearings required under RAD, the PHA (as owner) will perform the hearing.
 - ii. An informal hearing will not be required for class grievances or to disputes between residents not involving the PHA (as owner) or contract administrator. This hearing requirement shall not apply to and is not intended as a forum for initiating or negotiating policy changes between a group or groups of residents and the PHA (as owner) or contract administrator.
 - iii. The PHA (as owner) give residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR §982.555(a)(1)(i)-(vi).

- iv. The PHA (as owner) provide opportunity for an informal hearing before an eviction.

Current PBV program rules require that hearing procedures must be outlined in the PHA's Section 8 Administrative Plan.

8. **Earned Income Disregard (EID).** Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID after conversion, in accordance with regulations at 24 CFR § 5.617. Upon the expiration of the EID for such families, the rent adjustment shall not be subject to rent phase-in, as described in Section 1.6.C.4; instead, the rent will automatically rise to the appropriate rent level based upon tenant income at that time.

Under the Housing Choice Voucher program, the EID exclusion is limited to only persons with disabilities (24 CFR § 5.617(b)). In order to allow all tenants (including non-disabled persons) who are employed and currently receiving the EID at the time of conversion to continue to benefit from this exclusion in the PBV project, the provision in section 5.617(b) limiting EID to only disabled persons is waived. The waiver and resulting alternative requirement only applies to tenants receiving the EID at the time of conversion. No other tenant (e.g., tenants who at one time received the EID but are not receiving the EID exclusion at the time of conversion (e.g., due to loss of employment); tenants that move into the property following conversion, etc.) is covered by this waiver.

9. **Capital Fund Education and Training Community Facilities (CFCF) Program.**

CFCF provides capital funding to PHAs for the construction, rehabilitation, or purchase of facilities to provide early childhood education, adult education, and job training programs for public housing residents based on an identified need. Where a community facility has been developed under CFCF in connection to or serving the residents of an existing public housing project converting its assistance under RAD, residents will continue to qualify as "PHA residents" for the purposes of CFCF program compliance. To the greatest extent possible the community facility should continue to be available to public housing residents

- Section 1.6.D.4. Establishment of Waiting List.** In establishing the waiting list for the converted project, the PHA shall utilize the project-specific waiting list that existed at the time of conversion, unless the assistance is being transferred to another neighborhood. If a project-specific waiting list does exist, but the PHA is transferring the assistance to another neighborhood, the PHA must notify applicants on the wait-list of the transfer of assistance, and on how they can apply for residency at the new project site or other sites. Applicants on a project-specific waiting list for a project where the assistance is being transferred shall have priority on the newly formed waiting list for the new project site in accordance with the date and time of their application to the original project's waiting list. In addition, the waiting list must be established and maintained in accordance with PBV program requirements.

If a project-specific waiting list for the project does not exist, the PHA shall establish a waiting list in accordance 24 CFR § 903.7(b)(2)(ii)-(iv) to ensure that applicants on the PHA's public housing community-wide waiting list have been offered placement on the converted project's initial waiting list. For the purpose of establishing the initial waiting list, PHAs have the discretion to determine the most appropriate means of informing applicants on the public housing waiting list given the number of applicants, PHA resources, and community characteristics of the proposed conversion under RAD. Such activities should be pursuant to the PHA's policies for waiting list management, including the obligation to affirmatively further fair housing.

A PHA may consider contacting every applicant on the public housing waiting list via direct mailing; advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (e.g., radio stations, posters, newspapers) within the marketing area, informing local non-profit entities and advocacy groups (e.g., disability rights groups); and conducting other outreach as appropriate. Applicants on the agency's centralized public housing waiting list who wish to be placed onto the newly-established waiting list are done so in accordance with the date and time of their original

application to the centralized public housing waiting list. Any activities to contact applicants on the public housing waiting list must be conducted accordance with the requirements for effective communication with persons with disabilities at 24 CFR § 8.6 and the obligation to provide meaningful access for persons with limited English proficiency (LEP).³⁴To implement this provision, HUD is waiving 24 CFR § 983.251(c)(2). However, after the initial waiting list has been established, the PHA shall administer its waiting list for the converted project in accordance with 24 CFR § 983.251(c).

**Fiscal Year 2016 Moving to Work Annual Plan Amendment
Rental Assistance Demonstration Significant Amendment
Attachment 3 – Project Based Rental Assistance (PBRA)**

The following information regarding conversion of public housing units to the Project Based Rental Assistance (PBRA) program under the Rental Assistance Demonstration (RAD) program is taken directly from the HUD RAD program instructions found at PIH Notice 2012-32, REV-1.

Section 1.7. B. PBRA Resident Rights and Participation

- 1. No Rescreening of Tenants upon Conversion.** Pursuant to the RAD statute, at conversion, current households are not subject to rescreening, income eligibility, or income targeting provisions. Consequently, current households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, the first clause of section 8(c)(4) of the Act and 24 CFR § 880.603(b), concerning determination of eligibility and selection of tenants, will not apply for current households. Once that remaining household moves out, the unit must be leased to an eligible family
- 2. Right to Return.** Any resident that may need to be temporarily relocated to facilitate rehabilitation or construction will have a right to return to an assisted unit at the development once rehabilitation or construction is completed. Where the transfer of assistance to a new site is warranted and approved (see Section 1.6.B.7 and Section 1.7.A.8 on conditions warranting a transfer of assistance), residents of the converting development will have the right to reside in an assisted unit at the new site once rehabilitation or construction is complete. Residents of a development undergoing conversion of assistance may voluntarily accept a PHA or Owner's offer to permanently relocate to another assisted unit, and thereby waive their right to return to the development after rehabilitation or construction is completed.
- 3. Phase-in of Tenant Rent Increases.** If a resident's monthly rent increases by more than the greater of 10 percent or \$25 purely as a result of conversion, the rent increase will be phased in over 3 years, which a PHA may extend to 5 years. To implement this provision, HUD is waiving section 3(a)(1) of the Act, as well as 24 CFR § 880.201 (definition of "total tenant payment"), to the limited extent necessary to allow for the phase-in of tenant rent increases. A PHA must set the length of the phase-in period to be three years, five years or a combination depending on circumstances. For example, a PHA may create a policy that uses a three year phase-in for smaller increases in rent and a five year phase-in for larger increases in rent. This policy must be in place at conversion and may not be modified after conversion.
The below method explains the set percentage-based phase-in an owner must follow according to the phase-in period established. For purposes of this section "Calculated Multifamily TTP" refers to the TTP calculated in accordance with regulations at 24 CFR §5.628 and the "most recently paid TTP" refers to the TTP recorded on the family's most recent HUD Form 50059.

Three Year Phase-in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 33% of difference between most recently paid Total Tenant Payments (TTP) and the calculated Multifamily housing TTP
- Year 2: Year 2 Annual Recertification (AR) and any Interim Recertification (IR) in prior to Year 3 AR – 66% of difference between most recently paid TTP and calculated Multifamily housing TTP
- Year 3: Year 3 AR and all subsequent recertifications – Year 3 AR and any IR in Year 3: Full Multifamily housing TTP

Five Year Phase-in

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 20% of difference between most recently paid TTP and the calculated Multifamily housing TTP
- Year 2: Year 2 AR and any IR prior to Year 3 AR – 40% of difference between most recently paid TTP and calculated Multifamily housing TTP
- Year 3: Year 3 AR and any IR prior to Year 4 AR – 60% of difference between most recently paid TTP and calculated Multifamily housing TTP
- Year 4: Year 4 AR and any IR prior to Year 5 AR – 80% of difference between most recently paid TTP and calculated Multifamily housing TTP
- Year 5 AR and all subsequent recertifications – Full Multifamily housing TTP

Please Note: In either the three year phase-in or the five-year phase-in, once Multifamily housing TTP is equal to or less than the previous TTP, the phase-in ends and tenants will pay full multifamily housing TTP from that point forward

- 4. Public Housing Family Self-Sufficiency (PH FSS) and Resident Opportunities and Self Sufficiency (ROSS-SC).** Current PH FSS participants will continue to be eligible for FSS once their housing is converted under RAD. All owners will be required to administer the FSS program in accordance with the participants' contracts of participation and future guidance published by HUD. Owners may not offer enrollment in FSS to residents in projects converted to PBRA that were not enrolled in the PH FSS program prior to RAD conversion, nor may owners offer FSS enrollment to any new residents at the project. Owners will be allowed to use any funds already granted for PH FSS coordinator salaries until such funds are expended. All owners will be required to provide both service coordinators and payments to escrow until the end of the Contract of Participation. Please see future FSS Notices of Funding Availability and other guidance for additional details, including FSS coordinator funding eligibility under a RAD conversion. As the PH FSS grant is the source of funding for PH FSS, program compliance will continue to be monitored by the Office of Public and Indian Housing. Current ROSS-SC grantees will be able to finish out their current ROSS-SC grants once their housing is converted under RAD. However, once the property is converted, it will no longer be eligible to be counted towards the unit count for future public housing ROSS-SC grants nor will its residents be eligible to be served by future public housing ROSS-SC grants.
- 5. Resident Participation and Funding.** Residents of covered projects converting assistance to PBRA will have the right to establish and operate a resident organization in accordance with 24 CFR Part 245 (Tenant Participation in Multifamily Housing Projects). In addition, in accordance with Attachment 1B, residents will be eligible for resident participation funding.
- 6. Resident Procedural Rights.** The information provided below must be included as part of the House Rules for the associated project and the House Rules must be furnished to HUD as part of the Financing Plan submission. See Attachment 1E for a sample Addendum to the House Rules.
 - a. Termination Notification.** HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects converting

assistance under RAD, that supplement notification requirements in regulations at 24 CFR § 880.607 and the Multifamily HUD Model Lease.

i. *Termination of Tenancy and Assistance.* The termination procedure for RAD conversions to PBRA will additionally require that PHAs (as owners) provide adequate written notice of termination of the lease which shall not be less than:

- A reasonable period of time, but not to exceed 30 days:
 - If the health or safety of other tenants, owner employees, or persons residing in the immediate vicinity of the premises is threatened; or
 - In the event of any drug-related or violent criminal activity or any felony conviction; or
- 14 days in the case of nonpayment of rent.

ii. *Termination of Assistance.* In all other cases, the requirements at 24 CFR § 880.603, the Multifamily HUD Model Lease, and any other HUD multifamily administrative guidance shall apply.

b. **Grievance Process.** In addition to program rules that require that tenants are given notice of covered actions under 24 CFR Part 245 (including increases in rent, conversions of a project from project-paid utilities to tenant-paid utilities, or a reduction in tenant paid utility allowances), HUD is incorporating resident procedural rights to comply with the requirements of section 6 of the Act. RAD will require that:

- i. Residents be provided with notice of the specific grounds of the proposed owner adverse action, as well as their right to an informal hearing with the PHA (as owner);
- ii. Residents will have an opportunity for an informal hearing with an impartial member of PHA's staff (as owner) within a reasonable period of time;
- iii. Residents will have the opportunity to be represented by another person of their choice, to ask questions of witnesses, have others make statements at the hearing, and to examine any regulations and any evidence relied upon by the owner as the basis for the adverse action. With reasonable notice to the PHA (as owner), prior to hearing and at the residents' own cost, resident may copy any documents or records related to the proposed adverse action; and
- iv. PHAs (as owners) provide the resident with a written decision within a reasonable period of time stating the grounds for the adverse action, and the evidence the PHA (as owner) relied on as the basis for the adverse action.

The PHA (as owner) will be bound by decisions from these hearings, except if the:

- i. Hearing concerns a matter that exceeds the authority of the impartial party conducting the hearing.
- ii. Decision is contrary to HUD regulations or requirements, or otherwise contrary to federal, State, or local law.

If the PHA (as owner) determines that it is not bound by a hearing decision, the PHA must promptly notify the resident of this determination, and of the reasons for the determination.

7. **Earned Income Disregard (EID).** Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID exclusion after conversion, in accordance with regulations at 24 CFR § 960.255. After conversion, no other tenants will be eligible to receive the EID. If a tenant receiving the EID exclusion undergoes a break in employment, ceases to use the EID exclusion, or the EID exclusion expires in accordance with 24 CFR §960.255, the tenant will no longer receive the EID exclusion and the Owner will no longer be subject to the provisions of 24 CFR §960.255. Furthermore, tenants whose EID ceases or expires after conversion shall not be subject to the rent phase-in provision, as described in Section 1.7.B.3; instead, the rent will automatically be adjusted to the appropriate rent level based upon tenant income at that time.

8. Capital Fund Education and Training Community Facilities (CFCF) Program.

CFCF provides capital funding to PHAs for the construction, rehabilitation, or purchase of facilities to provide early childhood education, adult education, and job training programs for public housing residents based on an identified need. Where a community facility has been developed under CFCF in connection to or serving the residents of an existing public housing project converting its assistance under RAD, residents will continue to qualify as "PHA residents" for the purposes of CFCF program compliance. To the greatest extent possible the community facility should continue to be available to public housing residents.

Section 1.7.C. 3. Establishment of Waiting List. In establishing the waiting list for the converted project, the PHA shall utilize the project-specific waiting list that existed at the time of conversion. If a project-specific waiting list does exist, but the PHA is transferring the assistance to another neighborhood, the PHA must notify applicants on the wait-list of the transfer of assistance, and on how they can apply for residency at the new project site or other sites. Applicants on a project-specific waiting list for a project where the assistance is being transferred shall have priority on the newly formed waiting list for the new project site in accordance with the date and time of their application to the original project's waiting list.

If a project-specific waiting list for the project does not exist, the PHA shall establish a waiting list in accordance 24 CFR § 903.7(b)(2)(ii)-(iv) to ensure that applicants on the PHA's public housing community-wide waiting list have been offered placement on the converted project's initial waiting list. For the purpose of establishing the initial waiting list, PHAs have the discretion to determine the most appropriate means of informing applicants on the public housing waiting list given the number of applicants, PHA resources, and community characteristics of the proposed conversion under RAD. Such activities should be pursuant to the PHA's policies for waiting list management, including the obligation to affirmatively further fair housing.

A PHA may consider contacting every applicant on the public housing waiting list via direct mailing; advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (i.e., radio stations, posters, newspapers) within the marketing area; informing local non-profit entities and advocacy groups (i.e., disability rights groups); and conducting other outreach as appropriate. Applicants on the agency's centralized public housing waiting list who wish to be placed onto the newly-established waiting list are done so in accordance with the date and time of their original application to the centralized public housing waiting list. Any activities to contact applicants on the public housing waiting list must be conducted accordance with the requirements for effective communication with persons with disabilities at 24 CFR § 8.6 and the obligation to provide meaningful access for persons with limited English proficiency (LEP).

To implement this provision, HUD will not apply 24 CFR § 880.603, regarding selection and admission of assisted tenants. However, after the initial waiting list has been established, the PHA shall administer its waiting list for the converted project in accordance with 24 CFR § 880.603.

RESOLUTION NO. 11788

RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF PHILADELPHIA DEPARTMENT OF HUMAN SERVICES AND PHILADELPHIA YOUTH NETWORK AS PART OF THE SUMMER WORK READY EMPLOYMENT PROGRAM

WHEREAS, the Philadelphia Housing Authority ("PHA") provides quality affordable housing to families with low incomes as a designated Moving to Work Agency; and

WHEREAS, the City Department of Human Services ("DHS") provides child protection, foster care and adoption, delinquency, jobs training and education services to youth in Philadelphia; and

WHEREAS, the Philadelphia Youth Network, Inc. ("PYN") is a non-profit organization that provides large scale programs and services in collaboration with partners across the City that target underserved young people for academic achievement, economic opportunity and personal success, including the WorkReady Program, managed by PYN, which is a cross-sector partnership dedicated to improving the economic outcomes of the region's youth by attracting, aligning and investing resources in youth workforce-development strategies; and

WHEREAS, the WorkReady Program has a summer youth employment initiative that identifies job opportunities for Philadelphia youths, through partnerships with the City, Foundations, Banks, Corporations and non-profit organizations; and

WHEREAS, PHA and DHS have partnered in the past on a variety of initiatives to support youth in the City of Philadelphia, including those aging out of foster care; to provide summer and opportunities for those youths who are currently served by DHS; and PHA and DHS now seek to expand the collaboration to include summer employment opportunities for PHA youth; and

WHEREAS, PHA and PYN have partnered on a host of activities including the Choice Neighborhoods Initiatives in Sharswood/Blumberg and North Central/Norris Apartments, whereby PYN has provided 30 Summer Work Ready employment opportunities for youths at these two sites and now PHA and PYN seek to expand the partnership to provide opportunities to other PHA sites; and

WHEREAS, the term of the MOU is for a one year period, from June 18, 2015 to June 18, 2016, and the parties may agree to extend the term of the MOU, and revise or amend the services outlined therein, for up to two (2) additional one (1) year terms; and

WHEREAS, PHA's total financial contribution shall not exceed one hundred seventy-thousand dollars (\$170,000.00), for one hundred (100) placements for PHA youth per year;

BE IT RESOLVED, that the Board of Commissioners hereby authorizes the President & CEO and/or his authorized designee(s) to enter into a Memorandum of Understanding, in substantially the form attached hereto, with DHS and PYN to provide summer employment opportunities for eligible PHA residents with employers throughout the City under the Summer WorkReady Program.

I hereby certify that this was
APPROVED BY THE BOARD ON 6/18/15
Barbara Adams General Counsel
ATTORNEY FOR PHA

ATTACHMENT TO RESOLUTION RE: MOU FOR SUMMER WORK READY EMPLOYMENT

MEMORANDUM OF UNDERSTANDING
BY AND AMONG
THE PHILADELPHIA YOUTH NETWORK, THE PHILADELPHIA DEPARTMENT OF HUMAN
SERVICES AND THE PHILADELPHIA HOUSING AUTHORITY
June 18, 2015 – June 18, 2016

This **MEMORANDUM of UNDERSTANDING** (hereafter called the "MOU"), entered into by and among the Philadelphia Youth Network Incorporated, ("PYN"), the Philadelphia Department of Human Service ("DHS"), and the Philadelphia Housing Authority (hereafter referred to as "PHA"), effective the 21 day of May 2015.

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, DHS is a city government agency that provides a variety of services to youth throughout the City including job training and placement programs, including residents of PHA via its contracted vendors that includes PYN; and,

WHEREAS, PYN is an incorporated 501(c)3 corporation located at 714 Market Street, Suite 304, Philadelphia PA 19106, and is designated by the City of Philadelphia to administer the Philadelphia Summer Work Ready Program and is the recipient of funding for the program by DHS that provides jobs for youth in the City of Philadelphia including youth residing in PHA; 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 DHS is to provide Child Protection, Foster Care and Adoption, Delinquency and Prevention services to all youth in Philadelphia including youth at PHA; and

WHEREAS, the mission of PYN is to equip young people for academic achievement, economic opportunity and personal success by administrator YouthWorks Administrator for the federal Workforce Innovation and Opportunity Act Funds and the managing partner of the WorkReady summer program; and

WHEREAS, PHA has an interest in partnering with DHS and PYN because PYN's administration of the City of Philadelphia's WorkReady Program provides opportunity for PHA to leverage city and federal government funds to support a targeted pilot project to provide summer jobs to PHA youth via the City's WorkReady Program as administered by PYN; and

WHEREAS, in furtherance of mutual objectives, PYN, DHS and PHA agree there could be no better time, than at present, to collaborate on the provision of targeted job opportunities under the Summer Work Ready program for youth in PHA; and

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

AGREEMENT

1. **INCORPORATION.** The background set forth herein above is specifically made part of this MOU.

2. **ACTIVITIES.**

A. WorkReady Summer Program

PHA and PYN commit to sharing program and financial resources for the provision of a pilot project that targets PHA resident youth for participation in the City of Philadelphia's Summer Work Ready Program as administered by PYN. The DHS has may provide data on youth residing in PHA receiving DHS services as needed to facilitate their connection to this opportunity. The PHA's total financial contribution shall not exceed \$170,000 per the annual Summer Work Ready

Program. The PYN shall coordinate with PHA on the recruitment, selection, and job placement of 100 PHA resident youth per the annual Summer Work Ready Program. The 100 placements for PHA youth shall be separate and distinct from the partnership among the parties herein under the Blumberg/Sharswood and North Central Philadelphia Choice Neighborhoods Initiatives.

A. Data Sharing

PYN, DHS and PHA shall identify and share data on youth attending the program. The data will be used to track participation and individual challenges to success. The exchange of data will be subject to the provisions pertaining to confidentiality as detailed in Section 10 of this MOU.

B. Collaborative Grant Writing

PYN and DHS will work closely with PHA to identify opportunities to submit collaborative grants together, especially those related to the development of data methodology, data collection analysis of PHA data for research grants, and where appropriate, to support programming provided to youth including those youth residing at PHA.

3. **AMENDMENTS.** This MOU may be amended by the President and Chief Executive Officer of PHA, PYN and the Commissioner of DHS, through its authorized representative, in writing signed by all parties, contingent upon review and signature by all appropriate 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.
4. **SEVERABILITY.** 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.
5. **DISSOLUTION.** Either PHA, PYN or DHS may terminate this MOU by giving thirty (30) days notice in writing, unless a shorter period of notice is mutually agreeable.
6. **RECIPORCAL HOLD HARMLESS CLAUSE.** Each party to this MOU shall hold the other harmless from, and indemnify each other against, any and all third-party claims, demands and actions based upon or arising out of any activities performed by either party and its employees and agents, and shall, at the request of either party, defend any and all actions brought against either party based upon any such claims or demands.
7. **TERM AND REVIEW OF MOU.**
 - A. The initial term of this MOU will be from June 18, 2015 to the ending date of June 18, 2016.
 - B. 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. Any such decision to extend the term of the MOU must be made in writing by June 1, 2016.
 - C. If the MOU expires and is not renewed, the affiliation between the parties will be dissolved as of the end of the then-current term.
8. **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:

Philadelphia Youth Network:

714 Market Street, Suite 304
Philadelphia, PA 19106
Attention: Office of the President

Philadelphia Housing Authority:

12 S. 23rd Street
Philadelphia, PA 19103
Attention: Executive Office

With a copy to:
12 S. 23rd Street
Philadelphia, PA 19103
Attention: Office of the General Counsel

Department of Human Services:
1515 Arch Street
Philadelphia, PA 19102
Attention: Commissioner

9. 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.

10. CONFIDENTIALITY. As part of this MOU, PHA and PYN may share data containing certain information including, but not limited to, information about staff, resident population, initiatives, business, operations, litigation, properties, financial condition, plans, intellectual property, trade secrets, technologies, processes, business relationships and/or vendors. All such information furnished, whether oral, written, or recorded/electronic, and regardless of the manner in which it is furnished, is referred to in this MOU as "**Confidential Information.**" The term "Confidential Information" shall also include all reports, summaries, compilations, analyses, notes or other information prepared by the either party or its representatives that are based on, contain or reflect any Confidential Information. Unless otherwise agreed to in writing by both parties agree (a) to keep all Confidential Information confidential and not to disclose or reveal any Confidential Information to any person, and (b) not to disclose to any person any information about the MOU or any other facts relating thereto, or the fact that Confidential Information has been made available to either parties representatives, in each case other than to those of its representatives who are actively and directly participating in, or otherwise need to know for purposes of performing, the MOU.

Both parties agree to take the same steps to safeguard and protect the confidentiality of the Confidential Information as it takes with respect to its own confidential information. Both parties will cause its representatives to observe the terms of this article of the MOU and will be responsible for any breach of its terms by its representatives.

Both parties agree that it will use the Confidential Information only for purposes of performing the MOU.

In the event that either party is requested pursuant to, or required by, applicable law, regulation or legal process to disclose any Confidential Information, that party will provide the other party with prompt notice of such request or requirement.

Upon completion of the MOU, each party will promptly deliver to the other all Confidential Information, including all copies, reproductions, summaries, compilations, third party analyses or extracts thereof or based thereon in its possession or in the possession of any representative thereof.

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.

Philadelphia Youth Network Inc.

Philadelphia Housing Authority

Chekemma J. Fulmore-Townsend
President

Kelvin A. Jeremiah
President and Chief Executive Officer

Date _____
Vanessa Garrett-Harley
Commissioner

Date _____

Date _____

RESOLUTION NO. 11789

RESOLUTION AUTHORIZING THE EXERCISE OF CONTRACT OPTIONS WITH BALLARD SPAHR, DILWORTH PAXSON, ECKERT SEAMANS, FOX ROTHSCHILD, HAWKINS DELAFIELD, KLEINBARD BELL & BRECKER, KOLBER & RANDAZZO (FORMERLY, KOLBER & FREIMAN), PEPPER HAMILTON, RENO & CAVANAUGH, AND AHMAD & ZAFFARESE (AS SUCCESSOR TO THE SMYLER FIRM) FOR NON-LITIGATION LEGAL SERVICES

WHEREAS, on September 19, 2013, by Resolution No. 11647, the Board of Commissioners ("Board") of the Philadelphia Housing Authority ("PHA") approved the award of contracts to the following ten (10) firms: Ballard Spahr, Dilworth Paxson, Eckert Seamans, Fox Rothschild, Hawkins Delafield, Kleinbard Bell & Brecker, Kolber & Freiman (currently, Kolber & Randazzo), Pepper Hamilton, Reno & Cavanaugh and The Smyler Firm (Ahmad & Zaffarese is the successor firm); and

WHEREAS, in Resolution No. 11647, the Board approved each contract to be for a two-year base period with an aggregate amount to be expended under all of the contracts not to exceed four million dollars (\$4,000,000.00) for that two-year base period, with three one-year option periods thereafter, in amounts not to exceed, in the aggregate among all firms, two million dollars (\$2,000,000.00) per year; and

WHEREAS, Resolution No. 11647 required Board approval for the exercise of each of the three one-year option periods; and

WHEREAS, PHA is seeking the approval of all three (3) additional one (1) year option periods, to be exercised at PHA's discretion, based on need, performance and other legitimate business factors; and

WHEREAS, the reporting requirement under Resolution No. 11647 would remain unchanged by this resolution, so as to continue to require that the General Counsel shall report to the Board in Executive Session, no less frequently than quarterly, all task orders issued under each such contract, including the firm involved, the nature of the legal services provided and an estimate of anticipated costs;

BE IT RESOLVED, that the Board of Commissioners hereby authorizes the President & CEO and/or his authorized designee(s) to exercise all three (3) of the one (1) year option periods provided for under Resolution No. 11647, for an aggregate amount among all firms not to exceed two million dollars (\$2,000,000.00) per year and six million dollars (\$6,000,000.00) for all three years, subject to the availability of funds therefor, and to take all necessary actions relating to such contracts with Ballard Spahr, Dilworth Paxson, Eckert Seamans, Fox Rothschild, Hawkins Delafield, Kleinbard Bell & Brecker, Kolber & Randazzo (formerly, Kolber & Freiman), Pepper Hamilton, Reno & Cavanaugh, and Ahmad & Zaffarese (as successor to The Smyler Firm).

I hereby certify that this was
APPROVED BY THE BOARD ON 6/18/15
Barbara Adams, General Counsel
ATTORNEY FOR PHA

RESOLUTION NO. 11790

**RESOLUTION AUTHORIZING A TASK ORDER WITH TN WARD COMPANY FOR
CONSTRUCTION MANAGEMENT SERVICES FOR BLUMBERG DEMOLITION**

WHEREAS, the Philadelphia Housing Authority ("PHA") has identified a need for construction management services for demolition at the Blumberg site and a Request for Proposal was developed for the selection of a company to address fulfilling this requirement, according to established procedures and all applicable laws regarding public contracts; and

WHEREAS, the Request for Proposal was mailed to the appropriate companies among PHA's contracted vendors who were previously awarded master contracts as Large Construction Management Contractors, pursuant to Resolution No. 11709, approved by the Board of Commissioners on June 19, 2014; and

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

WHEREAS, based upon the consensus evaluation, it is recommended that a task order be awarded to TN Ward Company; and

WHEREAS, it is further recommended that the task order be for a total amount not to exceed seven million two hundred sixty-three thousand five hundred seventy-five dollars (\$7,263,575.00);

BE IT RESOLVED, that the Board of Commissioners hereby authorizes the President & CEO and/or his authorized designee(s) to conclude and execute a task order with TN Ward Company in a total amount not to exceed seven million two hundred sixty-three thousand five hundred seventy-five dollars (\$7,263,575.00), subject to availability of funds therefor, as set forth above, and to take all necessary actions relating to such task order.

I hereby certify that this was
APPROVED BY THE BOARD ON 6/18/15
Barbara Adams, General Counsel
ATTORNEY FOR PHA

RESOLUTION NO. 11791

RESOLUTION AUTHORIZING TASK ORDERS WITH VELLNIECE CONSTRUCTION LLC; DKJ BUILDERS AND CONSTRUCTION MANAGERS, INC.; W&W CONTRACTORS, INC.; AND TOWNES MECHANICAL CONTRACTORS, INC. FOR REHABILITATION OF VACANT UNITS

WHEREAS, the Philadelphia Housing Authority ("PHA") has identified a need for rehabilitation of vacant units and a Request for Proposal was developed for the selection of a company to address fulfilling this requirement, according to established procedures and all applicable laws regarding public contracts; and

WHEREAS, the Request for Proposal was mailed to the appropriate companies among PHA's contracted vendors who were previously awarded master contracts as Small General Contractors, pursuant to Resolution No. 11756, approved by the Board of Commissioners on January 15, 2015; and

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

WHEREAS, based upon the consensus evaluation, it is recommended that task orders be awarded to VellNiece Construction LLC; DKJ Builders and Construction Managers, Inc.; W & W Contractors, Inc.; and Townes Mechanical Contractors, Inc., in the not-to-exceed amounts set forth below:

- 1) VellNiece Construction LLC, one million one hundred thirty-four thousand seven hundred eighteen dollars (\$1,134,718.00);
- 2) DKJ Builders and Construction Managers, Inc., two million five hundred ninety thousand nine hundred twenty-four dollars (\$ 2,590,924.00);
- 3) W & W Contractors, Inc., one million three hundred eighty-one thousand one hundred thirty-eight dollars (\$1,381,138.00);
- 4) Townes Mechanical Contractors, Inc., three million thirty-six thousand eighty dollars (\$3,036,080.00); and

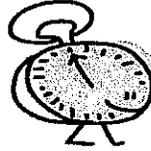
WHEREAS, it is further recommended that the aggregate amount to be expended under the four (4) task orders is not to exceed two million five hundred thousand dollars (\$2,500,000.00), regardless of the not-to-exceed amounts authorized for each of the five (5) awardees;

BE IT RESOLVED, that the Board of Commissioners hereby authorizes the President & CEO and/or his authorized designee(s) to conclude and execute task orders with VellNiece Construction LLC; DKJ Builders and Construction Managers, Inc.; W & W Contractors, Inc.; and Townes Mechanical Contractors, Inc., as set forth above, in a total aggregate amount not to exceed, two million five hundred thousand dollars (\$2,500,000.00), subject to availability of funds therefor, and to take all necessary actions relating to such task orders.

I hereby certify that this was
APPROVED BY THE BOARD ON 6/18/15
Barbara Adams, General Counsel
ATTORNEY FOR PHA

APPENDIX 2

JUNE 18, 2015 SIGN-UP SHEET FOR COMMENT ON SPECIFIC RESOLUTIONS (3 minutes per person)



Reso. #1: *FY2015 MTW Report*

Reso. #2: *FY2016 MTW Plan Amendment for RAD*

Reso #3: *Summer Work Ready Employment Program MOU*

Reso. #4: *Non-Litigation Legal Services*

Reso #5: *Construction Task Order for Blumberg Demo*

Resol. #6: *Task Orders for Vacant Unit Rehab*

**Please PRINT your name & check the number of the resolution on
which you wish to speak:**

- | | |
|-------------------------------------|---|
| √1. Name: <u>Rashaedah Phillips</u> | Reso. #1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> |
| √2. Name: <u>MarieL Wussack</u> | Reso. #1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> |
| √3. Name: <u>Jacob Boyer</u> | Reso. #1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> |
| √4. Name: <u>Carl Snodgrass</u> | Reso. #1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> |
| √5. Name: <u>Louise Hanible</u> | Reso. #1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input checked="" type="checkbox"/> |
| 6. Name: _____ | Reso. #1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> |
| 7. Name: _____ | Reso. #1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> |
| 8. Name: _____ | Reso. #1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> |
| 9. Name: _____ | Reso. #1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> |

**JUNE 18, 2015 SIGN-UP SHEET FOR THE
GENERAL PUBLIC COMMENT PERIOD
 AT THE END OF THE BOARD MEETING**
 (3 minutes per person)



Please **PRINT** your name and generally identify your topic:

1. ✓ Name: ROBERT L. WOODSON JR. MT. OLIVET ^{Announcing a} _{men Only event at}
 Maintenance Issue? Yes ___ No ___ Other (topic): Comment ^{mt. Olivet and} _{thanks to PHA}
for a/c assistance.

2. ✓ Name: Pat Whiting
~~Shirlene Taylor~~
 Maintenance Issue? Yes No Other (topic): Q re:
Recall vote of a Bd member

3. ✓ Name: PATRICIA GREEN
 Maintenance Issue? Yes ___ No ___ Other (topic): Issues w/ Mt. Olive +
Housing Law & Snow
Removal

4. Name: Elliott Chaplin - Not in attendance at time
of public comment period
 Maintenance Issue? Yes ___ No ___ Other (topic): Housing

5. ✓ Name: Brendolyn Toler
 Maintenance Issue? Yes ___ No ___ Other (topic): Concern about
PHA keeping scattered sites on her block, given
new housing being constructed (not by PHA) and her
interest in buying her home.

6. ✓ Name: Alford Hicks Questions re: length of time on waiting list, thought for a friend
 Maintenance Issue? Yes ___ No ___ Other (topic): thought for a friend
7. Name: Dana Williamson (Ms. Tate spoke on her behalf)
 Maintenance Issue? Yes ___ No ___ Other (topic): Housing
8. ✓ Name: Vernell Tate Concern about Ms. Williamson's legal situation.
 Maintenance Issue? Yes ___ No Other (topic): Residents
9. ✓ Name: TRINE SMITH
 Maintenance Issue? Yes ___ No ___ Other (topic): PHA Gross Mis-Conduct
10. ✓ Name: Louise Danielle Thanks for maintenance assistance and concern about attention and explanation to be given to transitioning PHA senior residents, being relocated.
 Maintenance Issue? Yes ___ No ___ Other (topic): given to transitioning PHA senior residents, being relocated.
11. ✓ Name: A. Stephens
 Maintenance Issue? Yes ___ No Other (topic): Eviction issue for another resident.
12. Name: _____
 Maintenance Issue? Yes ___ No ___ Other (topic): _____

**JUNE 18, 2015 SIGN-UP SHEET FOR THE
GENERAL PUBLIC COMMENT PERIOD
 AT THE END OF THE BOARD MEETING**
 (3 minutes per person)



Please **PRINT** your name and generally identify your topic:

1. ✓ Name: Robert L. Woodson Jr. MT. OLIVET *Announcing a menOnly event at Mt. Olivet and thanks to PHA for a/c assistance.*
 Maintenance Issue? Yes ___ No ___ Other (topic): Comment
2. ✓ Name: ~~Shirlene Taylor~~ *Part Whiting*
 Maintenance Issue? Yes No Other (topic): Q re: Recall vote of a Bd member
3. ✓ Name: PATRICIA GREEN
 Maintenance Issue? Yes ___ No ___ Other (topic): Issues w/ Mt. Olivet Housing Law & Snow Removal
4. Name: Elliott Chaplin - *Not in attendance at time of public comment period*
 Maintenance Issue? Yes ___ No ___ Other (topic): Housing
5. ✓ Name: Gwendolyn Toker
 Maintenance Issue? Yes ___ No ___ Other (topic): Concern about PHA keeping scattered sites on her block, given new housing being constructed (not by PHA) and her interest in buying her home.