

January 14, 2010

The Regular Meeting of the Philadelphia Housing Authority Board of Commissioners for January was held on Thursday, January 14, 2010, 3:00 pm, at the Philadelphia Housing Authority, Multipurpose Room, 12 S. 23rd Street, Philadelphia, Pennsylvania.

A quorum being present, Commissioner John F. Street, Chairman, called the meeting to order. Upon roll call, those present were as follows:

Present: Commissioner John F. Street, Chairman
Commissioner/Councilwoman Jannie L. Blackwell
Commissioner Nellie W. Reynolds, Vice Chairman

Absent: Commissioner Debra L. Brady
Commissioner Patrick J. Eiding

Also Present: Carl R. Greene, Executive Director
Shelley R. James, Chief of Staff

Commissioner John F. Street, Chairman, called the meeting to order. With that he asked for remarks from the Executive Director. Mr. Greene, PHA's Executive Director, advised the Commissioners that PHA was presenting three (3) Resolutions to be considered as PHA reached a consensus with the residents at the Pre-Board Meeting held earlier this week.

The next order of business was the approval of November 23, 2009 minutes. Commissioner Reynolds moved for the adoption of the minutes, for which Commissioner/Councilwoman Blackwell seconded. The minutes were unanimously adopted. With that, Commissioner John F. Street, Chairman, presided over the remaining agenda.

I hereby certify that this was
APPROVED BY THE BOARD ON 3/17/2010

ATTORNEY FOR PHA

Commissioner Reynolds moved for the adoption of the following Resolution, which motion was duly seconded by Commissioner/Councilwoman Blackwell;

RESOLUTION NO. 11362

**RESOLUTION APPROVING MINUTES OF THE REGULAR BOARD OF COMMISSIONERS MEETING
HELD ON NOVEMBER 23, 2009**

BE IT RESOLVED, that the minutes of the Board Meeting of the Philadelphia Housing Authority Regular Board Meeting held on November 23, 2009 copies of which have already been provided to the members, be the same are hereby ratified, confirmed and approved.

A vote being taken thereon, the "Ayes" and the "Nays" were as follows:

Present: Commissioner John F. Street, Chairman
Commissioner/Councilwoman Jannie L. Blackwell
Commissioner Nellie W. Reynolds, Vice Chairman

Absent: Commissioner Debra L. Brady
Commissioner Patrick J. Eiding

Also Present: Carl R. Greene, Executive Director
Shelley R. James, Chief of Staff

Commissioner John F. Street, Chairman thereupon declared the Resolution unanimously adopted.

Commissioner/Councilwoman Blackwell moved for the adoption of the following Resolution, which motion was duly seconded by Commissioner Reynolds;

RESOLUTION NO. 11363

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO SUBMIT A DISPOSITION APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO TRANSFER ONE VACANT LOT LOCATED AT 1808 N. FRANKLIN STREET TO HOPE PARTNERSHIP FOR EDUCATION OR ITS DESIGNEE FOR NOMINAL CONSIDERATION PLUS FEES AND COSTS

WHEREAS, PHA is the owner of a vacant lot located at 1808 North Franklin Street (the "Property"); and

WHEREAS, Hope Partnership For Education ("Hope"), with the assistance of various City agencies, is assembling a site in Eastern North Philadelphia for construction of a new facility to house Hope's independent middle school and adult education center (the "Project"); and

WHEREAS, The U.S. Department of Housing and Urban Development ("HUD") previously approved the disposition of 12 vacant lots to Hope for the Project, and since that time Hope has identified additional PHA-owned vacant lots required for the Project site assemblage, including the Property; and

WHEREAS, On February 19, 2009, the PHA Board authorized the submission of a disposition application to HUD for the disposition of PHA vacant lots located at 1806, 1828 and 1830 North Franklin Street to Hope or its designee to be utilized in the Project; and

WHEREAS, PHA submitted to HUD a disposition application for 1806, 1828 and 1830 North Franklin Street on June 17, 2009, which application is still under review; and

WHEREAS, the Property will be incorporated with approximately 40 other surrounding properties currently owned or to be owned by Hope for the Project; and

WHEREAS, Hope or its designee will pay nominal consideration, plus all closing, settlement and legal fees and costs for the Property; and

WHEREAS, Hope has committed to enter into an agreement with PHA to reserve 10% of the school enrollment for PHA residents, and will provide quantifiable employment opportunities for PHA residents in the construction of the Project, to be specifically determined prior to the time of the transfer of the Property; and

WHEREAS, in order to convey the Property to Hope or its designee, PHA must comply with certain provisions of the Housing Act of 1937 and the Quality Housing and Work Responsibility Act of 1998, the National Environmental Policy Act of 1969, the National Historic Preservation Act of 1966, 24 CFR, Part 970, and other related laws as amended; and

WHEREAS, PHA has determined that the disposition of the Property is incidental to, or does not interfere with the continued operation of the remaining portion of the PHA scattered site development, and is appropriate for reasons that are consistent with the goals of the PHA and its Annual Plan, and are otherwise consistent with all applicable laws, statutes and regulations.

NOW, THEREFORE BE IT RESOLVED, that the Executive Director, or his designee, is hereby authorized to submit a Disposition Application to HUD to transfer the Property to Hope or its designee, and to take all necessary actions to carry out the provisions of this resolution, subject to compliance with all applicable laws, statutes and regulations.

A vote being taken thereon, the "Ayes" and the "Nays" were as follows:

Present: Commissioner John F. Street, Chairman
Commissioner/Councilwoman Jannie L. Blackwell
Commissioner Nellie W. Reynolds, Vice Chairman

Absent: Commissioner Debra L. Brady
Commissioner Patrick J. Eiding

Also Present: Carl R. Greene, Executive Director
Shelley R. James, Chief of Staff

Commissioner John F. Street, Chairman thereupon declared the Resolution unanimously adopted.

Commissioner Reynolds moved for the adoption of the following Resolution, which motion was duly seconded by Commissioner Blackwell;

RESOLUTION NO. 11364

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE PHILADELPHIA HOUSING AUTHORITY (“PHA”) TO SUBMIT A MOVING TO WORK (“MTW”) ANNUAL PLAN (“PLAN”) FOR MTW YEAR TEN, PHA FISCAL YEAR 2011, TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (“HUD”) AND TO ENTER INTO AN AMENDMENT TO THE MTW AGREEMENT

WHEREAS, the United States 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 (“Board”) Resolution No. 10618, dated December 21, 2000, PHA submitted to HUD an MTW Application Plan and Agreement, which details strategies to improve the facilities, operations, management and opportunities for Public and Housing Choice Voucher (formerly, Section 8) residents; and

WHEREAS, pursuant to PHA Board Resolution No. 10764, dated February 28, 2002, the Executive Director of PHA (the “Executive Director”) executed a MTW Demonstration Agreement (“MTW Agreement”) on behalf of PHA which expired on March 31, 2008; and

WHEREAS, pursuant to PHA Board Resolution No. 11241, dated August 21, 2008, the Executive Director entered into a new ten-year Moving To Work Agreement with HUD effective October 16, 2008; and

WHEREAS, as a participant in the MTW Demonstration Program, PHA is required to develop MTW Annual Plans for each fiscal year during the term of the MTW Agreement, which Annual Plans outline the PHA budget and MTW activities in the format required under the MTW Agreement; and

WHEREAS, PHA is required to submit each Annual Plan for approval by its Board at least seventy-five (75) days prior to the beginning of each fiscal year; and

WHEREAS, PHA has developed the MTW Annual Plan for MTW Year Ten, PHA Fiscal Year (“FY”) 2011. The Annual Plan includes an analysis of the impact of proposed changes to PHA’s utility allowance policies on applicants and residents; and

WHEREAS, subject to HUD approval, PHA proposes to amend the MTW Agreement to allow for use of MTW funds to implement a broader range of activities that fall outside of Sections 8 and 9 of the US Housing Act of 1937. By letter of October 1, 2009, HUD advised that PHA and all other MTW agencies may utilize such broader authority subject to submission of an acceptable proposal to HUD and execution of an amendment to the MTW Agreement; and

WHEREAS, PHA is required to provide opportunities for resident and public participation and comments on the Annual Plan and the proposed Amendment including scheduling at least one (1) public hearing and to take into consideration any comments received as part of the final Annual Plan; and

WHEREAS, PHA conducted a public hearing on December 17, 2009 and additional pre-meetings on with residents to review the draft Annual Plan and the proposed Amendment, and subsequently made changes to the final Annual Plan to incorporate resident and public comments; and

WHEREAS, PHA is a block grant agency and the MTW Annual Plan includes a consolidated budget in accordance with the MTW Agreement.

BE IT, THEREFORE, RESOLVED that the Board of Commissioners of the Philadelphia Housing Authority does hereby:

1. Approve the Annual Plan and MTW Amendment, and authorize the Executive Director to:
1) Submit to HUD the PHA MTW Annual Plan for MTW Year Ten, PHA FY 2011, including the impact analysis contained therein; and 2) Take all steps necessary to secure HUD approval and implement initiatives as described in, the Plan, subject to receipt of adequate funding from HUD; and, 3) Certify that the Public Hearing requirement has been met; and, 4) Authorize the Chairperson of the Board to execute the attached HUD Certification of Compliance with MTW Plan Requirements and Related Regulations; and, 5) Execute the Amendment to the MTW Agreement.

A vote being taken thereon, the “Ayes” and the “Nays” were as follows:

Present: Commissioner John F. Street, Chairman
Commissioner/Councilwoman Jannie L. Blackwell
Commissioner Nellie W. Reynolds, Vice Chairman

Absent: Commissioner Debra L. Brady
Commissioner Patrick J. Eiding

Also Present: Carl R. Greene, Executive Director
Shelley R. James, Chief of Staff

Commissioner John F. Street, Chairman thereupon declared the Resolution unanimously adopted.

Commissioner/Councilwoman Blackwell moved for the adoption of the following Resolution, which motion was duly seconded by Commissioner Reynolds;

RESOLUTION NO. 11365

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR, OR HIS DESIGNEE, ON BEHALF OF THE PHILADELPHIA HOUSING AUTHORITY, IN CONNECTION WITH THE LUCIEN E. BLACKWELL COMMUNITY CENTER, TO (1) NEGOTIATE, CONCLUDE, EXECUTE AND IMPLEMENT AGREEMENTS AND ANCILLARY DOCUMENTS WITH THE SCHOOL DISTRICT OF THE CITY OF PHILADELPHIA, THE CITY OF PHILADELPHIA, THE REDEVELOPMENT AUTHORITY OF THE CITY OF PHILADELPHIA AND SUCH OTHER FEDERAL, STATE AND LOCAL AGENCIES AS NECESSARY TO ACCOMPLISH THE FUNDING AND DEVELOPMENT OF THE COMMUNITY CENTER; AND (2) TO THE EXTENT REQUIRED, SUBMIT A DISPOSITION APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO TRANSFER A PORTION OF THE COMMUNITY CENTER TO THE SCHOOL DISTRICT OF THE CITY OF PHILADELPHIA

WHEREAS, Philadelphia Housing Authority (“PHA”) intends to construct and develop the Lucien E. Blackwell Community Center (the “Community Center”), to be located at North 47th & Aspen Streets in the Mill Creek neighborhood of West Philadelphia, adjacent to Lucien E. Blackwell Homes; and

WHEREAS, PHA will acquire from the Redevelopment Authority of the City of Philadelphia (“RDA”), for nominal consideration, three parcels located at 761-65 North 47th Street to be utilized in connection with the development of the Community Center; and

WHEREAS, pursuant to certain agreements between the parties, the School District will own, operate and maintain the School District Condominium and a portion of the common elements of the Community Center, which Condominium unit will be used by the School District as a gymnasium for the neighboring Sulzberger School; and

WHEREAS, the School District of the City of Philadelphia (“School District”) has committed \$4 million and the City of Philadelphia (“City”) has committed \$2 million towards the construction and development of the Community Center; and

WHEREAS, PHA will contribute all amounts necessary to fund the construction and development of the Community Center, less the contributions from the School District and the City; and

WHEREAS, PHA will negotiate, execute and enter into agreements with the School District and/or City for the development, operation and maintenance of the Community Center; and

WHEREAS, in order to convey a portion of the Community Center to the School District, PHA must comply with certain provisions of the Housing Act of 1937 and the Quality Housing and Work Responsibility Act of 1998, the National Environmental Policy Act of 1969, the National Historic Preservation Act of 1966, 24 CFR, Part 970, and other related laws as amended; and

WHEREAS, PHA has determined that the disposition of a portion of the Community Center to the School District is appropriate for reasons that are consistent with the goals of the PHA and its Annual Plan, and otherwise consistent with all applicable laws, statutes and regulations; and

WHEREAS, PHA, directly or through an affiliate, intends to convey to the School District an interest in the gymnasium and associated portions of the Community Center, including a portion of the common elements and areas, pursuant to a structure to be negotiated by the parties, and determined to be in the best interest of PHA.

THEREFORE BE IT RESOLVED, that the Philadelphia Housing Authority Board of Commissioners hereby authorizes the Executive Director, or his designee, in connection with the Lucien E. Blackwell Community Center, to negotiate, conclude, execute and implement agreements and ancillary documents with the School District of the City of Philadelphia, the City of Philadelphia and the Redevelopment Authority of the City of Philadelphia relating the construction, development, operation and maintenance of the Community Center; and (2) secure, execute and administer any applicable grant agreements/contracts (the "Contracts") with the U.S. Department of Housing and Urban Development, the Commonwealth of Pennsylvania or other federal, state and local funding agencies (the "Funding Agencies") for receipt of grant funds or other development purposes to be used for the Lucien E. Blackwell Community Center; and

BE IT FURTHER RESOLVED, that the Executive Director, or his designee, is authorized to negotiate and execute any applicable documents regarding the acquisition of 761-65 North 47th Street from the RDA; and

BE IT FURTHER RESOLVED, that the Executive Director, or his designee, is authorized to apply for and execute any applicable Contracts with appropriate Funding Agencies for funding for the development and operation of the Community Center and associated costs and to administer said Contracts in accordance with their terms in connection with the applicable grant programs; and

BE IT FURTHER RESOLVED, that the transaction with the School District for the sale of School District Condominium may be structured as a sale of such unit by the PHA to the School District or, alternatively, may be structured as a development transaction, pursuant to which an affiliate of the PHA will develop the Condominium on behalf of the School District for appropriate consideration and convey its interest to the School District upon completion of the unit.

BE IT FURTHER RESOLVED, that the Executive Director, or his designee, is hereby authorized, to the extent required based on the structure of the transaction, to submit a Disposition Application to HUD to transfer a portion of the School District Condominium and all associated common elements and/or areas to the School District or its designee, and to take all necessary actions to carry out the provisions of this resolution, subject to compliance with all applicable laws, statutes and regulations; and

BE IT FURTHER RESOLVED, all actions taken heretofore by the Executive Director or his designee(s) with respect to the matters set forth in these resolutions are hereby approved and ratified.

A vote being taken thereon, the "Ayes" and the "Nays" were as follows:

Present: Commissioner John F. Street, Chairman
Commissioner/Councilwoman Jannie L. Blackwell
Commissioner Nellie W. Reynolds, Vice Chairman

Absent: Commissioner Debra L. Brady
Commissioner Patrick J. Eiding

Also Present: Carl R. Greene, Executive Director
Shelley R. James, Chief of Staff

Commissioner John F. Street, Chairman thereupon declared the Resolution unanimously adopted.

The resolutions were adopted. With that, Commissioner John F. Street, Chairman opened the meeting for public comments. With that Melvin Johnakin stepped forward and began to address his issues pertaining to the commercial space below the Senior building at Schuykill Falls, LLC and snow removal. With no other public comments being heard, Commissioner John F. Street, Chairman adjourned the meeting. (Copies of the actual transcript will be provided upon written request).