



## PHA BOARD of COMMISSIONERS MEETING MINUTES

Thursday, February 20, 2014, 3 p.m., at 12 S. 23rd St., Philadelphia, PA 19103

The regular meeting of the Board of Commissioners was brought to order at approximately 3:15 p.m. by the Chair, Lynette M. Brown-Sow, with Vice-Chair Diaz and Commissioners Wetzel, Tate, Markman and Camarda in attendance, as well as President & CEO Kelvin A. Jeremiah ("CEO Jeremiah") and Board Secretary and General Counsel, Barbara Adams. Following introductory remarks, the Chair requested a moment of silent reflection in preparation for the meeting and also extended her condolences to resident Ms. Gibbs, who recently lost her son.

The Chair then announced that immediately prior to this meeting the Board had met in executive session, for the purpose of discussing litigation and matters made confidential by law, and that there had also been an executive session on February 4, 2014, for a personnel matter.

CEO Jeremiah reviewed the procedure for public comment and he announced the following: 1) thanks were given to PHA's specialty crews, maintenance team, warehouse, and all PHA employees who kept residents safe during the recent snow storm; 2) congratulations were extended to Dave Walsh, now serving as the Acting Executive Vice President of Supply Chain Management; 3) PHA has received a 9% Low Income Housing Tax Credit award from the Pennsylvania Housing Finance Agency, which will allow PHA to raise \$12.6 million through private investment; 4) PHA will host a Job Fair for residents on March 19, 2014, from 9:00 a.m. to 5:00 p.m., at the John F. Street Center, at which Bottom Dollar grocery store is looking to fill 50 positions at its new 9th and Girard location; 5) out of 38 jobs posted on PHA's new Job Bank from Section 3 job opportunities, 35 were matched to qualified PHA residents; and 6) the Resident Commissioner election will be held on April 29, 2014 and all are encouraged to participate.

Santander Bank, with whom PHA has partnered as one of several preferred lenders, was then introduced and there was a signing ceremony for a Memorandum of Understanding, through which Santander will play an active role in helping more residents become self-sufficient homeowners and will provide financial literacy classes for residents.

The Chair inquired whether there were any corrections to the minutes of the Board meeting of January 16, 2014, and hearing none, declared the minutes approved as submitted.

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

**Resolution 11673**, attached in Appendix 1, was presented by Andrea Bowman, Corporate Secretary - Office of General Counsel, to approve three changes to the Public Housing Grievance Procedures, including extending the time for grievances to be filed in response to a Notice of Lease Termination. Following a motion to approve by Commissioner Wetzel, as chair of the Policy and Planning Committee that reviewed and recommended the adoption of the resolution, a second, and discussion, including the opportunity for public comment, the motion was unanimously approved.

**Resolution 11674**, attached in Appendix 1, was presented by Kyle Flood, Director - Development and Design, to approve the Policies and Procedures for PHA's Capital Projects and Development Department, as developed pursuant to a requirement in the Transition Agreement Action Plan entered into on September 11, 2013 between PHA, the City of Philadelphia and the U.S. Department of Housing & Urban Development. It was noted that generally, the role of the Board is to review policies and not procedures, however, the Desk Manual is being proposed for approval due to the requirements of the Transition Plan. Following a motion to approve by Commissioner Wetzel, as chair of the Policy and Planning Committee that reviewed and recommended the adoption of the resolution, a second, and discussion, including the opportunity for public comment, the motion was unanimously approved.

**Resolution 11675**, attached in Appendix 1, was presented by Kyle Flood, Director - Development and Design, to authorize PHA to take a variety of actions needed to move forward its creation of a new development at the Norman Blumberg Apartments, which will consist of an initial phase of 57 newly-constructed rental units, a management office and community room, to be constructed on portions of the site as well as on off-site parcels in the surrounding community. Additional future phases will be developed both on- and off-site, such that all demolished units will be replaced on a one-to-one basis within the Sharswood neighborhood. The actions relate to utilization of tax credit opportunities that will require the formation of new entities (a non-profit and a limited partnership), demolition and disposition applications to HUD, entering into a ground lease, and taking all necessary steps for required submissions to HUD and to the Commonwealth. Following a motion to approve by Commissioner Wetzel, as chair of the Policy and Planning Committee that reviewed and recommended the adoption of the resolution, a second, and discussion, including the opportunity for public comment, the motion was unanimously approved.

**Resolution 11676**, attached in Appendix 1, was presented by Celeste Fields Executive Vice President – Leased Housing and Kyle Flood, Director - Development and Design, to approve an award by PHA of fifty (50) project-based vouchers to Project HOME for a development at 810 Arch Street, Philadelphia, PA 19107. Following a motion to approve by Commissioner Wetzel, as chair of the Policy and Planning Committee that reviewed and recommended the adoption of the resolution, a second, and discussion, including public comment, the motion was unanimously approved.

**Resolution 11677**, attached in Appendix 1, was presented by Keith Daviston, Senior Executive Vice President of Finance/Chief Financial Officer, for the Board of Commissioners to adopt the comprehensive annual financial report and the associated financial statement for the period of April 1, 2012 through March 31, 2013, as prepared by Isdaner & Company, LLC ("Isdaner") and reviewed by the Board Audit Committee. There was also an explanatory presentation of the financial statements provided by Isdaner. Following a motion to approve by Vice-Chair Diaz, as Chair of the Audit Committee that reviewed and recommended the adoption of the resolution, a second and discussion, including the opportunity for public comment, the motion was unanimously approved.

**Resolution 11678**, attached in Appendix 1, was presented by Kyle Flood, Director - Development and Design, to authorize PHA to modify Resolution No. 11637, approved on August 15, 2013, to increase the amount of funding authorization by an amount not to exceed \$77,851.00, for the capital subsidy award for the Impact Veterans and Family Housing Center, due to additional unforeseen costs incurred by the developer due to the requirements related to the use of federal funds, including the HUD Mixed Finance approval process and the federal requirements for obtaining environmental review approval. Following a motion to approve by Commissioner Camarda, as a member of the Finance Committee that reviewed and recommended the adoption of the resolution, a second and discussion, including the opportunity for public comment, the motion was unanimously approved.

**Resolution 11679**, attached in Appendix 1, was presented by Clare Ann Fitzgerald, Deputy General Counsel, Litigation – Office of General Counsel, to authorize PHA to execute insurance contracts based on insurance quotations secured by AON Risk Services under an existing contract with PHA. The types of insurance to be procured will include insurance for: General Liability; Public Officials and Employment Practices; Law Enforcement Liability; Terrorism; Employee Benefits Liability; Property, including Boiler & Machinery; Fidelity and Crime; Fiduciary Liability; Auto Liability and Auto Physical Damage and Environmental Liability, in a total amount not to exceed four million one hundred forty thousand eight hundred fifty-two dollars (\$4,140,852.00). The resolution further authorizes PHA to self-insure exposures related to mold and pesticides. Following a motion to approve by Commissioner Camarda, as a member of the Finance Committee that reviewed and recommended the adoption of the resolution, a second and discussion, including the opportunity for public comment, the motion was unanimously approved.

**Resolution 11680**, attached in Appendix 1, was presented by Anthony F. Williams, Vice President, Sourcing, Procurement & Contract Administration – Supply Chain Management, to continue the authorization granted to PHA, most recently authorized in Board Resolution No. 11582, to enter into various contracts under state and federal cooperative purchasing agreements and other programs, for a total aggregate amount not to exceed twenty-two million one hundred fifty thousand dollars (\$22,150,000.00) for contracts entered into during the one-year period, which may not be for a term of more than five (5) years. The resolution also adds a reporting mechanism, so that contracts over one hundred thousand dollars (\$100,000.00), while not requiring further Board approval when entered into pursuant to this resolution (which constitutes the pre-approval required under Control Policy and Procedure # 10) and within the aggregate amount and other restrictions in the resolution, would be reported quarterly to the Board. Vice-Chair Diaz noted that his wife is the Regional Administrator for GSA and inquired whether there would be a conflict, to which General Counsel Adams replied that, given the nature of the contracts involved, this would not be an issue. Following a motion to approve by Commissioner Camarda, as a member of the Finance Committee that reviewed and recommended the adoption of the resolution, a second and discussion, including the opportunity for public comment, the motion was unanimously approved.

**Resolution 11681**, attached in Appendix 1, was presented by Anthony F. Williams, Vice President, Sourcing, Procurement & Contract Administration – Supply Chain Management and Nichole Tillman, Executive Vice President – Communications, to authorize PHA to contract with Community Marketing Concepts, Inc. to provide PHA with branding and marketing services, for a one (1) year base period with three (3) additional one-year option periods, in a total amount not to exceed two hundred eighty-two thousand four hundred fifty dollars (\$282,450.00), if all options are exercised. Following a motion to approve by Commissioner Camarda, as a member of the Executive Committee that reviewed and recommended the adoption of the resolution, a second and discussion, including public comment, the motion was unanimously approved.

**Resolution 11682**, attached in Appendix 1, was presented by Andrea Bowman, Corporate Secretary – Office of General Counsel, for the Board to appoint Keith Daviston, PHA's Senior Executive Vice-President of Finance and Chief Finance Officer, as the Treasurer for PHA, pursuant to Section 307 of the PHA By-laws. Following a motion to approve by Vice-Chair Diaz, as a member of the Executive Committee that reviewed and recommended the adoption of the resolution, a second and discussion, including the opportunity for public comment, the motion was unanimously approved.

**Resolution 11683**, attached in Appendix 1, was presented by Joanne Strauss, Executive Vice President - Human Resources, to authorize the Evaluation Committee of the Board of Commissioners to make certain decisions, within the parameters of the resolution, regarding the compensation of PHA's President & CEO.



Following a motion to approve by Commissioner Markman, a second and discussion, including recommendation for approval from the Chair of the Executive Committee that reviewed and recommended the adoption of the resolution, PHA Board Chair Brown-Sow, and public comment, the motion was unanimously approved.

**The public comment period was then held**, beginning at approximately 4:20 p.m., after which the meeting was adjourned by Chair Brown-Sow at approximately 4:30 p.m.

Respectfully submitted,



Barbara Adams  
Secretary  
Philadelphia Housing Authority

# *APPENDIX 1*

**MEETING OF THE BOARD OF COMMISSIONERS**  
**12 S. 23<sup>rd</sup> St.**  
**PHILADELPHIA, PA 19103**  
**THURSDAY, FEBRUARY 20, 2014, at 3 p.m.**  
**AGENDA**

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- 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 January 16, 2014, as distributed.
- D. New Business**
1. **RESOLUTION TO ADOPT AMENDMENTS TO THE PHILADELPHIA HOUSING AUTHORITY PUBLIC HOUSING GRIEVANCE PROCEDURE, TO BE EFFECTIVE FEBRUARY 21, 2014**  
  
(Andrea Bowman)
  2. **RESOLUTION APPROVING POLICIES AND PROCEDURES FOR THE PHILADELPHIA HOUSING AUTHORITY'S CAPITAL PROJECTS AND DEVELOPMENT DEPARTMENT**  
  
(Kyle Flood)
  3. **RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO TAKE CERTAIN ACTIONS RELATING TO CREATING A NEW DEVELOPMENT AT NORMAN BLUMBERG APARTMENTS, INCLUDING DEMOLITION, CREATING A NON-PROFIT DEVELOPMENT CORPORATION AND A LIMITED PARTNERSHIP AND ENTERING INTO A GROUND LEASE**  
  
(Kyle Flood)
  4. **RESOLUTION AUTHORIZING THE AWARD OF FIFTY (50) PROJECT-BASED VOUCHERS TO PROJECT HOME**  
  
(Celeste Fields)
  5. **RESOLUTION ADOPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THE PHILADELPHIA HOUSING AUTHORITY FOR THE FISCAL YEAR ENDING MARCH 31, 2013**  
  
(Keith Daviston)
  6. **RESOLUTION MODIFYING THE AMOUNT OF FUNDING APPROVAL IN RESOLUTION NO. 11637 FOR AN OPERATING AND CAPITAL SUBSIDY FOR THE IMPACT VETERANS AND FAMILY HOUSING CENTER**  
  
(Kyle Flood)

7. **RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO CONCLUDE AND TO EXECUTE INSURANCE CONTRACTS WITH VARIOUS INSURERS FOR A NUMBER OF TYPES OF INSURANCE, BASED ON QUOTATIONS PROCURED BY AON RISK SERVICES UNDER A CONTRACT WITH PHA, AND FOR PHA TO SELF-INSURE EXPOSURES RELATED TO MOLD AND PESTICIDES**

(David Walsh and Clare Ann Fitzgerald)

8. **RESOLUTION CONTINUING THE AUTHORIZATION OF THE PHILADELPHIA HOUSING AUTHORITY TO ENTER INTO CONTRACTS UNDER FEDERAL AND STATE COOPERATIVE PURCHASING AND SIMILAR PROGRAMS**

(Anthony F. Williams)

9. **RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO CONCLUDE AND TO EXECUTE A CONTRACT FOR BRANDING AND MARKETING SERVICES WITH COMMUNITY MARKETING CONCEPTS, INC.**

(Anthony F. Williams and Nichole Tillman)

10. **RESOLUTION APPOINTING KEITH DAVISTON AS TREASURER OF THE PHILADELPHIA HOUSING AUTHORITY, PURSUANT TO THE BY-LAWS OF THE BOARD OF COMMISSIONERS**

(Andrea Bowman)

11. **RESOLUTION AUTHORIZING THE EVALUATION COMMITTEE OF THE BOARD OF COMMISSIONERS OF THE PHILADELPHIA HOUSING AUTHORITY ("PHA") TO MAKE CERTAIN DECISIONS REGARDING PHA'S PRESIDENT AND CEO WITHIN THE PARAMETERS ESTABLISHED IN THIS RESOLUTION**

(Joanne Strauss)

#### **E. Public Comment Period**

**RESOLUTION NO. 11673**

**RESOLUTION TO ADOPT AMENDMENTS TO THE PHILADELPHIA HOUSING AUTHORITY PUBLIC HOUSING GRIEVANCE PROCEDURE, TO BE EFFECTIVE FEBRUARY 21, 2014**

**WHEREAS**, public housing authorities are required to adopt a grievance procedure, pursuant to Title 24, Housing and Urban Development, Part 966 – Public Housing Lease and Grievance Procedure; *see*, 24 CFR § 966.52; and

**WHEREAS**, the Philadelphia Housing Authority (“PHA”) adopted an updated Grievance Procedure for Public Housing, by Resolution No. 11625, on June 20, 2013, effective September 1, 2013 (“Grievance Procedure”); and

**WHEREAS**, PHA wishes to amend the Grievance Procedure to:

- 1) extend the timelines for filing a grievance in response to a Notice of Lease Termination, from ten (10) calendar days, as set forth in the current Grievance Procedure, to fourteen (14) calendar days when lease termination is due to non-payment of rent or threats to health or safety, or thirty (30) days for any other reason, *see* 42 U.S.C. §1437d(k)(2) and (l);
- 2) add provisions for assistance to tenants with limited English proficiency; and
- 3) clarify that documents already in the possession of parties to a grievance hearing do not have to be sent out; and

**WHEREAS**, PHA has provided opportunity for input from residents and resident leadership on the proposed amendments to the Grievance Procedure, distributed the draft amendments and presented the changes to Resident Leadership, posted Notice of the proposed amendments as required under the lease, published the proposed changes on its website, and had a public hearing on the proposed changes; and no objection was made to the changes;

**BE IT RESOLVED** that PHA adopts the amendments to the Public Housing Grievance Procedure, in substantially the form attached hereto, effective February 21, 2014.

I hereby certify that this was

APPROVED BY THE BOARD ON 2/20/14

Barbara Adams General Counsel  
ATTORNEY FOR PHA



## ATTACHMENT SHOWING AMENDMENTS TO THE PHA PUBLIC HOUSING GRIEVANCE PROCEDURE

(changes are highlighted in yellow)

On Page 2 of 24 in the Grievance Procedure:

- **If filing a grievance in response to a Notice of Lease Termination for non-payment of rent or threats to health or safety, the Tenant has 14 calendar days from the date of the Notice within which to submit the grievance. For grievances filed in response to other Notices, the tenant has 30 calendar days. (Tenant may also submit a grievance based on PHA's inaction, within the applicable statute of limitations).**

On Page 4 of 24 in the Grievance Procedure:

If the tenant wishes to dispute the action in the Notice,<sup>1</sup> the tenant must **submit a Request for a Grievance Hearing to the property manager within fourteen (14) days, if for lease termination for non-payment of rent or threats to health or safety, otherwise, within thirty (30) calendar days** from the date that the notice was hand-delivered or sent (a sample grievance hearing request form is attached to this Procedure as Attachment "B"). 24 CFR §§ 966.54; 966.55(d); 42 U.S.C. §§ 1437d(k)(2) and (l). The property manager shall provide a complainant with the Grievance Procedure Timeline at the time that a grievance is filed and provide the complainant with a copy of the grievance filed.

On Page 7 of 24 in the Grievance Procedure:

**5. Unless the parties already have the documents,** PHA and the complainant shall receive from the hearing coordinator a briefing packet of relevant documents related to the hearing, at least three (3) business days in advance of the hearing.

On Page 8 of 24 in the Grievance Procedure:

12. Children are not appropriate interpreters for a grievance hearing and generally should not be brought to the hearing. **Interpretation for individuals identified as limited English proficient shall be provided in accordance with PHA's language access policy and procedures.**

On Page 15 of 24 in the Grievance Procedure:

**If responding to a Notice from PHA, this request must be submitted to the Property Manager or Office within either fourteen(14) or thirty (30) calendar days from the date that the Notice was either mailed or hand-delivered (14 calendar days if in response to a lease termination Notice for non-payment of rent or threats to health or safety; 30 calendar days if the Notice was for any other reason). If the grievance is not in response to a Notice, it is to be submitted within the applicable statute of limitations.**

The information in this document is available in an alternative format upon request and can be translated if required. **Ask your Property Manager if you need assistance.**

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<sup>1</sup> If PHA has failed to act (in which case there is no Notice), the tenant must file a grievance within the applicable statute of limitations (usually a minimum of 2 years, depending on the nature of the inaction).

**RESOLUTION NO. 11674**

**RESOLUTION APPROVING POLICIES AND PROCEDURES FOR THE PHILADELPHIA HOUSING AUTHORITY'S CAPITAL PROJECTS AND DEVELOPMENT DEPARTMENT**

**WHEREAS**, the Philadelphia Housing Authority ("PHA") has entered into a Transition Agreement with the City of Philadelphia ("City") and the United States Department of Housing & Urban Development ("HUD"), with an effective date of September 11, 2013; and

**WHEREAS**, pursuant to the Transition Agreement, PHA has committed to a Transition Agreement Action Plan that requires, among other items, that PHA create a finalized and updated Capital Projects & Development policies and procedures; and

**WHEREAS**, PHA has drafted policies and procedures for Capital Projects & Development, which it has distributed to the Board for its review, in its Capital Projects and Development Desk Manual, an executive summary of which is attached hereto;

**BE IT RESOLVED**, that the PHA Board of Commissioners hereby approves the Policies and Procedures contained in the Capital Projects and Development Desk Manual, in substantially the form distributed to the Board, and authorizes PHA's President & CEO, or his designee(s), to undertake all necessary steps for implementation of the same.

I hereby certify that this was  
APPROVED BY THE BOARD ON 2/20/14  
Barbara Adams General Counsel  
ATTORNEY FOR PHA



**ATTACHMENT TO RESOLUTION APPROVING POLICIES AND PROCEDURES FOR PHA'S  
CAPITAL PROJECTS AND DEVELOPMENT DEPARTMENT**

**CAPITAL PROJECTS AND DEVELOPMENT DEPARTMENT  
DESK MANUAL EXECUTIVE SUMMARY**



The purpose of the Capital Projects and Development Department (Capital Projects or CPD) Desk Manual is to communicate the work processes and other important information needed to effectively complete capital projects at the Philadelphia Housing Authority. The goal is for the Desk Manual to serve both as a key tool to guide Capital Projects Staff in the delivery of projects, and as a useful resource for our colleagues in other departments needing capital improvements. To that end, CPD endeavors to provide an updated Desk Manual to PHA every 3 to 5 years (See Desk Manual p. 8).

**CAPITAL PROJECTS OVERVIEW**

Capital Projects handles all project development, design, construction and rehabilitation activities for the Philadelphia Housing Authority, the 4<sup>th</sup> largest housing authority in the nation. CPD is comprised of five departments:

- **Development and Design (D&D)** - The Architects, Program Managers and Real Estate Professionals in D&D define a project's scope and determine the budget, funding sources, and schedule; D&D also houses PHA's Sustainability Coordinator and the Advance Facilities Management Department, which oversees construction and maintenance of sophisticated building systems such as PHA's Building Automation and Supervisory Control and Data Acquisition (BAS/SCADA) system (See Desk Manual p. 2-3).
- **Construction** - The Senior Construction Managers in Construction head a team of PHA staff and outside consultants to coordinate a project's execution through closeout on major construction projects, renovations, rehabs, and retrofits for both in-house construction and construction managed by a construction management firm (See Desk Manual p. 4).
- **Compliance** - The Capital Projects Compliance Officer assures that Capital Projects' strategic goals are being met by evaluating departmental operations and developing policies and procedures to correct inefficiencies and mitigate risk (See Desk Manual p. 5).
- **Construction Administration** – The Construction Professionals and Estimators in Construction Administration provide administrative support to CPD by managing the procurement process, budgeting and invoicing of all CPD projects (See Desk Manual p. 5-6).
- **The Philadelphia Housing Development Corporation (PHADC)** – PHADC, a non-profit arm of the Philadelphia Housing Authority, executes key PHA development initiatives (See Desk Manual p. 7).

## **CAPITAL PLANNING AND DESIGN**

CPD devises PHA's Annual Plan and HUD-mandated Five-Year Plan by performing Physical Needs Assessments, which determine the objectives that PHA plans to achieve in order to maintain the long-term viability of its housing stock. CPD also processes Work Requests from PHA Property Managers for projects requiring immediate consideration (See Desk Manual p. 12-14).

Projects originate in D&D, which reviews project plans and work requests before arranging a site visit to conduct a Field Survey to assess the needs and field conditions, develop a preliminary scope of work, and identify any applicable regulatory codes or other requirements with which the project must comply. Upon completion of the Field Survey, D&D will provide a short-term solution addressing any immediate need, a long-term solution encompassing the entire development and Preliminary Cost Estimate, which is used in the Annual and Five-Year Plans (See Desk Manual p. 20-21).

Depending on D&D's capacity in relation to outstanding projects, D&D may provide preliminary Design and pre-construction services or contract with an Architectural and Engineering Firm to do the same. This can entail developing the Statement of Work to be performed, assessing any environmental site conditions, writing a Request for Proposal (RFP), procuring licenses and permits, and developing Construction Documents (See Desk Manual p. 22-23).

## **CONSTRUCTION**

CPD constructs its projects either in-house through its Force Accounts, using a professional services firm, or by Construction Management Design Build Guaranteed Maximum Price (CM Design Build GMP) contract. Senior Construction Managers and Construction Field Staff (Engineers and Inspectors) oversee the contract execution and vendor performance, review submittals, and generally assure not only that the project stays within scope schedule and budget, but also that staff and consultants deliver the highest-quality and safest building services (See Desk Manual p. 44-47, 71, 119).

## **PROCUREMENT AND COMPLIANCE**

CPD follows the procurement policies outlined in the HUD General Conditions, PHA Terms and Conditions, PHA Controlled Policies and Procedures No. 10 (CPP 10), and the Procurement and Contract Administration (PCA) Desk Manual. CPD also conforms to Davis Bacon wage rate regulations, and complies to the greatest extent feasible with PHA's Sustainability Guidelines and the Agency's adoption of the Enterprise Green Communities Standard (See Desk Manual p. 27, 43, 119).



## RESOLUTION NO. 11675

### RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO TAKE CERTAIN ACTIONS RELATING TO CREATING A NEW DEVELOPMENT AT NORMAN BLUMBERG APARTMENTS, INCLUDING DEMOLITION, CREATING A NON-PROFIT DEVELOPMENT CORPORATION AND A LIMITED PARTNERSHIP AND ENTERING INTO A GROUND LEASE

**WHEREAS**, the Philadelphia Housing Authority (“PHA”) has determined that its Norman Blumberg Apartments development, located at 2300 W. Jefferson Street (the “Site”) is obsolete due to its physical condition and other factors, making it unsuitable for its intended purposes, and that no reasonable program of modification is cost-effective to return or restore the Site to its useful life; and

**WHEREAS**, PHA submitted an application for Low Income Housing Tax Credits (“LIHTCs”) to the Pennsylvania Housing Finance Agency for Blumberg Phase I (the “New Development”), which phase will consist of 57 newly-constructed rental units, a management office and community room, to be constructed on portions of the Site as well as on off-site parcels in the surrounding community, and anticipates award of LIHTCs in February, 2014; and

**WHEREAS**, additional future phases will be developed both on- and off-site, such that all demolished units will be replaced on a one-to-one basis within the Sharswood neighborhood; and

**WHEREAS**, PHA intends to submit a demolition application for a portion of the Site consisting of two (2) high-rise buildings consisting of two-hundred ninety-seven (297) units, as well as fifteen (15) low-rise buildings consisting of one hundred eight (108) units, a disposition application for a portion of the Site for the purposes of constructing the New Development, and subsequent disposition applications for different portions of the Site for the purposes of constructing future phases; and

**WHEREAS**, in order to utilize certain anticipated low-income housing tax credit financing, PHA will create a Pennsylvania nonprofit Housing Development Corporation (“HDC”), which will be an affiliate of PHA and serve as the General Partner of the to-be-formed Pennsylvania limited partnership and will form a separate and distinct limited partnership (“Affiliated Partnership”) to own and operate the New Development, to take advantage of the equity available through the sale of the LIHTCs to an equity investor; and

**WHEREAS**, the use of the LIHTCs requires that the Affiliated Partnership has site control of the New Development, which will require execution of a long term ground lease (“Ground Lease”) for the portion of the Site upon which the New Development will be located (the “Property”), which Ground Lease will be between PHA and the Affiliated Partnership, and will provide for the payment of nominal rent; and

**WHEREAS**, in order to transfer the Property to the Affiliated Partnership, PHA is required to 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;

**BE IT RESOLVED**, that the President & CEO, or his authorized designee, is hereby authorized to take all reasonable and necessary actions to: 1) create an HDC affiliate of PHA to serve as the General Partner of the Affiliated Partnership for the New Development and to create a Pennsylvania limited partnership, as set forth above; 2) submit a Demolition Application to HUD, as well as a Disposition Application in connection with the proposed disposition of the Property to the Affiliated Partnership, and, subject to HUD approval of the Disposition Application, to negotiate and execute the Ground Lease between PHA and the Affiliated

Partnership; and 3) file all necessary submissions to obtain the aforementioned approvals from HUD, and the Commonwealth of Pennsylvania in connection with the formation of the required entities; further, all actions previously taken by any authorized officer of PHA in connection with the above are hereby ratified.

I hereby certify that this was  
APPROVED BY THE BOARD ON 2/20/17  
Barbara Wilson General Counsel  
ATTORNEY FOR PHA

**RESOLUTION NO. 11676**

**RESOLUTION AUTHORIZING THE AWARD OF FIFTY (50) PROJECT-BASED VOUCHERS TO PROJECT HOME**

**WHEREAS**, the Philadelphia Housing Authority ("PHA") operates a unit-based program for project-based vouchers ("Vouchers") as part of the Moving to Work ("MTW") Demonstration, pursuant to which PHA's Voucher assistance is attached to specific housing units or developments; and

**WHEREAS**, Project HOME is a not-for-profit organization, seeking to ensure housing affordability to the low-income families residing in its 810 Arch Street, Philadelphia, PA 19107 ("Arch") development; and

**WHEREAS**, Project HOME has requested fifty (50) Vouchers for its Arch development, for families that are income-eligible; and

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

**WHEREAS**, pursuant to a competitive process, Project HOME received an award of Low Income Housing Tax Credits from the Pennsylvania Housing Financing Agency ("PHFA") on March 14, 2013, for the Arch development, which award fulfills the requirements of 24 C.F.R. § 983.51 (b)(2); and

**BE IT RESOLVED**, that the President & CEO or his authorized designee (hereinafter, "CEO") is hereby authorized to award to Project HOME fifty (50) project-based Vouchers for the Arch Street development, which, subject to annual appropriations, may be each for an initial term of up to fifteen (15) years and renewed for subsequent terms of up to fifteen (15) years, or such periods as permitted by applicable law, provided that any term renewals will only be granted if the CEO determines that such renewals are in the best interest of PHA and/or low-income families in Philadelphia; and

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

I hereby certify that this was

APPROVED BY THE BOARD ON 12/20/14  
Barbara Adams General Counsel  
ATTORNEY FOR PHA



**RESOLUTION NO. 11677**

**RESOLUTION ADOPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT  
OF THE PHILADELPHIA HOUSING AUTHORITY FOR THE FISCAL YEAR ENDING MARCH 31, 2013**

**WHEREAS**, the law of the Commonwealth of Pennsylvania requires that all general-purpose local governments and component units publish a complete set of financial statements presented in conformity with Generally Accepted Accounting Principles ("GAAP") and audited in accordance with Generally Accepted Auditing Standards ("GAAS") by a firm of certified public accountants; and

**WHEREAS**, the Philadelphia Housing Authority ("PHA") contracted with Isdaner & Company, LLC ("Isdaner"), pursuant to applicable procedures, to conduct the required audit of PHA's financial statements, business-type activities, blended component units, and each PHA major fund, for the fiscal year ended March 31, 2013, which Isdaner has done; and

**WHEREAS**, the PHA Audit Committee, created by Board Resolution 11571 on November 30, 2012, has met with Isdaner, the PHA President & CEO, PHA's Chief Financial Officer and PHA's Office of Audit and Compliance, after the completion of Isdaner's audit, to review and discuss the audit report and the associated audit results; and

**WHEREAS**, the Audit Committee recommends acceptance of the comprehensive annual financial report and the associated financial statement for the period of April 1, 2012 through March 31, 2013, as prepared by Isdaner, as reviewed by the Audit Committee and as presented and previously made available to PHA's Board of Commissioners;

**BE IT RESOLVED**, that PHA's Board of Commissioners hereby adopts and approves the comprehensive annual financial report and the associated financial statement for the period of April 1, 2012 through March 31, 2013.

I hereby certify that this was  
APPROVED BY THE BOARD ON 2/20/14  
Barbara Adams General Counsel  
ATTORNEY FOR PHA



**RESOLUTION NO. 11678**

**RESOLUTION MODIFYING THE AMOUNT OF FUNDING APPROVAL IN RESOLUTION NO. 11637 FOR AN OPERATING AND CAPITAL SUBSIDY FOR THE IMPACT VETERANS AND FAMILY HOUSING CENTER**

**WHEREAS**, on August 15, 2013, this Board approved an award of public housing operating and capital subsidy for redevelopment of the Impact Veterans and Family Housing Center at 1952 E. Allegheny Avenue ("Development") to convert the Development into 26 units of affordable family housing for special programs residents, by Board Resolution No. 11637; and

**WHEREAS**, the award was made pursuant to a proposal submitted by Impact Services Corporation ("Developer"), in response to a request for proposals ("RFP") for an operating subsidy in an amount not to exceed \$550.00 per unit per month and an amount not to exceed \$500,000.00 as a capital subsidy; and

**WHEREAS**, the Developer prepared its updated and final development budget for inclusion in PHA's Mixed Finance Development Proposal submission to the U.S. Department of Housing and Urban Development ("HUD"), but the updated calculations show that the Development needs additional funds for its capital improvements of seventy-seven thousand eight hundred fifty-one dollars (\$77,851.00) in order to cover additional unforeseen costs incurred by the developer due to the requirements related to the use of federal funds, including the HUD Mixed Finance approval process and the federal requirements for obtaining environmental review approval, specifically the Section 106 historic review process; and

**WHEREAS**, PHA's RFP review committee received, reviewed and therefore recommends approval of the request from the Developer for the additional capital subsidy funds;

**BE IT RESOLVED**, that Resolution No. 11637 is modified to provide for an additional award of capital subsidy to the Development in an amount not to exceed seventy-seven thousand eight hundred fifty-one dollars (\$77,851.00) and all other terms and conditions of Resolution 11637 shall remain unchanged.

I hereby certify that this was

APPROVED BY THE BOARD ON 2/20/14

Barbara Adams General Counsel  
ATTORNEY FOR PHA



RESOLUTION NO. 11679

**RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO CONCLUDE AND TO EXECUTE INSURANCE CONTRACTS WITH VARIOUS INSURERS FOR A NUMBER OF TYPES OF INSURANCE, BASED ON QUOTATIONS PROCURED BY AON RISK SERVICES UNDER A CONTRACT WITH PHA, AND FOR PHA TO SELF-INSURE EXPOSURES RELATED TO MOLD AND PESTICIDES**

**WHEREAS**, the Philadelphia Housing Authority ("PHA") has a continuing need at all times for General Liability insurance; Public Officials and Employment Practices insurance; Law Enforcement Liability insurance; Terrorism insurance; Employee Benefits Liability insurance; Commercial Property including Boiler & Machinery insurance; Fidelity and Crime insurance; Fiduciary Liability insurance, Automobile Liability and Automobile Physical Damage insurance; and Environmental Liability insurance; and

**WHEREAS**, PHA entered into a contract with Aon Risk Services Central, Inc. ("AON") on February 1, 2013, for the provision of qualified professional insurance brokerage and consulting services; and

**WHEREAS**, at PHA's request, AON has provided insurance quotations from various insurers; and provided recommendations that several exposures be self-insured; and

**WHEREAS**, based on AON's recommendations, PHA reviewed and selected the policies and actions set forth on the attachment to this resolution, as providing appropriate coverage and being in the best interest of PHA; and

**WHEREAS**, it is recommended that the insurance contracts (not including mold and pesticide), as set forth on the attachment to this resolution, be in the total amount not to exceed four million one hundred forty thousand eight hundred fifty-two dollars (\$4,140,852.00); and

**WHEREAS**, as to mold and pesticide claims, PHA has determined that it would be in its best interest to self-insure such claims, pursuant to the recommendation of AON; and

**BE IT RESOLVED**, that the President & CEO or his authorized designee is hereby authorized to conclude and to execute insurance contracts with various insurers as obtained by AON for General Liability insurance; Public Officials & Employment Practices insurance; Law Enforcement Liability insurance; Terrorism insurance; Employee Benefits Liability insurance, Property including Boiler & Machinery insurance; Fidelity & Crime insurance, Fiduciary Liability insurance, Automobile Liability insurance; Automobile Physical Damage Insurance; and Environmental Liability insurance, as set forth in the attachment to this resolution, and undertake all necessary actions for PHA to self-fund insurance coverage for mold and pesticide claims, in a total amount not to exceed four million one hundred forty thousand eight hundred fifty-two dollars (\$4,140,852.00).

**ATTACHMENT TO RESOLUTION REGARDING INSURANCE CONTRACTS**

<b><u>Coverage</u></b>	<b><u>Insurer</u></b>	<b><u>Limit</u></b>	<b><u>Deductible</u></b>	<b><u>Premium</u></b>
Commercial Property & Boiler Machinery	HARRG	\$100,000,000	\$50,000	\$1,628,288
General Liability	HARRG	\$15,000,000	\$50,000	\$896,121
Mold	Self-Insure	N/A	--	N/A
Pesticide	Self-Insure	N/A	--	N/A
GL Terrorism	HARRG	\$15,000,000	\$150,000	\$14,895
Public Officials & Employment Practices	HARRG	\$2,000,000	\$50,000	\$908,620
Law Enforcement Liability	HARRG	\$1,000,000	\$25,000	\$53,668
Employees Benefits Liability	HARRG	\$1,000,000	\$25,000	\$25,000
Fidelity & Crime	Travelers	\$1,000,000	\$20,000	\$18,824
Fiduciary	Euclid	\$15,000,000	\$25,000	\$54,515
Auto Liability	HARRG	\$1,000,000	\$0	\$369,604
Auto Physical Damage	Travelers	Actual Cash Value	\$500	\$83,727
Environmental	Crum & Forster	\$1,000,000	\$5,000	\$87,589.41

**TOTAL COMMERCIAL INSURANCE**  
**\$4,140,852.00**

## RESOLUTION NO. 11680

### RESOLUTION CONTINUING THE AUTHORIZATION OF THE PHILADELPHIA HOUSING AUTHORITY TO ENTER INTO CONTRACTS UNDER FEDERAL AND STATE COOPERATIVE PURCHASING AND SIMILAR PROGRAMS

**WHEREAS**, the Philadelphia Housing Authority ("PHA") has passed four resolutions since November of 2010 that have continuously allowed PHA to benefit by entering into contracts with various governmental and private entities for the full range of goods and services available under Federal and State Cooperative and purchasing and similar programs, in aggregate amounts ranging from approximately thirty million dollars (\$30,000,000.00) to twenty million dollars (\$20,000,000.00): Resolution No. 11414, approved on November 18, 2010; Resolution No. 11484, approved on September 29 2011; Resolution No. 11529, approved on April 26, 2012; and Resolution No. 11582, approved on January 25, 2013; and

**WHEREAS**, under certain circumstances, PHA is allowed to acquire and lease goods and services using cooperative intergovernmental purchasing agreements and programs established by the U.S. General Services Administration, such as the Federal Supply Schedules referred to as the "GSA Schedules;" the Commonwealth of Pennsylvania, such as the program administered by the Department of General Services (DGS) Bureau of Procurement, referred to as "COSTARS;" U.S. Communities; and by the National Joint Powers Alliance; and

**WHEREAS**, such Federal and State cooperative purchasing and similar programs offer competitively obtained and standardized prices, terms and conditions, and enable acquisitions to be effected on a streamlined basis; and

**WHEREAS**, pursuant to the regulations of the U.S. Department of Housing and Development ("HUD") applicable to procurement by public housing authorities (24 C.F.R. § 85.36(b)(5)), public housing authorities are "encouraged to enter into State and local intergovernmental agreements for procurement or use of common goods and services," in order to "foster greater economy and efficiency;" and

**WHEREAS**, pursuant to the Pennsylvania Commonwealth Procurement Code, Act 57 of 1998, as amended (the "Procurement Code"), PHA is authorized to engage in cooperative purchasing with the Commonwealth of Pennsylvania through the use of statewide contracts and the COSTARS system maintained by the Pennsylvania Department of General Services; and

**WHEREAS**, pursuant to Board Resolution No. 11582, adopted on January 25, 2013 (the "Cooperative Purchase Resolution"), PHA's Board authorized the Contracting Officer, for a one-year period, to enter into purchasing contracts with governmental and private entities for the purchase of goods and services under such Federal and State cooperative purchase agreements, for terms not-to-exceed five (5) years and in an aggregate amount not to exceed twenty million six hundred thirty-five thousand dollars (\$20,635,000.00); and

**WHEREAS**, it would be in the best interest of PHA to continue the authorization for entering into contracts, for terms not-to-exceed five (5) years, under the Federal and State cooperative purchasing and similar programs, for another one-year period, from March 31, 2014 through March 31, 2015, in a total aggregate amount not to exceed twenty-two million one hundred fifty thousand dollars (\$22,150,000.00), which is the projected amount needed; and



**WHEREAS**, it would also be appropriate and a best practice, in terms of transparency and accountability, to provide a quarterly report to the Board of Commissioners as to all contracts entered into pursuant to this resolution where the base contract amount or any option exceeds one hundred thousand dollars (\$100,000.00), although this resolution provides the requisite pre-approval for such contracting under Control Policy and Procedure #10;

**BE IT RESOLVED**, that the President & CEO or his authorized designee is authorized to take all actions necessary to enter into contracts, for terms not-to-exceed five (5) years, under the Federal and State cooperative purchasing and similar programs, for a one-year period, from March 31, 2014 through March 31, 2015, in a total aggregate amount not to exceed twenty-two million one hundred fifty thousand dollars (\$22,150,000.00), subject to the availability of funds therefor, and PHA shall provide a quarterly report to the Board of Directors as to all contracts entered into pursuant to this resolution where the base contract amount or any option exceeds one hundred thousand dollars (\$100,000.00).

I hereby certify that this was  
APPROVED BY THE BOARD ON 2/20/14  
Barbara Adams, General Counsel  
ATTORNEY FOR PHA

**RESOLUTION NO. 11681**

**RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO CONCLUDE AND TO EXECUTE A CONTRACT FOR BRANDING AND MARKETING SERVICES WITH COMMUNITY MARKETING CONCEPTS, INC.**

**WHEREAS**, the Philadelphia Housing Authority ("PHA") has identified a need for branding and marketing services; and

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

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

**WHEREAS**, based upon the evaluation, the Evaluation Committee has recommended that a contract be awarded to Community Marketing Concepts, Inc.; and

**WHEREAS**, it is further recommended that the contract be for a one (1) year base period with three (3) additional one-year option periods in a total amount not to exceed two hundred eighty-two thousand four hundred fifty dollars (\$282,450.00); with the amount for the one base year not to exceed seventy-five thousand four hundred fifty dollars (\$75,450.00) and the amount for each one of the three possible one-year option periods not to exceed sixty-nine thousand dollars (\$69,000.00);

**BE IT RESOLVED**, that the President & CEO or his authorized designee is hereby authorized to conclude and to execute a contract with Community Marketing Concepts, Inc., subject to the availability of funds therefor, as set forth above, and to take all necessary actions relating to such contract, including determining whether the option periods shall be exercised.

I hereby certify that this was  
APPROVED BY THE BOARD ON 2/20/14  
Barbara Adams General Counsel  
ATTORNEY FOR PHA



**RESOLUTION NO. 11682**

**RESOLUTION APPOINTING KEITH DAVISTON AS TREASURER OF THE PHILADELPHIA HOUSING AUTHORITY, PURSUANT TO THE BY-LAWS OF THE BOARD OF COMMISSIONERS**

**WHEREAS**, the Philadelphia Housing Authority (“PHA”) Board of Commissioners (“Board”) adopted By-Laws on April 26, 2013, in Resolution No. 11612; and

**WHEREAS**, pursuant to Section 301(i) of the By-Laws, the Board is to appoint a Treasurer, whose responsibilities and authorizations are further set forth in Section 307 of the By-Laws; and

**WHEREAS**, Keith Daviston has been employed by PHA as Senior Vice-President of Finance and as the Chief Financial Officer since January 6, 2014; and

**WHEREAS**, the Board wishes to appoint Keith Daviston as Treasurer;

**BE IT RESOLVED**, that the Board of Commissioners hereby appoints Keith Daviston as Treasurer for the Philadelphia Housing Authority, pursuant to Section 301 of the By-Laws, as adopted on April 26, 2013, in Resolution No. 11612.

I hereby certify that this was

APPROVED BY THE BOARD ON 2/20/14

Barbara Adams, General Counsel  
ATTORNEY FOR PHA

**RESOLUTION NO. 11683**

**RESOLUTION AUTHORIZING THE EVALUATION COMMITTEE OF THE BOARD OF COMMISSIONERS OF THE PHILADELPHIA HOUSING AUTHORITY ("PHA") TO MAKE CERTAIN DECISIONS REGARDING PHA'S PRESIDENT AND CEO WITHIN THE PARAMETERS ESTABLISHED IN THIS RESOLUTION**

**WHEREAS**, pending adoption by the Board of Commissioners ("Board") of the Philadelphia Housing Authority ("PHA") of recommendations from the By-laws Committee of the Board regarding committee composition, appointment, structure, responsibilities and related matters, the Chair of the PHA Board ("Chair") was authorized by Resolution No. 11653, adopted by the Board on October 17, 2013, to establish *ad hoc* committees as deemed necessary and appropriate; and

**WHEREAS**, on December 2, 2013, the Chair established an Evaluation Committee for the purpose of undertaking a performance review, evaluation and any related personnel decisions relating to the President and CEO of PHA ("CEO"), which Committee consists of four Board members and PHA's Executive Vice President - Human Resources; and

**WHEREAS**, the Evaluation Committee has undertaken a review of the performance of the CEO and is in the process of conducting a comparability analysis to make a determination regarding the appropriate compensation for the CEO, as required by HUD Notice PIH-2011-48 (HA), dated August 26, 2011 (the "HUD Notice"); and

**WHEREAS**, the Board wishes to take official action to: 1) establish the specific parameters for any changes by the Evaluation Committee to the annual compensation of the CEO for the period September 1, 2013 through March 31, 2015; 2) authorize the Evaluation Committee to make any such changes; and 3) for each annual period after March 31, 2015, to delegate to the Evaluation Committee the administrative function of reviewing no less frequently than annually the performance and compensation of the CEO and making recommendations regarding the compensation of the CEO, to be effected as part of the process for the adoption of the annual budget for PHA; and

**WHEREAS**, Section 7 (a) of the Pennsylvania Housing Authorities Law, *as amended* July 5, 2012, P.L.1093, No.130, provides for delegation of powers by PHA, subject to its supervision and control, as necessary to carry out the purposes of that law;

**BE IT RESOLVED**, as follows:

1. The Evaluation Committee is hereby authorized and directed to take the following actions:

- (i) With regard to the annual salary of the CEO from the effective starting date of September 1, 2013 to March 31, 2015:
  - a. to set such salary, after consideration of all information that is relevant and required under current state or federal law, regulation or official federal guidance, including the comparability analysis that is currently required by the HUD Notice;
  - b. to limit any increase for this period to not more than twenty percent (20%) of the current annual salary of the CEO;
  - c. to ensure that the employment benefits of the CEO shall remain unchanged by the Evaluation Committee from the benefits in effect with respect to that period, except



that any benefits that are determined based on the amount of annual salary shall be changed to be those appropriate to any revised salary level, and the CEO shall at all times be qualified to receive any new or changed employment benefits that are allowed to all other non-represented, exempt executive employees of PHA;

d. to report to the Board and to the CEO, in any manner determined by the Committee, the amount of any change in compensation of the CEO within five (5) business days after the Committee makes its decision for the above-referenced period and brief the Board in Executive Session regarding the basis for any such change within thirty (30) calendar days after the Evaluation Committee makes its decision establishing the change; and

(ii) to review no less frequently than annually the performance and compensation of the CEO; and

(iii) for each fiscal year beginning after March 31, 2015 to report to the Board, the CEO and appropriate PHA Finance staff, its recommendation regarding the appropriate compensation of the CEO and the basis for such recommendation, after consideration of all information that is relevant and required under current state and federal law, regulation or official federal guidance, and such recommendation shall be delivered and considered as part of the process of adoption of the annual PHA budget.

2. The Executive Vice-President - Human Resources, or his or her designee, is hereby authorized and directed to take all actions necessary to complete and implement the actions of the Evaluation Committee as authorized by this Resolution; and

3. PHA's Executive Vice-President - Human Resources shall retain any information that is required to be considered in the review and decision-making of the Evaluation Committee under state or federal requirements and provide such information to HUD if requested and/or required; and

4. The Evaluation Committee's authority pursuant to this Resolution shall continue until superseded or repealed by Board resolution or Board adoption of revised By-laws that alter the authority of the Evaluation Committee with respect to the subject matter of this Resolution.