

## **Minutes of the PHA BOARD of COMMISSIONER, Friday, February 22, 2013**

The meeting was brought to order at approximately 2:30 by Interim Executive Director/Interim Administrative Receiver Kelvin Jeremiah. He and Commissioner Estelle Richman welcomed the attendance of the new Board of Commissioners-designees, who are involved in preparatory activities before taking office as Board members, which is expected to occur in the near future. At Commissioner Richman's request, they introduced themselves as follows: Lynette Brown Sow, Vice-President of Marketing and Government Relations at Community College of Philadelphia; Herb Wetzal, Executive Director of Housing and Community Development for the Philadelphia City Council; Shellie Jackson, PHA resident; Vernell Tate, a PHA resident who is employed by the National Archives and is on the Resident Advisory Board; Kenneth Murphy, an attorney with the law firm of Drinker Biddle & Reath, LLP; Reverend Bonnie Camarda, Director of Partnerships for the Salvation Army and past President of the Hispanic Clergy of Philadelphia, on which Board she still serves; Nelson Diaz, a board member of Exelon, a partner at the law firm of Dilworth Paxson LLP, a former judge and former General Counsel at HUD; and Leslie Callahan, pastor at St. Paul's Baptist Church at 1000 Wallace St., in Philadelphia. (Joan Markham, also a Commissioner-designee, attended the meeting as well, but arrived after the introductions).

Kelvin Jeremiah then: 1) introduced Andrea Bowman, PHA's new Corporate Secretary in the Office of General Counsel; 2) recognized Nellie Reynolds, PHA's resident liaison, noting that she was honored the day before as a living legend for her community activism, as part of Black History Month; 3) announced that a review has been done of resident organization portfolios, to prioritize which sites should have assistance with upcoming resident elections; 4) re-confirmed PHA's commitment to demolition and construction at Queen Lane, mentioning that the day before a tour was offered by PHA to interested residents who were skeptical about the project, to show the quality of similar projects by PHA – but, disappointingly, no residents chose to attend; 5) noted that 30 of the 50 police officers that PHA was recently authorized to hire have been employed and 20 more will be in the next few weeks, with deployment then to be made based on data-driven decisions; 6) introduced the new Resident Services Director, Joyce Harrison and Jane Vincent, the HUD Regional Administrator; and 7) reminded the public that germane comments could be made regarding specific resolutions, as such resolutions are being considered, and other comments could be made during the open comment period at the end of the meeting; all comments are to be limited to 3 minutes per person.

The Board of Commissioner then approved the minutes from the Board meetings of January 11, 2013 and January 25, 2013.

A PowerPoint presentation was made of financial highlights for fiscal year 2012, by the audit firm that conducts the annual audits for PHA, Isdaner & Co., a copy of which is available upon request.

Resolution #11586, attached in Appendix 1, was presented by Kyle Flood, PHA's Acting Director of Community Development and Design, regarding the Queen's Row Development. There were no questions and the resolution was approved.

Resolution #11587, attached in Appendix 1, was presented by Michael Johns, PHA's Deputy Executive Director for Capital Projects and Development, regarding the Strawberry Mansion – Oakdale Development and, after questions about PHA's efforts with City Hall to preserve the school and regarding eligibility for such housing, it was approved.

Resolution #11588, attached in Appendix 1, was presented by Elias Rosario, PHA's Deputy Executive Director of Finance, regarding Standard Operating Procedure for Audit Reports. It was noted that generally the role of the Board of Commissioner is to review policy decisions, rather than operating procedures, however this resolution was presented at the request of HUD and it was approved.

Resolution #11589, attached in Appendix 1, was presented by Gemela McClendon, PHA's Director of PHA's Contract and Procurement Department, and Elias Rosario, regarding a contract with Public Financial Management, Inc. and CSG Advisors for financial advisory services. After addressing contract's fulfillment through scholarship funding (rather than training programs, which were proposed earlier) of Section 3 regulation requirements (Section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u and 24 CFR Part 135), the resolution was passed. Commissioner Richman also asked for an update to be presented to the Board in the near future as to the status of the contract with the Urban Affairs Coalition for vendor services regarding resident elections.

Resolution #5, attached in Appendix 1, regarding a contract for bond underwriter services, was tabled.

Resolution #11590, attached in Appendix 1, was presented by Barbara Adams, PHA's General Counsel, regarding the settlement of four litigation matters. After questions regarding distribution of settlement funds, the resolution was approved.

Resolution #11591, attached in Appendix 1, was presented by Joanne Strauss, PHA's Director of Human Resources, regarding Standard Operating Procedure for the keeping of timesheets. It was noted that generally the role of the Board of Commission is to review policy decisions, rather than operating procedures, however this resolution was presented at the request of HUD and it was approved.

Resolution #11592, attached in Appendix 1, was presented by Heather McCreary, PHA's Deputy Executive Director - Administration/Chief Administrative Officer, regarding a contract with JCK Legal PLLC for technical assistance for Resident Council/Resident Board Member elections. Ms. McCreary addressed the limited scope of the contract and Dr. Samuel Little, PHA's Deputy Executive Director of Resident and Community Services, addressed the nature of the technical assistance to be provided. Status reports regarding a related contract that had been provided to Commissioner Richman are attached hereto as Appendix 2. Following various questions and discussion, the resolution was passed. Further, at the request of Commissioner Richman, PHA will supply information to the Board as to the difference in price between Philadelphia firms that responded and the price of the proposal that was selected as being the best.

Resolution #11593, attached in Appendix 1, was presented by Michael Johns, regarding extending a Memorandum of Understanding with the City of Philadelphia for the housing of

certain eligible homeless individuals. After a discussion of data related to the participation and retention of individuals currently in this “blueprint” program (data being presented from January 2009 to December of 2012), the resolution was passed.

Resolution #11594, attached in Appendix 1, was presented by Celeste Fields, PHA’s Assistant Executive Director - Leased Housing, regarding mobility counseling for residents in the housing voucher program, which initiative is to be fully funded by HUD for one year, in the amount of \$500,000, and is intended to ensure that participants in the program who are moving are aware of options within the City of Philadelphia, as well as options for moving to other areas. It was explained that HUD required Board ratification of the initiative. After discussion, the resolution was passed.

General Counsel Barbara Adams then made the announcement that executive session will be required prior to the next Board meeting for the discussion of litigation matters. Interim Executive Director Kelvin Jeremiah stated that settlement negotiations are in progress in the litigation brought by former PHA Executive Director Carl Greene and it appears that a tentative agreement has been reached, which would be announced once finalized.

The public comment period followed, with comments from Melvin Prince Johnakin, Louise Hanible and Joyce Madison.

The meeting was then adjourned at 4:05 p.m.

(Copies of the transcript of the meeting are available upon written request.)

Respectfully submitted,



Barbara Adams  
Secretary  
Philadelphia Housing Authority

# APPENDIX 1

RESOLUTION NO. 11586

**RESOLUTION AUTHORIZING THE PHA INTERIM EXECUTIVE DIRECTOR/INTERIM ADMINISTRATIVE RECEIVER OR HIS AUTHORIZED DESIGNEE TO (1) ACQUIRE THE QUEEN'S ROW DEVELOPMENT; (2) SUBMIT A DEVELOPMENT PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") FOR THE REHABILITATION OF 29 UNITS ON THOSE PARCELS; (3) EXECUTE AN ANNUAL CONTRIBUTIONS CONTRACT ("ACC") AMENDMENT WITH HUD FOR THE RECEIPT OF FEDERAL ASSISTANCE IN SUPPORT OF THE OPERATIONS OF THE NEW PHA DEVELOPMENT; AND (4) NEGOTIATE, PERFORM AND EXECUTE ALL OTHER NECESSARY OR DESIRABLE DOCUMENTS, SECURE ALL REQUIRED FUNDING AND UNDERTAKE ANY AND ALL OTHER APPROPRIATE ACTIVITIES IN CONNECTION THEREWITH**

**WHEREAS**, The Philadelphia Housing Authority ("PHA") desires to acquire real property containing principally 29 residential housing units located at 500-508 W. Queen Lane (also known as 5242 Laurens Street), 5238 Laurens Street, and 5231 McKean Avenue (collectively the "Parcels") from Queen Lane Investors, a limited partnership ("Queen Lane Investors");

**WHEREAS**, Queen Lane Investors has agreed to sell the Parcels to PHA;

**WHEREAS**, PHA will pay Queen Lane Investors an amount not to exceed \$300,000.00 for the Parcels; a

**WHEREAS**, PHA desires to develop (24) of the units as affordable public housing and five (5) as market rate units;

**WHEREAS**, PHA has determined that acquisition of the Parcels is in the best interest of the PHA residents and PHA;

**WHEREAS**, PHA is required to submit a development plan to the U.S. Department of Housing and Urban Development ("HUD") for federal funds to rehabilitate the public housing Parcels; and

**WHEREAS**, PHA desires to enter into an Annual Contributions Contract ("ACC") Amendment in order to receive federal assistance in support of the continued operations of the public housing units.

**NOW, THEREFORE, BE IT RESOLVED**, that the Interim Executive Director/Interim Administrative Receiver is hereby authorized to acquire the Parcels;

**BE IT FUTHER RESOLVED**, that the Interim Executive Director/Interim Administrative Receiver and all other appropriate personnel of PHA are authorized to take any and all necessary actions including the filing of all necessary submissions to obtain any and all approvals from HUD and any other government entity in connection with the new PHA development, including development plans;

**BE IT FURTHER RESOLVED**, that the Interim Executive Director/Interim Administrative Receiver is authorized to enter into and otherwise execute an ACC Amendment in order to receive federal assistance in support of the continued operation of the public housing units in the new PHA development;

**BE IT FURTHER RESOLVED**, that the Interim Executive Director/Interim Administrative Receiver and all other appropriate personnel of PHA are authorized to take all actions necessary or desirable to secure all required development funding, undertake any and all other appropriate activities, and execute any agreements, in accordance with any and all government statutes, regulations and applicable laws needed to implement this resolution in accordance with the whereas clauses above; and

**BE IT FURTHER RESOLVED**, that all necessary, legal and appropriate actions taken heretofore in connection with the resolution by the Interim Executive Director/Interim Administrative Receiver or any authorized personnel of PHA are hereby ratified.

I hereby certify that this was  
APPROVED BY THE BOARD ON 2/22/13  
Barbara Williams, General Counsel  
ATTORNEY FOR PHA

RESOLUTION NO. 11587

**RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY THROUGH ITS AUTHORIZED DESIGNEE TO TAKE ALL NECESSARY STEPS TO (1) SUBMIT A DEMOLITION/DISPOSITION APPLICATION TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE STRAWBERRY MANSION OAKDALE DEVELOPMENT; (2) FORM NEW ENTITIES, ACQUIRE AND DISPOSE OF PARCELS, SECURE EQUITY FUNDING THROUGH SALE OF TAX CREDITS, AND AUTHORIZE OTHER NECESSARY OR DESIRABLE DEMOLITION, DISPOSITION, ACQUISITION, DEVELOPMENT, CONSTRUCTION, AND RELATED DEVELOPMENT ACTIVITIES IN CONNECTION THEREWITH; AND (3) ARRANGE FOR PENNSYLVANIA HOUSING FINANCE AGENCY BOND ISSUANCE IN THE AMOUNT OF APPROXIMATELY \$10,000,000, AND PROVIDE A MORTGAGE LOAN TO THE DEVELOPMENT IN THE AMOUNT OF APPROXIMATELY \$16,000,000 FUNDED FROM PHA RESOURCES**

**WHEREAS**, in furtherance of the Strawberry Mansion Oakdale development initiative, PHA is proposing the demolition and disposition of 12 existing vacant and occupied buildings, the acquisition of 28 parcels at a nominal price from the City of Philadelphia Redevelopment Authority, Philadelphia Housing Development Corporation and City of Philadelphia Department of Public Property, and the development and construction of 76 walk-up and townhouse-style affordable rental housing units on the Development Sites, including 12 one-bedroom, 30 two-bedroom, 30 three-bedroom and 4 four-bedroom units (the "Development ");

**WHEREAS**, PHA is seeking an award of low income housing tax credits ("LIHTC") to construct such affordable rental units on the Development Sites;

**WHEREAS**, in order to demolish and transfer the site to a to-be-formed limited partnership affiliated with PHA (the "Affiliated Partnership"), PHA must comply with certain provisions of the Housing Act of 1937, the Quality Housing and Work Responsibility Act of 1998, 24 CFR Part 970 (Public Housing Program - Demolition and/or Disposition of Public Housing Projects), the National Environmental Policy Act of 1969 (42 U.S.C. 4321), and the National Historic Preservation Act of 1966 (16 U.S.C. 469) and related laws, as stated in 24 CFR Part 50; as such laws and regulations are amended;

**WHEREAS**, by submitting a Demolition/Disposition Application to the United States Department of Housing and Urban Development ("HUD") and obtaining the necessary approvals, PHA will comply with federal laws and regulations, and other applicable laws governing the demolition, and disposition of real property by a public housing authority; and

**WHEREAS**, in furtherance of the Development, PHA and its affiliates will be required to demolish buildings, dispose of properties, acquire parcels, create entities, obtain and secure financing including by issuance of bonds through the Pennsylvania Housing Finance Agency and by selling tax credits to raise equity capital, provide customary guaranties, make a mortgage loan, enter into a development services agreement, and obtain all necessary HUD and other entity funding approvals in connection with the Development, and to proceed with the demolition, development, construction and operation of, the Development.

**NOW, THEREFORE, BE IT RESOLVED**, that the Philadelphia Housing Authority Board of Commissioner hereby authorizes the PHA, through its authorized designee, to submit a Demolition/Disposition Application to HUD for the demolition of improvements on the Development Sites, and the disposition thereof to an Affiliated Partnership, subject to and in compliance with applicable statutes, laws and regulations;

**BE IT FURTHER RESOLVED**, that the PHA is further authorized, through its authorized designee, to:

- (1) create a Pennsylvania nonprofit corporate affiliate housing development corporation to serve as General Partner of a to-be-formed Limited Partnership;
- (2) create a Pennsylvania Limited Partnership, which will own and operate the Development site;
- (3) apply to the Pennsylvania Housing Finance Agency for 4% federal income tax credits, which are expected to generate approximately \$10,000,000 in tax credit equity for funding the Development through the sale of such tax credits to a private third-party investor to which PHA will be required to provide certain customary guaranties of completion and operating deficits;
- (4) secure construction funding, including through the issuance, by the Pennsylvania Housing Finance Agency, of private activity bonds payable by the Limited Partnership in the amount of approximately \$12,500,000, for which PHA will provide cash collateral in the full amount of the bonds;
- (5) acquire 28 parcels from the City of Philadelphia Redevelopment Authority, Philadelphia Housing Development Corporation and City of Philadelphia Department of Public Property for the Development;
- (6) negotiate and execute a long term ground lease pursuant to HUD disposition approval;
- (7) negotiate, conclude, execute and implement Evidentiaries and ancillary documents for the Development, and submit such Evidentiaries to HUD;
- (8) secure, execute and administer any applicable federal tax credits, grant or financing agreements or contracts with HUD, the Commonwealth of Pennsylvania or other federal, state and local funding agencies for receipt of funds to be used for the Development;
- (9) provide construction and permanent financing to the Development from PHA resources in the amount of approximately \$16,000,000 including cash collateral for the bonds and an additional \$3,500,000 for development costs as a "soft loan" which will have a term of 50 years and be repayable contingent upon sufficient available funds after payment of all operating expenses; and cause the limited partnership to provide and execute loan and security documents as appropriate for such financings;
- (10) cause the Limited Partnership to enter into a Development Services Agreement with the Philadelphia Housing Authority Development Corporation; and
- (11) perform all activities necessary or desirable to obtain approval from HUD and other entities in connection with such activities and to develop, construct, complete and operate the Development;

**BE IT FURTHER RESOLVED**, that the Interim Executive Director/Interim Administrative Receiver, or his designee, on behalf of PHA, is authorized to negotiate, execute and enter into all contract and documents necessary or appropriate to finance, develop, construct, complete and operate the Development; and

**BE IT FURTHER RESOLVED**, all actions taken heretofore by the Interim Executive Director/Interim Administrative Receiver or his designee with respect to the matters set forth in this resolution are hereby approved and ratified.

I hereby certify that this was

approved by the Board on 2/22/13

Baillie Glass, General Counsel  
PHA



RESOLUTION NO. 11588

**RESOLUTION, REQUESTED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, RECOGNIZING THE APPROPRIATENESS OF PHA'S STANDARD OPERATING PROCEDURES FOR SUBMITTING AUDIT REPORTS TO THE FEDERAL AUDIT CLEARINGHOUSE**

**WHEREAS**, the U.S. Department of Housing and Urban Development ("HUD") undertook an evaluation of PHA's process for ensuring that PHA submits its audited comprehensive annual financial report (CAFR), including the "Single Audit" reporting packages, to the Federal Audit Clearinghouse within 30 days of receiving the Independent Auditor's report;

**WHEREAS**, HUD recommended that PHA prepare a Standard Operating Procedure and obtain approval of the Board of Commissioner as to the appropriateness of such Standard Operating Procedure; and

**NOW, THEREFORE, BE IT RESOLVED**, that the PHA Board of Commissioner hereby approves the appropriateness of the attached Standard Operating Procedures:

- Federal Audit Clearinghouse Standard Operating Procedures

**BE IT FURTHER RESOLVED**, that the PHA Board of Commissioner hereby authorizes the Interim Executive Director/Interim Administrative Receiver or his designee to take all actions necessary to implement the Standard Operating Procedures at issue.

I hereby certify that this was  
APPROVED BY THE BOARD ON 2/22/13  
Barbara Adams, General Counsel  
ATTORNEY FOR PHA

RESOLUTION NO. 11589

**RESOLUTION AUTHORIZING THE PHA INTERIM EXECUTIVE DIRECTOR/INTERIM ADMINISTRATIVE RECEIVER OR HIS AUTHORIZED DESIGNEE TO CONCLUDE AND TO EXECUTE A CONTRACT FOR FINANCIAL ADVISORY SERVICES (SOLICITATION NO. P-004223)**

**WHEREAS**, the Philadelphia Housing Authority (PHA) has identified a need for Financial Advisory Services;

**WHEREAS**, Solicitation No. P-004223 was developed according to established procedures and all applicable laws regarding public contracts and was advertised in the Philadelphia Inquirer and several community newspapers;

**WHEREAS**, 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;

**WHEREAS**, three (3) offerors responded to the solicitation by submitting a proposal as follows:

**Public Financial Management Inc.**  
**CSG Advisors Inc.**  
Phoenix Capital Partners LLP;

**WHEREAS**, the proposals were reviewed and evaluated by the evaluation committee appointed for such purpose (the "Evaluation Committee") and the supporting documents were reviewed by the Contracting Officer;

**WHEREAS**, based upon the evaluation, it was recommended that a contract be awarded to Public Financial Management Inc. and CSG Advisors Inc.;

**WHEREAS**, it is further recommended that the contract, if awarded, shall be for a two (2) year base period with an additional one (1) one year option periods in an amount not to exceed **FIFTY THOUSAND FOUR HUNDRED EIGHTY SEVEN DOLLARS AND FIFTY CENTS (\$50,487.50)** for base year one (1); **FIFTY-SIX THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS (\$56,875.00)** for base year two (2); **FIFTY-NINE THOUSAND SEVEN HUNDRED SIXTY-TWO DOLLARS AND FIFTY CENTS (\$59,762.50)** if PHA exercises option year one (1); for a total contract amount not to exceed **ONE HUNDRED SIXTY-SEVEN THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$167,125.00)** to Public Financial Management Inc.;

**WHEREAS**, it is further recommended that the contract, if awarded, shall be for a two (2) year base period with an additional one (1) one year option period in an amount not to exceed **FIFTY THOUSAND FOUR HUNDRED EIGHTY-SEVEN DOLLARS AND FIFTY CENTS (\$50,487.50)** for base year one (1); **FIFTY-SIX THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS (\$56,875.00)** for base year two (2); **FIFTY-NINE THOUSAND SEVEN HUNDRED SIXTY-TWO DOLLARS AND FIFTY CENTS (\$59,762.50)** if PHA exercises option year one (1); for a total contract amount not to exceed **ONE HUNDRED SIXTY-SEVEN THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$167,125.00)** to CSG Advisors; and

**NOW THEREFORE BE IT RESOLVED**, by and for The Philadelphia Housing Authority, that, based on the recommendation of the Evaluation Committee, the Interim Executive Director/Interim Administrative Receiver is hereby authorized to conclude and to execute a contract with Public Financial Management Inc. and CSG Advisors Inc. in accordance with the "Whereas" clauses above; and

**BE IT FURTHER RESOLVED**, that (1) the recommended contractors comply with all terms required by the solicitation; (2) the contract is subject to the availability of funds thereof; (3) no contract shall exist until signed by the Interim Executive Director/Interim Administrative Receiver or his designee and; (4) if PHA and the offeror have not mutually agreed on the terms of a contract within ninety days (90) following the next regularly scheduled Board meeting, then this resolution shall be void and the authority of the Interim Executive Director/Interim Administrative Receiver shall cease.

I hereby certify that this was  
APPROVED BY THE BOARD ON 2/22/13  
Barbara Adams, General Counsel  
ATTORNEY FOR PHA

**RESOLUTION NO. TABLED**

**RESOLUTION AUTHORIZING THE PHA INTERIM EXECUTIVE DIRECTOR/INTERIM ADMINISTRATIVE RECEIVER OR HIS AUTHORIZED DESIGNEE TO CONCLUDE AND TO EXECUTE A CONTRACT FOR BOND UNDERWRITERS SERVICES (SOLICITATION NO. P-004222)**

**WHEREAS**, the Philadelphia Housing Authority (PHA) has identified a need for Bond Underwriters Services;

**WHEREAS**, Solicitation No. P-004222 was developed according to established procedures and all applicable laws regarding public contracts and was advertised in the Philadelphia Inquirer and several community newspapers;

**WHEREAS**, 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;

**WHEREAS**, nine (9) offerors responded to the solicitation by submitting a proposal as follows:

**RBC Capital Markets, LLC**  
**Janney Montgomery Scott, LLC**  
RockFleet Financial Services  
SternBrothers & Company  
Wells Fargo Securities  
IFS Securities  
PNC Capital Markets, LLC  
Loop Capital Markets, LLC  
Morgan Keegan;

**WHEREAS**, the proposals were reviewed and evaluated by the evaluation committee appointed for such purpose (the "Evaluation Committee") and the supporting documents were reviewed by the Contracting Officer;

**WHEREAS**, based upon the evaluation, it was recommended that a contract be awarded to RBC Capital Markets, LLC and Janney Montgomery Scott, LLC; and

**WHEREAS**, it is further recommended that the contract, if awarded, shall be for a two (2) year base period and one (1) year option period in an amount not to exceed **ELEVEN MILLION NINE HUNDRED EIGHTY THREE THOUSAND SEVEN HUNDRED TWENTY FIVE DOLLARS AND ZERO CENTS (\$11,983,725.00)**.

**NOW THEREFORE BE IT RESOLVED**, by and for the Philadelphia Housing Authority, that, based on the recommendation of the Evaluation Committee, the Interim Executive Director/Interim Administrative Receiver is hereby authorized to conclude and to execute a contract with RBC Capital Markets, LLC and Janney Montgomery Scott, LLC in accordance with the "Whereas" clauses above; and

**BE IT FURTHER RESOLVED**, that (1) the recommended contractors comply with all terms required by the solicitation; (2) the contract is subject to the availability of funds thereof; (3) no contract shall exist until signed by the Interim Executive Director/Interim Administrative Receiver or his designee and; (4) if PHA and the offeror have not mutually agreed on the terms of a contract within ninety days (90) following the next regularly scheduled Board meeting, then this resolution shall be void and the authority of the Interim Executive Director/Interim Administrative Receiver shall cease.

RESOLUTION NO. 11590

**RESOLUTION TO CONFIRM THE SETTLEMENT OF CERTAIN LITIGATION MATTERS  
PREVIOUSLY DISCUSSED IN EXECUTIVE SESSIONS IN ACCORDANCE WITH THE  
PENNSYLVANIA SUNSHINE ACT, 65 PA C.S.A. 701 ET SEQ.**

**WHEREAS**, certain parties, including tenants, union organizations and a former employee (collectively the "plaintiffs") have brought various actions against the Philadelphia Housing Authority ("PHA") and various individually named PHA employees (collectively "individual defendants"), alleging that plaintiffs' rights were violated;

**WHEREAS**, after protracted negotiations regarding the respective plaintiffs' demands, the settlement of the following four (4) matters were determined by the Board in executive sessions to be in the best interests of PHA;

**WHEREAS**, this resolution would confirm the settlement of the following matters:

**Jackie McDowell, et al. v. PHA, et al.** - A class of tenants of PHA scattered sites claimed that PHA was not providing a sufficient amount to cover their PGW bills. After 10 years of litigation, PHA and the class agreed to settle by establishing a settlement fund in the amount of \$2.65 million from which to pay qualified claimants and by paying legal fees of counsel to the class which total \$730,000. On January 28, 2013, the court hearing the case issued an order preliminarily approving settlement and setting a hearing on April 15, 2013, to make a final determination regarding the fairness of the settlement after which, if the settlement is finally approved by the court, the payments contemplated by the settlement will be made. PHA has requested and received approval of this settlement from the United States Department of Housing and Urban Development ("HUD").

**Comprehensive Settlement Agreement Prior to the Commencement of Litigation in Connection with an Equal Employment Opportunity (EEO) Claim of a former Employee** - a former PHA employee filed an EEO complaint against PHA in which the employee made a claim of alleged discrimination. PHA has settled the claim for \$172,110.48 in avoidance of the risks and cost of litigation, such costs alone expected to exceed the amount of the settlement. Although PHA has defenses to the plaintiff's allegations, it faces several obstacles in its defense of this case. Based on these obstacles and the well-known inherent risks and costs of litigation, PHA has reached a settlement agreement with the former employee pursuant to which PHA will pay the employee and the employee's counsel an aggregate of \$172,110.48, in exchange for the employee's release of all claims against PHA, including any claims for attorneys' fees. PHA has requested and received approval of this settlement from HUD.

**District Council 21 Health & Welfare Fund - Improper Payment of Wages and Health & Welfare Funds Arbitration** - The Painters Union, District Council 21, filed a grievance in which the Union alleged that PHA failed to pay certain provisional painters who were employed by PHA the proper wage rate and that PHA failed to make the correct payments to District Council 21's Health & Welfare Fund. Upon investigation, PHA confirmed that the Union's position was correct with respect to both the wage and health and welfare payments. PHA, therefore, settled these claims for \$124,507.03.

**Board of Trustees, Roofers Local No. 30 Combined Welfare Fund v. PHA** - The Roofers' Union's Health and Welfare Fund (the "Fund") filed a claim against PHA in which the Fund alleged that PHA failed to pay the correct amounts into the Roofers' Union's health and welfare fund for provisional Roofers whom PHA employed from 2008 through 2012. Upon investigation, PHA confirmed that the Fund's position was correct with respect to the payments. PHA, therefore, settled this claim for \$90,000.00.

**NOW, THEREFORE, BE IT RESOLVED**, that authority to settle the aforementioned claims asserted in the matters captioned above in accordance with the terms of the settlements set forth above are hereby confirmed.

I hereby certify that this was  
APPROVED BY THE BOARD ON 2/22/13  
Barbara Adams, General Counsel  
ATTORNEY FOR PHA

RESOLUTION NO. 11591

**RESOLUTION, REQUESTED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD"), RECOGNIZING THE APPROPRIATENESS OF PHA'S STANDARD OPERATING PROCEDURES FOR SUBMISSION OF TIMESHEETS INTENDED FOR PAYROLL AND MAINTENANCE AND RECORDING OF TAXES WITHHELD**

**WHEREAS**, the US Department of Housing and Urban Development ("HUD") conducted an audit of Philadelphia Housing Authority's ("PHA") A-133 Single Audit Report for the 2010 to 2011 fiscal year; and

**WHEREAS**, HUD recommended that PHA prepare a Standard Operating Procedure and obtain approval of the Board of Commissioner as to the appropriateness of such Standard Operating Procedure;

**NOW THEREFORE, BE IT RESOLVED**, that the PHA Board of Commissioner hereby approves the appropriateness of the attached Standard Operating Procedure:

- Standard Operating Procedures – Timesheets
- Standard Operating Procedures – Tax Withholding

**BE IT FURTHER RESOLVED**, that the PHA Board of Commissioner hereby authorizes the Interim Executive Director/Interim Administrative Receiver or his designee to take all actions necessary to implement the Standard Operating Procedures attached hereto.

I hereby certify that this was  
APPROVED BY THE BOARD ON 2/22/13

Barbara Adams General Counsel  
ATTORNEY FOR PHA

**RESOLUTION NO. 11592**

**RESOLUTION AUTHORIZING THE PHA INTERIM EXECUTIVE DIRECTOR/INTERIM ADMINISTRATIVE RECEIVER OR HIS AUTHORIZED DESIGNEE TO CONCLUDE AND TO EXECUTE A CONTRACT FOR TECHNICAL ASSISTANCE FOR RESIDENT COUNCIL/RESIDENT BOARD MEMBER ELECTION (SOLICITATION NO. P-004238)**

**WHEREAS**, The Philadelphia Housing Authority (PHA) has identified a need for Technical Assistance for Resident Council/Resident Board Member Election;

**WHEREAS**, Solicitation No. P-004238 was developed according to established procedures and all applicable laws regarding public contracts and was advertised in the Philadelphia Inquirer and several community newspapers;

**WHEREAS**, 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;

**WHEREAS**, two (2) offerors responded to the solicitation by submitting a proposal as follows:

**JCK Legal PLLC**  
ELT Ventures Inc.;

**WHEREAS**, the proposals were reviewed and evaluated by the evaluation committee appointed for such purpose (the "Evaluation Committee") and the supporting documents were reviewed by the Contracting Officer;

**WHEREAS**, based upon the evaluation, it was recommended that a contract be awarded to JCK Legal PLLC; and

**WHEREAS**, it is further recommended that the contract, if awarded, shall be for a one (1) year base period with an additional one (1) one year option periods in an amount not to exceed **TWO HUNDRED SEVENTY THOUSAND DOLLARS (\$270,000.00)** for base year one (1); **SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00)** if PHA exercises option year one (1); for a total contract amount not to exceed **THREE HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$345,000.00)**;

**NOW, THEREFORE, BE IT RESOLVED**, by and for the Philadelphia Housing Authority, that, based on the recommendation of the Evaluation Committee, the Interim Executive Director/Interim Administrative Receiver is hereby authorized to conclude and to execute a contract with JCK Legal PLLC in accordance with the "Whereas" clauses above; and

**BE IT FURTHER RESOLVED**, that (1) the recommended contractor comply with all terms required by the solicitation; (2) the contract is subject to the availability of funds thereof; (3) no contract shall exist until signed by the Interim Executive Director/Interim Administrative Receiver, or his designee; and (4) if PHA and the offeror have not mutually agreed on the terms of a contract within ninety (90) days following the next regularly scheduled Board meeting, then this resolution shall be void and the authority of the Interim Executive Director/Interim Administrative Receiver shall cease.

I hereby certify that this was  
**APPROVED BY THE BOARD ON**

**ATTORNEY FOR PHA**



RESOLUTION NO. 11593

RESOLUTION AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR/INTERIM ADMINISTRATIVE RECEIVER TO EXTEND THE CURRENT MEMORANDUM OF UNDERSTANDING WITH THE CITY OF PHILADELPHIA FOR UP TO FIVE YEARS TO ANNUALLY ALLOCATE UP TO 500 HOUSING OPPORTUNITIES, INCLUDING TENANT-BASED HOUSING CHOICE VOUCHERS AND PUBLIC HOUSING UNITS, TO ELIGIBLE HOMELESS INDIVIDUALS WHO ARE RECEIVING CASE MANAGEMENT AND SUPPORTIVE SERVICES AND HAVE BEEN REFERRED TO PHA THROUGH THE CITY OF PHILADELPHIA, SUBJECT TO FUNDING AVAILABILITY

**WHEREAS**, the Philadelphia Housing Authority ("PHA") is committed to supporting the City's efforts to eliminate homelessness through the provision of housing opportunities combined with supportive services for formerly homeless individuals and families;

**WHEREAS**, by providing tenant-based Housing Choice Vouchers and public housing units to homeless individuals who are receiving case management and supportive services from City-funded agencies, PHA will be able to support the City's efforts;

**WHEREAS**, PHA has determined that it is in its best interest to provide up to five hundred (500) housing opportunities through tenant-based Housing Choice Vouchers and public housing units to eligible homeless individuals provided that City-funded agencies provide appropriate case management and supportive services; and

**WHEREAS**, through an amendment to extend the Memorandum of Understanding ("MOU") with the City for up to five (5) years, PHA will make vouchers and public housing units available to qualified individuals referred to PHA by the City and/or City-identified agencies; agencies will provide intensive and coordinated supportive services to assist these individuals during their PHA tenancy to meet all of their housing obligations and become good neighbors in the permanent housing;

**NOW THEREFORE, BE IT RESOLVED**, that the Philadelphia Housing Authority's Board of Commissioner hereby authorizes the Interim Executive Director/Interim Administrative Receiver to execute an extension to the MOU for up to five years and to provide up to five hundred (500) housing opportunities through tenant-based Housing Choice Vouchers and public housing units to eligible homeless individuals who meet PHA's eligibility requirements.

**BE IT FURTHER RESOLVED**, that the Interim Executive Director/Interim Administrative Receiver, or his designee, is hereby authorized to amend such other agreements which he, or his designee, deems reasonably necessary to fully perform PHA's obligations under the MOU including, but not limited to, the Admissions and Continued Occupancy Plan (ACOP) and the Administrative Plan, but only to the extent reasonably necessary to enable PHA to fulfill its obligations under the MOU.

I hereby certify that this was  
APPROVED BY THE BOARD ON 2/22/13  
Barbara Glass, General Counsel  
ATTORNEY FOR PHA

RESOLUTION NO. 11594

**RESOLUTION AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR/INTERIM ADMINISTRATIVE RECEIVER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE HOUSING AUTHORITIES OF CHESTER COUNTY, DELAWARE COUNTY AND MONTGOMERY COUNTY AND TO TAKE ALL NECESSARY STEPS TO CREATE AND TO OPERATE A REGIONAL HOUSING MOBILITY INITIATIVE IN SOUTH EASTERN PENNSYLVANIA ("SEPA")**

**WHEREAS**, the Philadelphia Housing Authority desires to enter into a cooperative agreement with the housing authorities of Chester County, Delaware County and Montgomery County to create and operate a regional housing mobility initiative in South Eastern Pennsylvania ("SEPA");

**WHEREAS**, the goal of the housing mobility initiative will be to create a cooperative collaboration among the participating housing authorities to allow housing choice voucher holders to make informed housing decisions to successfully locate to areas in South Eastern Pennsylvania where there are social and economic opportunities;

**WHEREAS**, the goal of the initiative is to determine "opportunity areas" for housing choice voucher recipients to find housing in areas that meet the program goals of de-concentrating poverty, providing job opportunities, providing school quality and having access to transportation;

**WHEREAS**, under this regional housing mobility initiative, the housing authorities will provide pre- and post-move support, mobility counseling, and conduct program outcome analyses to determine the initiative's effectiveness; and

**WHEREAS**, PHA has submitted a grant application to fund the regional housing mobility initiative to the United States Department of Housing and Urban Development ("HUD") for an amount not to exceed **FIVE HUNDRED FORTY ONE THOUSAND EIGHT HUNDRED SIXTY SEVEN THOUSAND DOLLARS EIGHT HUNDRED SIXTY SEVEN DOLLARS** (\$541,867.00) for the first year of the initiative and an amount not to exceed **FIVE HUNDRED SEVENTY ONE THOUSAND FOUR HUNDRED NINETEEN DOLLARS** (\$571,419.00) for the second year of the initiative, based upon funding availability.

**NOW THEREFORE BE IT RESOLVED**, that the Interim Executive Director/Interim Administrative Receiver, or his designee, on behalf of PHA, is authorized to negotiate, execute and enter into all contract and documents necessary or appropriate to create and operate the cooperative agreement and implement the regional housing mobility initiative; and

**BE IT FURTHER RESOLVED**, all actions taken heretofore by the Interim Executive Director/Interim Administrative Receiver or his designee with respect to the matters set forth in these resolutions are hereby approved and ratified.

I hereby certify that this was

APPROVED BY THE BOARD ON 2/22/13

Barbara Adams, General Counsel  
ATTORNEY FOR PHA

## APPENDIX 2

Exhibit A:

## Resident Council Election Schedule

Site	MOU Expiration	Existing Resident Council President	Initial Meeting
1. Abbotsford	6/10/11	Audrey Hood	12/4/12
2. Holmescrest	4/22/12	Revonne Watson	1/2/19/12
3. Spring Garden	5/29/10	Vernell Tate	2/26/13
4. Haddington Homes	8/16/03	N/A	
5. Johnson Homes	1/28/04	Nellie Reynolds	
6. Arch Homes	2/6/04		
7. Cecil B. Moore	1/30/04		
8. Morton Homes	1/17/04		
9. Wilson Park Family	2/12/04		
10. Norris Apts	1/26/04	Diane Gass	
11. Herbert Arlene Homes	10/28/05	Carolyn Warren	
12. 903 Kingsessing	1/13/06	Satara Starks	
13. Hill Creek Apts	8/31/06	Shonda Taylor	
14. Bartram Village	3/17/06		
15. 905 Farhill Square	N/A	Nancy Carroll	
16. Blumberg Family	7/16/09	Valire Lynch	
17. 901Haddington/ Overbrook			
18. Suffolk Manor (PAPMC)	N/A	Ida McQueen	
19. Mt. Olivet (PAPMC)	N/A	Mozelle Jackson	
20. West Park Plaza	N/A	Loretta Hines	

The PHA sites designated in purple represent the sites where the election process has commenced prior to 2/22/13.

**Philadelphia Housing Authority  
Resident Council Listing with MOU Information**

A	B	C	D	E	F	G	H	I
<u>Name of Site</u>	<u>Site #</u>	<u>Available Units</u>	<u>Occupied Units</u>	<u>MOU start date</u>	<u>Mou end date</u>	<u>Election Due</u>	<u>Resident Leader/ Contact Person</u>	<u>Site Details</u>
1								
2	Abbottsford Homes	235	231	6/11/08	6/10/11	Yes	Ms. Audrey Hood	
3	Allen, Richard-Independent	150	146	8/18/08	8/17/11	Yes	Ms. Virginia Wilks President - Gladys B. Jacobs & Richard Allen.	
4	Arch Homes	73	73	2/7/01	2/6/04	Yes		
5	Arlene Herbert	32	32	10/29/02	10/28/05	Yes	Carolyn Warren	
6	Bartram Village	499	479	3/18/03	3/17/06	Yes		
7	Bentley Hall	96	92	4/23/09	4/22/12	Yes	Ms. Geneva Beander	Sr. Development
8	Blumberg Family	299	284	7/17/06	7/16/09	Yes	Ms. Valerie Lynch	
9	Blumberg Seniors	200	189	4/23/09	4/22/12	Yes	Mr. Rupert Alston	
10	Champlost Homes	102	101	11/23/09	11/22/12	No	Ms. Delores White	
11	Collegeview	54	53	8/18/08	8/17/11	Yes	Ms. Odessa Peak	
12	Emlen Arms	155	150	12/22/08	12/21/11	Yes	Mr. Arnold Walker	
13	Fairhill Apts.	263	261	4/23/09	4/22/12	Yes	Ms. Trina Ballard	
14	Haddington Homes	147	142	8/17/00	8/16/03	Yes		
15	Harrison Plaza	299	289	7/17/08	7/29/11	Yes	Ms. Christine Boyd	
16	Haverford Homes	24	24					
17	Hill Creek Apts.	332	324	9/1/03	8/31/06	Yes	Ms. Shonda Taylor	
18	Holley, Cassie L./Pt. Breeze	71	67	40407	41502	No	Mr. George Upshur	
19	Holmecrest	84	83	4/23/09	4/22/12	Yes	Ms. Revonne Watson	
20	Katie B. Jackson	56	54	40374	41469	No	Nora Simms	Sr. Development
21	Jacobs, Gladys B. Seniors-Indep.	80	76	8/18/08	8/17/11	Yes	V. Wilks RC President for Richard Allen as well Gladys B. Jacobs	Sr. Development
22	Johnson Homes	525	506	1/29/01	1/28/04	Yes	Ms. Nellie Reynolds	Completed-Tax Credit Site
23	Mantua Hall-Independent	0	0	6/23/05	6/22/08	Yes		
24	Moore, Cecil B.	30	29	1/31/01	1/30/04	Yes		
25	Morton Homes	248	241	1/18/01	1/17/04	Yes		
26	Norris Apts.-Independent	145	144	1/27/01	1/26/04	Yes	Ms. Diane Gass	Tax Credit & Low Rise
27	Oxford Village	200	195	4/23/09	4/22/12	Yes	Ms. Doris Seldon	
28	Parkview Homes	20	20				Mr. Joseph Harley	Sr. Development

