

**THE PHILADELPHIA HOUSING AUTHORITY
SPECIAL BOARD MEETING
AGENDA
FRIDAY, MARCH 4, 2011**

- A. Call to Order - Honorable John F. Street, Chair
The Philadelphia Housing Authority Board of Commissioners

- B. Remarks - Michael P. Kelly, Interim Executive Director
The Philadelphia Housing Authority

New Business

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- 1. **RESOLUTION TEMPORARILY DELEGATING POWER, DUTY AND AUTHORITY FOR AND MANAGEMENT OF THE PHILADELPHIA HOUSING AUTHORITY (PHA) TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AMENDING THE POLICIES, RULES, PROCEDURES AND BY-LAWS ACCORDINGLY.**

RESOLUTION NO. 1

RESOLUTION TEMPORARILY DELEGATING POWER, DUTY AND AUTHORITY FOR OPERATION AND MANAGEMENT OF THE PHILADELPHIA HOUSING AUTHORITY (PHA) TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AMENDING THE POLICIES, RULES, PROCEDURES AND BY-LAWS ACCORDINGLY

WHEREAS, the Philadelphia Housing Authority is a public body, corporate and public, and exercising public powers of the Commonwealth as an agency thereof as provided under the Pennsylvania Housing Authorities Law (Health and Safety Code 35 P.S. § 1544) pursuant to action of the Board of Commissioners of the City of Philadelphia Housing Authority; and

WHEREAS, the Philadelphia Housing Authority (PHA) has previously entered into Annual Contributions Contract (ACC) and other contracts and agreements with the United States Department of Housing and Urban Development (HUD) pursuant to the United States Housing Act of 1937, Moving to Work Agreement pursuant to Section 204 of the Omnibus Consolidated Recissions Appropriations Act of 1996 (Publ. 104-134 1996 Appropriations Act) and related federal law and regulations; and

WHEREAS, the PHA Board of Commissioners and HUD acknowledge that the PHA's stability will occur with HUD assistance and the PHA Board of Commissioners desire to voluntarily request HUD takeover of the PHA; and,

WHEREAS, the PHA Board of Commissioners wishes to assure that steps are taken to implement improvements in the efficiency and economic administration of PHA for the benefit of its residents and the community; and,

WHEREAS, it is in the best interest of the parties and residents for HUD to administer the PHA's programs and assist in the recovery; and,

WHEREAS, improvements in PHA will be enhanced through a further cooperative relationship among HUD, the Mayor and the Controller of the City of Philadelphia and the Board of Commissioners; and,

WHEREAS, HUD has offered its assistance in conjunction with a voluntary takeover of PHA; and HUD's Deputy Secretary, Ron Sims, has agreed to a voluntary takeover of the PHA's administrative programs to assist in PHA's stabilization; and,

WHEREAS, the PHA is authorized under the Pennsylvania Housing Authorities Act to cooperate and act as agent of the Federal Government for the public purposes set out in the Pennsylvania Housing Authorities Act in connection with acquisition, construction, operation of any housing project or part thereof (See Health and Safety Code 35 P.S. §1550)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY AND COUNTY OF PHILADELPHIA THAT:

1. The United States Department of Housing and Urban Development acting through Deputy Secretary Ron Sims or his successor in office, and his or her designee (hereafter referred to as the "HUD Deputy Secretary") shall have the power, duty and authority currently held by the Board of Commissioners and shall appoint an interim Executive Director to manage the PHA (Health & Safety Code 35 P.S. §1546)
2. The HUD Deputy Secretary shall have full power, duty and authority to manage, operate, and oversee the assets, projects, programs and personnel of PHA.

I hereby certify that this was
APPROVED BY THE BOARD ON 3/4/11
By Nelson Sims
ATTORNEY FOR PHA

3. The HUD Deputy Secretary shall have full power, duty and authority to execute or amend or terminate and all documents, contracts and agreements which could otherwise be executed or amended or terminated by the Board of Commissioners and/or Executive Director.
4. The HUD Deputy Secretary shall have full power, duty and authority to amend or otherwise change any and all existing PHA policies or rules or procedures or by-laws which could otherwise be amended or changed by the Board of Commissioners and/or Executive Director.
5. The HUD Deputy Secretary shall have the powers conferred by the policies, rules, procedures and by-laws of the Philadelphia Housing Authority and the Board of Commissioners, the Executive Director and employees and agents of the Housing Authority.
6. Current PHA policies, rules, procedures and by-laws are hereby deemed amended to conform with this Resolution, including, but not limited to, all personnel, procurement and finance policies, rules and procedures.
7. This Agreement shall terminate one year from the date of execution and shall be renewable in one year increments thereafter, or until such time as mutually determined by the Deputy Secretary, Mayor and the Comptroller that the PHA has built sufficient capacity to be self supportive.
8. This Resolution shall take effect immediately.