

LOUISVILLE METRO HOUSING AUTHORITY  
MINUTES OF REGULAR MEETING  
MARCH 17, 2020

Roll Call:

The meeting of the Board of Commissioners was called to order by Mr. Manfred Reid Sr., at 3:50 p.m. Due to the COVID-19 Outbreak, participants were encouraged to call in by way of Zoom Conference Call. Members present were Mr. Bryan Cole, Rev. Geoffrey Ellis, Mr. Lance Gilbert, Ms. Gena Harris, and Mr. Cary Hearn. Absent were Ms. Mary Elizabeth Miles (excused), Ms. Lisa Nicholson (excused) and Ms. Mary Ellen Wiederwohl (excused).

Others present were Ms. Lisa Osanka, Executive Director; Mr. Wavid Wray, Deputy Executive Director; Directors; Mr. Richard Nash, III, Attorney; Ms. Vickie Fields, Executive Secretary; Staff and members of the public.

On recommendation of LMPHW and the CDC guidelines on social distancing, LMHA is doing our part to prevent the spread of COVID-19 by using the available technology to conduct the necessary and vital business of the agency. All public meetings will be held adhering to federal and state standards while maintaining the health and well-being of LMHA staff, residents and partners.

Announcements:

None.

Committee Reports:

Lisa Osanka spoke to the Board about these unprecedented times with COVID-19. She stated Staff was performing exemplary and that the Board was being very supportive. Osanka reported that Staff have already begun to self-isolate by not being in a congregate setting. Ms. Reid thanked Ms. Osanka and Staff and stated for everyone to be safe and take precautions.

Approval of Minutes:

Ms. Harris made a motion to approve the minutes of LMHA's regular meeting held on February 18, 2020. Mr. Hearn seconded. Motion carried by unanimous vote.

Resolutions:

Mr. Gilbert made a motion to adopt Resolution 5a "Approval of Third Amendment to Amended and Restated Moving to Work Agreement". Mr. Ellis seconded. Motion carried by unanimous vote.

RESOLUTION NO. 14-2020 (3/17/20)

WHEREAS, the Louisville Metro Housing Authority (LMHA), as the Housing Authority of Louisville, executed a Moving to Work (MTW) Agreement on August 2, 1999 and an Amended and Restated Agreement on April 15, 2008, which provides LMHA with some authority to investigate and adopt new policies and to flexibly use HUD funding; and

WHEREAS, HUD sent a letter to LMHA on April 14, 2016 that Congress extended the MTW demonstration to 2028 and that the Amended and Restated Agreement was modified by the content of the letter upon receipt; and

WHEREAS, on September 28, 2018, HUD's Office of the Inspector General (OIG) reviewed the HUD Office of Public and Indian Housing (PIH) and found that the standard MTW Agreement does not provide the authorizing citations to waive an independent entity inspection; and

WHEREAS, to provide clarity and to resolve the OIG finding, the PIH has agreed to offer all MTW agencies an amendment that will amend Attachment C, Sections D.1.f., D.5., D.7.a., and D.7.d, in particular, to provide the necessary authority to waive the project-based voucher (PBV) and the housing choice voucher (HCV) independent-entity inspection regulations, and

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS that the Third Amendment to the Amended and Restated Moving to Work Agreement is approved, and that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to execute an agreement amendment with the U.S. Department of Housing and Urban Development.

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Ms. Harris made a motion to adopt Resolution 5b "Approval of Beecher Phase III Additional Services Agreement and Budget – Amendment #1". Mr. Hearn seconded. Motion carried by unanimous vote.

RESOLUTION NO. 15-2020 (3/17/20)

WHEREAS, the Louisville Metro Housing Authority (LMHA) has negotiated a Master Development Agreement (MDA) with McCormack Baron Salazar (MBS) for the re-development effort for the on-site Beecher Russell Choice Neighborhood Implementation Grant; and

WHEREAS, the negotiated MDA allows LMHA to request that the Developer undertake additional services in connection with one or more Phases of the Development with respect to activities which are the obligation of LMHA; and

WHEREAS, LMHA has contracted with MBS through a form of Additional Services Agreement to perform the required Beecher demolition and public improvements/infrastructure activities; and

WHEREAS, LMHA's Board of Commissioners has previously approved the Beecher Phase I Additional Services Agreement on January 15, 2019 in the total amount of \$3,826,602; the Beecher Phase II revised Additional Services Agreement on September 19, 2019 in the amount of \$7,309,445; and also the Beecher Phase III Additional Services agreement in the amount of \$5,717,811 on February 18, 2020; and

WHEREAS, this proposed Beecher Phase III Additional Services Agreement Amendment #1 adds funding in the amount of \$76,152 for design services and workshops (*Urban Design Associates fee: \$66,800; MBS Additional Services fee: \$2,672; 10% Contingency Allowance: \$6,680*) to further enhance the development for the future uses of Baxter Community Center, and the Porter Paints site which lies adjacent to Beecher Terrace and was acquired by LMHA in December 2018; and

WHEREAS, Developer has proposed to contract with Urban Design Associates (UDA) to further develop their preliminary design sketches for these projects; and

WHEREAS, the concepts developed by UDA will be a crucial component of a grant application that LMHA and Louisville Metro Government will be submitting in June 2020 seeking funds for these projects.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to increase the funding by \$76,152 provided to MBS to contract with UDA to conduct design workshops and develop concepts for the future uses of Baxter Community Center, and the adjacent Porter Paints site for a total amount not to exceed \$5,793,963 with Amendment #1 to this Additional Services Agreement.

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Rev. Ellis made a motion to adopt Resolution 5c "Authorization for Upgrade of Computer Software". Mr. Cole seconded. Motion carried by unanimous vote.

RESOLUTION NO. 16-2020 (3/17/20)

WHEREAS, Microsoft has ended support for computers running Windows 7 operating systems as of January 14, 2020; and

WHEREAS, the Louisville Metro Housing Authority (LMHA) Information Technology Department staff has determined that desktop computer replacement is necessary; and

WHEREAS, LMHA's current version of Windows is vulnerable to hackers; and

WHEREAS, the computers that are recommended are available for purchase via State Government Contract.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that Lisa Osanka, Executive Director and Contracting Officer is authorized to execute the purchase of computers via State Government Contract *MA 758 160000455*, with Hewlett-Packard Company, in an amount not to exceed \$60,000.00.

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Mr. Gilbert made a motion to adopt Resolution 5d "Approval of Contract for Lease Enforcement/Eviction Legal Services". Ms. Harris seconded. Motion carried by unanimous vote.

RESOLUTION NO. 17-2020 (3/17/20)

WHEREAS, the Louisville Metro Housing Authority (LMHA) is in need of legal counsel to represent the agency for the purposes of eviction due to non-payment of rent and other breaches of the residential lease; and

WHEREAS, specifications were developed for these services and the contract advertised for bids on March 1, 2016 which resulted in the Law Firm of Avery & Schurman P.L.C., in submitting the only bid; and

WHEREAS, staff reviewed the bid and determined Avery & Schurman P.L.C., to be a responsive bid for legal services, at an hourly rate of a \$100.00 per hour for lease enforcement and \$10.00 per issued late later; and

WHEREAS, LMHA entered into a one-year contract with Avery & Schurman P.L.C. with a renewal option of four (4) additional one-year renewal options; and

WHEREAS the initial, first, second and third one-year renewal options have expired; and

WHEREAS, LMHA and Avery & Schurman P.L.C. would like to exercise the fourth (4) and final one-year renewal option at the same rate of pay of \$100.00 per hour for lease enforcement and \$10.00 per issued late later.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to enter into a one-year contract renewal for March 1, 2020 through February 28, 2021 for legal services for Lease Enforcement and Non-payment of Rent legal services with Avery & Schurman P.L.C in the amount not to exceed \$258,208.81.

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Ms. Harris made a motion to adopt Resolution 5e “Authorization for Lawn Maintenance Services for Park DuValle”. Mr. Cole seconded. Motion carried by unanimous vote.

RESOLUTION NO. 18-2020 (3/17/20)

WHEREAS, funds are allocated in the Park DuValle II, III and IV Partnership Operating Funds for lawn maintenance services for Park DuValle; and

WHEREAS, staff developed a bid proposal for lawn maintenance services for Park DuValle; and

WHEREAS, on February 19, 2019 bids were received and one bid tabulated; and

WHEREAS, staff reviewed the bid received and determined U.S. Lawns to be the most responsive and responsible bid received; and

WHEREAS, LMHA received approval from HUD to award sole source contract to U.S. Lawns; and

WHEREAS, LMHA entered into a one (1) year contract with U.S. Lawns with a renewal option of four (4) additional one-year renewal options; and

WHEREAS, U.S. Lawns has exercised the initial one-year contract; and

WHEREAS, LMHA and U.S. Lawns would like to exercise the first one-year renewal option.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to enter into a contract with U.S. Lawns for lawn maintenance services for Park DuValle in the amount not to exceed \$121,599 annually.

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Mr. Gilbert made a motion to adopt Resolution 5f “Authorization to Award a Contract for Fleet Vehicle Monitoring”. Mr. Cole seconded. Motion carried by unanimous vote.

RESOLUTION NO. 19-2020 (3/17/20)

WHEREAS, the Louisville Metro Housing Authority’s (LMHA) Financial Auditors, Mountjoy Chilton Medley (MCM) performed an internal controls review; and

WHEREAS, MCM has recommended that the entire fleet of Vehicles be equipped with GPS Monitoring Devices as a method of reducing operating costs and maximizing efficiency; and

WHEREAS, Verizon Connect holds the state contract (Master Agreement Number MA7581300000622) for this type of service; and

WHEREAS, Verizon Connect reviewed the scope of work and provided a bid for equipment and monitoring of 110 vehicles.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to award a contract for Fleet Vehicle Monitoring to Verizon Connect for the period beginning April 1, 2020 through March 31, 2021 in the amount not to exceed \$28,000.00.

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Rev. Ellis made a motion to adopt Resolution 5g "Authorization to Renew the Contract for General Counsel Legal Services". Mr. Gilbert seconded. Motion carried by unanimous vote.

RESOLUTION NO. 20-2020 (3/17/20)

WHEREAS, The Louisville Metro Housing Authority (LMHA) Operating Budget provides funding for General Counsel Legal Services; and

WHEREAS, in 2017, staff, in accordance with procurement procedures, awarded a contract to Richard H. Nash III, Attorney at Law to provide the requisite services for a period of one year; and

WHEREAS, the contract awarded to Richard H. Nash III, Attorney at Law included a provision for four additional renewal options.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to execute the third one-year renewal option of the contract with Richard H. Nash III, Attorney at Law for General Counsel Legal Services in an amount not to exceed \$75,000.

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Rev. Ellis made a motion to adopt Resolution 5h "Authorization to Renew the Annual Environmental Consultant Contract". Mr. Cole seconded. Motion carried by unanimous vote.

RESOLUTION NO. 21-2020 (3/17/20)

WHEREAS, funds have been received from the U.S. Department of Housing and Urban Development under the Capital Funds Program for the identification and abatement of asbestos, lead, and other environmental hazards when necessary in the course of agency operations; and

WHEREAS, in 2016, LMHA staff, in accordance with procurement procedures, awarded a contract to TriEco, LLC to provide the requisite services for a period of one year; and

WHEREAS, the contract awarded to TriEco, LLC included an option to renew the contract up to four additional years.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to exercise the fourth one-year option to renew the Annual Environmental Consultant Contract with TriEco, LLC for an annual fee not to exceed \$300,000.

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Ms. Harris made a motion to adopt Resolution 5i “Approval of Project Based Voucher Award to Gray & Clay Apartments”. Mr. Gilbert seconded. Motion carried by unanimous vote.

RESOLUTION NO. 22-2020 (3/17/20)

WHEREAS, Louisville Metro Housing Authority staff have reviewed a request from LDG Development, for a Project Based Voucher (PBV) award for Gray & Clay Apartments, in conjunction with the Russell Choice Neighborhoods Initiative Program; and

WHEREAS, the property is owned by LDG Development; and

WHEREAS, the property is a 342-unit to be built multifamily development located at 709 East Gray Street, Louisville, 40202; and

WHEREAS, the property will provide up to 151 units of PBV off-site replacement housing in conjunction with the Russell Choice Neighborhoods Initiative Program; and

WHEREAS, per approved MTW Activity #48-2018: Local PBV Program, PBV proposals may be selected per issuance of a Request for Proposals; and

WHEREAS, LMHA will not enter into an Agreement to Enter into a Housing Assistance Payment Contract until Louisville Metro Government or HUD has completed a satisfactory Part 58 or Part 50 Environmental Review; and

WHEREAS, LMHA will not enter into an Agreement to Enter into a Housing Assistance Payment Contract until Kentucky Housing Corporation has completed a satisfactory subsidy layering review; and

WHEREAS, LMHA will not enter into an Agreement to Enter into a Housing Assistance Payment Contract if construction has commenced after proposal submission.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to issue a Preliminary Award Letter stating the applicable conditions and timeframes to enter into an Agreement to Enter into a Housing Assistance Payment Contract.

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Mr. Gilbert made a motion to adopt Resolution 5j “Approval of Project Based Voucher Award to Opportunity East, LLC”. Ms. Harris seconded. Motion carried by unanimous vote.

RESOLUTION NO. 23-2020 (3/17/20)

WHEREAS, Louisville Metro Housing Authority staff have reviewed a request from Opportunity East, LLC, for a Project Based Voucher (PBV) award for Opportunity East Apartments, in conjunction with the Russell Choice Neighborhoods Initiative Program; and

WHEREAS, the property is under contract by Opportunity East, LLC; and

WHEREAS, the property is an eight-unit existing multifamily scattered-site development located at 2505 Lindsay Avenue, Apartments 1 and 15, Louisville, 40206; 2503 Lindsay Avenue, Apartment 2, Louisville, 40206; 809, 904, 905 and 701 La Fontenay Court, Louisville, 40223; and 1312 Herr Lane, Louisville, 40222; and

WHEREAS, the property will provide up to eight units of PBV off-site replacement housing in conjunction with the Russell Choice Neighborhoods Initiative Program; and

WHEREAS, per approved MTW Activity #48-2018: Local PBV Program, PBV proposals may be selected per issuance of a Request for Proposals; and

WHEREAS, LMHA will not enter into an Agreement to Enter into a Housing Assistance Payment Contract until Louisville Metro Government or HUD has completed a satisfactory Part 58 or Part 50 Environmental Review.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to issue a Preliminary Award Letter stating the applicable conditions and timeframes to enter into a Housing Assistance Payment Contract.

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Rev. Ellis made a motion to adopt Resolution 5k "Approval of Project Based Voucher Award to Market Street Properties". Mr. Hearn seconded. Motion carried by unanimous vote.

RESOLUTION NO. 24-2020 (3/17/20)

WHEREAS, Louisville Metro Housing Authority staff have reviewed a request for a Project Based Voucher (PBV) award for Market Street Properties in conjunction with the Russell Choice Neighborhoods Initiative Program; and

WHEREAS, the property is an 8-unit existing multifamily development located at 1506 to 1508 West Market Street, Louisville, KY 40212 owned by New Directions; and

WHEREAS, the property will provide up to 4 units of PBV off-site replacement housing in conjunction with the Russell Choice Neighborhoods Initiative Program; and

WHEREAS, per approved MTW Activity #48-2018: Local PBV Program, PBV proposals may be selected per issuance of a Request for Proposals; and

WHEREAS, LMHA will not enter into a Housing Assistance Payment Contract until Louisville Metro Government or HUD has completed a satisfactory Part 58 or Part 50 environmental review.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to issue a Preliminary Award Letter stating the applicable conditions and timeframes to enter into a Housing Assistance Payment Contract.

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Mr. Gilbert made a motion to adopt Resolution 5l "Modification of Project Based Voucher Award to West Broadway Senior Apartments, LLLP". Ms. Harris seconded. Motion carried by unanimous vote.

RESOLUTION NO. 25-2020 (3/17/20)

WHEREAS, in November 2019 the Louisville Metro Housing Authority Board of Commissioners approved a request from The Housing Partnership, Inc. (HPI) for a

Project-Based Voucher (PBV) award of 38 one-bedroom PBVs for the 77-unit proposed West Broadway Senior Apartments, LLLP, in conjunction with the Russell Choice Neighborhoods Initiative Program; and

WHEREAS, HPI has requested a modification to the original PBV award to include the remaining 39 one-bedroom units; and

WHEREAS, the property is a 77-unit adaptive reuse multifamily development located at 1405 West Broadway, Louisville, KY 40203; and

WHEREAS, the scattered site property will provide up to 77 units of PBV off-site replacement housing in conjunction with the Russell Choice Neighborhoods Initiative Program; and

WHEREAS, LMHA will not enter into an Agreement to Enter into a Housing Assistance Payment Contract until Louisville Metro Government or HUD has completed a satisfactory Part 58 or Part 50 environmental review; and

WHEREAS, LMHA will not enter into an Agreement to Enter into a Housing Assistance Payment Contract until Kentucky Housing Corporation has completed a satisfactory subsidy layering review; and

WHEREAS, LMHA will not enter into an Agreement to Enter into a Housing Assistance Payment Contract if construction has commenced after proposal submission.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to issue a modified Preliminary Award Letter stating the applicable conditions and timeframes to enter into an Agreement to Enter Into a Housing Assistance Payment Contract.

Discussions:

Mr. Reid tabled the Strategic Planning/Stan Quy Discussion.

Executive Session:

Ms. Harris motioned to go into Executive Session, seconded by Mr. Gilbert. Motion carried by unanimous vote. The Board retired to Executive Session at 4:56 p.m.

The Board returned to Open Session at 5:12 p.m.

Other Business:

There being no further business to come before the Board, Rev. Ellis motioned to adjourn, seconded by Mr. Gilbert. Motion carried by unanimous vote.

The Board adjourned at 5:13 p.m.

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Vickie J. Fields, Executive Secretary

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Manfred Reid, Sr., Chairman