

MINUTES OF THE REGULAR MEETING  
BOARD OF COMMISSIONERS  
HOUSING AUTHORITY OF THE  
CITY OF OAKLAND, CALIFORNIA  
HELD MONDAY, JANUARY 26, 2004

Closed Session

The Oakland Housing Authority Board of Commissioners convened in Closed Session at 1619 Harrison Street, Oakland, California on the above date. Chair Richard E. Winnie presided and called the meeting to order at 5:40 p.m. regarding the following:

- Conference with its real estate negotiators regarding acquisition of real property (Assessor's Parcel Number 019-103-04-00 and portions of Assessor's Parcel Numbers 025-707-14-00 and 025-707-011-03) pursuant to California Government Code §54956.8 (price and payment terms).
- Initiation of litigation pursuant to §54956.9(c) (one matter).
- Conference with its real estate negotiators regarding acquisition of real property (Foothill Family Apartments) pursuant to California Government Code §54956.8 (price and payment terms).
- Evaluation of the performance of the Executive Director of the Oakland Housing Authority pursuant to California Government Code §54957.6.

Attendance

Commissioners present were Alfred Lee, Moses L. Mayne, Jr., Marion M. Mills, Melanie M. Shelby and Chair Richard E. Winnie. Commissioners Robert J. Pittman, Jr. and Jacqueline Taylor were excused.

The Closed Session was adjourned at 7:10 p.m. to a public session.

Public Session

The Oakland Housing Authority Board of Commissioners convened a Regular Meeting at 1619 Harrison Street, Oakland, California on the above date. Chair Richard E. Winnie, called the meeting to order at 7:17 p.m.

I. Pledge of Allegiance

II. Roll Call

Commissioners present were Alfred Lee, Moses L. Mayne, Jr., Marion M. Mills, Melanie M. Shelby and Chair Richard E. Winnie. Commissioners Robert J. Pittman, Jr. and Jacqueline Taylor were excused.

III. Report from the City Attorney regarding final decisions made During Closed Session

Legal Counsel Bruce Plebuch said there were no final decisions made during the Closed Session.

IV. Approval of Minutes: Special Meeting December 15, 2003. (Tape Side A: Queue 285 - 291)

Commissioner Mayne noted that in Item D under New Business – “Authorization of Commissioner travel to attend NAHRO Legislative Conference in Washington D.C. March 15 – 17, 2004,” Commissioner Mills’ name was not included on the list of those who are going to attend. Chair Winnie said the minutes would be corrected as indicated and were approved as corrected.

V. Modifications to the Agenda

There were no modifications made to the Agenda.

VI. New Business

A. Hearing on Resolution of Necessity authorizing the commencement of eminent domain proceedings to condemn real property located adjacent to the Service Center at 1180 25<sup>th</sup> Avenue, in Oakland.

Mr. Gresley indicated that one of the requirements before the adoption of the resolution was that there be a public hearing to consider the Resolution of Necessity and related matters. Mr. Gresley called upon Mr. Roderick Roche, Director of Facilities Management for a brief overview.

Mr. Roche gave a background presentation of the Service Center at 1180 25<sup>th</sup> Avenue, in Oakland. It currently houses the Facilities Management Department, Contract Compliance and General Services Department, and the Police Services Department. Mr. Roche noted the overcrowding of the parked service vehicles that causes operational inefficiencies. He said staff has been in negotiations with Pacific Thomas Corporation with respect to acquiring the land adjacent to the Service Center, but has not been able to come to an agreement for the purchase price of the property. Mr. Roche presented a diagram that shows potential parking arrangements for the Authority’s service vehicles, and

went on to discuss the findings for the adoption of the resolution of necessity.

Chair Winnie asked that the Board should hear from the Authority's Legal Counsel, Mr. Dante Foronda from Erickson, Beasley, Hewitt and Wilson LLP. Chair Winnie asked about the facts that support the resolution. His questions were focused on the required findings that the Board would be making for the adoption of the resolution of necessity. Mr. Foronda provided the answers. Mr. Foronda requested the Commission to make the Executive staff report a part of the administrative record for this proceeding. Chair Winnie was agreeable. Commissioner Lee asked if there were public comments. Chair Winnie called upon two speakers on the subject. He called upon the first speaker, Mr. Randall Worsley from Pacific Thomas Corporation.

Mr. Worsley introduced himself as the President of Pacific Thomas Corporation. He expressed his opposition to the Resolution of Necessity. He emphasized that negotiation already took place between the Authority and Pacific Thomas Corporation, but it was stymied on the appraised value of the property. Mr. Worsley expressed concerns about going into the legal proceedings of eminent domain. Chair Winnie called upon Mr. Don Salladay, the other speaker on the subject.

Mr. Don Salladay introduced himself as employed by Pacific Thomas Capital. Mr. Salladay discussed the events going back to the time when he met Messrs. Steve Hoppe and Rod Roche and talked about the Authority's needs for a parking lot. He discussed the appraisal process between his company and Hugh Bartlett, the appraiser hired by the Authority. He said that Pacific Thomas Corporation is committed to sell the property to the Authority, and the process of eminent domain is the wrong way to proceed.

Discussion followed. Chair Winnie asked if Pacific Thomas Corporation received the letter signed by Ms. Sharon Harrison Brown dated December 31, 2003, titled "Offer to Purchase Property," and if they have responded to it. Mr. Salladay acknowledged receipt of the letter of December 31, 2003, but that Pacific Thomas had not responded to it. He continued that by the time they had a chance to respond on January 7, 2004, they received another letter from Mr. Jon Gresley indicating that the Authority would consider eminent domain proceedings to obtain the property. Chair Winnie expressed concerns about the lack of response from Pacific Thomas Corporation until January 26, 2004, and their failure to respond to the statutory offer that the Authority had made. Commissioner Shelby asked staff for a copy of the December 31, 2003 offer letter sent to Pacific Thomas Corporation. (Ms. Brown excused herself to get a copy of the letter.) Meantime, Mr. Gresley made some corrections on the resolution of necessity. He said the word "City's found at the bottom of page 1,

one on the third line of page 2, and two others on the second and fifth lines of paragraph “8” on the last page, should be changed to “Housing Authority’s.”

Copies of the December 31, 2003 letter were presented to the Commissioners. Following a review of the letter, the Commissioners proceeded.

- B. Consideration and approval of a Resolution of Necessity authorizing the commencement of eminent domain proceedings to condemn real property located adjacent to the Service Center at 1180 25<sup>th</sup> Avenue, in Oakland. (Tape Side A – Queue 287 - 795)

Commissioner Lee moved approval of the motion. Commissioner Mills seconded and the Board voted with five “Ayes,” unanimous approval.

- C. Consideration and approval of Land Exchange with the City of Oakland related to the park located within the area of the Coliseum Gardens HOPE VI neighborhood revitalization.

Mr. Gresley said that in recent discussions about the Coliseum Gardens HOPE VI, one of the features was to reconfigure the City Park area that is currently in two large parcels. He said that in the completed Coliseum Gardens HOPE VI, the park would become a centerpiece surrounded by residential housing. He called upon Mr. Phil Neville, Director of Development to provide additional information. Mr. Neville provided a brief description of the land exchange. Following a brief discussion, Commissioner Lee moved approval of the resolution. Commissioner Mayne seconded and the Board voted unanimous approval.

- D. Consideration and approval of the Rental Term-Sheet for Phase II of the Coliseum Gardens HOPE VI Revitalization.

Mr. Gresley gave an overview. He called upon Mr. Phil Neville who indicated the revitalization program envisions the demolition of the existing 178 public housing units and the construction of a new mixed-finance, mixed-income housing development of up to 480 units. There are 117 units of the 178 housing units that are proposed to be rebuilt on the primary site. Mr. Neville discussed the four sections of the Rental Term Sheet. Following a brief discussion, Commissioner Mayne moved approval of the resolution. Commissioner Shelby seconded and the Board voted unanimous approval.

- E. Consideration and approval of a resolution confirming the Executive Director’s authority over the Oakland Housing Authority’s Police Department, including the hiring of and delegation of departmental oversight to the Director of Police

## Services.

Mr. Gresley said that the Commission on Accreditation for Law Enforcement Agencies (CALEA) accredits the Oakland Housing Authority Police Department. He said the second re-accreditation process would begin later this year. Mr. Gresley said that the resolutions passed in 1991 (Res. 2911 and Res. 2912) have become obsolete. Mr. Gresley indicated that in order for the Police Department to maintain its national accreditation, the Commissioners must approve a new resolution. He called upon Mr. Carel Duplessis, Director of the Authority's Police Department. Mr. Duplessis discussed the importance of the accreditation process. Commissioners Lee and Mayne raised questions focused on any additional costs involved. Mr. Duplessis provided the answers. Commissioner Lee moved approval of the resolution. Commissioner Mayne seconded and the Board voted unanimous approval.

### F. Consideration and approval of recommendation for the selection of a strategic planning consultant.

Mr. Gresley said the Authority issued the Request for Proposals (RFP) for a strategic planning consultant on November 19, 2003. The invitation was mailed to 26 individuals and firms and advertisements were placed on the OHA web site and in the local newspapers. The different chambers of commerce were also notified. The Authority received seven responses and were opened on December 23, 2003. A rating panel was convened that included Ms. Sharon Harrison Brown, Deputy Executive Director; Mr. Phil Neville, Director of Development; and Mr. Dan Nackerman, Executive Director of the Richmond Housing Authority. Mr. Gresley called upon Ms. Sharon Harrison Brown who said that the panel reviewed and rated the seven proposals. The top three firms were invited for interview. The best proposal was determined to be Quadel Consulting Corporation, a management-consulting firm that has been in business since 1978, located in Washington, D.C. Ms. Brown passed out the resumes of Quadel's consultants. She recommended that the Board authorize the Executive Director to enter into a contract with Quadel Consulting Corporation. Chair Winnie expressed concerns about the credibility of Quadel's consultants, as the Board was not well informed about them.

Following discussion, Commissioner Lee moved approval of the resolution. Commissioner Mills seconded and the Board voted. Four Commissioners voted "Ayes" and Commissioner Shelby voted "Nay". Mr. Gresley said that staff would schedule time with Quadel's consultants at the beginning of this process to spend time with the Commissioners for an opportunity to know them better.

### G. Consideration and approval of recommendation of two residents for

appointment to the 2004 Resident Advisory Board.

Commissioner Mayne moved approval to appoint two public housing residents, Africa Williams and Louise Reed for the 2003/04 fiscal year Public Housing Resident Advisory Board. Commissioners Mills seconded and the Board voted. Four Commissioners voted “Ayes” and Commissioner Lee abstained. Mr. Gresley noted that Ms. Africa Williams is featured in an article in the *East Bay Express*. Chair Winnie asked if staff has a current schedule of the RAB meetings. Ms. Patricia Ison, Director of Resident & Community Services Department, said no but will get a schedule.

VII. Recognition of people wishing to address the Commission.

Chair Winnie called upon Mr. Alexander Pratt representing Capital Vision Equities. Mr. Pratt noted that their project was discussed in Closed Session earlier and would like to answer questions the Board might have. There were no questions asked.

VIII. Written Communications.

Commissioner Lee asked about one section related to Eviction on the Monthly Status Report. Mr. Gresley said it was missed and would appear on the next Monthly Status Report.

IX. Executive Director’s report regarding matters of special interest to the Commission occurring since the last meeting of the Commission.

Mr. Gresley reported about the first Section 8 homeownership closing.

Mr. Gresley noted that he was just returning from vacation and asked Ms. Sharon Harrison Brown if she has something to report. Ms. Brown reported that Messrs. Carel Duplessis and Tim Jones attended a HUD mandated seminar on evictions last week. As a result, the contracted trainers for HUD asked Mr. Tim Jones to be a part of their program for the next three training sessions.

Commissioner Mayne asked whether the Authority was reimbursed for legal costs on the Rucker case. Mr. Gresley said the Authority was not reimbursed but received an extension of drug elimination program grant for \$175,000.

Commissioner Lee would like staff to update the Commissioners’ email addresses.

Commissioner Shelby asked about the status of Ms. Gina Mariano’s case. Mr. Gresley and Ms. Brown provided answers.

X. Reports of Commission committees.

There were none.

XI. Announcements by Commissioners.

Commissioner Lee would like to take a moment to wish Commissioner Jacqueline Taylor for a speedy recovery, hoping that she would come back soon to join the Board of Commissioners. Mr. Gresley noted Ms. Taylor's incredible positive spirit.

XII. Adjournment.

Without any further business, the meeting was adjourned at 9:00 p.m.

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Chair

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Secretary