

MINUTES OF THE SPECIAL MEETING
BOARD OF COMMISSIONERS
HOUSING AUTHORITY OF THE
CITY OF OAKLAND, CALIFORNIA
HELD WEDNESDAY, MAY 11, 2005

Closed Session

The Oakland Housing Authority Board of Commissioners convened in Closed Session at 1619 Harrison Street, Oakland, California on the above date. Chair Moses L. Mayne, Jr. presided and called the meeting to order at 6:04 p.m. regarding the following:

- Briefing on Labor Negotiations pursuant to California Government Code §54957.6.

Attendance

Commissioners present were Joe L. Brown, Robert J. Pittman, Jr., Jacqueline Taylor, Ramon J. Terrazas and Chair Moses L. Mayne, Jr. Commissioner Alfred Lee and Commissioner Richard E. Winnie were excused.

The Closed Session was adjourned at 6:58 p.m. to a special meeting.

Special Meeting

The Oakland Housing Authority Board of Commissioners convened a Special Meeting /Work Session at 1619 Harrison Street, Oakland, California on the above date. Chair Moses L. Mayne, Jr. called the meeting to order at 7:05 p.m.

I. **Roll Call**

Commissioners present were Joe L. Brown, Robert J. Pittman, Jr., Jacqueline Taylor, Ramon J. Terrazas, M.D. and Chair Moses L. Mayne, Jr. Commissioner Alfred Lee and Commissioner Richard E. Winnie were excused.

II. **Modifications to the Agenda**

(Allows for any change in the order of business or the announcement of the postponement or continuation of agenda items.) The Board can only take action on items listed on this agenda unless a finding is made that an emergency exists or a need arose after agenda posting.

There were no modifications to the Agenda.

III. **Report from the Legal Counsel regarding final decisions made during the Closed Session**

Legal Counsel Jennifer Bell said there were no final decisions made during the Closed Session.

IV. New Business

A. Briefing on the Ralph M. Brown Act, the Oakland Sunshine Ordinance, Proposition 59, and Fair Political Practices Commission Statement of Economic Interests. (Tape 1 Side A: Queue 10 - 650)

Legal Counsel Jennifer Bell from Goldfarb & Lipman referred to the Board memo on the Brown Act that was included in the Board packet.

Referring to the memo, Ms. Bell explained that the Brown Act requires public bodies in California must take actions and conduct deliberations openly. The Brown Act applies to all California housing authorities. Meetings must be open, dates and times of meetings must be noticed. Agendas must describe all matters to be discussed or considered in a manner that is clear to the public, and provide an opportunity for public comments. Ms. Bell said that the Oakland Housing Initiatives, Inc., California Housing Initiatives, Inc. and the Resident Advisory Board are subject to the Brown Act because they are created by the Authority. However, California Affordable Housing Initiatives (CAHI) may not be subject to the Brown Act when it generates its own monetary funding.

Ms. Bell discussed the two types of meetings: regular and special meetings and the noticing requirements. She advised the Board of the “Less than a Quorum” exception to the Brown Act and informed the Board of their obligations to avoid the appearance of circumventing the Brown Act through direct communication with each other and staff to achieve consensus. She elaborated that the Act expressly prohibits collective concurrence via serial meetings, daisy chains, Hubs and Spokes and email chains. All meetings must be held within Oakland, with few special exceptions. She added that meeting locations must be accessible to persons with disabilities, and no meetings may be held in a facility that discriminates or which requires payment by the public to attend. In conducting the meetings, only items on the agenda may be discussed with few exceptions such as brief responses to questions posed during the public comment period, requests by Commissioners for clarification, referrals to staff to report back at a subsequent meeting, or Commissioners’ reports on committees or activities. Ms. Bell gave the 5 specific reasons that Closed Sessions can be held and emphasized that the Closed Sessions are private and that it is a misdemeanor for staff or the Commissioners to divulge those deliberations. When a decision is made concerning a Closed Session matter, it is to be reported out at the Board meeting. She noted while the Oakland Sunshine Act does not apply to the Housing Authority, it is recommended that

the Board follow the spirit of the Ordinance. She explained the Proposition 59 that was passed by voters in November 2004 makes the public's right to access to public records and meetings a State Constitutional right. Ms. Bell noted that Commissioners must file a Statement of Economic Interests annually with the City Clerk's office and there are possible sanctions for failing to do so.

B. Briefing on and discussion of the Authority's Physical Needs Assessment for public housing. (Tape 1 Sides A & B: Queue 651 - 866)

Ms. Cossey called upon Mr. Rod Roche, Director of Facilities Management, for the briefing. Mr. Roche provided a handout to the Commissioners and staff. He provided background information that in April 2004, the consultant team of Gutierrez/Associates, in joint venture with DLR Group, was selected to perform the Authority's physical needs assessment. He said the Authority owns 3,308 units of public housing, and the physical needs assessment was broken down into three phases: Phase I being those in most need; Phase II includes all remaining sites that have not been improved in the last ten years; and Phase III includes sites where renovations have been made during the past 10 years. Mr. Roche noted that the majority of the Authority's sites are the scattered sites consisting of 254 units. He noted that the HOPE VI mixed-finance sites and Lockwood Gardens Phase II that is now completing construction were not included in the PNA.

Mr. Roche illustrated the methodology of the consultant team by going over the PNA report on 6656 Laird Avenue. Mr. Roche indicated the reports outline current repair needs, and anticipated repairs required for the next ten years. The PNA will be provided in a data base format that can be updated by staff. He reported that Phase I of the assessment was completed in November 2004, Phase II is 95% complete, and Phase III will be completed no later than August 31, 2005.

A brief discussion ensued at the end of the briefing.

C. Briefing on and discussion of the Authority's Capital Improvement plan for public housing scattered sites for fiscal year 2006. (Tape 1 Side B: Queue 867 - 936)

Mr. Roche provided a handout and a briefing on six scattered sites that are budgeted for improvement during Fiscal Year 2006 as approved in the Authority's MTW Annual Plan. The sites are 1424, 1445, 50th Avenue, 2011 7th Avenue, 2919 E. 16th St., 2170 E. 28th and 2056 35th Avenue. Mr. Roche noted that the first step will be to select architects and engineers to provide detailed plans for the rehabilitation. The Board will be requested to approve the

architect selection at either its June or July regular meeting

A brief discussion followed. In response to a question from Chair Mayne, Mr. Roche said Tassafaronga was included in Phase I PNA so that the Authority would be better able to respond to any funding opportunities such as HOPE VI that might be available. Further, Mr. Roche added that the Authority is researching funding options for the 22 unit site at 77th and Bancroft.

D. Briefing on and discussion of the Authority's Capital Improvement plan for locally-owned units for Fiscal Year 6006. (Tape 1 Side B: Queue 937 - 1050)

Ms. Cossey noted that the Authority owns 18 units that are non-federally funded. Six are in a six-plex and the others are single-family homes in East Oakland. Ms. Cossey asked Mr. Phil Neville, Director of Development, to provide the background on the acquisition of these units. Mr. Neville recalled that 12 units were purchased from the State of California for \$1 each as part of the Grove-Shafter Freeway Project. The six-plex was a gift property.

Mr. Roche provided pictures and a list of improvement needs for each of the properties. He indicated that the rehabilitation would be funded from reserves for the properties and a loan from the Authority's Local Fund. The Local Fund would be repaid from the property rents with a payback period of approximately two years expected.

E. Briefing on architectural designs for Phases 2 and 3 at Coliseum Gardens (Tape 1 Side B: Queue 1051 - 1538)

Ms. Cossey called upon Mr. Neville after giving a brief overview of the item. Mr. Neville called upon Mr. Andy Carpintier of Y.H. Lee Associates and Mr. Bill Bonville of Pyatok and Associates, respectively for presentation of Phases 2 and 3 of the Coliseum Gardens HOPE VI development.

Mr. Carpintier made a presentation of the Phase 2 townhouse development and provided elevations of the site plans. Phase 2 will have a total of 146 rental units. Mr. Bonville followed with a presentation and a display of the elevations for Phase 3, which consists of 106 units in a combination of podium structures and two- and three-story townhomes and flats.

Discussion ensued with initial emphasis on parking (one for one), the number of bedrooms in each unit, and the laundry rooms and their proximity to the accessible units. A considerable discussion ensued as to the accessible, adaptable and visitable units, and the cost differential to make units accessible to mobility-impaired tenants. Mr. Neville noted that we are building a much

more friendly development for persons with physical and other disabilities. Commissioners Jacqueline Taylor and Joe Brown recommended that strong consideration be given to including washer and dryer hook-ups in future developments.

- F. Consideration and approval of an Inducement Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the Authority to issue tax exempt Multifamily Revenue Bonds for Phase 2 of the Coliseum Gardens HOPE VI Development. (Tape 2 Side B, Side A: Queue 1 – 69)

Ms. Cossey called upon Mr. Phil Neville for background information of the item. Mr. Neville handed out to the Commissioners and staff a revised resolution as finalized by the Authority attorney, Ms. Michelle Brewer of Goldfarb & Lipman. He also recognized the presence of Ms. Lauren Brewer from the East Bay Asian Local Development Corporation (EBALDC) and Nicole Graham, Financial Advisor from CSG Advisors. Mr. Neville stated that Related and EBALC, our developer partners need the Authority to issue bonds to finance the construction of Phase 2 of Coliseum Gardens. Therefore, the Authority plans to apply jointly with our partners to the California Debt Limit Allocation Committee for an allocation of tax exempt bonds that will carry a below market interest rate. State rules require the Board pass a resolution to declare the Authority's official intent to issue the bonds and for authority to submit an application to the State. Therefore, staff recommend that the Board authorize the application to issue tax exempt bonds not to exceed \$35,000,000, the proceeds of which are to be loaned to the development to finance the costs of construction of the Project.

Commissioner Pittman moved approval of the resolution. Commissioner Taylor seconded and the Board voted unanimous approval.

Ms. Cossey informed the Board that staff and consultants were researching additional issues, including public hearing findings that may require Board action related to a public hearing related to the Bond Issue. She indicated that Commissioners would be polled for their availability for a special meeting for either June 1st or June 15th, 2005 that may take the place in lieu of the Board Work Session scheduled for June 8.

- G. Briefing on and discussion of plans for a HOPE VI application for Tassafaronga Village. (Tape 2, Side A: Queue 113 - 210)

Mr. Neville recalled that the Authority initiated the preparation of a HOPE VI Revitalization application for Tassafaronga Village three years ago. Subsequently, the Authority learned that an application for Tassafaronga would

not be competitive. Mr. Neville reported that on March 31, 2005 HUD announced the availability of \$110 million in FY 2005 funds for HOPE VI Revitalization grants. The maximum amount of each grant award is \$20 million and only six grant awards are anticipated to be made. The rules this year would provide for a more competitive application from the Authority. He indicated that staff has published public notices for a series of public meetings and has worked with the residents of Tassafaronga. He added that the architectural firm of Solomon * ETC has been retained to assist with the physical development plans for the application. CSG Advisors, Inc., a financial consulting firm, has been retained to assist with the financial feasibility analysis. Mr. Neville summarized the basic elements to be included in the revitalization plan for Tassafaronga Village that would make the application more competitive.

A brief discussion followed. Commissioner Taylor thanked staff for their work to involve residents in the Tassafaronga revitalization plan and indicated that the two recent public meetings very informative.

V. Recognition of people wishing to address the Commission.

There were none.

VI. Executive Director's Report

Ms. Cossey reported that staff is reviewing other grants that the Authority may be eligible to apply for under HUD's Super NOFA, Notice Of Funding Availability issued in

VI. Adjournment

The meeting was adjourned at 9:20 p.m.

Chair

Secretary