

MINUTES OF THE SPECIAL MEETING
BOARD OF COMMISSIONERS
HOUSING AUTHORITY OF THE
CITY OF OAKLAND, CALIFORNIA
HELD MONDAY, MAY 19, 2003

Closed Session.

The Oakland Housing Authority Board of Commissioners convened in Closed Session at 1619 Harrison Street, Oakland, California on the above date. Vice Chair Alfred Lee presided over the meeting in the absence of Chair Richard E. Winnie who was excused. He called the meeting to order at 6:05 p.m. regarding acquisition of real property pursuant to California Government Code §54956.8 and regarding Anticipated/Potential litigation in one (1) matter pursuant to California Government Code §54956.9 (b) (1).

Purpose: Conference regarding acquisition of real property pursuant to California Government Code Section 54956.8.

Property: Foothill Family Apartments, 6920-6986 Foothill Boulevard, Oakland, California

Owner: Foothill Family Apartments, L.P.

Negotiating Parties: Capital Vision Equities (representing the Owner): Christopher Hammond & Alexander Pratt; Oakland Housing Authority: Philip Neville and Martin Zone

Purpose: Conference with its Legal Counsel pursuant to California Government Code §54956.9(b)(1) regarding: Anticipated/Potential litigation in one (1) matter.

Attendance

Commissioners present were Teresa Limon, Moses L. Mayne, Jr., Marion Mills, Melanie M. Shelby and Vice Chair Alfred Lee. Commissioner Jacqueline Taylor and Chair Richard E. Winnie were excused.

The Closed Session was adjourned at 7:35 p.m. to a public session.

Public Session

The Oakland Housing Authority Board of Commissioners convened in a Special Meeting at 1619 Harrison Street, Oakland, California on the above date. Vice Chair Alfred Lee presided over the meeting in the absence of Chair Richard E. Winnie who was excused. He called the meeting to order at 7:43 p.m.

I. Pledge of Allegiance

II. Roll Call

Commissioners present were Teresa Limon, Moses L. Mayne, Jr., Marion Mills, Melanie M. Shelby and Vice Chair Alfred Lee. Chair Richard E. Winnie and Commissioner Jacqueline Taylor were excused.

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

Mr. Bruce Plebuch, Legal Counsel, reported one matter from the closed session, in which the Board gave its approval to initiate litigation. He noted that in that action, the defendants and other particulars will be disclosed to any person upon inquiry once it is formally commenced, unless disclosure jeopardizes the ability to effectuate service of process on one or more on served parties and that would jeopardize settlement negotiations that are underway.

IV. Approval of Minutes: Regular Meeting of April 28, 2003

Commissioner Shelby requested a change to item V, paragraph E; and Commissioner Limon requested a change to Item II. Commissioner Shelby moved to approve the minutes as corrected. Commissioner Limon seconded and the Board unanimously approved the minutes.

V. Modifications to the Agenda

There were none.

VI. New Business

A. Consideration of recommendation for the approval of a Predevelopment Loan Agreement for the homeownership units at Mandela Gateway. (Tape Side A: Queue 61-230)

Mr. Jon Gresley, Executive Director, indicated that the Authority needs to enter into a predevelopment loan agreement with BRIDGE Housing Corporation (BRIDGE) to develop the fourteen homeownership units at Mandela Gateway. He asked Mr. Phil Neville, Director of Development,

to provide a briefing.

Mr. Neville noted that the ownership units were to be built on the 8th Street side of the original Westwood Gardens site. He distributed two exhibits to the Predevelopment Loan Agreement, (Exhibit D – Schedule of Performance, and Exhibit E - Mandela Predevelopment budget). Mr. Neville noted that the Disposition and Development Agreement, approved in October 2002, covered both the rental and the ownership components. He indicated that the Predevelopment Loan Agreement is in substantially final draft.

Mr. Neville said that payment for all the predevelopment costs except those related to remediation would be shared by the Authority and BRIDGE, on a 50/50 basis, for a total \$300,000 by BRIDGE and \$515,000 by the Authority. Mr. Neville noted that BRIDGE and the Authority had already obtained \$1.9 million from the City of Oakland, and has applied for a loan of \$120,000 from World Bank through the Federal Home Loan Bank.

A discussion followed. Commissioner Shelby asked if Exhibits E and F are contained in the predevelopment agreement. Mr. Neville said that Exhibit E is the Mandela Predevelopment budget. Exhibit F, which includes the Authority's Occupancy Policies and standard requirements on Minority and Women owned business enterprises, is not yet attached to the agreement. He also noted that Exhibit B is the Promissory Note and Exhibit C is the Assignment of Plans. Mr. Neville introduced the Authority's legal counsel, Ms. Michelle Brewer, from Goldfarb and Lipman to comment on the agreement.

Commissioner Shelby asked if the Authority's \$515,000 contribution is coming out of the Section 8 local reserve funds. Mr. Neville said yes. Commissioner Mayne asked for clarification on the 50/50 split. Mr. Neville said it was not exactly 50/50, as the Authority will pay for the \$215,000 cost of remediation of hazardous materials on its land.

Vice Chair Lee asked for a motion. Commissioner Limon moved approval of the resolution. Commissioner Mayne seconded and the Commissioners voted unanimous approval.

B. Briefing on Coliseum Gardens HOPE VI Primary Site. (Tape Side A: Queue 231-441)

Mr. Gresley said that at the regular meeting in June, staff would be bringing to the Board a number of documents necessary to be approved in advance of the tax credit application for the Coliseum Gardens On-

site. He asked Mr. Neville for a briefing on the Coliseum Gardens On-site development.

Mr. Neville first introduced Mr. Carlos Castellanos, Project Manager, EBALDC for the Coliseum project and Mr. David Hoard, City of Oakland's CEDA office. He noted that Mr. Hoard was instrumental in obtaining the \$3 million award from the City of Oakland. Mr. Neville described in detail the documents that staff would be bringing to the Board next month. He said that applications for the 9% tax credit are expected to be due in mid-July 2003. He said that by July, staff would know better the actual number of units that are likely to be supported by tax credits. Mr. Neville said the Authority has been planning a 115-unit phase with EBALDC and Related, consisting of a podium style building of 65 units and 50-unit-townhouse rental apartments. Mr. Neville noted that the Oakland Planning Commission is scheduled to review several components of the project, including our environmental clearances on June 4, 2003 at a public hearing.

Mr. Neville discussed the CEQA/NEPA findings, design review, the conditional use permit, and the variances needed to build the project. He also mentioned the land exchange with the City currently in process for the Coliseum Gardens. He also said that staff would bring to the Board the Predevelopment Services Agreement, the Master Development Agreement which covers at least five phases, and the Disposition and Development Agreement for Phase 1. Vice Chair Lee asked about accessible units and Mr. Neville, along with Mr. Castellanos, Project Manager from EBALDC, indicated that the plans were not far enough along to be specific but that every effort will be made to meet and where possible to exceed the minimum requirements for accessibility.

VII. Recognition of people wishing to address the Commission (Tape Side A: Queue 441-557)

The first speaker was Mr. Henry Flowers, a resident of 620 – 17th Street, Oakland, representing the Oak Grove Resident Council. Mr. Flowers extended an invitation to the Commissioners and staff to the inauguration of the Asian-Pacific Heritage Awareness celebration on May 28, 2003, from 5:00 pm to 7:00 pm. Commissioner Limon expressed her thanks to Mr. Flowers and indicated that she would come to the inauguration.

The next speaker was Ms. Gloria Taylor, retired OHA Commissioner, and now a resident of 1916 Rose Coral Avenue, Las Vegas, Nevada. Ms. Taylor talked about the Foothill Commons project in Oakland, in which her nephew is a supervisor for OCHI. Ms. Taylor said her nephew informed her that the Authority owns 21 units there and that it has 1200 applications for the units.

She said a number of people are involved in the project and mentioned Wings of Love. She asked the Board and the staff to consider getting all of the units at Foothill Commons.

VIII. Written Communications (Tape Side A: Queue 564-786)

Commissioner Shelby asked if, on the Peralta Multi-Purpose Building, staff incurred additional costs from the soil stabilization issues. Mr. Gresley said yes. Ms. Shelby asked if the issue has to come back to the Board for authorization for additional resources, and Mr. Gresley said “no.” On the Lockwood Gardens Phase III, she asked how staff does outreach. Ms. Sharon Harrison Brown, Deputy Executive Director, said that the Authority’s Contract Compliance and General Services staff has been outreaching on a fairly regular basis to different groups of local contractors and chambers of commerce. Invitations to Bid were sent to contractors listed in the City’s Directory of Local, Small, and Disadvantaged Businesses, Construction firms. Ms. Brown indicated the Authority would be holding a mixer to help sub-contractors and contractors link-up to bid on the Lockwood Gardens project. Commissioner Shelby suggested that advertising efforts include the Oakland Post and the Black Business Listings. Ms. Brown said that the Oakland Post is routinely used for advertising, and she would make sure that the Black Business Listings was added.

Commissioner Shelby asked if staff has “before-and-after” photos available on the 2126 High Street – Stairwells Reconstruction and Misc. Repairs. Mr. Rod Roche, Director of Facilities Management answered “yes.” She also asked if there was a timeframe to address the trailers to be installed for the Temporary After-School Programs Facility at Cole School. Mr. Gresley said that the negotiations with the school district are still in a waiting period. Commissioner Shelby also asked if staff has a timeframe associated with the OHA Service Center Parking Lot Expansion Project. Mr. Roche indicated that he expected a proposal in the next several weeks. She asked if staff has heard anything yet on the demolition grant on the Coliseum Gardens Primary Site. Mr. Gresley said the Authority is still waiting. She asked that the Language Translation issue be pulled from the report, as it was already resolved. Mr. Gresley indicated he had not pulled it out so that Commissioner Limon who is back from vacation would see it. Ms. Shelby asked if there is a timeline associated with the EYT Implementation, and Mr. Gresley said the project is behind schedule but is making progress.

Commissioner Limon requested clarification on the recently announced grant from the state. Mr. Neville said that the Authority is a co-applicant and will receive \$47 thousand from the grant and another \$48 thousand in matching funds from the City. Commissioner Limon, referring to the letter of April 24th to the Bay Area Legal Aid, and has to do with Admissions and Continued

Occupancy Policy (ACOP) asked if staff is going to make the changes. Ms. Brown said that in certain cases, changes were made to the ACOP and the Admissions Policy for Section 8. Other changes would be discussed with Legal Aid; and, in fact, a meeting was set for June 12th. Staff would take any recommendations coming from these meetings to the Resident Advisory Board (RAB) and to the Board of Commissioners during the Authority's next annual planning process. Ms. Limon also asked if staff was trained on using the 24-hour translation service and understood its purpose. Ms. Brown said there is ongoing training for staff. Commissioner Limon asked for clarification on the statement that the Authority is using the City of Oakland's Equal Access Ordinance is being used as a guide. Ms. Brown said staff is using the City of Oakland's ordinance as a guide for providing translation services since the Authority is not officially covered by that ordinance. Staff is committed to providing translation services, at a minimum, in Chinese and Spanish as the ordinance requires of City agencies.

IX. Executive Director's Report

Mr. Gresley said that the Authority was a high performer in the past when evaluated by HUD under the Public Housing Management Assessment Program (PHMAP). Since HUD changed the system to Public Housing Assessment System (PHAS), it will not be as easy for the Authority to be a high performer. He indicated that the Authority received an advisory score last year of 78. This year, our actual score, just received, is an 85.

Mr. Gresley reminded the Commissioners that the groundbreaking ceremony for Mandela Gateway would take place on Wednesday, May 28, 2003, at 11:30 a.m. at 7th and Mandela. He said that Mr. Michael Liu, HUD Assistant Secretary, would not be able to come to the ceremony as the invited guest speaker.

Mr. Gresley informed the Board that the next workshop session of the Commission would be on June 11, 2003 at noon, and the location is yet to be determined, but it might be at Lockwood Gardens.

Mr. Gresley, while he does not have yet the details of events, informed the Board that affordable housing week is, he believes, during the first week of June. The East Bay Housing Organizations, in which the Authority is a member, will be sponsoring a number of events.

Commissioner Mayne commented on the PHAS score. He said in the past when staff made an argument with HUD, the Authority received a high score. Ms. Brown said that HUD would only allow the Authority to appeal the score if it would raise the score to a higher classification. She said staff analyzed the scores and did not have enough information to support a higher category.

X. Report of Commission Committees

There were none.

XI. Announcements by Commissioners

There were none.

XII. Adjournment

Without any further business, the meeting was adjourned at 8:45 p.m.

Chair

Secretary