

MINUTES OF THE REGULAR MEETING
BOARD OF COMMISSIONERS
HOUSING AUTHORITY OF THE
CITY OF OAKLAND, CALIFORNIA
HELD MONDAY, MAY 24, 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 6:35 p.m. regarding the following:

- Conference with real estate negotiators regarding acquisition of real property (844 – 69th Avenue, Oakland, California) pursuant to California Government Code §54956.8.
- Conference with real estate negotiators regarding acquisition of real property (7506 MacArthur Boulevard, Oakland, California) pursuant to California Government Code §54956.8.
- Conference with real estate negotiators regarding acquisition of real property (7532-7540 MacArthur Boulevard, Oakland, California) pursuant to California Government Code §54956.8.

Attendance

Commissioners present were Alfred Lee, Moses L. Mayne, Jr., Marion M. Mills, Robert J. Pittman, Jr. and Chair Richard E. Winnie. Commissioners Melanie M. Shelby and Jacqueline Taylor were excused. The Closed Session was adjourned at 7:00 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 7:10 p.m.

I. Pledge of Allegiance

II. Roll Call

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

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

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

IV. Approval of Minutes: Regular Meeting April 26, 2004

The above minutes were unanimously approved as submitted.

V. Modifications to the Agenda

Chair Winnie started the meeting with Item VII – Recognition of people wishing to address the Commission. Chair Winnie accepted the suggestion of Commissioner Mayne to discuss and approve the operating budget on Item C before discussing the Plan and Certification on Item B.

VII. Recognition of people wishing to address the Commission. **(Tape Side A: Queue 40 – 199)**

The first speaker was Mr. Barry Luboviski, Union member of the Alameda County Building and Construction Trades Council. Mr. Luboviski expressed concerns about the notification they received from management that only two rank-and-file union members could participate in the bargaining process. He said this has brought some chaos and fears on the represented employees at a time of heightened unemployment.

Others who echoed the concern about representation were Mr. John Gayton, OHA union member who has been working with the Housing Authority for 15 years; Mr. Anthony Gomez, OHA Plumber for almost 16 years; Mr. Noel Winn, Stock Clerk; Ms. Lonetta Evans, Housing Manager and member of Local 790 and Mr. Leo Handy, Jr., SEIU Local 790.

The above employee concerns will be discussed in closed session at the next meeting.

VI. New Business

A. Public Hearing for the FY 2004/05 MTW Annual Plan. **(Tape Sides A– Queue 206 - 230)**

Mr. Gresley asked Ms. Sharon H. Brown, Deputy Executive Director, to discuss the process of the MTW Annual Plan. Ms. Brown noted that this is the first MTW Annual Plan of the Authority. The Plan, as it is now, allows the Board and the Resident Advisory Board to consider various possibilities available under MTW. Ms. Brown said that next year's Plan would be primarily focused on streamlining the rent calculation process.

With no comments from the public, Chair Winnie closed the public hearing.

B. Consideration of recommendation for the approval of the FY 2004/05 MTW Plan and Certification of Consistency. (Tape Side A: Queue 229 – 252)

Mr. Gresley said that under the MTW Agreement, staff is required to submit an annual plan sixty (60) days prior to the beginning of the fiscal year. Mr. Gresley recommended to the Board approval of the Plan, which would be submitted to HUD along with the budget to begin operation in July 2004. Commissioner Mayne asked if it would be correct to adopt the budget first and then the Plan. Mr. Gresley said it makes sense that way. Chair Winnie asked that the Commission consider the budget first and then the Plan. The Commission deferred their approval of the plan until after their discussion of the budget.

C. Consideration of recommendation for the approval of the Consolidated Operating Budget for the Fiscal Year Ending June 30, 2005. (Tape Side A: Queue 253 - 282)

Mr. Gresley said that staff was able to reduce about \$2 million deficit in an earlier draft and essentially now have a break-even budget. Capital improvements, however, that would result in spending over the break-even budget. He said that the number of positions reduced in this budget would be handled through attrition. He further stated that the budget includes a 2-percent COLA for next year. Commissioner Lee moved approval of the motion and seconded by Commissioner Mills. Discussion followed. Commissioners Mayne and Pittman expressed dissatisfaction with the number of positions being eliminated in the Maintenance Division. After discussion, the Board unanimously approved the budget.

Chair Winnie asked the Commissioners to returned to Item B. Commissioner Mayne moved approval of the resolution approving the MTW plan. With a second by Commissioner Mills, the motion was voted unanimous approval.

D. Consideration of proposed First Amended and Restated Predevelopment Services Agreement with EBALDC and The Related Companies for the Coliseum Gardens Primary Site. (Tape Sides A & B: Queue 370 – 843)

Mr. Gresley called upon Mr. Phil Neville, Director of Development, for a briefing on the item. Mr. Neville recognized the presence of Ms. Lynette Lee from EBALDC, Ms. Kim McKay from The Related Companies, Ms. Isabel Brown and Ms. Michelle Brewer, counsels from Goldfarb & Lipman, and Ms.

Chris Gouig, Financial Advisor. Mr. Neville noted that this project was presented at the Commissioners' workshop meeting on May 21, 2004, and his discussion was focused on the key items. He discussed the execution of the original Predevelopment Services Agreement (PSA) between the Authority and Related. Mr. Neville also discussed the revised scope of work of the PSA namely, the demolition work, environmental assessment and investigation. He went on to discuss the amendment of the agreement for the development of the park, creek and infrastructure work. Mr. Neville also discussed the Section 3 and apprenticeship requirements.

He further noted that about half of the funds for the project come from the tax credit investment. Following a question from Commissioner Mayne, a discussion took place clarifying the role of Chambers Construction. Further discussion centered on demolition and the expected start of construction.

Chair Winnie asked for a motion. Commissioner Pittman moved to approve the motion. Commissioner Mayne seconded and the Board voted unanimous approval. Commissioners expressed the desire to receive a briefing on the Authority's current progress with regard to the overall budget and strategy for Coliseum Gardens.

E. Consideration of recommendation for award of contract for fire damage repair at 2435 26th Avenue, Unit #4. (Tape Side B: Queue 845 - 916)

Mr. Gresley said that the fire-damaged Unit No. 4 at 2435 26th Avenue was put out to bid on April 7, 2004. Advertisements were placed in local newspapers and local chambers were notified. Staff received three bids on May 4, 2004, and the lowest responsible bidder was B-Side Construction, Inc. Mr. Gresley recommended that the Board authorize the award of the contract to B-Side Construction, Inc. for \$85,000. Commissioner Lee moved to approve the recommendation. Commissioner Pittman seconded. Chair Winnie asked for discussion. Following a question from Commissioner Lee, discussion centered on the placing of advertisements, their effectiveness and cost. Mr. Gresley responded that staff could look into the matter and provide a response. After discussion, the Board voted on the recommendation. There were four Ayes, one Nay and two Excuses.

F. Consideration of Commissioner attendance at NAHRO 2004 Summer Conference in Detroit. (Tape Side B: Queue 920 – 952)

Mr. Gresley noted that he would be attending the conference and that the Authority would be receiving three merit awards from NAHRO at the conference. He asked if any of the Commissioners would like to attend.

Commissioners Lee and Mayne indicated they would like to attend the conference. By consensus, the Board approved the attendance of Commissioners Lee and Mayne.

G. Consideration of recommendation for approval of Amendment to the By-laws of the California Affordable Housing Initiatives, Inc. (Tape Side B: Queue 956 – 999)

Mr. Gresley said that the Authority was awarded through its subsidiary, California Affordable Housing Initiatives, Inc. (CAHI) the contract that would be for an initial period of three years with two renewal periods, for a total of five years. The total contract over five years would produce an administrative fee of approximately \$45 million, most of which would be spent on the cost of providing the services under the contract. Mr. Gresley said CAHI has a three-member Board of Directors, which by its by-laws are the Chair and Vice Chair of the Board of Commissioners and the Executive Director of the Housing Authority. He further stated that the Deputy Executive Director is the Secretary and the Director of Finance is the Treasurer for the corporation, and the Executive Director is the Chief Executive Officer. Mr. Gresley said the Articles of Incorporation have been filed and the bylaws adopted. At the meeting of CAHI on Friday, May 21, 2004, the Board of Directors adopted an amendment of the bylaws to carry out the specific purposes that HUD requires. Mr. Gresley indicated that amendments to the By-Laws of CAHI require the approval of the Board of Commissioners.

After a brief discussion, Chair Winnie asked for a motion. Commissioner Pittman moved approval of the motion. Commissioner Mayne seconded and the Board voted unanimous approval.

H. Consideration of request for stipends to be paid to Commissioners. (Tape Side B: Queue 000 – 067)

Chair Winnie indicated that this item was on the agenda at the request of Commissioner Pittman. Commissioner Pittman, said that the Port Commission, School Board, the Police Board of Review are being paid stipends. Mr. Pittman said that the Commissioners deserve stipends for spending their time reading the material and understanding it. Chair Winnie asked if Mr. Gresley is familiar with the practice of the City of Oakland. Mr. Gresley said he was not familiar with all of the Commissions like the Board of the Port Commission, but was informed by Mr. Roy Schweyer of CEDA of the City of Oakland that he was not aware of any stipends being paid. Commissioner Lee asked if other housing authorities pay stipends. Mr. Gresley said he doesn't know but would do a survey. Chair Winnie said it would be worth having factual information.

VII. Recognition of people wishing to address the Commission. (Tape Side A: Queue 40 – 199)

There was one speaker, Mr. Henry Flowers, OHA housing tenant at 17th Street, Oakland. Mr. Flowers noted that he attended a conference in April as a volunteer. He said that same type of conference would benefit both the housing residents and the resident council. Mr. Flowers was hoping that with the next conference in Philadelphia on March 10 – 13, 2005, that 2 or 3 residents would be allowed by the Authority to attend the conference.

VIII. Written Communications.

Mr. Gresley reported that a shooting had occurred at Lockwood Gardens. He provided a copy of a letter from Mr. Carel Duplessis, Chief of Police of the Authority, to Lockwood residents informing them of the incident. Two victims of that shooting incident died. One victim was the son of Mr. Thomas Wallace, OHA Maintenance employee.

He reported about the police –in-residents program. He said there are five police officers living in public housing. This program is an important strategy to build community support and to establish presence in the Authority’s properties.

He reported about the list of certified bilingual employees to provide language translations.

He reported about the article in the SF Chronicle real estate section that focused on the Mandela Gateway.

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

Mr. Gresley reminded the Commissioners about the ceremonial groundbreaking of the new Coliseum Gardens Development on June 10, 2004, at 875 69th Avenue, Oakland.

Mr. Gresley reported that the Authority is hosting, sometime in June, visitors from the General Accounting Office (GAO) for a study of the Section 8 fee reserves. The Oakland Housing Authority was one of the six housing authorities that were selected.

Commissioner Mayne asked about the progress on the negotiations with CVE. Mr. Gresley said staff continued to meet with CVE and Simpson, but said they have not begun any of the corrective work.

X. Reports of Commission committees.

Commissioner Lee gave a report on Section 8 Committee. He said that a consultant made a study on the operation of Section 8 and made some recommendations. He said that staff is excited about the possible reorganization of the Section 8 unit to make it more efficient.

XI. Announcements by Commissioners.

There were none.

XII. Adjournment.

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

Chair

Secretary