

MINUTES OF THE ANNUAL MEETING
BOARD OF COMMISSIONERS
HOUSING AUTHORITY OF THE
CITY OF OAKLAND, CALIFORNIA
HELD MONDAY, JUNE 28, 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 (814 – 69th Avenue, Oakland, California) pursuant to California Government Code §54956.8.
- Conference with real estate negotiators regarding acquisition of real property (1396 – 5th Street, 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., Melanie M. Shelby, Jacqueline Taylor and Chair Richard E. Winnie. The Closed Session was adjourned at 7:35 p.m. to a public session.

Public Session

The Oakland Housing Authority Board of Commissioners convened an Annual Meeting at 1619 Harrison Street, Oakland, California on the above date. Chair Richard E. Winnie called the meeting to order at 7:40 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., Melanie M. Shelby, Jacqueline Taylor and Chair Richard E. Winnie.

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: Special Meeting of May 21, 2004

The above minutes were unanimously approved as submitted.

V. Modifications to the Agenda

There were none.

VI. New Business

A. Consideration of Resolution honoring Roy Schweyer on the occasion of his retirement from the City of Oakland (Tape Side A– Queue 29 - 113)

Chair Winnie said that Mr. Roy Schweyer was retiring from the City of Oakland. He said he began working with Mr. Schweyer in 1981. Mr. Schweyer has been instrumental in the City's funding of three HOPE VI projects for the Housing Authority, with a total of \$14.4 million. Chair Winnie said he was so proud of having worked with Mr. Schweyer and wished him the best in his retirement. Mr. Jon Gresley, Executive Director, also gave a brief background of his working relationship with Mr. Schweyer and said the Authority would miss him. The Commissioners expressed their thanks to Mr. Schweyer.

Chair Winnie introduced a resolution honoring Mr. Schweyer and asked for a motion. Commissioner Mayne moved approval of the motion and Commissioner Lee seconded. The Board unanimously approved the resolution honoring Mr. Roy Schweyer on the occasion of his retirement. Chair Winnie presented the resolution to Mr. Schweyer. Mr. Schweyer thanked the Board and staff.

B. Consideration of Resolution authorizing the use of OHA Section 8 Local reserve funds for retail and commercial tenant improvement at Mandela Gateway. (Tape Side A: Queue 114 – 286)

Mr. Gresley called upon Mr. Phil Neville, Director of Development, for a brief background for the authorization of loans of \$350,000 of the Authority's Section 8 Local reserve funds to be used for retail and commercial tenant improvements at Mandela Gateway.

Mr. Neville first acknowledged the presence of Mr. Jesse Wu from BRIDGE Housing Corporation. Mr. Neville said the partnership for Mandela Gateway has contracted with Mr. Steven Woolery who was the commercial agent of the Fruitvale Transit Village. He said that the proposal at this meeting is for the Board to approve the expense of up to \$700,000 for tenant improvements.

Since BRIDGE has agreed to provide half of any such funds, the Authority's share would not exceed \$350,000 in Section 8 Local Reserve Funds, structured as loans. Mr. Neville explained that the expense was necessary to attract more interest in the commercial space.

Mr. Neville explained that the partnership would be moving tenants into the residential units early this fall. Discussion ensued. Commissioner Shelby asked about the basic tenant improvements and the strategy to rent out some of the spaces. Mr. Neville responded. Commissioner Lee asked if the agent has exclusive listing and how long is the term of the listing agreement. Mr. Neville and Mr. Wu provided answers. Commissioner Taylor asked what types of businesses will be using the smaller spaces. Mr. Neville and Mr. Wu provided some examples from the interest shown to date. Commissioner Mayne would like to get a running total of the uncommitted funds of the Section 8 reserves. Mr. Gresley said yes, and a briefing would be provided during the meeting on July 9th. Commissioner Pittman moved approval of the recommendation. With a second by Commissioner Mayne, the Board voted with six "Ayes." Commissioner Lee voted No.

C. Consideration and approval of items related to Coliseum Gardens HOPE VI.
(Tape Side A: Queue 294 - 577)

1. Resolution approving an Owner Participation Agreement and an Assignment and Assumption Agreement to be entered into with the City of Oakland.
2. Amendment to the Master Development Agreement for the Coliseum Gardens HOPE VI Revitalization.
3. Amendment to the Phase 1 Predevelopment Loan Agreement for the Coliseum Gardens HOPE VI Revitalization.
4. Amendment to the Phase 2 Predevelopment Loan Agreement for the Coliseum Gardens HOPE VI Revitalization.
5. Amendment to the Phase 1 Disposition and Development Agreement for the Coliseum Gardens HOPE VI Revitalization.
6. Resolution for a grant under its Transportation for Livable Communities (TLC) Program.

Mr. Gresley said there were six items related to Coliseum Gardens HOPE VI that have been the subject of briefings at prior meetings. He called upon Mr. Neville to discuss each of the six. Mr. Neville indicated that it was necessary to make a change on the Amendment to the Master Development Agreement. He changed the date of September 30, 2004 to December 31, 2004 on the schedule for completing the Homeownership Disposition and Development Agreement. Commissioner Mayne said there were no Schedules D, E, F and N. Mr. Gresley

thought it was only the exhibits that were provided and not the schedules. Mr. Jay Musante from the City Redevelopment Agency offered that oftentimes the schedules are not included in the final draft. Commissioner Mayne asked about the prevailing wage and living wage. Mr. Neville discussed the living wage requirement and the hourly figure that is used. Commissioner Mayne noted that the living wage also applies to the vendors that are in the units being leased. He would like to know if that was the condition in this case. Mr. Neville said the Owner Participation Agreement does not have anything to do with the buildings or any retail space developed.

Commissioner Pittman moved to adopt Items 1 through 6 related to Coliseum Gardens HOPE VI. Commissioner Lee seconded and the Board voted unanimous approval.

D. Consideration of recommendation for award of contract for site improvements at 2202 Mitchell Street, Oakland. (Tape Side A: Queue 578 - 638)

Mr. Gresley called upon Mr. Rod Roché, Director of Facilities Management, to answer any questions the Board might have. Mr. Roché said the Authority has funds budgeted for the site improvements at 2202 Mitchell Street. He said the Authority issued an Invitation to Bid on May 3, 2004, and received a total of four bids on June 3, 2004; two of which were considered non-responsive. The lowest responsible bidder was Eagle's General Construction Co. with a bid of \$104,500. Commissioner Lee moved approval of the resolution. Commissioner Pittman seconded and the Board voted unanimous approval.

E. Consideration of recommendation for award of contract to provide and install furniture for the West District Office. (Tape Side A: Queue 640 - 717)

Mr. Gresley said that construction of the new Oakland Housing Authority West District Multi-Purpose Building located at 935 Union Street would be complete sometime in the fall. He said the Authority went out to bid for new furniture to furnish the building. On April 20, 2004, the Authority issued an Invitation to Bid, and on May 12, 2004, a total of five bids were received. Gene's Office Products & Furniture, d.b.a. NASHional Office Furniture, a small minority-owned/woman-owned business enterprise, was the lowest bidder with a bid of \$133,916. Commissioner Lee moved approval of the motion and Commissioner Shelby seconded. The Board voted unanimous approval.

F. Consideration of staff report on stipends paid to boards and commissions. (Tape Sides A & B: Queue 722 - 892)

Mr. Gresley said he made a survey by calling the staff of the City of Oakland

and that none of their boards and commissions provided stipends. He also talked to several people who work at housing authorities in the Bay Area to find out if they provided stipends. Mr. Gresley found out that a few housing authorities do pay stipends to the Commissioners. He said that Legal Counsel Jennifer Bell told him that under the State Health and Safety Code, a provision allows up to \$50 per meeting with a maximum of \$200 a month. Commissioner Pittman said that NAHRO was doing a national survey and that many housing authorities were paying stipends and pensions. Commissioner Pittman moved that the Commissioners be paid \$50 per meeting and up to \$200 a month as stipends. Commissioner Mills seconded.

A brief discussion ensued. Commissioner Pittman amended the motion that \$50 a meeting and not to exceed \$200 a month, within OSHA standards, be paid to each Commissioner. Commissioner Mills seconded the amended motion. It was pointed out that a 1099 would be issued at the end of the year related to the stipends. Commissioner Lee suggested an amendment to the motion. He would like to opt out of this program so that his stipends could be donated to the Housing Authority. Commissioner Pittman accepted the amendment. Mr. Gresley would like to know the effective date. He further clarified that stipend is income, but not income for the purpose of determining rent. Chair Winnie asked Commissioner Lee to restate his amendment. Commissioner Lee said that for those who do not want to get IRS Form 1099 generated, they could opt out of this program and apply their stipends towards the Oakland Housing Authority Foundation. Chair Winnie made a clarification of Commissioner Lee's amendment to the motion that it would allow the Commissioners to opt out and not receive it. The amendment to the motion was accepted and seconded. The start date would be July 1st, 2004. The Board clarified that stipends be paid only on Board meetings.

The Board voted with five "Ayes." Chair Winnie voted "No" and Commissioner Taylor abstained.

G. Election of Officers (Chair and Vice Chair to serve two-year terms). (Tape Side B: Queue 893 -1017)

Commissioner Lee made a motion to nominate Commissioner Mayne to be the Chairperson of the Board with the caveat that the term be changed from two years to one year for both the Chair and Vice Chair positions. Commissioner Pittman seconded. Ms. Bell indicated that if the Commissioners desire to change the term from two years to one year, there have to be an amendment to the by-laws with five votes by the Commissioners before the term could be changed. She said that there has to be a notice to amend the by-laws.

Commissioner Lee made a motion to continue the item in one month for the purpose of amending the by-laws. Commissioner Pittman seconded. Commissioner Mills made a substitute motion to move forward and select Commissioner Mayne as Chair this evening. Commissioner Mayne seconded. Chair Winnie asked Legal Counsel Bell that if an officer is elected at this meeting and the Board changes the by-laws at the next meeting, would that change of the by-law apply to the officer selected this evening. Legal Counsel Bell thought that the Board could amend the by-laws subsequently and change the term of that officer who is already in office. However, it is not totally clear from the by-laws. If there is a majority of five votes amending the by-laws, presumably, there would not be any objection to that. Legal Counsel Bell said, however, that there is an argument because the by-laws currently say that the person serves for two years. She said there is a good case that the Board could elect the officers tonight and amend the by-laws later. Mr. Gresley asked the Board to restate the motion. Chair Winnie said the motion was to select Commissioner Mayne as Chair of the Commission under the current by-laws. The Board voted. There were six "Ayes" with Commissioner Shelby abstaining.

Chair Winnie asked for a motion for the Vice Chair position. Commissioner Pittman nominated Commissioner Lee to be the Vice Chair. Commissioner Taylor seconded and the Board voted. There were six "Ayes" with Commissioner Shelby abstaining.

Commissioner Pittman publicly thanked Chair Winnie for his service to the Commission.

VII. Recognition of people wishing to address the Commission. **(Tape Side B: Queue 1040 – 1042)**

There were none.

VIII. Written Communications.

Mr. Gresley said that the Authority is the recipient of the FY 2004 Brownfields Grant by the Environmental Protection Agency.

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

Mr. Gresley noted two articles in the Oakland Tribune. The first article was about the Section 8 problem in Alameda City. The other article was on Local page 4 with a picture of a young person who is pointing at the Coliseum Gardens site during a

community fair at the Lockwood Elementary School.

The Authority has received a notice that the commitment of 4 percent tax credits for Phase I at Coliseum Gardens has been formalized and the State's Multi-family housing program award on Phase II at the Coliseum was formally approved.

The Authority received a contract from HUD to administer Section 8 for Northern California, referred to as Section 8 Project-Based Contract Administration. The partner selected in this process was CGI and has been actively recruiting employees.

Mr. Gresley said that he and Commissioner Mayne would be at the NAHRO Conference in Detroit during the week of July 12th.

X. Reports of Commission committees.

There were none.

XI. Announcements by Commissioners.

There were none.

XII. Adjournment.

Without any further business, the meeting was adjourned at 9:04 p.m.

Chair

Secretary