



Charlotte Housing Authority

**TreesCharlotte Plants over 200 Trees at SouthSide Homes on Saturday
December 1, 2012.**

**BOARD OF
COMMISSIONERS**

**REGULAR
BOARD MEETING**

DECEMBER 18, 2012



**Southside Homes
3400 Griffith Street
Charlotte, NC 28203**

TreesCharlotte had a fun and high-impact volunteer tree planting Saturday, Dec 1st at the Southside Homes community in south Charlotte. About 200 volunteers planted 288 trees at Southside Homes. The next event in February will take place at Little Rock Apartments, adjacent to the new Renaissance HOPE VI grant development.

Mission Statement

“To lead, develop, and execute community-wide strategies that meet the broad range of housing needs for families who cannot otherwise attain conventional housing”



**Commissioners:
Commissioner Joel Ford
Chairman**

**Commissioner David Jones
Vice-Chairman**

**Commissioner Pamela
Gordon**

**Commissioner Nancy
Crown**

**Commissioner Marcia
Simpson**

**Commissioner Geraldine
Sumter**

Commissioner Will Miller





**HOUSING AUTHORITY OF THE CITY OF
CHARLOTTE**

PUBLIC NOTICE

***Regular Board Meeting
BOARD OF COMMISSIONERS***

December 18, 2012

NOTICE is hereby given that a Regular Board meeting of the Board of Commissioners of the Housing Authority of the City of Charlotte will be held on ***December 18, 2012*** as follows:

TIME/DATE: ***5:00 p.m.***
 December 18, 2012

LOCATION: ***Southside Homes***
 3400 Griffith Street
 Charlotte, NC 28203

A handwritten signature in blue ink, appearing to read 'A. Meachem', is written over a horizontal line.

A. Fulton Meachem, Jr.
President/CEO

Mission Statement

“To lead, develop, and execute community-wide strategies that meet the broad range of housing needs for families who cannot otherwise attain conventional housing”

**Housing Authority of the City of Charlotte
Regular Meeting of the Board of Commissioners**

*Southside Homes
3400 Griffith Street
Charlotte, North Carolina 28203*

December 18, 2012

5:00 p.m. - Regular Board Meeting Convenes:

Regular Meeting Agenda:

1. Pledge of Allegiance
2. Public Forum
3. Review and Approval of the Agenda
4. Consideration to Approve the Minutes for:
 - Regular Board Meeting held ***November 20, 2012 (p. 4)***
 - ***Special*** Board Meeting held ***November 27, 2012 (p.10)***
5. Resident Advisory Council (RAC) Report (***p.15***)
6. Monthly Reports:
 - CEO Report
 - Operations Dashboard (***p.16***)
7. **Consent Agenda Action Items:** (***p.20 – 33***)
 - A. CHA Fiscal Year 2013-2014 Moving Forward Annual Plan
 - B. Boulevard Homes HOPE VI: Boulevard Phase II
8. **Business Agenda Action Item:** (***p.34 – 54***)
 - A. Code of Ethics and Standards of Conduct
 - B. Board of Governance Policy
 - C. Charlotte Housing Authority Media Policy
9. **New Business:**
None

***MINUTES FOR
REGULAR
BOARD
MEETING***

**MINUTES OF THE REGULAR BOARD MEETING
OF THE COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF CHARLOTTE
HELD ON TUESDAY, NOVEMBER 20, 2012**

The Board of Commissioners of the Housing Authority of the city of Charlotte, North Carolina held a Regular meeting at: **Charlotte Housing Authority/Central Office, 1301 South Boulevard, Charlotte, NC 28203**, at 5:00 p.m. Tuesday, November 20, 2012.

Present: **Chairman Joel Ford**
 Vice-Chairman David Jones
 Commissioner Marcia Simpson
 Commissioner Geraldine Sumter
 Commissioner Pam Gordon

Absent: Commissioner Will Miller
 Commissioner Nancy Crown

Also Present: A. Fulton Meachem, Jr., CEO/President
 Mr. Sherrod Banks, Banks Law Firm, General Counsel (*via conference call*)

Additional Attendees:

Shauntè Evans, Interim COO	Heather Franklin, Interim CFO
Shannon Bodnar, Dir. of Housing	Deb Clark, Dir. of Comm. & Research
Shawn William, Director of HCV/Sec 8	Alesia Price, Regional Property Mgr. (Region I)
Michelle Allen, Interim RED	Twyla Taylor, Dir. of Dev/Relocation
Gwen Isley, MTW Coordinator	LaRae Baumann, Project Analyst
Carl Harris, Director of Construction	John Burns, Client Services Director
Tomico Evans, Family Support Mgr.	Jeff Meadows, Sr. Development Officer
Cheryl Campbell, Operations Project Manager	Jose Cerron, Property Mgr. Dillehay Court
Charlene Wall, Human Resource Director	Donna Green, RAC Secretary
Maureen Bates, Sr. Asset Manager	Steve Lamphere, Procurement Director
Allison Preston, Resident Safety Manager	Susan Herman, Accounting Manager
Linda Johnson, Attorney	Alyson Traw, CHA Staff Attorney
Ja'Shaun Brailey, TFP Supervisor	Louis Mosley, Lend-Lease
Mary Milliner, Edwin Towers Resident	Barbara Porter, Executive Assistant (scribe)

Pledge of Allegiance:

Chairman Ford recited the pledge of allegiance and officially opened the meeting.

Public Hearing:

Chairman Ford read the Charlotte Housing Authority's Fiscal Year 2013-2014 Moving Forward Annual Plan notice. The purpose of the public hearing is to conclude the 45-day public review comment period of the Charlotte Housing Authority fiscal year 2013-2014 before submission to HUD. Chairman Ford opened the public hearing for comments. Hearing and/or seeing none, the following action was recorded.

ACTION:

Motion was made by:	Commissioner Gordon
Motion was seconded by:	Commissioner Sumter
Outcome:	Passed unanimously

Public Forum:

Mary Milliner, Resident at Edwin Towers, gave the following comments:

- Concerning a copy of the CHA's Fiscal Year 2013-2014 Moving Forward Annual Plan that was removed at the main branch of the Library but received a copy from Commissioner Simpson. She suggested CHA staff periodically check the locations to verify the document location.
- Edwin Tower's new no-smoking policy may affect some of her Native American ceremonial rituals. She disseminated a copy of a Native American document. Commissioner David Jones suggested a copy be sent to Mr. Sherrod Banks, General Counsel, for review and comment.

Chairman Ford asked for additional comments. Hearing none and/or seeing none the following motion was recorded.

ACTION:

Motion was made by:	Commissioner Sumter
Motion was seconded by:	Commissioner Gordon
Outcome:	Passed unanimously

Review and Approval of the Agenda:

Chairman Ford asked that ***Item 9.A*** under New Business, Hall House Development Service, be tabled for further discussion at the November 27, Special Board Meeting. Mr. Meachem added a revision to the Operations Dashboard, which was disseminated to the Board.

ACTION:

Motion to approve the agenda with changes:	Vice-Chairman Jones
Motion was seconded by:	Commissioner Sumter

Regular Board Meeting
November 20, 2012

Outcome: Passed unanimously

Consideration to approve the minutes for:

- Regular Board Meeting held **October 16, 2012**

NOTE: Commissioner Sumter stated to her recollection she arrived late to the meeting instead of being marked absent. Chairman Ford stated that the minutes be approved upon the verification of attendance of Commissioner Sumter.

ACTION:

Motion was made to approve with changes by: Commissioner Gordon
Motion was seconded by: Commissioner Simpson
Outcome: Passed unanimously

- **Special** Board Meeting held **November 8, 2012**

ACTION:

Motion was made for approval by: Commissioner Simpson
Motion was seconded by: Commissioner Gordon
Outcome: Passed unanimously

Resident Advisory Council (RAC) Report:

Ms. Donna Green gave the following report:

- The Resident Advisory Council and Organizing for America worked to get residents in Autumn Place, Charlottetown Terrace, Dillehay Courts, Gladedale, Hall House, Mallard Ridge, Meadow Oaks, Southside Homes and some HCV participants registered to vote.
- The first election will be held in Dillehay Courts on November 29, 2012 at 4:00pm. The election for Southside Homes will be held on December 11, 2012 at 4:00pm.
- RAC thanks CHA for working with communications to the residents for the life skills workshops.

Monthly Reports

CEO Report:

Mr. Meachem met and spoke with over 100 people in the past two months. He is convinced the Charlotte Housing Authority is viewed as a very valuable partner in the affordable housing industry. He has been approached by the Foundations for the Carolinas on an initiative similar to a Community Based Rental Assistance (CBRA) program. FFTC propose a fund to assist homeless families with rapid re-housing and some level of wrap around subsidy assistance. He advised the Board of his community communications. Information will be brought back to the Board in a timely manner.

Chairman Ford requested information of this nature be brought to the Board. Commissioner Sumter questioned when we have request of this nature that we ask two questions:

Regular Board Meeting
November 20, 2012

- 1) Do we have the money?
- 2) Under which guideline, restrictions, etc. must our participation be guided considering we are an agency primarily funded by HUD.

Commissioner Jones anticipates a presentation on this topic at the December 6th Client Relations Committee meeting.

Operations Dashboard:

Ms. Shawn Williams, HCV Director, gave the following update:

- Overall program utilization is 4,602 at 93.57%.
- 146 vouchers shelved previously and committed for project based are un-used. CHA will issue these vouchers to applicants from the waiting list to ensure we continue to maximize our utilization.
- 1,162 families have ported in from other housing authorities that we are billing.
- 1,647 applicants currently on the waiting list.

Commissioner Sumter questioned completion of determining eligibility? Ms. Williams responded it may be 3 – 5 months. Mr. Meachem stated that CHA would like to see this waiting list purged and opened in early 2013. Commissioner Simpson questioned the returned mail process. Ms. Williams responded the return mail is attached to the preliminary application, date/time stamped and it is retained for auditing purposes, then continue with the wait list.

Chairman Ford questioned if the port-ins is a running list or 1,000 per month. Ms. Williams responded a running list. For clarification the Board requested this column heading be changed to cumulative number of portables to Charlotte.

Hearing no further questions, Ms. Williams concluded her report.

Ms. Shannon Bodnar, Director of Housing, gave the following update:

Conventional Public Housing:

- Occupancy is at 99.25%.
- As of October 31, 13 vacant units out 1,739 units available to be leased.
- Tennant Accounts Receivable (TAR) is at 99.56%.
- Vacancy turn days are currently at the 20 day threshold.

Affordable Properties:

- Affordable property's are at 98.41% occupancy rate, which includes those communities that are market rate and may include public housing units. Occupancy rate includes a total of market rate and public housing. 7 units of 440 units vacant at the end of October 2012.
- Tennant Accounts Receivable (TAR) is at 98.61%.
- Vacancy turn days are currently at 21.

Private Management Company's:

- Occupancy rate is at 98.46%.
- Tennant Accounts Receivable (TAR) is at 96.12%.

Regular Board Meeting
November 20, 2012

- Vacancy turn days were slightly elevated at 29 days.

Hearing no further questions, Ms. Bodnar concluded her report.

Financial Reports:

Budget to Actual Report 09/30/2012:

Report of Deposits and Investments as of 09/30/2012:

Land Sales Proceeds Details as of 09/30/2012:

Notification of Administrative Budget Changes as of 09/30/2012:

Heather Franklin, Interim CFO, reported on all listed financial updates. All reports were presented to the Finance and Audit Committee and approved. Hearing no specific questions, Ms. Franklin concluded her report.

Consent Agenda Action Item:

8.A CHA Collection Loss Report for the Quarter Ended 09/30/12

Approve a resolution for the write-off of \$38,501.49 in accounts receivable due to collection losses for tenants vacated through 06/30/12.

ACTION:

Motion was made for approval as submitted by:	Vice-Chairman Jones
Motion was seconded by:	Commissioner Gordon
Outcome:	Passed unanimously

Vice-Chairman Jones motioned that we adjourn the regular Board of Commissioners meeting and convene the Horizon Development Properties, Inc. Motion was seconded by: Commissioner Sumter; Outcome: passed unanimously.

Minutes respectfully prepared by:

Barbara G. Porter
Executive Assistant to the CEO

***MINUTES FOR
SPECIAL
BOARD
MEETING***

**MINUTES OF THE SPECIAL BOARD MEETING
OF THE COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE
HELD ON TUESDAY, NOVEMBER 27, 2012**

The Board of Commissioners of the Housing Authority of the City of Charlotte, North Carolina held a *special* meeting at: **Charlotte Housing Authority/Central Office, 1301 South Boulevard, Charlotte, NC 2820**, at 9:00 a.m. Tuesday, November 27, 2012.

Present: **Chairman Joel Ford**
 Vice-Chairman David Jones
 Commissioner Geraldine Sumter
 Commissioner Will Miller
 Commissioner Nancy Crown
 Commissioner Pam Gordon
 Commissioner Marcia Simpson

Also Present: Mr. A. Fulton Meachem, Jr. CEO/President

Additional Attendees:

Heather Franklin, Interim CFO	Alyson Traw, CHA Legal Attorney
Jeff Meadows, Sr. Development Officer	Twyla Taylor, Director of Relocation/Dev.
Carl Harris, Director of Construction	Deborah Clark, Dir. of Comm. & Research
News Media	Michelle Allen, Interim RED
Steve Lamphere, Dir. of Procurement	Deborah Williams, RED Admin. Assistant
Shannon Bodnar, Dir. of Housing	Gainor Eisenlohr, Grant Writer/Research Analyst
John Burns, Client Services Director	Barbara Porter, Executive Asst.

Pledge of Allegiance:

Chairman Ford officially opened the meeting. Commissioner Gordon led the pledge of allegiance.

Review and Approval of the Agenda:

Chairman Ford added discussion on a news article in the Charlotte Observer concerning HCV reporting. Hearing no further changes or additions to the agenda a following motion was recorded.

ACTION:

Motion was made to approve agenda with change by:	Commissioner Miller
Motion was seconded by:	Commissioner Gordon
Outcome:	Unanimously

Consideration to approve minutes:

- None

Business Agenda Action Items:

4.A Hall House Development Services

Authorization to Negotiate and Award a Contract for Development Services at Hall House

Vice-Chairman Jones requested to be recused. Chairman Ford granted that request. Chairman Ford explained the primary reason he requested this item to be pulled and introduced the following:

- 1) Information concerning the procurement process as it relates to the scoring matrix was changed by one of the commissioners.
- 2) He wants to make sure the Board guards itself and protects the authority from being involved in two processes. a.) the evaluation of a firm; b.) the ultimate selection of a firm.

Chairman Ford questioned the change in the scoring matrix. Ms. Twyla Taylor, Director of Relocation and Development and Mr. Jeff Meadows, Sr. Development Officer, explained the initial creation of scores. That information was sent to the full Board. A response was received by Commissioner Miller to request more points allocated toward the experience component. Staff made scoring changes.

Mr. Sherrod Banks, General Counsel, spoke with Mr. Steve Lamphere, Procurement Director, who was preparing a memo for Mr. Banks to review to ensure our process was appropriately followed. Mr. Lamphere felt comfortable with the activities of the Board members and CHA was in compliance with the existing procurement policy.

Commissioner Crown questioned if the point breakdown change was made before the evaluations of any of the applicants. Ms. Taylor, responded, yes. Commissioner Crown asked for clarification. Mr. Meadows added the square matrix was established before the RFQ hit the street.

Chairman Ford asked for any further questions, hearing none proceeded to discussion of staff's recommendation of the highest and best use to rehabilitate Hall House and opened the floor for further questions/discussions.

Commissioner Crown questioned once the letter of intent to purchase was received was there a number amount stated to pay for the property. Mr. Fulton Meachem, CEO, responded no.

Commissioner Sumter questioned if a number amount would be given in the near future. Mr. Meachem, CEO, responded the potential buyer could not produce a number amount this soon.

Commissioner Miller responded the potential buyer would pursue the historic tax credits and added that CHA would pursue the low income tax credits as well as the historic tax credits. Mr.

Meachem agreed. Commissioner Miller suggested moving forward on a dual track. Mr. Meachem added that the restrictions on the number of housing units in our portfolio for senior and disabled would prevent CHA from pursuing the sale of the property. Therefore we are asking for the Board to grant CHA approval to move forward with Hall House being a designated senior/disabled population building, pursuing historic tax credits as well as low income tax credits.

Chairman Ford would like to advise staff not to allow a firm to “over promise and under deliver”. The deadline for the tax credit application is January 25, 2013. He wants to make sure the authority is protected. Mr. Meachem, CEO, added this information would be clearly stated in the contract.

The following action took place:

ACTION:

Motion was made by:	Commissioner Miller
Motion was seconded by:	Commissioner Crown
Outcome:	Passed unanimously

Vice-Chairman Jones returned to the meeting. Chairman Ford gave staff the opportunity to respond to a news article concerning findings in a past audit. Mr. Meachem, CEO and staff gave background information. In conclusion, Chairman Ford would like to charge staff with writing an editorial to the Charlotte Observer.

4.B Quadel Consulting Review Discussion:

Quadel has been retained to perform a file review of a mix of Housing Choice Voucher participants as well as Public Housing participants. The file review will provide a snap shot of the overall program compliance with the HUD program regulations and the guidance issued in CHA policy and procedures from November 1, 2011 thru October 31, 2012. The goals and objectives of this assessment are to focus on the current program performance and the Moving-to-Work authority.

Ms. Penny Vanderwall, Director Quadel Consulting, was recognized. Ms. Vanderwall stated a preliminary review would be presented at the December 18, 2012 Board of Commissioners regular meeting if possible.

Chairman Ford requested a motion for adjournment of the meeting. Motion was made by: Commissioner Crown; seconded by: Commissioner Sumter; passed unanimously.

Minutes respectfully prepared by:

Barbara G. Porter
Executive Assistant to the CEO

**RESIDENT
ADVISORY
COUNCIL
(RAC)
REPORT**

Resident Advisory Council Report (RAC)

Tuesday, December 18, 2012

We had a successful election out in Dillehay Courts on November 29, 2012. Please join us in congratulating the new president, Ms. Teresa Hughes. We are still in the process of getting other communities organized. We experienced low participation with nominations in Southside, therefore we had to postponed the election until a later date. The next upcoming election will be held in the Tarleton Hills community on January 8, 2013 at 4:00pm.

We had a wonderful training in Pigeon Forge, Tennessee at the Take Charge and Mean it! Leadership: Boot Camp.

RAC would like to thank all of CHA and partners for collaborating with us throughout this year. We look forward to doing more with you in the upcoming year.

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OPERATIONS DASHBOARD

The Charlotte Housing Authority 2012-2013 Operations Dashboard Measure

SECTION 8

SECTION 8 VOUCHER ANALYSIS

<i>Generate Income to Underwrite Key Businesses:</i> Utilize 98% of the housing choice vouchers.	Monthly % of Vouchers Utilized	Monthly # of Vouchers Utilized	Overall Program Voucher Total
Target	98.0%	4,918	
April '12	94.07%	4,619	
May '12	93.69%	4,600	
June '12	93.87%	4,609	
July '12	93.41%	4,594	
August '12	93.43%	4,595	
September '12	93.86%	4,616	
October '12	93.57%	4,602	
November '12	93.80%	4,613	

Program	Base	VONED	VASH	FUP	BLVD	STRAWN	TOTAL	NOTES
Voucher Units	4059	275	185	200	173	26	4918	
Vouchers Utilized	(3852)	-270	(130)	(187)	(173)	(1)	(4613)	
Vouchers Issued	(51)	-4	(45)	-13	0	0	(113)	Searching
Balance by Program	156	1	10	0	0	25	192	Bal. - All Programs

VOUCHER AVAILABILITY

Program	TOTAL
Balance All Programs	192
Special Programs	(36)
In base	156
Strawn Relocation/Tenant Protection	25
To be issued	107
Balance of Vouchers being held for PBS8 commitment	49

Current Utilization	94.90%	98.18%	70.27%	93.50%	100.00%	93.80%
Utilization - if all issued vouchers were to be leased up	96.16%	99.64%	94.59%	100.00%	100.00%	96.10%

<i>Serve a growing proportion of the Charlotte population:</i> Reduce the waiting list by placing voucher holders in housing.	Vouchers on the Street	Portable Vouchers on the Street	Waiting List	New Landlord Packages	Cumulative Number Portables to Charlotte
April '12	13	84	1,944	64	1,050
May '12	8	79	1,828	47	1,073
June '12	44	95	1,828	58	1,101
July '12	48	106	1,648	34	1,113
August '12	67	103	1,648	76	1,130
September '12	66	103	1,646	57	1,142
October '12	58	102	1,647	38	1,162
November '12	51	123	1,547	34	1,184

All Conventional Public Housing Sites - CHA Managed

Maximize Benefit/Cost: Maximize the long-term financial viability of CHA-owned communities.	Occupancy Rate	Collection Loss (QTR)	Total Tenants Accounts Receivable (all outstanding charges)	Tenant Accounts Receivable (uncollected rent without pending action)	Vacancy Turns Make Ready/Lease/Total
Target	96%	2.00%	96%	96%	20 days
April '12 - 21 units turned	98.88%	-	86.83%	98.76%	13+20 = 33 days
May '12 - 31 units turned	99.07%	-	88.08%	99.00%	12+19 = 31 days
June '12 - 21 units turned	98.79%	2.37%	85.18%	99.27%	13+10 = 23 days
July '12 - 20 units turned	99.02%	-	86.43%	99.35%	9+7 = 16 days
August '12 - 20 units turned	98.51%	-	88.06%	99.22%	8+10 = 18 days
September '12 - 29 units turned	99.54%	2.47%	84.69%	99.40%	9+10 = 19 days
October '12 - 21 units turned	99.25%	-	85.57%	99.56%	7+13 = 20 days
November '12 - 19 units turned	99.42%	-	83.74%	98.78%	9+8 = 17 days

(Exclude 13 units turned under renovation project)

**** The average collection loss for the entire CHA portfolio is 2.56%

^ total does not include private management data

Affordable Properties

Sites include: Grove Place, Oak Valley, Valley View, McAlpine Terrace, Seneca Woods, Glen Cove, Woodlawn	Occupancy Rate	Collection Loss (QTR)	Total Tenants Accounts Receivable (all outstanding charges)	Tenant Accounts Receivable (uncollected rent without pending action)	Vacancy Turns Make Ready/Lease/Total
Target	96%	2.00%	96%	96%	20 days
April '12 - 2 units turned	95.78%	-	78.18%	98.68%	6+32 = 38 days
May '12 - 2 units turned	95.78%	-	77.95%	98.80%	3+4 = 7 days
June '12 - 1 unit turned	96.00%	1.02%	61.79%	98.78%	7+3 = 10 days
July '12 - 7 units turned	96.89%	-	66.79%	99.19%	13+7 = 20 days
August '12 - 7 units turned	96.89%	-	55.73%	99.15%	14+1 = 15 days
September '12 - 10 units turned	97.53%	2.35%	58.78%	98.84%	11+10 = 21 days
October '12 - 6 units turned	98.41%	-	87.49%	98.61%	5+16 = 21 days
November '12 - 8 units turned	99.55%	-	87.14%	99.52%	12+2 = 14 days

**** The average collection loss for the entire CHA portfolio is 2.56%

Private Management Companies

<i>Sites include: First Ward, Arbor Glen, Park at Oaklawn, Montgomery Gardens, Nia Point, Rivermere, Stonehaven, Prosperity & McAden</i>	Assisted Occupancy Rate	Collection Loss (QTR)	Total Tenant Accounts Receivables (all outstanding charges)	Tenant Accounts Receivable (uncollected rent without pending action)	Vacancy Turns Make Ready/Lease/Total
Target	96%	2.00%	96%	96%	20 days
April '12 - 25 units turned	98.46%	-	93.29%	97.38%	13+5 = 18 days
May '12 - 12 units turned	97.44%	-	92.32%	96.84%	15+8 = 23 days
June '12 - 8 units turned	98.88%	1.02%	93.92%	96.76%	15+7 = 22 days
July '12 - 14 units turned	98.40%	-	94.48%	96.16%	16+5 = 21 days
August '12 - 15 units turned	98.20%	-	92.08%	97.28%	13+17 = 30 days
September '12 - 16 units turned	99.15%	2.35%	92.96%	96.20%	12+12 = 24 days
October '12 - 17 units turned	98.46%	-	93.16%	96.12%	15+14 = 29 days
November '12 - 22 units turned	97.86%	-	92.84%	96.08%	9+8 = 17 days

**** The average collection loss for the entire CHA portfolio is 2.56%

FY 2012-2013 Private Management Companies								
Property	Overall Community Occupancy Rate	Section 8 & 9 Occupancy Rate	Total Tenant Accounts Receivables (all outstanding charges)	Tenant Accounts Receivable (uncollected rent without pending action)	Vacancy Turn Averages			# of Units
					Make Ready	Lease Up	Vacancy Turn Totals	
940 Brevard (40 Section 9 & 60 PBS8 units)	100%	100%	94%	100%	0	0	0	0
Arbor Glen 50 (25 Section 9 units)	94%	92%	90%	100%	7	7	14	1
Arbor Glen I (60 Section 9 units)	100%	100%	95%	100%	7	1	8	2
Arbor Glen II (40 Section 9 units)	100%	100%	91%	94%	4	4	8	2
Arbor Glen III (12 Section 9 units)	100%	100%	100%	100%	8	4	12	1
Ashley Square (22 Section 9 units & 14 PBS8 units)	93%	92%	80%	100%	0	0	0	0
*Fairmarket Square (16 Section 9 units); 15 of existing units are currently available for PH occupancy	100%	100%	100%	100%	14	5	19	2
First Ward (132 Section 9 units)	98%	100%	91%	91%	8	2	10	2
Hampton Creste (60 section 9 units)	98%	100%	95%	100%	0	0	0	0
McAden Park (30 Section 9 & 30 PBS8 units) - 1 vacant	92%	92%	96%	98%	0	0	0	0
McCreech Place (63 Section 9 & 27 PBS8 units)	98%	98%	98%	98%	8	14	22	4
**McMullen Woods - (No Assisted Units)	100%	100%	100%	100%	0	0	0	0
Mill Pond (51 PBS8)	89%	96%	93%	100%	0	0	0	0
Montgomery Gardens (20 Section 9 units)	100%	100%	69%	69%	0	0	0	0
Moore Place (34 section 9 and 51 PBS8 units)	100%	100%	100%	100%	2	1	3	1
Nia Point (29 Section 9 units)	99%	97%	79%	80%	0	0	0	0
Park @ Oaklawn (89 Section 9 units)	97%	98%	96%	99%	16	4	20	3
Prosperity Creek (72 Section 9 & 84 PBS8 units)	99%	99%	88%	88%	0	0	0	0
Rivermere (20 Section 9 units)	97%	90%	93%	100%	6	29	35	2
Seigle Point (102 Section 9 & 18 PBS8 units)	96%	98%	88%	100%	8	10	18	2
South Oak (20 Section 9 units)	97%	100%	100%	100%	0	0	0	0
SpringCroft at Ashley Park (18 Section 9 & 18 PBS8 units)	100%	100%	100%	100%	0	0	0	0
Springfield Gardens (22 Section 9 units)	95%	96%	100%	100%	0	0	0	0
Steele Creek (60 section 9 & 60 PBS8 units)	100%	100%	100%	100%	0	0	0	0
Stonehaven East (24 Section 9 units)	100%	100%	85%	85%	0	0	0	0
	97.67%	97.86%	92.84%	96.08%	9	8	17	22

* Represents occupancy percentage based on ACC units available for subsidy. Units will occupy upon turnover

** Property is 100% Tax Credit; no section 8/9 units

***CONSENT
AGENDA
ACTION
ITEMS***

7.A CHA Fiscal Year 2013-2014 Moving Forward Annual Plan

Action: **A. Adopt the Fiscal Year 2013-2014 Moving Forward Annual Plan**
 B. Approve Submission of the Fiscal Year 2013-2014 Moving Forward Annual Plan to HUD

Staff Resource: Shaunté Evans and Gwenarda Isley

Strategic Business: Executive

Strategic Goals: Provide the greatest number of viable and affordable housing solutions from homelessness to permanent housing through sustainable strategic partnerships; ensure the Authority’s long-term financial viability; and create an environment that encourages client families to reach their highest potential.

Background/Policy Framework:

CHA became a Moving To Work (MTW) Agency in December 2007. The agency executed an Amended and Restated MTW Agreement with HUD April 2008. This agreement will expire March 31, 2018. MTW gives public housing authority’s exemptions from many existing public housing and voucher rules to encourage the development of locally-designed strategies. Agencies are also permitted more flexibility to determine how Federal funds are used.

- The goals of MTW are to use Federal dollars more efficiently; help residents find employment and become self-sufficient; and increase housing choices for low-income families.
- HUD will use the outcome measures and promising practices learned throughout the MTW demonstration program to respond to Congress on the effects of MTW policy changes on residents, the Agency’s operations, and the local community.
- CHA’s local name for Moving To Work is Moving Forward.

Explanation:

The Annual Plan is a statement of the agency’s plan of activities and policies to be undertaken in the fiscal year, as well as the progress of all MTW activities.

- When the Agency submits its Annual Plan to HUD within 75 days before the start of the fiscal year, HUD will respond to the Agency within 75 days.
- If HUD does not receive the Agency’s Annual MTW Plan 75 days before the beginning of the fiscal year, the Agency’s Annual MTW Plan is not approved until HUD responds.
-

Annual Plan highlights include:

- MTW-Related Activities Using Block Grant Funds –This section provides information on CHA’s new office building, renovations to senior high-rises, and

development updates on The Renaissance and the With Every Heartbeat is Life initiative;

- Non-MTW Related Housing Authority Information regarding Section 3, grants and awards, and bond issuance proposals; and
- The evaluation update on the CHA MTW Demonstration program.

Committee Discussion:

This item was presented at the December 6, 2012 Client Relations Committee meeting. Commissioner Jones inquired about when the submission to HUD was scheduled and Ms. Isley responded January 2013. Commissioner Jones also asked what comments or suggestions were made from customers during the planning meetings. Ms. Isley stated that only the Housing Choice Voucher participant's provided comment; they asked for 2-3 things. She recalled they wanted the abatement process improved, however, CHA has no authority or waiver to change this HUD policy; and they asked that CHA provide housekeeping classes for new tenants. The commissioners voted to place the action on the consent agenda for the December Board meeting.

Community Input:

MTW staff held Community Annual Planning Sessions; and visited five (5) public housing sites to share the draft of the FY2014 Moving Forward Annual Plan and advise them of the public review and comment period, as well as the public hearing that was held November 20, 2012.

Summary of Bids:

Not applicable for this agenda item.

Section 3/MWBE Consideration:

Not applicable for this agenda item.

Funding:

None

Attachments:

Resolution
Certifications of Compliance
Certificate of Drug-Free Workplace
Disclosure of Lobbying Activities

RESOLUTION

APPROVE ADOPTION OF THE CHA FISCAL YEAR 2013-2014 MOVING FORWARD PLAN AND AUTHORIZE THE SUBMISSION OF THE MOVING FORWARD ANNUAL PLAN FOR FISCAL YEAR 2013-2014 TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

WHEREAS, Moving to Work (MTW) is a demonstration program authorized by Congress and implemented by the U.S. Department of Housing and Urban Development;

WHEREAS, in establishing MTW, Congress granted broad authority to housing authorities to design programs that would achieve three primary goals:

- Reduce cost and achieve greater costs effectiveness in Federal expenditures;
- Give incentives to families with children where the head of household is working, is seeking work, or is preparing for work by participating in job training, educational programs, or programs that assist people to obtain employment and become economically self-sufficient; and
- Increase housing choices for low-income families;

WHEREAS, the MTW agreement provides CHA with the authority to design and test innovative, locally-designed housing and self-sufficiency strategies for low-income families;

WHEREAS, on November 20, 2012, the CHA Board of Commissioners conducted a public hearing on the FY 2013-2014 Moving Forward Annual Plan;

WHEREAS, CHA certifies that the housing assisted under the demonstration program is safe, decent, sanitary, and in good repair, according to an inspection protocol established or approved by the Secretary;

WHEREAS, CHA provides certifications and other submissions as required by HUD; and

WHEREAS, CHA is requesting the Board of Commissioners to adopt CHA's FY 2013-2014 Moving Forward Annual Plan and authorize the submission of the FY 2013–2014 Moving Forward Annual Plan to HUD.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the City of Charlotte that:

1. All initiatives in the Moving Forward Annual Plan shall be reviewed and approved by the appropriate level of the Board of Commissioners before they are implemented.

2. CHA's FY 2013-2014 Moving Forward Annual Plan is hereby adopted.
3. The Chair of the Board of Commissioners and the Chief Executive Officer are hereby authorized to execute any required documents, certifications or HUD forms related to the approval and filing of CHA's FY 2013-2014 Moving Forward Annual Plan.
4. The Chief Executive Officer is authorized to submit CHA's FY 2013-2014 Moving Forward Annual Plan and such other required documents, certifications or forms to HUD with such changes, additions, corrections or amendments as deemed necessary or appropriate or as may be required by HUD.
5. The Chief Executive Officer is hereby authorized to negotiate with HUD regarding any portion of CHA's FY 2013-2014 Moving Forward Annual Plan and to carry out other actions relating to the plan.

RECORDING OFFICER'S CERTIFICATION

I, A. Fulton Meachem, Jr., the duly appointed Secretary of the Housing Authority of the City of Charlotte, North Carolina, do hereby certify that this resolution was properly adopted at a regular meeting held December 18, 2012.

BY: _____
A. Fulton Meachem, Jr.
Secretary

**Annual Moving to Work Plan
Certifications of Compliance**

**U.S. Department of Housing and Urban
Development
Office of Public and Indian Housing**

**Certifications of Compliance with Regulations:
Board Resolution to Accompany the Annual Moving to Work Plan**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the Annual Moving to Work Plan for the PHA fiscal year beginning April 1, 2013, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The PHA published a notice that a hearing would be held, that the Plan and all information relevant to the public hearing was available for public inspection for at least 30 days, that there were no less than 15 days between the public hearing and the approval of the Plan by the Board of Commissioners, and that the PHA and conducted a public hearing to discuss the Plan and invited public comment.
2. The Agency took into consideration public and resident comment before approval of the Plan by the Board of Commissioners or Board of Directors in order to incorporate any public comments into the Annual MTW Plan;
3. The PHA will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
4. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
5. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
6. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
7. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
8. The PHA will comply with requirements with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
9. The PHA will comply with requirements with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.
10. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
11. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
12. The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58.
13. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.

APPENDIX A

- 14. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
- 15. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
- 16. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments.).
- 17. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the Moving to Work Agreement and Statement of Authorizations and included in its Plan.
- 18. All attachments to the Plan have been and will continue to be available at all times and all locations that the Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its Plan and will continue to be made available at least at the primary business office of the PHA.

Housing Authority of the City of Charlotte
PHA Name

NC003
PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Board of Commissioners Chairperson
Title

Signature

Date

Certification for a Drug-Free Workplace

U.S. Department of Housing
and Urban Development

Applicant Name _____

Program/Activity Receiving Federal Grant Funding _____

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federalagency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. Sites for Work Performance. The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

Check here if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.
Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official		Title
Signature		Date
X		

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, <i>if known</i> : Congressional District, if known:	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, <i>if applicable</i> : _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i>	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

7.B Boulevard Homes HOPE VI – Boulevard Phase II: Project Approval and Investment Authorize Transaction – Administrative Action

Action: **A. Approve a Resolution to Authorize Investment up to \$250,000 in Boulevard Homes HOPE VI Funds for the Boulevard Phase II Project.**

B. Approve a Resolution to Authorize Staff to Negotiate and Execute Terms and Documents Necessary for the Development of a Mixed Finance Project for Boulevard Phase II.

Staff Resource: Janelle Brown

Strategic Business: Real Estate

Strategic Goals: Maximize Economic, Physical, and Social Value of CHA Real Estate Portfolio; Ensure the Authority’s Long - Term Financial Viability

Background/Policy Framework:
CHA applied for and received FY 2009 HOPE VI grant funding to revitalize the Boulevard Homes public housing development. The purpose of the grant is to assist CHA in:

- 1. Improving the living environment for public housing residents at Boulevard Homes through the demolition, rehabilitation, reconfiguration and replacement of obsolete public housing;
- 2. Revitalizing the site to contribute to the vitality of the surrounding neighborhood;
- 3. Providing housing that will decrease the concentration of very low-income families; and
- 4. Building sustainable communities.

The site will be redeveloped into an educational village with new senior and family housing, a child development center, a state-of-the-art community center and a new k-8 charter school.

Explanation:
As part of the Boulevard Homes HOPE VI revitalization plan, CHA has partnered with Laurel Street Residential (LSR) for the development of Boulevard Phase II. The project will provide 74 units of affordable multi-family rental housing. All units are under the Low Income Housing Tax Credit (LIHTC) program including 23 public housing and 8 community based rental assistance (CBRA) units.

The following chart shows the ownership structure of the transaction:

Name	Affiliation
Boulevard Phase II, LLC	Ownership entity
Boulevard Phase II Manager, LLC	Managing member of the Owner
Horizon Acquisition Corp.	Special member of the Owner
RBC Tax Credit Equity, LLC	Investor member of the Owner
RBC Tax Credit Manager, II, Inc.	Special investor member of the Owner

Staff is requesting up to \$250,000 in HOPE VI funds be provided as a loan to the project. In addition, the Project will also receive a tax credit investment estimated at \$7,917,972 from the Investor Member based on a reservation of federal low income housing tax credits to the Project by the North Carolina Housing Finance Agency (“NCHFA”), a loan from the City of Charlotte in the amount of \$500,000, and a state tax credit loan from NCHFA in the amount of \$651,120, and a construction loan from Bank of America in the amount up to \$5,150,000 (the “Construction Loan”).

In addition, staff is requesting authorization to submit all mixed-finance proposal and evidentiary materials to HUD for the transaction and authorization to take any and all actions, execute any and all documents and instruments, make any and all filings and reasonable expenditures and take any and all reasonable steps it deems to be necessary, desirable or appropriate in order to carry out the purpose and intent of the project on behalf of the Authority.

Committee Discussion:

This item was discussed at the December 6, Real Estate Committee Meeting and approved for the December 18, Board of Commissioners meeting Consent Agenda.

Community Input:

NA

Section 3/MWBE Consideration:

Staff will ensure that CHA’s Section 3/MWBE policy goals are prominently incorporated in all agreements with the developer. As a component of the selection criteria, the developer committed to meet and exceed these goals.

Funding:

- Housing Trust Fund (HTF) Loan
- HOPE VI Loan
- Tax Credit Equity
- State Tax Credit Loan
- Construction Loan

Attachment:

Resolution

RESOLUTION

AUTHORIZE INVESTMENT UP TO \$250,000 IN BOULEVARD HOMES HOPE VI FUNDS FOR THE BOULEVARD PHASE II PROJECT AND AUTHORIZE STAFF TO NEGOTIATE AND EXECUTE TERMS AND DOCUMENTS NECESSARY FOR THE DEVELOPMENT OF A MIXED FINANCE PROJECT FOR BOULEVARD PHASE II.

WHEREAS, the Housing Authority of the City of Charlotte, N.C. (the “Authority”) and Horizon Acquisition Corp. (“HAC”) seek to encourage the provision of housing for low income persons; and in connection therewith intends to assist in the development of the Boulevard Phase II project (the “Project”), which is one of the phases of the Authority’s Boulevard Homes HOPE VI revitalization project; and

WHEREAS, the Project includes the development of seventy-four (74) low-income housing tax credit units, of which twenty-three (23) will be designated as public housing units and eight (8) will be designated as Section 8 project-based units; and

WHEREAS, Boulevard Phase II, LLC (the “Owner”) will be the ownership entity for the transaction. Boulevard Phase II Manager, LLC (the “Managing-Member”) will be the managing member of the Owner. Horizon Acquisition Corp. (“HAC”) will be the special member of the Owner. RBC Tax Credit Equity, LLC (the “Investor Member”) will be the investor member of the Owner, and RBC Tax Credit Manager, II, Inc. will be the special investor member (the “Special Investor Member”) of the Owner; and

WHEREAS, the Authority proposes to loan HOPE VI funds in the amount of up to \$250,000 to the Owner; and

WHEREAS, in addition to the financing described above, the Project will also receive tax credit investment estimated at \$7,917,972 from the Investor Member based on a reservation of federal low income housing tax credits to the Project by the North Carolina Housing Finance Agency (“NCHFA”), a loan from the City of Charlotte in the amount of \$500,000, and a state tax credit loan from NCHFA in the amount of \$651,120, and a construction loan from Bank of America in the amount of up to \$5,150,000 (the “Construction Loan”); and

WHEREAS, the Authority proposes to ground lease to the Owner the land on which the Project will be located; and

WHEREAS, in connection with providing Section 8 project-based assistance to the Project, the Authority will enter into an Agreement to Enter into a Housing Assistance Payments Contract (“AHAP”) and Housing Assistance Payments Contract (“HAP”) with the Owner;

WHEREAS, the Authority will submit a mixed-finance proposal and evidentiaries to HUD for the transaction; and

WHEREAS, the HOPE VI loan documents, ownership documents, ground lease and all other documents to be executed in connection with the Owner, the financing, development and operations of the Project, the provision of Section 8 project-based assistance to the Project, the Investor Member's requirements, the Construction Loan and all documents related to the mixed-finance submission are referred to collectively herein as the "Transaction Documents".

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS: The financing to be provided by the Authority ("Authority Financing"), the ground lease, the AHAP and HAP are in all respects authorized and approved, and that all reasonable actions, in good faith, by the Authority to consummate the Authority Financing the ground lease, the AHAP and HAP are hereby confirmed and approved as being in the best interest of the Authority;

The Authority is hereby authorized, empowered, and directed to submit all mixed-finance proposal and evidentiary materials to HUD for the transaction;

The Chief Executive Officer of the Authority is authorized to execute and deliver any Transaction Documents and other documents or instruments as may reasonably be required on behalf of the Authority;

The Chief Executive Officer is hereby authorized to take any and all actions, execute any and all documents and instruments, make any and all filings and reasonable expenditures and take any and all reasonable steps he deems to be necessary, desirable or appropriate in order to carry out the purpose and intent of the foregoing resolutions in the name of and on behalf of the Authority;

The Chief Executive Officer is hereby authorized to execute and deliver all documents or instruments as may reasonably be required to facilitate the financing, development and operations of the Project;

All actions taken to effectuate the foregoing resolutions by the Chief Executive Officer on behalf of the Authority shall be valid and binding obligations of the Authority;

All actions taken by the Authority and the Chief Executive Officer on behalf of the Authority, in connection with the development and operation of the Project prior to the date hereof, are ratified and confirmed.

RECORDING OFFICER'S CERTIFICATION

I, A. Fulton Meachem, the duly appointed Secretary of the Housing Authority of the City of Charlotte, N.C., do hereby certify that this Resolution was properly adopted at a regular meeting held December 18, 2012.

(SEAL)

BY: _____
A. Fulton Meachem, Jr.
Secretary

***BUSINESS
AGENDA
ACTION
ITEMS***

8.A Amend the Code of Ethics and Standards of Conduct

Action: Approve a Resolution to Amend the Authority's Code of Ethics and Standards of Conduct.

Staff Resource: A. Fulton Meachem, Jr.

Strategic Business: Board and Executive

Strategic Goal: NA

Background/Policy Framework:

The Authority established a Code of Ethics and Standards of Conduct for its employees and members of its Board of Commissioners to make them aware of certain ethical requirements related to the conduct of business at the Authority. The Board approved revisions to the Code of Ethics and Standards of Conduct, per Resolution No. 974 (1998) and adopted, as CHA's official policy, a new Code of Ethics and Standards of Conduct per Resolution No. 1613 (September 16, 2008).

Explanation:

In an effort to ensure that the CHA policies and practices remain current and are easily understandable, there is a need to update the code of conduct. Since the Authority does not have the ability to self-regulate, the Board Chairman sought advice from the Board's General Counsel relative to what could be done to improve the Board's ability to govern and what to do to ensure that policies are in place that guide how the Board should act and conduct themselves.

The Code of Ethics and Standards of Conduct adopted, per Resolution No. 1613, contains six articles:

- Article I. Purpose
- Article II. State Law
- Article III. Public Housing
- Article IV. Section 8 Housing
- Article V. Federal Procurement
- Article VI. Gifts

An outline of the policy was presented on December 6, 2012 for the Board to take future action on. Article VII, Actions Detrimental to the Authority, and Article VIII, Remedies, were submitted for addition to the adopted Code of Ethics and Standards of Conduct.

Particulars of both articles follow:

- Article VII - Action Detrimental to the Authority: No commissioner of the Authority shall take any action which is detrimental to the Authority, including the following:
(i) a violation of this Code of Ethics and Standards of Conduct; (ii) failure to attend four (4) regular monthly meetings of the Board of Commissioners in a single calendar

- year; or (iii) other actions or omissions to the act that are determined by a 5/7 vote of the Board of Commissioners to be detrimental to the Authority.
- Article VIII – Remedies: Violation of this Code of Ethics and Standards of Conduct by employees of the Authority may result in disciplinary action, up to and including termination, as set forth in the Authority’s personnel policies. Violation of this Code of Ethics and Standards of Conduct by commissioners may result in the implementation of sanctions, including, without limitation, a letter of reprimand from the Board of Commissioners and/or a letter to the Mayor of the City of Charlotte.

It is the recommendation to amend the CHA Code of Ethics and Standards of Conduct to include Article VII and Article VIII.

Committee Discussion:

This item was discussed at the December 6, 2012 Client Relations Committee and offered for inclusion on the Board’s December 18, 2012 business agenda for action.

Community Input:

None

Section 3/MWBE Consideration:

None

Funding:

None

Attachments:

Resolution
Code of Ethics and Standards of Conduct

RESOLUTION

TO AMEND THE CODE OF ETHICS AND STANDARDS OF CONDUCT OF THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE.

WHEREAS, the Housing Authority of the City of Charlotte (the “Authority”) established a Code of Ethics and Standards of Conduct for its employees and members of its Board of Commissioners (the “Board”) to make them aware of certain ethical requirements related to the conduct of business at the Authority;

WHEREAS, the Authority adopted the current Code of Ethics and Standards of Conduct pursuant to Resolution No. 1613;

WHEREAS, the Authority wishes to amend the Code of Ethics and Standards of Conduct to include “Article VII – Actions Detrimental to the Authority” and “Article VIII – Remedies” as found in *Exhibit A* attached hereto;

NOW, THEREFORE, IT BE RESOLVED, that the Board approves of and adopts the Code of Ethics and Standards of Conduct as amended, attached hereto as *Exhibit A*.

RECORDING OFFICER'S CERTIFICATION

I, A. Fulton Meachem, Jr., the duly appointed Secretary of the Housing Authority of the City of Charlotte, N.C., do hereby certify that this Resolution was properly adopted at a regular meeting held on December 18, 2012.

(SEAL)

BY: _____
A. Fulton Meachem, Jr.
Secretary

**CODE OF ETHICS
AND
STANDARDS OF CONDUCT**

**HOUSING AUTHORITY OF THE
CITY OF CHARLOTTE**

CODE OF ETHICS AND STANDARDS OF CONDUCT

ARTICLE I. PURPOSE

The Authority has established this Code of Ethics and Standards of Conduct for its employees and members of its Board of Commissioners to make employees and commissioners aware of certain ethical requirements related to the conduct of business at the Authority.

ARTICLE II. STATE LAW

No commissioner or employee of the Authority shall acquire any interest direct or indirect in any housing project or in any project included or planned to be included in any project, nor shall (s)he have any interest direct or indirect in any contract or proposed contract for materials or services to be furnished or used in connection with any housing project. If any commissioner or employee of the Authority owns or controls an interest direct or indirect in any property included or planned to be included in any housing project, (s)he shall immediately disclose the same in writing to the Authority and such disclosure shall be entered upon the minutes of the Authority. Failure to so disclose such interest shall constitute misconduct in office.¹

ARTICLE III. PUBLIC HOUSING

Section 19 of the Annual Contributions Contract (the "ACC") with HUD provides the following:

(A)(1) In addition to any other applicable conflict of interest requirements, neither the Authority nor any of its contractors or their subcontractors may enter into any contract, subcontract, or arrangement in connection with a project under this ACC in which any of the following classes of people has an interest, direct or indirect, during his or her tenure or for one year thereafter:

- (i) Any present or former member or officer of the governing body of the Authority or any member of the officer's immediate family. There shall be excepted from this prohibition any present or former tenant commissioner who does not serve on the governing body of a resident corporation, and who otherwise does not occupy a policymaking position with the resident corporation, the Authority or a business entity.
- (ii) Any employee of the Authority who formulates policy or who influences decisions with respect to the project(s), or any member of the employee's immediate family, or the employee's partner.
- (iii) Any public official, member of the local governing body, or State or local legislator, or any member of such individuals' immediate family, who exercises functions or responsibilities with respect to the project(s) or the Authority.

- (2) Any member of these classes of persons must disclose the member's interest or prospective interest to the Authority and HUD.
 - (3) The requirements of the subsection (A) (1) may be waived by HUD for good cause, if permitted under State and local law. No person for whom a waiver is requested may exercise responsibilities or functions with respect to the contract to which the waiver pertains.
 - (4) The provisions of this subsection (A) shall not apply to the General Depository Agreement entered into with an institution regulated by a Federal agency, or to utility service for which the rates are fixed or controlled by a State or local agency.
 - (5) Nothing in this section shall prohibit a tenant of the Authority from serving on the governing body of the Authority.
- (B)(1) The Authority may not hire an employee in connection with a project under this ACC if the prospective employee is an immediate family member of any person belonging to one of the following classes:
- (i) Any present or former member or officer of the governing body of the Authority. There shall be excepted from this prohibition any former tenant commissioner who does not serve on the governing body of a resident corporation, and who otherwise does not occupy a policymaking position with the Authority.
 - (ii) Any employee of the Authority who formulates policy or who influences decision with respect to the project(s).
 - (iii) Any public official, member of the local governing body, or State or local legislator, who exercises functions or responsibilities with respect to the project(s) or the Authority.
- (2) The prohibition referred to in subsection (B)(1) shall remain in effect throughout the class member's tenure and for one year thereafter.
 - (3) The class member shall disclose to the Authority and HUD the member's familial relationship to the prospective employee.
 - (4) The requirements of this subsection (B) may be waived by the Authority Board of Commissioners for good cause, provided that such waiver is permitted by State and local law.
- (C) The requirements of subsections (A) and (B) of this section do not apply to contracts entered into by an Indian Housing Authority, its contractors or subcontractors, although such contracts remain subject to other applicable conflict of interest requirements.

(D) For purposes of this section, the term "immediate family member" means the spouse, mother, father, brother, sister, or child of a covered class member (whether related as a full blood relative, or as "half" or "step" relative, e.g., a half-brother or stepchild).ⁱⁱ

ARTICLE IV. SECTION 8 HOUSING

The Section 8 regulations provide for the following conflict in interest provisions:

(A) Neither the Authority nor any of its contractors or subcontractors may enter into any contract or arrangement in connection with the tenant-based programs in which any of the following classes of people has any interest, direct or indirect, during tenure or for one year thereafter:

- (1) Any present or former member or officer of the Authority (except a participant commissioner);
- (2) Any employee of the Authority, or any contractor, subcontractor or agent of the Authority, who formulates policy or who influences decisions with respect to the programs;
- (3) Any public official, member of a governing body, or state or local legislator, who exercises functions or responsibilities with respect to the programs, or
- (4) Any member of the Congress of the United States.

(B) Any member of the classes described in paragraph (A) above must disclose their interest or prospective interest to the Authority and HUD.

(C) The conflict of interest prohibition under this Article may be waived by the HUD field office for good cause.ⁱⁱⁱ

ARTICLE V. FEDERAL PROCUREMENT

When utilizing grants or other funds from HUD for the procurement of goods or services from third parties, the Authority must take care to ensure the following:

No employee, officer or agent of the Authority or sub-grantee of the Authority shall participate in the selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when: (A) the employee, officer or agent of the Authority, (B) any member of his or her immediate family, (C) his or her partner, or (D) an organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

The Authority and the Authority's sub-grantee's officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreements. The Authority and its sub-grantees may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by State or local law or regulations, such standards or conduct will provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the Authority's or subgrantee's, employees, or agents, or by contractors or their agents. HUD or other federal government awarding agencies may, by regulations, provide additional prohibitions relative to real, apparent, or potential conflicts of interest.^{iv}

ARTICLE VI. GIFTS

No employee or commissioner of the Authority shall directly or indirectly solicit any gift or accept or receive any gift having a value of \$50.00 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her, or could reasonably be expected to influence him or her, in the performance of his or her official duties, or was intended as a reward for any official action on his or her part.^v

ARTICLE VII. ACTIONS DETRIMENTAL TO THE AUTHORITY

No commissioner of the Authority shall take any action which is detrimental to the Authority, including, the following: (i) a violation of this Code of Ethics and Standards of Conduct; (ii) failure to attend four (4) regular monthly meetings of the Board of Commissioners in a single calendar year; or (iii) other actions or omissions to act that are determined by a 5/7 vote of the Board of Commissioners to be detrimental to the Authority.

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ARTICLE VIII. REMEDIES

Violation of this Code of Ethics and Standards of Conduct by employees of the Authority may result in disciplinary action, up to and including termination, as set forth in the Authority's personnel policies. Violation of this Code of Ethics and Standards of Conduct by commissioners may result in the implementation of sanctions, including, without limitation, a letter of reprimand from the Board of Commissioners and/or a letter to the Mayor of the City of Charlotte.

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ⁱ See North Carolina General Statutes Section 157-3(12) and 157-7.

ⁱⁱ Section 19 of the Annual Contributions Contract with HUD

ⁱⁱⁱ 24 CFR § 982.161

^{iv} 24 CFR § 85.36(b)(3)

^v Substantially similar to the City and County Ethics Codes

8.B Adopt a Governance Policy

Action: Approve a Resolution to Adopt a Board Governance Policy.

Staff Resource: A. Fulton Meachem, Jr.

Strategic Business: Board and Executive

Strategic Goal: NA

Explanation:

In an effort to ensure that the CHA policies and practices remain current and are easily understandable, there is a need for the Board to increase the efficiency of the Charlotte Housing Authority (“CHA”) and the Board of Commissioners (the “Board”).

The Board has created a committee structure to deliberate over the CHA’s core businesses for Client Relations, Real Estate, and Finance and Audit. The composition of each committee is a minimum of three (3) commissioners; however, all commissioners are welcomed to attend all committee meetings. Each committee has a chairperson and a vice-chairperson who are responsible for the proper functioning of their respective committees.

The intent of this policy is to clarify the appropriate manner in which Board members may channel requests for information through the appropriate committee chairperson, in the manner set forth.

1. Committee Chairperson Contacts
2. Methods of Contact
3. Email
4. Facsimile
5. Telephone/Voicemail
6. Two-Hour Rule
7. CEO Meetings with Board of Commissioners
8. Service Requests

It is the recommendation to adopt a new CHA Board Governance Policy.

Committee Discussion:

This item was discussed at the December 6, 2012 Client Relations Committee and offered for inclusion on the Board’s December 18, 2012 business agenda for action.

Community Input:

None

Section 3/MWBE Consideration:

None

Funding:

None

Attachments:

Resolution

Board Governance Policy

Attachment A

RESOLUTION

TO ADOPT A GOVERNANCE POLICY FOR THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE.

WHEREAS, the Board of Commissioners (the “Board”) for the Housing Authority of the City of Charlotte (the “Authority”) has created a committee structure to deliberate over the Authority’s core businesses for Client Relations, Development, and Finance and Audit;

WHEREAS, there is a need for the Board to increase the efficiency of the Authority and the Board, the Board wishes to adopt the Board Governance Policy, as found in *Exhibit A* attached hereto, to clarify the appropriate manner in which Board Members may involve the CEO in carrying out the business of the Authority;

NOW, THEREFORE, IT BE RESOLVED, that the Board approves of and adopts the Board Governance Policy, attached hereto as *Exhibit A*.

RECORDING OFFICER'S CERTIFICATION

I, A. Fulton Meachem, Jr., the duly appointed Secretary of the Housing Authority of the City of Charlotte, N.C., do hereby certify that this Resolution was properly adopted at a regular meeting held on December 18, 2012.

(SEAL)

BY: _____
A. Fulton Meachem, Jr.
Secretary

Board Governance Policy

In order to increase the efficiency of the Charlotte Housing Authority (“CHA”), the Board of Commissioners (the "Board") hereby adopts this Board Governance Policy.

The Board has created a committee structure consisting of three committees that meet monthly to deliberate over the CHA’s core businesses: Client Services, Real Estate, and Finance. Each committee is composed of at least three (3) commissioners, and all commissioners are welcome to attend all committee meetings. Each committee has a chairperson and a vice-chairperson responsible for the proper functioning of their respective committees. Although Board members are free to contact the CEO directly for any matters concerning CHA, this policy is intended to encourage Board members to channel through the appropriate committee chairpersons requests for information in the manner set forth below.

Committee Chairperson Contacts

Board members should channel requests for information, questions of a policy nature, requests for encumbering resources, requests for the acquisition or disposition of property, or other items requiring the use of substantial resources of CHA to the appropriate committee chairperson. Committee chairpersons should place the request on the next available agenda for consideration, and if deemed appropriate by the committee, it shall direct the CEO to address the request as initiated by the Board member or as modified by the committee. The CEO will track the issue, ensure resolution, and report back to the committee chairperson and entire committee.

The contact information for committee chairpersons and the CEO’s staff, including their profiles, is included in attachment A.

Methods to Contact

There are several methods by which Board members can communicate with committee chairpersons and/or CEO including e-mail, fax, telephone, and voice mail. Service can be provided most efficiently if Board members consider the following points when attempting contact:

- Please be prepared with issue identification and notes, background material, etc.
- Please provide accurate names, addresses and telephone numbers in order to avoid delays in processing correspondence or in handling complaints.

Email

Board members may e-mail communication to committee chairpersons and the CEO. E-mail addresses for the committee chairs and CEO contacts information and profiles are included in Attachment A. You may also e-mail requests to the CEO’s staff. As a general rule, CHA staff e-mail addresses are (first name initial)(last name)@cha-nc.org, but this formula may vary depending on the commonality of the name.

Fax

Board members may fax communication to the committee chairpersons or CEO's office at 704-336-5237. When faxing your requests, please be sure to include a cover sheet with instructions. If you have information that you would like to be distributed to the CEO and other Board members, you can request that the information be included in the Committee packets on Thursday prior to Board committee meetings or the Tuesday prior to Board meetings.

Telephone/Voice-mail

The committee chairperson's individual contact telephone number is in Attachment A. The CEO's main telephone number is 704-366-5221. You may contact CEO's staff support directly. If no one is available to take your call, you may press "0" for immediate assistance or leave a voice-mail message.

Two Hour Rule

To the extent that an individual Board member makes a request of staff that does not fall within the subject matter of an established committee and, in the judgment of the CEO, the request requires more than two (2) hours of staff time to complete, the CEO may place the item on the Board's agenda for approval before proceeding with the request. This is an effort to bring issues that may require a significant amount of staff time to the attention of the full Board before deciding to proceed.

CEO Meetings with Board of Commissioners

The CEO is committed to being easily accessible to Board members. The CEO maintains an open-door policy and responds to voicemails and emails as promptly as possible.

Service Requests

If a citizen has a routine service request, Board members are encouraged to advise the constituent to contact the CEO's office at (704) 336-5221. CEO's support staff will process citizen's complaints, entering them into the database to enable tracking and resolution.

HOUSING AUTHORITY OF THE CITY OF CHARLOTTE (CHA)

BOARD OF GOVERNANCE POLICY

Attachment A

CHARLOTTE HOUSING AUTHORITY CONTACTS:

CEO/President: A. Fulton Meachem, Jr.
400 East Boulevard
Charlotte, North Carolina 28203

Telephone: (704) 336-5221
Facsimile: (704) 336-5237
Email: fmeachem@cha-nc.org

CHA BOARD OF COMMISSIONERS' COMMITTEES:

1. CLIENT RELATIONS COMMITTEE

The Client Relations Committee reviews and recommends policies and actions related to the general operations of the agency and programs that impact families served including, but not limited to, Client Services, Resident Safety, Property Management, Asset Management, the Housing Choice Voucher Program, and the Moving to Work (MTW) Demonstration Program. The Committee will keep abreast of operational activities that fall within these areas and provide feedback and recommendations, as needed. In addition, the Committee will work to maximize resources for services and, through collaborative interactions, assist in increasing the number of CHA and community partnerships that provide social/economic services to CHA customers.

2. REAL ESTATE COMMITTEE

The Real Estate Committee reviews and recommends real estate and development-related policies and transactions that support the provision of decent, safe and affordable housing to low and moderate-income families while supporting their efforts to achieve self-sufficiency. In addition, the Committee works to support the increase in production of self-supporting public housing units through collaboration with a broad continuum of stakeholders, multiplying the sources of development funding available to CHA, and maximizing the value of the real estate portfolio.

3. FINANCE AND AUDIT COMMITTEE

The Finance and Audit Committee reviews and recommends fiscal policies of the Authority, the budgets presented by the CEO/President, and the selection of the Independent Auditor. The Committee receives all reports and communications from the Independent Auditor regarding the annual audit, as well as reviews and discusses with management any items noted as a part of the annual audit.

CEO'S DESIGNATED STAFF CONTACTS:

1. CLIENT RELATIONS COMMITTEE

- Shaunté Evans
Interim Chief Operations Officer
(704) 336-5236
sevans@cha-nc.org

2. REAL ESTATE COMMITTEE

- Michelle Allen
Interim Director of Development
(704) 336-4821
mallen@cha-nc.org

3. FINANCE AND AUDIT COMMITTEE

- Heather Franklin
Interim Chief Financial Officer
(704) 336-5233
hfranklin@cha-nc.org

8.C Adopt a Media Policy

Action: Approve a Resolution to Adopt a Housing Authority of the City of Charlotte Media Policy.

Staff Resource: A. Fulton Meachem, Jr.

Strategic Business: Board and Executive

Strategic Goal: NA

Background/Policy Framework:

The Authority does not have a policy in place to govern employee and Board representation in media interviews or communication regarding official statements or positions of CHA.

Explanation:

In an effort to ensure that the CHA policies and practices remain current and are easily understandable, the Board seeks to implement policy that protects the interests of CHA while respecting the rights of freedom of speech and expression for its employees and commissioners.

The purpose of the Media Policy is to ensure that (i) accurate, consistent and complete information is provided to the media with respect to official statements, positions or activities of CHA; (ii) the public has a clear and accurate understanding of the services provided by CHA; (iii) CHA complies with all applicable laws regarding confidential and privileged information; and (iv) CHA employees and Board members have a clear understanding of how to properly handle these media inquiries.

A summary of the Media Policy follows:

- The CEO and/or the Chairperson of the Board of Commissioners will represent CHA in all media interviews or communication regarding the official statements, positions, or activities of CHA. The process for media requests is outlined in the attached policy.
- CHA employees and commissioners may communicate to the media with respect to their personal views on matters of public concern, with noted exceptions.

It is the recommendation to adopt a new CHA Media Policy.

Committee Discussion:

This item was discussed at the December 6, 2012 Client Relations Committee and offered for inclusion on the Board's December 18, 2012 business agenda for action.

Community Input:

None

Section 3/MWBE Consideration:

None

Funding:

None

Attachments:

Resolution

Media Policy

RESOLUTION

TO ADOPT A MEDIA POLICY FOR THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE.

WHEREAS, the Housing Authority of the City of Charlotte (the “Authority”) does not have a policy in place to govern the representations of employees and members of its Board of Commissioners in media interviews or communication regarding official statements or positions of the Authority; and

WHEREAS, the Board seeks to implement a policy that protects the interests of the Authority while respecting the rights of freedom of speech and expression for its employees and commissioners.

NOW, THEREFORE, IT BE RESOLVED, that the Board approves of and adopts the Media Policy, attached hereto as *Exhibit A*.

RECORDING OFFICER'S CERTIFICATION

I, A. Fulton Meachem, Jr., the duly appointed Secretary of the Housing Authority of the City of Charlotte, N.C., do hereby certify that this Resolution was properly adopted at a regular meeting held on December 18, 2012.

(SEAL)

BY: _____
A. Fulton Meachem, Jr.
Secretary

CHARLOTTE HOUSING AUTHORITY

MEDIA POLICY

The Charlotte Housing Authority (“CHA”) is committed to a culture of openness with the public and respects the rights of its employees and commissioners to freedom of speech and expression. It is the purpose of this media policy to provide guidance on information provided to the news media, which is defined as any information in any form provided to news and information media, which includes, *but is not limited to*, interviews, press releases, letters to the editors, blogs or other Internet postings used to convey news or items of public interest.

From time to time, media representatives may contact CHA employees and commissioners for comments on CHA matters. To ensure that (i) accurate, consistent and complete information are provided to the media with respect to official statements, positions or activities of CHA; (ii) the public has a clear and accurate understanding of the services provided by CHA; (iii) CHA complies with all applicable laws regarding confidential and privileged information; and (iv) CHA employees have a clear understanding of how to handle these media inquiries, CHA’s Board of Commissioners has adopted the following media policy:

It is the policy of CHA that the CEO and/or the Chairperson of the Board of Commissioners will represent CHA in all media interviews or communication regarding the *official* statements, positions or activities of CHA. If a reporter or representative of the media requests information about official matters of CHA, employees and commissioners should notify the reporter or media representative that they cannot comment on behalf of CHA and will transfer the reporter to the appropriate person, or inform the reporter or media representative to contact the CEO or the Chairperson. All such media contact/inquires should be handled courteously. CHA also encourages employees and commissioners to notify the CEO or the Chairperson of such media contact/inquiries as soon as possible. The primary objective for routing reporter calls to the appropriate persons is to ensure an effective, timely and coordinated agency response.

In keeping with the desire for a culture of openness, CHA employees and commissioners may communicate to the media with respect to their personal views on matters of public concern, so long as (i) the employees and/or commissioners make it clear to the media that their personal views or activities do not represent the opinions or positions of CHA; and (ii) the employees’ personal views or activities are not in conflict with the terms and conditions of their employment, CHA policies, or the obligations of public employees under applicable laws. No prior approval to communicate with the media is required. However, CHA employees are not required to speak to the media, and may decline to comment if he or she wishes to do so.

CHA employees and commissioners are further advised that dissemination of information to news media via social media platforms, including Facebook and Twitter, is encouraged so long as the communication is consistent with this and other CHA policies. Employees should include disclaimers that they are not representing CHA when speaking on matters of public concern on these channels. Also, employees and commissioners must be cognizant of laws and policies regarding release of confidential information.

The CEO and Chairperson invite employees and members of the public to submit to them any questions regarding this media policy.

***HORIZON
DEVELOPMENT
PROPERTIES,
INC.***

**Horizon Development Properties, Inc.
Board of Directors
AGENDA**

*Southside Homes
3400 Griffith Street
Charlotte, NC 28203*

December 18, 2012

Directly After CHA Board Meeting – Meeting Convenes:

Regular Meeting Agenda:

1. Review and Approval of the Agenda
2. Consideration to Approve the Minutes for:
 - Regular HDP, Inc. Board meeting held on *November 20, 2012 (p. 57)*
3. **Consent Agenda Action Item: (p.59 – 61)**
 - A. Mill Pond Charlotte, LLC

**MINUTES OF THE HORIZON DEVELOPMENT PROPERTIES, INC.
BOARD OF DIRECTORS MEETING HELD ON
TUESDAY, NOVEMBER 27, 2012**

Regular Meeting:

Review and Approval of the Agenda:

Chairman Ford requested for any changes/additions to the agenda. Hearing or seeing none the following motion to approve as submitted was recorded:

ACTION:

Motion was made to approve the agenda as submitted by: Commissioner Sumter
Motion was seconded by: Commissioner Gordon
Outcome: Passed unanimously

Consideration to approve the minutes for:

- Regular HDP, Inc. Board meeting held on ***October 16, 2012***

ACTION:

Motion for approval as submitted by: Commissioner Simpson
Motion was seconded by: Commissioner Gordon
Outcome: Passed unanimously

- ***Special*** HDP, Inc. Board meeting held on ***November 8, 2012***

ACTION:

Motion for approval as submitted by: Vice-Chairman Jones
Motion was seconded by: Commissioner Gordon
Outcome: Passed unanimously

Consent Agenda Action Items:

3.A Budget Adoption-Strawn/Parktowne, LLC Budget for the Month of December 2012

**3.B Budget Adoption Operating Budget for Calendar Year ending December 2012
Strawn/Parktowne, LLC**

**3.C Horizon Development Properties, Inc. Collection Loss Report for the Quarter
Ended 09/13/12**

3.D Mill Pond Charlotte, LLC Collection Loss Report for the Quarter Ended 09/30/12

ACTION:

Motion was made to approve the consent agenda as submitted by: Vice-Chairman Jones
Motion was seconded by: Commissioner Gordon
Outcome: Passed unanimously

Motion was made by Vice-Chairman Jones for adjournment, motion was seconded by: no second was announced; outcome: passed unanimously.

Minutes respectfully prepared by: Barbara G. Porter
Executive Assistant to the CEO

3.A Budget Adoption: Mill Pond Charlotte, LLC

<p>Action: Approve the Adoption of the Mill Pond Charlotte, LLC Operating Budget for the Calendar Year Ending December 31, 2013.</p>

Staff Resource: Heather Franklin

Strategic Business: Finance and Administration

Strategic Goal: Ensure the Authority’s Long-Term Financial Viability

Background/Policy Framework:

Mill Pond Apartments is a 168 unit mixed income apartment community built in 2008 and 2009. Horizon Development Properties, Inc. acquired the property from David Drye Company in January 2010.

Explanation:

The Board of Horizon Development Properties, Inc., acting through its delegated officers, has the primary responsibility for ensuring that the organization is operated in an efficient and economical manner and that its financial integrity is maintained. This responsibility is exercised through the review, approval and control of the Operating Budgets. This Board Agenda Item is the formal resolution related to the Board adopting the CY2013 Mill Pond Charlotte, LLC. budget as shown in Exhibit A.

This amendment is necessary to establish the calendar year operating budget for Mill Pond Charlotte LLC. In Exhibit A revenues and expenditures in program budget format are shown.

Also, as a part of this amendment, the CEO or his/her designee may transfer funds as provided below. All such transfers must be consistent with state or federal laws and local board policies. The CHA Authorized signer must report any such transfers at the regular board at which the budget to actual results are discussed and transfers between functions must be entered in the minutes of that meeting.

1. The CEO or his/her designee may transfer between sub-functions and objects of expenditure within a function.
2. The CEO or his/her designee may transfer amounts not to exceed \$50,000 between functions.
3. The CEO or his/her designee may not transfer amounts between programs or increase the total amount of a program.

Committee Discussion:

This item was discussed at the December 6, 2012 Finance and Audit Committee Meeting and approved unanimously for the December 18, 2012 Horizon Development Properties, Inc. Board of Commissioners meeting consent agenda.

Funding:

Tenant Rents

Attachment:

Mill Pond Charlotte, LLC Budget

RECORDING OFFICER'S CERTIFICATION

I, Barbara Porter, the duly appointed Secretary of Horizon Development Properties, Inc., do hereby certify that the above item was properly adopted at a regular meeting held December 18, 2012.

BY: _____
Barbara Porter, Secretary

Exhibit A

REVENUE:	DECEMBER 31 2013 MILL POND , LLC
Tenant Rents	1,403,922
Other Income	61,292
TOTAL REVENUES	1,465,214
EXPENDITURES:	
Salaries/Benefits	255,709
Operating Costs	1,118,365
Utilities	91,140
TOTAL EXPENDITURES:	1,465,214

***HORIZON
ACQUISITION
CORPORATION***

**Horizon Acquisition Corporation
Board of Directors
AGENDA**

*Southside Homes
3400 Griffith Street
Charlotte, NC 28203*

December 18, 2012

Directly After Horizon Development Properties, Inc. Meeting – Meeting Convenes:

Regular Meeting Agenda:

1. Review and Approval of the Agenda
2. Consideration to Approve the minutes for: *(p.64 – 65)*
 - Meeting held on *April 17, 2012*
3. **Consent Agenda Items:** *(p.66 – 75)*
 - A. Budget Adoption: 2013 Horizon Acquisition Corporation Budget for the calendar year ending December 31, 2013
 - B. Budget Adoption: Little Rock (LP) Charlotte, LP operating budget for the calendar year ending December 31, 2013
 - C. Boulevard Homes HOPE VI: Boulevard Phase II

**MINUTES OF HORIZON ACQUISITION BOARD OF DIRECTORS
MEETING HELD ON TUESDAY, APRIL 17, 2012**

Regular Meeting:

Additions to the Agenda:

None

ACTION:

Motion was made to adopt the agenda as submitted:	Commissioner Sumter
Motion was seconded by:	Commissioner Hill
Outcome:	Passed unanimously

Consideration to approve the minutes for

- Regular meeting held on ***February 21, 2012***

ACTION:

Motion was for approval by:	Commissioner Hill
Motion was seconded by:	Commissioner Sumter
Outcome:	Passed unanimously

Consent Agenda Action Item:

3.A Boulevard Homes HOPE VI: Boulevard Seniors-Horizon Acquisition Corporation Authorize Transaction-Administrative Action

Approve a resolution to authorize Horizon Acquisition Corporation to negotiate and execute terms and documents necessary for the development of a mixed finance project for Boulevard Seniors and rescind the resolution approved on 02/21/2012.

ACTION:

Motion was made by:	Commissioner Sumter
Motion was seconded by:	Commissioner Hill
Outcome:	Passed unanimously

Motion was made to adjourn the regular meeting of the Horizon Acquisition Board of Directors meeting and reconvene the regular Board of Commissioners meeting.

ACTION:

Motion was made by:	Commissioner Sumter
Motion was seconded by:	Commissioner Hill
Outcome:	Passed unanimously

Minutes respectfully prepared by:	Barbara G. Porter Executive Assistant to the CEO
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3.A Budget Adoption: 2013 Horizon Acquisition Corporation

Action: Adopt the Horizon Acquisition Corporation Budget for the calendar year ending December 31, 2013.

Staff Resource: Heather Franklin

Strategic Business: Finance and Administration

Strategic Goal: Ensure the Authority's Long Term Financial Viability

Policy Framework:

Horizon Acquisition Corporation is a for profit corporation created to acquire, develop, operate and/or hold title to affordable housing properties. Horizon Acquisition Corporation is composed of transactions that must go through a taxable corporation for the benefit of our projects.

Explanation:

The Board of Horizon Acquisition Corporation, acting through its delegated officers, has the primary responsibility for ensuring that the organization is operated in an efficient and economical manner and that its financial integrity is maintained. This responsibility is exercised through the review, approval and control of the Operating Budgets. This Board Agenda Item is the formal resolution related to the Board adopting the CY2013 Horizon Acquisition Corporation budget as shown in Exhibit A.

Also as a part of this budget adoption the CEO or his/her designee may transfer funds as provided below. All such transfers must be consistent with state or federal laws and local board policies. The CHA Authorize Signer must report any such transfers at the regular meeting of the board at which the budget to actual results is discussed and transfers between functions must be entered in the minutes of that meeting.

1. The CEO or his/her designee may transfer between sub-functions and objects of expenditure within a function.
2. The CEO or his/her designee may transfer amounts not to exceed \$50,000 between functions.
3. The CEO or his/her designee may not transfer any amounts between programs or increase the total amount of a program.

Committee Discussion:

This item was discussed at the December 6, 2012 Finance and Audit Committee Meeting and approved unanimously for the December 18, 2012 Horizon Acquisition Corporation Board of Commissioners meeting consent agenda.

Attachment:

2013 Horizon Acquisition Corporation Budget

RECORDING OFFICER'S CERTIFICATION

I, Barbara Porter, the duly appointed secretary of the Horizon Acquisition Corporation, do hereby certify the above item was properly adopted at a regular meeting held December 18, 2012.

BY: _____
Barbara Porter, Secretary

December Horizon Acquisition Item	Exhibit A
REVENUE:	Horizon Acquisition Corporation
Developer Fees Earned	125,000
Other Revenue	175,000
TOTAL REVENUE:	300,000
EXPENDITURES:	
Other Operating Costs	300,000
TOTAL EXPENDITURES:	300,000

3.B Budget Adoption: LR Charlotte, LP

Action: Approve the Adoption of the LR Charlotte, LP (Little Rock Apartments) Operating Budget for the Calendar Year Ending December 31, 2013.

Staff Resource: Heather Franklin

Strategic Business: Finance and Administration

Strategic Goal: Ensure the Authority's Long-Term Financial Viability

Background/Policy Framework:

Little Rock Apartments is a 242 unit apartment community built in the late 1960's. The property is 100% subsidized under the HUD Section 8 4350.3 Multi-Family Housing Program. The property is also layered with Section 42 Low Income Housing Tax Credits. In June 2011, Horizon Acquisition Corp. acquired the general partnership interests in LR Charlotte, LP the owning entity of Little Rock Apartments.

Explanation:

The Board of Horizon Acquisition, Inc., acting through its delegated officers, has the primary responsibility for ensuring that the organization is operated in an efficient and economical manner and that its financial integrity is maintained. This responsibility is exercised through the review, approval and control of the Operating Budgets. This Board Agenda Item is the formal resolution related to the Board adopting the CY2013 LR Charlotte, LP. budget as shown in Exhibit A.

The Limited Partnership Agreement for LR Charlotte, LP ("Company") requires the accounting period for the Company to be on a calendar year basis. In addition, the loan documents require all reporting and budgets to be in a calendar year format.

This adoption is necessary to establish the calendar year operating budget for LR Charlotte LP. In Exhibit A revenues and expenditures in program budget format are shown.

Also, as a part of this amendment, the CEO or his/her designee may transfer funds as provided below. All such transfers must be consistent with state or federal laws and local board policies. The CHA Authorized signer must report any such transfers at the regular board at which the budget to actual results are discussed and transfers between functions must be entered in the minutes of that meeting.

1. The CEO or his/her designee may transfer between sub-functions and objects of expenditure within a function.

2. The CEO or his/her designee may transfer amounts not to exceed \$50,000 between functions.
3. The CEO or his/her designee may not transfer amounts between programs or increase the total amount of a program.

Committee Discussion:

This item was discussed at the December 6, 2012 Finance and Audit Committee Meeting and approved unanimously for the December 18, 2012 Horizon Acquisition Corporation Board of Commissioners meeting consent agenda.

Funding:

Tenant Rents
HUD Section 8 Multifamily Subsidy

Attachment:

LR Charlotte, LP Budget

RECORDING OFFICER'S CERTIFICATION

I, Barbara Porter, the duly appointed Secretary of Horizon Acquisition, Inc., do hereby certify that the above item was properly adopted at a regular meeting held December 18, 2012.

BY: _____
Barbara Porter, Secretary

Exhibit A

REVENUE:	DECEMBER 31,2013 LR CHARLOTTE, LP
Dwelling Rental Income	2,218,979
Other Income	23,624
Total Revenue	2,242,603
EXPENDITURES:	
Salaries/Benefits	330,025
Operating Costs	1,740,757
Utilities	171,821
TOTAL EXPENDITURES:	2,242,603

3.C Boulevard Homes HOPE VI: Boulevard Phase II – Horizon Acquisition Corporation Authorize Transaction – Administrative Action

<p>Action: Approve a Resolution to Authorize Horizon Acquisition Corporation to Negotiate and Execute Terms and Documents Necessary for the Development of a Mixed Finance Project for Boulevard Phase II.</p>

Staff Resource: Janelle Brown

Strategic Business: Real Estate

Strategic Goals: Maximize Economic, Physical, and Social Value of CHA Real Estate Portfolio; Ensure the Authority’s Long - Term Financial Viability

Background/Policy Framework:

CHA applied for and received FY 2009 HOPE VI grant funding to revitalize the Boulevard Homes public housing development. The purpose of the grant is to assist CHA in:

1. Improving the living environment for public housing residents at Boulevard Homes through the demolition, rehabilitation, reconfiguration and replacement of obsolete public housing;
2. Revitalizing the site to contribute to the vitality of the surrounding neighborhood;
3. Providing housing that will decrease the concentration of very low-income families; and
4. Building sustainable communities.

The site will be redeveloped into an educational village with new senior and family housing, a child development center, a state-of-the-art community center and a new k-8 charter school.

Explanation:

As part of the Boulevard Homes HOPE VI revitalization plan, CHA has partnered with Laurel Street Residential (LSR) for the development of Boulevard Phase II. The project will provide 74 units of affordable multi-family rental housing. All units are under the Low Income Housing Tax Credit (LIHTC) program including 23 public housing and 8 community based rental assistance (CBRA) units.

The following chart shows the ownership structure of the transaction:

Name	Affiliation
Boulevard Phase II, LLC	Ownership entity
Boulevard Phase II Manager, LLC	Managing member of the Owner
Horizon Acquisition Corp.	Special member of the Owner
RBC Tax Credit Equity, LLC	Investor member of the Owner
RBC Tax Credit Manager, II, Inc.	Special investor member of the Owner

Staff is requesting authorization to take any and all actions, execute any and all documents and instruments, make any and all filings and reasonable expenditures and take any and all reasonable steps it deems to be necessary, desirable or appropriate in order to carry out the purpose and intent of the project on behalf of the Horizon Acquisition Corporation.

Committee Discussion:

This item will be discussed at the December 6, 2012 Real Estate Committee Meeting.

Funding:

- Housing Trust Fund (HTF) Loan (\$500,000)
- HOPE VI Loan (\$250,000)
- Tax Credit Equity (\$7,917,972)
- State Tax Credit Loan (\$651,120)
- Construction Loan (\$5,150,000)

Attachment:

Resolution

RESOLUTION

APPROVE A RESOLUTION TO AUTHORIZE HORIZON ACQUISITION CORPORATION TO NEGOTIATE AND EXECUTE TERMS AND DOCUMENTS NECESSARY FOR THE DEVELOPMENT OF A MIXED FINANCE PROJECT FOR BOULEVARD PHASE II.

WHEREAS, the Housing Authority of the City of Charlotte, N.C. (the “Authority”) and Horizon Acquisition Corp. (“HAC”) seek to encourage the provision of housing for low income persons; and in connection therewith intends to assist in the development of the Boulevard Phase II project (the “Project”), which is one of the phases of the Authority’s Boulevard Homes HOPE VI revitalization project; and

WHEREAS, the Project includes the development of seventy-four (74) low-income housing tax credit units, of which twenty-three (23) will be designated as public housing units and eight (8) will be designated as Section 8 project-based units; and

WHEREAS, Boulevard Phase II, LLC (the “Owner”) will be the ownership entity for the transaction. Boulevard Phase II Manager, LLC (the “Managing-Member”) will be the managing member of the Owner. Horizon Acquisition Corp. (“HAC”) will be the special member of the Owner. RBC Tax Credit Equity, LLC (the “Investor Member”) will be the investor member of the Owner, and RBC Tax Credit Manager, II, Inc. will be the special investor member (the “Special Investor Member”) of the Owner; and

WHEREAS, the Authority proposes to loan HOPE VI funds in the amount of up to \$250,000 to the Owner; and

WHEREAS, in addition to the financing described above, the Project will also receive tax credit investment estimated at \$7,917,972 from the Investor Member based on a reservation of federal low income housing tax credits to the Project by the North Carolina Housing Finance Agency (“NCHFA”), a loan from the City of Charlotte in the amount of \$500,000, and a state tax credit loan from NCHFA in the amount of \$651,120 and a construction loan from Bank of America in the amount of up to \$5,150,000 (the “Construction Loan”); and

WHEREAS, the Authority proposes to ground lease to the Owner the land on which the Project will be located; and

WHEREAS, in connection with providing Section 8 project-based assistance to the Project, the Authority will enter into an Agreement to Enter into a Housing Assistance Payments Contract (“AHAP”) and Housing Assistance Payments Contract (“HAP”) with the Owner;

WHEREAS, the Authority will submit a mixed-finance proposal and evidentiaries to HUD for the transaction; and

WHEREAS, the HOPE VI loan documents, ownership documents, ground lease and all other documents to be executed in connection with the Owner, the financing, development and

operations of the Project, the provision of Section 8 project-based assistance to the Project, the Investor Member's requirements, and all documents related to the mixed-finance submission are referred to collectively herein as the "Transaction Documents".

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS: HAC is hereby authorized, empowered, and directed to execute and deliver all other project investment closing documents specified in the Investor Member's closing checklist, as the same may be modified and supplemented by the Investor Member for the Project (the "Checklist") or otherwise requested by the Investor Member in connection with its investment in the Owner;

HAC is hereby authorized, empowered, and directed to furnish to the Investor Member all due diligence materials specified in the Checklist or otherwise requested by the Investor Member in connection with its investment in the Owner;

The President/Chief Executive Officer of HAC (the "Authorized Signatory") is authorized to execute and deliver any Transaction Documents and other documents or instruments as may reasonably be required on behalf of HAC;

The President/Chief Executive Officer is hereby authorized to take any and all actions, execute any and all documents and instruments, make any and all filings and reasonable expenditures and take any and all reasonable steps he deems to be necessary, desirable or appropriate in order to carry out the purpose and intent of the foregoing resolutions in the name of and on behalf of HAC;

The President/Chief Executive Officer is hereby authorized to execute and deliver all documents or instruments as may reasonably be required to facilitate the financing, development and operations of the Project;

All actions taken to effectuate the foregoing resolutions by the President/Chief Executive Officer on behalf of HAC shall be valid and binding obligations of HAC;

All actions taken by HAC and the President/Chief Executive Officer on behalf of HAC, in connection with the development and operation of the Project prior to the date hereof, are ratified and confirmed.

RECORDING OFFICER'S CERTIFICATION

I, Barbara Porter, the duly appointed secretary of Horizon Acquisition Corp., do hereby certify that this Resolution was properly adopted at a regular meeting held on December 18, 2012.

(SEAL)

BY: _____
Barbara Porter
Secretary