

**MINUTES OF THE MEETING
of the
PORTLAND HOUSING AUTHORITY**

February 2, 2017

The meeting of the Portland Housing Authority was held at 14 Baxter Blvd., Portland, Maine. Upon roll call, quorum is declared. Meeting called to order by Evan Carroll, Vice-Chair, at 5:35pm.

PRESENT	ABSENT
Evan Carroll, Vice-Chair Siyad Ahmed, Commissioner Mariar Balow, Commissioner Faith McLean, Commissioner (call-in) Christian MilNeil, Commissioner Tom Valteau, Commissioner Mark Adelson, Executive Director Jay Waterman, Development Director Trevor Nugent, Director, Public Housing Richard Biggs, Acting Director, Facilities Lourdes Alvarez, Administrative Support Specialist	Shirley Peterson, Chairperson

Upon opening the meeting, the commissioners agreed to move up by-laws discussion on the agenda to allow Gary Vogel to proceed with his review of updates to the Boards by-laws. Executive Director Mark Adelson introduces Mr. Vogel to the board members.

1. Review of Changes to By-Laws

A. Introduction

The PHA is a public body so it is regulated by different rules. The corporations are private nonprofits. Changes have been incorporated to all three corporations. Generally, language was streamlined to provide clarity and consistency among all the by-laws. Specifically, the number of directors was increased from seven to eight to maintain consistent membership in all the corporations. The Executive Director will remain as President. An Assistant Treasurer position was also added, to be a back up to the President's responsibilities.

B. Summary of Changes

Changes on the draft are indicated in red line format. Powers are set out in the articles of incorporation so it is not necessary to include in the by-laws. Attorney Gary Vogel reviewed the changes.

In regard to PHSC (Portland Housing Services Corporation), the changes serve as format for all the non-profit corporations. These changes will appear within the PHDC (Portland Housing Development Corporation) and the SSHPC (State Street Housing Preservation Corporation) as well. The discussion

specific to PHSC was whether not to maintain housing as a purpose for the corporation. The draft shows it being eliminated. There is no harm in keeping it in. After discussion, there was a consensus to keep housing a function in PHSC. The 501C3 may prove useful in the future. The language in the by-laws regarding housing will be simplified. The Articles of Incorporation will remain the same.

Attorney Vogel proceeded to review the changes to PHDC and SSHPC. Both are similar to PHSC. He pointed out and explained the added indemnification language. In SSHPC, the only difference in this is the language for the bonding (501C3 bonds) done in the creation of the entity. These are left in place in case bonds are used for financing in the future.

The proposed amendment to the PHA (Portland Housing Authority) by-laws was reviewed. Some of the language comes straight from state statutes and need to stay in as is. Term limits will still apply for chair/vice chair positions. Note that the state statute does not limit the number of continuous terms served as chair/vice chair. The by-laws are aligned with term limit practice of two (2) consecutive years. Notice of meetings need to be clear to the general public. An indemnification clause has also been added here, which works hand in hand with the liability insurance for directors and officials. Charitable immunity protects volunteer participation as a board member; the indemnification protects the volunteer from paying legal fees.

There was discussion regarding the difference between regular and special meetings and their notice requirements. Attorney Vogel clarified the language in the by-laws regarding committees and suggested Section 6 to be retitled "Committees" to indicate where the provision currently lives in the by-laws.

Mr. Vogel will make final revisions and distribute to the board for review, to be presented in the board meeting on March 2.

2. Resolution to approve the minutes of the regular board meeting of January 5, 2017.

Resolution #2851

Be it resolved by the Commissioners of the Portland Housing Authority that the minutes of the regular meeting of January 5, 2017, be and hereby are approved.

The above resolution was moved by Mariar Balow, Commissioner and second by Christian MilNeil, Commissioner, and upon roll call, the ayes and nays were as follows:

AYES

Evan Carroll, Vice-Chairperson
Mariar Balow, Commissioner
Faith McLean, Commissioners
Christian MilNeil, Commissioner
Tom Valleau, Commissioner
Mariar Balow, Commissioner

NAYS

None

Chairperson declared said motion carried and said resolution adopted.

3. Development update

Development Director Jay Waterman started his report with Bayside Anchor. The project is 30 days away from the construction loan transition to permanent loan closing/permanent mortgage commencement. There have been a few delays on some punch list items. About 20 units are occupied at the moment. AVESTA Housing had asked if parking could be included in the rent for the market rate apartments. Now, of the nine (9) market-rate units available, three (3) are leased up, one (1) is in process; none have requested off-street parking, so no need for dedicated parking spaces for market rate units. MaineHousing loan payment commences concurrently with construction loan payments. Some of the developer fees held back will be paid once permanent loan closing is completed and three months of stable occupancy occurs. Board members asked how is the building being received and Mr. Waterman will reach out to contacts at AVESTA housing to get feedback from current residents.

He continued his development update with the 58 Boyd Street and Front Street projects. CDBG funds will be available to demolish the structure at 58 Boyd Street. Board members suggests building can be rented in the meantime and make some money from the property. Question would be – does it need HUD approval? Currently, the projects are going through their separate planning board processes and are in need of zone changes. For Boyd Street, the height in R7 zoning; and for Front Street, planned residential changes in R5 zoning. There have been discussions with City of Portland staff regarding Division 30 for zoning codes and allowing the city to take the lead in the changes and make them applicable to housing projects in general. This may be the best approach for both projects to move forward. The timeline points towards summer time for movement on either or both decisions. Of note, the Low Income Housing Tax Credits Market has been shaken up by the change of administration in DC so it may take time for the market to stabilize.

4. Executive Director's Report

Mr. Adelson begins his report with an update on the Riverton Head Start and the award of monies to Opportunity Alliance (plus match by PHA using capital funds) to commence project to improve the space for the move of Head Start from Sagamore Village to Riverton Park. The Hall School is adding preschool program which helps to allow for the move planned to where there is a greater need for it.

In regards to the Annual Plan Schedule, it needed to be revised and rolled back by a week to start the 45 day public comment period. The Resident Advisory Board (RAB) meeting scheduled for Feb 23. The agency plan draft will be presented at the March meeting and approvals will come to the board in April, after the required public hearing.

The executive director was asked to release study how many children will be added to Presumpscott School due to the planned redevelopment of Front Street. Not as many as expected since most of the new units are one-bedroom and there are less large units planned than currently available. Family occupancy is at 60% capacity (most family developments are at 58%) so a memo was issued to address the question. Mr. Adelson will inform the ad-hoc committing of the analysis. He also shared a nice letter from one of the scholarship awardees with board members, who suggested sharing the letter with sponsor KeyBank. Mr. Adelson added he had a staff meeting regarding the travel ban issued to allow for questions to be asked and listen to what is being heard from the clients and community members. It

was an opportunity to address the issues and keep fears from arising. The children are feeling the stress at the study centers. Three of the countries are covered among the immigrant groups of residents. Board members suggested bringing aid to residents with accurate information and make PHSC monies available to bring representatives in and have meetings at community centers at the developments to help with dissemination of information. Board members asked for priority to be given to this situation. Question was asked – if any resident is currently out of the country, what would happen to their housing. Public Housing Director states that it would be assessed on a case by case basis as situations arise. The Housing Policy currently calls for a leave of absence to be filed if resident is going to be away for over 60 days, otherwise the eviction process would be started to regain control of unit. Communication is the key to success in this matter, making sure resident/client understand the responsibility of unit occupancy.

5. Finance Committee

Commissioner Christian MilNeil summarized the last monthly meeting with the auditors. The one big change is the debt liability recently acquired by EPC project while also stating the reminder that the project will provide savings in the long run. Net pension liability is a big number to be accounted for but is really never expended. End of month spending report was reviewed. The next committee meeting is planned for Feb 21. COCC funds will be discussed as part of the meeting agenda.

6. Green Policy Report

Mr. Adelson reviewed the report as presented in the meeting agenda packet. Six areas were discussed, including current and future implementation. Recycling has been expanded in Kennedy and Riverton Park. Mileage information comparison showed a reduction in fuel consumption and costs. There is interest in continuing improvements on the fleet and plan on investing in more fuel efficient vehicles. Contract with WegoWise has allowed the agency to create assessment of utility consumption by development. More LED lights are planned to be installed in the future. A parking registration fee was implemented and subsidized monthly bus pass made available to residents. Bayside Anchor efficiencies add to the green portfolio. For next year, the plan is to continue expanding the recycling program and complete EPC stage 2, continue reduction of fuel consumption (including a study on vehicle use and check point strategy). Heat/Hot water change over planned at 14 Baxter Blvd. Looking for other areas where to improve conservation and cut costs. Mr. Adelson reviewed the charts provided in the agenda packet comparing EPC in FY 15 and FY 16, pointing out the utility usage and projected savings. Trends are good and final numbers depends on variables, including utility rate changes. In the long run, monies are being saved and conservation implemented.

With no other business on the agenda, motion to end meeting moved by Commissioner Tom Valleau, second by Commissioner Mariar Balow.

Meeting adjourned at 7:24pm.