

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

Thursday, September 2, 2021

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 Cheryl Sessions, Executive Director, at 5:37 pm.

<b>PRESENT</b>	<b>ABSENT</b>
Kristin Blum, Chairperson (late arrival; remote) Monique Mutumwinka, Vice-Chairperson (late arrival; remote) Luisa Deprez, Commissioner Christian MilNeil, Commissioner Shirley Peterson, Commissioner Tom Valleau, Commissioner Cheryl A. Sessions, Executive Director Brian Frost, Deputy Executive Director Jay Waterman, Real Estate Development Director Elaine Charette, Executive Assistant Jake Varney, IT Director Larry Curtis, IT Specialist Emily Mancini-Fitch, Data Support Specialist (remote) Justin LaRue, CivicPlus representative	

Ms. Sessions asked for any public comments. There were none.

1. Presentation to the Board of CivicClerk by Justin LaRue

Jake explained that with the new website overhaul, a component is the CivicClerk system to be used for improved communications and access by the Board of meeting-related documents and information. Jake introduced Justin LaRue, a representative of CivicPlus.

Mr. LaRue presented the Board with an overview of the Board Portal component of CivicClerk, which the Board will use for access to the Agenda and packet materials for each meeting. Access may be obtained using any browser.

Mr. LaRue presented a demo agenda, noting that, by the October meeting, the Board will use CivicClerk to access all materials associated with the meeting. Print ability is included. There is an area where notes can be made – the notes area is private to each user. Using the previewer, the user can make individualized notes on the document. Each Board member will receive login credentials unique to the individual. Additionally, there is access for viewing past minutes and notes taken on past meeting packets.

Mr. LaRue concluded his overview and asked for questions.

Luisa said that she can not access the program we currently use (BOX) due to her workplace restrictions and asked if she will have the same problem.

Justin said that although there is no way of knowing, as it sounds like it's internal with her employer. To access via CivicPlus all that is needed is an internet connection and login information. The only problem he has seen is if someone is using an older browser, i.e. Explorer.

Christian asked if the public would have access. Justin said yes, the public are also able to download the meeting packets, but from an area separate from the Board portal. The public access area of the website is being revamped and will be updated over the next few months. The public is not, however, able to take notes like the Board portal allows.

Christian asked if it is similar to the City of Portland public access program. Cheryl said yes.

Kristin asked if there is an area for reference documents, i.e. information about each site, property size and services, and the development status. Jake answered that most of that information will be on the website itself. The presentation today of the Board portal is mostly for Board member access to the meeting packets.

Justin asked if there were any more questions about the Board portal. There were none.

Jake said that the Board members should, sometime in the new few weeks, receive an email to set up their password for Board portal access. Elaine will touch base a couple days after the emails go out to ensure everyone is able to obtain/create their login credentials and have access to the Board portal. Ideally the Board portal will be fully functional for the October meeting. Please reach out to Elaine with any questions. Cheryl said that Elaine will also set up additional training to the Board members, if needed.

## 2. Presentation of the new web site by Jake Varney, Emily Mancini-Fitch and Larry Curtis

Jake, Larry and Emily presented the revamped website.

Jake explained the process began with the formation of a committee. The members include Jake, Larry, Emily, Leah, Cindy, Sam and Lourdes. The goal was that all departments within the PHA were included in the committee and had input on the revisions to the website.

Emily explained that the goal was to make the site user-friendly. The site previously included intricate links and long menus. The committee looked at the history of prevalent searches. Our properties topped the list so access to property information was highlighted on the home page. Additionally, there were many searches for programs and how to apply and for our services, so we tried to highlight those items/areas as well.

Luisa asked if we are tracking use. Jake said yes, that is part of the analytic. We look at all those numbers. Sometimes what we think is most important isn't actually what the users are searching for, or what is most used.

Luisa asked if there are features for residents. Jake said yes, tenants can sign up for alerts.

Luisa asked if there is an area for PHA events. Jake said that as of now, there is just the calendar which shows meetings, but other events could be added with more description. Emily confirmed that we can add descriptions to calendar events.

Jake explained that terminology was updated to simplify for users. There are also lots of photos of the properties and we now have a portfolio we can use for future needs.

Cheryl asked if there is access to the development corporations. Jake said that each corporation has its own section. Cheryl asked about Washington Gardens. Jay said the development information needs to be updated, which Cheryl suggested could be done by Tyler. Jay agreed, adding that Tyler can update the development states, including photos.

Christian asked for a project plan section, explaining that, as a Board member, he would like access to all documents related to our projects, organization folders for every document related to each neighborhood. Jake said that is something we can consider building via CivicClerk. He added that anything done in CivicClerk can be made public.

Cheryl reminded that you can also search our archive for certain words. She added that going forward we will also have the Finance and HR Committee agenda and minutes for each meeting. Jake confirmed that the past history will be available in archive.

Jake said the site went soft live last week, but Emily is performing back-end clean up on things such as broken links, outdated documents. Cheryl added that due to fraudulent unemployment claims during the beginning months of COVID, staff names were removed. They will be going back up on the website.

There were no more questions from the Board.

3. Resolution to approve the minutes of the Board meeting of August 5, 2021.

No comments or questions.

**Resolution #3123**

***Be it resolved by the Commissioners of the Portland Housing Authority that the minutes of the meeting of August 5, 2021 be and hereby are approved.***

The above resolution was moved by Christian MilNeil, Commissioner, and seconded by Tom Valleau, Commissioner. Upon roll call, the ayes and nays were as follows:

**AYES**

Kristin Blum, Chair  
Monique Mutumwinka, Vice-Chair

**NAYS**

None

Luisa Deprez, Commissioner  
Christian MilNeil, Commissioner  
Tom Valleau, Commissioner

(Shirley Peterson briefly stepped out of room and was not present for the vote)  
Chairperson declared said motion carried and said resolution adopted.

## **Executive Director's Report**

### **4. Conflict of Interest Disclosures**

Ms. Sessions summarized that the new policy says, in part, should the PHA becomes aware of a possible conflict of interest, it will be brought to the attention of the Board. Ms. Sessions referred the Board's attention to that portion of her report which summarized the potential or direct conflicts that will be reported to HUD and for which waivers will be requested. She asked for any questions and indicated that they will be asking the Board to accept the report.

Tom asked if an attorney is assisting. Cheryl said yes, attorney Gary Vogel is reviewing the letter to HUD. Tom asked, does HUD know yet, will they be shocked to receive the letter. Cheryl said no, they are being notified by the letter, but they will most likely not be shocked as HUD receives summaries and requests for waivers often. Christian said he is glad it is in the light, that the issues seem minor, but he's glad it's all up front.

### **Resolution # 3124**

***Be it resolved that the Commissioners of the Portland Housing Authority approve the report as to conflict-of-interest disclosures of staff and actions proposed by Executive Director.***

The above resolution was moved by Christian MilNeil, Commissioner, and seconded by Luisa Deprez, Commissioner. Upon roll call, the ayes and nays were as follows:

#### **AYES**

Kristin Blum, Chair  
Monique Mutumwinka, Vice-Chair  
Luisa Deprez, Commissioner  
Christian MilNeil, Commissioner  
Tom Valleau, Commissioner

#### **NAYS**

None

(Shirley Peterson briefly stepped out of room and was not present for the vote)  
Chairperson declared said motion carried and said resolution adopted.

### **5. Resignation of Robyn Tucker**

Ms. Sessions apologized for not bringing it up at the last meeting, that it was not the agenda as she was notified only prior to the meeting. She asks the Board to accept Ms. Tucker's resignation and to ask the City to appoint her replacement.

Tom said he'd like to amend the motion to thank Robyn for her years of service. Christian seconded the amendment.

Kristin asked if we have done anything in the past for departing commissioners. Ms. Sessions says she is not aware of anything, but we could write a letter or order a plaque. Kristin said she thinks it's a good idea. Ms. Sessions said she will look at past records to see what, if anything, has been done in the past. Luisa suggested a gift card with a letter – plaques are nice but what are you really going to do with it.

Tom asked who the President is now that Robyn is gone. Ms. Sessions reminded that officers were elected in July. She confirmed the elections of Kristin as Chair and Monique as Vice-Chair. All that remains is a new Chairperson for the HR Committee.

### **Resolution # 3125**

***Be it resolved that the Commissioners of the Portland Housing Authority accept the resignation of Robyn Tucker and approve the recognition of Ms. Tucker's service, with a token of appreciation as yet to be determined.***

The above resolution was moved by Tom Valleau, Commissioner, and seconded by Christian MilNeil, Commissioner. Upon roll call, the ayes and nays were as follows:

#### **AYES**

Kristin Blum, Chair  
Monique Mutumwinka, Vice-Chair  
Luisa Deprez, Commissioner  
Christian MilNeil, Commissioner  
Shirley Peterson, Commissioner  
Tom Valleau, Commissioner

#### **NAYS**

None

Chairperson declared said motion carried and said resolution adopted

## **6. Employee Vaccination Policy**

Ms. Sessions began discussion regarding a mandatory employee vaccination policy. The news has recently reported that several organizations are taking steps towards implementing a mandatory vaccination policy. If the PHA decides to do the same, throughout the process we would work with our attorneys and would involve communications with the Unions to see if they require negotiation regarding same. After which, we would finalize the policy and bring it before the Board for approval.

Shirley asked the number of staff that are currently not vaccinated. Ms. Sessions said there are 5 total: 3 in maintenance; 1 in resident services; and 2 in property management. She said we would propose exemption for seriously held religious belief and requests for accommodation for medical reasons.

Luisa asked for clarification on accommodation for medical reasons, that it's not just disability. Cheryl confirmed yes. She added, for full disclosure to the Board, that some may feel strongly enough to leave their position, even though we are currently short-handed.

Tom asked if the policy would apply to new hires. Cheryl confirmed that it would. The policy would propose the first dose be received by October 1, with full vaccination by November 1.

Christian said he thinks it's a good idea, especially in the interests of our residents. He suggested striking the religious beliefs exemption – how is it defined? But he would defer to the attorney recommendations. He suggested looking at the boilerplate language other agencies have used.

Cheryl said the Drummond law firm is looking at the City's policy. We are in active negotiations with the Teamsters, who don't currently have a position on the policy, but are working on the issue. She said the matter will also be brought before the HR Committee.

Christian asked about procedures for those who remain unvaccinated due to approved exemptions. Will they be required to be tested weekly? Cheryl said some of the quick tests are not reliable; others are expensive and the question arises as to who would pay for the testing.

Kristin said she thinks that if we are going to allow exemptions, the employee should bear the cost.

Cheryl said we will work with our attorneys, including research regarding religious discrimination. We are looking into analyzing if it is a real tenet of their religion, if the staff member has demonstrated they are followers of the religion.

Shirley said that those who work in close contact with our residents should be required to be vaccinated, regardless of religion. Cheryl reiterated that our attorneys recommend allowing for deeply held religious belief exemptions, but she will work with them. She asked the Board, when they are ready to make the motion, to specify if they want to make religious beliefs a part of the proposed allowed exemptions.

### **Resolution # 3126**

***Be it resolved that the Commissioners of the Portland Housing Authority direct that the Executive Director work with Counsel and unions to fashion a policy which will require that all employees be vaccinated, allow for potential exemptions only for:***

- 1. Deeply held religious beliefs; and***
- 2. Request for accommodation of a disability.***

The above resolution was moved by Christian MilNeil, Commissioner, and second by Luisa Deprez, Commissioner. Upon roll call, the ayes and nays were as follows:

#### **AYES**

Kristin Blum, Chair  
Monique Mutumwinka, Vice-Chair  
Luisa Deprez, Commissioner  
Christian MilNeil, Commissioner

#### **NAYS**

None

Shirley Peterson, Commissioner  
Tom Valleau, Commissioner

Chairperson declared said motion carried and said resolution adopted.

Ms. Sessions said she will fashion a policy and bring it back to the Board.

## 7. Ethics Policy

Ms. Sessions said that after the approval of the new ethics policy at the last Board meeting, there were some parts of the existing policy that staff thought should be preserved. We would like to add back language regarding not issuing statements to the media; not divulging confidential information; and that all employees are subject to the Federal Hatch Act (we had an issue last fall).

Kristin asked if staff members are required to report conflicts to their supervisor. Ms. Sessions confirmed, yes. The supervisor then brings it to Ms. Sessions' attention.

### **Resolution #3127**

***Be it resolved that the Commissioners of the Portland Housing Authority direct that the new ethics policy be amended to preserve and incorporate certain provisions of the former policy, as shown in yellow on the attached revised policy.***

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

#### **AYES**

Kristin Blum, Chair  
Monique Mutumwinka, Vice-Chair  
Luisa Deprez, Commissioner  
Christian MilNeil, Commissioner  
Shirley Peterson, Commissioner  
Tom Valleau, Commissioner

#### **NAYS**

None

Chairperson declared said motion carried and said resolution adopted.

## 8. Development Update

Jay Waterman presented the development update. We are partnering with CHOM for the Mercy site projects. The application deadline is in early December. Through the process, we lost points in various ways, which drive the change in the summary and proposed Resolution. Because we are receiving no Federal loan fund for this, we are receiving 50% TIF from the City, instead of 75%. With regard to management performance, we are trying to get points back. We are working with Preservation Management Inc. for the first 3 years – they wanted 5, we agreed to 3. We negotiated a small incentive management fee.

Included in the Board packet at Tab 6 is the Resolution we are asking the Board to approve. We

have updated the project summary. The changes are highlighted in the document at Tab 5. The Resolution approves PHA allowing flexibility in the Joint Development Agreement with CHOM, including acknowledgment of special needs preferences.

Jay concluded his presentation and asked for questions from the Board.

Kristin asked if there is an upside to not managing the project. Jay said there is certainly an upside. Without these 100 units, we may not need to add staff. We are still part owner and benefit from developer fees.

Kristin asked if there are other ways to get additional points. Jay said not that we have found and we have scoured. There is some urgency to get the project funded this year.

**Resolution #3128**

*Be it resolved that the Commissioners of the Portland Housing Authority approve an amendment to the Joint Development Agreement entered into as of August 31, 2020 by and between Portland Housing Development Corporation and Community Housing of Maine, Inc. (CHOM).*

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

**AYES**

Kristin Blum, Chair  
Monique Mutumwinka, Vice-Chair  
Luisa Deprez, Commissioner  
Christian MilNeil, Commissioner  
Shirley Peterson, Commissioner  
Tom Valteau, Commissioner

**NAYS**

None

Chairperson declared said motion carried and said resolution adopted.

9. Adjournment

Before adjourning, Luisa provided an update on the collaboration between PHA and Portland Innovations. We received tickets to performances (4 sets of 10 for two performances), and any resident can attend any Portland Innovations event at Merrill Auditorium for \$10.

Christian MilNeil, Commissioner, moved to adjourn the meeting, seconded by Shirley Peterson, Commissioner, and approved by all Commissioners

Meeting adjourned at 6:51 pm.