

LOUISVILLE METRO HOUSING AUTHORITY
MINUTES OF REGULAR MEETING
FEBRUARY 21, 2023

Roll Call:

The meeting of the Board of Commissioners was called to order by Chairperson, Gena Harris, at 3:32 p.m. Due to the COVID-19 Outbreak, participants may call in by way of Zoom Conference Video Call or attend In-Person. Members also present were, Commissioner Geoffrey Ellis, Commissioner Cary Hearn, Commissioner Nicole Nally, Commissioner Lisa Nicholson, and Commissioner Leah Peale and Mayor's Designee, David Kaplan. Absent were, Commissioner Chad Collier (excused) and Commissioner Mary Elizabeth Miles (excused). Others present were Manfred Reid, Emeritus Chair, Lance Gilbert, Emeritus Member, Lisa Osanka, Executive Director; Wavid Wray, Deputy Executive Director; Directors; Richard Nash, III, Attorney; Vickie Fields, Executive Secretary; LMHA staff, Debbie Smith, Sharon Hemingway, Shaunta' Crumes, Kaitlyn Ellis, Michelle Wyrick, Cori Gadansky, Mandy Simpson, Ann Anderson, and other individuals of the public.

On recommendation of LMPHW and the CDC guidelines on social distancing, LMHA is doing its part to prevent the spread of COVID-19 by using available technology to conduct the necessary and vital business of the agency. All public meetings will be held adhering to federal and state standards while maintaining the health and well-being of LMHA Board of Commissioners, staff, residents, and partners.

Announcements:

Attorney Richard Nash administered the Oath of Office to Mayor's Designee, David Kaplan.

Sharon Hemingway, Shaunta' Crumes and Kaitlyn Ellis spoke separately during the public comment period regarding damage and termination of the lease at the Keystone Learning Academy located in the Parkway Place development.

Committee Reports:

Chairperson Harris appealed to the Board of Commissioners to review the list of LMHA Special Committees and chose at least two committees that they would like to participate in or chair, then contact her by the end of the week with their selections.

Audit/Finance Chairperson Hearn gave a report of his Committee which held a meeting and discussed:

- the Housing Authority received a clean report from the MCM Auditors.

- Aaron Dean, Director of Finance, resigned and Jeff Ralph was appointed the new Director of Finance with over 30 years of experience with LMHA.
- the budget is being worked on now and will be addressed in future meetings.
- Beecher Phase 3 is complete and 100% leased.
- Beecher 4 development proposal and revised Phase 4 master budget is nearing completion and will be presented to the Audit Finance Committee.

Security and Safety Chairperson Ellis stated that a Committee meeting was held but no decisions were made.

Governance Chairperson Nicholson gave a report of her Committee which held a meeting and discussed:

- Committee Assignments – Each Commissioner needs to select and join two Committees. The Governance Committee will then ask for a first draft of Committee Charters to be sent for review as required by the Strategic Plan.
- A new Commissioner and existing Commissioner Finance training is currently being scheduled.
- An additional training is being scheduled to discuss the Moving to Work, ACOP and HCV Administrative Plan for Board Commissioners.
- Board of Commissioners attendance at Board meetings – A recommendation was made that Commissioners commit to not exceed three absences (excused or not) per year to ensure quorum. Chairperson Nicholson also encouraged Commissioners to review the amended bylaws, dated April 19, 2022 that discusses attendance at meeting.

Approval of Minutes:

Commissioner Ellis made a motion to approve the amended minutes of LMHA's regular meeting held on January 17, 2023 adding Manfred Reid as attending the meeting. Commissioner Nicholson seconded. Motion carried by unanimous vote.

Resolutions:

Commissioner Nally made a motion to adopt Resolution 5A "Adoption of a Third Amendment to the Amended and Restated Moving to Work (MTW) Agreement. Commissioner Ellis seconded. Motion carried by unanimous vote.

RESOLUTION NO. 05-2023 (2/21/23)

WHEREAS, the Louisville Metro Housing Authority (LMHA), as the Housing Authority of Louisville, executed a Moving to Work (MTW) Agreement on August 2, 1999; an Amended and Restated Agreement on April 15, 2008, which provides LMHA with some authority to investigate and adopt new policies and to flexibly use HUD funding and which extended participation in the MTW Program until June 30, 2018 and subsequently extended participation until June 30, 2028; and Amendment to the Amended and Restated Agreement on March 17, 2020, which authorized citations to waive an independent entity inspection; and

WHEREAS, The LMHA intends to participate in HUD's Rental Assistance Demonstration (RAD) by converting 21 former Beecher Terrace public housing units to RAD Project-Based Voucher rental assistance; and

WHEREAS, Public and Indian Housing (PIH) Notice 2012-32, REV-2 (*Rental Assistance Demonstration – Final Implementation, Revision 2*) states that “[P]rior to conversion, MTW agencies will be required to amend Attachment A of their MTW Agreement to the extent HUD determines is necessary to meet the statutory requirements of RAD”; and

WHEREAS, HUD has provided LMHA with such an amendment to its Amended and Restated MTW Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS that the Executive Director, Lisa Osanka, is hereby authorized to execute the third Amendment to the Housing Authority's Amended and Restated Moving to Work (MTW) Agreement.

Commissioner Ellis made a motion to adopt Resolution 5B “Approval to Renew the Security Contract for Certified Security Services for Dosker Manor with Independent Police Services, Inc.”. Commissioner Nicholson seconded. Motion carried by unanimous vote.

RESOLUTION NO. 06-2023 (2/21/23)

WHEREAS, for the past several years and this year, funding has been made available in the Capital Budget to provide armed security and certified law enforcement officers at Dosker Manor; and

WHEREAS there continues to be concern by LMHA staff, city officials, and residents regarding the security at this location, making it necessary that 24-hour Certified Law Enforcement Officers are needed to provide ongoing monitoring and security coverage for Dosker Manor; and

WHEREAS this contract was put out for bid on January 25, 2022 and Independent Police Services, Inc. was the most responsive and responsible bidder at a rate of \$48.98 per hour for certified law enforcement officers for a one-year period with the option for four (4) additional one-year renewals; and

WHEREAS the initial year is set to expire February 28, 2023, LMHA staff and Independent Police Services Inc. would like to exercise the first renewal option at an increased rate of \$53.24 per hour.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to enter a one-year contract with Independent Police Services Inc. during the month of March 1, 2023, through February 28, 2024, for Certified Law enforcement Officers at Dosker Manor in an amount not to exceed \$466,382.40.

Commissioner Nally made a motion to adopt Resolution 5C “Approval to Renew the HUD and Federal Related Professional Legal Service Contract with Reno & Cavanaugh, PLLC.”. Commissioner Ellis seconded. Motion carried by unanimous vote.

RESOLUTION NO. 07-2023 (2/21/23)

WHEREAS the Louisville Metro Housing Authority (LMHA) periodically requires general, HUD and Federal-related legal services; and

WHEREAS funds have been received from multiple funding sources for LMHA to accommodate legal services when required in the course of agency operations; and

WHEREAS in 2021, LMHA staff, in accordance with LMHA procurement procedures, awarded a contract to Reno & Cavanaugh, PLLC to provide the requisite legal services for a period of one year; and

WHEREAS the contract awarded to Reno & Cavanaugh, PLLC included an option provision whereby LMHA may renew the contract up to four additional years.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to exercise the second option to renew the contract for the HUD and Federal Related Professional Legal Services Contract with Reno & Cavanaugh, PLLC for a fee not to exceed \$100,000.

Commissioner Nicholson made a motion to adopt Resolution 5D “Approval to Renew the General and Real Estate Professional Legal Service Contract with Stites & Harbison, PLLC.”. Commissioner Nally seconded. Motion carried by unanimous vote.

RESOLUTION NO. 08-2023 (2/21/23)

WHEREAS the Louisville Metro Housing Authority (LMHA) periodically requires general and real estate legal services; and

WHEREAS funds have been received from multiple funding sources for LMHA to accommodate legal services when required in the course of agency operations; and

WHEREAS in 2021, LMHA staff, in accordance with LMHA procurement procedures, awarded a contract to Stites & Harbison, PLLC to provide the requisite legal services for a period of one year; and

WHEREAS the contract awarded to Stites & Harbison, PLLC included an option provision whereby LMHA may renew the contract up to four additional years.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to exercise the second option to renew the contract for General and Real Estate Professional Legal Services Contract with Stites & Harbison, PLLC for a fee not to exceed \$150,000.

Commissioner Nicholson made a motion to adopt Resolution 5E “Approval to Renew the General Counsel Legal Service Contract with Richard H. Nash III”. Commissioner Nally seconded. (Richard H. Nash III, left meeting for the discussion portion) Motion carried by unanimous vote.

RESOLUTION NO. 09-2023 (2/21/23)

WHEREAS, the Louisville Metro Housing Authority (LMHA) periodically requires general counsel legal services; and

WHEREAS, LMHA’s Operating Budget exists to accommodate General Counsel Legal Services when required in the course of agency operations; and

WHEREAS, on April 18, 2022, LMHA staff, in accordance with LMHA Procurement Policies, awarded a contract to Richard H. Nash III, Attorney at Law to provide the requisite legal services for a period of one year; and

WHEREAS, the contract awarded to Richard H. Nash III, Attorney at Law included an option provision whereby LMHA may renew the contract up to four additional one-year terms.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to exercise the first option to renew the contract for General Counsel Legal Services Contract with Richard H. Nash III, Attorney at Law in the amount not to exceed \$75,000, for the contract period April 18, 2023 to April 17, 2024.

Commissioner Nally made a motion to adopt Resolution 5F “Approval of Amendment #1 for Annual Architectural Contract with Sherman-Carter-Barnhart Architects”. Commissioner Nicholson seconded. Motion carried by unanimous vote.

RESOLUTION NO. 10-2023 (2/21/23)

WHEREAS, on May 1, 2019, the Louisville Metro Housing Authority (LMHA) awarded the Annual Architectural Contract to Sherman Carter Barnhart (SCB) for an amount not to exceed \$500,000, with an option to renew for up to four additional one-year terms; and

WHEREAS, the most recent (third) renewal of SCB’s annual contract, approved by resolution on March 21, 2022 for an amount not to exceed \$500,000, now requires an amendment in the amount of \$88,000. These additional architectural fees are associated with changes to Baxter Community Center (BCC) plans, including revised specifications for mechanical equipment, the redesign of the lower level to include a multi-purpose audio visual studio, and a second bidding process that occurred as a consequence of LMHA not receiving an awardable bid when the project was originally advertised; and

WHEREAS, funds have been received from the Department of Housing and Urban Development’s (HUD) Choice Neighborhoods Implementation grant program and other HUD, public, and private sources to cover the cost of the BCC renovation and expansion project and its associated expenses, including architectural services.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to execute the first contract amendment to the Annual Architectural Contract with Sherman Carter Barnhart in the amount of \$88,000, increasing the total contract amount for the third renewal term to \$588,000.

Commissioner Ellis made a motion to adopt Resolution 5G “Approval of Amendment #2 for Annual Architectural Contract with Sherman-Carter-Barnhart Architects”. Commissioner Nally seconded. Motion carried by unanimous vote.

RESOLUTION NO. 11-2023 (2/21/23)

WHEREAS, \$12,125,000 in MTW/Section 8 Reserves are available for the development of the Iroquois Senior Living Building, along with \$11,750,000 in American Rescue Plans (ARP) funds received through the Affordable Housing Trust Fund from the Louisville Metro Government; and

WHEREAS, the total development cost for the Senior Living Building at Iroquois Homes is estimated at \$23,875,0000; and

WHEREAS, on January 2023, LMHA secured a price from Sherman Carter Barnhart Architects in the amount of \$1,008,000.00, under the existing Annual Architectural Contract, to develop the construction documents, provide construction oversight and other associated services for the development of the Iroquois Senior Living Building; and

WHEREAS, the current renewal (third) of the Annual Architectural Contract with Sherman Carter Barnhart now requires a second amendment in the amount of \$1,008,000 to be used exclusively for the development of the Iroquois Senior Living Building; and

WHEREAS, when combined with the original contract amount of \$500,000 plus the first amendment of \$88,000 for the Baxter Community Center renovation and expansion, the second amendment of \$1,008,000 for the Iroquois Senior Living Building will result in a total revised contract amount of \$1,596,000 for the third renewal of the Annual Architectural Contract with Sherman Carter Barnhart.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to execute a second contract amendment in the amount of \$1,008,000 to the Annual Architectural Contract with Sherman Carter Barnhart, for a total contract amount to \$1,596,000.

Discussion Items:

- 6a. Ms. Debbie Smith, with MCM CPA’s, shared and reviewed LMHA’s financial audit results for the period ending June 30, 2022. Ms. Smith stated MCM issued an unmodified opinion which is the highest level of

opinion that could be given. Also, the LMHA had a good strong financial year with no adjustments needing to be made and no issues of non-compliance with no internal control findings.

Executive Session:

Commissioner Ellis motioned to go into Executive Session, seconded by Commissioner Nicholson. Motion carried by unanimous vote. The Board retired to Executive Session at 4:35 p.m.

The Board returned to Open Session at 5:47 p.m.

Other Business:

There being no further business to come before the Board, Commissioner Nally motioned to adjourn, seconded by Commissioner Ellis. Motion carried by unanimous vote. The Board adjourned at 5:47 p.m.

Vickie J. Fields, Executive Secretary

Gena Harris, Chairperson