

LOUISVILLE METRO HOUSING AUTHORITY
MINUTES OF REGULAR MEETING
AUGUST 15, 2023

Roll Call:

The meeting of the Board of Commissioners was called to order by Chairperson, Gena Harris, at 3:31 p.m. Participants may call in by way of Zoom Conference Video Call or attend In-Person. Members also present were Commissioner Karen Crain, Commissioner Geoffrey Ellis, Commissioner Cary Hearn, Commissioner Mary Elizabeth Miles, Commissioner Nicole Nally, Commissioner Lisa Nicholson, Commissioner Leah Peale, and Mayor's Designee, David Kaplan. Others present were Lisa Osanka, Executive Director; Wavid Wray, Deputy Executive Director; Richard Nash, III, Attorney; Vickie Fields, Executive Secretary; Directors, LMHA staff, Bill Wells, George Fitts, Tony Manning, Ann Anderson, Crawford Wells and other individuals of the public.

Announcements:

During the Public Comments Period, the audience microphones were not working satisfactory; therefore, it was requested that the public speakers submit their comments in writing, and they would be electronically sent to each Board of Commissioner.

The Executive Director read Mayor Greenberg's proclamations honoring the years of service of Commissioner Cary Hearn and Commissioner Lisa Nicholson. Executive Director Osanka, Chairperson Harris, and other Commissioners gave thanks to Commissioner Hearn and Commissioner Nicholson for their dedication to the Agency and wished them both well.

Committee Reports:

None.

Approval of Minutes:

Commissioner Ellis made a motion to approve the minutes of LMHA's regular meeting held on July 18, 2023. Commissioner Nally seconded. Motion carried by unanimous vote.

Commissioner Nicholson made a motion to approve the minutes of LMHA's annual meeting held on July 18, 2023. Commissioner Ellis seconded. Motion carried by unanimous vote.

Resolutions:

Commissioner Nally made a motion to adopt Resolution 5A “Authorization to Enter into a Contract with Nan McKay and Associates Inc. to Provide LIHTC Compliance Consulting Services.” Commissioner Miles seconded. Motion carried by unanimous vote.

RESOLUTION NO. 42-2023 (8/15/23)

WHEREAS, Louisville Metro Housing Authority (LMHA) staff issued a Request for Proposals (RFP) to acquire needed Low-Income Housing Tax Credit (LIHTC) Program compliance consulting services on June 20, 2023, and advertised in the Courier Journal, the Louisville Defender, the Housing Authority Marketplace, and on LMHA’s website; and

WHEREAS, LMHA received one proposal from Nan McKay and Associates, Inc. on July 11, 2023; and

WHEREAS, staff reviewed and evaluated the proposal based upon the evaluation criteria outlined in the RFP and determined that it met the requirements established by LMHA and that the proposal is acceptable for the work to be performed; and

WHEREAS, as required when only one proposal is received in response to an RFP, staff has determined that procurement via noncompetitive proposals is justified; and

WHEREAS, staff recommends Nan McKay and Associates, Inc. to provide LIHTC Program compliance consulting services for a “not to exceed” amount of \$75,000; and

WHEREAS, the term of the contract will be for a one-year period with annual renewal options for up to an additional four years; and

WHEREAS, funding for this contract will be provided through the FY 2024 and FY 2025 operating budgets.

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 documents necessary to utilize the services of Nan McKay and Associates, Inc. for a one-year period with a not-to-exceed amount of \$75,000.

Commissioner Miles made a motion to adopt Resolution 5B “Award of Construction Contract for Central Maintenance Roof Replacement.” Commissioner Ellis seconded. Motion carried by unanimous vote.

RESOLUTION NO. 43-2023 (8/15/23)

WHEREAS, funds have been received from the U.S. Department of Housing and Urban Development under the Capital Fund Program for Central Maintenance Roof Replacement; and

WHEREAS, annual contract architects, Lockett and Associates developed construction documents for this project; and

WHEREAS, the project was advertised on LMHA's website and Housing Agency Marketplace and The Courier-Journal on June 7 and 28, 2023, and The Louisville Defender, on June 8 and 29, 2023, and on July 18, 2023, two bids were received and tabulated for the contractor to perform the work; and

WHEREAS, staff reviewed the bids received and determined that the bid submitted by American Roofing & Metal Co. in the amount of \$373,700 is the lowest responsive and responsible bid received and recommends award of the contract to them.

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 into a Construction Contract with American Roofing & Metal Co. in the amount of \$373,700 for the roof replacement at Central Maintenance.

Commissioner Ellis made a motion to adopt Resolution 5C "Approval of Modification of LMHA Board Committee Structure and Adoption of Second Amended and Restated Bylaws." Commissioner Nally seconded. Motion carried by unanimous vote.

RESOLUTION NO. 44-2023 (8/15/23)

WHEREAS, the Louisville /Jefferson County Metro Government established the Louisville Metro Housing Authority (LMHA) in April 2003; and

WHEREAS, the LMHA Board of Commissioners adopted the Amended and Restated Bylaws of Louisville Metro Housing Authority in October 2021, and the Amended and Restated Bylaws of Louisville Metro Housing Authority (First Amended Bylaws) in April 2022, which updated the description of the Governance Committee in ARTICLE IV; and

WHEREAS, the LMHA Governance Committee recommended that the Board reduce the number of Standing Committees from seven (7) to four (4); and

WHEREAS, the reduction will be accomplished by renaming one Standing Committee and merging it with another and two previously existing Standing Committees will be redesignated as Special Committees.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS that the new committee structure and Second Amended and Restated Bylaws of Louisville Metro Housing Authority (Second Amended Bylaws) are adopted.

Commissioner Nicholson made a motion to adopt Resolution 5D “Approval of Clarksdale Rental II Limited Partnership Transition of Investment Limited Partner’s Interest to Louisville Metro Housing Authority.” Commissioner Ellis seconded. Motion carried by unanimous vote.

RESOLUTION NO. 45-2023 (8/15/23)

WHEREAS, the Clarksdale Rental II Limited Partnership (Partnership) completed its initial 15-year Low Income Housing Tax Credit (LIHTC) Compliance Period on December 31, 2022 and the Investment Limited Partner, The Wentwood Companies (Wentwood), desires to exit the transaction; and

WHEREAS, the transfer of Wentwood’s interest in the Partnership to the Louisville Metro Housing Authority (LMHA) is in conformity with LMHA’s goal to acquire all Mixed-Finance transactions sponsored and/or developed by LMHA where a Right of First Refusal or Option to purchase exists; and

WHEREAS, the transition of Wentwood’s interest in the Partnership to LMHA will require LMHA funds go towards the purchase price payment of \$100; and

WHEREAS, the Clarksdale II, Inc will remain as General Partner with .01% ownership and LMHA will become the Investment Limited Partner with 99.99% ownership; and

WHEREAS, the transition of Wentwood’s interest to LMHA will also require the Partnership to pay fees incurred by Wentwood in an amount not to exceed \$5,500. Source of funds for the fees will be paid from Partnership funds; and

WHEREAS, the required Kentucky Housing Corporation approval of the transition of Wentwood’s partnership interest to LMHA has been received in order to satisfy a condition to close.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS that the transition of the Clarksdale Rental II Limited Partnership Limited Partner's (Wentwood) interest to the Louisville Metro Housing Authority is approved. Also, as required within the transition process, the use of LMHA funds to pay the purchase price in the amount not to exceed \$100 and the Partnership's payment of fees to Wentwood in an amount not to exceed \$5,500 are also approved.

BE IT FURTHER RESOLVED, that, the Executive Director of LMHA is hereby authorized, empowered and directed to take any and all such related or ancillary actions necessary and appropriate to achieve the foregoing purposes including refinements to the terms and documents set forth in this resolution as may be reasonably determined by the Executive Director.

Commissioner Nally made a motion to adopt Resolution 5E "Authorization to Submit a Portion of the 1400 Bicknell Avenue Parcel to the U.S. Department of Housing & Urban Development Special Applications Center (HUD SAC) for Disposition Approval." Commissioner Ellis seconded. Motion carried by unanimous vote.

RESOLUTION NO. 46-2023 (8/15/23)

WHEREAS, in October 2022, the Louisville Metro Housing Authority (LMHA) was awarded \$11,750,000 in American Rescue Plan funding to begin redevelopment on a portion of the former Iroquois Homes site, which is in the Hazelwood neighborhood in south Louisville; and

WHEREAS, LMHA is seeking authorization to submit a disposition application to the U.S. Department of Housing & Urban Development Special Applications Center (HUD SAC) for disposition approval to transfer a portion of the former Iroquois site to the Louisville Metro Housing Authority Development Corporation (LMHADC), or subsidiary of LMHADC for affordable housing purposes; and

WHEREAS, the new development will be self-developed and constructed on 3.24 acres, which LMHA proposes to transfer to its non-profit development entity LMHADC, or subsidiary of LMHADC, through this disposition process; and

WHEREAS, the transfer of land from LMHA to LMHADC, or subsidiary of LMHADC, will allow the 3.24 acres to be removed from the current Declaration of Trust, which will facilitate the recording of new deed restrictions that convert the 3.24 acres from Public Housing to other affordable housing, which will be developed using Project Based Voucher (PBV).

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 documents necessary for submission to the U.S. Department of Housing & Urban Development Special Applications Center (HUD SAC) for disposition approval of a portion of the 1400 Bicknell Ave parcel.

Commissioner Miles made a motion to adopt Resolution 5F “Authorization to Contribute Funds to the Eviction Prevention Program for Program Administrative Costs.” Commissioner Hearn seconded. Motion carried by unanimous vote.

RESOLUTION NO. 47-2023 (8/15/23)

WHEREAS, during the past 30 years, the Louisville Metro Housing Authority and the Eviction Prevention Task Force have been involved in efforts to reduce the number of residents that are evicted from the LMHA properties; and

WHEREAS, the Authority has allocated funds from its 2024 operating budget for Eviction Prevention Services; and

WHEREAS, a Request for Proposal (RFP) was developed and advertised on April 22, 2020 in The Courier Journal and The Louisville Defender; and

WHEREAS, no bids were submitted, therefore, the Authority released a second Request for Proposal (RFP) advertised on June 10, 2020 in The Courier Journal, The Louisville Defender and utilizing The Marketplace E-Procurement; and

WHEREAS, bids were received for the second RFP and opened on June 30, 2020 for Eviction Prevention Services; and

WHEREAS, staff reviewed the bid received and determined Volunteers of America (VOA) to be a reasonable and responsive bid; and

WHEREAS, Housing for Urban Development (HUD) also reviewed and approved the Authority’s request to proceed with a single-source procurement with VOA for Eviction Prevention Services; and

WHEREAS, Management recommended award of this contract to VOA for one year, with four one-year renewal options; and

WHEREAS, the second one-year renewal has expired and LMHA would like to execute the third one-year renewal option.

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 award an Eviction Prevention Program service contract to VOA in an amount not to exceed \$128,059.67 for the contract term of September 1, 2023 to August 31, 2024.

Commissioner Miles made a motion to adopt Resolution 5G “Approval for Designation of 41 Housing Units for Special Purposes.” Commissioner Nally seconded. Motion carried by unanimous vote.

RESOLUTION NO. 48-2023 (8/15/23)

WHEREAS, the U.S. Department of Housing and Urban Development has initiated a public housing utilization improvement program; and

WHEREAS, this program is designed to account for all public housing units and their specific usage; and

WHEREAS, the Louisville Metro Housing Authority has historically designated public housing units for special purposes with approval of the Board of Commissioners; and

WHEREAS, the U.S. Department of Housing and Urban Development is requiring that the Board of Commissioners approve these designations on a triennial basis; and

WHEREAS the attached document identifies all 41 designations.

NOW THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the attached special designations are approved and that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to submit this item to the U.S. Department of Housing and Urban Development.

Commissioner Nally made a motion to adopt Resolution 5H “Authorization to Renew Excess Workers’ Compensation Coverage.” Commissioner Ellis seconded. Motion carried by unanimous vote.

RESOLUTION NO. 49-2023 (8/15/23)

WHEREAS, the Louisville Metro Housing Authority (LMHA) has been successfully self-insured with excess coverage for workers' compensation claims; and

WHEREAS, the LMHA submitted requests for proposals for Excess Workers' Compensation Insurance on June 12, 2019; and

WHEREAS, proposals were received and publicly opened on July 2, 2019; and

WHEREAS, the original contract award to Arch Insurance Company included four, one-year renewal options; and

WHEREAS, staff is requesting approval of the fourth, one-year renewal option.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE LOUISVILLE METRO HOUSING AUTHORITY, that the Louisville Metro Housing Authority purchase Excess Workers' Compensation Insurance with a self-insured retention of \$600,000 offered by Arch Insurance Company, through Underwriters Safety and Claims, Inc. for a one-year deposit premium of \$118,077 for the policy year of August 1, 2023 to July 31, 2024.

Commissioner Nicholson made a motion to adopt Resolution 51 "Authorization for the Renewal for Elevator Maintenance Service Contract." Commissioner Nally seconded. Motion carried by unanimous vote.

RESOLUTION NO. 50-2023 (8/15/23)

WHEREAS, the Louisville Metro Housing Authority is required to provide maintenance service on all elevator equipment at Dosker Manor, Building "A," "B", and "C", St. Catherine Court, Avenue Plaza, Lourdes Hall, Will E. Seay Plaza, the United Building, Temple Spears, Sheppard Square, and St. Martins for passenger and freight elevators; and

WHEREAS, Oracle Elevator Holdco, Inc. who currently holds the state contract (MA# 758200000769, Expiration April 2025) for this type of work, presented a quote of \$61,200 annually for contracted maintenance service, \$175.00/regular hour and \$262.50/overtime hour for non-contract service with a fee of \$90.00 per trip charge.

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 award the elevator maintenance service contract to Oracle Elevator Holdco, Inc. for a period beginning September 1, 2023 through August 31, 2024 for a total amount not to exceed \$250,000 annually.

Discussion Items:

None.

Executive Session:

Commissioner Ellis motioned to go into Executive Session, seconded by Commissioner Miles. Motion carried by unanimous vote. The Board retired to Executive Session at 4:44 p.m.

The Board returned to Open Session at 5:26 p.m.

Other Business:

There being no further business to come before the Board, Commissioner Nicholson motioned to adjourn, seconded by Commissioner Peale. Motion carried by unanimous vote. The Board adjourned at 5:27 p.m.

Vickie J. Fields, Executive Secretary

Gena Harris, Chairperson