

October 16, 2008

The Regular Meeting of the Philadelphia Housing Authority Board of Commissioners for October 2008 was held on Thursday, October 16, 2008 3:00 pm, at the Philadelphia Housing Authority, Multipurpose Room, 12 S. 23rd Street, Philadelphia, Pennsylvania.

A quorum being present, Commissioner John F. Street, Chairman, called the meeting to order. Upon roll call, those present were as follows:

Present: Commissioner John F. Street, Chairman
Commissioner Nellie W. Reynolds, Vice Chairman
Commissioner/Councilwoman Jannie L. Blackwell
Commissioner Patrick J. Eiding

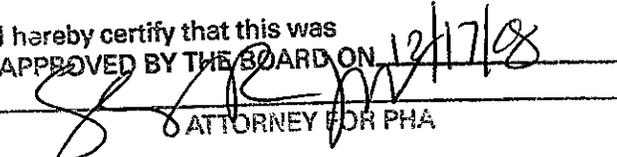
Absent: Commissioner Debra L. Brady

Also Present: Carl R. Greene, Executive Director

Commissioner John F. Street, Chairman, called the meeting to order. With that he asked for remarks from the Executive Director. Mr. Greene, PHA's Executive Director, advised the Commissioners that PHA was presenting four (4) Resolutions to be considered as PHA reached a consensus with the residents at the Pre-Board Meeting held last week. Additionally, he announced that the previously approved MTW Agreement was executed and PHA is MTW for ten (10) more years. PHA was also able to reach settlement on our dispute with HUD about 504, which was incorporated as an addendum agreement.

The next order of business was the approval of August 21, 2008 minutes. Commissioner Reynolds moved for the adoption of the minutes, for which Commissioner Blackwell seconded. The minutes were unanimously adopted. With that, Commissioner John F. Street, Chairman, presided over the remaining agenda.



I hereby certify that this was
APPROVED BY THE BOARD ON 12/17/08

ATTORNEY FOR PHA

Commissioner Reynolds moved for the adoption of the following Resolution, which motion was duly seconded by Commissioner/Councilwoman Jannie L. Blackwell;

RESOLUTION NO. 11256

**RESOLUTION APPROVING MINUTES OF THE REGULAR BOARD OF COMMISSIONERS MEETING
HELD ON AUGUST 21, 2008**

BE IT RESOLVED, that the minutes of the Board Meeting of the Philadelphia Housing Authority Regular Board Meeting held on August 21, 2008 copies of which have already been provided to the members, be the same are hereby ratified, confirmed and approved.

A vote being taken thereon, the "Ayes" and the "Nays" were as follows:

Present: Commissioner John F. Street, Chairman
 Commissioner Nellie W. Reynolds, Vice Chairman
 Commissioner/Councilwoman Jannie L. Blackwell
 Commissioner Patrick J. Eiding

Absent: Commissioner Debra L. Brady

Also Present: Carl R. Greene, Executive Director

Commissioner John F. Street, Chairman thereupon declared the Resolution unanimously adopted.

Commissioner/Councilwoman Jannie L. Blackwell moved for the adoption of the following Resolution, which motion was duly seconded by Commissioner Eiding;

RESOLUTION NO. 11257

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR, OR HIS DESIGNEE, ON BEHALF OF THE PHILADELPHIA HOUSING AUTHORITY, IN CONNECTION WITH PHASE IIC OF THE MARTIN LUTHER KING PLAZA REVITALIZATION PROJECT, TO (1) AMEND ALL PRIOR RESOLUTIONS INCONSISTENT WITH THE TERMS HEREOF; (2) SUBMIT EVIDENTIARIES TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; (3) NEGOTIATE, CONCLUDE, EXECUTE AND IMPLEMENT EVIDENTIARIES AND ANCILLARY DOCUMENTS; (4) PERFORM ALL ACTIVITIES NECESSARY OR DESIRABLE TO OBTAIN APPROVAL FROM HUD IN CONNECTION WITH SUCH ACTIVITIES

WHEREAS, the HOPE VI Revitalization Plan for the Martin Luther King Plaza Development (the "Plan") was originally submitted to the U.S. Department of Housing and Urban Development ("HUD") on June 29, 1998; and

WHEREAS, the Plan has been substantially implemented, but there remain certain on-site properties identified in the Plan which have yet to be developed or redeveloped including, but not limited to, the Martin Luther King Plaza Community Center located at 13th and Fitzwater Streets, a vacant lot located at 12th and Catherine Streets, and additional vacant lots within the original footprint of Martin Luther King Plaza (the vacant lots are hereinafter referred to as the "Undeveloped Properties"); and

WHEREAS, on June 19, 2003, August 19, 2004 and June 16, 2005, the PHA Board of Commissioners approved Resolution Nos. 10880 and 10881, 10991 and 11051, respectively, authorizing the construction of homeownership units to be sold at prevailing market rates on the Undeveloped Properties and the redevelopment of the Martin Luther King Plaza Community Center and other development activities relating to the Plan;

WHEREAS, in furtherance of the development of the Plan, HUD on March 21, 2008 approved a Plan modification (the "Plan Modification"); and

WHEREAS, said Plan Modification requires the development and maintenance of a community park at the 12th and Catherine Streets site, as originally planned (the "Park"), and the construction of 19 middle income homeownership units on the former Martin Luther King Plaza Community Center site, which homes will be sold to families earning between 80 and 115 percent of area median income ("AMI"), with a maximum of two (2) of the 19 homes that can be sold to families earning between 100 – 115 percent of AMI (the "Homeownership Development"); and

WHEREAS, on August 21, 2008, the PHA Board of Commissioners approved the submission of a disposition application to HUD for the disposition of the Park site to the City of Philadelphia or its designee, for nominal value, for development and maintenance of the Park; and

WHEREAS, pursuant to 24 CFR Part 941, PHA must submit a homeownership term sheet ("Homeownership Term Sheet") to HUD in connection with the Homeownership Development, and certain evidentiary documents, including but not limited to, those items as set forth in Exhibit A attached hereto, and certain documents ancillary thereto (the "Evidentiaries") for HUD approval.

NOW THEREFORE BE IT RESOLVED, that the Philadelphia Housing Authority's Board of Commissioners hereby authorizes its Executive Director, or his designee(s) (each an "Authorized Officer"), to submit a Homeownership Term Sheet and, as applicable to negotiate, conclude, execute and implement the Evidentiaries, including without limitation, the evidentiaries listed on Exhibit A attached to this Resolution and such other documents ancillary thereto, including financing documents, or such other

documents necessary for purposes of obtaining HUD approval to develop the Homeownership Development and otherwise accomplish the terms of the Plan and the Plan Modification, as said Plan may be further amended (the "Documents").

BE IT FURTHER RESOLVED, that subject to the prior written approval of HUD of the Homeownership Plan and the Documents, to the extent required, the Authorized Officer is hereby authorized, empowered and directed to execute, acknowledge where necessary, attest, deliver and/or accept and implement the Homeownership Plan and the Documents, including such modifications as the Authorized Officer deems appropriate, and obtain all necessary approvals and otherwise consummate the transactions described herein; and

BE IT FURTHER RESOLVED, that resolutions No.10880 and 10881 of June 19, 2003, 10991 of August 19, 2004 and 11051 of June 16, 2005, and any other resolutions inconsistent herewith, are hereby amended to the extent necessary to accomplish the terms of this resolution, and all actions taken heretofore by the Authorized Officer in connection with the matters set forth in these resolutions are hereby approved and ratified.

A vote being taken thereon, the "Ayes" and the "Nays" were as follows:

Present: Commissioner John F. Street, Chairman
 Commissioner Nellie W. Reynolds, Vice Chairman
 Commissioner/Councilwoman Jannie L. Blackwell
 Commissioner Patrick J. Eiding

Absent: Commissioner Debra L. Brady

Also Present: Carl R. Greene, Executive Director

Commissioner John F. Street, Chairman thereupon declared the Resolution unanimously adopted.

Commissioner Eiding moved for the adoption of the following Resolution, which motion was duly seconded by Commissioner/Councilwoman Blackwell:

RESOLUTION NO. 11258

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE PHILADELPHIA HOUSING AUTHORITY (“PHA”) OR HIS DESIGNEE TO (1) PREPARE AND SUBMIT A REDEVELOPMENT ASSISTANCE CAPITAL PROGRAM (“RACP”) GRANT APPLICATION TO THE COMMONWEALTH OF PENNSYLVANIA IN CONNECTION WITH THE MANTUA REVITALIZATION PROJECT (2) AUTHORIZE OTHER RELATED DEVELOPMENT THEREWITH

WHEREAS, The proposed Mantua Revitalization project is a two-phased development that involves the construction of 101 townhouse and walk-up style rental units; and

WHEREAS, Phase I will consist of 50 newly constructed rental units, a management office, community room and approximately 10,000 square feet of commercial space for neighborhood-oriented commercial enterprises and Phase II will consist of 51 rental units and will share the development amenities that will be developed as part of Phase I; and

WHEREAS, up to \$4,000,000 in RACP funding has been authorized for the Mantua Revitalization project; and

WHEREAS, the PHA must submit an application to the Commonwealth to receive the funds.

NOW THEREFORE, BE IT RESOLVED, that the Philadelphia Housing Authority's Board of Commissioners hereby authorizes the Executive Director or his designee to submit to the Commonwealth RACP Grant Application(s) for amounts up to \$4,000,000 in connection with the Mantua Revitalization Project; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized to take all necessary actions to obtain the aforementioned approvals from HUD and to implement the development outlines herein; and

BE IT FURTHER RESOLVED, that all prior actions taken by any authorized officer of PHA are hereby ratified.

A vote being taken thereon, the “Ayes” and the “Nays” were as follows:

Present: Commissioner John F. Street, Chairman
Commissioner Nellie W. Reynolds, Vice Chairman
Commissioner/Councilwoman Jannie L. Blackwell
Commissioner Patrick J. Eiding

Absent: Commissioner Debra L. Brady

Also Present: Carl R. Greene, Executive Director

Commissioner John F. Street, Chairman thereupon declared the Resolution unanimously adopted.

Commissioner Reynolds moved for the adoption of the following Resolution, which motion was duly seconded by Commissioner/Councilwoman Blackwell;

RESOLUTION NO. 11259

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO CONCLUDE AND TO EXECUTE CONTRACTS WITH ABLE MECHANICAL, INC. AND CIRCLE HEATING AND COOLING, LLC, FOR THE INSTALLATION OF HEATER AND CARBON MONOXIDE DETECTORS (SOLICITATION NO. P-003719)

WHEREAS, The Philadelphia Housing Authority (PHA) identified a need for the labor associated with installing heating units and carbon monoxide detectors at designated PHA locations; and

WHEREAS, Solicitation No. P-003719 was developed according to established procedures and was advertised in the Philadelphia Inquirer and several community newspapers; and

WHEREAS, the Request for Proposal was mailed to the appropriate companies on PHA Bidders' List, and distributed to those who responded to the invitation through the publications; and

WHEREAS, six (6) offerors responded to the solicitation by submitting a proposal as follows:

- Able Mechanical, Inc.
- Approved Plumbing and Heating
- Circle Heating and Cooling, LLC
- General Asphalt Paving Company of Philadelphia
- Til Mar Design, Inc.
- Vernon Mechanical Company

WHEREAS, the proposals were reviewed and evaluated by the Review Committee and the supporting documents were reviewed by the Contracting Officer; and

WHEREAS, multiple awards are authorized in accordance with the provisions of the solicitation; and

WHEREAS, based upon evaluation, it was recommended that contracts be awarded to Able Mechanical, Inc. and Circle Heating and Cooling, LLC; and

WHEREAS, it is further recommended that the contract, if awarded, shall be for a one (1) year base period with one (1) one-year option period in an amount not to exceed **FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00)** or two (2) years, whichever comes first, to Able Mechanical, Inc.; and

WHEREAS, it is further recommended that the contract, if awarded, shall be for a one (1) year base period with one (1) one-year option period in an amount not to exceed **FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00)** or two (2) years, whichever comes first, to Circle Heating and Cooling, LLC; and

BE IT RESOLVED, by and for The Philadelphia Housing Authority, that the Executive Director is hereby authorized to conclude and to execute contracts with Able Mechanical, Inc. and Circle Heating and Cooling, LLC, for the provision of Heater and Carbon Monoxide Detector Installation.

BE IT FURTHER RESOLVED, that (1) the recommended contractors comply with all terms required by the solicitation; (2) the contracts are subject to approval by PHA's funding source before any contracts shall exist; (3) no contracts shall exist until signed by the Executive Director; and (4) if PHA and the offerors have not mutually agreed on the terms of a contract within forty-five (45) days of the next regularly scheduled Board meeting, then this resolution shall be void and the authority of the Executive Director shall cease.

Commissioner/Councilwoman Blackwell moved for the adoption of the following Resolution, which motion was duly seconded by Commissioner Eiding;

RESOLUTION NO. 11260

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE PHILADELPHIA HOUSING AUTHORITY (“PHA”) OR HIS DESIGNEE TO IMPLEMENT THE RISK CONTROL WORK PLAN ESTABLISHED BY THE HOUSING AUTHORITY RISK RETENTION GROUP (HARRG), AND TO UNDERTAKE ALL ACTIONS NECESSARY TO IMPLEMENT AND MAINTAIN SAID RISK CONTROL WORK PLAN IN FURTHERANCE OF PHA’S COMMITMENT TO SAFETY IN THE WORKPLACE AND IN PHA HOUSING COMMUNITIES

WHEREAS, PHA, including the Board of Commissioners and the Executive Director, considers the safety of its residents, employees and members of the general public who come in contact with PHA facilities or services, to be of the utmost importance; and

WHEREAS, PHA has established safety policies, programs and procedures that will create and promote safe living and work environments for residents, employees and the greater Philadelphia community; and

WHEREAS, PHA’s insurance carrier has designed a Risk Control Work Plan that incorporates nine (9) safety standards designed to assist the agency to continue to reduce hazards and loss exposure and to improve overall safety; and

WHEREAS, PHA believes that full implementation of the standards included in the Risk Control Work Plan will help to support and further its commitment to safety for residents, employees and the general public.

NOW THEREFORE, BE IT RESOLVED, that the PHA Executive Director or his designee is authorized to implement the Risk Control Work Plan and to take all actions necessary to implement and maintain said Plan.

A vote being taken thereon, the “Ayes” and the “Nays” were as follows:

Present: Commissioner John F. Street, Chairman
 Commissioner Nellie W. Reynolds, Vice Chairman
 Commissioner/Councilwoman Jannie L. Blackwell
 Commissioner Patrick J. Eiding

Absent: Commissioner Debra L. Brady

Also Present: Carl R. Greene, Executive Director

Commissioner John F. Street, Chairman thereupon declared the Resolution unanimously adopted.

Commissioner John F. Street, Chairman thereupon declared the Resolution unanimously adopted. The resolution were adopted. With that, Commissioner John F. Street, Chairman opened the meeting for public comments. Ms. Lauren Kravetz from the Federal Communications Commission in Washington D.C. to discuss the transition to digital television and teaming up with the Philadelphia Housing Authority to help residents with the conversion. Mr. Greene suggested that they meet with Asia Coney, Director of Tenant Support Services Inc., who is responsible for getting information out to the residents as well as his Executive General Manager, Linda A. Staley. With no other public comments being heard, Commissioner John F. Street, Chairman adjourned the meeting. (Copies of the actual transcript will be provided upon written request).