

MINUTES OF A REGULAR MEETING OF  
THE HOUSING AUTHORITY OF THE CITY OF RALEIGH, NORTH CAROLINA  
BOARD OF COMMISSIONERS  
MARCH 26, 2020

The members of the Board of Commissioners of the Housing Authority of the City of Raleigh, North Carolina met in a telephonic meeting on Thursday, March 26, 2020 at 5:00 p.m.

The Board Chair called the meeting to order and upon roll call the following were present and absent:

Present: Eric Braun, Kyle Dilday (left the meeting early), Kistina Freeman, Arne Morris, Bahati Mutisya, Gregg Warren, Yolanda Winstead, Doris Wrench

Absent: Don Carothers

Visitors: Charles Francis, attorney with The Francis Law Firm.

RHA Staff: Sonia Anderson, Priscilla Batts, Liz Edgerton, Wayne Felton, Mark Holliday, Laura McCann, Jennifer Morgan, Donna Perez, Gwen Wall.

The Board Chair declared a quorum present and welcomed everyone to the meeting.

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RECOGNITION OF VISITORS

Due to the Coronavirus outbreak, tonight's meeting was being held telephonically. Charles Francis, attorney with The Francis Law Firm, was the only visitor participating in the call.

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OATH OF NEW COMMISSIONER

Kistina Freeman administered the Oath of New Commissioner Yolanda Winstead and welcomed her to the RHA Board of Commissioners.

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CONSENT AGENDA

Item 1

Charge-off of delinquent resident accounts for 2020

Item 2

Financial statements for February 2020

Item 3

Vacancy and Turnover Summary for January 2020 (corrected from the February Board Meeting)  
Vacancy and Turnover Summary for February 2020

Item 4

Minutes of February 27, 2020 regular meeting

RECOMMENDATION: Approval as submitted by staff.

Commissioner Morris moved and Commissioner Dilday seconded approval of the Consent Agenda. A vote being called, the ayes and nays were as follows:

Aye: Eric Braun, Kyle Dilday, Arne Morris, Bahati Mutisya, Gregg Warren, Yolanda Winstead, Doris Wrench, Kistina Freeman

Nay: None

The Consent Agenda has been adopted.

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#### REPORT OF THE BOARD CHAIR

The Board Chair had no report.

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#### REPORT OF THE BOARD SECRETARY

Mr. Felton thanked everyone for being flexible and understanding tonight as RHA staff is practicing social distancing during this coronavirus crisis. Mr. Felton also thanked the RHA staff for adjusting to the changes.

Wake County has issued a shelter-in-place for everyone in Wake County, effective at 5:00 pm tomorrow. RHA had a plan in place already and will be implementing that plan starting next week.

#### **Coronavirus Update**

- RHA has essential staff that will be doing essential duties. Letters have been issued to staff so that if they get stopped or questioned they have a letter explaining why they are essential. RHA will pay time and ½ when staff is performing essential duties. Directors and Assistant Directors would not be paid extra. However, they will get comp time.
- RHA is processing HAP payments, change of status forms, and paying vendors.
- No unit inspections will be done except for new move-ins. If the unit is occupied, staff will do a video inspection.
- Staff will meet with residents to lease a unit.
- No units are being entered except for urgent and emergency work orders.
- Before staff enters a unit, they will ask tenants four questions regarding their exposure to the coronavirus to ensure they don't enter a unit with potential coronavirus exposure. The after-hours operator and Work Order Clerk will ask those questions well.
- Staff is looking into making up loss in income that is not covered from other government programs for any employees who miss work due to the coronavirus.
- Staff is encouraging employees who can to work from home to minimize the impact to the agency. Staff will reassess each week as the situation changes.
- Staff has asked RHA seniors to reduce visitors to only necessary visits and to practice social distancing. All community areas have been locked down and chairs have been removed, where applicable, to discourage gathering.
- Staff has increased the cleaning frequency of the common areas.
- Four RHA residents have reported that they were being tested for the coronavirus. One came back today as negative. Two are at senior buildings and one is in a single family home at Capitol Park. All are quarantined at this time. Two employees who stated they had contact with these residents were sent home yesterday to self-quarantine and staff will let them know the results of the tests.

- Staff is following guidance from HUD on rent payments and evictions. The online rent payment has been opened to all residents.
- Staff does not feel that RHA needs to make changes to the Administrative Plan for Section 8 or the Admissions and Continued Occupancy Policy (“ACOP”) for Public Housing. A couple of changes being made are with the Administrative Plan. Staff is going to biennial inspections so units are not being inspected as frequently. This will be implemented through the end of the year. It will be temporary so it does not need to go out for comments. The Administrative Plan is usually revised at the end of the year and staff will look at what adjustments need to be made at that time. With the ACOP, there is some flexibility with repayment agreements that staff will be utilizing.
- Staff purchased five new laptops, upgraded the IT service, and there are currently 16 people with the capability to work from home. Staff is going to add three more.
- New information will be posted on the RHA website as it becomes available.

### **RAD Conversion**

- RHA contracted with Dominion Due Diligence. They will be doing the Critical Needs Assessment (“CNA”) that determines what capital improvements are needed.
- RHA is on hold with the CNA. Staff will talk with them tomorrow to see what they can be doing while RHA is shutdown as there will be a backlog once this crisis is over.
- Staff had the bi-weekly call with HUD yesterday to discuss RHA’s plans. HUD is looking into what to do about the public meetings. They will likely move up the concept call to May so RHA can close on the first four developments in November. Staff is looking at the checklist to see what can be done now to get ready for that closing.

### **Heritage Park**

J. Davis Architects were planning to make another presentation to the Board at tonight’s meeting. However, given the circumstances, it has been postponed. They are finished with the master planning phase and staff has asked for a proposal to take the next steps and look at programming for the site and narrow the focus on the plan. That proposal has not been received as of today.

Staff had a call yesterday with HUD about the ways RHA can redevelop the project. The HUD personnel that staff spoke with were with the repositioning office. For Heritage Park, staff discussed RHA’s different funding sources and how best to access each and what the rents will be once the property is redeveloped (RAD property vs. Section 8 property). HUD is going to check on some things and staff is going to look at the obsolescence test for demolition, Section 18. If staff can show obsolescence, it gives RHA more flexibility with funding the redevelopment.

One thing that has changed with RAD is that HUD is now allowing PHAs to convert their scattered home sites. It has been recommended that RHA do this because it will allow more funding, which allows money to be held for redevelopment purposes. Staff will bring this to the Board in May for review.

### **Glenwood Towers Update**

- The west tower roof will be complete tomorrow. The south tower will be next.
- A contractor is working on the façade where the fire occurred. All of the bricks are down and the contractor is working from inside the vacant units. They are using only the stairs to access the building and should have minimal contact with residents.
- One elevator is down. The ropes (steel cables) and doors on both elevators will be replaced. The doors will be ready in a few weeks for replacement. The goal is to have both elevators completed in May.

## **New Commissioner, Yolanda Winstead**

Mr. Felton welcomed RHA's newest Board Commissioner, Yolanda Winstead, to the Board.

Commissioner Warren asked if RHA's current policy regarding public housing (or if there is a HUD-mandated policy) is to cease eviction proceedings during this crisis. Mr. Felton said he hasn't seen anything from HUD about ceasing evictions. HUD has asked PHAs to try to work with tenants. Staff has asked landlords to be lenient with people who have lost jobs due to the coronavirus crisis and that is certainly what RHA will do. RHA is postponing any evictions that were in process with the courts before the coronavirus was an issue.

Commissioner Warren asked if RHA has the ability to approve an action that, should staff wish to do so, RHA will not proceed with any evictions on the basis of rent until further notice. Mr. Felton said RHA could do that. However, it would not be in the best interest of RHA since it eliminates the motivation for residents to pay rent.

Commissioner Warren asked if RHA has a policy that gives tenants the opportunity to defer rents if a tenant loses their job. Mr. Felton said there is no policy of that nature. However, RHA does have repayment agreements that give residents some flexibility. With the stimulus package, residents should have the ability to pay their rent.

Commissioner Warren said there may be a delay with the stimulus package money. Mr. Felton said with a delay, staff would not be adding late charges to their account. This is tough times for everyone and RHA wants to work with residents while they have a loss in income due to the coronavirus.

Commissioner Warren asked if there has been any communication with the residents regarding these issues. Mr. Felton said staff has put information on the website, flyers have been circulated at the properties, and more information will go out to the residents as the situation evolves.

(At this time, Commissioner Dilday left the meeting.)

Commissioner Braun suggested that staff needs to be particularly sensitive and cognizant of the circumstances about evictions since it could possibly affect RHA's reputation. He also said staff needs to make sure they communicate with the City of Raleigh because there is a sensitivity to evictions right now from their perspective.

Commissioner Freeman said Mr. Felton has been very good about communicating with the city. Mr. Felton said staff is mindful of the situation and trying to ensure that the resident's needs during this crisis are addressed. He also said he spoke with the mayor's office yesterday to let them know what RHA has been doing. Commissioner Braun thanked the staff for that.

Commissioner Warren asked if RHA has enough staff to handle the Section 8 voucher holders who will need adjustments to their rental payments – and can that be handled remotely to ensure the safety of the staff. Mr. Felton said there have been some changes to protocol in the last two week to protect the staff:

- The outside doors of both entrances to the building are kept unlocked. However, the inner doors are locked to get into the office building. In the vestibule between, staff has placed all of the forms for people to take with them.
- A drop box has been added so that residents and applicants can drop off paperwork that has been requested of them.

- A Ring Camera has been installed at both doors so that if people have questions, they can get answers without entering the building.

There are two people working from home who are able to process Change of Status forms (the forms that allow for rent adjustments to help get the landlords paid). This allows for the protection of tenants, and staff and gets the forms processed in a timely manner. Commissioner Warren said that sounds like a good plan.

Commissioner Warren asked if RHA needs third party verification for those adjustments. Mr. Felton said he believes that is one of the waivers that HUD is making at this time. There will be more changes made in the next week.

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#### NEW BUSINESS

Mr. Felton said elderly families are defined as having at least one resident who is age 62 or older. Glenwood Towers and Carriage House Apartments were both constructed as senior developments, and at the time, that was all that was required to operate them as senior developments. Starting in 1997, in order to have a development available exclusively to the elderly, PHAs were required to submit an Elderly Designation to HUD. Since there is no lifetime designation, RHA must renew the designation every two years.

The designation permits RHA to lease to seniors only. When there are insufficient numbers of seniors to achieve full occupancy, RHA is allowed to drop to age 55 and then again to 50, if needed, to fully lease the development.

The residents desire to retain the designation and the staff supports it.

### HOUSING AUTHORITY OF THE CITY OF RALEIGH RESOLUTION NO. 19 (2020)

WHEREAS, the U. S. Department of Housing and Urban Development (“HUD”) permits the designation of communities exclusively for elderly or disabled residents; and

WHEREAS, these designation plans are reviewed and approved by HUD in accordance with Section 7 of the United States Housing Act of 1937, as amended and Notice PIH 2007-1; and

WHEREAS, the Raleigh Housing Authority’s (“RHA”) original Elderly Designation Plan which permits Glenwood Towers and Carriage House to be elderly designated high-rises was approved by HUD on November 2, 2007 for an initial five year period; and

WHEREAS, to ensure units remain fully occupied, the Elderly Designation Plan allows RHA to house near-elderly applicants in the event there are an insufficient number of elderly applicants on the waiting list; and

WHEREAS, there are supportive services available at these properties designed for seniors to improve their quality of life; and

WHEREAS, both RHA and the Resident Advisory Board desire for the elderly designation to continue at these properties; and

WHEREAS, the renewal of elderly designations are granted in two-year increments with RHA receiving HUD approval to extend the elderly designation through September 26, 2020; and

WHEREAS, RHA must submit a letter to the Greensboro HUD Field Office requesting the extension in order to extend these designations for an additional two years;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RALEIGH that staff is directed to submit the written request to the HUD Greensboro office to secure a two-year extension of the elderly designations for both Glenwood Towers and Carriage House.

Commissioner Warren moved and Commissioner Wrench seconded approval of the foregoing resolution.

A vote being called, the ayes and nays were as follows:

Aye: Eric Braun, Arne Morris, Bahati Mutisya, Gregg Warren, Yolanda Winstead, Doris Wrench, Kistina Freeman

Nay: None

Resolution No. 19 (2020) has been adopted.

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Mr. Felton said as staff encounters personnel issues throughout the year, changes are noted that may be necessary to make to the Personnel Policy so these issues can be addressed. Periodically, staff brings these Personnel Policy changes to the Board for approval.

This resolution is for two revisions to the personnel policy:

1. Alternate work schedule:
  - There have been employees who leave and go to other places of employment. One of the reasons for leaving are the work hours. There were alternate work hours already in the personnel policy. However, staff wanted to clarify the reasons for doing the flex work schedule. Staff also wants to offer the flex work schedule during the summer months. If it works well, it may be implemented permanently.
2. Transfer of sick leave:
  - Recently, a few employees have come from other agencies or municipalities which are part of the State Pension Plan and had requested to transfer their sick leave balance over to RHA. Previous requests were smaller amounts of time and were allowed once the employee came off probation. Now it is becoming more common, and with larger amounts. Staff checked other agencies with the State Pension Plan that were allowing new employees from other approved agencies to transfer sick leave. Staff is proposing that once an employee completes probation and transfers to regular status, up to 100 hours of accrued sick leave would be transferred to the employee; after completion of their 2<sup>nd</sup> anniversary of their hire date, up to 100 hours would be transferred to the employee; once they complete their 3<sup>rd</sup> anniversary date the remaining balance would be transferred to the employee. Staff feels this will protect the agency, is an incentive for employees to come to RHA from other municipal entities, and is good for the employee so that they do not lose their sick leave. This is only for employees coming from other entities that are part of the State Pension Plan.

HOUSING AUTHORITY OF THE CITY OF RALEIGH  
RESOLUTION NO. 20 (2020)

WHEREAS, the Board of Commissioners of the Housing Authority of the City of Raleigh is responsible for establishing policies to govern the agency; and

WHEREAS, the policy relating to employment, benefits, and personnel administration is collected together into a single document referred to as the Personnel Policy; and

WHEREAS, the last major revision to the Personnel Policy was adopted by Resolution Number 47 on August 22, 2019; and

WHEREAS, some sections of the Personnel Policy need to be amended to reflect changes in the Housing Authority's operating procedures; and

WHEREAS, the attachments denote additions and changes being proposed for two sections of the Personnel Policy at this time; and

WHEREAS, attached to this resolution and thereby made part of this resolution are the proposed revisions to Section 6.3, Alternate Work Schedules, and proposed addition to the Personnel Policy, Section 10.3.1, Transfer of Sick Leave.

WHEREAS, staff prepared and reviewed the changes in the Personnel Policy and recommends approval of these changes;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RALEIGH that the Personnel Policy be adopted with an effective date of March 26, 2020.

Commissioner Morris moved and Commissioner Winstead seconded approval of the foregoing resolution.

A vote being called, the ayes and nays were as follows:

Aye: Eric Braun, Arne Morris, Bahati Mutisya, Gregg Warren, Yolanda Winstead, Doris Wrench, Kistina Freeman

Nay: None

Resolution No. 20 (2020) has been adopted.

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Mr. Felton said in February 2020 RHA was awarded a Capital Fund Program grant, with funding of \$4,133,717. The revised performance and evaluation report is attached to the resolution.

RHA originally had planned on receiving approximately \$3.9 million, based on the 2019 grant. So with an additional \$65,000, staff revised the report by adding money to security cameras, part of administration, and to contingency.

HOUSING AUTHORITY OF THE CITY OF RALEIGH  
RESOLUTION NO. 21 (2020)

WHEREAS, the Housing Authority of the City of Raleigh (“RHA”) receives annual funding for the Capital Fund Program from the Department of Housing and Urban Development (“HUD”); and

WHEREAS, the Capital Fund Program funding allocations are used for capital improvements to the public housing inventory; and

WHEREAS, the capital improvements at each public housing development were identified through the input of staff and discussion with public housing residents, finalized and submitted to HUD as part of the agency’s annual plan; and

WHEREAS, RHA was awarded Capital Fund Program Grant NC19P00250120 in February 2020 with funding allocations totaling \$4,133,717.00; and

WHEREAS, since the inception of grant eligibility, revisions to the grant are being proposed to adjust for additional funding that was received beyond previously budgeted amounts; and

WHEREAS, in accordance with HUD regulations, revisions to the annual statement from the 5 Year Plan Statement must be accompanied by a performance and evaluation report to HUD for approval; and

WHEREAS, staff is recommending that the attached performance and evaluation report for Capital Fund Program Grant NC19P00250120 be approved, which by reference is made part of this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RALEIGH that the performance and evaluation report for Capital Fund Program Grant NC19P00250120 be approved for submission to the Department of Housing and Urban Development.

Commissioner Winstead moved and Commissioner Wrench seconded approval of the foregoing resolution.

A vote being called, the ayes and nays were as follows:

Aye: Eric Braun, Arne Morris, Bahati Mutisya, Gregg Warren, Yolanda Winstead, Doris Wrench, Kistina Freeman

Nay: None

Resolution No. 21 (2020) has been adopted.

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Mr. Felton said this resolution revises the 5-Year Plan to reflect the change in the 2020 grant. Both the performance and evaluation report and the 5-Year Plan must match in order for staff to draw down the funds.



HOUSING AUTHORITY OF THE CITY OF RALEIGH  
RESOLUTION NO. 22 (2020)

WHEREAS, the Housing Authority of the City of Raleigh (“RHA”) receives annual funding for the Capital Fund Program from the Department of Housing and Urban Development (“HUD”); and

WHEREAS, the Capital Fund Program funding allocations are used for capital improvements to the public housing inventory; and

WHEREAS, the capital improvements at each public housing development were identified through the input of staff and discussion with public housing residents, finalized and submitted to HUD as part of the agency’s annual plan; and

WHEREAS, RHA was awarded Capital Fund Program Grant NC19P00250120 in February 2020 with funding allocations totaling \$4,133,717.00; and

WHEREAS, since the inception of grant eligibility, revisions to the grant are being proposed to adjust for additional funding that was received beyond previously budgeted amounts; and

WHEREAS, in accordance with HUD regulations, revisions to 5 Year Plan Statement must be approved by the Board; and

WHEREAS, staff is recommending that the attached revised Capital Fund Program Five Year Action Plan for Capital Fund Program Grant NC19P00250120 be approved, which by reference is made part of this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RALEIGH that the 5 Year Action Plan for Capital Fund Program Grant NC19P00250120 be approved for submission to the Department of Housing and Urban Development.

Commissioner Braun moved and Commissioner Warren seconded approval of the foregoing resolution.

A vote being called, the ayes and nays were as follows:

Aye: Eric Braun, Arne Morris, Bahati Mutisya, Gregg Warren, Yolanda Winstead, Doris Wrench, Kistina Freeman

Nay: None

Resolution No. 22 (2020) has been adopted.

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Mr. Felton said staff had a call this week to discuss closing on a bond deal for Walnut Trace. RHA did an inducement resolution for this deal a couple of years ago. They would like to close on the bond deal in July 2020. As part of the process, a public hearing is required. RHA would typically have the public hearing as part of the Board meeting. However, staff doesn’t anticipate having an in-person Board meeting before July.

As a way to handle this situation, other Housing Authorities have designated a Hearing Officer to hold the hearing. It would still be public, separate from the Board meeting, and it could be scheduled at a different time that may be more convenient for attendance (as well as allow for social distancing). This resolution designates the Executive Director to be the Hearing Officer.

The job of the Hearing Officer is to listen to the comments and report them. RHA doesn't do many of these so it will not be a burden for the Executive Director.

HOUSING AUTHORITY OF THE CITY OF RALEIGH  
RESOLUTION NO.23 (2020)

RESOLUTION DESIGNATING A HEARING OFFICER FOR PUBLIC HEARINGS IN  
CONNECTION WITH THE ISSUANCE OF TAX-EXEMPT BONDS

WHEREAS, the Housing Authority of the City of Raleigh, North Carolina (the "Authority") has the statutory power under Article 1 of Chapter 157 of the North Carolina General Statutes (the "Act") to "provide grants, loans, interest supplements and other programs of financial assistance to public and private developers of housing for persons of low income, or moderate income, or low and moderate income;" and

WHEREAS, in order to fulfill this purpose, the Authority from time to time has issued, and intends to issue, its bonds and other obligations (the "Bonds") to provide financing for affordable housing developments; and

WHEREAS, as part of the process of issuing Bonds, the Internal Revenue Code of 1986, as amended (the "Code"), requires that a public hearing be held by the Board of Commissioners of the Authority or by a designated hearing officer, and the Authority wishes to appoint such hearing officer;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RALEIGH, NORTH CAROLINA:

1. The Board of Commissioners hereby designates the Executive Director of the Authority as the hearing officer of the Authority for purposes of conducting public hearings as required under Section 147 of the Code (or any other applicable requirement of the Code or the Act), and authorizes such Executive Director to designate another officer or employee of the Authority to act as a hearing officer and hold such hearings.

2. All acts of the officers and staff of the Authority in furtherance of the purposes of this resolution are hereby ratified and approved.

3. This resolution shall take effect immediately upon its passage.

Commissioner Warren moved and Commissioner Braun seconded approval of the foregoing resolution.

A vote being called, the ayes and nays were as follows:

Aye: Eric Braun, Arne Morris, Bahati Mutisya, Gregg Warren, Yolanda Winstead, Doris Wrench, Kistina Freeman

Nay: None

Resolution No. 23 (2020) has been adopted.

Commissioner Warren asked if the Board could get reports from the staff about how things are going during the coronavirus crisis. Commissioner Freeman said Mr. Felton will keep the Board informed as the situation unfolds.

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#### ADJOURNMENT

There being no further regular business to come before the Board, the Chair declared the regular meeting adjourned at 6:20 p.m.