

MEMPHIS HOUSING AUTHORITY
700 ADAMS AVENUE
MEMPHIS, TN 38105

MEETING OF THE BOARD OF COMMISSIONERS

MINUTES OF MEETING

July 28, 2016

9:00 am

- I. The meeting of the Memphis Housing Authority Board of Commissioners was held July 28, 2016 in the Board Room. The meeting was called to order by Commissioner Randolph at 9:12 a.m.

Attendees:

Commissioners:

Mr. Ian Randolph
Mr. William Stemmler
Dr. Elma H. Mardis
Ms. Lisa Wheeler Jenkins
Dr. Laura Harris
Mr. Mickell Lowery

MHA Staff:

Marcia E. Lewis, Executive Director

William Webb	Tony Olden
Luretha Phillips	Sharon Wilkins
Deborah Payne	Gregory L. Perry
Vickie Aldridge	Michael Swindle
Leslie Paige	Leon Shead
Cheiktha Scott	

Residents: None

Media Presentation: None

Special Guest(s): Marty Regan, Josh Lawhead, Jonathan Hancock, and Katie Goar

II. AGENDA

The agenda was unanimously approved.

III. MINUTES

June 23, 2016 minutes were unanimously approved.

IV. RESOLUTION AND BOARD ACTION

- A. RESOLUTION NO. 4450 APPROVING A WAIVER OF THE ENFORCEMENT OF RESTRICTIVE COVENANTS – **LEGAL DEPARTMENT**
- B. RESOLUTION NO. 4451 MEMORIALIZING THE JULY 14, 2016 PUBLIC HEARING ON THE NECESSITY OF ADOPTING THE RALEIGH SPRINGS MALL URBAN RENEWAL PLAN AND RECOMMENDING ADOPTION OF THE RALEIGH SPRINGS MALL URBAN RENEWAL PLAN – **LEGAL DEPARTMENT**
- C. RESOLUTION NO. 4452 TO CHANGE THE AUTHORIZED SIGNATORY FOR THE MEMPHIS HOUSING AUTHORITY BANK ACCOUNTS AND RELATED CHECKS – **ACCOUNTING DEPARTMENT**
- D. RESOLUTION NO. 4453 AMENDING THE MEMPHIS HOUSING AUTHORITY'S HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN – **HOUSING CHOICE VOUCHER DEPARTMENT**
- E. RESOLUTION NO. 4454 IN RECOGNITION AND APPRECIATION OF DISTINGUISHED SERVICE BY DORIAN JENKINS – **EXECUTIVE DIRECTOR**

Mr. Perry sought Board approval

RESOLUTION NO. 4450

APPROVING A WAIVER OF THE ENFORCEMENT OF RESTRICTIVE COVENANTS

WHEREAS, the Memphis Housing Authority authorizes and approves the waiver of enforcement of Restrictive Covenants (the “Restrictive Covenants”) relating to the use of property consisting of a portion of the Beale Street Urban Renewal Area, Tennessee R-77 (the “Renewal Area”), which Restrictive Covenants were originally placed on said property in connection with urban renewal development and pursuant to the execution of a Warranty Deed by and between Memphis Housing Authority, Grantor, and Tri-State Bank of Memphis, Grantee, dated November 27, 1973, and filed of record at Instrument No. J2 9028 in the Register’s Office of Shelby County, Tennessee (the “Warranty Deed”); and

WHEREAS, the Restrictive Covenants provide that, from and after July 31, 1999, the Restrictive Covenants, except the provisions requiring nondiscrimination in the use of said property, may be changed in whole or in part, or discharged and released by the property owners of a majority of the land in the Renewal Area, exclusive of streets and easements, provided approval is given by the Memphis Housing Authority and the City of Memphis after a public hearing thereon; and

WHEREAS, the Memphis Housing Authority desires to support the development of the aforesaid property by its approval of the changes to the Restrictive Covenants by said owners and by its waiver of enforcement of the Restrictive Covenants, except that portion requiring nondiscrimination; and

WHEREAS, it is the intent of the Memphis Housing Authority to join with the other property owners, as such owners are defined in the Warranty Deed, and consent to discharge and release said covenants; and

WHEREAS, the Memphis Housing Authority held a public hearing on July 12, 2016 regarding the waiver of enforcement of the Restrictive Covenants and the approval of this Resolution; and

WHEREAS, it is the intent of the Memphis Housing Authority that this Resolution shall be effective immediately.

NOW, THEREFORE, BE IT RESOLVED, the Memphis Housing Authority, hereby approve the changes to the Restrictive Covenants by the aforesaid owners, and hereby waives its right to enforce the Restrictive Covenants, except those covenants requiring nondiscrimination, as to that portion of the Renewal Area being more particularly described as follows:

BE IT FURTHER RESOLVED, that the Chairman of the Board of the Memphis Housing Authority be and is hereby authorized to execute any and all necessary documents to implement this approval, discharge and waiver.

Commissioner Randolph called for a motion to approve Resolution No. 4450. A motion was made by Commissioner Harris and seconded. Commissioner Randolph called for discussion; There being no discussion, Commissioner Randolph called for the vote. The motion passed; Resolution 4450 was approved.

Mr. Perry sought Board approval

RESOLUTION NO. 4451

RESOLUTION MEMORIALIZING THE JULY 14, 2016 PUBLIC HEARING ON THE NECESSITY OF ADOPTING THE RALEIGH SPRINGS MALL URBAN RENEWAL PLAN AND RECOMMENDING ADOPTION OF THE RALEIGH SPRINGS MALL URBAN RENEWAL PLAN

WHEREAS, on June 7, 2016, the City Council passed a Resolution titled "Resolution designating and empowering the Memphis Housing Authority to hold the statutorily mandated public hearing on the necessity of the adoption of the redevelopment plan for the Raleigh Springs Mall area, known as the Raleigh Springs Mall Urban Renewal Plan," which, among other things, designated and empowered the Memphis Housing Authority ("MHA") to hold a public hearing on the necessity of the adoption of the Raleigh Springs Mall Urban Renewal Plan (the "Plan"); and

WHEREAS, the Plan seeks to eliminate the blight and vacancy in the Raleigh Springs Mall area, describing in detail the current blighted and dilapidated conditions, and the proposals for improvement to, among other land uses, public utilities, and recreational and community facilities; and

WHEREAS, prior to holding the public hearing on the necessity of adopting the Plan, and in accordance with T.C.A. § 13-20-203, MHA published notice of the statutorily mandated July 14, 2016 public hearing during the weeks of June 24, 2016, July 1, 2016, and July 8, 2016 in *The Commercial Appeal*, *The Daily News*, *La Prensa Latina*, *The Memphis News*, and the *Memphis Business Journal*; and

WHEREAS, MHA, in compliance with T.C.A. § 13-20-203, sent further written notice of the statutorily mandated July 14, 2016 public hearing by U.S. mail, postage prepaid, to the property owners and their representatives, including notice to Raleigh Mall, LLC and counsel for Raleigh Mall RPS, LLC, on June 23, 2016; and

WHEREAS, after giving statutorily compliant notice, MHA held a public hearing on the necessity of adopting the redevelopment plan on July 14, 2016 at 4:00 p.m.; and

WHEREAS, during the hearing, a presentation focusing on the Plan's details was given, and the attendees were then allowed to ask questions; and

WHEREAS, MHA considered the questions asked during the hearing, but did not determine that a supplement or amendment to the Plan was needed; and

WHEREAS, the Board of Commissioners has determined that MHA has satisfied all notice and other requirements and prerequisites necessary for the Memphis City Council to consider the necessity of the attached Raleigh Springs Mall Urban Renewal Plan, and to formally adopt the Plan; and

WHEREAS, the Board of Commissioners has determined that the Plan indicates its relationship to definite local objectives as to appropriate land uses, as required, and it indicates proposed land uses and building requirements in the area, also required; and

NOW, THEREFORE BE IT RESOLVED, based upon its review of the Plan and the matters addressed therein, and its consideration of the matters addressed during the July 14, 2016 public hearing on the necessity of the adoption of the Raleigh Springs Mall Urban Renewal Plan, MHA recommends that the Memphis City Council adopt and implement the Raleigh Springs Mall Urban Renewal Plan and authorizes the Executive Director of Memphis Housing Authority or Gregory L. Perry, Senior Staff Attorney for MHA, to submit this Resolution to City Council.

Commissioner Randolph called for a motion to approve Resolution No. 4451. A motion was made by Commissioner Lowery and seconded. Commissioner Randolph called for discussion;

There being no discussion, Commissioner Randolph called for the vote. The motion passed; Resolution 4451 was approved.

Ms. Aldridge sought Board approval

RESOLUTION NO. 4452

RESOLUTION TO CHANGE THE AUTHORIZED SIGNATORY FOR THE MEMPHIS HOUSING AUTHORITY BANK ACCOUNTS AND RELATED CHECKS

WHEREAS, the Memphis Housing Authority, a corporation, has funds held by First Tennessee Bank, Tri-State Bank and Regions Bank; and

WHEREAS, the authorized persons listed for the Memphis Housing Authority accounts require updating based on the election of the new Executive Director, Marcia E. Lewis, during the June 23, 2016 board meeting; and

WHEREAS, the following persons namely be and are hereby authorized to sign/execute and submit all the necessary papers, letters, agreements, documents, writings, submissions etc. to the financial institutions listed above as may be required for day-to-day transaction, operation and correspondence; and

Name of Authorized Signatory	Title/Position
Ian Randolph	Board Chairman
William Stemmler	Board Vice Chairman
Marcia Lewis	Executive Director
Vickie Aldridge	Director of Accounting

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the actions needed to update the authorized persons listed for all Memphis Housing Authority bank accounts.

Commissioner Stemmler and Randolph recused himself from the vote.

Commissioner Randolph called for a motion to approve Resolution No. 4452. A motion was made by Commissioner Mardis and seconded. Commissioner Randolph called for discussion;

There being no discussion, Commissioner Randolph called for the vote. The motion passed; Resolution 4452 was approved.

Mr. Perry sought Board approval

RESOLUTION NO. 4453

RESOLUTION AMENDING THE MEMPHIS HOUSING AUTHORITY'S HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN

WHEREAS, the Memphis Housing Authority is governed by the rules and regulations of the Department of Housing and Urban Development; and

WHEREAS, the Memphis Housing Authority operates a Housing Choice Voucher Program under the auspices of the Department of Housing and Urban Development; and

WHEREAS, the Housing Choice Voucher Department is governed via the policies and procedures set forth in its Housing Choice Voucher Administrative Plan;

WHEREAS, the Housing Choice Voucher Administrative Plan should be amended in the appropriate section of the plan to provide the following;

Outstanding debts owed to MHA:

Memphis Housing Authority, at its discretion, may offer a participant the opportunity to enter an agreement to satisfy amounts owed to Memphis Housing Authority. If the participant does not comply with the repayment agreement, MHA may terminate the participant from Memphis Housing Authority programs

Outstanding debts owed to other PHAS:

All debts owed to other PHAs or federally funded programs must be satisfied before admittance to the any Memphis Housing Authority program. MHA, at its discretion, may offer a participant the opportunity to enter an agreement to satisfy amounts owed to other PHAs or federally funded programs.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Memphis Housing Authority endorses and approves amending the Housing Choice Voucher Administrative Plan as follows:

Outstanding ding debts owed to MHA:

Memphis Housing Authority, at its discretion, may offer a participant the opportunity to enter an agreement to satisfy amounts owed to Memphis Housing Authority. If the participant does not comply with the repayment agreement, MHA may terminate the participant from Memphis Housing Authority program.

Outstanding debts owed to other PHAS:

All debts owed to other PHAs or federally funded programs must be satisfied before admittance to the any Memphis Housing Authority program. MHA, at its discretion, may offer a participant the opportunity to enter an agreement to satisfy amounts owed to other PHAs or federally funded programs.

BE IT FURTHER RESOLVED that the amendment to the Housing Choice Voucher Administrative Plan. shall go into effect immediately.

Commissioner Randolph called for a motion to approve Resolution No. 4453. A motion was made by Commissioner Mardis and seconded. Commissioner Randolph called for discussion;

Commissioner Randolph asked how much debt is owed. Ms. Lewis stated that we have not determined the amount of debt owed because the focus is on relocation.

Commissioner Randolph asked if the amendments cover Tulane and Warren Apartments. Ms. Scott stated Yes.

Commissioner Randolph asked how responsive are other companies to accepting residents from Foote Homes. Mr. Webb stated they have been responsive once vacancies become available they work with us to match families.

Commissioner Stemmler asked how difficult is it for families to move with the vouchers.

Ms. Scott stated that there are over one thousand units available in Shelby County, however; residents want to live in the down town area.

There being no further discussion, Commissioner Randolph called for the vote. The motion passed; Resolution 4453 was approved.

Mrs. Lewis sought Board approval for

RESOLUTION NO. 4454

RESOLUTION IN RECOGNITION AND APPRECIATION OF DISTINGUISHED SERVICE BY DORIAN JENKINS

WHEREAS, it was necessary to replace the Interim Executive Director who was responsible for supervising the day-to-day operations of the Memphis Housing Authority; and

WHEREAS, the Board of Commissioners determined that it would solicit proposals and/or quotes from qualified management firms to provide full executive director services and counsel to staff in order to supervise the day-to-day operations of Memphis Housing Authority; and

WHEREAS, by Resolution adopted on January 7, 2016, the Board of Commissioners sought the services of a Firm to provide Executive Oversight to Memphis Housing Authority;

WHEREAS, the Firm of Nan McKay was selected and they provided Dorian Jenkins from their Company to serve as the Interim Executive Director for Memphis housing Authority;

WHEREAS, Dorian Jenkins has provided his expertise, outstanding team leadership, invaluable insights, perspective, and guidance throughout the six months he has served as the Interim Executive Director for this Authority;

WHEREAS, Dorian Jenkins has served with great professionalism, dedication, and distinction.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners acknowledges and extends its gratitude to Dorian Jenkins for his dedicated service and contribution to Memphis Housing Authority Mission of providing affordable, decent, safe and sanitary Housing to the citizens of Memphis and Shelby County.

Commissioner Randolph called for a motion to approve Resolution No. 4454. A motion was made by Commissioner Mardis and seconded. Commissioner Randolph called for discussion;

Commissioner's and staff thanked Mr. Jenkins for his hard work and dedication to the Agency.

There being no further discussion, Commissioner Randolph called for the vote. The motion passed; Resolution 4454 was approved.

V. SPECIAL PRESENTATION(S):

Mrs. Lewis presented the Agency with the 2016 National Award of Merritt for the Housing Choice Voucher Informal Hearing Process.

The Commissioner's welcomed Ms. Lewis as the new Executive Director of the Memphis Housing Authority.

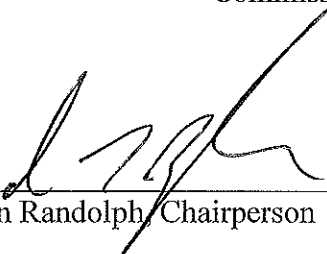
VI. DISCUSSION ITEMS: None

VII. ANNOUNCEMENTS:

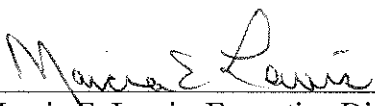
- Regular scheduled Board Meeting July 28, 2016 at 9:00 am

VIII. ADJOURNMENT

- Commissioner Randolph adjourned the meeting at 9:35 a.m.



Ian Randolph, Chairperson



Marcia E. Lewis, Executive Director