

MEMPHIS HOUSING AUTHORITY
700 ADAMS AVENUE
MEMPHIS, TN 38105

MEETING OF THE BOARD OF COMMISSIONERS
MINUTES OF MEETING
March 24, 2016
9:00 am

- I. The meeting of the Memphis Housing Authority Board of Commissioners was held March 24, 2016 at 9:15 am in the Board Room. The meeting was called to order by Commissioner Randolph.

Attendees:

Commissioners:

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

MHA Staff:

Dorian Jenkins, Interim Executive Director
Gregory L. Perry Bobby Slaughter
Dale Jackson William Webb
Luretha Phillips Leslie Paige
Cheiktha Dowers-Scott Dale Jackson
Vickie Aldridge

Residents: Rosie Meridith

Media Presentation: None

Special Guest(s): Katie Goor, Quadel Representative

II. AGENDA

The agenda was unanimously approved.

III. MINUTES

February 25, 2016 minutes were unanimously approved.

IV. RESOLUTION AND BOARD ACTION

Commissioner Randolph called for summary approval of Resolutions 4437, 4438, 4439 and 4440. 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; Resolutions 4437, 4438, 4439 and 4440 were approved.

- A. RESOLUTION NO. 4437 APPROVING THE ADMISSION AND CONTINUED OCCUPANCY POLICY OF THE MEMPHIS HOUSING AUTHORITY- **LEGAL DEPARTMENT**
- B. RESOLUTION NO. 4438 APPROVING THE PUBLIC HOUSING LEASE AGREEMENT OF THE MEMPHIS HOUSING AUTHORITY-**LEGAL DEPARTMENT**
- C. RESOLUTION NO. 4439 APPROVING THE COMMUNITY SERVICE AND SELF-SUFFICIENCY REQUIREMENT POLICY OF THE MEMPHIS HOUSING AUTHORITY- **LEGAL DEPARTMENT**
- D. RESOLUTION NO. 4440 APPROVING THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 POLICY OF THE MEMPHIS HOUSING AUTHORITY- **LEGAL DEPARTMENT**
- E. RESOLUTION NO. 4441 APPROVING THE HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN OF THE MEMPHIS HOUSING AUTHORITY- **HOUSING CHOICE VOUCHER DEPARTMENT**
- F. RESOLUTION NO. 4442 APPROVING THE ANNUAL AND FIVE-YEAR PLAN OF THE MEMPHIS HOUSING AUTHORITY - **LEGAL DEPARTMENT**

RESOLUTION NO. 4437

RESOLUTION APPROVING THE ADMISSIONS AND CONTINUED OCCUPANCY POLICY OF THE MEMPHIS HOUSING AUTHORITY

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 Public Housing Program under the auspices of the Department of Housing and Urban Development; and

WHEREAS, the Memphis Housing Authority is governed via the policies and procedures set forth in its Admissions and Continued Occupancy Policy (ACOP); and

WHEREAS, the ACOP was attached to the Annual Plan for comments and the residents have been given 45 days to provide written comments and public meetings were held at different developments and at the central office to allow tenants to comment and all comments were duly considered; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Memphis Housing Authority endorses and approves the Statement of Policies Governing Admissions and Continued Occupancy of HUD-Aided Low-Income Housing Developments in the ACOP and hereby approves the attached ACOP which is incorporated herein.

BE IT FURTHER RESOLVED that the attached ACOP shall go into effect immediately.

CHANGES IN THE ACOP

XI. Community Service/Self-Sufficiency Policy was updated to adopt HUD's Notice PIH-2015-12 issued August 13, 2015.

XIV. Definitions of Terms Used in This Statement of Policies

41. Single Person - A person who may be an elderly person, near-elderly person, a person with disabilities, a displaced person, or the remaining member of a resident family or any other person.

42. Spouse - Either member of a married pair in relation to the other; one's husband or wife of the head of the household.

RESOLUTION NO. 4438

RESOLUTION APPROVING THE PUBLIC HOUSING LEASE AGREEMENT OF THE MEMPHIS HOUSING AUTHORITY

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 Public Housing Program under the auspices of the Department of Housing and Urban Development; and

WHEREAS, the Memphis Housing Authority is required to have a lease agreement in compliance with the Federal Regulations 24 CFR 966.4; and

WHEREAS, the lease was attached to the Annual Plan for comments and the residents have been given 45 days to provide written comments and public meetings were held at different developments and at the central office to allow tenants to comment and all comments were duly considered; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the attached lease agreement which is incorporated herein.

BE IT FURTHER RESOLVED that the attached Lease Agreement shall go into effect immediately.

RESOLUTION NO. 4439

RESOLUTION APPROVING THE COMMUNITY SERVICE AND SELF-SUFFICIENCY REQUIREMENT POLICY OF THE MEMPHIS HOUSING AUTHORITY

WHEREAS, the Community Service and Self-Sufficiency requirement does not apply to various exempt groups such as elderly person, certain disable individuals, individuals working 30 or more hours per week and others [24 CFR 960.600-609]; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the attached Community Service and Self-Sufficiency Policy within is incorporated herein.

BE IT FURTHER RESOLVED that the attached Community Service and Self-Sufficiency Policy shall go into effect immediately.

RESOLUTION NO. 4440

RESOLUTION APPROVING THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 POLICY OF THE MEMPHIS HOUSING AUTHORITY

WHEREAS, the Memphis Housing Authority is governed by the rules and regulations of the United States Department of Housing and Urban Development (HUD); and

WHEREAS, on April 1, 2015, HUD issued a proposed rule amending HUD's regulations to fully implement the requirements of the Violence Against Women Act (VAWA) as reauthorized in 2013 under the Violence Against Women Reauthorization Act of 2013; and

WHEREAS, VAWA 2013 provides enhanced statutory protections for victims of domestic violence, dating violence, sexual assault, and stalking. VAWA 2013 also expands VAWA protections to HUD programs beyond HUD's public housing and Section 8 programs, which were covered by the reauthorization of VAWA in 2005 (VAWA 2005); and

WHEREAS, VAWA 2013 extends housing protection to survivors of sexual assault, and adds "intimate partner" to the list of eligible relationships in the domestic violence definition. Protection also now cover an "affiliated individual," which includes any person living within the survivor and related to him or her by blood or marriage including the survivor's spouse, parent, brother, sister, child, or any person to whom the survivor stands in loco parentis; and

WHEREAS, VAWA 2013 includes the requirement that each appropriate agency develop a notice of rights under VAWA for tenants and provide such notice at the time a person applies for housing, when a person is admitted as a tenant of a housing unit, and when a tenant is threatened with eviction or termination of housing benefits; and

WHEREAS, VAWA 2013 requires each appropriate agency to adopt a model transfer plan for use by public housing agencies and owners or managers of housing; and

WHEREAS, the Memphis Housing Authority has included VAWA 2013 protections within its ACOP and Public Housing Lease Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Memphis Housing Authority endorses and approves the VAWA Policy in response to the requirements of the Violence Against Women Reauthorization Act 2013 the attached Policy shall go into effect immediately.

Ms. Dowers sought Board approval for Resolution No. 4441

RESOLUTION NO. 4441

RESOLUTION APPROVING THE HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN OF THE MEMPHIS HOUSING AUTHORITY

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;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Memphis Housing Authority endorses and approves the attached Housing Choice Voucher Administrative Plan.

BE IT FURTHER RESOLVED that the attached Administrative Plan shall go into effect immediately.

Commissioner Randolph called for approval of Resolutions 4441. 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; Resolutions 4441 was approved.

Mr. Perry sought Board approval for Resolution No. 4442

RESOLUTION NO. 4442

RESOLUTION APPROVING MEMPHIS HOUSING AUTHORITY'S ANNUAL AND FIVE-YEAR PLAN

WHEREAS, the Board of Commissioners has reviewed the Annual Plan and Five-Year Plan for submission to the Department of Housing Development (HUD); and

WHEREAS, the Board of Commissioners makes the following certifications and agreements with HUD in connection with the submission of the Annual Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.
4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further

- fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. For PHA Plan that includes a policy for site based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2006-24);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
 9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
 10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
 11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
 12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
 13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
 14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
 15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
 16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
 17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
 18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).

19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
21. The PHA provides assurance as part of this certification that:
 - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
22. The PHA certifies that it is in compliance with all applicable Federal statutory and regulatory requirements.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves, adopts and authorizes the submission of the Annual and Five-Year Plans and all attachments thereto for fiscal year beginning July 1, 2016 and that the Chairperson of the Board or Executive Director of the Memphis Housing Authority is hereby authorized and directed to execute and deliver to HUD any and all other documents, certificates, forms, instruments and agreements required for the submission of the Annual and Five-Year Plans.

Commissioner Randolph called for approval of Resolutions 4442. A motion was made by Commissioner Lowery and seconded. Commissioner Randolph called for discussion;

Commissioner Randolph asked if the Resident President Advisory Board review the Plan. Mr. Perry stated yes, they met with the Interim Executive Director to discuss the plan.

Mr. Perry stated that residents questions/concern are being taking into consideration and included within our Capital Improvements Plan

There being no further discussion, Commissioner Randolph called for the vote. The motion passed; Resolutions 4442 was approved.

V. SPECIAL PRESENTATION(S):

- None

VI. DISCUSSION ITEMS:


- Commissioner Randolph open the floor for public comments. Rosie Meridith a resident at Barry Homes expressed her concerns regarding the Annual-Five Year Plan Community Service Requirement.
- Mr. Jenkins informed the Board that MHA is working to implement a non-smoking policy throughout the developments.

VII. ANNOUNCEMENTS:

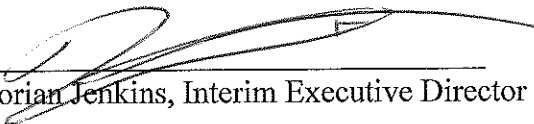
- The next regular Board of Commissioner meeting is April 28, 2016.

VIII. ADJOURNMENT

- Commissioner Randolph adjourned the meeting at 9:25 a.m.



Ian Randolph, Chairperson



Dorian Jenkins, Interim Executive Director