

**Daytona Beach Housing Authority**

**January 15, 2021 Regular Board Meeting**

**I. Call to Order** - Chairman Daniels called the meeting to order at 10:02 a.m.

**II. Roll Call** - Commissioners Jass, Jamison, Ivey, and Daniels were present.

**III. Invocation** - The invocation was led by Commissioner Ivey.

**IV. Recognition of Visitors** - Chairman Daniels recognized FSS graduate Dorqueta Wright. A check was presented by the commissioners.

Attorney Gilmore told the commissioners that since there has not been governor's order of a waiver, there needs to be coordination on which commissioners will be present at board meetings and stated that there needs to be at least three commissioners present.

**V. Approval of Minutes**

**A. Regular Board Meeting, December 18, 2020 -**

Commissioner Ivey made a motion to approve the minutes of December 18, 2020. Commissioner Jass seconded the motion. Unanimously approved.

**VI. Public Comments** - No public comments.

**VII. Approval of Agenda** - Commissioner Ivey requested the chairman add a few items to the old business items. He

wanted to add Saxon Gilmore's contract and the bond attorney that's needed.

Commissioner Ivey also asked for information on the builders for the RFP that was out for the single lots. Ms. Bates stated that that will be discussed in the development corporation meeting. Commissioner Ivey requested the information for the regular board meeting as well as it is listed on the agenda. Attorney Gilmore stated that information will be provided.

Ms. Bates explained the process of negotiations and request for information from developers, which will happen once the development corporation gives the approval to award the contracts. She stated that more information will be coming to the board in the future.

Chairman Daniels asked Ms. Bates to explain the process to the board. Ms. Bates stated that if the board approves the lot in the resolutions, she will look to see if there are any in-house plans that will fit on the lot. She said speeding up plans is not a HUD issue, but instead the steps of process.

Commissioner Ivey made a motion to add item C, discussion of bond attorney, to old business, and move Saxon Gilmore contract item from information items to old business on the

agenda. Commissioner Jamison seconded. Unanimously approved.

Attorney Gilmore made a note that Commissioner Jamison physically joined the meeting.

**VIII. Special Guest -**

**A. Development Update - Holly Knight, BGC Advantage - Ms.**

Knight provided an update from BGC. She stated different security measures are still being considered, as well as details on the elevator. Other than that, scope of work hasn't changed at the sites. They are working on a tax abatement request. The land will always remain with the housing authority under a ground lease, which is not taxable.

BGC will be holding a second resident meeting once the financing plan has been approved associated with moving forward to the RCC.

Palmetto was added to the Daytona II Family. Ms. Knight stated that she expects to share with the board next month some renderings on the family and talk about some of the outcomes of meetings and discussions that take place with residents and the architect about things that they see are needed in the units.

Ms. Knight stated that BGC is establishing a time to do minority contractor outreach for Windsor/Maley this

month. She requested the commissioners share them with vendors and subcontractors in the community.

There is a plan and design bid out which will be open to all general contractors. This is not a sealed bid but an invited bid.

BGC is updating CHAP to include Palmetto which was removed. Underwriting has started.

Ms. Knight shared some key conversion dates. One key date is getting the general contractor on board, making sure they are within budget, and getting through the environmental issues.

Ms. Knight introduced Alisha Gant, who is taking the project lead. She announced that Adrian Peterson-Fields took a job at HUD.

Ms. Bates said the date for the manager meeting was January 10th and they were sent the draft flyers and documentation.

Commissioner Ivey asked Ms. Knight if the tax abatement was coming from the city, state, or federal.

Ms. Knight said the tax abatement approval comes from the tax accessor, which is an entity in the county.

Ms. Bates told Commissioner Ivey that there is a meeting on the 26th with the tax accessor, which Ms. Knight will attend.

Commissioner Ivey asked Ms. Knight if there have been any ideas on what will be done with Palmetto. Ms. Bates stated that Palmetto had to be taken out of the application to apply for choice neighborhoods. She announced to the board that the authority was not granted the award.

Ms. Knight stated that they are working on a plan and proposal on Palmetto. She stated that they would be working with the housing authority on what would be best for Palmetto.

Commissioner Ivey asked Ms. Knight about the density that could be put into the Palmetto site due to the vacant land in-between the buildings. Ms. Knight stated that she should have concepts and proposals prepared to be bid out next month.

Ms. Bates told Commissioner Ivey that she's been meeting weekly with architects and engineers to discuss Whitney Street and what can be done to reconfigure it.

Ms. Bates told the commissioners that HUD establishes a RAD rent based on each property.

Ms. Bates stated that there will be meetings with the marketing team in March with all the communities about naming the properties. She asked for recommendations

from the commissioners and asked that they be shared before the March meeting.

## **IX. Old Business**

- A. Pilot Funds for construction of a single-family residence - Commissioner Ivey (Moved from Dec 2020 Agenda)** - Ms. Bates stated that she sent a letter to the city manager but did not receive a response. She asked another city staff, and they were going to check into it, but Ms. Bates has not yet received a response.
- B. Affiliate Creation** - Attorney Gilmore stated that the name that the commissioners picked, DBIJJ Community Services, Inc. was available. He has completed the articles of incorporation but needs signatures.
- C. Bond Attorney/D. Saxon Gilmore Contract** - Commissioner Ivey asked that this agenda item be brought forward because the contract is automatic renewal. Attorney Gilmore said that it has more to do with interpreting language in the contract. On page three of the Saxon Gilmore contract, section seven, it's the employment of counsel's specialists or experts.
- Commissioner Ivey stated that when the bond presentation took place at the last retreat, the bond attorney brought up some ideas on how the board could

move forward without going through the RFP or RFQ process in order to save money. Commissioner Ivey stated there was a situation in the past where no local participation was awarded any contracts. He stated he spoke to Attorney Gilmore and other attorneys at various conferences on how to address the issue. Commissioner Ivey stated that if Attorney Gilmore can't handle an issue and he can call a local attorney, it'll allow him to do that and save time and sometimes save money. He said the bond attorney is a specialty.

Commissioner Ivey said that instead of doing RFP and RFQ process, Attorney Gilmore can handle the process. Attorney Gilmore would need to get approval before any money is disbursed.

Attorney Gilmore stated that if the housing authority is involved in litigation and there's an expert witness that is needed, that witness can be brought in under the contract because it would be needed. He stated that if the budget is going to be exceeded, the attorney would go back to the board. Attorney Gilmore stated that the bond attorney, John Wilson, gets built into the deal.

Ms. Bates stated that the board inherited the contract with Attorney Gilmore.

She stated that the additional work that Commissioner Ivey is referring to has more steps involved if the board wants to totally close the bond process, which is \$150,000. Ms. Bates stated the board would not have to issue an RFP to get disclosure counsel unless there is a need.

If the board decides in the future that it wants to issue bonds, then the full package is needed. However, is the financial investment needed right now? Through the process, there are three or four different levels of legal bandwidth that is needed, and Attorney Wilson is qualified.

Ms. Bates stated the board needs to decide how far the board plans on going and add the additional layers as the board goes along. She doesn't think that disclosure counsel is needed at the moment.

Ms. Bates stated that if disclosure is needed for the RAD deal, it is still better to go through Reno & Cavanaugh because it will be paid out of the deal. She stated that Saxon Gilmore contract expires next year. At that time, the board might want to consider



redoing the contract and expand it to have more meat and money.

Attorney Gilmore does not think the board needs disclosure counsel. He does think a bond deal is a wonderful thing to use but it is a bonanza for lawyers.

Commissioner Ivey stated that when Attorney Gilmore's contract was done, it was done based on the past direction that the board was going in. He stated that if Attorney Wilson said that the board may need his counsel, then the bond deal needs to be done right. Ms. Bates told Commissioner Ivey that the cost per hour of the attorney is not the issue but really a procurement issue. The board could not increase Saxon Gilmore's contract by \$150,000 because it would be a procurement issue. She said that an RFP would be needed.

**X. New Business**

- A. Resolution 2021-11 Down Payment Assistance** - Ms. Bates stated that the resolution is asking for the board's consideration to utilize some of the Hope Six funds that have not been touched since 2006 to provide down payment assistance for participants in the housing choice voucher program or the public housing program.

Chairman Daniels confirmed with Attorney Gilmore that the funds could be used for this intent, to which Attorney Gilmore agreed.

Ms. Bates stated that to qualify, residents would have to be on Section 8. The money could not go to anybody who is not served by the housing authority. She also stated that there is an FSS participant who wrote Ms. Bates a letter and wants to buy a house in Port Orange. Ms. Bates told the FSS participant that the housing authority could not assist in another city. The money would have to be tied to a home in the city of Daytona Beach.

Commissioner Ivey asked Ms. Bates about the money in the program, which is \$908,000. Ms. Bates told Commissioner Ivey that that is the balance before any money is taken out. She stated that there are a couple of Hope Six accounts, but she wanted to identify which account the money would come from. At the time of the resolution, that was the amount of money that was in the account.

Commissioner Ivey made a motion to approve Resolution 2021-11 down payment assistance. Commissioner Jamison seconded the motion. Unanimously approved.

**B. Resolution 2021-12 Transfer of Lot 6 on Vernon Street to the Daytona Beach Housing Development Corporation to build affordable housing**

- Commissioner Ivey made a motion to approve Resolution 2021-12 transfer of lot six on Vernon Street to the Daytona Beach Housing Development Corporation to build affordable housing. Commissioner Jamison seconded the motion. Unanimously approved.

**C. Resolution 2021-13 Submission of Maley Designated Housing Plan**

- Ms. Bates stated that this resolution is more of a formality as Maley's been designated for years. This resolution renews the designation.

Kara Lennard stated that the initial designation from HUD lasts five years and then renewal is permitted for an additional two years after that. If the designation expires or if asking for a new designation, process must be done.

Ms. Bates stated there are no changes. There was an assessment done to determine if anyone would be impacted, which there is not.

Commissioner Jamison made a motion to approve Resolution 2021-13 as written. Commissioner Jass seconded the motion. Unanimously approved.

**D. COVID-19 - Board Discussion** - Ms. Bates stated that boards nationally are discussing COVID. Attorney Gilmore told the commissioners that they cannot force someone to take a vaccine. As an employer, proof of vaccination can be required if there is no religious or medical reason, which would need to be documented. Attorney Gilmore explained the issues that could occur. He suggested to the commissioners to avoid discussion about COVID with employers and how the operation might be impacted.

Discussion took place between the commissioners, Attorney Gilmore, and Ms. Bates regarding the COVID vaccine and its accessibility.

**E. Rose and Mary McLeod Bethune Planning - Kara Lennard and Terril Bates** - Ms. Bates stated that the lot at the corner of Rose and Mary McLeod Bethune is owned by the housing authority. Commissioners requested the building to be taken down, which it was. There's a fence around it and Ms. Bates has looked into different options that the board could do. HUD money cannot be used because it's not DOT. Ms. Bates stated she wanted to establish a partnership with Halifax Urban Ministries to bring a farmer's market there because there's not a lot of food

available and especially fresh food. Halifax is interested. Ms. Bates asked how the commissioners felt about having a farmer's market plan but allow neighborhood residents to be able to have baked goods at the Halifax commercial kitchen that could be sold there.

Commissioner Jass stated she liked the idea as her daughter lives in the neighborhood and they are more aware of the things that happen. She stated they're isolated from everything.

Commissioner Ivey stated that he thinks the car wash located next to the lot has been closed and sold. His opinion is to sell the lot.

Chairman Daniels agreed with Commissioner Ivey in selling the lot. Commissioner Jamison asked Ms. Bates how much the lot would be listed for and Ms. Bates told the board that an appraisal would need to be done to find the value of the lot. She stated that if the lot needed to be listed under appraised value, she would seek board approval.

Commissioner Ivey asked Ms. Bates if a realtor would do a CMA, current market analysis, on the lot. Ms. Bates agreed.

Commissioner Ivey made a motion authorizing the director of the housing authority to sell the property located on the corner of Rose Street and Mary McLeod Bethune. Commissioner Jamison seconded the motion. Unanimously approved.

**F. Newsletters Featuring Commissioners** - Ms. Bethune stated that during a resident game, a question was asked to name the board of commissioners. She stated that people in the room could not answer the question. Ms. Bethune requested permission and the opportunity to place an approved photo and a brief bio in their newsletter, highlighting professional and community experience, and have a brief comment about how invested each investor is in the Daytona Beach community and the lives of the families. Chairman Daniels thought it was a good idea. Ms. Bates stated she would reach out to Ms. Bethune with the information needed.

## **XI. Information Items**

**A. Section 3 Training Update - Commissioners Jass and Brown-Crawford (Moved from Dec 2020 Agenda) -**

Commissioner Jass asked if this item could be moved to the next meeting.

**B. Capital Fund - Kara Lennard** - Ms. Bates would like to schedule a development discussion meeting during the month of February. She stated that she will try to pick out eight possibilities of what the board can do, but there needs to be a plan in place for expending the capital fund before the RAD deal is closed.

**C. Windsor/Maley Cedar Street Survey Meeting and Results**

- Ms. Bates stated that at the retreat, it was decided that a survey would be sent out to the Windsor/Maley residents to talk about closing off the street. Ms. Bates sent the board a copy of the survey and adjusted it based on the board's comments. There was a Zoom meeting to answer any questions. Results of the survey response was presented to the board.

Commissioner Ivey stated that he's glad the survey was done and that residents got involved. He stated he's not happy that there's been one presentation on the PUD and now it's going in a different direction. He says he's fine with whatever is decided.

Commissioner Jass stated that Cedar Street needs to be open because the buses were stopped while doing the construction, so tenants have to walk up to Ridgewood and some are on walkers and they can't walk that far.

She also stated that Votran is going to start coming between the two buildings.

- D. COVID-19 Update Letter to Staff** - Ms. Bates stated that any time she sends communication to the staff about COVID, she includes it in the packet, so the board is aware of what's going on.

## **XII. Monthly Departmental Reports**

- A. Chief Executive Officer (CEO) Report** - Ms. Bates highlighted that the board earned about \$39,000 in non-federal funds by administering the rental assistance program.

The housing authority distributed about 150 laptops to children in public housing. She encouraged the board to show up when the laptops are given out.

On choice neighborhoods, a request was sent to HUD for debriefing back in December. Most HUD staff went back to work January 11th. As soon as an appointment is given by HUD, they will be debriefed.

- B. Chief Operating Officer (COO) Report** - Ms. Wells discussed the RAP program. Out of 227, 200 received rental assistance payments and several received three to four months of payments. There was about \$300,000 provided as of December 18th.



There was a team of nine people that helped during that time. She stated between overtime and part-time hours paid, \$8,000 was provided. Incentives for employees that were volunteering their time, \$7,900 was provided. As of December 18, 2020, \$22,992.28 went into the account. Three more weeks has been submitted since the report.

Ms. Bates stated that the LEAP Center is across the hall and asked the commissioners to walk through there before they leave for the day. She also asked the commissioners to visit Cedar.

**C. Finance Report - Report Unavailable**

**D. Affordable Housing Report - Special Presentation,**

**Pasquel Judon** - Ms. Bates stated they are going to feature one property per month. This month, it is Northwood Village. Pasquel Judon is the property manager.

Ms. Judon discussed some events that occurred on the properties she manages during the month of December. She met with the residents to make sure that they were aware of the goals and vision. Participation was at minimum, but notices were posted on every floor to let the residents know what was upcoming and what the vision was for 2021.

Ms. Judon stated that there was an update to the surveillance system at Northwood II. The buildings were pressure washed and the stairs and breezeways were painted. The flooring at Network and Career Center was replaced.

They had the first annual door décor contest. They also hosted a luncheon for maintenance appreciation. There was a training on REAC.

Ms. Judon presented before and after pictures.

**E. Housing Choice Voucher Report** - Ms. Bates stated that the housing choice voucher department is getting ready for the audit. The auditors will arrive February 1st. The waitlist was opened in December. Around 500 applications were taken. She stated that the housing authority received \$980,000 in HAP set aside, which will be used to boost ACC numbers and increase admin fee.

There was also an additional amount of 75 mainstream vouchers. So, about six, \$700,000 more in mainstream. Over \$1 million in mainstream has been received in the last year.

A new staff person was onboarded and will start on Tuesday.

As the housing authority goes through the RAD deals, when Windsor and Maley is closed, the 300 public housing participants will become Section 8 participants. Ms. Bates stated they're preparing the department to administer the project-based vouchers.

**F. Community Engagement and Partnerships Report -**

Community engagement department or resident services was busy for the month of December with Toys for Tots distribution. There were over 300 children served.

On Monday, the Midtown Community Development Corporation will be distributing bleach and washing powder to the residents of Palmetto Park. There will be a Financial Aid workshop on January 30th.

Daytona Dream Center did a food distribution at the Maley and Windsor. There were over 108 senior and disabled families that came out to participate.

**G. Development and Business Management Report -**

Commissioner Ivey asked if there was a direct number that he can call to ask any questions he may have at times. Ms. Lennard did not know the number, but she said she would get the information to Commissioner Ivey.

**XIII. Public Comments -** No public comments.

**XIV. Staff Comments -** No staff comments.

**XV. Commissioners Comments** - Commissioner Jass stated that she can see improvements in the short time she's been a commissioner. She's thankful for Ms. Bethune who deals with tenants and RAD. She stated that a doctor in Daytona Beach donated 30 turkeys and trimmings to hand out to the Windsor and Maley tenants that normally don't come out or sign up for things. The community is reaching out to help make things better.

Commissioner Jamison thanked those who participated in the acknowledgement of commissioners for Christmas. She stated she's pleased with all the reports that were given.

Commissioner Ivey asked Ms. Bates about the CEO report where she had prepared plans for privately owned properties. He wanted to know if an RFP was sent out to management and what came of it. Ms. Bates stated that staff that knew how to manage low-income housing tax credit was hired so that the housing authority would be in a position to manage it themselves. A few people were hired but they didn't stay. At the current moment, there is no one on staff that has the experience needed.

Chairman Daniels wished everyone a happy new year. He's happy with the meeting. He stated he's looking forward to future meetings because it looks like something will be built this year.

Attorney Gilmore stated that everything that's being done is continuing to move the housing authority ahead.

Ms. Bates asked for a date for the development corporation meeting. Chairman Daniels stated the meeting could take place next month or at the retreat. Ms. Bates stated that the meeting needs to take place this month to get the lot transferred. Chairman Daniels stated that three people are needed for quorum. He asked Commissioner Ivey what he wants to do.

Commissioner Ivey said it depends on the attorney schedule.

Ms. Bates stated it should be a short meeting.

**XVI. Motion to Adjourn** - Commissioner Jamison made a motion to adjourn. Commissioner Jass seconded the motion. Meeting was adjourned at 12:53 p.m.

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