EXPANDED AGENDA – (REVISED)

September 11, 2013

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<td>5:15 p.m.</td>
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<td><strong>EXECUTIVE SESSION</strong></td>
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**NOTES:**

1. This Agenda is subject to change without notice.
2. Public participation is permitted on Agenda items in the same manner as if the Commission was holding a legislative-type Public Hearing.
3. Times are approximate and may vary depending on length of discussion.
4. *These items are listed "For Future Action" to give advance notice of coming Agenda topics and not for action at this meeting.
5. Commission briefing materials are available in the Commission offices the Monday prior to a Wednesday meeting.

If you require any aids or services to fully participate in this meeting, please call (240) 627-9425 or email commissioners@hocmc.org.
Consent Items
The monthly meeting of the Housing Opportunities Commission of Montgomery County was conducted on Wednesday, August 7, 2013 at 10400 Detrick Avenue, Kensington, Maryland beginning at 4:20 p.m. Those in attendance were:

Present
Roberto Piñero
Sally Roman, Vice Chair
Michael Kator, Chair Pro Tem
Pamela Lindstrom

Not Present
Jean Banks
Rick Edson
Michael Wiencek

Also Attending
Stacy Spann, Executive Director
Andrew Oxendine
Joy Flood
Jim Atwell
Bobbie DaCosta
Audrey Rutkove
Patricia Oliver
Rita Harris
Bill Anderson
Cathy Kramer
Larry Marbley
Kenneth Thomas
Yiping Ye
Jennifer Arrington
Ken Goldstraw
Tonya Clark
Marsha Smith
Susan Yancy
Sal Dangamuwa
Nate McKinstry

Ken Tecler, Staff Counsel
Kayrine Brown
Patrick Mattingly
Ifang Navintranonth
Zachary Marks
Michelle Wright
Silvia Zelayandia
Eugene Spencer
Agnes Adebona
Dean Tyree
Sharon Marbley
Louis Chaney
Larry Johnson
Jay Demory
Bonnie Hodge
Saundra Boujai
Hiwote Yohannes
Margaret Blassingame
Berneta Green
Tara Whicker
Prior to the meeting convening, Patrick Mattingly, Human Resources Director, along with Division Directors presented Resolutions to employees retiring August 1, 2013.

The Consent Calendar was approved upon a motion by Chair Pro Tem Kator and seconded by Vice Chair Roman. Affirmative votes were cast by Commissioners Piñero, Roman, Kator, and Lindstrom. Commissioners Banks, Edson and Wiencek were necessarily absent and did not participate in the vote.

I. CONSENT ITEMS

A. Approval of Minutes

- Approval of Minutes of Regular Meeting of July 17, 2013 – The minutes were approved as submitted.

B. Adoption of Retirement Resolution for Lois Drew – The following resolution was approved.

RESOLUTION: 13-51

WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Lois Drew for 25 years of loyal service and dedication to the Agency and the citizens of Montgomery County; and

WHEREAS, Lois began her career with HOC in 1988 as a Scattered Site Manager at Middlebrook Square; and

WHEREAS, in 2001, Lois was reassigned to Housing Inspector in the Rental Assistance Division. Lois took great pride in her work, had high regard for tenant integrity and did not compromise her position in enforcing program regulations and demonstrated a genuine concern for the community she served. As a result of her foresight and proactivity, properties inspected by Lois attained higher standards of maintenance and management.
WHEREAS, Lois is recognized for her professionalism, reliability, excellent organizational and time management skills, effective client and landlord relationships and as a valued team player; and

WHEREAS, Lois’s years of service and expertise in the inspection process have benefitted HOC and the entire inspection team; and

WHEREAS, Lois earned many employee awards over the years including participation on a Work Quality Task Force in 1997 to establish a new Time and Attendance policy and implementation of Compressed and Flexible Work Schedules at HOC, for her teamwork in achieving a 95% goal for Housing Choice Voucher program lease-up effort as mandated by HUD in 2003, and for her work with data entry and reconciliation in the Yardi Voyager system implementation.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Lois for her many contributions and wishes her health and happiness in her retirement.

C. Adoption of Retirement Resolution for Vivian Ferguson – The following resolution was approved.

RESOLUTION: 13-52 RE: Adoption of Retirement Resolution for Vivian Ferguson

WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Vivian Ferguson for 15 years of loyal service and dedication to the Agency and the citizens of Montgomery County; and

WHEREAS, Vivian began her career with HOC in 1998 as Site Manager II for Middlebrook Square and Tobytown; and

WHEREAS, Vivian was promoted to Site Manager III in 2000. Following a complete renovation of Middlebrook Square, the property was renamed Seneca Ridge and Vivian continued to manage Seneca Ridge and Tobytown and took on additional duties as the Maintenance Manager for Lasko Manor; and

WHEREAS, Vivian has been a resourceful and valued team player, setting and meeting high standards for the maintenance of properties she has managed, including raising REAC scores at the properties and being unfailingly polite and professional in her dealings with residents, staff and others, including helping mediate an agreement between Tobytown homeowners and residents and HOC and helping these residents during a challenging 2006 property renovation while displaying the utmost care and concern for the well being of these residents; and
WHEREAS, Vivian was always willing to volunteer her time and expertise to assist others carry out their duties, including training other property managers and counselors; and

WHEREAS, Vivian earned numerous employee awards over the years including an award for her role as a key player in the transformation of Middlebrook Square and Tobytown into thriving communities. She received a Special Project award for outstanding performance during the complete renovation of Seneca Ridge to coordinate the work of contractors, architects and project managers. Vivian was also instrumental in assisting the Montgomery County Police to apprehend a fugitive wanted for murder in 2010.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Vivian for her many contributions and wishes her health and happiness in her retirement.

D. Adoption of Retirement Resolution for Larry Johnson – The following resolution was approved.

RESOLUTION: 13-53 RE: Adoption of Retirement Resolution for Larry Johnson

WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Larry Johnson for 26 years of dedicated service to the Agency and the citizens of Montgomery County; and

WHEREAS, Larry began his career with HOC in 1987 as Custodian for Waverly House. In 1991, Larry was temporarily assigned to Leafy House for two years as a Security Officer. In May 1998, Larry accepted a career opportunity outside HOC and returned to the Agency later that year as Roving Custodian. He was promoted to Housing Inspector in the Rental Assistance Division in 2000; and

WHEREAS, Larry took great pride in his work, whether in maintenance or inspections. In addition to keeping Waverly House sparkling clean, for two years during his tenure there Larry volunteered his time on weekends to help with a garden and landscaping project. He often came in on his days off to help if he was needed. When he became an inspector, Larry continued to go the extra mile and not only performed and documented property inspections, but provided advice and referral information to landlords and managers to assist them with property repairs; and

WHEREAS, over the years, Larry’s donations to the Sick Leave Donor Program to help his fellow employees were extraordinary. His generosity in donating hundreds of hours of sick leave is unprecedented at HOC; and
WHEREAS, Larry is recognized for his professionalism, reliability, excellent organizational and time management skills, effective client and landlord relationships and as a valued team player; and

WHEREAS, Larry’s years of service and experience of the inspection process have provided immeasurable contributions to the entire inspection team including those who worked side by side as Housing Inspectors as well as supervisors and managers for whom he has worked during the course of his tenure; and

WHEREAS, Larry earned many employee awards over the years including a Special Project Award for his outstanding work in the development of a Resident Translator Handbook, for his teamwork in achieving a 95% goal for the Housing Choice Voucher program lease-up effort as mandated by HUD in 2003, for providing assistance to Arcola Towers during a major power outage caused by a hurricane, for his work with data entry and reconciliation in the Yardi Voyager system implementation, and for exemplary service in volunteering and assisting with initial or special inspections in other portfolios and participation on a Hoarding Task Force team.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Larry for his many contributions to HOC and wishes him health and happiness in his retirement.

E. Adoption of Retirement Resolution for Leslie “Ray” Lewis – The following resolution was approved.

RESOLUTION: 13-54

WHEREAS, the Housing Opportunities Commission is indebted to Leslie (“Ray”) Lewis for 22 years of loyal service and dedication to the Agency and the citizens of Montgomery County; and

WHEREAS, Ray began his career with HOC in 1990 as a Trades Maintenance Worker II at Middlebrook Square; and

WHEREAS, Ray was relocated to the East Deer Park Office scattered sites team in 2000. He was promoted to Lead Trades Maintenance Worker in 2005 and assigned to Emory Grove; and

WHEREAS, as a team leader Ray was very responsive and willing to meet with contractors and staff to provide technical advice and find ways to save money on property maintenance. Ray was helpful in evaluating major maintenance projects and worked closely with property managers to develop strong scope of work statements when hiring contractors. He provided keen oversight at Emory Grove and routinely helped out with property
maintenance issues at other properties. Ray possesses a good sense of humor and could always be counted on to keep his fellow workers smiling; and

**WHEREAS**, Ray earned many employee awards over the years, including a Special Project Award as a skilled craftsman in constructing a woodworking workshop at the East Deer Park Office, saving the Agency thousands of dollars in contracting costs; for outstanding performance with HVAC repairs and complete systems replacement in response to peak air conditioning season; and for exemplary service for his teamwork in assessing problems and proposing solutions to the multifamily team properties.

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Opportunities Commission expresses sincere thanks and appreciation to Ray and wishes him health and happiness in his retirement.

**F. Adoption of Retirement Resolution for Larry Marbley** – The following resolution was approved.

**RESOLUTION: 13-55 RE: Adoption of Retirement Resolution for Larry Marbley**

**WHEREAS**, the Housing Opportunities Commission is indebted to Larry Marbley for 34 years of loyal service and dedication to the Agency and the citizens of Montgomery County; and

**WHEREAS**, Larry began his career with HOC in 1978 as Custodian for Elizabeth House. Later that year, he was reassigned to Town Center; and

**WHEREAS**, in 1981, Larry was reassigned to Holly Hall and later to Arcola Towers. He was promoted to Trades Maintenance Apprentice for the Management Division in 1982. In 1989, Larry’s position was reclassified to Inventory Warehouse Assistant at the Upper County Facility. In 1991, he was promoted to Trades Maintenance Worker I and, again, to Trades Maintenance Worker II in 1994; and

**WHEREAS**, he approached all his tasks with determination and was a dedicated, reliable employee who displayed a strong work ethic. Larry’s dedication allowed him to advance and succeed in several positions which included Maintenance Apprentice in August 1990 and Inventory and Warehouse Assistant in May 1991 before transferring back to the maintenance field in September 2000 to seek additional job satisfaction and an opportunity for upward mobility in his pursuit of public service; and

**WHEREAS**, during the Summer of 1999 – one of the area’s hottest on record – Larry was recognized with his team members for outstanding service in keeping the air conditioning units in HOC scattered site homes in good running order and making necessary repairs quickly to keep the apartments and homes cool, protecting the health and comfort of HOC residents; and
WHEREAS, while employed by the Agency, Larry earned a diploma in Air Conditioning and Refrigeration from the International Correspondence School and a Certificate from Southern Management Training Center in the Apartment Maintenance Program which aided in his promotion to the position of Trade Maintenance Apprentice; and

WHEREAS, Larry’s attention to detail, his ability to communicate well with HOC residents and his willingness to share his expertise to help train co-workers benefitted HOC; and

WHEREAS, Larry earned numerous employee awards over the years including outstanding performance with DHCA Code Enforcement Inspections to address Section 8 issues and for HVAC repairs during peak seasons.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission expresses sincere thanks and appreciation to Larry for his many contributions and wishes him health and happiness in his retirement.

G. Adoption of Retirement Resolution for Sharon Marbley – The following resolution was approved.

RESOLUTION: 13-56

RE: Adoption of Retirement Resolution for Sharon Marbley

WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Sharon Marbley for 35 years of loyal service and dedication to the Agency and to the citizens of Montgomery County; and

WHEREAS, Sharon began her career with HOC in 1977 as Tenant Aide I for Bel Pre Square; and

WHEREAS, Sharon was promoted to Homeownership Specialist for Tenant Relations at the Kensington office in 1983 and to Program Specialist II in 1984. In 1988, Sharon was assigned to the Development Division and promoted to Program Specialist III in 1997; and

WHEREAS, in 1999, Sharon was promoted to Homeownership Coordinator for Single Family Programs in the Mortgage Finance Division. Hundreds of HOC residents have been able to purchase their first home in Montgomery County through the HOC Single Family Mortgage Purchase Program and the Housing Choice Voucher Homebuyer Program due to Sharon’s efforts. She provided counseling, conducted workshops and offered encouragement to first time homebuyers as well as helping train lenders on how to implement HOC’s homebuyer and closing cost assistance programs. Sharon also ran workshops and programs for employees including HOC staff and Park and Planning employees. Sharon excelled at marketing HOC’s homeownership programs at various County fairs and housing conferences, helping HOC to expand its homeownership programs; and
WHEREAS, Sharon’s hard work, dedication, attention to detail and leadership skills have earned her the respect of her coworkers and managers and have contributed to the mission and goals of the Housing Opportunities Commission; and

WHEREAS, Sharon earned numerous employee awards over the years for her contributions to the success of Mortgage Finance programs including direct responsibility for the Neighborhood Initiative Program in 1998. Sharon worked closely with civic representatives, non-profits and members of other government agencies to implement the program and assist homebuyers. In 2007, HOC purchased and resold an unusually large number of MPDUs to residents. Sharon’s role included showing units to residents, managing the sales contract and mortgage application process, and recovering over $200,000 owed to HOC from homeowners who had sold their homes without the required sharing of profits with HOC.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Sharon for her many contributions and wishes her health and happiness in her retirement.

H. Adoption of Retirement Resolution for John McIlroy – The following resolution was approved.

RESOLUTION: 13-57  RE: Adoption of Retirement Resolution for John McIlroy

WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to John McIlroy for 32 years of loyal service and dedication to the Agency and the citizens of Montgomery County; and

WHEREAS, John began his career with HOC in 1980 as Property Manager in the Housing Management Division; and

WHEREAS, John was promoted to Modernization Manager in 1988. He remained with the Housing Management Division until 2012 when he was reassigned to the Executive Division as a result of a reorganization. John continued his work as Modernization Manager in the department of Asset Management and Construction; and

WHEREAS, John successfully managed HOC capital funds and maintained a high level of control over projects and, chiefly due to his efforts, HOC was able to consistently receive a “high performer” rating in the HUD Capital Fund Program; and

WHEREAS, by working through the Montgomery County Department of Environmental Protection, John was successful in procuring County Weatherization grant funds which enabled HOC to update and renovate homes in its Opportunity Housing portfolio and help residents reduce their energy bills; and
WHEREAS, John successfully managed many HOC projects including the renovation of homes in the Neighborhood Conservation Initiative and Neighborhood Stabilization Program, the renovation of Arcola Towers, Elizabeth House and Holly Hall and consistently kept his projects on budget and on time; and

WHEREAS, John’s oversight of projects ensured strict compliance with requirements of programs including Davis Bacon and Section 3 reporting; and

WHEREAS, John excelled in customer service and consistently maintained good relationships with contractors, County personnel and co-workers and expanded and refined the skills of his Construction Management Team; and

WHEREAS, John earned numerous employee awards over the years for leading the physical rehabilitation of Camp Hill Square in 1987; for his efforts in planning, obligating and expending modernization funds in a timely and cost-effective manner as recognized by HUD in 1999 and a total weighted PHMAP score of 99.25% designating HOC as a high performer; and for managing energy performance contracts with available stimulus grants and public housing capital funds in 2009.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to John for his many contributions and wishes him health and happiness in his retirement.

I. Adoption of Retirement Resolution for Jean “Sandy” Tuttle – The following resolution was approved.

RESOLUTION: 13-58 RE: Adoption of Retirement Resolution for Jean “Sandy” Tuttle

WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Jean (“Sandy”) Tuttle for 15 years of loyal service and dedication to the Agency and the citizens of Montgomery County; and

WHEREAS, Sandy began her career with HOC in 1998 as Resident Counselor III for Washington Square, providing supportive services to multifamily communities; and

WHEREAS, in 2004 Sandy was reassigned to the Preservation Properties Program at Paddington Square to continue her work with HOC’s multifamily population; and

WHEREAS, Sandy puts 100 percent into her endeavors, demonstrating creativity and a dogged persistence in providing services to her residents. At Washington Square, she became an integral part of the community and the Family Resource Center. She developed numerous
programs, recruited local businesses for assistance and helped draw up a State of Maryland bill
to enhance funding for after school activities; and

WHEREAS, Sandy has been responsible for creating many new programs at Paddington
Square, reaching out to organizations such as the YMCA, IMPACT Silver Spring, the Friends of
Bethesda Library, Manna Food and others to bring youth activities, education, emergency
services and cultural enrichment. Through Sandy’s efforts, a large colorful mosaic mural was
created by Paddington Square youth working with a local art organization, Arts on the Block.
The mural, “It Takes a Village” was permanently installed poolside at Paddington Square and
will enhance the property for decades to come; and

WHEREAS, Sandy was an energetic part of the movement to address neighborhood
crime by joining forces with the local police precinct and surrounding community. She led the
effort to create a full Neighborhood Watch Program for Paddington Square and the surrounding
streets, which lowered crime in the neighborhood. She effectively lobbied the utility company
to install better lighting, which contributes to a more inviting and safer neighborhood; and

WHEREAS, Sandy earned an award for her outstanding contributions in serving the
Washington Square community.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of
Montgomery County expresses sincere thanks and appreciation to Sandy for her many
contributions and wishes her health and happiness in her retirement.

J. Adoption of Retirement Resolution for Don Wade – The following resolution was
approved.

RESOLUTION: 13-59 RE: Adoption of Retirement Resolution for Don Wade

WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted
to Don Wade for 20 years of loyal service and dedication to the Agency and the citizens of
Montgomery County; and

WHEREAS, Don began his career with HOC in 1993 as Trades Maintenance Worker for
Middlebrook Square; and

WHEREAS, in 1997, Don was promoted to Scattered Sites Manager and, again, in 2000
to Project Manager in the Housing Management Division; and

WHEREAS, in 2013 Don was assigned to the Real Estate Division as a result of a
reorganization. Don performed his duties for HOC in a conscientious and responsible manner,
frequently putting in extra time to complete projects; and
WHEREAS, as a Scattered Site Manager, Don was a positive force in helping HOC maintain good relationships in communities with scattered sites and met often with dozens of HOAs, helping to implement HOC’s Good Neighbor Program. He also involved himself in community events, pitching in during community clean up days and encouraging HOC residents to take steps to improve their community and meet their neighbors; and

WHEREAS, as a Project Manager in HOC’s Modernization Office, Don assisted with physical need assessments of HOC properties, helped develop bid documents, provided oversight of contractors, supervised architects and engineers working on HOC projects -- including homes purchased by HOC as part of the Neighborhood Stabilization Program -- helped prepare HOC’s Five Year Capital Fund plan for HUD, monitored repair and renovation work budgets, ensured HOC compliance with handicapped access regulations, complied with HUD and HOC procurement regulations and served as the agency’s expert on lead based paint, ensuring that all HOC public housing is lead free. Don was key to the successful completion of the many ARRA (American Recovery and Reinvestment Act) projects HOC undertook in 2009; and

WHEREAS, Don is known for his initiative and excellent customer service and as a valued team player; and

WHEREAS, Don earned numerous employee awards over the years including the comprehensive exterior renovation of seven multi-family public housing communities with Capital Grant and County funds in 2001. Don led the development and implementation of a compendium of renovation plans, each tailored to the community, and transformed the properties to vibrant communities. Don also successfully implemented an Opportunity Housing Weatherization Program in partnership with the Montgomery County Department of Housing and Community Affairs in 2011. Weatherization services were provided to more than 300 families living in scattered sites to lower their energy consumption and reduce their utility bills.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Don for his many contributions and wishes him health and happiness in his retirement.

K. **Adoption of Retirement Resolution for Yvonne Walters** – The following resolution was approved.

**RESOLUTION: 13-60 RE: Adoption of Retirement Resolution for Yvonne Walters**

WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Yvonne Walters for 19 years of loyal and dedicated service to the Agency and the citizens of Montgomery County; and

WHEREAS, Yvonne began her career with HOC in 1993 as Rental Assistance Clerk; and
WHEREAS, in 2004, Yvonne was reassigned to the Executive Division as File Clerk and later to Receptionist with responsibility for providing assistance to walk-in clients and telephone inquiries; and

WHEREAS, Yvonne relocated to the Housing Resources Division as File Clerk in 2008 and relocated once more to the Silver Spring Customer Service Center in 2011. Yvonne’s diligence, cooperative spirit and genuine concern for the residents she served were appreciated by her co-workers and HOC clients; and

WHEREAS, Yvonne earned numerous employee awards over the years for her teamwork in assisting the Waiting List office during periods of recruitment and staff absences, for outstanding performance with clients and support of the Rental Assistance Division through maintenance of filing systems, and for her teamwork in achieving a 95% goal for the Housing Choice Voucher program lease-up effort as mandated by HUD in 2003.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Yvonne for her many contributions and wishes her health and happiness in her retirement.

1. Adoption of Retirement Resolution for Silvia Zelayandia – The following resolution was approved.

RESOLUTION: 13-61  RE: Adoption of Retirement Resolution for Silvia Zelayandia

WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Silvia Zelayandia for six years of loyal service and dedication to the Agency and the citizens of Montgomery County; and

WHEREAS, Silvia began her career with HOC in 2007 as Assistant Site Manager for Paddington Square; and

WHEREAS, Silvia was transferred to Camp Hill Square in 2011 as Assistant Property Manager; and

WHEREAS, Silvia has been a resourceful and valued team player and was always willing to assist residents in any way she could. Silvia displayed dedication and commitment to her duties during the renovation of Paddington Square, working seven days a week at times, if necessary, to keep the renovation on schedule; and

WHEREAS, Silvia was a positive force in developing good relations between HOC and its residents and neighbors. She helped out with many community activities, assisting the
Neighborhood Watch Program, Community Pool Party, National Night Out and other property-sponsored events; and

WHEREAS, Silvia was excellent at marketing her properties, both in person and on the phone, meeting with prospective renters and providing Spanish translation and interpreting services when needed; and

WHEREAS, Silvia earned an award in 2011 for her outstanding assistance with the renovation of Paddington Square Apartments. She provided guidance to residents who were being relocated, monitored progress of contractors and clean up efforts, and attended evening resident renovation meetings as a translator.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Silvia for her many contributions and wishes her health and happiness in her retirement.

II. INFORMATION EXCHANGE

A. Report of the Executive Director – Mr. Spann reported on the following: There will be more retirement receptions within the next two months; The five (5) Town Hall Meetings have concluded, with well over 300 attendees at each session. Barbara Peters, Receptionist, was available for Spanish interpretation. Commissioners Piñero and Lindstrom attended separate meetings and thought they were done very well. He also reported that, per the request of Commissioner Banks, staff is working on scheduling Town Hall Meetings at the Elderly Properties.

B. Commissioner Exchange – Chair Piñero announced that he, Mr. Spann and staff would be meeting with CASA de Maryland, Inc. on August 14th.

C. Resident Advisory Board – None

D. Status Report
   1. Proposed Process for Contracts Awarded to Minority Owned Business – Jim Atwell, Internal Auditor, updated the Board on Montgomery County’s Process and suggested that HOC work with the County and follow their process.

III. COMMITTEE REPORTS and RECOMMENDATIONS FOR ACTION

A. Development and Finance Committee – Commissioner Lindstrom, Chair

   1. Approval to Select a Pool of Architects for Preliminary Consulting Services

   Kayrine Brown, Director of Mortgage Finance/Real Estate Development and Zachary Marks, Housing Acquisitions Manager, requested the Board’s approval on the selection of architectural consultants on an as-needed basis. Eighteen responses from the Request for Proposal (RFP) were received, ten of the top scoring firms were recommended. Staff also
requested approval of an annual spending cap of $300,000 that is allocable across the individual contracts.

The following resolution was adopted upon a motion by Chair Pro Tem Kator and seconded by Vice Chair Roman. Affirmative votes were cast by Commissioners Piñero, Roman, Kator, and Lindstrom. Commissioners Banks, Edson and Wiencek were necessarily absent and did not participate in the vote.

RESOLUTION: 13-62 RE: Approval to Select a Pool of Architects for Preliminary Consulting Services

WHEREAS, the Housing Opportunities Commission of Montgomery County (HOC) has an ongoing need to undertake due diligence and evaluate potential acquisitions and renovations of properties; and

WHEREAS, the evaluation of the potential projects often requires the services of a qualified architect; and

WHEREAS, to solicit proposals from qualified architectural firms interested in providing these services on an as-needed basis, HOC released a Request for Proposals (RFP No. 1878) (the “RFP”) on May 2, 2013; and

WHEREAS, 18 proposals were timely received in response to the RFP; and

WHEREAS, the RFP attached a weight of 70% to the firm’s qualifications for the job and 30% to the fee to be charged; and

WHEREAS, each of the 18 proposals were evaluated, assigning numerical values to the firms’ experience in Montgomery County, experience with affordable housing, general ability, qualifications, price, sustainability experience, site plan evaluation; and

WHEREAS, applying the criteria described above, the 10 highest overall scores were received by Miner Feinstein Architects, Bennett Frank McCarthy, A.R. Meyers, Architecture by Design, Grimm & Parker, KGD Architects, Mark Thomas Architects, Design Collective, EDG, Tori Gallas & Partners.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County authorizes the Executive Director to execute contracts with Miner Feinstein Architects, Bennett Frank McCarthy, A.R. Meyers, Architecture by Design, Grimm & Parker, KGD Architects, Mark Thomas Architects, Design Collective, EDG, Tori Gallas & Partners, for consulting services on an as-needed basis for an annual amount not to exceed $50,000 each with an annual spending cap of $300,000 allocable across the individual contracts.
IV. ITEMS REQUIRING DELIBERATION and/or ACTION

A. Authorization to Submit FY 2013 Section Eight Management Assessment Program (SEMAP) Certification to HUD

Jim Atwell, Internal Auditor, reported on HUD’s mandate rule that housing agencies submit annually the SEMAP Certification.

The following resolution was adopted upon a motion by Vice Chair Roman and seconded by Commissioner Lindstrom. Affirmative votes were cast by Commissioners Piñero, Roman, Kator, and Lindstrom. Commissioners Banks, Edson and Wiencek were necessarily absent and did not participate in the vote.

RESOLUTION: 13-63  

WHEREAS, HUD regulations require that the Housing Opportunities Commission submit the Section Eight Management Assessment Program certification annually; and

WHEREAS, the certification, which measures the status of HOC’s administration of the Section Eight Program for Fiscal Year 2013, must be submitted to HUD within 60 days of the end of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that the Executive Director is hereby authorized to submit the FY 2013 SEMAP Certification to HUD.

B. Approval for Executive Director to Execute Contract with SwishData Corporation for Storage Technology

Scott Ewart, Chief Information Officer and Ken Goldstraw, Network Manager, addressed the Commission to request approval for the Executive Director to enter into a contract with SwishData Corporation for storage technology due to aging Storage Area Network (SAN).

The following resolution was adopted upon a motion by Vice Chair Roman and seconded by Commissioner Lindstrom. Affirmative votes were cast by Commissioners Piñero, Roman, Kator and Lindstrom. Commissioners Banks, Edson and Wiencek were necessarily absent and did not participate in the vote.
RESOLUTION: 13-64  RE: Approval for Executive Director to Execute Contract with SwishData Corporation for Storage Technology

WHEREAS, the Housing Opportunities Commission of Montgomery County requires a new storage system to replace the aging Storage Attached Network (SAN) system in place today; and

WHEREAS, the current storage system is nearing maximum capacity and as such, critical data and operations could be negatively affected; and

WHEREAS, the budget for this purchase was approved during the FY’14 budget process; and

WHEREAS, SwishData Corporation offers the most competitive solution to replace HOC’s SAN and offers GSA Schedule 70 pricing.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that the Executive Director is authorized to execute a contract in the amount of $449,446 with SwishData Corporation for storage technology.

Approval of Management Contracts

Andrew Oxendine, Acting Director of Property Management and Bobbie DaCosta, Program Oversight Manager, reported on the selection of property management contracts for individual managed properties. Chair Pro Tem Kator suggested that future reports go through the Budget, Finance and Audit Committee prior to presentation to the full Board.

C. Approval of Management Contract for Diamond Square Apartments

The following resolution was adopted upon a motion by Chair Pro Tem Kator and seconded by Vice Chair Roman. Affirmative votes were cast by Commissioners Piñero, Roman, Kator, and Lindstrom. Commissioners Banks, Edson and Wiencek were necessarily absent and did not participate in the vote.

RESOLUTION: 13-65  RE: Approval of Management Contract for Diamond Square Apartments

WHEREAS, the Housing Opportunities Commission issued a Request for Proposal (RFP) for management of Diamond Square Apartments; and

WHEREAS, based on the criteria included in the RFP and pricing from two responding companies, a panel of HOC staff from Property Management, Finance, Compliance and Real
Estate scored the results and determined that McShea Management is the most qualified to manage Diamond Square Apartments.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission that the Executive Director is hereby authorized to execute a contract for the term of three (3) years with McShea Management for property management services at Diamond Square Apartments.

**I HEREBY CERTIFY** that the following resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on August 7, 2013

**D. Approval of Management Contract for The Metropolitan and Strathmore Court Apartments**

The following resolution was adopted upon a motion by Vice Chair Roman and seconded by Commissioner Lindstrom. Affirmative votes were cast by Commissioners Piñero, Roman, Kator, and Lindstrom. Commissioners Banks, Edson and Wiencek were necessarily absent and did not participate in the vote.

**RESOLUTION: 13-66**

**RE: Approval of Management Contract for The Metropolitan and Strathmore Court Apartments**

**WHEREAS,** the Housing Opportunities Commission issued a Request for Proposal (RFP) for management of The Metropolitan Apartments and Strathmore Court Apartments; and

**WHEREAS,** based on the criteria included in the RFP and pricing from six responding companies, a panel of HOC staff from Property Management, Finance, Compliance and Real Estate scored the results and determined that Bozutto Management is the most qualified to manage The Metropolitan Apartments and Strathmore Court Apartments.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission that the Executive Director is hereby authorized to execute a contract for the term of one (1) year with Bozutto Management for property management services at The Metropolitan Apartments and Strathmore Court Apartments.

**I HEREBY CERTIFY** that the following resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on August 7, 2013

**E. Approval of Management Contract for Westwood Tower and Chevy Chase Lake Apartments**

The following resolution was adopted upon a motion by Vice Chair Roman and seconded by Commissioner Lindstrom. Affirmative votes were cast by Commissioners Piñero, Roman,
Kator, and Lindstrom. Commissioners Banks, Edson and Wiencek were necessarily absent and did not participate in the vote.

**RESOLUTION: 13-67**

RE: Approval of Management Contract for Westwood Tower and Chevy Chase Lake Apartments

WHEREAS, the Housing Opportunities Commission issued a Request for Proposal (RFP) for management of Westwood Tower and Chevy Chase Lake Apartments; and

WHEREAS, based on the criteria included in the RFP and pricing from six responding companies, a panel of HOC staff from Property Management, Finance, Compliance and Real Estate scored the results and determined that McShea Management is the most qualified to manage Westwood Tower and Chevy Chase Lake Apartments.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission that the Executive Director is hereby authorized to execute a contract for the term of three (3) years with McShea Management for property management services at Westwood Tower and Chevy Chase Lake Apartments.

I HEREBY CERTIFY that the following resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on August 7, 2013

F. Approval of Management Contract for Greenhill Apartments and Townhomes

The following resolution was adopted upon a motion by Vice Chair Roman and seconded by Commissioner Lindstrom. Affirmative votes were cast by Commissioners Piñero, Roman, Kator, and Lindstrom. Commissioners Banks, Edson and Wiencek were necessarily absent and did not participate in the vote.

**RESOLUTION: 13-68**

RE: Approval of Management Contract for Greenhill Apartments and Townhomes

WHEREAS, the Housing Opportunities Commission issued a Request for Proposal (RFP) for management of Greenhill Apartments and Townhomes; and

WHEREAS, based on the criteria included in the RFP and pricing from four responding companies, a panel of HOC staff from Property Management, Finance, Compliance and Real Estate scored the results and determined that McShea Management is the most qualified to manage Greenhill Apartments and Townhomes.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission that the Executive Director is hereby authorized to execute a contract for the term of three (3) years
with McShea Management for property management services at Greenhills Apartments and Townhomes.

I HEREBY CERTIFY that the following resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on August 7, 2013

G. Approval of Management Contract for Pooks Hill Mid-Rise and Pooks Hill Tower

The following resolution was adopted upon a motion by Vice Chair Roman and seconded by Commissioner Lindstrom. Affirmative votes were cast by Commissioners Piñero, Roman, Kator, and Lindstrom. Commissioners Banks, Edson and Wiencek were necessarily absent and did not participate in the vote.

RESOLUTION: 13-69 RE: Approval of Management Contract for Pooks Hill Mid-Rise and Pooks Hill Tower

WHEREAS, the Housing Opportunities Commission issued a Request for Proposal (RFP) for management of Pooks Hill Mid-Rise and Pooks Hill Tower; and

WHEREAS, based on the criteria included in the RFP and pricing from six responding companies, a panel of HOC staff from Property Management, Finance, Compliance and Real Estate scored the results and determined that Vantage Management is the most qualified to manage Pooks Hill Mid-Rise and Pooks Hill Tower.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission that the Executive Director is hereby authorized to execute a contract for the term of three (3) years with Vantage Management for property management services at Pooks Hill Mid-Rise and Pooks Hill Tower.

I HEREBY CERTIFY that the following resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on August 7, 2013

H. Approval of Management Contract for Montgomery Arms Apartments

The following resolution was adopted upon a motion by Vice Chair Roman and seconded by Commissioner Lindstrom. Affirmative votes were cast by Commissioners Piñero, Roman, Kator, and Lindstrom. Commissioners Banks, Edson and Wiencek were necessarily absent and did not participate in the vote.
RESOLUTION: 13-70  
RE: Approval of Management Contract for Montgomery Arms Apartments

WHEREAS, the Housing Opportunities Commission issued a Request for Proposal (RFP) for management of Montgomery Arms; and

WHEREAS, based on the criteria included in the RFP and pricing from six responding companies, a panel of HOC staff from Property Management, Finance, Compliance and Real Estate scored the results and determined that Edgewood Management is the most qualified to manage Montgomery Arms.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission that the Executive Director is hereby authorized to execute a contract for the term of three (3) years with Edgewood Management for property management services at Montgomery Arms.

I HEREBY CERTIFY that the following resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on August 7, 2013

V. FUTURE ACTION ITEMS
None

VI. INFORMATION EXCHANGE (CONT’D)
None

VII. NEW BUSINESS

A. Authorization of Formation of VPC Two Corporation and Execution of Related Documents

Jim Atwell, Internal Auditor, addressed the Commission to request authorization for the Executive Director to execute documents and necessary steps to create and establish VPC Two Corporation.

The following resolution was adopted upon a motion by Chair Pro Tem Kator and seconded by Vice Chair Roman. Affirmative votes were cast by Commissioners Piñero, Roman, Kator, and Lindstrom. Commissioners Banks, Edson and Wiencek were necessarily absent and did not participate in the vote.

RESOLUTION NO.: 13-71  
RE: Authorization of Formation of VPC Two Corporation and Execution of Related Documents

WHEREAS, the Commission, a public body corporate and politic duly create, organized and existing under the laws of the state of Maryland, is authorized pursuant to the Housing
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Authorities Law, organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, (The “Act”), authorized to carry out and effectuate the purpose of providing affordable housing including the formation of a development corporation for that purpose; and

WHEREAS, the Commission applied for and HUD approved the disposition of 669 Public Housing units; and

WHEREAS, the application provided for the establishment of two corporations to be wholly controlled by the Commission to own and operate the units transferred out of the Public Housing program; and

WHEREAS, the Commission has already established VPC One Corporation which will own and operate the initial 390 units to be transferred; and

WHEREAS, the Commission seeks to create another corporation wholly controlled by the Commission to acquire 279 of the units to be transferred out of the Public Housing program.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that:

1. Intending to create under the Maryland Non-Stock Corporation Law a non-stock non-membership corporation to be known as VPC Two Corporation (the “Corporation’), the Commission authorizes and directs the Executive Director, acting as sole incorporator, to execute and file with the State of Maryland Articles of Incorporation and any amendment thereto, in the name of the Corporation, using the foregoing name or any name substantially similar thereto accepted by the State of Maryland Department of Assessments and Taxation.

2. The Articles of Incorporation shall provide that the initial directors of the Corporation shall be the members of the Commission then in office and that the board of directors shall number at least three (3) persons.

3. The authority conferred under this Resolution extends as well to any modifications, amendments and restatements of any agreements, instruments and other writings referred to in this Resolution

I HEREBY CERTIFY that the forgoing resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on August 7, 2013.
B. Information Exchange - Commissioner Exchange (Continued)

Commissioner Lindstrom briefed the Commission on HOC’s plan to host a housing forum. Topics discussed were draft agenda, keynote speakers and topics, and sponsoring organizations.

Based upon this report and there being no further business to come before this session of the Commission, a motion was made, seconded and unanimously adopted to adjourn.

The meeting adjourned at 5:51 p.m.

Respectfully submitted,

Stacy L. Spann
Secretary-Treasurer

/pmb
A Special Session/Teleconference of the Housing Opportunities Commission of Montgomery County was conducted on Monday, August 26, 2013 at 10400 Detrick Avenue, Kensington, Maryland beginning at 1:30 p.m. Those in attendance were:

**Present**
(Via teleconference)
Roberto Piñero, Chair
Sally Roman, Vice Chair
Rick Edson
Michael Wiencek

**Not Present**
Michael Kator, Chair Pro Tem
Jean Banks
Pamela Lindstrom

**Also Attending**
Stacy Spann, Executive Director
Gail Willison
Belle Seyoum

Chair Piñero convened the Special Session of the Housing Opportunities Commission at 1:30 p.m.

I. **ITEMS REQUIRING DELIBERATION and/or ACTION**

A. **Authorization to Submit to HUD the FFY 2013 Capital Fund Program Annual Statement and Supporting Documentation**

Gail Willison, Chief Financial Officer, and Belle Seyoum, Controller addressed the Board stating that HUD has notified the Commission that it has been awarded $1,792,169 as part of the FFY 2013 Capital Fund Program (CFP) grant for Public Housing. This is a reduction in funds
of $206,258 due to economic and budget problems at the federal level. The funds will be restricted to the Public Fund and used solely for the public housing capital improvements.

HUD has directed the Commission to submit a revised CFP Grant Annual Statement, a signed Annual Contributions Contract Amendment and a supporting Commission Resolution to reserve the CFP funds.

The following resolution was adopted upon a motion by Commissioner Wiencek and seconded by Vice Chair Roman. Affirmative votes were cast by Commissioners Piñero, Roman, Edson, and Wiencek. Commissioners Kator, Banks, and Lindstrom were necessarily absent and did not participate in the vote.

RESOLUTION: 13-72 RE: Authorization to Submit to HUD The FFY 2013 Capital Fund Program Annual Statement and Supporting Documentation

WHEREAS, the Housing Opportunities Commission will receive $1,792,169 in FFY 2013 Capital Grant Program Funds from the Department of Housing and Urban Development; and

WHEREAS, staff has identified $1,792,169 in needs based upon the Commission’s Five Year Capital Fund Program Plan; and

WHEREAS, by submitting the FFY 2013 Annual Statement and the signed ACC Amendment, the Commission is agreeing that capital and management activities will be carried out in accordance with all HUD regulations.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission that the Executive Director or designee is hereby authorized to submit to the Department of Housing and Urban Development the FFY 2013 Annual Statement (the work plan) outlining how the Capital Fund Program funds will be expended to make improvements to public housing units, the signed Annual Contributions Contract Amendment in the amount of $1,792,169 and supporting Commission Resolution.

There being no further business to come before this Special Session of the Commission, a motion was made, seconded and unanimously adopted to adjourn. The meeting adjourned at 1:37 p.m.

Respectfully submitted,

Stacy L. Spann
Secretary-Treasurer

/pmb
ADOPTION OF RETIREMENT RESOLUTION FOR
DOROTHY DOUGLAS

September 11, 2013

• Dorothy Douglas retired effective August 31, 2013
WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Dorothy Douglas for 18 years of loyal and dedicated service to the Agency and the citizens of Montgomery County; and

WHEREAS, Dorothy began her career with HOC in 1994 as Administrative Aide III in the Finance Division; and

WHEREAS, in 1997, Dorothy transferred to the Resident Services Division as Administrative Aide III; and

WHEREAS, Dorothy exercised excellent customer service skills in the Finance office and the Supportive Housing office, maintaining the reception area for Supportive Housing clients as a welcoming space, tracking purchase orders and resident payments and staying beyond work hours to complete tasks; and

WHEREAS, Dorothy’s diligence, cooperative spirit and genuine concern for the residents she served were appreciated by her co-workers and HOC clients; and

WHEREAS, Dorothy earned numerous employee awards over the years for her assistance to the Supportive Housing Team in producing technical submissions to the County and grant submissions to HUD; for coordination of the Silver Spring office telephone system implementation in 1998; for exceptional data entry in the CCS system; and for excellence in customer service.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Dorothy for her many contributions and wishes her health and happiness in her retirement.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on September 11, 2013.

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Patrice Birdsong
Special Assistant to the Commission
ADOPTION OF RETIREMENT RESOLUTION FOR BARBARA EPPOLITO

September 11, 2013

- Barbara Eppolito retired effective August 31, 2013.
RESOLUTION: 13-  RE: Adoption of Retirement Resolution for Barbara Eppolito

WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Barbara Eppolito for 27 years of loyal service and dedication to the Agency and the citizens of Montgomery County; and

WHEREAS, Barbara began her career with HOC in January 1986 as Resident Manager for Bauer Park and Manor Town Condominiums; and

WHEREAS, Barbara lived on-site and managed Bauer Park, an HOC-owned senior apartment building, overseeing all aspects of its operations including performing recertifications and inspections and preparing budgets. Barbara’s oversight ensured that the property was well maintained, immaculate, in compliance with all regulations and fully leased and responsive to residents’ requests; and

WHEREAS, the safety and security of Bauer Park residents was paramount for Barbara. She sensitized her staff, residents, visitors and contractors to the importance of maintaining a safe and secure property; and

WHEREAS, Barbara’s calm and competent management during times of emergency, caused by blackouts, hurricanes, snowstorms and equipment failures, kept Bauer Park running smoothly and protected the lives and health of its residents; and

WHEREAS, Barbara is well known for her kindness and enthusiasm and was popular with residents, volunteers and other HOC staff; and

WHEREAS, Barbara has been a resourceful and valued team player, helping newer managers understand and navigate the legal requirements that a Section 236 property must meet to be in compliance with federal, local and HOC standards; and

WHEREAS, Barbara was known as the “Queen of Documentation,” completing bid notices, purchase orders, work orders and incident reports accurately and on time; and

WHEREAS, Barbara performed her duties flawlessly and was a joy to work with, in addition to having a great sense of humor; and

WHEREAS, Barbara managed her properties in an outstanding manner; dependable, passionate, knowledgeable, fair, respectful and sensitive at a property with a vulnerable population of seniors; and

WHEREAS, Barbara earned numerous employee awards over the years. She developed a Resident Translation Handbook in 1992; coordinated a shuttle service with a nearby shopping...
center to transport Bauer Park residents to groceries and pharmacies; and provided exemplary customer service to HOC residents and properties during snow storms, power outages and hurricanes over the years. In 2005, a Resident Survey rated Bauer Park the highest of HOC managed and contract managed properties. Barbara also assisted Town Center Apartments with rent certifications, supervision and training of staff, and managed the insurance claims process following an apartment flood at Town Center.

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Barbara for her many contributions and wishes her health and happiness in her retirement.

**I HEREBY CERTIFY** that the forgoing resolution was unanimously adopted by the Housing Opportunities Commission at a regular meeting conducted on September 11, 2013.

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Patrice Birdsong
Special Assistant to the Commission
ADOPTION OF RETIREMENT RESOLUTION FOR
BERNETA GREEN

September 11, 2013

• Berneta Green retired effective September 1, 2013.
RESOLUTION: 13- \( RE: \) Adoption of Retirement Resolution for Berneta Green

WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Berneta Green for 21 years of loyal and dedicated service to the Agency and the citizens of Montgomery County; and

WHEREAS, Berneta began her career with HOC in 1991 as Administrative Aide III in the Public Affairs office; and

WHEREAS, in 1995, Berneta was promoted to Office Manager I in the Mortgage Finance Division; and

WHEREAS, Berneta provided reliable administrative support for the Single Family Mortgage Finance office, performing a wide variety of tasks including keeping staff aware of deadlines for Commission items, status reports and payment of invoices; proofreading and editing staff reports; creating and tracking purchase orders; producing routine real estate market reports from the MRIS database; updating mortgage client databases; and monitoring the public mortgage information line and following up with responses. Berneta was the “engine” that kept the office running smoothly; and

WHEREAS, Berneta was a self-starter who taught herself PowerPoint and helped produce numerous presentations for the lender training sessions and designed and edited mortgage brochures for distribution to the public, in addition to serving as the office webmaster, updating and expanding information on the HOC website; and

WHEREAS, Berneta also taught herself Microsoft Access and created a database of several hundred clients in the HOC Homeownership Program for HOC residents; and

WHEREAS, Berneta worked closely with HOC’s underwriting team on RFPs, receiving and reviewing responses and preparing summaries for the evaluation panel; and

WHEREAS, during a period of more than a year when the office was without the services of an additional underwriter, Berneta volunteered to help, ensuring that commitments to lenders and borrowers were met. She prepared incoming loan files for underwriting, checked documents, completed underwriting worksheets and notified lenders of incomplete files; and

WHEREAS, throughout her career with HOC, Berneta has consistently maintained good working relations with HOC staff; and

WHEREAS, Berneta earned numerous employee awards including her work on the Conference for Affordable Housing, for her teamwork in refinancing the Alexander House development which resulted in more than $500,000 in fees to HOC, for assuming additional
responsibilities and special projects which enabled the Mortgage Finance team to successfully accomplish critical goals, and for her dedication to the mission of the Mortgage Finance Division and HOC.

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Berneta for her many contributions and wishes her health and happiness in her retirement.

**I HEREBY CERTIFY** that the foregoing resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on September 11, 2013.

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Patrice Birdsong
Special Assistant to the Commission
ADOPTION OF RETIREMENT RESOLUTION FOR
ROSEMARY LAWSON

SEPTEMBER 11, 2013

• Rosemary Lawson retired effective August 31, 2013.
WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Rosemary Lawson for 11 years of loyal service and dedication to the Agency and the citizens of Montgomery County; and

WHEREAS, Rosemary began her career with HOC in 2002 as Resident Counselor III; and

WHEREAS, Rosemary counseled clients who were either homeless or experiencing a housing crisis helping them to find affordable rental housing; and

WHEREAS, a difficult economy, an affordable housing shortage in Montgomery County, landlord selectivity and derogatory credit ratings made finding housing for her clients very challenging, Rosemary’s success rate in housing her clients was extraordinary; and

WHEREAS, Rosemary’s skill in finding local partners to help assist families and individuals benefitted HOC and her clients. In some instances, Rosemary’s intervention saved lives and kept families together; and

WHEREAS, Rosemary’s knowledge of the County rental market, the approval criteria of individual landlords, the application process and the details of various subsidy programs enabled her to facilitate lease-up for the Housing Choice Voucher program. Her personal relationships helped smooth the way for her clients; and

WHEREAS, Rosemary’s management of funds provided by the State and County was judicious, accounting for every penny spent. She was extremely helpful to HOC during State monitoring visits, helping bring a real life experience to an otherwise bureaucratic process; and

WHEREAS, Rosemary’s dedication and advocacy of the Housing Choice Voucher program reflected well on HOC and helped HOC carry out its mission to provide affordable housing and services to those in need in our community; and

WHEREAS, Rosemary has been an invaluable partner in helping the County monitor the extent of the homeless problem in Montgomery County by working with the Homeless Management Information System; and

WHEREAS, Rosemary’s compassionate service has left an indelible mark on hundreds of families in Montgomery County. Many consider Rosemary part of their family; and

WHEREAS, Rosemary consistently exceeded expectations in a very difficult position and earned the respect and friendship of clients and HOC staff; and
WHEREAS, Rosemary earned numerous employee awards over the years. In 2007, she developed a course manual and taught classes for the “Classy to Clutter” program, a 14-week eviction program created to teach HOC families how to maintain clean, safe and uncluttered housing units to pass annual inspections. She was also recognized for outstanding customer service, dedication to, and advocacy for, her clients, and was sought out by case managers and other professionals to help with difficult clients, participate in staff meetings and provide workshops on housing searches.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Rosemary for her many contributions and wishes her health and happiness in her retirement.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on September 11, 2013.

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Patrice Birdsong
Special Assistant to the Commission
ADOPTION OF RETIREMENT RESOLUTION FOR
CHRIS MOSQUERA

SEPTEMBER 11, 2013

- Chris Mosquera retired effective August 31, 2013.
WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Chris Mosquera for 13 years of dedicated service to the Agency and the citizens of Montgomery County; and

WHEREAS, Chris began his career with HOC in 2000 as Housing Inspector in the Rental Assistance Division; and

WHEREAS, in 2007, Chris was reassigned to the Property Management Division and to the Housing Resources Division in 2013 as a result of a reorganization; and

WHEREAS, Chris handled all aspects of the HOC inspection process with diligence and care, working with others in his division to ensure accurate, timely and fair inspections in accordance with HUD regulations; and

WHEREAS, Chris took a personal interest in ensuring that clients and landlords received quality service from HOC. He demonstrated excellent customer service skills providing helpful advice to assist landlords and clients concerning the inspection process; and

WHEREAS, Chris is recognized for his professionalism, reliability, excellent organizational and time management skills and as a valued team player; and

WHEREAS, Chris’ flexibility in arranging and scheduling inspections benefitted HOC and its clients, ensuring that inspections were done in an efficient and timely manner; and

WHEREAS, Chris earned many employee awards over the years for his teamwork in achieving a 95% goal for the Housing Choice Voucher program lease-up effort as mandated by HUD in 2003, for his work with data entry and reconciliation of the Yardi Voyager system implementation, and for exemplary service in assisting with inspections in other portfolios and resolving computer issues for the housing inspection team.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Chris for his many contributions and wishes him health and happiness in his retirement.
I HEREBY CERTIFY that the foregoing resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on September 11, 2013.

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Patrice Birdsong
Special Assistant to the Commission
ADOPTION OF RETIREMENT RESOLUTION FOR
TOCQUE PEYTON

SEPTEMBER 11, 2013

- Tocque Peyton retired effective August 31, 2013.
WHEREAS, the Housing Opportunities Commission of Montgomery County is indebted to Tocque Peyton for 29 years of loyal service and dedication to the Agency and the citizens of Montgomery County; and

WHEREAS, Tocque began his career with HOC in 1984 as Tenant Counselor II at Middlebrook Square; and

WHEREAS, in 1986, Tocque was promoted to Resident Counselor III. He was transferred to Seneca Ridge in 2008; and

WHEREAS, over the years, Tocque has played an important role in young HOC clients’ lives and has been a positive role model for hundreds of young HOC clients; and

WHEREAS, Tocque has expanded HOC’s partnerships with other community groups and agencies to bring valuable resources to the communities he served; and

WHEREAS, Tocque helped staff the Seneca Ridge Neighborhood Network classes and ran the Homework Club at Seneca Ridge and was involved in homework clubs at several different HOC sites; and

WHEREAS, Tocque is responsible for many “firsts” at HOC including starting HOC’s Tennis Program that included youth from all of the HOC Family Resource Centers; creating the first Coin Club Group for young people at Middlebrook Square and Town Center Place; helping create the DC Metro Track and Field Championships which HOC youth went on to win under Tocque’s leadership; and helping to establish the First Tee Program in Montgomery County, a collaborative effort between the Montgomery County Department of Recreation, the PGA and others. The First Tee Program instills in young people the values of sportsmanship, fair play and respect for others along with teaching them the game of golf. First Tee, which began in 2001, continues to this day; and

WHEREAS, in 2006, Tocque began the HOC Bike Club, using grant funds to pay for bikes. In the Club, youth learned bicycle repair and maintenance, bike safety and rules of the road for bike riders; and

WHEREAS, Tocque’s latest effort, the 4 Boyz Group at Seneca Ridge, gives young people the opportunity to explore issues like bullying, etiquette for gentlemen, the importance of education and caring for the environment; and

WHEREAS, Tocque has been on the Bernie Scholarship Board since 2006 and helped numerous youth apply for and obtain college scholarships and financial aid; and
WHEREAS, Tocque earned numerous employee awards over the years including outstanding contributions in developing and implementing Middlebrook Square’s first newsletter, *Square Biz*. He was also acknowledged for his quick and responsible action when a resident reported a strong gas odor. Tocque notified emergency officials and management staff while checking on each household and escorting them to a nearby community center, staying with them into the evening until permission was given to return to their homes. In 2009, Tocque’s outstanding teamwork during a staff shortage at the Tony Davis Family Resource Center ensured responses and referrals for resident concerns and smooth transition of programs.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County expresses sincere thanks and appreciation to Tocque for his many contributions and wishes him health and happiness in his retirement.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on September 11, 2013.

S
E
A
L

Patrice Birdsong
Special Assistant to the Commission
RATIFICATION OF ACTION TAKEN IN BUDGET, FINANCE AND AUDIT COMMITTEE ON AUGUST 13, 2013: AUTHORIZATION TO SUBMIT COUNTY FY’15-20 CAPITAL IMPROVEMENTS PROGRAM BUDGET

September 11, 2013

- The County Capital Improvements Program (CIP) submission was due to the County Office of Management and Budget (OMB) no later than September 5, 2013. The submission was reviewed and authorized by the Budget, Finance and Audit Committee at the August 13, 2013 meeting.

- The FY’15-20 CIP submission asked the County to continue funding our current projects in the amount of $91,398,000.

- A funding increase of $2,500,000 was requested to maintain the current $1,250,000 annual level of effort contribution for Deeply Subsidized HOC Owned Units (formerly named Public Housing) Improvements for FY’19 and FY’20.

- The total FY’15-20 CIP funding request is $93,898,000.
MEMORANDUM

TO: Housing Opportunities Commission

VIA: Stacy L. Spann, Executive Director

FROM: Staff: Gail Willison Division: Finance Ext. 9480
Terri Fowler Ext. 9507
Craig Reed Ext. 9667

RE: Ratification of Action Taken in Budget, Finance and Audit Committee on August 13, 2013: Authorization to Submit County FY’15-20 Capital Improvements Program Budget

DATE: September 11, 2013

STATUS: Consent [ X ]

OVERALL GOAL & OBJECTIVE:
Ratification of HOC’s submission of the County FY’15-20 Capital Improvements Program Budget.

BACKGROUND:
This year, the Office of Management and Budget (OMB) will prepare the biannual Capital Improvements Program (CIP) Budget for presentation to the County Executive and County Council. HOC was to submit requests for capital funding for FY’15-20 to OMB by September 5, 2013 (see Excel Attachment).

The County operates its capital program with a six-year Capital Improvements Program (CIP) which is reviewed annually but subject to significant modification on a biannual basis. Major changes may be considered this year. If HOC wishes to continue to receive CIP funding for its ongoing CIP projects, it must submit requests at this time. HOC’s current County CIP includes six projects totaling $91,398,000 for the six years of the CIP:

1. MPDU/Property Acquisition Fund: a revolving loan fund of $12.5 million available to HOC or its designees for interim financing for the acquisition of MPDUs, existing buildings and land;
2. Opportunity Housing Development Fund (OHDF): a revolving loan fund of $4.5 million available to HOC or its designees for interim financing for certain housing development costs;
3. County Guaranteed Bond Projects: General Obligation Bond guarantees authority in the amount of $50 million;
4. Supplemental Funds for Deeply Subsidized HOC Owned Units (formerly Public Housing) Improvements: $1,125,000 for FY’14 and $1,250,000 for each year FY’15 through FY’18 to provide funds for Public Housing improvements;
5. Sprinkler Systems for HOC Public and Low Income Elderly Properties: $8,820,000 for sprinkler systems at Holly Hall Apartments, Elizabeth House, Arcola Towers, Bauer Park Apartments, and Town Center Apartments; and
6. Capital needs for HUD Section 236 funded Elderly Properties: $730,000 to address capital needs at Bauer Park Apartments and Town Center Apartments, both elderly 236 properties located in Rockville, Maryland.

The Department of Housing and Community Affairs (DHCA) maintains the capital projects for HOME, CDBG and the Housing Initiative Fund (HIF) and many of our requests for capital funds for specific housing projects are eligible to receive these funds. HOC will continue to make separate requests for these funds from DHCA, as we have in the past, on a case-by-case basis.

Staff recommends that the Commission not request additional projects during the FY’15-20 CIP cycle. However, it would be prudent to express to the County how important maintaining the current funding of the following projects is to the goals and mission of the Commission:

1) Continued Support of $1,250,000 annually for FY’15-20 for Supplemental Funds for Deeply Subsidized HOC Owned Units (formerly Public Housing)

- In an effort to stay true to its mandate to provide decent, safe and sanitary housing to low and moderate income residents in Montgomery County and to ensure that its properties and communities are maintained at a level consistent with community norms, HOC continues to use a combination of Federal Capital Fund Program (CFP) and County funds to make capital improvements to its Public Housing stock.

- In addition to CIP funds, HOC receives annual funding from HUD (known as the Capital Fund Program or CFP) for capital expenditures, modernization and rehabilitation of Public Housing. This funding has been reduced over the last three years. HOC anticipates receiving approximately $1.78 million for FFY’13, a 10% reduction from the amount received in FFY’12. It is expected that HUD funding will continue to decline by this same percentage for FFY’14 resulting in a funding amount of $1.6 million.

- Starting in FY’14, HOC will begin disposition of many of its Public Housing units. This transfer in ownership will allow for greater preservation and financial stability of the housing through the use of the Section 8 subsidy. Since the conversion of the Public Housing units may take up to 36 months and the units will still be highly subsidized, HOC is requesting that the project formerly known as “Supplemental Funds for Public Housing” be changed to “Supplemental Funds
for Deeply Subsidized HOC Owned Units” to allow for continued funding at the $1,250,000 annual level for FY’15-20 to support these units.

- Funding for this program comes from the County’s current revenue. In an effort to achieve a balanced County Operating Budget for the respective years, the funding was reduced from the previous $1,250,000 annual level to $1,004,000 in FY’10, $625,000 in FY’11, and $1,125,000 in FY’12. The current CIP restored the level to a $1,250,000 annual amount for each of years FY’13-FY’18. These funds are intended to supplement the cost of maintaining our Public Housing portfolio and have been obligated and spent each year. Maintaining the current $1,250,000 annual level of effort from the County is crucial to ensuring HOC’s ability to maintain our Public Housing stock.

- The properties include units for the elderly and for families in clustered sites and scattered sites. Typical improvements include health and life-safety improvements, replacement of roofs and siding; modernization of kitchens and bathrooms, electrical, and plumbing systems; weatherization and related energy conservation improvements such as replacement of windows and doors, replacement of major mechanical equipment, replacement of appliances with new Energy Star appliances, and the use of compact fluorescent light bulbs (CFLs); and site improvements such as fencing, site lighting, landscaping, and sidewalk and parking lot replacement.

- This project is directly related to accomplishing the following County Executive priorities:
  - A Responsive and Accountable County Government
  - Affordable Housing in an Inclusive Community
  - Healthy and Sustainable Neighborhoods
  - Safe Streets and Secure Neighborhoods
  - Vital Living for all of our Residents

2) Continued Funding of Sprinkler Systems for HOC Elderly Properties - $8,820,000

- During the FY’09-14 CIP, the County Council authorized $100,000 of FY’09 current revenue to complete studies and detailed proposals for Elizabeth House and Holly Hall which were identified as HOC’s two top priorities. As a result of bridging a contract with another County Agency, staff was able to realize significant cost savings that allowed for a study of four properties within the allotted funding.

- In the FY’10-15 CIP Amendment cycle, the County Council authorized an additional $8,319,675 in General Obligation (GO) Bonds to install sprinklers and
fire alarms in all four buildings over a three-year period starting in FY’10 and concluding in FY’12.

- During the FY’13-18 CIP, the project was expanded to include $400,000 for Town Center Apartments to bring the fire safety system up to code.

<table>
<thead>
<tr>
<th>Property Name</th>
<th>Specifications</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holly Hall Apartments</td>
<td>3-story low-rise, 96 units</td>
<td>$1,566,415</td>
</tr>
<tr>
<td>Elizabeth House</td>
<td>16-story high-rise, 106 units</td>
<td>$2,767,130</td>
</tr>
<tr>
<td>Arcola Towers</td>
<td>12-story high-rise, 141 units</td>
<td>$2,659,858</td>
</tr>
<tr>
<td>Bauer Park Apartments</td>
<td>3-story low-rise, 142 units</td>
<td>$1,326,272</td>
</tr>
<tr>
<td>Town Center Apartments</td>
<td>10-story high-rise, 112 units</td>
<td>$400,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$8,719,675</strong></td>
</tr>
</tbody>
</table>

- Holly Hall, originally scheduled for completion in November 2010, is now near completion. Delays were experienced as a result of the Washington Suburban Sanitary Commission’s (WSSC) requirement that the 6 inch water main serving the property be upgraded to an 8 inch water main. The sprinkler system was installed in March 2013 and the remaining work, the installation of an 8 inch water main, is expected to be completed in September 2013.

- The project at Elizabeth House, originally scheduled for completion in FY’11, experienced delays as a result of finding asbestos in the building. The asbestos was removed and the sprinkler and fire alarm work was completed in December 2012.

- Arcola Towers and Bauer Park Apartments were originally scheduled for FY’12. Implementation at Arcola Towers was delayed due to design issues, while Bauer Park Apartments was delayed as a result of site development issues relating to WSSC water main improvements. The bid package for Arcola Towers is being reviewed and the installation work is estimated to begin in December 2013. The Bauer Park Apartments project is also expected to be completed in FY14.

- This project was expanded to include upgrading the fire alarm system at Town Center Apartments, an elderly 236 property located in Rockville, Maryland. The Town Center Apartments project was completed in December 2012.

- This project is directly related to accomplishing the following County Executive priorities:
  - A Responsive and Accountable County Government
  - Affordable Housing in an Inclusive Community
  - Healthy and Sustainable Neighborhoods
  - Vital Living for all of our Residents
3) **Capital Needs for HUD Section 236 Funded Elderly Properties - $730,000**

- During the FY’13-18 CIP, a project was added to provide $730,000 to address capital needs at Bauer Park Apartments and Town Center Apartments, both elderly 236 properties located in Rockville, Maryland.

- The project provides funding for improvements at Town Center Apartments to include replacement of shower pans in the handicapped units, replacement of the air handler in the community room, and replacement of the windows. The window work was completed in June 2012. The remaining work will be completed in FY’14.

- The Improvements at Bauer Park Apartments include replacement of the HVAC equipment, hall convectors, overhauling the chiller and boilers, replacement of the condenser pumps and motors, and installing an emergency generator. This work will be completed in FY’14.

- This project is directly related to accomplishing the following County Executive priorities:
  
  - A Responsive and Accountable County Government
  - Affordable Housing in an Inclusive Community
  - Healthy and Sustainable Neighborhoods
  - Vital Living for all of our Residents

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**ISSUES:**
Does the Commission wish to ratify the action taken in the Budget, Finance and Audit Committee meeting on August 13, 2013 which authorized the submission of the County FY’15-20 Capital Improvements Program Budget which requested that the County continue funding our current projects in the amount of $91,398,000 and

- Add funding of $2,500,000 to continue the $1,250,000 annual level of effort contribution for Deeply Subsidized HOC Owned Units (formerly named Public Housing) Improvements for FY’19 and FY’20?

**BUDGET IMPACT:**
There is no budget impact on the FY’14 Adopted Budget. Funds that are appropriated by the County Council will be included in the FY’15 Adopted Budget.

**TIME FRAME:**
The County FY’15-20 Capital Improvements Program Budget submission was due to the County by September 5, 2013. The submission was reviewed and authorized by the Budget, Finance and Audit Committee at the August 13, 2013 meeting in order to meet the submission deadline.
of September 5, 2013 for the County CIP process. Staff requests Commission ratification of this action at the September 11, 2013 meeting.

RECOMMENDATION:
Staff recommends that the Commission ratify the action taken in the Budget, Finance and Audit Committee meeting on August 13, 2013 that authorized HOC’s submission of the County FY’15-20 Capital Improvements Program Budget.
Resolution No. Re: Ratification of Action taken in Budget, Finance, and Audit Committee on August 13, 2013: Authorization to Submit County FY’15-20 Capital Improvements Program Budget

WHEREAS, requests for funding from the County’s Biannual Capital Improvements Program (CIP) were due to the Office of Management and Budget on September 5, 2013; and

WHEREAS, the Budget, Finance and Audit Committee reviewed and authorized the submission of the County FY’15-20 Capital Improvements Program Budget which requested that the County continue funding our current projects in the amount of $91,398,000 and

- Add funding of $2,500,000 to continue the $1,250,000 annual level of effort contribution for Deeply Subsidized HOC Owned Units (formerly named Public Housing) Improvements for FY’19 and FY’20.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it hereby ratifies the action taken by the Budget Finance and Audit Committee on August 13, 2013 authorizing the submission of the County FY’15-20 Capital Improvements Program Budget.

I HEREBY CERTIFY that the forgoing resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on Wednesday, September 11, 2013.

____________________________________________
Patrice Birdsong
Special Assistant to the Commission

S E A L

8
## Summary

Proposed FY’15-20 CIP Request ($000)

<table>
<thead>
<tr>
<th>Project</th>
<th>Total</th>
<th>Current Appropriation</th>
<th>6 year Total</th>
<th>FY’15</th>
<th>FY’16</th>
<th>FY’17</th>
<th>FY’18</th>
<th>FY’19</th>
<th>FY’20</th>
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<td>MPDU/PAF Fund</td>
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<td>Opportunity Housing Development Fund</td>
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<td>G.O. Bonds</td>
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<td>Supplemental Funds for Public Housing</td>
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<td>Sprinkler System for HOC Assisted Housing/Elderly Properties</td>
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<td>Current / Continued Funding</td>
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<td>0</td>
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<tr>
<td>Supplemental Funds for Deeply Subsidized HOC Owned Units Improvements</td>
<td>7,500</td>
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<td>1,250</td>
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<tr>
<td>Capital Needs for HUD Section 236 Funded Elderly Properties</td>
<td>730</td>
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<td>New Funding</td>
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<td>730</td>
<td>7,500</td>
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<tr>
<td><strong>TOTAL FYs 15-20 REQUEST</strong></td>
<td><strong>93,898</strong></td>
<td><strong>86,398</strong></td>
<td><strong>7,500</strong></td>
<td><strong>1,250</strong></td>
<td><strong>1,250</strong></td>
<td><strong>1,250</strong></td>
<td><strong>1,250</strong></td>
<td><strong>1,250</strong></td>
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Information Exchange
Housing Opportunities Commission of Montgomery County

September 2013

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Labor Day (HOC Closed)</td>
<td></td>
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<tr>
<td>3</td>
<td>Rental Assistance Demonstration (RAD) Client Meeting</td>
<td>Town Centre Place and Sandy Spring Meadows, RE/MAX Community Room, 3300 Diney-Sandy Spring Rd., Olney, MD 20832</td>
</tr>
<tr>
<td>4</td>
<td>Rental Assistance Demonstration (RAD) Client Meeting</td>
<td>Waverly House, 4521 East-West Highway, Bethesda, MD 20814</td>
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<tr>
<td>4</td>
<td>Development and Finance Committee (Lindstrom, Edson, Wiencek)</td>
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<tr>
<td>4</td>
<td>Rental Assistance Demonstration (RAD) Client Meeting</td>
<td>Arcola Towers, 1135 University Blvd., W., Silver Spring, MD 20902</td>
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<tr>
<td>9</td>
<td>Rental Assistance Demonstration (RAD) Client Meeting</td>
<td>Waverly House, 4521 East-West Highway, Bethesda, MD 20814</td>
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<tr>
<td>10</td>
<td>Rental Assistance Demonstration (RAD) Client Meeting</td>
<td>Arcola Towers, 1135 University Blvd., W., Silver Spring, MD 20902</td>
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<td>10</td>
<td>Rental Assistance Demonstration (RAD) Client Meeting</td>
<td>Parkway Woods and Ken-Gar, HOC Hearing Room</td>
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<tr>
<td>11</td>
<td>Retirement Reception (All)</td>
<td>Atrium</td>
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<tr>
<td>11</td>
<td>HOC Regular Meeting</td>
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<tr>
<td>12</td>
<td>Rental Assistance Demonstration (RAD) Client Meeting</td>
<td>Seneca Ridge, 19568 Scenery Drive, Germantown, MD 20876</td>
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<td>17</td>
<td>Legislative and Regulatory Committee (Roman, Banks, Lindstrom)</td>
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<tr>
<td>17</td>
<td>Rental Assistance Demonstration (RAD) Client Meeting</td>
<td>Parkway Woods and Ken-Gar, HOC Hearing Room</td>
</tr>
<tr>
<td>18</td>
<td>Budget, Finance and Audit Committee (Kator, Piñero, Roman)</td>
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<tr>
<td>18</td>
<td>Rental Assistance Demonstration (RAD) Client Meeting</td>
<td>Town Centre Place and Sandy Spring Meadows, RE/MAX Community Room, 3300 Diney-Sandy Spring Rd.</td>
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<td>19</td>
<td>Development and Finance Committee (Lindstrom, Edson, Wiencek)</td>
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<td>19</td>
<td>Rental Assistance Demonstration (RAD) Client Meeting</td>
<td>Seneca Ridge, 19568 Scenery Drive, Germantown, MD</td>
</tr>
<tr>
<td>23</td>
<td>Agenda Formulation (Piñero and Kator)</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Information and Communication Committee (Banks)</td>
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October 2013

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Location</th>
</tr>
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<tbody>
<tr>
<td>2</td>
<td>Retirement Reception (All)</td>
<td>Atrium</td>
</tr>
<tr>
<td>2</td>
<td>HOC Regular Meeting</td>
<td></td>
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<tr>
<td>8</td>
<td>Budget Finance and Audit Committee (Kator, Piñero, Roman)</td>
<td></td>
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<tr>
<td>15</td>
<td>Information and Communication Committee (Banks)</td>
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<tr>
<td>16</td>
<td>FSS Graduation Ceremony (20th Anniversary)</td>
<td>Silver Spring Civic Center</td>
</tr>
<tr>
<td>21</td>
<td>Resident Advisory Board (Banks)</td>
<td></td>
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<tr>
<td>22</td>
<td>Town Center, Inc. Board Meeting (Banks, Wiencek)</td>
<td>Commissioners' Lounge – Kensington</td>
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<tr>
<td>24</td>
<td>Development and Finance Committee (Lindstrom, Edson, Wiencek)</td>
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<tr>
<td>24-26</td>
<td>NAHRO National Conference &amp; Exhibition, Cleveland, OH</td>
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<tr>
<td>28</td>
<td>Agenda Formulation (Piñero, Edson)</td>
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<tr>
<td>28</td>
<td>Friends of HOC Award Ceremony</td>
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<tr>
<td>28</td>
<td>Bauer Park, Inc. Board Meeting (Edson, Roman)</td>
<td>Bauer Park, 14635 Bauer Dr., Rockville, MD</td>
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</table>
### November 2013

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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<tr>
<td>6</td>
<td>HOC Regular Meeting</td>
<td>4:00 p.m.</td>
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<tr>
<td>6</td>
<td>Budget Finance and Audit Committee (<em>Kator, Piñero, Roman</em>)</td>
<td>10:00 a.m.</td>
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<td>12</td>
<td>Legislative and Regulatory Committee (<em>Roman, Banks, Lindstrom</em>)</td>
<td>2:00 p.m.</td>
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<td>18</td>
<td>Agenda Formulation (<em>Piñero, Edson</em>)</td>
<td>1:00 p.m.</td>
</tr>
<tr>
<td>18</td>
<td>Resident Advisory Board (<em>Banks</em>)</td>
<td>7:00 p.m.</td>
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<tr>
<td>20</td>
<td>Information and Communication Committee (<em>Banks</em>)</td>
<td>12:30 p.m.</td>
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<td>22</td>
<td>Budget Finance and Audit Committee (<em>Kator, Piñero, Roman</em>)</td>
<td>10:00 a.m.</td>
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<tr>
<td>28-29</td>
<td>Thanksgiving Holiday (HOC Closed)</td>
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### December 2013

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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</tr>
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<tbody>
<tr>
<td>4</td>
<td>Longevity Reception (<em>All</em>) (Atrium)</td>
<td>3:30 p.m.</td>
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<tr>
<td>4</td>
<td>HOC Regular Meeting</td>
<td>4:00 p.m.</td>
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<tr>
<td>16</td>
<td>Agenda Formulation (<em>Piñero, Wiencek</em>)</td>
<td>1:00 p.m.</td>
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<tr>
<td>16</td>
<td>Resident Advisory Board (<em>Banks</em>)</td>
<td>7:00 p.m.</td>
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<tr>
<td>18</td>
<td>Information and Communication Committee (<em>Banks</em>)</td>
<td>12:30 p.m.</td>
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<tr>
<td>19</td>
<td>Development and Finance Committee (<em>Lindstrom, Edson, Wiencek</em>)</td>
<td>11:30 a.m.</td>
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<td>23</td>
<td>Agenda Formulation (<em>Piñero, Wiencek</em>)</td>
<td>1:00 p.m.</td>
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<tr>
<td>25</td>
<td>Christmas Holiday (HOC Closed)</td>
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</table>

### January 2014

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
<th>Time</th>
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<tbody>
<tr>
<td>1</td>
<td>New Year’s Day Holiday (HOC Closed)</td>
<td></td>
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<tr>
<td>8</td>
<td>HOC Regular Meeting</td>
<td>4:00 p.m.</td>
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<tr>
<td>15</td>
<td>Information and Communication Committee (<em>Banks</em>)</td>
<td>12:30 p.m.</td>
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### Activities of Interest

- **TBD** Joint Meeting with Commission on People with Disabilities
- **TBD** Joint Meeting with the Planning Board

### Hearing Board

- Aug. – Sept. (*Roman*)
- Oct. – Nov. (*Wiencek*)
- Dec. – Jan. (*Edson*)
<table>
<thead>
<tr>
<th>Ref. #</th>
<th>DUE DATE</th>
<th>ACTION</th>
<th>STAFF</th>
<th>STATUS</th>
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<tr>
<td>TD-283</td>
<td>TBD</td>
<td><strong>Resident Advisory Board (RAB) Training</strong></td>
<td>GS</td>
<td>In Progress</td>
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<td>- Pursue Visit from Resident Commissioner with the Chicago Housing Authority to Meet with RAB (Banks, Commission Mtg., Nov. 2, 2011)</td>
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<td>TD-286</td>
<td>Fall 2013</td>
<td><strong>Rationale for HOC Managed Properties vs. Contract Managed</strong></td>
<td>AO</td>
<td>Status Report</td>
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<tr>
<td></td>
<td></td>
<td>(Kator, Commission Mtg., Jan. 11, 2012)</td>
<td></td>
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</table>
Committee Reports and Recommendations for Action
Development
and
Finance Committee
APPROVAL TO ENTER INTO EXCLUSIVE NEGOTIATIONS FOR THE DISPOSITION OF A PORTION OF THE CHEVY CHASE LAKE APARTMENTS SITE

September 11, 2013

- HOC is the owner of a 68-unit development in Chevy Chase known as Chevy Chase Lake Apartments. The site’s strategic location near a planned Metro Purple Line station and recently approved increased development density as well as inclusion in the first phase of Section Map Amendment presents a unique opportunity for HOC to expand its housing presence in an underserved down county location.

- The Montgomery County Council approved a redevelopment plan for the Chevy Chase Lake Apartments site based on a proposed joint development for mix used housing.

- The redevelopment plan proposes providing between 20-40 affordable rental units and 30-40 workforce units in a 150-200 mixed income mid-rise building. In addition, it contemplates 60-70 for-sale townhomes of which 15% are slated to be MPDUs.

- Eakin, Youngentob, & Associates ("EYA") worked closely with HOC to create the redevelopment plan and invested time and resources to secure approval of the plan and the project’s advancement into the first phase development for the Chevy Chase Sectional Map Amendment.

- The redevelopment plan provides HOC with increased density and allows the development to begin separate from the advancement of the Purple Line funding.

- HOC staff proposes to provide EYA with an opportunity to structure a fair and equitable transaction to purchase, a portion of the Chevy Chase Lake Apartment site, without taking the deal to market.

- While HOC’s procurement policy exempts real estate transactions, before dealing exclusively with one developer, the Commission must determine if it chooses another method of selection for development of the market portion of the Chevy Chase Lake parcel. If EYA is chosen as the developer, Staff will work diligently to ensure that the Commission receives fair value for the parcel.

- If an equitable agreement cannot be reached with EYA, staff will propose that the Commission pursue alternative redevelopment options.

- Staff recommends that the Commission accept the recommendation of the Development and Finance Committee which met on September 4, 2013 and authorize the Executive Director to enter into exclusive negotiations for the disposition of a portion of the Chevy Chase Lake Apartments site.
MEMORANDUM

TO: Housing Opportunities Commission

VIA: Stacy L. Spann, Executive Director

FROM: Kayrine Brown, Director, Mortgage Finance Ext. 9589
Richard D. Hanks, Housing Acquisitions Manager Ext. 9503

RE: Approval to Enter into Exclusive Negotiations for the Disposition of a Portion of the Chevy Chase Lake Apartments Site

DATE: September 11, 2013

STATUS: COMMITTEE REPORT: Deliberation ___X___

OVERALL GOAL & OBJECTIVE:
To obtain the Commission’s approval to enter into direct negotiations to sell a portion of the Chevy Chase Lake Apartments site to Eakin, Yougentob, & Associates (“EYA”) rather than solicit for a developer for a portion of the site through an RFP or other solicitation method. The sale would be part of a redevelopment of the site as approved by the Montgomery County Council into approximately 70 townhomes and 150 - 200 units. As conceived EYA would develop and sell the townhomes, and HOC would develop and own the multi-family building.

Early discussions with EYA have revolved around a two part structure consisting of 1) a minimum payment for each market rate lot achieved through the site plan approval and 2) an additional payment based on the final sales price. The proposed structure includes terms that limit HOC’s financial exposure during the pre-development process and incentives to create maximum value for all parties. However, no commitment or final agreement has been made with EYA and it remains for the Commission to determine the course of action for further development of the site.

BACKGROUND:
The Development & Finance Committee met on September 4, 2013 to consider a request by staff to allow the Executive Director to enter into exclusive negotiations with EYA for the disposition of a portion of the Chevy Chase Lake Apartments site.

The proposed redevelopment site is part of Chevy Chase Lake Apartments (“CCLA”), a 68-unit garden-style apartment community consisting of twenty-one (21) 50% AMI and forty-seven (47) 120% AMI units. The development consists of one, two, and three bedroom apartments. CCLA was built in 1948 and major renovations were completed from 2005 - 2006. CCLA features amenities such as close proximity to the Capital Crescent Trail and shopping, free off-street...
parking, and free weekday shuttle to Bethesda Metro.

**Montgomery County Council Approval**

On July 30, 2013, the Montgomery County Council ("Council") formally approved the HOC redevelopment plan for Chevy Chase Lake (the “Alternative Plan”). The Plan received initial approval on July 9, 2013, as presented to the Planning, Housing, and Economic Development ("PHED") Committee as a joint proposal between HOC and a potential development partner, EYA. EYA understood that no commitment could be made by HOC to agree to joint development with them at that stage. At the preliminary hearing, Council voted overwhelmingly to approve the Alternative Plan with an eight to one vote to approve additional zoning for the site and to move it into the First Sectional Map Amendment ("SMA"). During the final meeting, Council approved the Plan with a vote of eight in favor and one abstention.

Prior to submittal of the Alternative Plan, the PHED Committee as well as Park & Planning have initially proposed to put HOC’s project into the Second SMA and tie the zoning increased to full funding of the Purple Line – and possibly the start of construction. However, as a result of the diligent efforts of EYA, their consultants as well as HOC staff, the Council granted an increase in zoning as well as inclusion in the First SMA (the only new project to achieve that approval).

The Alternative Plan proposes transforming HOC from 68 functionally obsolete units into approximately 70 luxury for-sale townhomes and a 200 unit mixed-income rental building. The Plan also includes a public park and access road that would provide a second means of egress between Chevy Chase Lakes and Jones Bridge / Manor Road. The approval of the Alternative Plan decoupled the redevelopment of HOC’s property from the Purple Line.

**Public Purpose**

The Alternative Plan would replace HOC’s (21) 50% AMI units and (47) 120% AMI unrestricted units (best efforts) with (40) below 60% AMI units and (40) 61% - 100% units (fully restricted). These units would be in a new construction controlled access, mid-rise building renting between 30% and 100% AMI. Additionally, it would include 10 – 12 MPDU houses in a luxury for-sale community. This represents a 100% increase in the affordable units as well as an upgrade in quality and amenities associated with the overall development.

<table>
<thead>
<tr>
<th>UNIT TYPE</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below 60% AMI Rental</td>
<td>21</td>
<td>30 - 40</td>
</tr>
<tr>
<td>61% - 120% Rental</td>
<td>47</td>
<td>30 - 40</td>
</tr>
<tr>
<td>MPDU</td>
<td>0</td>
<td>10 - 12</td>
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<tr>
<td>Market Rate Rental</td>
<td>0</td>
<td>90 - 120</td>
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<tr>
<td>Market Rate Ownership</td>
<td>0</td>
<td>45 - 60</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>68</strong></td>
<td><strong>215 - 270</strong></td>
</tr>
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</table>

HOC staff believes the Chevy Chase area has a severe shortage of affordable housing stock. By producing approximately 70 new affordable units, HOC would further its mission to create new affordable housing in a close-in, amenity rich community. Once the Purple Line is completed, a
Metro Stop will be within a quarter mile of the site, making it a transit-oriented community as well.

Finally, the development will have a significant and positive financial impact on the Commission. Sale of a portion of the Chevy Chase Lake site to EYA will generate enough cash to fund the equity for the proposed HOC owned multi-family building as well as provide funds for other Commission activities.

**Proposed Transaction**

While the specific terms are still to be negotiated, the transaction proposes a sale of approximately 69% of the site based on the formula that values the market rates lots. The transaction would be based on a per lot value that pays HOC a minimum amount for each market rate lot and an incentive based payment if the units sell for a higher than expected prices.

If approved to move forward, HOC staff will finalize negotiations on terms and present the transaction specifics to the Commission for approval prior to entering into a purchase and sales agreement (PSA). The goal is to have acceptable terms identified for submittal to the Commission at the October meeting and enter into a PSA agreement shortly thereafter.

**Valuation Assumptions**

HOC staff has spoken with real estate professionals about land valuation. The general consensus is the price for finished lots in desirable areas is between 20% - 40% of final sales price. Finished lots are defined as lots that are entitled, have site utilities in place, are cleared of obstructions and are ready for foundation. The pre-development costs to achieve the finished lots are deducted from the estimated value of the finished lot.

Since HOC is not providing finished lots, staff will prepare an analysis of the estimated costs of converting the portion of the site proposed to be sold, into the finished lots. This will be used during the negotiation process and presented to the Commission as part of the request for approval to enter the PSA.

**Procurement Process**

The Procurement Policy essentially has two aims. The first is to achieve the best price and terms for the Commission on a given proposal or project or service and, secondly, it is also to function to provide qualified bidders with an opportunity to be considered to perform work or services for a local government agency. The Commission’s Procurement Policy exempts most real estate related transactions from the requirements of bidding and solicitation. While there is no requirement to bid this project, public agencies have a need to be sensitive to the interests of the concerns of local businesses to be given an opportunity to offer their services through open bidding processes and the decision whether to do so in any given case is to be made by the Commission.
The opportunity to redevelop this site in the first phase was created in part due to the efforts of EYA and their consultants. However, the Commission has not formally determined if it chooses to select EYA as the developer of its site, and EYA has proceeded knowing that it may not be the final selection or that HOC may choose to develop the property itself.

In this particular case, there has been no notice for development services to the community at large. Because of the exemption for real estate activities, there is no requirement to do so. Certainly there would be delay if a selection process were to be undertaken and it is difficult to determine if there would be benefits to issuing a request for proposals or similar public notification at this time. Moreover, EYA has made substantial efforts on behalf of this project already with the understanding they would be given an opportunity to negotiate an equitable deal with the Commission.

**Conclusion**

Based on the support that EYA provided in helping HOC develop a compelling plan and securing approval to redevelop CCL Apartments in the first phase, staff has concluded that the best strategy is to negotiate with EYA for the following reasons:

- The Alternative Plan approved by Montgomery Council was based on extensive work with EYA;
- HOC staff believes that the current proposal is within a reasonable range of the estimated value of the site;
- This transaction could be a precursor to a long-term development relationship with a top-tier developer of market and affordable for-sale housing; and
- If the parties are unable to reach a satisfactory arrangement, the Commission reserves the option to either develop the site itself or seek another developer.

**ISSUES FOR CONSIDERATION:**
Whether the Commission wishes to:
1. Negotiate exclusively with one developer for the portion of the Chevy Chase Lake Apartment site proposed to be sold, reserving the option to seek other developers if negotiations are unsuccessful,
2. Forgoing an opportunity to develop for-sale units in-house,
3. Removing the existing affordable units for a period of two—four years while multi-family units are under construction.

**PRINCIPALS:**
Housing Opportunities Commission of Montgomery County (HOC)
Eakins, Youngentob, & Associates

**BUDGET IMPACT:**
There is no impact on the Commission’s FY14 operating budget. Without additional information of the value, timing and structure of the transaction, it is difficult to quantify the impact this opportunity will have on the HOC budget. Once the deal is more defined, HOC staff
will provide additional information.

**TIME FRAME:**
Action at the September 11, 2013 meeting of the Commission.

**STAFF RECOMMENDATION & COMMISSION ACTION NEEDED:**
Staff recommends that the Commission accept the recommendation of the Development & Finance Committee and authorize the Executive Director to enter into a direct negotiation with EYA for the purchase of a portion of the Chevy Chase Lake Apartments site.
RESOLUTION: RE: Approval to Enter into Exclusive Negotiations for the Disposition of a Portion of the Chevy Chase Lake Apartments Site

WHEREAS, HOC is the owner of a 68-unit development in Chevy Chase known as Chevy Chase Lake Apartments. Its strategic location near the planned Metro Purple Line and recently approved new zoning presents a unique opportunity for HOC to expand its housing presence in an underserved down county location; and

WHEREAS, HOC was approved by the Montgomery County Council to redevelop its Chevy Chase Lake Apartments site; and

WHEREAS, the approval included a proposed joint development of the site providing for mixed use housing options with “for sale” housing on a portion of the site; and

WHEREAS, Eakin, Youngentob, & Associates (“EYA”) invested time and resources to help secure this valuable approval; and

WHEREAS, EYA is a well respected developer and builder of housing in Montgomery County which aided in obtaining the approval for the development without any commitment from HOC that it would be selected as the developer of a portion of the Site proposed as “for sale” units; and

WHEREAS, the Commission’s Procurement Policy exempts real estate transactions from standard procurement requirements in most instances; and

WHEREAS, the Commission is mindful of the efforts and assistance of EYA in obtaining the development approvals for the Site; and

WHEREAS, EYA’s expertise in the housing type anticipated as “for sale” housing in this location is acknowledged; and

WHEREAS, proceeding through procurement efforts for the development of a portion of the Site would delay construction of badly needed affordable housing in Chevy Chase and there could be no assurance that it would lead to financial advantage or other benefit to the agency; and

WHEREAS, the Commission provides a variety of opportunities for developers, builders and contractors to work with it on numerous developments throughout the County, some of which are procured through the Procurement Policy and others which are exempted from that process; and
WHEREAS, it is anticipated that good faith efforts will be made by both EYA and the Commission to ensure a transaction that is fair and equitable; and

WHEREAS, in the event that an agreement cannot be reached with EYA, the Commission reserves the option to pursue other redevelopment efforts.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County authorizes the Executive Director to enter into exclusive negotiations for the disposition of a portion of the Chevy Chase Lake Apartments site with EYA.

BE IT FURTHER RESOLVED, that the final approval of the sale or other disposition of a portion of the Chevy Chase Lake Apartment site to EYA shall be made by the Commission after presentation of the proposed terms and conditions.

BE IT FURTHER RESOLVED, that the Commission reserves the option to pursue other development opportunities for the purchase of a portion of the Chevy Lake Apartment site in the event that negotiations with EYA are unsuccessful.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Housing Opportunities Commission of Montgomery County at a regular meeting conducted on September 11, 2013.

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Patrice M. Birdsong
Special Assistant to the Commission
APPROVAL TO PREQUALIFY A POOL OF GENERAL CONTRACTORS FOR THE RENOVATION OF THE SCATTERED SITE PUBLIC HOUSING DISPOSITION PROPERTIES

September 11, 2013

- On June 28, 2013, HOC issued Part 1 of the Request for Qualifications (RFQ #1867) for prospective general contractors for the rehabilitation of the 669 scattered site Public Housing disposition properties and received 27 responses to the RFQ.

- The top five scoring firms were Hamel Builders, Inc., Harkins Builders, Inc., Foulger-Pratt Contracting, LLC, Southway Builders, Inc., and Capital Building Partners.

- Funding for the construction contracts has already been approved by the Commission on June 5, 2013. Progress of construction completion will be communicated to the Commission at future meetings as requested as part of the June 5 funding approval.

- Having a pool of prequalified GCs will insure competitive pricing and flexibility in allocating the 669, which have been divided into six geographical batches for the purposes of construction.

- The rehabilitation standard for all units will be HOC’s staff-developed “Better” standard (of “Good”, “Better”, and “Best”).

- Staff recommends prequalifying the five firms so that HOC may, immediately upon the conclusion of Part 2, begin to enter into construction contract(s) with firms in the pool based on the competitive pricing exercise included in Part 2 and the most efficient allocation of the scattered site units.
MEMORANDUM

TO: Housing Opportunities Commission

VIA: Stacy Spann, Executive Director

FROM: Kayrine Brown, Director of Mortgage Finance  Ext. 9589
       Zachary Marks, Housing Acquisition Manager  Ext. 9613

RE: Approval to Prequalify a Pool of General Contractors for the Renovation of the Scattered Site Public Housing Disposition Properties

DATE: September 11, 2013

STATUS: COMMITTEE REPORT: Deliberation  X

OVERALL GOAL & OBJECTIVE:
To obtain Commission authorization to prequalify a pool of five general contractors from which HOC may select to carry out the rehabilitation of the 669 scattered site Public Housing disposition properties.

BACKGROUND:
The Development & Finance Committee met on September 4, 2013 to consider a request by staff to prequalify a pool of five general contractors from which HOC may select to carry out the rehabilitation of the 669 scattered sites Public Housing disposition properties.

On June 5, 2013, the Commission approved $20MM in funding for the rehabilitation of its 669 scattered site Public Housing units approved for disposition by the U.S. Department of Housing and Urban Development. At the time, the Commission conveyed to staff an urgency for defining the full scope of the rehabilitation and implementing that construction work. In response, on June 28, 2013, HOC issued Part 1 of its Request for Qualifications (RFQ #1867) that sought prequalification submissions from prospective general contractors for the rehabilitation of these units.

HOC received 27 submissions. Staff from the Real Estate Division has reviewed and evaluated those proposals and is recommending the selection of five (5) general contractors to respond to Part 2, which will include a competitive pricing exercise. The five recommended contractors and their average scores:

69
Because of the strength of the applicant pool and the urgency of the rehabilitation need at the subject properties, the Real Estate Division is requesting that the Commission approve the five selected contractors as a pool from which HOC may draw to assign certain quantities of units following staff evaluation of responses to Part 2.

**Evaluation Criteria – Part 1**
The five selected general contractors (“GCs”) received the five highest average scores from the three RED evaluators. Scores were given between 1 and 25 for each of four categories:

1. General Company Information
2. Business References & Project History
3. Financial Capacity (in particular bonding capacity)
4. Experience and Project Capacity

A synopsis of the strengths of the selected five firms is included as Exhibit B appended to the end of this memorandum.

As part of its commitment to increase the number of high quality GCs it does business with, HOC staff has divided the 699 units into 6 batches roughly based on geographic proximity. This allows for the selection of more than a single project general contractor without loss of efficiency. Further, a multi-general contractor approach ensures a speedy completion to the rehabilitation of all units.

In selecting the pool of five GCs, staff anticipates assigning the six batches to at least two of the five. While not all five may ultimately be assigned work, all of the selected GCs provide necessary competitiveness to Part 2. Additionally, with the reservation staff made in RFQ No. 1867 to “modify (i.e., expand) the scope...to include additional scattered sites beyond the 669 units”, this pool may be again accessed for those further purposes.

All of the five selected show ample bonding capacity, strong corporate financials, significant rehabilitation experience in a variety of different unit types, and established records of delivering scope as agreed. This will yield competitiveness in pricing and flexibility for the assigning of combination of batches. Any of these firms is capable of expanding its scope to account for the shortfall of another on this project.
Evaluation Criteria – Part 2
The prospective GCs will price 12 core scope-related items (attached as Exhibit C) and hourly rates for four key trades: carpenter, electrician, plumber, and painter. Additionally, the GCs will be asked to explicitly state any pricing sensitivity in accordance with their minimum and maximum number of desired units.

To aid the GCs in their pricing exercise, HOC will issue two additional documents to the selected GCs participating in Part 2:

1. A working draft of the Material List (“Better” designation; attached as Exhibit D).
2. A working draft of the Inclusive Template Scope (attached as Exhibit E) that will be used by selected GCs to establish actual scope for each assigned unit.

The Commission has impressed upon staff the importance of delivering comprehensive rehabilitation in its disposition units that conform to a unified, high standard of quality. As such, Real Estate Division staff has been working to develop Material Lists for three standards of finish: Good, Better, and Best. Staff has selected the “Better” standard for the 669 units.

Selection from the Pool
Staff issued Part 2 of RFQ # 1867 toward the end of the week of August 26th. The Procurement Office has given respondents two weeks to submit. Once the Commission establishes the prequalified pool and responses to Part 2 are evaluated, staff will select the most competitive firms from among the pool of applicants and allocate the six batches among those firms. This will be formalized after approval of the selection by the Commission and by the execution of construction contracts with the respective firms.

A selected GC will walk all of its assigned units. Using the final Material List and Inclusive Template Scope, the GC and Real Estate Development will establish the actual scope for each of the GCs assigned units. By October 1, 2013, selected rehabilitation work should commence.

ISSUES FOR CONSIDERATION:
Does the Commission wish to accept the recommendation of the Development & Finance Committee to prequalify as a pool the five top scoring general contractors for potential contractual engagement on rehabilitation of HOC’s scattered site Public Housing disposition units?

Does the Commission wish to authorize staff to make selections from the pool based on staff evaluation of Part 2 of RFQ # 1867, with whom staff will determine actual scopes, and enter into construction contracts?
PRINCIPALS:
HOC
Capital Building Partners                   Foulger-Pratt Contractors, LLC
Hamel Builders, Inc.                         Harkins Builders, Inc.
Southway Builders

BUDGET IMPACT:
There is no impact for the FY14 operating budget. The Commission has already approved funding for the construction work from various cash sources on the balance sheet.

TIME FRAME:
Commission action at its September 11, 2013 meeting.

STAFF RECOMMENDATION & COMMISSION ACTION NEEDED:
Staff recommends that the Commission accept the recommendation of the Development and Finance Committee and approve the prequalification of the five staff-recommended firms, namely Capital Building Partners, Foulger-Pratt Contractors, LLC, Hamel Builders, Inc., Harkins Builders, Inc., and Southway Builders and allow staff, at its discretion, to contractually engage firms from the pool to implement the construction rehabilitation of the 669 scattered site Public Housing disposition units.
RE: Approval to Prequalify a Pool of General Contractors for the Renovation of the Scattered Site Public Housing Disposition Properties

WHEREAS, the Housing Opportunities Commission of Montgomery County (“HOC”), a public body corporate and politic duly organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, known as the Housing Authorities Law, and authorized thereby to effectuate the purpose of providing affordable housing, including providing for the acquisition, construction, rehabilitation and/or permanent financing or refinancing (or a plan of financing) of rental housing properties which provide a public purpose; and

WHEREAS, on June 5, 2013, HOC authorized funding to rehabilitate the 669 scattered site properties that were approved by HUD for disposition from Public Housing (“The 669”); and

WHEREAS, the performance of the construction work associated with the rehabilitation requires the services of qualified general contractors; and

WHEREAS, to solicit qualifications from general contractors interested in providing these services on an as-needed basis, HOC released Part 1 of its Request for Qualifications (RFQ No. 1867) (the “RFQ”) on June 28, 2013; and

WHEREAS, 27 qualification submissions were timely received in response to the RFQ; and

WHEREAS, the RFQ attached equal weight to four main categories of qualifications; and

WHEREAS, each of the 27 proposals were evaluated, assigning numerical values to the firms’ having furnished a complete set of qualifications, the strength of business recommendations provided, financial capacity, and project experience; and

WHEREAS, applying the criteria described above, the five highest overall scores were received by Capital Building Partners, Foulger-Pratt Contractors, LLC, Hamel Builders, Inc., Harkins Builders, Inc., and Southway Builders.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County:


2. Directs Part 2 of RFQ # 1867 be issued, as stated in Part 1 of RFQ #1867, only to those contractors qualified by this resolution for inclusion in this pool.
3. Responses to Part 2 of RFQ #1867 shall be used as the basis for the selection of general contractors for approval by the Commission from the prequalified pool established by this resolution.

4. Reserves its option described in Part 1 of RFQ #1867 to expand the current project scope to include rehabilitation work on other HOC-owned scattered site properties.

5. The Executive Director is authorized to select and execute contracts with one or more of the contractors from the pool determined to be most responsive to Part 2 of RFQ 1867 to provide construction services for the units in the public housing disposition.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Housing Opportunities Commission of Montgomery County at a regular meeting conducted on September 11, 2013.

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Patrice M. Birdsong
Special Assistant to the Commission
Deliberation
and/or
Action
AUTHORIZATION TO APPOINT LABOR RELATIONS ADMINISTRATOR

SEPTEMBER 11, 2013

- In October 1999, the position of Labor Relations Administrator (LRA) was established as required by the Collective Bargaining Law.

- The term of the current LRA concluded on August 12, 2013 simultaneous with his decision to retire from active practice.

- HOC and the Municipal and County Government Employees Organization, Local 1994, (MCGEO), having completed the process of reviewing nominees, mutually agreed on the nomination of M. David Vaughn, Esquire as the new Labor Relations Administrator for HOC.

- Staff recommends that the Executive Director be authorized to appoint M. David Vaughn, Esquire as Labor Relations Administrator for a five-year term.
MEMORANDUM

TO: Housing Opportunities Commission

VIA: Stacy L. Spann, Executive Director Ext. 9420
      Patrick Mattingly, Human Resources Director Ext. 9438

FROM: Louis Chaney, Labor Relations Manager Ext. 9424

RE: Authorization to Appoint Labor Relations Administrator

DATE: September 11, 2013

STATUS: Consent _____ Deliberation ____X__ Status Report _____ Future Action_____

BACKGROUND:
The Housing Opportunities Commission (HOC) established a Labor Relations Administrator (LRA) position in October 1999 as required by the Collective Bargaining Law. The five-year term of the current LRA concluded on August 12, 2013 simultaneous with his decision to retire from active practice. HOC and MCGEO are required by the Collective Bargaining Law to nominate a new Labor Relations Administrator to provide for the effective implementation of the law. The parties have mutually agreed on the nomination of M. David Vaughn, Esquire as the Labor Relations Administrator for HOC for a five-year term. The LRA will be employed by the Commission pursuant to an employment contract. Services will be requested as required from time to time to hear disputes regarding unfair labor practices and the selection of mediator/fact finder in the event that collective bargaining reaches an impasse.

ISSUES FOR CONSIDERATION:
Does the Commission wish to appoint M. David Vaughn, Esquire Labor Relations Administrator for a five-year term?

BUDGET IMPACT:
The LRA will be paid from Labor Relations budget based on a per diem rate estimated to be $1,800-$2,000 per day and will be reimbursed for necessary expenses as set forth by the contract with the Housing Opportunities Commission.
TIME FRAME:
For action at the September 11, 2013 Commission meeting.

RECOMMENDATION AND COMMISSION NEEDED:
Staff recommends that the Commission adopt the attached resolution appointing M. David Vaughn, Esquire as the Labor Relations Administrator for the Housing Opportunities Commission for a five-year term.
RESOLUTION

RE: Authorization to Appoint Labor Relations Administrator

WHEREAS, the Housing Opportunities Commission of Montgomery County (HOC) is required by the Collective Bargaining Law to appoint a Labor Relations Administrator to provide for the effective implementation of the law pertaining to the selection, certification, decertification procedures, prohibited labor practices, and the selection of a mediator/fact finder; and

WHEREAS, the term of the current Labor Relations Administrator for the Housing Opportunities Commission has concluded simultaneous with his decision to retire from active practice; and

WHEREAS, HOC and the Municipal County Government Employees Organization (MCGEO) have completed the process of review of nominees for a new Labor Relations Administrator; and

WHEREAS, the joint recommendation is that M. David Vaughn, Esquire be appointed as Labor Relations Administrator for a five-year term.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission that the following terms and conditions will govern the appointment of the Labor Relations Administrator:

1. M. David Vaughn, Esquire is hereby appointed as the Labor Relations Administrator for the Housing Opportunities Commission for a five-year term.

2. The term will commence on September 11, 2013 and will end September 10, 2018.

3. The LRA will be an employee of the Commission and will be paid as a contract employee on a per diem basis and will be reimbursed for necessary expenses.

4. The Executive Director will administer the contract and the LRA will report to the Executive Director.

5. The cost associated with the employment of the LRA will be shared equally with the Municipal County Government Employees Organization and the Housing Opportunities Commission.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on September 11, 2013.
Patrice Birdsong
Special Assistant to the Commission
APPROVAL TO SUBMIT FEASIBILITY APPLICATIONS PURSUANT TO HUD’S RENTAL ASSISTANCE DEMONSTRATION PROGRAM FOR HOUSING OPPORTUNITIES COMMISSION’S PUBLIC HOUSING MULTIFAMILY AND ELDERLY PROJECTS

September 11, 2013

- The Housing Opportunities Commission (“HOC”) faces growing challenges in its aging multifamily Public Housing structures – most prominently, functional obsolescence and pervasive systems issues as a result of age and constrained federal capital support.

- Within the framework of the Public Housing program, much of the substantial cost to meet these challenges will have to come from HOC funds.

- HOC continues to be concerned about the financial feasibility of maintaining the units.

- An application to the U.S. Department of Housing and Urban Development through its (“HUD”) Rental Assistance Demonstration Program (the “RAD Program”) presents HOC with an opportunity to convert its multifamily Public Housing assets to Project-based Section 8 subsidies.

- Consideration by HUD of an application under the RAD Program is for feasibility of conversion and approval by HUD simply reserves an allocation of Section 8 subsidy should the Commission ultimately opt to proceed with conversion.

- Once converted, the properties will be transferred into fee-simple HOC ownership, be debt free, and be able to receive debt and equity investment.

- Upon preliminary approval, each of the properties will begin the typical Commission pre-development due diligence process for either rehabilitation of the converted property or relocation to new or newly rehabilitated housing.
MEMORANDUM

TO: Housing Opportunities Commission

VIA: Stacy L. Spann, Executive Director

FROM: Kayrine Brown, Director, Mortgage Finance Ext. 9589
       Gail Willison, Chief Financial Officer Ext. 9480
       Zachary Marks, Housing Acquisitions Manager Ext. 9613

RE: Approval to Submit Feasibility Applications Pursuant to HUD’s Rental Assistance Demonstration Program for Housing Opportunities Commission’s Public Housing Multifamily and Elderly Projects

DATE: September 11, 2013

STATUS: Consent _____ Deliberation X _____ Status Report ____ Future Action _____

OVERALL GOAL & OBJECTIVE:
To obtain Commission approval to submit feasibility applications to the U.S. Department of Housing and Urban Development (“HUD”) for the disposition of its multifamily Public Housing portfolio through HUD’s Rental Assistance Demonstration (RAD) program.

BACKGROUND:
At a Commission and staff work session on July 30, 2013, staff outlined the fundamentals of HUD’s Rental Assistance Demonstration (RAD) program. The discussion included staff’s proposal to submit applications for each of the Commission’s multifamily and elderly Public Housing properties which would convert them from Public Housing to fee simple ownership status.

Overview – Obsolescence in the Structure and Subsidy of the Multifamily Public Housing Portfolio

Section summary:

1. The Housing Opportunities Commission (“HOC”) faces growing challenges in its aging multifamily Public Housing structures – most prominently, functional obsolescence and pervasive systems issues as a result of age and constrained federal capital support.

2. Within the framework of the Public Housing program, nearly all the substantial cost to meet these challenges will have to come from HOC funds.
3. **Just as in prior instances where HOC has put its own funds into these Public Housing assets, in satisfying these deferred capital needs within the Public Housing framework, HOC will never recover the invested funds.**

4. **In the meantime, our residents – some of the most vulnerable in our County – have almost no alternative housing means.**

5. **HOC continues to be concerned about the financial feasibility of maintaining the units.**

HOC stewards 11 multifamily Public Housing communities on behalf of the United States Department of Housing and Urban Development. Unlike HOC’s scattered site Public Housing portfolio, nearly two-thirds of the units in the multifamily portfolio are housed in true multifamily buildings (as opposed to the other third which are in town home communities) where the building envelope, infrastructure, and skeleton are shared. Habitability of these units is entirely dependent upon the sustainability of these high-cost, complex building systems. The average age of HOC’s multifamily Public Housing portfolio is 36 years. The elderly properties within the portfolio are of an average age of more than 40 years.

HOC staff allocates operating funding within the Asset Management Project (“AMP”) to which the funding has been allocated by HUD and the capital funding among all Public Housing properties based on jointly determined need. However, funding itself – even in typical years – is perennially deficient for all capital needs. In more recent years, and others where Congress has embraced fiscal austerity, Public Housing funding usually sees the earliest and deepest cuts. The nature of the ownership structure prevents Public Housing authorities from the use of debt and equity sources to reinvest in their Public Housing assets. What few resources are available are so scarce that HUD, to ration, must make allocation requirements nearly impossible to meet. As Public Housing traditionally houses the most economically vulnerable of residents, little further contribution comes from tenant rents. Most of the 11 properties realize about $250/unit/month from residents.

So, HOC’s multifamily Public Housing portfolio, just as do nearly all Public Housing assets throughout the Country, carries systematically deferred capital needs; these shortfalls occur nearly every year and cumulatively can never be met. Where additions to the portfolio are possible (and they rarely are), those acquisitions are expensive (due to the inability to use debt) and of like-quality assets. While staff is in the process of confirming the full scope of the need, the Modernization Department recently reported to the Budget Office a projected five-year cumulative shortfall of $60MM for the multifamily Public Housing portfolio. A separate internal Physical Needs Analysis (“PNA”) conducted a few years ago places the shortfall at $23MM. Staff will be commissioning new third-party PNAs on all 11 properties to establish the true shortfall likely to be somewhere between the above estimates.

Public Housing is a discrete affordability program that is isolated from most sources of capital and that isolates residents that live in units funded by the program. As these buildings approach the age at which properly maintained structures would reach the end of their useful lives, HOC’s Public Housing communities cannot be physically stabilized without extreme cost to HOC.
Action – Using HUD’s Rental Assistance Demonstration ("RAD") Program to Enable More Efficient Satisfaction of All Deferred Capital Need in HOC-managed Multifamily Public Housing

Section summary:

1. **HUD’s RAD Program presents HOC with the momentary opportunity to convert its multifamily Public Housing assets to Project-based Section 8 subsidy.**
2. **Staff can be ready to submit applications for seven of HOC’s multifamily Public Housing properties by September 20.**
3. **Applications for the other four would be ready submission for by the end of October.**
4. **Approval for conversion will be given within 30 days of application.**
5. **Approval commits HOC to nothing. It simply reserves the allocation of Section 8 subsidy should the Commission ultimately opt to proceed with conversion.**
6. **Once converted, the properties will be transferred into fee-simple HOC ownership, debt free, and able to receive debt and equity investment.**
7. **Upon preliminary approval, each of the properties will begin the pre-development due diligence process for either rehabilitation of the converted property or new relocation housing.**

A little more than a year ago, HUD initiated the Rental Assistance Demonstration program, a trial program that is essentially an accelerated version of the Section 18 disposition process being used by HOC to dispose of its scattered site Public Housing units. In very much the same way that HOC will take fee-simple ownership of and be able to access debt and equity capital to remediate the deferred capital need in those 669 units, HOC can use the RAD Program to convert the 877 multifamily Public Housing units it manages to Section 8 subsidy.

Unlike the Section 18 disposition, the RAD process:

- Delivers only Project-based Section 8 subsidy.
- Requires only a feasibility application for reservation of award.
- Provides reservation of award (in the form of a Commitment to enter into a Housing Assistance Payment contract ("CHAP") within 30 days of application.
- Does not commit HOC to specific action at reservation. Decisions to proceed are entirely HOC development decisions.
- Gives near total regulatory flexibility.

HUD views Public Housing subsidy in much the same way as HOC staff: it is highly vulnerable to Congressional appropriations risk, highly inflexible, and requires significant administrative effort and cost. As such, it launched the RAD Program to encourage Public Housing Authorities to move into the perceived greater safety of the Section 8 program. Equally as attractive, Section 8 subsidy may be used in conjunction with private sources of debt and equity. Capital availability is much higher and capital cost is much lower; thus, capital need can more efficiently be met with fewer HUD and PHA resources required.
So, by September 20, 2013, HOC staff can be in a position to submit applications to reserve Project-based Section 8 subsidy for seven of its multifamily properties. For any housing authority using RAD to convert all of its remaining Public Housing units, that authority need only submit applications for at least 51% of total buildings in the remaining Public Housing portfolio to request a reservation for its entire remaining portfolio. As such, staff has begun with the seven communities where redevelopment is not being considered and the message to residents much simpler. Submitting applications for those seven properties will put HOC over the 51% threshold and allow it to reserve for its remaining four communities.

Staff decided to move resident notifications for the remaining four communities (Elizabeth House, Emory Grove, Holly Hall, and Washington Square) to October to give staff more time to prepare those presentations and to give residents of those properties time between the recent Town Hall meetings and these notification meetings. Application submission and potential approval for those four properties will trail the first seven by about 30 days.

By the end of October 2013, HOC may be awarded the reservation (assuming a similar application review period granted for most recent applications), and each of the first seven multifamily Public Housing properties would enter into individual financing and development phases where the method of funding the deferred capital need would be determined and presented to the Commission for approval. The Project-based Section 8 subsidy would be delivered in the form of either new project-based vouchers or a new HAP contract. Neither does HUD provide the tenants portable protection vouchers nor is HOC required to provide them from its own base of vouchers.

HOC Real Estate Development staff has spent the first half of the calendar year establishing the probable recapitalization methods for the 11 properties in preparation for application to the RAD Program. The methods fall into three categories:

1. **Stabilization** – for properties where:
   a. **Unit count is under 100**, as the scale of the capital need per property is likely so small as not to justify the cost of raising and securing third-party debt and equity.
   b. **Any recent rehabilitation has been done**; true of relatively few properties, of course.
   c. **Little additional density upon reconstruction is available**.
   d. **Little underlying land value exists**.

2. **Significant Rehabilitation** – for properties where:
   a. **Construction type is high-density**, as the scale of the capital need per property is likely larger.
   b. **Structural skeleton can be remediated**.
   c. **Burden of relocation of tenants is high**, particularly for elderly communities.
d. Little additional density upon reconstruction is available.

3. **Relocation & Demolition** – for properties where:

   a. Capital needs are significant.
   b. Structural skeleton is compromised and potentially irremediable.
   c. Meaningful additional density available through redevelopment.
   d. High underlying land value exists.

Commissioners will maintain oversight throughout the process as each of the 11 assets will be placed, according to one of the above three tactics, onto a typical pre-development course. Just as did the 669 scattered site Public Housing properties, the multifamily Public Housing properties will convert to full HOC ownership without debt and ready to accept debt and equity investment. For those properties undergoing rehabilitation, they should see markedly improved operating margins. Select properties will be recommended for demolition, with tenants being relocated to either new or newly-rehabilitated properties. The land beneath the vacated, demolished buildings can then be redeveloped separately (unencumbered by restriction) with to-be-determined programs.

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<th>PROPERTY</th>
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<tbody>
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</tr>
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<td>Parkway Woods (F)</td>
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</tr>
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<td>Sandy Spring Meadows (F)</td>
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<td>Seneca Ridge (F)</td>
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<td>Elizabeth House (E)</td>
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<td>160</td>
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<td>Emory Grove (F)</td>
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<tr>
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</tr>
</tbody>
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(F = Family; E = Elderly)

Each property’s rehabilitation or redevelopment will stand on its own merits, both economic and social.

In most cases, the development outcomes should redound to the benefit of HOC’s financial health, as:

1. Some of HOC’s most vulnerable assets are either stabilized or retired.
2. Operating margins are improved.
3. Equity in the land (sold to HOC for $1 per property) is capitalized.
4. Development fees are generated by those properties seeing significant rehabilitation and redevelopment.
5. New properties are developed as mixed income developments generating positive cash flow.

Most importantly, though: HOC’s Public Housing residents see their quality of life at home greatly improved.

**Process – Preparation for Application and Notification of Tenants**

With approval from Commission, staff can have applications for the first seven properties into HUD by the end of September. Physical needs analyses will be conducted on all buildings to confirm need, and the most beneficial and efficacious financing structures will be presented to Commission in preparation for receipt of the HUD approval of the application which is provided in the form of a Commitment to Enter into a Housing Assistance Payment contract (CHAP). Depending on which of the three strategies listed above are employed to meet the physical need, the process of doing so may take between six months and three years for any given resident set.

Prior to submitting the applications, staff will meet with affected residents twice in an effort to answer questions and provide clear information about the process. Staff has begun this process for the first seven properties and will have completed those required meetings by September 19, 2013. These meetings will include a discussion of changes in the subsidy and the potential rehabilitation or relocation plans. Should there be any relocation, residents will receive assistance with relocation expenses. The RAD application requires all questions asked by residents and answers to those questions provided by HOC to the residents are to be included.

Further, staff intends to engage and inform the Resident Advisory Board (“RAB”) throughout the process. Formal approval from the RAB is not required prior to the submission of the preliminary applications. However, staff met with RAB President Croom and with HOC Commissioner Jean Banks, who is HOC’s chief liaison to its residents, in August to explain the process, to share the collateral materials to be provided at the resident notification meetings, and to address their initial questions and concerns. They expressed appreciation for staff’s having taken the initiative to engage them, encouraged us to continue to inform affected residents as well as the entire RAB, and asked staff to prioritize the RAD process urgently.

In scheduling the resident meetings and in developing the presentation materials for those meetings, Staff integrated all of the feedback given by President Croom and Commissioner Banks at that meeting, including provision of two-week’s notice for all resident meetings.
Other Issues to Consider

Section summary:

1. **Existing Capital Fund Financing Program (CFFP) funding on any of the properties must be defeased.**
2. **Given the scale of the effort here and the number of residents affected, local government stakeholders have been informed.**

In 2003 and 2005, HOC received funding through its participation in Capital Fund Securitization bond issuance by the Maryland Community Development Administration (CDA). It raised $3,914,132 for renovation work at Seneca Ridge, formerly Middlebrook Square, ($2,873,177) and Waverley House ($1,040,955). The outstanding balance of the loan is $2,640,879 as of July 1, 2013. The loans mature on July 1, 2023 and may now be prepaid without penalty. Annual debt service payments average $287,695 and are automatically deducted from annual capital funds allocated to HOC for its public housing portfolio. Prior to conversion and closing of the recapitalization (or disposition) of the properties, HOC must repay the outstanding loan. Staff will return to the Commission at a later date with repayment options.

Staff along with the Executive Director has already begun to inform the County Executive, the County Council, and DHCA of HOC’s plans for its public housing portfolio and, more importantly, to make the case for expected improvements to the lives of Montgomery County residents with extremely limited incomes.

**ISSUES FOR CONSIDERATION:**
Should the Commission authorize staff to submit Feasibility Applications to the U.S. Department of Housing and Urban Development for HOC Public Housing Multifamily and Elderly projects pursuant to the Rental Assistance Demonstration Program?

**PRINCIPALS:**
Housing Opportunities Commission

**BUDGET IMPACT:**
None. The value of the Project, upon conversion, to be transferred to the development corporation, will show on HOC’s financial statements as the assets of a related entity.
TIME FRAME:
Action at the September 11, 2013 Commission meeting.

STAFF RECOMMENDATION & COMMISSION ACTION NEEDED:
Staff recommends the Commission authorize staff to submit Feasibility Applications to the U.S. Department of Housing and Urban Development for HOC Public Housing Multifamily and Elderly Projects pursuant to the Rental Assistance Demonstration Program. The application does not obligate the Commission to proceed but affords it an opportunity to access the RAD Program and meet the capital needs challenges for an aging portfolio.
RESOLUTION:  

RE: Approval to Submit Feasibility Applications Pursuant to HUD’s Rental Assistance Demonstration Program for Housing Opportunities Commission’s Public Housing Multifamily and Elderly Projects

WHEREAS, the Housing Opportunities Commission faces growing challenges in its aging multifamily Public Housing structures – most prominently, functional obsolescence and pervasive systems issues as a result of age and constrained federal capital support; and

WHEREAS, HUD’s Rental Assistance Demonstration (the “RAD Program”) program presents HOC with an opportunity to convert its multifamily Public Housing assets to Project-based Section 8 subsidy; and

WHEREAS, the conversion of the Public Housing assets to another form of subsidy provides HOC with broad flexibility in determining the long term use of the properties for the benefit of residents not otherwise available in the Public Housing program; and

WHEREAS, review by HUD of an application under the RAD Program is for feasibility of conversion and approval by HUD simply reserves the allocation of Section 8 subsidy should the Commission ultimately opt to proceed with conversion; and

WHEREAS, if HUD approval under the RAD Program is obtained for the conversion of the Public Housing assets, consideration will be undertaken by the Commission for the methods and alternatives for conversion of individual developments.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County authorizes the Executive Director to execute all necessary documentation and submit Feasibility Applications to the U.S. Department of Housing and Urban Development for HOC Public Housing Multifamily and Elderly Projects pursuant to the Rental Assistance Demonstration Program.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Housing Opportunities Commission of Montgomery County at a regular meeting conducted on September 11, 2013.

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Patrice M. Birdsong
Special Assistant to the Commission
Future Action
Information Exchange
New Business
Executive Session
Findings
Recess
VPC TWO
Corporation Meetings
VPC TWO CORPORATION MEETING

Approval of Bylaws and Election of Initial Board of Directors for VPC Two Corporation

September 11, 2013

- At its August 2013 meeting, HOC authorized the formation of VPC Two Corporation to be comprised of 279 scattered site units that are currently Public Housing.

- HUD intends to sell the units to the Corporation in order to undertake certain renovations.

- As the Corporation is expecting to start purchasing units once VPC One Corporation as acquired all their 390, it is now necessary for the Corporation to hold its initial meeting, approve the Bylaws and elect officers to the Board of Directors.

- Staff recommends that the Corporation approve the Bylaws and elect the Chair, Vice-Chair and Chair Pro-Tem of the Commission as officers to the initial Board of Directors.
MEMORANDUM

TO: VPC Two Corporation

VIA: Stacy L. Spann, Executive Director Ext. 9420

FROM: Jim Atwell, Internal Auditor Ext. 9426

RE: Approval of Bylaws and Election of Initial Board of Directors for VPC Two Corporation

DATE: September 11, 2013

STATUS: Deliberation

OVERALL GOAL & OBJECTIVE:
For VPC Two Corporation to elect members to the Board of Directors and approve the Corporation Bylaws.

BACKGROUND:
At its August 2013 meeting, the Housing Opportunities Commission (HOC) authorized the establishment of VPC Two Corporation, a wholly-controlled corporate instrumentality (the "Corporation") and passed a resolution approving the Articles of Incorporation. The Articles of Incorporation were filed and recorded on August 20, 2013.

It is now necessary for the Corporation to conduct the organizational meeting, adopt the Bylaws, and appoint the three Officers to the Corporation’s Board of Directors (the “Board”). The Bylaws state that “unless otherwise determined by the corporation, the officers of the corporation shall be the Chair, Vice-Chair and Chair Pro-Tem of the Housing Opportunities Commission”.

Once the Corporation has taken these actions, staff will request that the Corporation approve the purchase of all 279 units. The units will be purchased after VPC One Corporation has acquired all of their 390 units.

There is no need for a budget presentation at this time because the Corporation is in a non-operational status. However, the Corporation will meet annually to review status and appoint officers for the coming year. It is anticipated that full budget consideration will be undertaken at a meeting once the property has been transferred.
ISSUES FOR CONSIDERATION:
Does VPC Two Corporation wish to approve the Bylaws and elect the Chair, Vice-Chair and Chair Pro-Tem of the Commission to the Development Corporation’s Board of Directors?

BUDGET IMPACT:
There is no budget impact at this time.

TIME FRAME:
For action at the September 11, 2013 meeting of the Corporation.

STAFF RECOMMENDATION AND COMMITTEE ACTION NEEDED:
Staff recommends that the Corporation approve the Bylaws and elect the Chair, Vice-Chair and Chair Pro-Tem of the Commission as officers to the initial Board of Directors.
VPC TWO CORPORATION

RESOLUTION: Approval of Bylaws and Election of Initial Board of Directors for VPC Two Corporation

WHEREAS, the State Department of Assessments and Taxation accepted the Articles of Incorporation of VPC Two Corporation (the “Corporation”) on August 20, 2013; and

WHEREAS, the Commissioners of the Housing Opportunities Commission of Montgomery County as it is comprised from time to time constitute the directors of the Corporation; and

WHEREAS, the Corporation has been presented with a draft of Bylaws prepared by counsel; and

WHEREAS, it is anticipated that the Corporation will acquire property via a contract of sale in the future; and

WHEREAS, the Corporation received a report on the status of the plans for the acquisition it is expected to own.

NOW, THEREFORE, BE IT RESOLVED by VPC Two Corporation that:

1. Unless otherwise established by resolution of the Corporation, the President, Secretary and Treasurer of the Corporation shall be the Chair, Vice-Chair and Chair Pro-Tem of the Commission respectively from time to time.

2. The Bylaws of the VPC Two Corporation are approved.

3. This resolution shall take effect immediately.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Board of Directors of VPC Two Corporation at a meeting conducted on Wednesday, September 11, 2013.

___________________________________
Sally Roman
Secretary to Board of VPC Two Corporation
BYLAWS
OF
VPC TWO CORPORATION

ARTICLE I - OFFICES

The principal office of the corporation in the State of Maryland shall be located in the Town of Kensington, County of Montgomery, Maryland. The corporation may have such other offices, either within or without the State of incorporation as the Board of directors may designate or as the business of the corporation may from time to time require.

ARTICLE II - BOARD OF DIRECTORS

1. GENERAL POWERS.

The business and affairs of the corporation shall be managed by its Board of directors. The directors shall in all cases act as a Board, and they may adopt such rules and regulations for the conduct of their meetings and the management of the corporation, as they may deem proper, not inconsistent with these Bylaws and the laws of this State.

2. NUMBER, TENURE AND QUALIFICATIONS.

The Board of directors shall be selected annually by the Housing Opportunities Commission of Montgomery County. The number of directors of the corporation shall not be less than three (3) all of whom shall be Commissioners. Each director shall hold office until the next annual meeting and until his successor shall have been elected and qualified.

3. REGULAR MEETINGS.

A regular annual meeting of the directors shall be held without other notice than this bylaw on the first Wednesday of June in each year at the location determined by the Board. The directors may provide, by resolution, the time and place for the holding of additional regular meetings without other notice than such resolution.
4. **SPECIAL MEETINGS.**

Special meetings of the directors may be called by or at the request of the president or any two directors. The person or persons authorized to call special meetings of the directors may fix the place for holding any special meeting of the directors called by them.

5. **NOTICE.**

Notice of any special meeting shall be given at least three (3) days previously thereto by written notice delivered personally, or by facsimile or mailed to each director at his business address. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail so addressed, with postage thereon prepaid. If notice be given by facsimile, such notice shall be deemed to be delivered when the facsimile is delivered. The attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

6. **QUORUM.**

At any meeting of the directors, a majority shall constitute a quorum for the transaction of business, but if less than said number is present at a meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

7. **MANNER OF ACTING.**

The act of the majority of the directors present at a meeting at which a quorum is present shall be the act of the directors. A member of the Board shall be permitted to participate in a meeting by telephone provided all parties can hear the others.

8. **NEWLY CREATED DIRECTORSHIPS AND VACancies.**

Newly created directorships resulting from an increase in the number of directors and vacancies occurring in the Board for any reason shall be filed by decision of the Housing Opportunities Commission of Montgomery County. A director elected to fill a vacancy caused by resignations, death or removal shall be elected to hold office for the unexpired term of his predecessor.
9. **REMOVAL OF DIRECTORS.**

Any or all of the directors may be removed with or without cause by vote of the Housing Opportunities Commission of Montgomery County.

10. **RESIGNATION.**

A director may resign at any time by giving written notice to the Board, the president or the secretary of the corporation. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof by the Board or such officer, and the acceptance of the resignation shall not be necessary to make it effective.

11. **COMPENSATION.**

No compensation shall be paid to directors, as such, for their services, but by resolution of the Board a fixed sum and expenses for actual attendance at each regular or special meeting of the Board may be authorized. Nothing herein contained shall be construed to preclude any director from serving the corporation in any other capacity and receiving compensation therefor.

12. **PRESUMPTION OF ASSENT.**

A director of the corporation who is present at a meeting of the directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his dissent shall be entered in the minutes of the meeting.

13. **EXECUTIVE AND OTHER COMMITTEES.**

The Board, by resolution, may designate from among its members an executive committee and other committees, each consisting of three or more directors. Each such committee shall serve at the pleasure of the Board.

**ARTICLE III - OFFICERS**

1. **NUMBER.**

The officers of the corporation shall be a president, secretary and treasurer, each of whom shall be elected by the directors. Such other officers and assistant officers as may be deemed necessary may be elected or appointed by the directors.
2. **ELECTION AND TERM OF OFFICE.**

   The officers of the corporation to be elected by the directors shall be elected annually at the regular meeting of the directors. Unless otherwise determined by the corporation, the officers of the corporation shall be the Chair, Vice-chair and Chair Pro-tem of the Housing Opportunities Commission. Each officer shall hold office until his successor shall have been duly elected and shall have qualified or until his death or until he shall resign or shall have been removed in the manner hereinafter provided.

3. **REMOVAL.**

   Any officer or agent elected or appointed by the directors may be removed by the directors whenever in their judgment the best interests of the corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed.

4. **VACANCIES.**

   A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the directors for the unexpired portion of the term.

5. **PRESIDENT.**

   The president shall be the principal executive officer of the corporation and, subject to the control of the directors, shall in general supervise and control all of the business and affairs of the corporation. He shall, when present, preside at all meetings of the directors. He may sign, with the secretary or any other proper officer of the corporation thereunto authorized by the directors, any deeds, mortgages, bonds, contracts, or other instruments which the directors have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the directors or by these bylaws to some other officer or agent of the corporation, or shall be required by law to be otherwise signed or executed; and in general shall perform all duties incident to the office of president and such other duties as may be prescribed by the directors from time to time. Unless otherwise determined by the corporation, the president shall be the Chair of the Housing Opportunities Commission.
6. **SECRETARY.**

    The secretary shall keep the minutes of the directors' meetings in one or more books provided for that purpose, see that all notices are duly given in accordance with the provisions of these bylaws or as required, be custodian of the corporate records and of the seal of the corporation and in general perform all duties incident to the office of secretary and such other duties as from time to time may be assigned to him by the president or by the directors. This position can be combined with the office of Treasurer. Unless otherwise determined by the corporation, the secretary shall be the Vice-Chair of the Housing Opportunities Commission.

7. **TREASURER.**

    If required by the directors, the treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the directors shall determine. The Treasurer shall have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for moneys due and payable to the corporation from any source whatsoever, and deposit all such moneys in the name of the corporation in such banks, trust companies or other depositories as shall be selected in accordance with these bylaws and in general perform all of the duties incident to the office of treasurer and such other duties as from time to time may be assigned to him by the president or by the directors. This position can be combined with the office of Secretary. Unless otherwise determined by the corporation, the treasurer shall be the Chair Pro-Tem of the Housing Opportunities Commission.

8. **COMPENSATION.**

    No compensation shall be paid to officers but officers shall be reimbursed for their out of pocket costs in performing their functions.

**ARTICLE IV - WAIVER OF NOTICE**

Unless otherwise provided by law, whenever any notice is required to be given to any director of the corporation under the provisions of these bylaws or under the provisions of the articles of incorporation, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.
ARTICLE V - AMENDMENTS

These bylaws may be altered, amended or repealed and new bylaws may be adopted by a majority vote of the directors at any annual meeting or at any special meeting when the proposed amendment has been set out in the notice of such meeting subject to approval of the Housing Opportunities Commission of Montgomery County.

ARTICLE VI - CONTRACTS, CHECKS DEPOSITS AND LOANS

1. CONTRACTS.

All contracts of the Corporation shall be subject to the approval of the Housing Opportunities Commission of Montgomery County. The Board of Directors may authorize any officer or officers, agent or agents, or corporate representative or representatives of the Corporation, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

2. LOANS, MORTGAGES, BONDS AND NOTES.

The Board of Directors shall not enter into any loan, mortgage, bond, promissory note or contract to purchase real property without obtaining the approval of the Housing Opportunities Commission of Montgomery County. The Board of Directors shall obtain the approval of the Housing Opportunities Commission of Montgomery County not more than sixty (60) days in advance of the issue of any bonds, notes or other obligations of the Corporation.

3. MANAGEMENT.

Unless otherwise approved by the Housing Opportunities Commission of Montgomery County, the Corporation shall enter into a management contract with the Housing Opportunities Commission of Montgomery County for all of its property authorizing the Housing Opportunities Commission of Montgomery County to perform all functions necessary for the operation of its property, investment of its funds, the transfer of earnings there to by grant or otherwise, procurement, contracting, auditing and reporting required by law, these Bylaws or the Articles of Incorporation.
ARTICLE VII - BOOKS, RECORDS AND ACCOUNTS

The Corporation shall keep at its principal office correct and complete books and records of account and minutes of the proceedings of its Board of Directors and its Executive Committee, if any. All books and records of the corporation may be inspected by agents or attorneys of the Housing Opportunities Commission of Montgomery County for any proper purpose at any reasonable time.

ARTICLE VIII - FISCAL YEAR

The fiscal year of the Corporation shall be from July 1 to June 30.

ARTICLE IX - INDEMNIFICATION

1. IN GENERAL.

The corporation shall have the power to indemnify any person who was or is a party, or is threatened to be made a party, to any proceeding (other than an action by or in the right of the Corporation) by reason of the fact that such person is or was a corporate representative of the Corporation, against expenses, judgments, fines, settlement and other amount actually and reasonably incurred by such person in connection with such proceeding if such person acted in good faith and in a manner reasonably believed to be in or not opposed to the best interests of the Corporation and, in the case of a criminal proceeding, had no reasonable cause to believe his or her conduct was unlawful. The termination of any proceeding by judgment, order, settlement, conviction or upon a plea of nolo contendere or its equivalent shall not, of itself, create a presumption that the person did not act in good faith and in a manner reasonably believed to be in or not opposed to the best interests of the Corporation, or with respect to a criminal proceeding, had reasonable cause to believe that his or her conduct was unlawful.

2. ACTIONS BY OR IN THE RIGHT OF THE CORPORATION.

The Corporation shall have the power to indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the Corporation to procure a judgment in its favor by reason of the fact that such person is or was a corporate representative, against expenses actually and reasonably incurred by such person in connection with the defense or settlement of such action or suit if such person acted in good faith and in a manner reasonably believed to be in or not opposed to the best interests of the Corporation, except that no indemnification shall be made in respect of any claim, issue or matter as to which such person
shall have been adjudged to be liable for negligence or misconduct in the performance of his duty to the Corporation, unless and only to the extent that the court in which such action or suit was brought or any other court of equity in the county where the Corporation has its principal office shall determine upon application that, despite the adjudication of liability but in view of all circumstances of the case, such person is fairly and reasonably entitled to indemnify for the expenses which such court shall deem proper.

3. NOT EXCLUSIVE OF OTHER RIGHTS.

The indemnification provided by this Article IX shall continue as to a person who has ceased to be an agent and shall inure to the benefit of the heirs, executors and administrators of such a person. The indemnification provided by this Article IX shall not be deemed exclusive of any other rights to indemnification to which agents may be entitled by contract or otherwise under law.

4. INSURANCE.

The Corporation shall have the power to purchase and maintain insurance on behalf of any agent of the Corporation against any liability asserted against or incurred by the agent arising out of the agent's status as such, whether or not the agent could be indemnified by the Corporation under this Article IX.
Scattered Site One
Development Corporation
Meeting
SCATTERED SITE ONE DEVELOPMENT CORPORATION

AUTHORIZATION TO EXECUTE A UTILITY EASEMENT FOR TWO GAITHERSBURG PROPERTIES

September 11, 2013

• Scattered Site One Development Corporation (the “Corporation”) is the current owner of the property known as 20403 Boulder Ridge Terrace, Gaithersburg, MD.

• HOC wholly controls the Corporation.

• Verizon has requested the grant of a five-foot utility easement to install FIOS service to the Corporation’s property at 20403 Boulder Ridge Terrace and the neighboring property (20405 Boulder Ridge Terrace) which the Corporation does not own.

• The Corporation has been requested to grant Verizon the perpetual right to construct and maintain the facilities on the property.

• Once granted, Verizon will at all times have a right of ingress and egress over the easement area and the right to enter the easement area to install, construct, reconstruct, modify, alter, maintain, repair, replace, operate, monitor and inspect the FIOS facilities.

• The Corporation would maintain the above ground area over the easement area.

• This easement will allow residents in this property to obtain FIOS service, Verizon’s latest high speed internet offering.

• Staff recommends that the Corporation authorize the Executive Director to execute a utility easement for the installation of FIOS service.
MEMORANDUM

TO: Board of Directors  
Scattered Site One Development Corporation

VIA: Stacy L. Spann, Executive Director

FROM: Kayrine Brown, Director of Multifamily Mortgage (x9589)  
Zachary Marks, Housing Acquisition Manager (x9613)  
Christopher Donald, Housing Acquisition Manager (x9551)

RE: Authorization to Execute a Utility Easement for Two Gaithersburg Properties

DATE: September 11, 2013

STATUS: Consent __ Deliberation __X__ Status _____ Report _____ Future Action _____

OVERALL GOAL & OBJECTIVE:
To provide the Executive Director, on behalf of the Scattered Site One Development Corporation, the necessary authority to execute a utility easement to Verizon to install FIOS service to the Corporation’s property at 20403 Boulder Ridge Terrace, Gaithersburg, MD (Goshen Estates – Lot 132) and the neighboring property at 20405 Boulder Ridge Terrace (not owned by Commission – Lot 133).

BACKGROUND:
Scattered Site One Development Corporation (the “Corporation”) is the current owner of the property known as 20403 Boulder Ridge Terrace, Gaithersburg, MD. This property is wholly owned by the Commission.

The Corporation has been sent a request from KCW Engineering Technologies, a consultant to Verizon FIOS, to grant an easement that will facilitate access to the Corporation’s property and an adjacent property not owned by the Commission or the Corporation.

This easement will allow residents in this property to obtain FIOS service, Verizon’s latest high speed internet offering.

ISSUES FOR CONSIDERATION:
Should the Commission, on behalf of the Corporation, authorize the Executive Director to execute a utility easement to Verizon for FIOS service at 20403 Boulder Ridge Terrace, Gaithersburg, MD?
PRINCIPALS:
Housing Opportunities Commission
Scattered Site One Development Corporation
Verizon

BUDGET IMPACT:
NONE

TIME FRAME:
Action at the September 11, 2013 Scattered Site One Development Corporation Meeting.

STAFF RECOMMENDATIONS AND COMMISSION ACTION:
Staff recommends that the Commission, on behalf of the Corporation, authorize the Executive Director to execute a utility easement for the installation of Verizon FIOS service.
SCATTERED SITE ONE DEVELOPMENT CORPORATION

RESOLUTION: RE: Authorization to Execute a Utility Easement for Two Gaithersburg Properties

WHEREAS, by Resolution adopted at a regular meeting of the Housing Opportunities Commission of Montgomery County (“the Commission”), the Commission authorized the actions necessary to form Scattered Site One Development Corporation (the “Corporation”); and

WHEREAS, the Corporation, a development corporation duly organized and existing under the laws of the State of Maryland, is authorized to take the actions set forth in this Resolution, subject to the conditions and limitations set forth herein; and

WHEREAS, the Corporation is the owner of 20403 Boulder Ridge Terrace, Gaithersburg, MD, a townhome unit located in the Goshen Estates development; and

WHEREAS, the Corporation has received a request from Verizon FIOS to install FIOS service for its property at 20403 Boulder Ridge Terrace and the adjacent property at 20405 Boulder Ridge Terrace; and

WHEREAS, the Corporation desires to grant a perpetual easement to Verizon to construct and/or to maintain the facilities on its property.

NOW, THEREFORE, BE IT RESOLVED by Scattered Site One Development Corporation that the Executive Director of the Housing Opportunities Commission, on behalf of the Corporation, is authorized to execute a Deed of Easement for Verizon FIOS and all related documents and/or exhibits for service to its property located at 20403 Boulder Ridge Terrace and an adjacent property.

I HEREBY CERTIFY that the foregoing Resolution was adopted by Scattered Site One Development Corporation at a regular meeting conducted on September 11, 2013.

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Secretary to the Board of Scattered Site One Development Corporation
ADJOURN
Executive Session