

**HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

**Minutes**

April 3, 2024

The monthly meeting of the Housing Opportunities Commission of Montgomery County was conducted via a hybrid platform (with some participating in-person and some participating online/via teleconference) on Wednesday, April 3, 2024 with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland beginning at 4:04 p.m. Those in attendance were:

**Present**

Roy Priest, Chair  
Jeffrey Merkowitz, Vice Chair  
Frances Kelleher, Commissioner

**Attending Via Zoom**

Robin Salomon, Chair Pro Tem  
Pamela Byrd, Commissioner

**Absent**

Linda Croom, Commissioner

**Also Attending**

Chelsea Andrews, President/Exe. Director	Kayrine Brown, Senior Executive VP	Aisha Memon, Senior VP, Legal Affairs/ General Counsel
Paige Gentry, Deputy General Counsel	Zachary Marks	DeMarcus Hubbard
Victoria Dixon	Tia Blount	Meta Lim
Elliot Rule	Ken Silverman	Michael Somerville
DaVida Rowley-Blackman	Erin Smith	Walker Taylor
Tim Goetzinger	Alex Laurens	Lynn Hayes
Richard Congo	Elaine Cole	Darcel Cox
John Brouillre	David Brody	Daejuana Donohue
Bonnie Hodge	Irma Washington	Sean Ashbury
Terri Fowler	Gio Kaviladze	John Wilhoit
David Brody	Adam Pinchuk	Ali Ozair
Gio Kavildaze	Irma Washington	DeMarcus Hubbard
		Rita Harris

**Also attending via Zoom**

Kai Hsieh  
Matt Husman  
LeNisha Carroll

**IT Support**

Irma Rodriguez  
Richard Congo

**Commission Support**

Morgan Tucker  
Contessa Webster

Chair Priest opened the meeting with the introduction of the Commission and the President/Executive Director, Chelsea Andrews. Chair Priest also advised that the Status Report of the Resident Advisory Board will be provided at a later time.

**I. Information Exchange**

**A. Community Forum**

The following people spoke at the community forum:

- Evelyn Troutman - Ms. Troutman requested to address the Commission, but since she did not sign up by the required deadline, she was not permitted to address the Commission. Staff addressed her concerns outside of the meeting.

Chair Priest readjusted the agenda for consideration of the Resident Advisory Board and advanced to the Report of the President/Executive Director.

**B. Report of the President/Executive Director**

- Chelsea Andrews, President/Executive Director, provided a presentation of the written report in the month of March 2024.
- President Andrews highlighted the prestigious award, “Best Affordable Apartment Community” for Residences on The Lane, and a feature in the Fast Company report for The Laureate and HPF, as well as, Woman’s History Month, Legislative Updates, and updates for HOC’s Resident Services, Housing Resources, Maintenance and Real Estate Divisions.

**C. Commissioner Exchange**

Chair Priest gave the Commissioners an opportunity to provide updates and share recent events in the Commissioners’ Exchange. Vice Chair Jeffrey Merkwitz spoke on The Gap, the National Low Income Housing Coalition’s annual report.

**II. Approval of Minutes – The minutes were approved, as submitted, with a motion by Commissioner Merkwitz and seconded by Commissioner Kelleher. Affirmative votes were cast by Commissioners Priest, Merkwitz, Kelleher, Byrd, and Salomon. Commissioner Croom was necessarily absent and did not participate in the vote.**

**A. Approval of Minutes of February 29, 2024 Open Session**

**B. Approval of Minutes of March 6, 2024 Open Session**

**C. Approval of Minutes of March 6, 2024 Closed Session**

**III. Consent Item**

**A. Approval of New Participating Lender, Atlantic Mortgage, LLC for the Single Family Mortgage Purchase Program**

A motion was made by Commissioner Merkwitz to adopt Resolution 24-24. Commissioner Byrd seconded the motion. Affirmative votes were cast by Commissioners Priest, Byrd, Kelleher,

Merkowitz, and Salomon. Commissioner Croom was necessarily absent and did not participate in the vote.

**IV. Revisiting Information Exchange**

**A. Status Report from Resident Advisory Board**

- Irma Washington, President, and Adam Pinchuk, Vice President, provided a status report to the Commission regarding the recent RAB meeting and the five-year plan.
- Adam Pinchuk addressed questions and recommendations regarding third-party management and audits standards and procedures.
- Commissioner Priest suggested that recommendations be provided to the Commission in writing and thanked the Residential Advisory Board for their comprehensive comments regarding the Public Housing Plan.
- Commissioner Kelleher provided comments relating to publicized information on social media and at the properties.
- President Andrews advised Residential Advisory Board and stated that staff will provide written responses to each of the recommendations presented by the Residential Advisory Board.

**V. Committee Reports and Recommendations for Actions**

**A) Administrative and Regulatory Committee – Com. Kelleher, Chair**

**1. Regulatory Compliance: Authorization to Submit HOC’s Fiscal Year (“FY”) 2025 Five-Year Public Housing (“PHA”) Plan**

Commissioner Priest provided an overview of the item and introduced President Andrews who introduced Elliot Rule, Compliance Analyst, who provided the presentation. Staff recommended that the Commission formerly accept HOC’s request to submit the Fiscal Year 2025 Five-Year Public Housing Plan. A motion was made by Commissioner Kelleher to adopt Resolution 24-25. Commissioner Merkowitz seconded the motion. Affirmative votes were cast by Commissioners Priest, Byrd, Kelleher, Merkowitz, and Salomon. Commissioner Croom was necessarily absent and did not participate in the vote.

**B) Budget and Finance Committee – Com. Priest, Chair**

**1. Procurement of Property Management Services: Approval to Select Companies to Provide Property Management Services for Several HOC Properties in Accordance with Request for Proposal.**

Commissioner Priest introduced President Andrews who provided an overview and introduced Ali Ozair, Vice President, Property Management, who provided the presentation. Staff recommended that the Commission authorize the President to execute property management service contracts with Edgewood Management and Residential One. A motion was made by Commissioner Priest to adopt Resolution 24-26. Commissioner Byrd seconded the motion. Affirmative votes were cast by

Commissioners Priest, Byrd, Kelleher, Merkowitz, and Salomon. Commissioner Croom was necessarily absent and did not participate in the vote.

**C) Development and Finance Committee – Com. Merkowitz, Chair**

**1. Procurement of Legal Pool: Approval and Authorization to Select Firms for a Legal Pool under RFQ #2441, Enter into Agreements for Legal Services, Engage with Firms, and Pay for Services**

Commissioner Merkowitz introduced President Andrews who provided an overview and introduced Paige Gentry, Deputy General Counsel, who provided the presentation. Staff recommended that the Commission approve (1) HOC's establishment of a pool of 17 firms to provide legal services in various service areas; (2) the execution of 17 Agreements for Service for \$0 for a term of two years, with three one-year renewal periods; (3) staff engaging firms from the pool on an as-needed basis; and (4) HOC paying for such legal services from (i) the project's development budget or funds approved in the Real Estate Division's operating budget (if a development budget has not been approved); (ii) a department's approved budget; or (iii) an approved property budget. A motion was made by Commissioner Merkowitz to adopt Resolution 24-27. Commissioner Byrd seconded the motion. Affirmative votes were cast by Commissioners Priest, Byrd, Kelleher, Merkowitz, and Salomon. Commissioner Croom was necessarily absent and did not participate in the vote.

**2. The Leggett: Approval of Amended Finance Plan to Extend the Construction Period, Increase the Bridge Loan, and Execute New Interest Rate Hedges for The Leggett (formerly, Elizabeth House III) Transaction**

Commissioner Merkowitz introduced President Andrews who provided an overview and introduced Victoria Dixon, Sr. Multifamily Underwriter, who provided the presentation. Staff recommended that the Commission approve to increase usage of the RELOC by up to \$7.7 million, for a total commitment of up to \$33.7 million from the RELOC to bridge the receipt of investor equity. Staff also recommended that the Commission approve the amendment of the Financing Plan, including accepting the PNC Extension, the Conversion Date Extension, the Bridge Loan Increase, the Bridge Loan Extension, and the Interest Rate Hedges. Commissioner Salomon suggested that due to the equity delay that staff talk to the investor about changing pricing. A motion was made by Commissioner Merkowitz to adopt Resolutions 24-28a and 24-28b. Commissioner Byrd seconded the motion. Affirmative votes were cast by Commissioners Priest, Byrd, Kelleher, Merkowitz, and Salomon. Commissioner Croom was necessarily absent and did not participate in the vote.

**3. Wheaton Gateway: Approval to Select JDC Construction Company LLC as Construction Manager for the Wheaton Gateway Development (Phase I) and Approval for the President to Negotiate and Execute the Contract**

Commissioner Merkowitz introduced President Andrews who provided an overview and introduced Daejuana Donohue, Project Manager, who provided the presentation. Staff recommended that the Commission authorize the selection of JDC Construction LLC to provide Construction Management services for Wheaton Gateway, LLC Phase I in the amount of \$1,306,000 and to include a 15% contingency in the amount of \$195,900, as well as authorize the President to negotiate and execute a contract with

JDC Construction LLC that reflect those terms. A motion was made by Commissioner Merkowitz to adopt Resolution 24-29. Commissioner Kelleher seconded the motion. Affirmative votes were cast by Commissioners Priest, Byrd, Kelleher, Merkowitz, and Salomon. Commissioner Croom was necessarily absent and did not participate in the vote.

**4. Forest Glen Metro: Approval of a Development Consultant for the Entitlement of the Entire Forest Glen Metro Site, the Development and Construction of Phase I, and Approval of a Feasibility Budget and Additional Funding**

Commissioner Merkowitz introduced President Andrews who provided an overview and introduced Zachary Marks, Vice President, Real Estate and Walker Taylor, Financial Analyst, who provided the presentation. Staff recommended that the Commission approve a Development Consultant for the entitlement of the entire Forest Glen Metro site, the development and construction of Phase I, and approve a feasibility budget of \$715,000. Commissioner Priest expressed the value of the Development Pool. A motion was made by Commissioner Merkowitz to adopt Resolution 24-30. Commissioner Byrd seconded the motion. Affirmative votes were cast by Commissioners Priest, Byrd, Kelleher, Merkowitz, and Salomon. Commissioner Croom was necessarily absent and did not participate in the vote.

**5. Barclay Apartments: Approval to Select Vendor to Replace One Elevator at The Barclay Apartments for the President/Executive Director to Negotiate and Execute a Contract for up to \$285,445 and Approval of the Capital Expenditure Budget**

Commissioner Merkowitz introduced President Andrews who provided an overview and introduced John Wilhoit, Vice President, Asset Management, who provided the presentation. Staff recommended that the Commission approve to select Action Elevator Company to replace one elevator at The Barclay Apartments, for the President to negotiate and execute a contract for up to \$285,445, and to approve the Capital Expenditure Budget. A motion was made by Commissioner Merkowitz to adopt Resolution 24-31. Commissioner Kelleher seconded the motion. Affirmative votes were cast by Commissioners Priest, Byrd, Kelleher, Merkowitz, and Salomon. Commissioner Croom was necessarily absent and did not participate in the vote.

**D) Items Requiring Deliberation and/or Action – Com. Merkowitz, Chair**

**1. Multifamily Preservation, Production, and Prospects: Part I – Update and Discussion of Preservation Activities for Naturally Occurring Affordable Housing Developments in Bethesda**

Commissioner Merkowitz introduced President Andrews who provided an overview and introduced Zachary Marks, Vice President, Real Estate, who provided the presentation. Commissioner Priest recommended gathering more data to update the presentation on affordability and preservation analysis questions raised by the Commission. No item was presented for Commission approval and no vote was conducted.

**2. FY25 Recommended Budget: Fiscal Year 2025 (FY'25) Recommended Budget: Presentation of the President/Executive Director's FY'25 Recommended Budget**

Commissioner Priest introduced President Andrews who provided an overview and introduced Terri Fowler, Budget Officer, who provided the presentation. Commissioner Priest recommended participation online for the Budget Finance and Audit Meeting. Commissioner Salomon requested a refresher on HOC's budget process. President Andrews agreed to oblige the request. No item was presented for Commission approval and no vote was conducted.

Chair priest called for a motion to go into recess. This motion was approved by Commissioner Kelleher and seconded by Commissioner Merkowitz. Affirmative votes were cast by Commissioners Priest, Byrd, Kelleher, Merkowitz, and Salomon. Commissioner Croom was necessarily absent and did not participate in the vote.

The meeting went into recess at 6:28 p.m. The meeting reconvened at 6:29p.m.

Commissioner Priest read the Written Closing Statement and made a motion to adopt the statement and close the meeting. Commissioner Kelleher seconded the motion, with Commissioners Priest, Byrd, Kelleher, Merkowitz, and Salomon voting in approval. Commissioner Croom was necessarily absent and did not participate in the vote.

Based upon this report and there being no further business to come before this session of the Commission, the Commission adjourned the open session at 6:44 p.m., and reconvened in closed session at 6:55 p.m.

In compliance with Section 3-306(c)(2), General Provisions Article, Maryland Code, the following is a report of the Housing Opportunities Commission of Montgomery County's closed session held on April 3, 2024 at approximately 6:55 p.m. via a hybrid method (with some participating in-person and some participating virtually) with moderator functions occurring at 10400 Detrick Avenue, Kensington, MD 20895. The meeting was closed under the authority of Sections 3-305(b)(3) and 3-305(b)(13) to discuss the potential purchase of multifamily properties located in Bethesda, Maryland (pursuant to Section 3-305(b)(3)) and the confidential commercial and financial terms potential development opportunities (pursuant to Section 3-305(b)(13)).

The meeting was closed and the closing statement dated April 3, 2023 was adopted on a motion made by Commissioner Priest, seconded by Commissioner Kelleher, with Commissioners Roy Priest, Pamela Byrd, Frances Kelleher, Jeffrey Merkowitz, and Robin Salomon voting in favor of the motion. Commissioner Croom was necessarily absent and did not participate in the vote. The following persons were present: Roy Priest, Frances Kelleher, Jeffrey Merkowitz, Pamela Byrd, Robin Salomon, Chelsea Andrews, Kayrine Brown, Aisha Memon, Zachary Marks, Ken Silverman, John Wilhoit, and Morgan Tucker.

In closed session, the Commission discussed the below topic and took the following action:

1. **Topic:** The potential purchase of multifamily properties located in Bethesda, Maryland and potential development opportunities (pursuant to Sections 3-305(b)(3) and (b)(13)).
  - a. **Action Taken:** The Commission received information about the opportunities and asked questions. No formal action was taken by the Commission.

The closed session was adjourned at 7:37 p.m.

Respectfully submitted,

Chelsea Andrews,  
Secretary-Treasurer

/caw