

**DISTRICT OF COLUMBIA HOUSING FINANCE AGENCY
BOARD OF DIRECTORS MEETING**

March 24, 2015
815 Florida Avenue, NW
Washington, DC 20001
5:30 pm

Draft Minutes

I. Call to order and verification of quorum.

The Presiding Member, Mr. Derek Ford, called the meeting to order at 5:51 pm and asked the Interim Secretary to the Board, Ms. Maria K. Day-Marshall, Esq., to verify a quorum. With four members present, the Board of Directors (“the Board”) had a quorum, and the meeting continued. The members present included Mr. Derek Ford, Ms. Leila Batties, Mr. Charles R. Lowery, Jr., and Mr. Stanley Jackson. Mr. José Nuñez, Housing Development Advisor for the Department of Housing and Community Development (DHCD), was also present as an observer.

The Presiding Member asked the Board Members to review the agenda. A motion was made by Mr. Lowery, Jr. to approve the agenda as presented and seconded by Ms. Batties. The agenda was approved by voice vote.

II. Approval of the minutes from the February 24, 2015 Board Meeting.

The Presiding Member asked the Board Members present to review the draft minutes of the February 24, 2015 meeting.

Mr. Jackson asked that a slight change be made to the minutes, which staff agreed to do. A motion was made by Mr. Jackson to approve the minutes, as amended, and seconded by Ms. Batties. The minutes were approved by voice vote.

III. Vote to close the meeting to discuss the approval of the Ontario Court project and bond transaction, the 2255 MLK project and bond transaction, the Bowen Place project and bond transaction and a McKinney Act Loan associated with the Bowen Place project.

Pursuant to the District of Columbia Administrative Procedure Act, a vote was called to close the meeting in order to discuss, establish, or instruct the public body’s staff or negotiating agents concerning the position to be taken in negotiating the price and other material terms of the Ontario court project and bond transaction, the 2255 MLK project and bond transaction, the Bowen Place project and bond transaction and a McKinney Act Loan associated with the Bowen

Place project. An open meeting would adversely affect the bargaining position or negotiation strategy of the public body. (D.C. Code §2-575(b)(2)).

A motion to close the meeting was made by Ms. Batties and seconded by Mr. Jackson. The motion was approved by voice vote.

IV. The meeting re-opened at 6:40 p.m.

V. Consideration of DCHFA Resolution No. 2015-05, a Final Bond Resolution for Ontario Court.

Ms. Day-Marshall introduced the Resolution to the Board for consideration and then introduced Mr. Anthony Waddell, Director of Public Finance. Mr. Waddell introduced Mr. Danté Thomas, Development Officer, who provided a brief description of the project. The principal developer of the project will be Jubilee Ontario Apartments, LP, an entity controlled by Jubilee Housing Inc. The project is located at 2525 Ontario Road, NW and will consist of 27 units of affordable housing. The bond will be issued and sold to United Bank in an amount not to exceed \$10.5 million. Mr. Jim Knight, Mr. Marty Mellett and Ms. Dorothy Larimer were present to represent the developer, and Mr. Knight gave a presentation. Mr. Avran Fechter of Equity Plus was present as the developer's consultant. Ms. Keirston Woods of Bryant Miller Olive was present to represent Bond Counsel. Mr. Alieu Kargbo and Ms. Christina Chacon, current residents, spoke favorably about their experiences with the developer ~~were also present and spoke on behalf of the residents~~. Mr. Ford asked the developer to ensure that they meet the CBE requirements and asked about the high total development cost per unit. Mr. Knight responded that the high cost was mostly attributed to high acquisition cost, but that the residents are looking forward to the renovations that are going to be made. The scope of work includes several Uniform Federal Accessibility Standards upgrades, installation of hardwood flooring in all units, cabinet replacement, installation of granite countertops and several green features.

The Resolution was moved by Ms. Batties and seconded by Mr. Jackson. The Resolution was approved unanimously.

VI. Consideration of DCHFA Resolution 2015-06, an Eligibility Resolution for 2255 MLK.

Ms. Batties announced that her law firm, Holland & Knight, served as land use counsel on the Project, that she did not personally work on the matter, and that there was no financial benefit to her personally from that relationship. She asked that the Board waive the apparent conflict of interest and allow her to participate in the discussion about the project and vote on the resolution. Mr. Jackson moved to waive the apparent conflict, and Mr. Lowery seconded that motion. The motion to waive the apparent conflict was unanimously approved.

Mr. Jackson announced that one of the members of the development team for the project is a Board member of the organization of which Mr. Jackson is the Executive Director. Out of an abundance of caution, Mr. Jackson decided that he would recuse himself from the discussion of this development project.

Ms. Day-Marshall introduced the Resolution to the Board for consideration and then introduced Mr. Anthony Waddell, Director of Public Finance. Mr. Waddell introduced Mr. Edward Pauls, Senior Development Officer, who provided a brief description of the project. The development will consist of one building containing 71 units and will be located at 2255 Martin Luther King, Jr. Avenue, SE. The developer is 2255 MLK, LLC, an entity controlled by Four Points, LLC. Eighty percent (80%) of the units are expected to be affordable to families earning sixty percent (60%) or less of the area median income (AMI). Four (4) of those units will be further restricted to families earning thirty percent (30%) or less of the AMI per an agreement with DHCD. Twenty percent (20%) of the units will be unrestricted by income limits. The Resolution authorizes the issuance of an amount not to exceed \$14 million. Members of the development team who were present included the following: Stan Voudrie and Keith Turner of Four Points, Joey Ijjas of Grimm + Parker architects, Marilyn Kresky-Wolff of Open Arms Housing (tenant services provider) and Matt Sisen of Audobon Enterprises (development consultant). Mr. Turner provided a brief presentation. Ms. Kresky-Wolff described the services that will be provided to residents, with a particular emphasis on services for residents of the four units that will be intended for occupancy by Department of Behavioral Health clients.

Mr. Ford inquired about community participation with the ANC Commissioner. Mr. Turner replied that a Community Benefits Agreement was executed that would result in the inclusion of market rate units as well as a plan to market some of the units to local artists. Ms. Batties asked a few questions clarifying where the developer was in the PUD process and about the other developments within the PUD.

The Resolution was moved by Ms. Batties and seconded by Mr. Lowery. With 3 votes in the affirmative and an abstention by Mr. Jackson, the Resolution was approved.

VII. Consideration of DCHFA Resolution 2015-07, an Eligibility Resolution for Bowen Place.

Ms. Batties announced that her firm, Holland & Knight, often serves as counsel to the developer of this project, but they did not represent the developer on this matter and that she had no personal financial interest in either the developer or this project. She asked that any apparent conflict be waived and that she be allowed to participate in the discussion of this project for both the bond loan as well as the McKinney Act loan. Mr. Jackson moved that the apparent conflict be waived, which was seconded by Mr. Lowery. The motion to waive the apparent conflict was approved unanimously.

Ms. Day-Marshall introduced the resolution and then introduced Mr. Anthony Waddell, Director of Public Finance. Mr. Waddell introduced Ms. Patience Dean as the Development Analyst underwriting this project, and she provided a brief overview. The project consists of the construction of a three-story building containing forty-one residential rental units that will be located at the future address of 2620 Bowen Road, SE. All of the units are expected to be limited to residents who earn sixty percent (60%) of AMI or less. Members of the development team present included the following: Adrian Washington, Juan Powell and Kevin Brown of Neighborhood Development Company (NDC), the principal developer of the project; Matt Sislen of Audobon Enterprises, a development consultant on the project; and Huda Iskandar of EDG Architects. Mr. Washington gave a presentation about the developer and the project. The architect representative described in more detail the drawings of the proposed development. The Resolution authorizes an issuance of an amount not to exceed \$9,600,000.

Mr. Ford asked why HOME funds are being used. Mr. Washington responded that DHCD made that determination based on confidence that the developer could use the funds expeditiously. Mr. Ford asked why there were only two 3-bedroom units. Mr. Washington replied that when NDC obtained the property from another developer, the original plan was to build all one bedroom units. NDC changed that plan. Mr. Lowery asked how the developer intends to allocate parking spaces given that plans call for the creation of fewer parking spaces than units. The developer plans to allocate spaces via an annual lottery system.

The Resolution was moved by Ms. Batties and seconded by Mr. Jackson. The Resolution was unanimously approved.

IX. Consideration of DCHFA Resolution 2015-03(G), authorizing a McKinney Act Loan for Bowen Place.

Ms. Day-Marshall introduced the Resolution for the Board's consideration.

Mr. Jackson moved approval of the Resolution, and Ms. Batties seconded. The Resolution was unanimously approved.

XII. Interim Executive Director's Report.

- The Supplemental Claim for Parkway Overlook was paid by the US Department of Housing and Urban Development in the amount of \$615,000.
- The Agency's Budget Oversight Hearing is scheduled for April 20, 2015.
- The NALHFA Annual Conference will be held in Miami, FL from April 29th until May 2nd. Ms. Day-Marshall is a Board Member of the organization and will be attending.

- Staff will meet with Councilmember Brianne Nadeau on Monday pursuant to the Presiding Member's request.
- Single Family Programs have reached \$100 million in production, \$95 million of which are loans that have closed. Staff is planning a celebratory event in June.
- The Agency will be closing its ninth multifamily transaction of the fiscal year this week.

Mr. Ford asked about the expansion of the tax lien extinguishment program. Ms. Day-Marshall replied that the pilot phase is intended to last through the end of March. Mr. Lowery requested that staff send another copy of the flyer that provides details about the program. Ms. Day-Marshall agreed to do that.

XIII. Report on the Financial Management Software.

Ms. Makle reported that the Financial Management Software Committee had conducted the final reference checks for the two vendors who responded to the RFP that was issued. She also reported that the Bidders had conducted a second round of demonstrations for the committee members. A recommendation will be made to the Interim Executive Director prior to the next Board Meeting, and the plan is to present a resolution for consideration by the Board at the next meeting on April 14th.

XIV. Other Business.

Mr. Ford asked that Mr. Lowery and Mr. Jackson provide a job description for the Executive Director position at the next meeting.

XV. Vote to Close Meeting to consult with the Board's Counsel, Mr. Thorn Pozen.

Pursuant to the Administrative Procedure Act, a vote was called to close the meeting in order to consult with the Board's Attorney, Mr. Thorn Pozen (D.C. Code §2-575(b)(4)(A)). A motion was made by Ms. Batties and seconded by Mr. Jackson. The meeting was closed at 7:54 p.m.

XVI. The meeting was re-opened at 8:27 p.m.

XVII. The meeting was adjourned at 8:28 p.m.

Submitted by Maria K. Day-Marshall, Esq., Interim Secretary to the Board of Directors on April 10²⁴, 2015.

2015.

Approved by the Board of Directors on-_____April 14,