

**Riviera Beach Housing Authority
2001 Broadway, suite 101
Riviera Beach, FL 33404
Regular Board Meeting
Official Meeting Minutes
Tuesday, November 12, 2019**

Meeting comes to order at 7:10 p.m.

I. Call to Order:

Moment of Silence—Pledge of Allegiance

Roll Call and Recording of Absences

Upon roll call by Executive Director (ED) John Hurt, Chairman Delvin Thomas is present, as is Vice Chair Jeffery B. Jackson and Commissioners Jessica Thurmond, Horace Towns and Glen Spiritis. Quorum.

Also present: Board Attorney Matthew Russell; Ron Davis of the Mosnar Group LLC; Jatelsa Brown, chief of staff to Mayor Ronnie L. Felder; City Attorney Dawn Wynn; Margaret Shepherd, RBHA tenant; and Bessie Brown, member of the public.

Disclosures by Any Board Members

Vice Chair Jackson discloses that he sits on the board of Thousand Oaks HOA and the RBHA owns property in Thousand Oaks. Commissioner Spiritis discloses that he's finalizing an agreement with a North Carolina county to work on housing and commercial development. Chair Thomas discloses that, on October 15, 2019, he was returning from an out-of-town trip when a Palm Bay police officer pulled him over for speeding. Untrue allegations were made, he continues, and a civil suit is in progress because his civil rights were violated.

II. Consent Agenda

- a. No Items

III. Approval of the Agenda, Additions/Deletions

Commissioner Towns makes motion to approve the Agenda. Second by Commissioner Thurmond. Vice Chair Jackson requests the agenda be reordered to place the Authority Report as Item #5. ED Hurt also notes that the original agenda did not have Item E listed under New Business; it is there now. Unanimous vote, 5-0.

IV. Approval of Minutes—October 15, 2019 Regular Meeting

Commissioner Thurmond makes motion to approve the October 15, 2019 Meeting Minutes. Second by Vice Chair Jackson. Unanimous vote, 5-0.

V. Authority Report

a. Attorney Matthew Russell/Commissioner Jeffery Jackson—Use of Authority Vehicles

Attorney Russell opens by noting there were several items he wants to discuss and begins with the Florida Statute about ‘government in the sunshine.’ He reminds the board that, if any action coming before the board is discussed privately, it is a violation of that statute, #286.011.

Also, on March 13, the Board approved Resolution 2019-02, which allowed use of RBHA vehicles by Commissioners, Attorney Russell adds.

So, Vice Chair Jackson begins, based on what I’ve learned, we have to put our business before any board member. I have a few motions, he adds.

The first, he says, is a motion to rescind the election of the current chairperson. Second by Commissioner Spiritis. Vice Chair Jackson calls for a roll-call vote.

No—Chairman Thomas, Commissioner Thurmond

Yes—Vice Chair Jackson, Commissioners Towns and Spiritis

Passed 3-2 vote.

Attorney Russell then says, because of the new vacancy, the Board now needs to elect a successor at the next regular meeting. But for this meeting, he adds, Vice Chair Jackson is in charge.

Vice Chair Jackson makes motion to remove use of the RBHA vehicle from Commissioner Thomas for 60 days. Attorney Russell responds it’s no longer an issue because of the previous vote. Any board members can use the RBHA cars, Attorney Russell continues, and ED Hurt will work on the rules and regulation of the use of those vehicles.

Commissioner Spiritis suggest changing the motion to rescind the 2019-02 Resolution. He makes that motion. Second by Commissioner Towns. Vice Chair Jackson calls for a roll-call vote.

Yes—Vice Chair Jackson, Commissioners Thurmond, Towns and Spiritis

No—Commissioner Thomas

Passed 4-1 vote.

Thirdly, Vice Chair Jackson says, he wants to see a statement related to the proper use of RBHA vehicles. Let’s put thought into the next set of rules, he says, so that the vehicles are used in good faith and the business of the housing authority comes first.

Attorney Russell continues, bringing up Sunshine Law violations again. It’s very, very important, he says, and cites a few cases to prove his point. ED Hurt goes back to the recension; when is it effective?

Vice Chair Jackson says he’ll discuss it with the ED after the meeting. Attorney Russell disagrees, noting that the change is effective at the moment of passage unless otherwise indicated. Discussion ensues.

Vice Chair Jackson makes motion to give authority to Commissioner Thomas to work out the terms of the vehicle transfer back to authority control. Second by Commissioner Thurmond. Unanimous vote, 5-0.

VI. Financial Report—October 2019

ED Hurt begins with the check registers. In the Operating Account #0223, the starting balance was \$12,879.66 and the ending balance was \$86,014.44. The difference: a capital funds deposit of \$82,483 for 2019 with residual funds from 2018.

The NSP Account, #1501, started with \$854.84 and ended with \$449.70. Two major items were paid, ED Hurt says: HOA past due fees and property insurance for E. 29th Court and painting at 194 E. 30th Street.

In the Restricted Account #3322, the balance at the start was \$606,710.73 and, at the end, \$512,355.76. Payments made, ED Hurt says, were to the affordable housing consultant and a transfer of funds to the Operating Account.

The Blue Heron Boulevard (BH) Operating Account, #9205, began the month with \$32,855.92 and ended it with \$31,382.73. The difference, the ED notes: fire department inspections, the first mortgage payment, a refrigerator replacement in one unit.

The BH Reserve Account, #8471, started the month with \$36,001.38 and, thanks to interest earned, ended it with \$36,002.91.

The Security Deposit Account, #2210, began October with \$9,306.03 and ended it with \$9,306.33. The difference? Earned interest. The account includes deposits from both the BHB and NSP properties, ED Hurt says.

Vice Chair Jackson receives the report for filing.

Bryan Finnie of Housing Trust Group (HTG) enters the meeting at 7:38 p.m.

VII. Executive Director's Report—October 2019

Heron Estates Senior—ED Hurt begins by noting that HTG provided an update report today, which he hands out to the board. The site is 100 percent complete and occupied, he says, adding that Mr. Finnie, whom he calls up, is here for any questions.

Mr. Finnie says HTG is ready to begin Phase 2 and discussion ensues, including talks about a wall of separation between Phase 2 construction and the completed Phase 1; reclaimed water being used; and the third floor's outdoor hallway being flooded with rain.

Heron Estates Family. ED Hurt hands out a second report as Mr. Finnie provides a quick update: essentially, awaiting response from the city about next steps.

Other Development Initiatives. ED Hurt starts by updating the board about efforts to amend city property donation policies then calls up Mr. Davis, who says efforts are continuing to find other private equity partners and potential ways to work with them to the Authority's benefit.

ED Hurt notes a request was made to the Florida Community Loan Fund for \$1.2 million to develop a new home-ownership program; by the next board meeting, I'll have details.

NSP Activities. ED Hurt says 29th Court is vacant, refurbishing is happening and should be finished next week and there've been lots of applicants.

With regard to Action Items, Mr. Hurt adds that he was asked by Vice Chair Jackson to meet with City Councilwoman Shirley Lanier, he reached out to her office and received no response. Vice Chair Jackson asks that her contact information be sent to him and for Mr. Hurt to document all contact attempts. Discussion ensues, primarily about efforts to work with the city.

ED Hurt then says he recreated a Charitable Fund account and will update the board at the next meeting; that he's working to tell the Authority's story to the public; and that he will put together a list of affordable housing options.

Vice Chair Jackson then asks that he, ED Hurt and Attorney Russell rally a focus on getting the Authority's vouchers back from the WPBHA; we have nothing to lose in that push, he says.

We do have a subcommittee on this issue, ED Hurt responds, that is headed by Commissioner Spiritis and is working on a white paper and the hiring of a DC attorney to help.

Vice Chair Jackson receives the report for filing.

VIII. Unfinished Business—None

IX. New Business

- a. Resolution 2019-09: Approval of RBHA Operating Budget for FY2019-2020

ED Hurt reads the Resolution into the record. Commissioner Thomas makes motion to approve Resolution 2019-09. Second by Commissioner Thurmond. Unanimous vote, 5-0.

- b. Resolution 2019-10: Approval of NSP Operating Budget for FY2019-2020

ED Hurt reads the Resolution into the record. Commissioner Thurmond makes motion to approve Resolution 2019-10. Second by Commissioner Spiritis. Unanimous vote, 5-0.

- c. Resolution 2019-11: Approval of Transfer of Funds for FY2019-2020 Operating Budget

ED Hurt reads the Resolution into the record, correcting on the Resolution the year from 2018 to 2019, as noted by Attorney Russell. Commissioner Thomas makes motion to approve Resolution 2019-11 with the change noted by ED Hurt. Second by Commissioner Thurmond. Unanimous vote, 5-0.

- d. Resolution 2019-12: Approval of Co-developers for Development in Riviera Beach

ED Hurt reads the Resolution into the record, then notes the Authority received three viable proposals but didn't identify a particular site—predicated on site control—and will engage the co-developer who fits a proposal best, negotiate and bring the information to the board. It's not the usual process, ED Hurt adds, but he thinks it works. We're not choosing a developer first, he says; we're allowing them to make their pitches and then the board make the choice.

Commissioner Thomas makes motion to approve the list. Second by Commissioner Spiritis. 4-1 vote, with Commissioner Towns dissenting.

e. Resolution 2019-13: Redo the A/C at 194 E. 30th Street

Commissioner Thomas makes motion to approve Resolution 2019-13. Second by Commissioner Thurmond. Discussion ensues, including Commissioner Spiritis asking if the contract was awarded competitively. Commissioner Thomas then suggests the ED get two additional proposals, poll the board then decide on best package without having to come back to a regular meeting. After some discussion, Commissioner Thomas rescinds his motion. ED Hurt advised that this contract was awarded to a RBHA Certified Section 3 Contractor, MillerParadise Air Conditioning, that is approved Contractor by, Ygrene, who is a State Certified PACE financing source. Discussion continues.

Commissioner Spiritis suggests an emergency motion based on the fact this is an emergency, so the board doesn't have to do a full RFQ. Second by Commissioner Thomas. 4-1 vote, with Commissioner Towns dissenting.

X. Committee Reports

a. Community Relations Committee—Commissioner Thurmond

Commissioner Thurmond says residents are all moved in at Heron Estates Senior, the units are nice, she spoke to Property Manager Poland about a Thanksgiving meal event, but he was too busy; the board agrees by consensus to do something for Christmas. She mentions issues residents have complained about, that she had gotten some photos from Margaret Shepherd of Ivey Green to highlight its history, while Commissioner Thomas says he'll talk to his father about more pictures.

b. Development Committee—Commissioner Jackson

There is no Development Committee Report, but Commissioner Thomas asks Vice Chair Jackson if he can be appointed to the committee; the Vice Chair replies that that can be determined later.

c. Finance Committee—Commissioner Towns

There is no Finance Committee report.

d. Section 3 Committee—Commissioner Spiritis

Commissioner Spiritis notes that the RBCRA held a workshop today about construction readiness for local contractors and that he plans to contact Annetta Jenkins to see who showed up and to get the list. ED Hurt adds that the Authority had a representative there, affordable housing consultant Ray Wells, who made a brief presentation on the Authority's behalf and recruited some potential Section 3 contractors.

e. HCV Program Recovery Committee—Commissioner Spiritis

Commissioner Spiritis says he's working on trying to get the Authority's vouchers back, preparing the white paper, reaching out to HUD. ED Hurt adds that he's already registered board members for the DC trip.

XI. Public Comments and General Discussion

Ms. Brown says she's 'so happy' that Phase 1 is completed but is upset about how people have had to respond. She then asks about plans for Phase 2.

Commissioner Towns asks if a date for the groundbreaking ceremony has been set. Vice Chair Jackson says no. Commissioner Thomas suggests the first week of December.

The meeting is adjourned by Vice Chair Jackson at 9:22 p.m. The next regular meeting is scheduled for Dec. 10, 2019.