

LOUISVILLE METRO HOUSING AUTHORITY
MINUTES OF REGULAR MEETING
MARCH 16, 2021

Roll Call:

The meeting of the Board of Commissioners was called to order by Mr. Manfred Reid Sr., at 3:33 p.m. Due to the COVID-19 Outbreak, participants call in by way of Zoom Conference Video Call. Members present were Mr. Lance Gilbert, Ms. Gena Harris (arrived at 3:43), Mr. Cary Hearn, Ms. Lisa Nicholson, and Ms. Mary Ellen Wiederwohl. Absent Commissioners were Rev. Geoffrey Ellis (excused) and Mary Elizabeth Miles (excused).

Others present were Ms. Lisa Osanka, Executive Director; Mr. Wavid Wray, Deputy Executive Director; Directors; Mr. Richard Nash, III, Attorney; Ms. Vickie Fields, Executive Secretary; LMHA Staff; Heather Hairgrove; Laura Kinsell-Baer, and other individuals of the public.

On recommendation of LMPHW and the CDC guidelines on social distancing, LMHA is doing its part to prevent the spread of COVID-19 by using available technology to conduct the necessary and vital business of the agency. All public meetings will be held adhering to federal and state standards while maintaining the health and well-being of LMHA staff, residents and partners.

Announcements:

None.

Committee Reports:

Mr. Gilbert reported that the Strategic Planning Committee are meeting to create annual plans and that meetings are scheduled with the Mayor. Also, updated by-laws are currently being prepared.

Approval of Minutes:

Ms. Nicholson made a motion to approve the minutes of LMHA's regular meeting held on February 16, 2021. Ms. Harris seconded. Motion carried by unanimous vote.

Resolutions:

Mr. Gilbert made a motion to adopt Resolution 5a "Approval of the Capital Fund Program (CFP) Amendment to the Consolidated Annual Contributions Contract for the FY 2021 Capital Fund". Ms. Nicholson seconded. Motion carried by unanimous vote.

RESOLUTION NO. 18-2021 (3/16/21)

WHEREAS, the U.S. Department of Housing and Urban Development issued notification of approval of FY 2021 Capital Fund appropriation in an amount of \$11,637,998 for Capital Fund Program activities of the Louisville Metro Housing Authority; and

WHEREAS, the Authority is required by regulation to amend its Annual Contributions Contract with HUD for the receipt of these funds.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is authorized to execute the Capital Fund Program Amendment to the Consolidated Annual Contributions Contract for the FY 2021 Capital Fund in the amount of \$11,637,998.

Ms. Harris made a motion to adopt Resolution 5b “Authorization for Contract Renewal of Lawn Maintenance Services for Park DuValle”. Mr. Hearn seconded. Motion carried by unanimous vote.

RESOLUTION NO. 19-2021 (3/16/21)

WHEREAS, funds are allocated in the Park DuValle II, III and IV Partnership Operating Funds for lawn maintenance services for Park DuValle; and

WHEREAS, staff developed a bid proposal for lawn maintenance services for Park DuValle; and

WHEREAS, on February 19, 2019 bids were received and one bid tabulated; and

WHEREAS, staff reviewed the bid received and determined U.S. Lawns to be the most responsive and responsible bid received; and

WHEREAS, LMHA received approval from HUD to award sole source contract to U.S. Lawns; and

WHEREAS, LMHA entered into a one (1) year contract with U.S. Lawns with a renewal option of four (4) additional one-year renewal options; and

WHEREAS, U.S. Lawns has exercised the initial contract and first one-year renewal option; and

WHEREAS, LMHA and U.S. Lawns would like to exercise the second one-year renewal option.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to enter into a contract with U.S. Lawns for lawn maintenance services for Park DuValle in an amount of \$121,599 annually.

Mr. Gilbert made a motion to adopt Resolution 5c “Approval of Rental Agreement to Lease Commercial Space at Parkway Place to Keystone Learning Academy”. Ms. Nicholson seconded. Motion carried by unanimous vote.

RESOLUTION NO. 20-2021 (3/16/21)

WHEREAS, THE Louisville Metro Housing Authority (LMHA) owns the commercial space located at 1705 S. 13th Street in Parkway Place Housing Development; and

WHEREAS, Keystone Learning Academy leases the commercial space from Louisville Metro Housing Authority (LMHA) for purposes of operating a state funded childcare facility; and

WHEREAS, Keystone Learning Academy is a high performing, nationally accredited early learning center; and

WHEREAS, Keystone Learning Academy provides services to 89 children of which 82 are Parkway residents who pay an income-based co-payment; and

WHEREAS, rent from Keystone Learning Academy is set at \$519 per month inclusive of utilities and systems maintenance, representing a \$7 increase based on the 2020 Consumer Price Index; and

WHEREAS, Keystone is required to maintain legal liability insurance naming the Louisville Metro Housing Authority (LMHA) as an additional insured; and

WHEREAS, LMHA has agreed to lease commercial space to Keystone Learning Academy for a period of one-year.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to enter into a lease with Keystone Learning Academy.

Mr. Gilbert made a motion to adopt Resolution 5d “Adoption of 2021-2022 Consolidated Budget”. Mr. Hearn seconded. Motion carried by unanimous vote.

RESOLUTION NO. 21-2021 (3/16/21)

WHEREAS, the Louisville Metro Housing Authority’s Consolidated Budget for fiscal year 2021 - 2022 has been prepared in accordance with PHA 7475.1 Low-Income Housing Management Handbook; and

WHEREAS, the Consolidated Budget is a component of the annual Moving to Work Plan; and

WHEREAS, all certification requirements have been met.

WHEREAS, The 2021 – 2022 consolidated budget has been reviewed and recommended for Board approval by members of the Audit/Finance Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY’S BOARD OF COMMISSIONERS, that the proposed expenditures in the Consolidated Budget for 2021 - 2022 are necessary for the appropriate delivery of resident services and efficient operation of the Louisville Metro Housing Authority. Additionally, the Executive Director is authorized to execute amendments to the Annual Contributions Contract (ACC) with HUD for the Capital Fund Program (CFP), Operating Fund, and Section 8 Housing Choice Voucher Program as needed.

Mr. Hearn made a motion to adopt Resolution 5e “Approval of HUD and Federal Related Professional Legal Service Contract with Reno & Cavanaugh, PLLC”. Mr. Gilbert seconded. Motion carried by unanimous vote.

RESOLUTION NO. 22-2021 (3/16/21)

WHEREAS, the Louisville Metro Housing Authority (LMHA) periodically requires general, HUD and Federal-related legal services; and

WHEREAS, funds have been received from multiple funding sources for LMHA to accommodate legal services when required in the course of agency operations; and

WHEREAS, LMHA staff prepared a Request for Proposal to acquire the needed HUD and Federal Related Professional Legal Services and advertised the project in The Courier-Journal, The Louisville Defender, and the Housing Agency Marketplace and on February 23, 2021 proposals for providing the requisite services were received and evaluated; and,

WHEREAS, the evaluation process determined that the proposal submitted by Reno & Cavanaugh, PLLC is the most acceptable proposal for the work to be performed, and staff recommends award to them.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to enter into the HUD and Federal Related Professional Legal Services Contract with Reno & Cavanaugh, PLLC in the amount not to exceed \$100,000.

Ms. Nicholson made a motion to adopt Resolution 5f “Approval of General and Real Estate Professional Legal Service Contract with Stites & Harbison, PLLC”. Ms. Harris seconded. Motion carried by unanimous vote.

RESOLUTION NO. 23-2021 (3/16/21)

WHEREAS, the Louisville Metro Housing Authority (LMHA) periodically requires general and real estate legal services; and

WHEREAS, funds have been received from multiple funding sources for LMHA to accommodate legal services when required in the course of agency operations; and

WHEREAS, LMHA staff prepared a Request for Proposal to acquire the needed General and Real Estate Professional Legal Services and advertised the project in The Courier-Journal, The Louisville Defender, and the Housing Agency Marketplace and on February 23, 2021 proposals for providing the requisite services were received and evaluated; and,

WHEREAS, the evaluation process determined that the proposal submitted by Stites & Harbison, PLLC is the most acceptable proposal for the work to be performed, and staff recommends award to them.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to enter into the General and Real Estate Professional Legal Services Contract with Stites & Harbison, PLLC in the amount not to exceed \$250,000.

Ms. Nicholson made a motion to adopt Resolution 5g “Authorization to Submit 2400 W Chestnut Street to the Housing & Urban Development Special Applications Center (HUD SAC) for Disposition Approval”. Ms. Harris seconded. Motion carried by unanimous vote.

RESOLUTION NO. 24-2021 (3/16/21)

WHEREAS, the LMHA Board of Commissioners approved a similar request at the April 21, 2020 board meeting (Resolution No. 32-2020, Item No. 5g); and

WHEREAS, the Louisville Metro Housing Authority (LMHA) submitted the Disposition Application and has been asked by HUD to provide additional documentation in support of the request to dispose of 2400 W. Chestnut Street; and

WHEREAS, the above listed property has undergone mold and lead abatement and some interior renovations. The property is still in need of extensive and costly interior renovations as well as exterior repairs including brick work due to a fire that occurred next door causing additional damage to the structure; and

WHEREAS, LMHA has submitted the requested documentation, including an updated appraisal, environmental report, physical needs assessment, resident consultation, and Mayoral letter of support. LMHA is seeking Board authorization to dispose of 2400 W. Chestnut Street, allowing HUD SAC to continue with the disposition review; and

WHEREAS, the submitted Approved Board Resolution must be dated after the additionally submitted document dates.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to execute documents necessary to submit to HUD SAC for continued disposition review of 2400 W. Chestnut Street.

Mr. Hearn made a motion to adopt Resolution 5h "Authorization to Renew the Contract for General Counsel Legal Services". Ms. Nicholson seconded. Motion carried by unanimous vote.

RESOLUTION NO. 25-2021 (3/16/21)

WHEREAS, The Louisville Metro Housing Authority (LMHA) Operating Budget provides funding for General Counsel Legal Services; and

WHEREAS, in 2017, LMHA staff, in accordance with LMHA procurement procedures, awarded a contract to Richard H. Nash III, Attorney at Law to provide the requisite services for a period of one year; and

WHEREAS, the contract awarded to Richard H. Nash III, Attorney at Law included a provision for four additional renewal options.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to execute the fourth and final one-year renewal option of the contract with Richard H. Nash III, Attorney at Law for General Counsel Legal Services in an amount not to exceed \$75,000.

Ms. Harris made a motion to adopt Resolution 5i “Award of Construction Contract for East St. Catherine Street Fire Damage Repairs”. Mr. Hearn seconded. Motion carried by unanimous vote.

RESOLUTION NO. 26-2021 (3/16/21)

WHEREAS, funds have been received from the U.S. Department of Housing and Urban Development under the Capital Fund Program for East St. Catherine Street Fire Damage Repairs; and

WHEREAS, Sherman, Carter, Barnhart, Inc. (SCB); developed construction documents for this project; and

WHEREAS, the project was advertised for bids in The Courier-Journal and The Louisville Defender and on February 16, 2021 bids were received and tabulated for the contractor to perform the work; and

WHEREAS, staff reviewed the bids received and determined that the bid submitted by Howell & Howell Contractors in the amount of \$539,000.00 is the most responsive and responsible bid received and recommends award of the contract to them.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to enter a contract with Howell & Howell Contractors in the amount of \$539,000.00 for 621 East St. Catherine Street Fire Damage Repairs.

Discussions:

Laura Kinsell-Baer spoke on behalf of McCormack Baron Salazar (MBS). Ms. Kinsell-Baer made the LMHA Board aware that MBS was not actually present at the meetings between the subcontractors and Messer so the information she presents is second-hand.

- 1) There was a dispute between Charles Scott (C.E. Scott) and Messer. Messer offered a settlement with a closing date of yesterday, but to her knowledge Messer hasn't received a response. Messer also paid suppliers; for instance,

they paid the Brickyard \$100,000 because C.E. Scott ran out of resources, so Messer tried to rectify the situation for them.

- 2) John Hilliard had five (5) subs under him on Phase 2 and Messer worked out a situation with all but two of Hilliard's subs. Messer paid subs separately because they didn't want these workers not to be paid.

Ms. Kinsell-Baer made the Board aware that some subs had called the media stating that they had not paid, but that was not true. She also stated that this is a private business matter between Messer and their Subcontractors. The Board asked if there were delays due to these situations and Ms. Kinsell-Baer replied that the timeline for Phase I and Phase II was delayed but now is complete.

Messer and MBS released statements to the Courier Journal which Ms. Kinsell-Baer agreed to forward to Ms. Osanka for distribution to the Board. Ms. Nicholson stated that anytime things hit the newspaper that the Board should be notified.

In a nutshell, Ms. Kinsell-Baer stated that two subs defaulted because they ran out of money and time to finish the jobs they were hired to do. Some of their workers said their Company didn't pay them. Messer didn't want that to happen. A young woman came out last week and sent something this morning claiming not to be paid. Messer is working on this now.

Ms. Kinsell-Baer stated that Messer is doing what we told them to do. They hired smaller companies, and some might not even have administrative or other support other than the actual work on site. There are dozens of subs out there and we are only talking about three (3). Ms. Kinsell-Baer said that she is happy at the end of the day because these small subs have contracts at Beecher Terrace.

Executive Session:

Ms. Harris motioned to go into Executive Session, seconded by Mr. Gilbert. Motion carried by unanimous vote. The Board retired to Executive Session at 4:40 p.m.

The Board returned to Open Session at 4:52 p.m.

Other Business:

There being no further business to come before the Board, Ms. Nicholson motioned to adjourn, seconded by Mr. Hearn. Motion carried by unanimous vote.

The Board adjourned at 4:53 p.m.

Vickie J. Fields, Executive Secretary

Manfred Reid, Sr., Chairman