

HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

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

And

Seneca Ridge Apartments
19588 Scenery Drive, Germantown, Maryland

Special Session Minutes

May 13, 2016

Because time was of the essence for the matters to be discussed, Chair Roman approved a special teleconference session convened via electronic communication on Friday, May 13, 2016. The meeting was called to order at 12:30 p.m. to obtain approval to adopt the following resolutions: Approval to Select Moving Companies for Senior Properties Pursuant to IFB #1986 and Authorization for the Executive Director to Execute Contracts Related Thereto, and Approval of Structure, Cost of Issuance Budget and Adoption of Series Resolution for 2016 Series A and 2016 Series B Mortgage Revenue Bonds for the Purpose of Refunding Various Single Family Mortgage Revenue Bonds:

Present

Sally Roman, Chair
Jackie Simon, Vice Chair
Margaret McFarland
Linda Croom

Absent

Richard Y. Nelson, Jr., Chair Pro Tem
Christopher Hatcher
Pamela Byrd

Also Attending

Stacy Spann, Executive Director
Kelly McLaughlin, General Counsel
Gail Willison
Paulette Dudley
Ellen Goff
Jim Atwell
Jennifer Arrington

Kayrine Brown
Zachary Marks
Silky Hawkins

IT Support

Karlos Taylor
Irma Rodriguez
Arthur Owens

Commission Support

Patrice Birdsong

A. Approval to Select Moving Companies for Senior Properties Pursuant to IFB #1986 and Authorization for the Executive Director to Execute Contracts Related Thereto

Kayrine Brown, Chief Real Estate Investments Officer, was the presenter.

The following resolution was approved upon a motion by Commissioner Croom and seconded by Commissioner McFarland. Affirmative votes were cast by Commissioners Roman, Simon, McFarland, and Croom. Commissioners Nelson, Hatcher and Byrd were necessarily absent and did not participate in the vote.

RESOLUTION: 16-32

RE: Approval to Select Moving Companies for Senior Properties Pursuant to IFB #1986 and Authorization for the Executive Director to Execute Contracts Related Thereto

WHEREAS, the Housing Opportunities Commission of Montgomery County (“HOC” or “Commission”) continues to review its entire real estate portfolio and anticipates that it will continue to undertake rehabilitation and redevelopment of a significant portion of the properties it owns or will acquire and this will require operational support as well as assistance with resident relocation; and

WHEREAS, two of the properties currently undergoing comprehensive renovations are Arcola Towers and Waverly House (the “Senior Properties”) that are occupied by senior and are former Public Housing developments which recently converted under the Rental Assistance Demonstration program; and

WHEREAS, due to the extensive renovation scopes, tenant in-place renovation is not feasible, requires permanent or temporary tenant relocation within the building, and there is sufficient funding for resident relocation in each project’s development budget; and

WHEREAS, to ensure the availability of adequate moving services to facilitate timely and cost-effective resident relocation within the Senior Properties, staff issued an Invitation for Bid (IFB) #1986 to select moving companies targeted for relocation at Senior Properties; and

WHEREAS, eight companies submitted bids and were evaluated based on the established qualification criteria including experience with similar residential relocation, price (packing materials and hourly rates), qualification of staff, size and scope of operations, and references; and

WHEREAS, applying the criteria described above, Allen and Sons Moving and Storage is the lowest bidder and Swiftway Services LLC is the second lowest.

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

1. Authorizes the selection of Allen and Sons Moving and Storage and Swiftway Services LLC to provide moving and relocation services at HOC Senior Properties; and
2. Authorizes the Executive Director to execute contracts with Allen and Sons Moving and Storage and Swiftway Services LLC and to incur expenses thereunder not to exceed \$240,000 in the aggregate amount of for both movers, for an initial one year term with optional renewals in accordance with HOC's Procurement Policy; and
3. BE IT FURTHER RESOLVED by the HOCOM that the Executive Director is authorized and directed, without further action on its part, to take any and all other actions necessary and proper to effectuate the transactions contemplated herein.

B. Approval of Structure, Cost of Issuance Budget and Adoption of Series Resolution for 2016 Series A and 2016 Series B Mortgage Revenue Bonds for the Purpose of Refunding Various Single Family Mortgage Revenue Bonds

Kayrine Brown, Chief Real Estate Investments Officer, introduced Jennifer Arrington, Asst. Director of Bond Management as the presenter.

The following resolution was approved upon a motion by Commissioner Croom and seconded by Vice Chair Simon. Affirmative votes were cast by Commissioners Roman, Simon, McFarland, and Croom. Commissioners Nelson, Hatcher and Byrd were necessarily absent and did not participate in the vote.

RESOLUTION: 16-33

Re: Approval of Structure, Cost of Issuance Budget and Adoption of Series Resolution for 2016 Series A and 2016 Series B Mortgage Revenue Bonds for the Purpose of Refunding Various Single Family Mortgage Revenue Bonds

WHEREAS, the Housing Opportunities Commission of Montgomery County (the "Commission") is 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 (the "Act"), and authorized thereby to issue its notes and bonds from time to time to fulfill its corporate purposes; and

WHEREAS, the Housing Opportunities Commission of Montgomery County has issued various series of Single Family Mortgage Revenue Bonds under the Single Family Bond Resolution originally adopted on March 28, 1979, as amended (the "Bond Resolution"), a portion of which are currently outstanding; and

WHEREAS, the Bond Resolution authorizes the Commission to issue its bonds from time to time pursuant to one or more series resolutions in order to obtain funds to carry out its Single Family Mortgage Purchase Program (the "Single Family Program"); and

WHEREAS, the Commission desires to reduce its debt service expense in the Single Family Program and to produce low mortgage rates and new mortgage loans for Montgomery County, MD first time homebuyers; and

WHEREAS, financial market conditions are favorable for refinancing outstanding bond debt and for making mortgage loans to first time homebuyers; and

WHEREAS, the Commission has determined to carry out the Single Family Program by issuing its 2016 Single Family Mortgage Revenue Bonds in one or more series beginning with 2016 Series A and 2016 Series B, with each subsequent series, if any, to follow in alphabetical order (collectively, the "2016 Bonds") in a total aggregate principal amount not to exceed \$60,000,000; and

WHEREAS, the use of Private Activity Volume Cap for new debt and satisfaction of Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) will be required; and

WHEREAS, in connection with the proposed issuance of the 2016 Bonds, the Commission has reviewed the recommended structure and the cost of issuance budget and has been provided with initial drafts of the series resolution to be adopted prior to the issuance of the 2016 Bonds (the "Series Resolution").

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

1. ***The 2016 Bonds.*** The 2016 Bonds are authorized to be issued in a principal amount not to exceed \$60,000,000 (i) to refund and redeem certain bonds outstanding under the Single Family Program, (ii) to make, purchase or finance newly originated Mortgage Loans (as defined in the Bond Resolution), and (iii) if necessary, to fund certain required reserves.

2. ***Approval of the Series Resolution and the Structure of the 2016 Bonds.*** The 2016 Bonds are to be issued pursuant to the terms of the Bond Resolution and pursuant to the terms of the Series Resolution which has been provided to the Commission. The Commission hereby approves the structure of the 2016 Bonds and authorizes the Executive Director to approve the final form of the Series Resolution.

3. ***Commission Documents.*** The Chair, the Vice-Chair, the Chair Pro Tem and the Executive Director of the Commission are hereby authorized and directed to execute and deliver the Series Resolution, the Official Statement and any such other documents and agreements to be prepared in connection with the issuance of the 2016 Bonds (the "Commission Documents") in such forms as shall be prepared and approved by the Chairman, the Vice Chairman, the Chairman Pro Tem or the Executive Director, their execution and delivery of the Commission Documents being conclusive evidence of such approval and of the approval of the Commission, and the Secretary of the Commission, or any other Authorized Representative (defined below), is hereby

authorized and directed to affix the seal of the Commission to the Commission Documents and to attest the same

4. **Authorizing Ongoing Determinations under Commission Documents.** The Executive Director is hereby authorized, without further authority from the Board of Commissioners, to perform any act, to execute any documents, and to make any ongoing determinations as may be required to be made on behalf of the Commission from time to time, including, but not limited to, the determination of other terms to be in effect with respect to the 2016 Bonds as shall be set forth in the Commission Documents.

5. **Other Action.** The Chair or Vice Chair or Chair Pro Tem and the Executive Director of the Commission or a person designated by the Executive Director to act on his behalf (the "Authorized Representative") are hereby authorized and directed to undertake any other actions necessary (i) for the issuance and sale of the 2016 Bonds, (ii) for the refunding and redemption or repayment of prior bonds (the "Prior Bonds"), (iii) for the financing of new Mortgage Loans under the Single Family Program, (iv) for the performance of any and all actions required or contemplated under the Bond Resolution, the Series Resolution, the POS, the Official Statement and any other financing documents relating to the issuance of the 2016 Bonds, and (v) for the entire period during which the 2016 Bonds are outstanding following the issuance thereof.

6. **Approval of Allocation of Volume Cap.** The Commission approves the allocation of approximately \$29,000,000 of Private Activity Volume Cap to complete the transaction.

7. **Approval of Cost of Issuance.** The Commission approves the cost of issuance budget in an amount up to \$737,000 to be incurred by the Commission in connection with the issuance of the 2016 Bonds to be funded from revenue in the Bond Resolution.

8. **Severability.** If any provision of this resolution shall be held or deemed to be illegal, inoperative or unenforceable, the same shall not affect any other provision or cause any other provision to be invalid, inoperative or unenforceable to any extent whatsoever.

The following resolution was approved upon a motion by Commissioner Croom and seconded by Vice Chair Simon. Affirmative votes were cast by Commissioners Roman, Simon, McFarland, and Croom. Commissioners Nelson, Hatcher and Byrd were necessarily absent and did not participate in the vote.

HOUSING OPPORTUNITIES COMMISSION
OF MONTGOMERY COUNTY

Resolution No. 16-34

SERIES RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE

OF

\$_____ PRINCIPAL AMOUNT OF SINGLE FAMILY
MORTGAGE REVENUE BONDS, 2016 SERIES A OF THE HOUSING
OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

and

\$_____ PRINCIPAL AMOUNT OF SINGLE FAMILY
MORTGAGE REVENUE BONDS, 2016 SERIES B OF THE HOUSING
OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

Adopted as of June 1, 2016

Based upon this report and 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 12:59 p.m.

Respectfully submitted,

Stacy L. Spann
Secretary-Treasurer

/pmb

Approved: 20160617