

HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

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

Minutes

November 6, 2019

19-11

The monthly meeting of the Housing Opportunities Commission of Montgomery County was conducted on Wednesday, November 6, 2019 at 10400 Detrick Avenue, Kensington, Maryland beginning at 4:05 p.m. Those in attendance were:

Present

Jackie Simon, Chair
Richard Y. Nelson, Jr., Vice Chair
Roy Priest, Chair Pro Tem
Linda Croom
Frances Kelleher

Absent

Pamela Byrd

Also Attending

Stacy L. Spann, Executive Director
Cornelia Kent
Charnita Jackson
Olutomi Adebo
Kayrine Brown
Jay Berkowitz
Christina Autin
Renee Harris
Marcus Ervin
Ellen Goff
Sherraine Rawlins
Rita Harris
Sewa Prince
Satina Ali
Vivian Benjamin

Aisha Memon, Acting General Council
Terri Fowler
Millicent Anglin
Ian Williams
Zachary Marks
Fred Swan
Ian-Terrell Hawkins
Lorie Seals
Darcel Cox
Bonnie Hodge
Lynn Hayes
Jennifer Arrington
David Digby
Kathryn Hollister

Resident Advisory

Yvonne Caughman, Vice Chair

IT Support

Gabriel Taube
Michael Tadesse

Commission Support

Patrice Birdsong, Spec. Asst. to the Commission

Guest

Karen Lundregan
Marsha Adebayo
Rev. Adebayo
Tim Willard
Ralph Wooden

A motion was made by Vice Chair Nelson to modify the Expanded Agenda. Executive Director Spann requested to postpone the Development and Finance Committee Item regarding the Redevelopment of Avondale Apartments and Approval of Feasibility; and Vice Chair Nelson requested to remove Deliberation Item regarding the Acceptance of the FY 2019 Audit and Financial Statement. The motion was seconded by Chair Pro Tem Priest. Affirmative votes were cast by Commissioners Simon, Nelson, Priest, Croom, and Kelleher.

I. **Information Exchange**

Chair Simon began with opening remarks to inform that all monthly meetings will be live-streamed and will be posted to YouTube page accessible from the HOC webpage. Chair Simon's remarks are attached.

Resident Advisory Board

- Yvonne Caughman, Vice Chair, updated on activities of Resident Advisory Board. Vice Chair Nelson suggested that the RAB provide notification to residence as it relates to elections as well as the census.

Community Forum

- Karen Lundregan addressed the Board with her continued allegations of discrimination and retaliation from staff.
- Marsha Adebayo, Rev. Adebayo, Tim Willard, and Ralph Wooden addressed the Board in regards to the Moses Cemetery.

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

A. **Approval of Minutes of October 15, 2019**

B. **Approval of Minutes of October 15, 2019 Administrative Session**

III. **Consent Items**

A. **None**

IV. **Information Exchange Continued**

Report of the Executive Director

- Mr. Spann highlighted the accomplishments of the Real Estate/Mortgage Finance Division as well as the Legal Team. Congratulations to staff along with support from partners throughout Montgomery County and State.

Commissioner Exchange

- Com. Priest accepted an award on behalf of HOC for The Lindley.

V. **ADMINISTRATIVE AND SPECIAL SESSION RATIFICATION**

A. **None**

VI. COMMITTEE REPORTS and RECOMMENDATIONS FOR ACTION

A. Budget, Finance and Audit Committee – *Com. Nelson, Chair*

1. Approval of Calendar Year 2020 (CY'20) Portfolio Budgets

Cornelia Kent, Chief Financial Officer, and Terri Fowler, Budget Officer, were the presenters.

The following resolution was adopted upon a motion by Vice Chair Nelson and seconded by Chair Pro Tem Priest. Affirmative votes were cast by Commissioners Simon, Nelson, Priest, Croom, and Kelleher. Commissioner Byrd was necessarily absent and did not participate in the vote.

RESOLUTION NO.: 19-102

RE: Approval of CY' 20 Portfolio Budgets

WHEREAS, the Housing Opportunities Commission of Montgomery County (“HOC”) is the general partner of the following entities: (1) Arcola Towers RAD LP (Arcola Towers); (2) Alexander House LP (Alexander House); (3) Barclay One Associates LP (Barclay); (4) Forest Oak Towers LP; (5) Georgian Court Silver Spring LP (Georgian Court); (6) Greenhills Apartments LP (Greenhills); (7) MV Affordable Housing Associates LP (Stewartown); (8) Hampden Lane Apartments LP (Lasko Manor); (9) Spring Garden One Associates LP (Spring Garden); (10) Tanglewood/Sligo Hills LP (Tanglewood/Sligo Hills); (11) Waverly House RAD LP (Waverly House); and (12) Wheaton Metro LP (MetroPointe) (together, the “LP Entities”);

WHEREAS, HOC is the managing member of CCL Multifamily LLC (“CCL”), the owner of The Lindley;

WHEREAS, as the general partner of the LP entities and managing member of CCL, HOC manages the businesses and is liable for the debts;

WHEREAS, the limited partners in LP Entities have contributed money and share in profits, but take no part in running the businesses and incur no liability with respect to the LP Entities beyond their contributions;

WHEREAS, since HOC has a financial obligation to cover the debts of the LP Entities and CCL, HOC has an interest in the successful performance of LP Entities and CCL and, as such, should review their performances and approve their budgets; and

WHEREAS, the Budget, Finance and Audit Committee reviewed the CY'20 Budgets of the LP Entities at the October 16, 2019 meeting.

WHEREAS, the Budget, Finance and Audit Committee also reviewed the CY'20 Budget of CCL, which is operated on a Calendar Year basis, at the October 16, 2019 meeting.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County, acting for itself and on behalf of each of the LP Entities, as each entities' general partner, that it hereby approves the CY'20 Operating Budgets for the LP Entities, as shown on the attached Exhibit A.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County, acting for itself and on behalf of CCL Multifamily LLC, as its managing member, that it hereby approved the CY'20 Operating Budget for CCL, as shown the attached Exhibit A.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that the Executive Director, or his designee, is hereby authorized and directed, without any further action on its part, to take any and all other actions necessary and proper to carry out the actions contemplated herein.

2. Authorization to Submit Fiscal Year 2021-2022 (FY'21-22) County Operating Budget

Cornelia Kent, Chief Financial Officer, and Terri Fowler, Budget Officer, were the presenters.

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

RESOLUTION NO.: 19-103

**RE: Authorization to Submit FY'21-22
County Operating Budget**

WHEREAS, the Housing Opportunities Commission of Montgomery County ("HOC") wishes to submit a request for County funds for FY'21 and FY'22;

WHEREAS, the County has instructed HOC to submit a base budget or Maximum Agency Request Ceiling ("MARC") for FY' 21 in an amount not to exceed \$7,000,790, which is based on the FY'20 approved MARC of \$6,788,049 plus the estimate for increases to compensation, health and retirement benefits, and Rental License Fees; and

WHEREAS, the County has instructed HOC to submit a MARC for FY' 22 in an amount not to exceed \$7,184,461, which is based on the FY'21 estimated MARC of \$7,000,790 plus the estimate for increases to compensation, health and retirement benefits, and Rental License Fees.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it hereby approves submitting a MARC to the County for FY'21 and FY'22 in the amount of \$7,000,790 and \$7,184,461, respectively.

3. Approval to Extend the Property Management Contract at Timberlawn Crescent

Charnita Jackson, Director of Property Management, and Millicent Anglin, Asset Manager, were the presenters.

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

RESOLUTION NO.: 19-104

**RE: Approval to Extend Property
Management Contract for
Timberlawn Crescent for Three
Months through March 31, 2020**

WHEREAS, the Housing Opportunities Commission of Montgomery County (“HOC”) is the sole member of Timberlawn Pomander Properties LLC, which owns the development known as Timberlawn Crescent located in North Bethesda, Maryland (the “Property”);

WHEREAS, HOC staff desires to extend the current property management contract at the Property for three (3) months through March 31, 2020 with Bozzuto Management Company;

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County, acting for itself and on behalf of Timberlawn Pomander Properties LLC, as its sole member, that the Executive Director, or his designee, is hereby authorized and directed to execute a three (3) month extension of the property management contract at the Property through March 31, 2020 with Bozzuto Management Company.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that the Executive Director, or his designee, is hereby authorized and directed, without any further action on its part, to take any and all other actions necessary and proper to carry out the transactions contemplated herein, including the execution of any documents related thereto.

VII. **ITEMS REQUIRING DELIBERATION and/or ACTION**

None

VIII. **FUTURE ACTION ITEMS**

None

Based upon this report and there being no further business to come before this session of the Commission, the open session adjourned at 4:48 p.m. and reconvened in closed session at approximately 4:55 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 November 6, 2019 at approximately 4:55 p.m. at 10400 Detrick Avenue, Kensington, MD 20895. The meeting was closed under the authority of Section 3-305(b)(3) and Section 3-305(b)(13) to discuss potential real property acquisitions and the financial and commercial terms of the potential real property acquisitions.

The meeting was closed on a motion by Vice Chair Nelson, seconded by Chair Pro Tem Priest, with Commissioners Simon, Nelson, Priest, Croom, and Kelleher unanimously voting in approval. Commissioner Byrd was necessarily absent and did not participate in the vote. The following persons were present during the closed session: Jackie Simon, Richard Y. Nelson, Jr., Roy Priest, Linda Croom, Frances Kelleher, Stacy

Spann, Kayrine Brown, Cornelia Kent, Aisha Memon, Eamon Lorincz, Christina Autin, Zachary Marks, Marcus Ervin, and Patrice Birdsong.

In closed session, the Commission discussed potential real property acquisitions, including the confidential financial and commercial terms of the acquisitions. The following actions were taken:

1. With a quorum present, the Commission duly adopted Resolution 19-108AS with Commissioners Jackie Simon, Roy Priest, Linda Croom, and Frances Kelleher voting in approval, which approved feasibility funding to evaluate the desirability of acquiring a particular parcel of real property located in Montgomery County. Commissioner Richard Y. Nelson, Jr., opposed and Commissioner Byrd was necessarily absent and did not participate in the vote.
2. Zachary Marks, Director of Development, provided an update on another potential real property acquisition. No action was necessary.

The closed session was adjourned at 5:38 p.m.

Respectfully submitted,

Stacy L. Spann
Secretary-Treasurer

/pmb

Attachment

Approved: December 12, 2019



10400 Detrick Avenue
Kensington, MD 20895-2484
(240) 627-9400



Commissioner Jackie Simon

November 6 - Commission Meeting Remarks

Thank you for attending tonight's Commission meeting.

First, I want to provide notice to all who are signed up to speak this evening that HOC is now live-streaming all monthly Commission meetings. All meeting recordings are posted to our YouTube page and accessible from our website.

As always, the Commission provides time on its agenda for members of the public to come and share concerns with the Commission, and we continue to invite anyone to avail themselves of this opportunity.

While we welcome and value community participation during this forum, it has become necessary to require those who speak

to recognize the time boundaries so that we can carry out the affordable housing items that are the purpose of tonight's agenda.

Tonight's community forum is limited to 40 minutes. If the point you wish to raise has been already addressed by a prior speaker, please just acknowledge their remarks, so that everyone may be heard in the time we have available. Remember to respect the 3-minutes allotted to each speaker.

For customers, applicants and clients unable to address the Commission this evening, please make sure you have provided your information on the meeting sign-in form at the front desk and an HOC staff member will follow-up to assist you.

Thank you.