



Minutes of the Board of Commissioners Meeting
Wednesday, November 18, 2009

I. Call to Order:

Mrs. Day, Chair of the Board of Commissioners of the Broward County Housing Authority ("BCHA") called the meeting to order at 9:37 A.M. on Wednesday, November 18, 2009 at Headway Office Park, 4780 North State Road 7, Lauderdale Lakes, Florida.

II. Roll Call:

Mr. Cregan conducted a roll call and certified that a quorum was present.

Commissioners Present:

- Sharon Day Chair
Mercedes J. Núñez Vice Chair
John E. Aurelius
Joseph M. Cobo
Juan Selaya

Members Absent:

None

Members Late:

None

Members Excused:

None

Staff and Legal Counsel Present:

- Kevin Cregan Chief Executive Officer/Board Secretary
Ann Deibert Chief Operating Officer
Steven Cortese Chief Financial Officer
Barbara D. Miller VP Human Resources/Risk Management
Beth Kinsey VP Asset Management
Kathryn Haynes VP Assisted Housing
Parnell Joyce VP Development
Sam Hornsby Assistant VP Development
Ed Starkey Construction Manager
Monica Alfasi Executive Assistant/Recording Secretary
Deattra Glaser Senior Administrative Assistant
David N. Tolces Legal Counsel, Goren, Cherof, Doody & Ezrol, P.A.

Also in attendance for all or a portion of the meeting:

- Ira L. Cor Real Estate Broker
Stan Brown Executive VP, Ambit Marketing Communications
Adam Matzg Account Manager, Ambit Marketing Communications

III. Pledge of Allegiance:

The Chair called on Commissioner Núñez to lead the meeting in the Pledge of Allegiance.

#### **IV. Approval of Revised Agenda:**

**Action:** Motion was made by **Commissioner Cobo** and seconded by **Commissioner Aurelius** to approve the Revised Agenda for November 18, 2009 as presented. The motion was unanimously passed.

#### **V. Approval of the Minutes of the Regular Board Meeting:**

**Action:** Motion was made by **Commissioner Cobo** and seconded by **Commissioner Aurelius** to approve the Minutes of the meeting for October 21, 2009 as submitted. The motion was unanimously passed.

#### **VI. Bills and Communications:**

##### **1. Audit Committee Report - Memorandum 2009-39 (CEO):**

**Action:** For information purposes only, no action required.

##### **2. Presentation of Financial Report & Motion to Accept Report:**

**Topic:** **Presentation of Financial Report for Quarter and Year Ending September 30, 2009 by Steve Cortese, Chief Financial Officer.**

**Action:** Motion was made by **Commissioner Núñez** to accept the financial report for the quarter and year ending September 30, 2009. The Motion was seconded by **Commissioner Cobo** and was approved unanimously.

##### **3. Resolution Number 2009-69:**

**Topic:** **Resolution Approving Replacement Housing Plan for New Public Housing Units at Ehlinger Apartments and Park Ridge Court.**

**Action:** Motion was made by **Commissioner Aurelius** to approve Resolution No. 2009-69. The Motion was seconded by **Commissioner Núñez** and was approved unanimously.

##### **4. Resolution Number 2009-70:**

**Topic:** **Resolution Approving Additional Public Housing Units at Park Ridge Court.**

**Action:** Motion was made by **Commissioner Núñez** to approve Resolution No. 2009-70. The Motion was seconded by **Commissioner Cobo** and was approved unanimously.

##### **5. Hollywood Town Homes:**

**Topic:** **Discussion and Action on Status of Development of Hollywood Townhomes.**

**Mr. Cregan** showed the Board a PowerPoint presentation on the status of the Hollywood Townhome Development and a video of the July 15, 2009 City of Hollywood Board of Commissioners Meeting [Item #40-PO-2009-19 - An Ordinance Vacating a Portion of Public Right of Way] regarding BCHA's request to build a 10-unit residential townhouse development. **Mr. Cregan** highlighted some of the problems being encountered, what is at stake, the costs and fees already incurred and possible options. There was an extensive discussion regarding how the Board wanted to proceed.

**Action:** **Commissioner Aurelius** made a motion that the Board instruct the CEO in the strongest way possible to work with BCHA's legal counsel, Goren, Cherof, Doody & Ezrol, P.A. to the extent that we ask at the next meeting for a joint report back as to what the City of Hollywood's final position is and that legal counsel expedite as soon as possible a strong request to the City to proceed with BCHA's development rights and place this item on the proper city agenda. If they do not, he is specifically asking legal counsel to consider Florida State Statutes Chapter 164, Municipalities Governmental Conflict Resolution Act and see if it applies, so that at the next meeting the Board can make a decision on how to proceed further. The Motion was seconded by **Commissioner Cobo**.

**Commissioner Selaya** suggested getting BCHA's public relations firm Ambit Marketing Communications involved to see what they can do as far as getting the word out to the general public before the Board proceeds strongly with the City of Hollywood. Since Broward County awarded BCHA a grant in the amount of \$500,000 the **Chair** suggested that **Mr. Cregan** contact Broward County Vice Mayor **Sue Gunzburger** and see if she can assist with some of the issues we are having. **Commissioner Cobo** thought that the public relations firm and legal counsel should be involved at the same time.

**David Tolces, Esq.** stated that his firm mailed several letters to the Planning Director of the City of Hollywood asking what legal authority they based their decision on not to process BCHA's applications and never received a written response. With respect to any potential litigation, Florida Statutes require that governmental entities go through a dispute resolution process prior to one governmental entity suing another, depending on what his firm is able to do over the next month, he will come back to the Board with a request for authorization to commence with the dispute resolution process which is specifically outlined in the Florida Statutes. **Commissioner Aurelius'** motion was approved unanimously.

## VII. Consent Agenda:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items are enacted by one Motion; if a Commissioner or member of the public desires discussion on an item, however, that item may be removed from the Consent Agenda and considered separately.

**Commissioner Cobo** made a motion to approve all items on the consent agenda. The motion was seconded by **Commissioner Núñez** and was approved unanimously.

## VIII. Reports:

### 1. Discussion and Action on Buyer's Agent Agreement:

**Mr. Cregan** is recommending that the proposals for buyer's agent be rejected because at the present time because of commitments to existing projects BCHA does not need an agent actively looking for property to develop. Also, Fannie Mae has a program where properties they are involved in will be offered to housing authorities before being offered to the general public. **Mr. Cregan** also noted that anyone can bring information regarding a property to staff to review if they think it would be a good fit with BCHA's development goals. **Commissioner Aurelius** wanted to know if **Mr. Cor** or anyone else had any comments on this item. **Mr. Cor** talked about different financing/funding options available for development and offered to meet with **Henry Graham**, Executive Director of LES on a pro bono basis and discuss some of the issues that were talked about earlier in today's meeting. **David Tolces, Esq.** suggested that with respect to the Request for Qualifications (RFQ) for Buyer's Agent that the Board make a motion to reject the proposals so that there is a formal ending on the record, if that is the Board's pleasure.

**Action:** **Commissioner Cobo** made a motion that the Board adopt legal counsel's recommendation to reject the proposals and terminate the RFQ for Buyer's Agent. The Motion was seconded by **Commissioner Aurelius** and approved unanimously.

### 2. Monthly Report on Bids/Request for Proposals:

**Action:** No questions or comments.

### 3. Monthly Department Reports:

- ✓ **Assisted Housing:** No questions or comments.
- ✓ **Asset Management:** No questions or comments.
- ✓ **College Gardens:** The **Chair** asked for an update on the drug problems that staff had reported on previously adjacent to College Gardens. **Mr. Cregan** said there were no further problems and the bar across the street had closed down.

**4. Board Secretary/Chief Executive Officer's Monthly Report:**

No comments.

**5. Legal Counsel's Eviction Status Report (Memorandum 2009-032):**

No questions or comments regarding report.

**IX. Comments from the Public:**

No comments.

**X. Comments from the Commissioners:**

**Commissioner Aurelius** and **Commissioner Cobo** thanked **Mr. Cregan** and staff for the work they did on the Employee Awards Luncheon. **Commissioner Núñez** apologized for not being at the luncheon, as her mother had passed away. The **Chair** thought changing the date of the luncheon from December to November was an improvement and hoped that staff would continue the change next year. She also wished everyone a very happy and blessed holiday and noted that she would not be present at the December Board meeting.

**XI. Adjournment:**

**Commissioner Cobo** made a motion to adjourn the meeting. The motion was seconded by **Commissioner Selaya** and the meeting was adjourned at 10:33 A.M.

**Submitted by:**

  
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**Kevin Cregan, BCHA Board Secretary/CEO**

(Note: These minutes are not verbatim. Recorded tapes are available upon request).