

POUGHKEEPSIE HOUSING AUTHORITY
Minutes of the December 16, 2024 Special Meeting

Present: Shirley Adams, Chairman
Vincent Brugger, Vice-Chairman
Jacquetta Brown, Secretary
Felicia Watson, Treasurer
Thomas O'Neill, Assistant Secretary-Treasurer
Terricena Brown, Member
Robin Johnson, Member

Also Present: Sandra Boothe, Executive Director
Thomas Shanley, Accountant
Joanna Longcore, Corporation Counsel

The Special Meeting of the Poughkeepsie Housing Authority was held on Monday, December 16, 2024 at 5:04 p.m. at the Administrative Office located 4 Howard Street, Poughkeepsie, NY 12601.

RESOLUTIONS

Resolution 2024-15 FY25 Agency Plan: Commissioner J. Brown made a motion to put the resolution on the floor. Commissioner Johnson seconded. Motion passed. Chairman Adams said that at the last meeting we had mentioned some small revisions and asked if those were include. Ms. Boothe replied that they were.

Commissioner Watson made a motion to go out of agenda. Commissioner Brown seconded the motion. Motion approved.

The Board, joined by Brian Lawlor and Dan Hubbel of Whiteman Osterman & Hanna LLP, discussed the MOU with Beacon Communities. Mr. Lawlor said that we have satisfied the terms of the RFQ. We have resolved the issue of management. The Housing Authority will do the day-to-day management of the property. Beacon will do the compliance end of it and be able to step in to deal with any deficiencies we find or think that we have. We will have full approval over the master development plan, which will require that there will be at least 184 units. We will designate a couple of people to be representative. This contemplates the hiring of an owner's representative, our expert on the construction side. There's a provision for making sure that at the end of the 15-year period when all the tax benefits expire for the investors who we anticipate will provide 10s of millions of dollars for this Redevelopment project will want to exit and turn all interests and ownership back to the Housing Authority as well as Beacon. We've made sure that the provisions are there to make sure that occurs smoothly and at little or no cost to the authority other than assuming the existing debt on the property.

Commissioner J. Brown asked how this would affect what is going to happen at Thurgood Marshall Terrace and Martin Luther King Jr. Chairman Adams said that it would not. Mr. Lawlor said that we wanted to look at all the Housing Authority portfolio, however, we are not committing to anything beyond Hudson Gardens.

Commissioner Watson asked if 70% to the developer and 30% to the Housing Authority is typical. Mr. Lawlor responded that it is in the typical range. Some Authorities settle for less and some hold out for more. She asked for some clarification on 1.1 section C. Mr. Lawlor said that the next steps will be for Beacon will step in and they'll start discussions with us. They will engage in architect and conversations should begin with attendance of residents. Beacon will be designing a plan to redevelop the site and bring it into a modern age. Part of that plan will be things such as the site plan where we want to put it. It looks like we're going to do demolition. Where will it be, how high, and how many units will be in the final master redevelopment plan. PHA Board members will be part of that process and be receiving updates of that plan as it takes shape over time. It will take some time to do it, but I would say it's at least 6 to 9 months to really do a plan like this with the public engagements and the tenant input that that we need. C comes in like that if we get a plan and we all agree on and there are minor modifications to it to make it fundable and make sure that somebody will invest in it.

Dan said that there are some things that could cause this to come back to the Board. One, if the quality of the construction materials used have changed, have been diminished, if we all do, they all do the design or aesthetic appearance of the project. Two, if there's a reduction or increase in the number of units from what was contemplated. Three, if the tenant income requirements were modified, or if there's a change upward or downwards of one to 10% or more than is changing upwards or downwards in the budget that would affect the developer fee more than 10%. If this is different from what we from what the board would have approved, we want to go back to the board for Reapproval.

Commissioner Watson asked for clarification on Section 1.5 ii. Mr. Lawlor explained that the developer would be primarily responsible for putting together a financing budget to essentially redevelop the property.

Commissioner Watson asked how the redevelopment specialist is hired. Mr. Lawlor said that initially Beacon said that the PHA would oversee this. Mr. Lawlor said we disagreed as we are not in the business of relocation and that Beacon will now have to hire and finance the relocation. Commissioner Watson asked if this is governed by the NWBE. Mr. Lawlor replied it is and when we get our award from the state to finance it will be subject to all the NWBE requirements. HUD will also require Section 3, which is resident hiring.

She asked about the RAD portal. He said yes and only the authority has access to that. We will have a RAD consultant to help with the resource desk and so everything ends up going through that consultant.

She asked about the housing authority fund company mention in section h. Mr. Lawlor explained that we will form an entity basically to be a subsidiary of the Housing Authority Housing Development. We will form a not-for-profit corporation that essentially is regulated again by the state. We have to get the approval to form it because forming one brings an enormous amount of benefits to that authority and to the design and construction of proper most particularly.

She asked about Section 3 and if all pre-development activities and expenses would be paid by the developer. He replied yes.

She asked about Section 5.3. Mr. Lawlor said that it is the section where this agreement grants the Housing Authority the ability to go ahead and be the managing agent, and there's certain conditions that go along with that one is that they have to be able to find an investor and they do exist, that agrees that the Housing Authority has the capacity to manage the project. In Section 5.3 ii, there is the list of pre-closing management responsibilities. In other words, if you are not cooperating and not doing your due diligence and maintaining the property that may be a basis for them to not to allow us to be the agents. It is basically the savings clause for Beacon that we don't have an absolute right to be the managing. We have a reasonable right that if something goes wrong and it doesn't work, there's an exit ramp.

Commissioner Watson said that she is not comfortable having the Executive Director should be the only point of contact. She does not feel comfortable with this and feels that the Board chair, the finance person, or our attorney should be added. Mr. Lawlor explained that this is the formal process for notification. He said we designate an alternate in other areas. He advised not to name multiple people as Beacon only wants to go through one person for decisions. He said this is more of an internal issue so that the point of contact knows the proper decision-making process and approvals. It was decided that it should be sent to our general counsel also.

Chairman Adams said that the person from that state said we should have a third party do the tax credit compliance. Mr. Lawlor said the Beacon said that they would be doing this. Chairman Adams said that we have a lot to do on our end to get ready for the redevelopment such as creating a reserve fund. Mr. Lawlor said the source of the reserve fund will come from the developer's fee from this transaction. It will be at least one million, maybe more.

Commissioner Watson made a motion to accept the MOU with Beacon Communities. Commissioner J. Brown seconded the motion. Motion carried.

Commissioner J. Brown made a motion to put Resolution 2024-15 back on the floor. Commissioner Watson seconded.

Chairman Adams said this is the plan for five years. At the end of the five years, there is a progress report on the goals that we set. Commissioner Watson asked what the 72 for SEMAP. Ms. Boothe replied that 72 is a standard performer. The reason we scored 72 is

due to other agencies not reporting to PIC on our Section 8 tenants that have ported over. Unfortunately, if they do not report properly, it is a hit on us. Ms. Boothe said that we have been working with the other agencies to get them to report correctly but if they don't, there is nothing we can do and again, it is a hit on us. It has been corrected and she expects that our next score will be much higher. Chairman Adams asked how the score affects our funding. Ms. Boothe says that it does not as we are funded for our vouchers. Ms. Boothe said that we need to sit in a workshop to go over the SEMAP. She said that we have just been audited, and the auditor said that our Section 8 files are the best he has seen. Chairman Adams asked what HUD says our rating should be. Ms. Boothe replied that it is 95 but we believe that we can do better. Chairman Adams asked why we are over projecting. Ms. Boothe said that we have been working with the other agencies to have them correctly report. Commissioner T. Brown said that it was good they were working with the other agencies.

Chairman Adams asked if the PHAS score affects our funding. Mr. Shanley said that it has never seen an effect on our funding. Chairman Adams also stated that she felt that Ms. Boothe was over projecting our occupancy rate goals. Ms. Boothe said that she did not feel that she was and felt that we could meet our goals.

Vice-Chairman Brugger made a motion to approve the resolution. Commissioner J. Brown seconded. Motion passed unanimously.

ADJOURNMENT

The meeting was adjourned at 6:26 p.m.

I hereby certify that the minutes are true and correct and approved at the Meeting of January 29, 2025.

Jaquetta Brown, Secretary