MINUTES OF MEETING

OF

THE METROPOLITAN DEVELOPMENT AND HOUSING AGENCY

The regular meeting of the Board of Commissioners of the Metropolitan Development and Housing Agency was held on Tuesday, November 13, 2018, at 11:30 a.m. in the Collaboration Room of the Gerald F. Nicely Building, 701 South Sixth Street, Nashville, Tennessee.

PRESENT: Charles Robert Bone, Chair

Melvin Black, Vice Chair

Jimmy Granbery, Vice Chair

Miniimah Basheer

Antoinette Batts

Emily Thaden

ABSENT: Ralph Mosley

ALSO PRESENT: James Harbison, Executive Director

Saul Solomon, Legal Counsel

James Thiltgen, Deputy Executive Director

David Dellinger, Chief Operating Officer

Will Choppin, General Counsel

Melinda Hatfield, Director of Finance

Will Biggs, Director of Affordable Housing

Ed Shewmaker, Director of Construction

Norman Deep, Director of Rental Assistance

Mike Wegerson, Director of Recapitalization

Jamie Berry, Director of Communications

Pat Thicklin, Assistant Director for Human Resources

Treva Gilligan, Acting Director of Community Development

Matt Loftis, Urban Development Analyst

Tamara Burnett, Human Resources Assistant

Curtis Thomas, Urban Planning Manager

Mike Green, Resident Association Coordinator

Jean Merkle, Administrative Assistant to the Board of Commissioners

Shirley Moore, President, Carleen Waller Manor Resident Association

Mary Bradley, Resident, Parthenon Towers

Zach Hunt, TSG

ECG, Grace Evans, Investment Associate

Steve Reiter

Chair Bone called the meeting to order and requested approval of the Minutes of the Meeting of October 9, 2018. Commissioner Granbery moved adoption of the following resolution:

Resolution No. 64-18

“RESOLVED by the Board of Commissioners of the Metropolitan Development and Housing Agency, That it hereby approves the Minutes of the Meeting of October 9, 2018, as submitted.”

The motion was seconded by Commissioner Basheer, and upon vote all voted “aye”. None voted “no”.

Chair Bone introduced Shirley Moore, President, Carleen Waller Manor Resident Association, and Mike Green, Resident Association Coordinator, who would be called on later in the meeting for comments.

The Chair introduced Steve Reiter for public comments. Mr. Reiter said he believe the transfer of HMIS, Homeless Management Information System, from MDHA to the Metro Social Services Department was flawed.

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Mr. Harbison said MDHA and the Homelessness Commission received technical assistance from Cloudburst beginning in 2017 regarding the option for moving forward with a transfer of the HMIS to Metro Social Services. Mr. Harbison presented the Executive Director’s report providing an update on current projects. He said HUD Secretary Carson was in Nashville on October 25 and visited the Dialysis Clinic at Preston Taylor Homes, as well as holding a roundtable discussion on affordable housing. Mr. Harbison said the roundtable was attended by representatives of THDA, and some of MDHA’s program partners. He said the Tax Increment Financing Study and Formulating Committee has been established and the first meeting was held on November 9.

Mr. Harbison reported that on Saturday afternoon a gas line was disrupted as the construction company was working at the Kirkpatrick Park housing site causing some 100 residents to be without heat or cooking capability on a cold afternoon. He said when he arrived at the site Tracy Edwards and the staff he called in to assist residents were working to secure space heaters. Staff also provided pizza for the families as well. Mr. Harbison thanked the staff for a job well done. Mr. Harbison said the Rental Assistance Department expects a 100% score (high performer) on its SEMAP evaluation.

Commissioner Black reported on the joint Finance & Audit and Development committees prior to the Board meeting. He said the Committees reviewed the fiscal year-end financials. Revisions to the Agency Procurement Policy were reviewed, which will be presented to the Board in December. There was discussion of a temporary lease of vacant property at Vine Hill Apartments to be used for parking by an adjacent business.

Mr. Thiltgen presented the first item of business requesting Board approval of the Section 8 Management Assessment Program certification stating that a 100% score is expected and the agency will continue to be a High Performer as it has been since inception of the program. Norman Deep, Director of Rental Assistance and the Rental Assistance Staff, were recognized for this accomplishment. Commissioner Thaden moved adoption of the following resolution:

Resolution No. 65-18

“RESOLVED, That the Board of Commissioners of the Metropolitan Development and Housing Agency hereby approves the Section 8 Management Assessment Program (SEMAP) Certification, HUD Form 52648, for the year ending September 30, 2018, and authorizes execution by the Board Chair and Executive Director for submission to the Department of Housing and Urban Development.”

The motion was seconded by Commissioner Black, and upon vote all voted “aye”. None voted “no”.

Treva Gilligan, Acting Director of Community Development submitted a request to donate property located at 14 Decatur Street to Be a Helping Hand Foundation to construct a new affordable home. Commissioner Granbery moved adoption of the following resolution:

Resolution No. 66-18

“WHEREAS, The Metropolitan Development and Housing Agency (MDHA) received an application from Be A Helping Hand Foundation, a nonprofit housing developer and designated Community Housing Development Organization (CHDO) in the HOME Investment Partnership Program, asking that MDHA transfer a lot located at 14 Decatur Street to them to be used for construction of affordable rental housing; and

WHEREAS, MDHA wishes to support and encourage the development of affordable housing throughout Metropolitan Nashville and Davidson County by qualified, nonprofit housing developers; and

WHEREAS, Community Development Staff reviewed the application and recommend transfer of the parcel to Be A Helping Hand Foundation to be used for the purpose set forth in the Application; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Board of Commissioners of the Metropolitan Development and Housing Agency that they hereby approve the transfer of the property located at 14 Decatur Street known as Parcel No. 093160371 to Be A Helping Hand Foundation; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to transfer the property and execute written agreements with Be A Helping Hand Foundation to ensure the property is used in accordance with the purpose set forth in the application and enumerated in a memorandum to the Board of Commissioners from Treva Gilligan dated November 13, 2018.”

The motion was seconded by Commissioner Black, and upon vote all voted “aye”. None voted “no”.

Michael Wegerson, Director of Recapitalization, requested Board approval to negotiate a fee and enter into a contract with R.G. Anderson Company, Inc. for the Construction Manager at Risk for the Boscobel-III project. Mr. Wegerson said there are two phases, preconstruction and construction. The cost for pre-construction services is $35,500. Once the Guaranteed Maximum Price (GMP) is negotiated, the Board will be asked to approve. After questions and discussion, Commissioner Black moved adoption of the following resolution:

Resolution No. 67-18

“RESOLVED by the Board of Commissioners of the Metropolitan Development and Housing Agency, That it hereby awards a contract to R.G. Anderson Company, Inc. for the Construction Manager at Risk for Boscobel-III and approves the pre-construction services in the amount of $35,500; and

BE IT FURTHER RESOLVED, That when the Guaranteed Maximum Price (GMP) has been negotiated, staff will request Board approval.”

The motion was seconded by Commissioner Basheer, and upon vote all voted “aye”. None voted “no”.

Mr. Wegerson next requested Board approval for a contract amendment for an additional $278,966 for EOA Architects (for a total of $1,238,966) for the Boscobel-III project for architectural and engineering services. The Metropolitan Planning Department directed the scope of the project to be expanded to include design and creation of Dew Street with upgraded utility capacity and be connected as a through street to Shelby Heights. This amended contract is under the initial budget project for A&E services of $1,660,000. After questions and discussion, Commissioner Basheer moved adoption of the following resolution:

Resolution No. 68-18

“RESOLVED by the Board of Commissioners of the Metropolitan Development and Housing Agency, That it hereby approves the contract with EOA Architects for an additional $278,966 for architectural and engineering services for the Boscobel III project; and

BE IT FURTHER RESOLVED, That with this amended contract, the total for this project will increase to $1,238,966.”

The motion was seconded by Commissioner Batts, and upon vote all voted “aye”. None voted “no”.

Mr. Wegerson, next requested Board approval of Change Order No. One to the contract with Hardaway Construction Corp. for Boscobel I due to unforeseen conditions along the boundary between the right-of-way of MDHA property and Alternative Energy, LLC (Mulch Plant) that requires additional excavation and soil stabilization for a retaining wall, in the amount of $2,528,846 (increases contract to $22,485,075 of construction costs). Funds to increase this contract are from the National Housing Trust Fund ($294,252) and unspent Capital Spending Plan funds from the Kirkpatrick Park project set aside. The owner’s contingency of $382,246.07 for Boscobel I remains the same and will represent 1.7% of construction costs. Two additional items require remediation (one as a result of unforeseen conditions and the other the result of an oversight in the construction documents); 1) $12,107 for remediation of a sink hole at South 6th Street during utility construction and $159,583 for required electrical and low-voltage conduit not previously shown on the construction documents. After questions and discussion, Commissioner Granbery moved adoption of the following resolution:

Resolution No. 69-18

“RESOLVED, That the Board of Commissioners of the Metropolitan Development and Housing Agency, That it hereby approves the increase of Uses for Boscobel I in the amount of $2,258,846.”

The motion was seconded by Commissioner Basheer, and upon vote all voted “aye”. None voted “no”.

Norman Deep, Director of Rental Assistance, requested Board approval to withdraw the executed AHAP for Hermitage Flats (ECG Hermitage, LP) approved on January 17, 2017 and transfer the 58 project based vouchers to a different development being constructed by ECG. After discussion, Commissioner Black moved adoption of the following resolution:

Resolution No. 70-18

“BE IT RESOLVED by the Board of Commissioners of the Metropolitan Development and Housing Agency, That it hereby approves the withdrawal of the award of 58 project based vouchers to ECG Hermitage, LP for its proposed new construction of property located at 5646 Old Hickory Blvd.; and

BE IT FURTHER RESOLVED, That ECG Hermitage, LP has requested to transfer the 58 project based vouchers to another application for new construction development.”

The motion was seconded by Commissioner Basheer and upon vote, Commissioners Black, Basheer, Batts, Thaden and Granbery all voted “aye”. Commissioner Bone recused himself.

Mr. Deep, next requested Board approval to award 138 Project-Based Vouchers to ECG Hillside, LP for the new construction of 288 units at their property located 1501 Hillside Avenue (includes 58 project based vouchers withdrawn from ECG Hermitage). Mr. Deep said this project requires an Environmental Review and Subsidy Layering Review the same as previously approved project based voucher project requests. After discussion, Commissioner Batts moved adoption of the following resolution:

Resolution No. 71-18

“BE IT RESOLVED by the Board of Commissioners of the Metropolitan Development and Housing Agency, That it hereby approves the award 66 one bedroom units with a portion dedicated to the elderly; 51 two-bedroom units and 21 three-bedroom units of project based vouchers to ECG Hillside, LP for its proposed new construction of property located at 1501 Hillside Avenue; and

BE IT FURTHER RESOLVED, That this award is contingent upon clearance of an Environmental Review and a Subsidy Layering Review and;

BE IT FURTHER RESOLVED, That the Executive Director is hereby authorized to execute any, and all, documents necessary to implement the award of the project based vouchers.

The motion was seconded by Commissioner Thaden and upon vote Black, Basheer, Batts, Granbery and Thaden all voted “aye”. Commissioner Bone recused himself.

Mr. Deep presented a request from Park Center, Inc. for nine (9) one bedroom project based vouchers. The property located at 1511-1519 Shelby Avenue, consisting of 12 total units with nine being eligible for project based vouchers. Mr. Deep said this project has the same requirements for an Environmental Review and Subsidy Layering Review. After discussion, Commissioner Thaden moved adoption of the following resolution:

Resolution No. 72-18

“BE IT RESOLVED by the Board of Commissioners of the Metropolitan Development and Housing Agency, That it hereby approves the award nine (9) one bedroom project based vouchers of a 12 unit complex located at 1511-1519 Shelby Avenue; and

RESOLVED, That this award is contingent upon clearance of an Environmental Review and a Subsidy Layering Review; and

BE IT FURTHER RESOLVED, That the Executive Director is hereby authorized to execute any, and all, documents necessary to implement the award of the project based vouchers.

The motion was seconded by Commissioner Batts and upon vote all voted “aye”. None voted “no”.

Mr. Deep presented another request from The Next Door for two (2) zero-bedroom and seven (7) two-bedroom project based vouchers. One zero-bedroom and 4 two-bedroom units have been determined as being eligible for project based voucher assistance. The property is located at 2100 and 2102 Clifton Avenue and consist of nine (9) total units. Mr. Deep said this project has the same requirements for an Environmental Review and Subsidy Layering Review. After discussion, Commissioner Black moved adoption of the following resolution:

Resolution No. 73-18

“BE IT RESOLVED by the Board of Commissioners of the Metropolitan Development and Housing Agency, That it hereby approves the award one (1) zero-bedroom and four (4) two-bedroom project based vouchers to The Next Door for its nine (9) unit complex located at 2100 and 2102 Clifton Avenue for a total of five (5) project based vouchers; and

BE IT FURTHER RESOLVED, That this award is contingent upon clearance of an Environmental Review and a Subsidy Layering Review; and

BE IT FURTHER RESOLVED, That the Executive Director is hereby authorized to execute any, and all, documents necessary to implement the award of the project based vouchers.

The motion was seconded by Commissioner Basheer and upon vote all voted “aye”. None voted “no”.

Mr. Deep presented a request from LDG Multifamily, LLC for 27 two-bedroom and 27 three-bedroom project based vouchers. LDG’s proposal is for new construction on property located at 820 Old Due West Avenue, Madison, TN, consisting of 216 total units. The funding for this project includes a loan of $23,448,000, LIHTC equity of $14,036,108 and deferred developer fee of $3,279,576. Mr. Deep said this project has the same requirements for an Environmental Review and Subsidy Layering Review. After discussion, Commissioner Batts moved adoption of the following resolution:

Resolution No. 74-18

“BE IT RESOLVED by the Board of Commissioners of the Metropolitan Development and Housing Agency, That it hereby approves the award 27 two-bedroom and 27 three-bedroom project based vouchers for a total of 54 PBV’s to LDG Multifamily, LLC for its new construction of a 216 unit complex located at 820 Old Due West Avenue, Madison, TN; and

BE IT RESOLVED, That this award is contingent upon clearance of an Environmental Review and a Subsidy Layering Review; and

BE IT FURTHER RESOLVED, That the Executive Director is hereby authorized to execute any, and all, documents necessary to implement the award of the project based vouchers.

The motion was seconded by Commissioner Basheer and upon vote all voted “aye”. None voted “no”.

The Chair called on Ms. Moore who said she was grateful to be able to attend the meeting. She stated that Mr. Michael Green has been very helpful to her and that things were good at Carleen Waller Manor. She also stated that she was a student under Melvin Black.

Sadly for the Board, Jimmy Granbery has submitted his resignation from the MDHA Board effective immediately. During his seven year tenure, MDHA has accomplished major changes, including Envision Cayce, changing to RAD and many other projects in progress. Thank you for your service to this Agency and we wish you luck on your future endeavors.

There being no further business to come before the Board, the Chair declared the meeting adjourned.

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Secretary

APPROVED:

This \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2018.

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Chair