

MINUTES OF A REGULAR MEETING OF  
LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING

March 27, 2017  
5:30 p.m.

Babcock Place  
Meal Site

1. Swearing in of Board Member Dr. Ellen Paulsen  
The meeting was called to order by Chair Star at 5:31 pm. Executive Director Oury administered the oath of office to Dr. Paulsen.

2. Call of Roll

Upon call of roll, the following Commissioners responded present:

Maria Duran  
Sue Hack  
Ellen Paulsen  
Bronson Star

Vice Chair Powers was absent by prior arrangement. Also present were members of the public Pat Benabe, Terri Roth, Beverly Branaugh, Nancy Kuhlmann, and Sandie Smith, and LDCHA staff members Beverly Hyatt, Ruth Lichtwardt, and Shannon Oury.

3. Approve Minutes of February 27, 2017 Board of Commissioners Meeting

Commissioner Duran moved to approve the Minutes as presented. Commissioner Hack seconded. The motion passed unanimously.

4. Receive Comments from Tenants and Public

There were questions from the audience regarding hot water and water pressure in Babcock Place. Executive Director Oury explained that the boilers were aged and that steps were currently being taken to replace two of them, which should alleviate those water issues. A contract had just been signed with an engineer earlier that day. There was also discussion about nighttime security outside the building, and Ms. Oury informed the audience that an RFP for security services was currently being bid on and that the new contract would include personnel from the security firm checking the outside Babcock Place doors at night. Magnets with the security firm's phone number would be distributed to residents. Chair Star urged the residents to not hesitate to call the police when they saw suspicious activity because the police would rather be called even if it turns out to be nothing. Ms. Oury also said that the new security information and encouragement to call the police would be published in the newsletter.

5. CONSENT AGENDA

- A. Receive January 2017 Public Housing Financial Report
- B. Receive January 2017 Clinton Place Financial Report
- C. Receive February 2017 Section 8 / VASH Program Report

The February Public Housing and Clinton Place financial reports were not in the Board packet because the fee accountant was on vacation and could not get them prepared in time.

Commissioner Hack moved to approve the Consent Agenda as presented. Commissioner Duran seconded. The motion passed unanimously.

## 6. REGULAR AGENDA

### A. Executive Director's Report

Executive Director Oury reported that the agency does not anticipate a Section 8 budget to be released until the end of June, and the expected proration is about 94%, nearly the same as during sequestration in 2013. Once the actual amounts are known, a revised Section 8 budget will be brought to the Board. Although the budget situation is very poor, the fact that the agency has been through a similar situation so recently has allowed staff to already restrict expenditures based on the successful steps taken previously.

There is also no news on public housing funding. All the tools have been turned in but no announcement has been made on when to expect the final amount, and not even the likely proration is known. Ms. Oury explained for the benefit of Commissioner Paulsen that although the Board approves merit pay and COLA increases in the budgets at the beginning of the year, none are actually Awarded until the funding is certain so that the agency knows the budget will support it.

HUD performed a REAC inspection of Edgewood Homes and the scattered sites and received a score of 86b. The agency always hopes for a score of 90 but is not unhappy with the score, especially since there were no life or health threatening issues noted. The properties will not be re-inspected for two years. Dr. Paulsen asked how the score is reached, and Ms. Oury said that she would pull the explanation from the handbook and send it to the Board. There was discussion on the length of the handbook, and regarding what constitutes a life or health threatening issue.

Ms. Oury gave a synopsis of the 2016 MTW Report and the matrix included in the report, which is HUD's way of trying to evenly compare the disparate activities of the various MTW housing authorities. The Report is due on March 30<sup>th</sup> and will be submitted prior to that date.

The HOPE Grant has been received for the 13<sup>th</sup> year of the program. The grant requires a matching grant from LDCHA.

The LDCHA has an agreement with the City Development Office to cooperatively work on Affirmatively Furthering Fair Housing. HUD is requiring an assessment of fair housing in the community which is much more extensive than anything previously required. It will involve several meetings to determine patterns of segregation, racial and ethnic concentrations of poverty, etc. Fortunately, Lawrence does not have that sort of concentration of poverty. HUD has created massive data maps which are being used for information for the assessment. In April, which is Fair Housing Month. Scott Wagner with the City and Ms. Oury will be appearing on Hank Booth's radio show to talk about fair housing and to try to get participation in the assessment, and the LDCHA is also co-sponsoring a poster contest with the City.

Ms. Oury will be attending the MTW conference in Washington DC during April 19-21, and Finance Director Hyatt will be attending Lindsey training the week prior.

Ms. Oury synopsised the two types of HOME funds which the agency receives, and explained the Transitional Housing Program which the HOME fund grant in this month's report are for. The Community Development Advisory Committee has preliminarily determined to award the LDCHA \$201,731, which is down from last year's level of \$300,000. Last year, however, the City had some unspent funds and so funded the entire amount of the request. Since the funds are being cut at the federal level, that amount might not be reached again, but can be operated at the current level. The Committee will recommend the allocation of the City's HOME funds for the Transitional Housing program to the City Commission in May. One thing to keep in mind is that the President's current budget eliminates all HOME and CDBG funds, which would be devastating to several agencies in the community.

Additionally, the Committee is recommending approval of CDBG funding for construction of a Pedestrian Hybrid Beacon on Haskell Ave. and 16<sup>th</sup> Street. LDCHA staff has been very instrumental in advocating and supporting this project so residents of Edgewood Homes can safely cross the street to catch the bus or to access the Burroughs Trail.

**B. Resolution 2017-09: Approve Records Retention Policy**

Executive Director Oury explained that the records retention schedule dated from 2001 and did not cover many of the types of records the agency has. Staff has been working on the new policy for two months, checking the policies of other agencies as a guide, and the new policy is much more comprehensive. It also covers disposition, which includes the secure shredding of documents by a contractor and a yearly purge of old documents, both of which are stored in locked bins until the contractor destroys them.

Commissioner Duran moved to approve Resolution 2017-09. Commissioner Paulsen seconded. The motion passed unanimously.

**C. Resolution 2017-10: Approve Disposition of Obsolete or Inoperable Property**

Executive Director Oury said that the list of property was being brought to the Board in anticipation of the City's free recycling event expected to take place in April or May, since many of the items on the list are electronics. She called the Board's attention to one item, the 1994 Toyota Corolla, which does not run. Although a Kelley Blue Book value estimate was obtained, the Blue Book does not actually value inoperable vehicles. The car will be put up for bid to the highest bidder in as-is condition and will be listed on the LDCHA website. For the other items, anything broken will be thrown out but still useful items will be offered to residents for a small price. Chair Star asked about the original use of the Toyota, and Ms. Oury said it was originally used by Resident Services and later by one of the inspectors until it began using a lot of oil. No one has used it for at least six months. The agency determined it was not worth the cost of keeping it on the insurance or fixing it up.

Commissioner Duran moved to approve Resolution 2017-10. Commissioner Hack seconded. The motion passed unanimously.

D. Discuss Providing LDCHA Board of Commissioner Meeting Notices

Executive Director Oury explained that although not required, it has been the practice of the LDHCA to place a monthly paid public notice ad in the newspaper for each Board meeting. With the recent new ownership of the Journal World, the credit and billing policies of the newspaper have changed and an apparently arbitrary credit limit has been placed on the agency's account. This means that if an expensive ad, such as for a job, has been placed with the paper early in the month and has not yet been billed, the Board meeting ad might be refused at first because it takes the amount over the credit limit, and staff has to negotiate to have the limit set aside so the ad can run. Ms. Oury would like the Board's permission to discontinue running the paid ad and continue sending out email and website notices.

Commissioner Hack moved to allow the LDCHA to discontinue the paid ad but to continue sending out email and website notices. Commissioner Paulsen seconded. The motion passed unanimously.

E. Discuss Outline of Implementation Schedule for new "Smoke Free" Policy

Executive Director Oury outlined LDCHA's current smoking policy and explained that HUD is mandating a new no-smoking 25-foot perimeter around all public housing buildings. She called the Board's attention to the maps provided which highlight how far that is from the buildings in Edgewood Homes, Babcock Place, and Peterson Acres I & II. One big issue is that at Babcock Place, LDCHA policy has allowed smoking on the balconies and under the overhand on the back patio, and the new rule will no longer allow that. Another issue is that at Edgewood Homes, residents have been allowed to smoke on their front porch or back patio, and now the smoking perimeter will be moved far enough away that the only places allowed will be in the street or near the playgrounds in the green space.

As part of the implementation process, the Board will need to make some decisions about some issues on which HUD is allowing housing authorities some leeway. The 25-foot perimeter is firm, but the Board can decide whether "electronic delivery systems" (e-cigarettes) will be allowed or banned. Ms. Oury is assuming that HUD will likely ban them in future if research shows vaping, or the second-hand vapor, to be harmful. Another decision is whether to apply this policy to all properties owned by LDCHA or only to public housing, or variations on this. She discussed Peterson Acres I and II at length. Another option allowed by HUD is to make the entire grounds of all public housing properties smoke-free, not just a 25-foot perimeter. And, the Board might want to consider constructing shelters for smokers outside the perimeter. It is not required by HUD.

There will be several meetings scheduled to inform residents of the new rule and to take comments.

Ms. Oury said that with a few exceptions, compliance with the current policy is good but that she anticipates the new HUD-mandated policy will drive residents back to smoking in their units. The rule must be implemented by June 1, 2018, at the latest. A new lease will need to be drafted.

Commissioner Paulsen asked about the number of resident smokers. Ms. Oury said she believed there were 23 at Babcock Place and she did not know firm numbers at Edgewood Homes or Peterson Acres, although she suspects the number at Edgewood is high.

Pat Benabe outlined the several objections she has to the new policy. Ms. Oury said this policy is not one that staff would ever have proposed, and Commissioner Hack said that since it is coming from HUD, the agency has no choice but to comply. There was discussion on e-cigarettes and the likelihood that they would eventually be banned by HUD also.

Chair Star said that he would like to hear the comments from the residents on the various options and input from staff before deciding on the deadline. Ms. Oury outlined the likely timeline of the process, and said the subject would be addressed at each Board meeting. Every public housing resident would be receiving notice of the public comment meetings.

There was discussion from the Board and Ms. Oury regarding the current 6-step process, and comment from the audience about who could smell that residents are smoking in their units.

Ms. Oury said that feedback would be brought back to the Board at the April meeting. This item was for discussion only and no vote was taken.

#### 7. EXECUTIVE SESSION

Commissioner Hack moved to enter into executive session for 30 minutes for the purpose of the Executive Director's evaluation. Commissioner Duran seconded. The motion passed unanimously and the meeting entered into executive session at 6:27 pm.

Commissioner Hack moved to exit executive session. Commissioner Duran seconded. The motion passed unanimously and the meeting entered back into regular session at 6:56 pm.

#### 8. Calendar and Announcements

Executive Director Oury reminded the Board that the April 24 meeting will be the Annual Board Meeting, Regular Board Meeting, and Annual Meeting of Douglas County Housing, Inc.

#### 9. Adjournment

There being no further items of business, Commissioner Duran moved to adjourn. Commissioner Paulsen seconded. The meeting adjourned at 6:58 pm.

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Chair

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Secretary

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Attest