

**MINUTES OF THE MEETING OF THE  
BOARD OF COMMISSIONERS OF THE  
KING COUNTY HOUSING AUTHORITY**

**August 8, 2012**

**I. CALL TO ORDER**

The meeting of the Board of Commissioners of the King County Housing Authority was called to order at 8:30 am on Wednesday, August 8, 2012 at the Administrative Offices of the King County Housing Authority, 600 Andover Park West, Tukwila, Washington.

**II. ROLL CALL**

**Present:** Commissioner Nancy Holland-Young, Chair; Commissioner Terry McLarky, Commissioner Michael Brown, Vice-Chair, Commissioner Doug Barnes and Commissioner Richard Mitchell

**Staff:** Stephen Norman, Dan Watson, Tessa Martin, John Eliason, Claude DaCorsi, Rhonda Rosenberg, Donna Kimbrough, Deborah Gooden, Mark Abernathy, Kristin Winkel, Connie Davis, Linda Weedman, Elizabeth Westburg, Bill Cook, Craig Violante, Matt Peterson, Marsha Murphy, Tim Walter, Beth Pearson, Gary Leaf and Sean Heron

**Guests:** Dr. Kensho Iwanaga, Cindy Ference, Lillie Clinton, Sam Bellomio and Alex Zimmerman

**III. PUBLIC COMMENT**

Chair Holland-Young announced that members of the public in attendance at the meeting would have five minutes to speak before the Board of Commissioners.

Dr. Kensho Iwanaga is a pediatrician and a post-doctorate fellow in pulmonology at the University of Washington School of Medicine and is based at Children's Hospital. Dr. Iwanaga commented on the public health impact of tobacco smoke on children and urged support and approval of the Housing Authority's non-smoking initiative by the Board of Commissioners.

Ms. Cindy Ference commented on the proposed KCHA non-smoking initiative and urged the Board of Commissioners to approve the initiative. Ms. Ference also expressed her gratitude for the Housing Authority listening to concerns of his residents related to this issue.

Mr. Sam Bellomio, representing StandUp America, voiced his complaints about the Housing Authority management and operations, wait lists for housing residents and employee salaries.

Mr. Alex Zimmerman, representing StandUp America, addressed the Board with complaints about KCHA's management and operations.

#### IV. APPROVAL OF MINUTES

Minutes from the June 7, 2012 Special Board of Commissioners' meeting were presented for approval. Commissioner Brown moved for approval of the minutes. Commissioner Barnes seconded the motion. Minutes were approved, with Commissioner Mitchell abstaining from the vote.

#### V. CONSENT AGENDA

There being no requests for removal of items from the Consent Agenda, Commissioner McLlarky moved for approval of the following Consent Agenda items:

##### **June 2012 Voucher Reports**

**General Properties:** Bank Wires/ACH Withdrawals for \$22,843,645.54; Accounts Payable checks #225152-226498 for \$8,205,400.89; Payroll vouchers, computer checks numbered #82229-82276 for \$54,087.75; Payroll direct deposit for \$1,103,586.99; Section 8 Program vouchers, ACH withdrawals #200288-203339 for \$8,057,246.43, computer run checks #591009-591897 for \$659,512.05; purchase card/ACH withdrawals \$177,469.94. Total for June 2012 for the General Properties was \$41,100,949.59.

**Bond Properties:** \$1,653,264.09 related to 20 different properties.

**Resolution No. 5392:** Amending the Debarment Chapter of the KCHA Procurement Policies and Procedures Manual

Commissioner Brown seconded the motion to approve the Consent Agenda and the motion unanimously passed.

#### VI. RESOLUTIONS FOR DISCUSSION

**Resolution No. 5393:** Proposed Expansion of KCHA's Smoke-Free Housing Initiative to All Remaining KCHA Managed HUD-Subsidized Properties  
Presented by: Bill Cook, Linda Weedman and Elizabeth Westburg

Bill Cook reported that at the July Board of Commissioners' meeting, the Board was briefed on the proposed expansion of KCHA's existing non-smoking policy to all properties managed by KCHA Property Management staff. The Board reviewed the record of public comments received at two public hearings held in June and held an additional public hearing prior to the July 2012 Board meeting.

A summary of the public comments received shows that the majority of the commenters support the expansion of the non-smoking policy to their buildings. Testimony regarding the dangers of second hand and third hand exposure to tobacco smoke was also received from the Department of Public Health, Seattle & King County. Resident satisfaction survey data indicates that a significant majority of current residents support an expansion of non-smoking regulations to their buildings. HUD has also repeatedly urged all

public housing authorities to convert their units to non-smoking as soon as reasonably possible.

Mr. Cook noted that In the interest of promoting the welfare of its residents, complying with the desires of a majority of its stakeholders and responding to clear medical evidence as well as HUD directives, KCHA staff is recommending that the Board of Commissioners approve the conversion of all remaining Property Management communities to non-smoking.

Bill Cook, Elizabeth Westburg and Linda Weedman further briefed the Board on the key elements, policy enforcement and background of the initiative via a PowerPoint presentation, a copy of which is appended to the meeting records.

Following the presentation, Mr. Cook noted that enforcement of the policy will be a focal point for both KCHA staff and residents. KCHA will provide an enforcement toolkit to Property Management staff that details the steps to be taken to work with residents in complying with the policy. He further stated that the Housing Authority has received resident feedback that points to a desire in some instances for covered shelter areas on the property in which residents may smoke. KCHA has listened to these concerns and has decided to test the effectiveness of smoking shelters at two properties. One of these shelters will be located at the Northridge I and II campus. Once the use of these shelters has been evaluated, KCHA may opt to expand the availability of these structures based on cost and site suitability. Following the presentation, a motion was made for approval of Resolution No. 5393.

**MOTION:** Moved by Commissioner Brown and seconded by Commissioner Barnes that Resolution No. 5393: Proposed Expansion of KCHA's Smoke-Free Housing Initiative to All Remaining KCHA Managed HUD-Subsidized Properties, be approved.

Following the motion, Commissioner McLlarky introduced himself to meeting attendees by stating he is the Resident Commissioner for the Board and is a member of the Resident Advisory Committee. He noted that he is also an ex-smoker, having smoked for 40 years. Commissioner McLlarky stated that the proposed non-smoking initiative as it is written is one that should not be passed. He believes the current version of the policy will not work because a serious smoker will continue to smoke in his/her own unit because of the compelling addiction to tobacco. Commissioner McLlarky believes the Resolution as it exists will encourage tenants to break their lease because they will smoke in their units. Since residents will have an opportunity to request a reasonable accommodation to smoke, if the accommodation is granted it will affect non-smoking residents in the building as the smoke travels from unit to unit.

Commissioner McLlarky noted that the reasonable accommodation units would need to be altered for the residents in the hopes the smoke will not travel and that is an added expense for the Housing Authority. He suggested that segregation of residents, based on smoking, should be instituted at the Housing Authority. This could be accomplished by providing units that are 100% smoke free for those with medical issues who need a smoke free environment. Commissioner McLlarky questioned if the Housing Authority's mission is to terminate a resident's lease solely because they are smoker; and he urged the Board of Commissioners to not approve the Resolution and policy as written and ask staff to develop

a segregation plan for residents. He feels the policy as it exists will create harm and damage for residents and the Housing Authority.

Commissioner Mitchell noted that, in the presentation by staff, smoking will be permitted in areas outside the building that are a minimum of 25 feet away from the building entrances. He cited the current State law that states no smoking with 25 feet of entrances, exits, open windows, in-take, out-take valves, etc. Commissioner Mitchell wants to ensure that KCHA's signage related to this requirement is specific. He stated that the memorandum attached to Resolution No. 5393 seems to narrow the scope of limitation and he wants to ensure that KCHA is aware of the language being used so that it is all inclusive on what 25 feet actually means. He asked how a resident would know when they're outside the 25 feet zone. Stephen Norman responded that if there was a complaint or a visual observation by Housing Authority staff, a resident would be asked to move further away. The issue becomes long-term behavior modification to bring the property into conformance and enforcement will be done judiciously.

Commissioner Brown suggested that every six months staff provide to the Board of Commissioners a progress report on the initiative, including enforcement statistics and issues raised by staff. The information would help the Board of Commissioners refine certain aspects of the policy for the future. Mr. Norman responded that the Housing Management and Resident Services Departments will be tasked with providing a six month update for the Board.

Commissioner Mitchell spoke to earlier comments on smokers smoking within their units regardless of the policy. He stated that upon initially reading the policy he had the same concerns that it is difficult to change certain types of behavior. He also noted that adding a negative air pressure enclosed space that has robust ventilation systems for smokers is an extremely expensive retrofit addition to buildings.

Commissioner McLlarky referred to a flow-chart document developed by staff, that was available on KCHA's web site, outlining the enforcement policy and what steps would be taken to terminate a lease should someone not comply with the proposed policy. He noted that the only conclusion of the entire process, as it is written, seems to be eviction; and there is no provision in the document for exploring whether or not the tenant is in violation of the policy but rather an assumption of guilt is immediately implied. Commissioner McLlarky felt the eviction process related to the policy should have been discussed earlier and more in-depth with the Board.

Chair Holland-Young commented that she is in favor of adoption of the policy as written and asked if staff had considered segregation of smokers as part of the policy. Stephen Norman responded that the issue was explored; and if some of the senior/younger disabled buildings were designated as smoking buildings, there would be numerous requests from residents to transfer to those buildings. As a direct result, non-smokers living in those buildings would be put at risk for their own health and be forced to move out for livability purposes. The environmental toxicity would elevate to a level to render the apartments unsafe for new tenants.

Commissioner McLlarky stated tenants should have a choice of moving to a non-smoking complex, like Nia at Greenbridge, or move to a building where they are allowed to smoke.

Commissioner Brown asked how many units will need to be converted to non-smoking. Bill Cook responded there are 1,600 units involved in the conversion and of those 100 units have residents that smoke. Commissioner Brown noted that he would not be in favor of segregation for smokers and is in full support of the proposal as it currently exists. He noted that consideration must be given to the common good and what's best for the majority of residents and he understands Commissioner McLlarky's concerns and the challenging issues facing the Board. Commissioner Brown expressed concern about enforcement of the policy and that action will not be punitive. He urged staff to keep the Board of Commissioners informed on any escalating issues related to enforcement.

Commissioner Barnes commented that he is also concerned about enforcement of the policy, sensitivity towards reasonable accommodations and that exceptions to the policy will arise. There are individuals with disabilities that will find it extremely difficult to move 25 feet away from the building; and this may be an aspect of their life that the Housing Authority may not have the right to take away from them. There will need to be fair and equitable standards and flexibility put in place for reasonable accommodations and enforcement of the policy. Commissioner Barnes noted he would like to see something stronger than periodic updates on implementation and administration of the policy. In particular, what will staff do to maintain the integrity of reasonable accommodations and the enforcement policy so that it is fair and equitable. He noted that he would be extremely disappointed to learn that residents are being evicted because of this proposed policy. Stephen Norman commented that the Housing Authority has the lowest eviction rate of any large housing authority in the country and that the Housing Authority will do everything reasonably possible to prevent evictions under this policy.

Commissioner Mitchell noted that three Board members have expressed overwhelming concern about the enforcement of the proposed policy. Other issues raised by Commissioners were how does a resident know if they're outside the 25 foot zone, how are reasonable accommodations fairly addressed, etc. Commissioner Mitchell would like for the Board in the future to further review the enforcement policy and possibly fine tune it since there were so many issues raised by Commissioners.

Commissioner McLlarky thanked the Commissioners for the insightful discussion on the policy; and Chair Holland-Young expressed her appreciation of Commissioner McLlarky's thoughtfulness and comments related to Resolution No. 5393.

Following conclusion of Board discussion, Chair Holland-Young asked for a vote on the motion on the floor.

**ACTION ON MOTION:** Commissioners Brown, Barnes, Holland-Young and Mitchell voted to approve the Resolution; Commissioner McLlarky cast a nay vote for the Resolution. Motion carried.

Stephen Norman thanked the Board of Commissioners for their thoughtful approach in consideration of the Resolution.

**Resolution No. 5394:** Authorizing the Disposition or Sale of 8 Lots at Greenbridge to HomeSight, a Construction Loan of up to \$1,500,000 to HomeSight for Construction of 8 Homes to be Sold To Low Income Homebuyers, the Donation of \$7,500 Per Lot Credited Against the Purchase Price and the Deferral of an Additional \$7,500 of the Lot Purchase Price When Sold to Low Income Homebuyers  
Presented by: Deborah Gooden

Deborah Gooden stated that KCHA is proposing to collaborate with HomeSight on a second affordable homeownership project at Greenbridge for low income homebuyers with incomes at or below 80% of the area median income. Modeled after the successful partnership on seven initial lots, this second homeownership project will combine down payment assistance provided by outside funding sources with lot price discounts and deferrals to insure that monthly mortgage payments are affordable to low income homebuyers.

Ms. Gooden reviewed for the Board all aspects of this Resolution as were detailed in her cover memorandum attached to the Resolution and contained in the meeting packets including the affordable low income homeowner programs at Greenbridge, roles and responsibilities of all parties, partnering with Parkview Services, sales prices and down payment assistance and all risks involved in the transaction.

Following her presentation and responding to questions posed by members of the Board of Commissioners, a motion was made to approve Resolution No. 5394.

**MOTION:** Moved that Resolution No. 5394: Authorizing the Disposition or Sale of 8 Lots at Greenbridge to HomeSight, a Construction Loan of up to \$1,500,000 to HomeSight for Construction of 8 Homes to be Sold To Low Income Homebuyers, the Donation of \$7,500 Per Lot Credited Against the Purchase Price and the Deferral of an Additional \$7,500 of the Lot Purchase Price When Sold to Low Income Homebuyers, be approved.

**MOVED BY:** Commissioner Barnes, seconded by Commissioner McLlarky. Motion unanimously passed.

**Resolution No. 5396:** Authorizing the Commitment of \$2.579 million in Moving to Work (MTW) Working Capital for the Purpose of Providing Sponsor-Based Rental Assistance in Fulfillment of Existing Provider Contracts  
Presented by: Connie Davis

Connie Davis reported that the Sponsor-Based program, an initiative of KCHA's Homeless Housing Initiatives Department, offers housing and services to highly vulnerable, homeless persons who otherwise cannot qualify for a Section 8 Voucher due to credit or criminal history problems. The Housing Authority has entered into long-term contracts which guarantee funding to three service providers who master lease units serving the chronically homeless, homeless youth and youth who have aged out of foster care, and individuals who are released either from prison or Western State Hospital. Ms. Davis noted that the Board of Commissioners were briefed on these activities at the March 2011 meeting.

Due to the long term nature of the service needs of the clients in this program, KCHA has required that multi-year service funding be available to sustain services to program participants. In order to leverage multi-year funding commitments from the region's behavior health care system and other funders, KCHA entered into multi-year contracts with participating provider agencies that extend to various end dates ranging from December 2012 to December 2015. In 2012 the Authority will expend an estimated \$1,038,228 for housing assistance under these four contracts. After 2012, these contracts will have approximately \$2.6 million in remaining rental subsidy funding commitments.

Ms. Davis noted that rental subsidies for these households are being provided above and beyond KCHA's baseline commitment under the Section 8 program. Approval of Resolution No. 5396 would designate \$2.579 million in Moving to Work working capital to fund remaining contractual commitments and will ensure that KCHA has the resources necessary to meet these multi-year obligations.

**MOTION:** Moved that Resolution No. 5396: Authorizing the Commitment of \$2.579 million in MTW Working Capital for the Purpose of Providing Sponsor-Based Rental Assistance in Fulfillment of Existing Provider Contracts s, be approved.

**MOVED BY:** Commissioner Brown, seconded by Commissioner Mitchell. Motion unanimously passed.

**Resolution No. 5397:** Authorizing the Naming of the Community Center at Valli Kee Homes in Honor of KCHA Commissioner Delores Brown and **Resolution No. 5398:** Authorizing the Naming of the Community Center at Cascade Apartments in Honor of KCHA Employee Albert Stapleton  
Presented by: Stephen Norman

Stephen Norman reported that the King County Housing Authority has a long tradition of honoring exemplary individuals who have been associated with the organization and have contributed significantly to the mission by naming specific structures or parts of structures in their honor.

Resolution No. 5397 names the new Community Center just completing construction at Valli Kee after Delores Brown, a former Board of Commissioner. Commissioner Brown lived at Valli Kee until her untimely death and was involved with many of the families and children at the site.

Resolution No. 5398 names the existing after-school facility at the Cascade Homes development in Kent in honor of Al Stapleton. Al was a 32 year KCHA employee who died on the job at Cascade Homes this past winter. Al was well respected for his dedication to the tenants at Cascade Homes where he had worked for most of his 32 years with KCHA and for the high level of craftsmanship that he brought to the job. Plaques will be placed on these sites commemorating Al and Delores.

**MOTION:** Moved that Resolution No. 5397: Authorizing the Naming of the Community Center at Valli Kee Homes in Honor of KCHA Commissioner Delores Brown, be approved.

**MOVED BY:** Commissioner McLlarky, seconded by Commissioner Brown. Motion unanimously passed.

**MOTION:** Moved that Resolution No. 5398: Authorizing the Naming of the Community Center at Cascade Apartments in Honor of KCHA Employee Albert Stapleton, be approved.

**MOVED BY:** Commissioner McLlarky, seconded by Commissioner Brown. Motion unanimously passed.

Chair Holland-Young announced that an additional Resolution, No. 5399, not on the original agenda, is being brought before the Board at this time for consideration.

**Resolution No. 5399:** Amending Resolution No. 5379 - Authorizing Disposition of Seola Gardens Lots 1-14, 25-30, 33-49, and 51-67 by Negotiated Sale to Richmond American Homes

Presented by: Deborah Gooden

Deborah Gooden reported that Resolution No. 5399 amends Resolution No. 5379 and authorizes the Executive Director to modify the terms of a purchase and sale agreement with Richmond American Homes (RAH) for the purchase of 54 lots at Seola Gardens to enable KCHA to directly pay the cost of any impact fees levied by the Highline School District in connection with new homes constructed by RAH on the purchased lots.

Subsequent to the adoption of Resolution No. 5379 and the execution of the purchase and sale agreement with RAH, the Highline School District proposed adoption of school impact fees that would go into effect January 1, 2013. The District's plan is to levy an impact fee of \$7,958 per single family home. RAH has not yet waived contingencies under the terms of the purchase and sale agreement and has requested that RAH be held harmless from paying any impact fees levied in connection with Seola Gardens new home construction.

Ms. Gooden noted that the Highline School District impact fee is in proposal form and will require adoption by the King County Council before it can go into effect. KCHA is in discussions with Highline School District officials about exempting Greenbridge and Seola Gardens from the assessment of school impact fees but the execution of an Interlocal Agreement reflecting this would not take place prior to the scheduled purchase of initial lots by RAH. In order to proceed with the current timetable for selling these lots, staff recommends that KCHA agree to directly pay any Highline School District fees levied against new homes built at Seola Gardens in the event that this ordinance is enacted without the exemption for KCHA's HOPE VI projects. Without this commitment, RAH will no doubt decline to remove current purchase contingencies and will terminate the purchase and sale agreement.

Ms. Gooden further reviewed for the Board of Commissioners details of the proposed Resolution that were also outlined in her cover memorandum attached to the Resolution. She concluded her presentation by stating that Staff will keep the Board of Commissioners advised as discussions with the Highline School District proceed.

Following clarifying questions from the Board of Commissioners, a motion was made for Resolution No. 5399.



**MOTION:** Moved that Resolution No. 5399: Amending Resolution No. 5379 - Authorizing Disposition of Seola Gardens Lots 1-14, 25-30, 33-49, and 51-67 by Negotiated Sale to Richmond American Homes, be approved.

**MOVED BY:** Commissioner Brown, seconded by Commissioner Mitchell. Motion unanimously passed.

## **VII. Reports**

### **New Bank Accounts Quarterly Summary Write-Off Report Quarterly Procurement Report**

There were no questions from the Board of Commissioners on the informational reports contained in the meeting packets.

## **VIII. Briefing**

### **Risk Management Program Presentation**

Due to time constraints, this briefing was deferred until the September Board of Commissioners Meeting.

## **IX. EXECUTIVE SESSION**

A motion was made by Commissioner Brown to adjourn to Executive Session at 10:10 am for approximately fifteen minutes to discuss the performance of a public employee as authorized by RCW 42.30.110(1)(g). Commissioner McLlarky seconded the motion and the motion unanimously passed.

At 10:25 am, a motion was made to return to the regular Board of Commissioners' meeting by Commissioner Brown, seconded by Commissioner McLlarky and unanimously passed. No action was taken during the Executive Session.

## **X. Executive Director's Report**

There were no questions from the Board of Commissioners on the Executive Director's Report.


## **XI. Commissioner Comments**

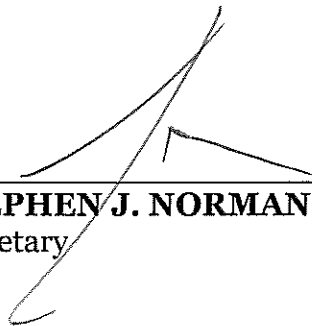
Commissioner Terry McLlarky thanked the Board of Commissioners for the thoughtful interaction and discussion on Resolution No. 5393, the proposed expansion of the smoke-free housing initiative at the Housing Authority. He stated that he is proud to be a member of the Board and to witness the dedication the Board has for the Housing Authority and its residents.

**XII. ADJOURNMENT**

There being no further business the meeting was officially adjourned at 1030 am.

**THE HOUSING AUTHORITY OF THE  
COUNTY OF KING, WASHINGTON**

  
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**NANCY HOLLAND-YOUNG, Chair**  
Board of Commissioners

  
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**STEPHEN J. NORMAN**  
Secretary