



**ROCKFORD HOUSING AUTHORITY
BOARD OF COMMISSIONERS**

**SPECIAL MAY MEETING
Minutes**

Thursday May 25, 2017

Present: Jerry Lumpkins, Chairman
Phyllis Ginestra, Vice Chair
Alice Jenkins, Commissioner
Ric Cervantes, Commissioner

Staff: Laura Snyder, COO/CEO
Tim Horning, RHA Legal Counsel
Angel Mackey, Executive Assistant
Matt Broughton, Executive Assistant

Absent: Karen Hoffman, Commissioner

The meeting was called to order at 5:57p.m.

QUESTIONS/COMMENTS FROM THE AUDIENCE

Note:

The Rockford Housing Authority invites comments from our audience, limiting each individual to three minutes. We do, however, refrain from discussion of personnel issues and grievances. The RHA offers to respond to all questions, if provided in writing, regarding sensitive or inappropriate discussion issues. When addressing the Board of Commissioners please provide your name and the topic of discussion.

UNFINISHED BUSINESS

RESOLUTION#2017-032

RESOLUTION THAT THE RHA BOARD OF COMMISSIONERS APPROVE THE ORTON KEYES REDEVELOPMENT BUDGET ATTACHED HERETO ENTITLED ORTON KEYES REDEVELOPMENT CLOSING DRAFT MAY 4 2017 PAGES ONE (1) THRU (8) REFLECTING A TOTAL CONSTRUCTION COST OF ELEVEN MILLION SEVEN HUNDRED FORTY THOUSAND SIX HUNDRED FOR 00/100 USD (\$11,740,674.00) AMENDED WITH THE SECTION 3 COMPLIANCE STIPULATION, MONTHLY REPORTING TO THE RHA BOARD OF COMMISSIONERS , AND RHA BOARD OF COMMISSIONERS WILL HAVE THE ABILITY TO REVIEW ALL SUBCONTRACTORS PRIOR TO SELECTION

Commissioner Ginestra moved that the RHA Board of Commissioners approve the Orton Keyes redevelopment budget attached hereto entitled Orton Keyes redevelopment closing draft May 4 2017 pages one (1) thru (8) reflecting a total construction cost of eleven million seven hundred forty thousand six hundred for 00/100 USD (\$11,740,674.00) Amended with the Section 3 compliance stipulation, monthly reporting to the RHA board of commissioners , and RHA board of commissioners will have the ability to review all subcontractors prior to selection Commissioner Cervantes seconded the motion.

Ayes: Commissioners: Ginestra, Cervantes, Jenkins, Lumpkins
Nays: None

MOTION APPROVED

RESOLUTION#2017-033

RESOLUTION THAT THE RHA BOARD OF COMMISSIONERS APPROVE SAID CONSTRUCTION DRAWINGS AS CONTAINED WITHIN THE INDEXING THEREOF, ATTACHED HERETO AND APPROVE SAID DRAWING FOR USE IN CONSTRUCTION OF THE ORTON KEYES RAD CONVERSION RE-DEVELOPMENT.

Commissioner Ginestra moved that the RHA Board of Commissioners approve said construction drawings as contained within the indexing thereof, attached hereto and approve said drawing for use in construction of the Orton Keyes RAD Conversion re-development., Commissioner Cervantes seconded the motion.

Ayes: Commissioners: Ginestra, Cervantes, Jenkins, Lumpkins
Nays: None

MOTION APPROVED

RESOLUTION#2017-034

RESOLUTION THAT THE RHA BOARD OF COMMISSIONERS APPROVE THE RELOCATION PLAN FOR THE ORTON KEYES RAD CONVERSION SUBJECT TO HUD APPROVAL.

Commissioner Cervantes moved that the RHA Board of Commissioners approve the relocation plan for the Orton Keyes RAD conversion subject to HUD approval, Commissioner Ginestra seconded the motion.

Ayes: Commissioners: Cervantes, Ginestra, Jenkins, Lumpkins
Nays: None

MOTION APPROVED

RESOLUTION#2017-036

RESOLUTION THAT THE RHA BOARD OF COMMISSIONERS APPROVE ALL LAWFUL ACTION TAKEN BY THE CEO OR OTHER OFFICERS AND DOCUMENTS EXECUTED RELATED TO THE RE-DEVELOPMENT OF ORTON KEYES DEVELOPMENT PURSUANT TO THE RAD CONVERSION, INCLUDING WITHOUT LIMITATION THE EXECUTION OF NECESSARY SITE CONTROL DOCUMENTS AND THE EXECUTION OF ANY NECESSARY AGREEMENTS, DOCUMENTS, CERTIFICATIONS, CONSENTS, AFFIDAVITS, INSTRUMENTS OR PAPERS AS MAY BE REQUIRED BY ANY LENDER, TAX CREDIT INVESTOR, THE CITY OF ROCKFORD, THE ILLINOIS

HOUSING DEVELOPMENT AUTHORITY OR THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN CONNECTION WITH THE RE-DEVELOPMENT OF ORTON KEYES. THE INTERIM CEO OF THE ROCKFORD HOUSING AUTHORITY SUBJECT TO LEGAL APPROVAL IS HEREBY AUTHORIZED AND DIRECTED TO NEGOTIATE, EXECUTE, AND DELIVER SUCH OTHER PAPERS AND DOCUMENTS AS MAY BE REQUIRED. ATTORNEY TIMOTHY F. HORNING OF MEYER AND HORNING P.C. MAY EXECUTE ANY CLOSING DOCUMENTS REQUIRED ON BEHALF OF THE ROCKFORD HOUSING AUTHORITY.

- A. THE BOARD OF COMMISSIONERS OF THE ROCKFORD HOUSING AUTHORITY HEREBY AUTHORIZES THE INTERIM CEO SUBJECT TO LEGAL APPROVAL, ANY BOARD MEMBERS AND THE CHAIRMAN OF THE BOARD OF COMMISSIONERS AS MAY BE REQUIRED TO EXECUTE THE FOLLOWING DOCUMENTS FOR THE RE-DEVELOPMENT OF ORTON KEYES;
1. RAD CONVERSION COMMITMENT AND ANY AMENDMENTS.
 2. MANAGEMENT AGREEMENT.
 3. MANAGEMENT CERTIFICATION.
 4. RAD USE AGREEMENT.
 5. GROUND LEASE, GROUND LEASE ESTOPPEL AND MEMORANDUM OF GROUND LEASE.
 6. CONSOLIDATED OWNER CERTIFICATION.
 7. CERTIFICATION AND ASSURANCES.
 8. RELEASE OF DECLARATION OF TRUST.
 9. RIGHT OF FIRST REFUSAL AND PURCHASE OPTION SUBORDINATION AGREEMENT.
 10. SUB DEVELOPMENT AGREEMENT.
 11. IDHA EXTENDED USE AGREEMENT.
 12. ANY OTHER DOCUMENTS NECESSARY FOR THE RE-DEVELOPMENT OF ORTON KEYES DEVELOPMENT AS REQUIRED BY HUD, ANY LENDER, TAX CREDIT INVESTOR, THE CITY OF ROCKFORD, OR THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY

Commissioner Ginestra moved that the RHA Board of Commissioners Approve all lawful action taken by the CEO or other officers and documents executed related to the re-development of Orton Keyes Development pursuant to the RAD conversion, including without limitation the execution of necessary site control documents and the execution of any necessary agreements, documents, certifications, consents, affidavits, instruments or papers as may be required by any Lender, Tax Credit Investor, the City of Rockford, the Illinois Housing Development Authority or the U.S. Department of Housing and Urban Development in connection with the re-development of Orton Keyes. The Interim CEO of the Rockford Housing Authority subject to legal approval is hereby authorized and directed to negotiate, execute and deliver such other papers and documents as may be required. Attorney Timothy F. Horning of Meyer and Horning P.C. may execute any closing documents required on behalf of the Rockford Housing Authority.

A. The Board of Commissioners of the Rockford Housing Authority hereby authorizes the Interim CEO subject to legal approval, any Board Members and the Chairman of the Board of Commissioners as may be required to execute the following documents for the redevelopment of Orton Keyes;

1. RAD Conversion Commitment and any Amendments.
2. Management Agreement.
3. Management Certification.
4. RAD Use Agreement.

5. Ground Lease, Ground Lease Estoppel, and Memorandum of Ground Lease.
6. Consolidated Owner Certification.
7. Certification and Assurances.
8. Release of Declaration of Trust.
9. Right of First Refusal and Purchase Option Subordination Agreement.
10. Sub Development Agreement.
11. IDHA Extended Use Agreement.
12. Any other documents necessary for the re-development of Orton Keyes Development as required by HUD, any Lender, Tax Credit Investor, the City of Rockford or the Illinois Housing Development Authority, Commissioner Jenkins seconded the motion.

Ayes: Commissioners: Ginestra, Jenkins, Cervantes, Lumpkins
Nays: None

MOTION APPROVED

RHA COMMISSIONERS:

None

R.A.B – RESIDENT ADVISORY BOARD

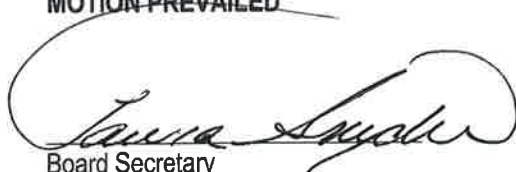
None

AUDIENCE:

At 6:44 p.m. with no future business, Commissioner Ginestra, made a motion to adjourn. Commissioner Jenkins seconded the motion.

Ayes: Commissioners: Ginestra, Jenkins, Cervantes, Lumpkins
Nays: None

MOTION PREVAILED


Board Secretary
/ls


Chairman

