

**NOTICE OF MEETING**

**FAYETTEVILLE PUBLIC FACILITIES BOARD**

**TUESDAY, SEPTEMBER 9, 2014**

**4:15 p.m.**

**THE FULBRIGHT BUILDING**

**217 E. DICKSON STREET, SUITE 102**

**CONFERENCE ROOM**

(After entering front door, go in first door to left  
across from Suite 204. Go down hall on right.

Conference Room is first room on right –  
has rose colored glass walls)

**AGENDA**

**I.** Consideration of a request by Seven Hills Homeless Center to withdraw all funds in endowment established by Grant Agreement executed May 18, 2010.

pc: Sondra Smith, City Clerk  
(For notification in accordance  
with the Arkansas Freedom of  
Information Act)

**Jim McCord**

**From:** STEPHEN ADAMS [stephen.adams@fayar.net]

**Sent:** Thursday, August 28, 2014 5:26 PM

**To:** Steve Cosby

**Cc:** Jim McCord

**Subject:** Seven Hills Endowment

Dear Steve: I have been contacted by Jon Woodward, CEO of Seven Hills Homeless concerning the endowment funds we bestowed several years ago. It appears the shelter has not been drawing the money to support their on-going operations from year to year, but were hoping to grow the endowment by paying expenses otherwise reimbursable from the endowment from their current operating funds. There is now an urgent need for the Public Facility Board's approval to withdraw all of the endowment to cover those expenditures.

Would you kindly join me in calling a meeting during the upcoming week, if possible, to discuss this with Mr. Woodward as a Board? I'm happy to answer any questions you may have. (479)236-7597.

Stephen E. Adams, J.D.,  
Chair, Social Studies Department  
(Member GEM SLC)  
Fayetteville (AR) High School  
[stephen.adams@fayar.net](mailto:stephen.adams@fayar.net)

## GRANT AGREEMENT

This Grant Agreement executed as of the 18th day of May, 2010, by the Fayetteville Public Facilities Board (the "PFB") with Seven Hills Homeless Center ("Seven Hills").

WHEREAS, the PFB has been established pursuant to the Arkansas Public Facilities Board Act, Ark. Code Ann. Sec. 14-137-101 et seq. (the "Act") and pursuant to ordinances adopted by the governing body of the City of Fayetteville, Arkansas (the "Ordinances"); and,

WHEREAS, the Act and the Ordinances authorize the PFB to finance residential housing facilities for low and moderate income families; and,

WHEREAS, Seven Hills is a not-for-profit Arkansas corporation which provides residential housing facilities for low income, homeless families and individuals in the City of Fayetteville (the "City");

WHEREAS, specifically, Seven Hills owns and operates The Walker Family Residential Community (the "Project"), a transitional and supportive housing complex located in south Fayetteville which includes (a) three town-house style apartments designed to meet the needs of homeless families with children as they move toward self-sufficient, independent living, (b) eight studio apartments designed to provide permanent housing for individuals living with chronic mental and/or physical disabilities that prevent them from being able to live in a mainstream community residence, and (c) sixteen efficiency apartments designed to house residents in dormitory-style rooms with access to shared kitchen and restroom facilities; and,

WHEREAS, the PFB has accumulated surplus funds from the retirement of single family mortgage revenue bonds issued by the PFB to finance homes for low and moderate income families in the City; and

WHEREAS, Seven Hills has applied to the PFB for a grant to start an endowment for The Walker Family Residential Community to help subsidize unpaid rent costs, utilities costs, and maintenance and upkeep costs and thereby assure the long-term viability of the project; and,

WHEREAS, the PFB has approved a grant of \$225,000 for Seven Hills to start such an endowment for The Walker Family Residential Community subject to the terms and conditions set out in this Grant Agreement.

NOW, THEREFORE, the Fayetteville Public Facilities Board and Seven Hills Homeless Center hereby agree as follows:

1. DISBURSEMENT OF GRANT FUNDS. Within seven business days from the date this Agreement is executed by both parties, the PFB shall disburse to Seven Hills the sum of \$225,000. The PFB shall make disbursement of said \$225,000 by check drawn on the account of the PFB at ARVEST bank and signed by an officer of the PFB. Said check shall be delivered to: Jon Woodward, CEO, Seven Hills Homeless Center., P.O. Box 474, Fayetteville, AR 72702.

Before grant funds are disbursed, Seven Hills shall deliver to legal counsel for the PFB (1) a copy of a resolution adopted by the Board of Directors of Seven Hills authorizing Jon Woodward, CEO, to execute this Grant Agreement, and (2) a copy of the minutes of the meeting of the Board of Directors of Seven Hills at which the aforesaid resolution was adopted. Both the resolution and the minutes shall be certified by the

Secretary of the Board of Directors for Seven Hills. The certified resolution and minutes shall be delivered by facsimile or e-mail, with the hard copy mailed or hand delivered to legal counsel for the PFB:

James N. McCord  
Attorney at Law  
217 E. Dickson Street, Ste. 102  
Fayetteville, AR 72701

Fax 442-1490  
[jimmccordlaw@windstream.net](mailto:jimmccordlaw@windstream.net)

2. USE OF GRANT FUNDS. Seven Hills shall use Grant Funds from the PFB only to establish a perpetual endowment for The Walker Family Residential Community (the "PFB Endowment"). The principal in the PFB Endowment fund shall be maintained inviolate and in perpetuity, but all of the income derived from investment of the endowment fund's principal may be expended to subsidize unpaid rent costs, utilities costs, and maintenance costs to assure the long-term viability of the Project to provide residential housing facilities for low income, homeless families and individuals in the City, but for no other purpose. The term "low income" shall mean the definition for that term used in housing regulations of the United States Department of Housing and Urban Development (HUD).

3. MANAGEMENT OF ENDOWMENT FUNDS. In accordance with the Endowment Policy of the Seven Hills Board of Directors (Article XV of the Board's By-Laws), Seven Hills has selected the following community foundations, which the PFB hereby approves, to hold and professionally manage the PFB Endowment funds to the highest standards of fiduciary responsibilities for investment management, accounting, regulatory compliance and auditing:

(a) \$125,000 to be held and managed by-

Northwest Arkansas Community Foundation  
800 Founders Park Drive  
Springdale, AR 72762

Pearl McElfish, Development Director  
Phone: 361-4624  
Fax: 361-5094  
e-mail: [pearl@nwacf.org](mailto:pearl@nwacf.org)

(b) \$100,000 to be held and managed by-

Arkansas Community Foundation, Fayetteville Area  
One West Mountain, Suite 109  
P.O. Box 997  
Fayetteville, AR 72702

Kim Dutton, Executive Director  
Phone: 444-6880  
e-mail: [kim@faycf.org](mailto:kim@faycf.org)

4. RECORDS. Seven Hills shall maintain accurate records of the expenditure of income from the investment of PFB Endowment funds. Upon written request by the PFB, said records shall be made available for inspection and copying by any member of the PFB, by legal counsel to the PFB, or by any other person designated in writing by the PFB to inspect and copy said records.


5. NONDISCRIMINATION. Seven Hills agrees not to discriminate against any person on the grounds of race, color, national origin, sex, age or handicap.

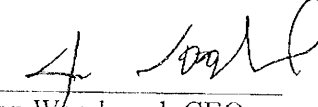
(SIGNATURE PAGE FOLLOWS)

IN WITNESS WHEREOF, this agreement is executed by the parties on the dates set out below.

Fayetteville Public Facilities Board

Seven Hills Homeless Center

By:   
Stephen E. Adams, Chairman

By:   
Jon Woodward, CEO

Date: May 18, 2010.

Date: May 19, 2010