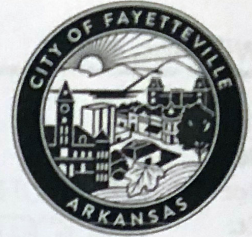




OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Rhonda Lynch
Paralegal

TO: **Mayor Jordan**
City Council

CC: **Don Marr**, Chief of Staff
Yolanda Fields, Community Resources Director

FROM: **Kit Williams**, City Attorney

DATE: **July 17, 2018**

RE: **Resolution to recommend approval or changes to the Fayetteville Housing Authority's 2018 Annual Plan and Rolling Five-Year Plan prior to Mayor Jordan's signature in support of the Plan**

Mayor Jordan has been requested by the Fayetteville Housing Authority to approve its 2018 Annual Plan and Rolling Five-Year Plan just as he has for many years. However, there are certain parts of the Plan including the possible demolition of Willow Heights and Lewis Plaza and RAD conversion to transfer these public housing living units to Morgan Manor that concern Mayor Jordan. The Mayor would like to hear the opinions and comments of the public and Council Members about this proposed Plan before he decides whether or not to sign in support of the Plan.

Assistant City Attorney Blake Pennington prepared a two page executive summary of this very long proposed Plan outlining some potential concerns for the public and City Council to address. I have attached his memo. The Mayor only needs general comments about these issues, not a line by line analysis of the whole plan of about 100 pages.

To consider or speak about the Fayetteville Housing Authority issues tonight, a Council Member will need to move to Suspend the Rules and add this Resolution to the agenda. It takes six (6) affirmative votes to add this item to the agenda.

Williams, Kit

From: Marr, Don
Sent: Tuesday, July 17, 2018 4:48 PM
To: Marsh, Sarah
Cc: Jordan, Lioneld; Williams, Kit
Subject: Re: Willow Heights Water Emergency

Sarah - The Mayor received calls on this situation also. He spoke with Denise Smiley the executive director this afternoon. Denise communicated to the Mayor that they have been working on the water repair since 6:30 am yesterday, and they were awaiting a part to arrive this afternoon, and the lines should be repaired this evening, or at the latest tomorrow morning. Residents should be back in water at that point. A full assessment of capital water system needs is also being investigated by the housing authority according to Denise.

They have the funding for this type of repair in this 2017 capital funds.

The Mayor does plan to bring to the City Council the recently passed 5 year plan for your review and input, before he will sign that plan. Which is necessary in order for them to receive their 2018 funding (for fiscal year beginning September 1st). The Mayor has some concerns about the plan, which he will pass out tonight for your review and input at the next meeting.

Don

From: Marsh, Sarah
Sent: Tuesday, July 17, 2018 1:38:44 PM
To: Williams, Kit
Cc: Marr, Don; Nyander, Tim
Subject: Willow Heights Water Emergency

Kit,

The residents of Willow Heights are without water and the Housing Authority Board is dragging their heels on making necessary repairs. This is a crisis for the residents, who already don't have A/C in this heat and now can't shower and are having to purchase and haul water. Thankfully volunteers and the YRCC have stepped up to help, but residents need water service restored ASAP. Does the City have the authority to send someone from Water/Sewer up there to assess the need, estimate the repair costs, and possibly perform the work? If so, would I initiate that process though an emergency resolution at tonight's meeting? Some of our most vulnerable citizens need help right now.

Thanks,
-Sarah

Sarah Marsh, bARCH, LEED AP BD+C
City Council Member, Ward 1, Position 2
City of Fayetteville, Arkansas

RESOLUTION NO. _____

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S RECOMMENDATIONS TO MAYOR JORDAN CONCERNING THE FAYETTEVILLE HOUSING AUTHORITY'S 2018 ANNUAL PLAN AND ROLLING FIVE-YEAR PLAN

WHEREAS, the Fayetteville Housing Authority has requested Mayor Jordan to sign the Fayetteville Housing Authority's 2018 Annual Plan and Rolling Five Year Plan; and

WHEREAS, Mayor Jordan's approving signature is necessary before any such Plan can be submitted to the Housing Urban Development Department; and

WHEREAS, several items of this Plan have proven somewhat controversial to Fayetteville citizens in the past and Mayor Jordan would appreciate the City Council Members' and the public's comments and suggestions concerning the various parts of the Plan before the Mayor determines whether it is in the best interests of Fayetteville to approve this Plan; and

WHEREAS, the Plan might be able to be improved through public comment which comments could be taken into consideration by the Fayetteville Housing Authority to refine and improve the Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby recommends that the below portions of the 2018 Annual Plan and Rolling Five-Year Plan be reconsidered and modified by the Fayetteville Housing Authority before Mayor Jordan signs as approving the Plan.

(A) _____

(B) _____

(C) _____

(D) _____

PASSED and APPROVED this 17th day of July, 2018.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA SMITH, City Clerk/Treasurer



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Rhonda Lynch
Paralegal

TO: **Mayor Jordan**

CC: **Kit Williams**, City Attorney

FROM: **Blake Pennington**, Assistant City Attorney

DATE: **July 12, 2018**

RE: **Fayetteville Housing Authority - Certification of Consistency with Consolidated Plan**

The Fayetteville Housing Authority has submitted, through Community Resources Director Yolanda Fields, a document seeking your signature confirming that the Housing Authority's 2018 Annual Plan and Rolling Five-Year Plan are consistent with the Consolidated Plan or State Consolidated Plan and the Analysis of Impediments to Fair Housing Choice of the City of Fayetteville. This certification is required by federal law. See 24 C.F.R. Part 91.225.

I wanted to point to a couple of items of interest so you are fully aware of the scope of the proposed plans. Several separate documents are included so I will provide as much identifying information as I can so you can see it in the document.

1. Page 11 - Page 3 of 9 of Streamlined Annual PHA Plan:
 - a. Paragraph C.1(a) discusses the intention of the Housing Authority to undertake some new activities. Those include:
 - i. Mixed Finance Modernization or Development
 - ii. Demolition and/or Disposition
 - iii. Conversion of Public Housing to Tenant-Based Assistance
 - b. Paragraph C.1(b) states: "It may be that demolition is needed for both Lewis Plaza and Willow Heights. This would allow for the

conversion to RAD or pursue tax credits in the future for developing new units to replace Willow Heights.”

- c. Paragraph C.1(c) includes the Housing Authority’s description of how a conversion to RAD for Lewis Plaza and/or Willow Heights would be consistent with the Plan.
 - d. Paragraph C.1(d) provides that the Housing Authority must submit a deconcentration policy to show how it will prevent a concentration of poverty families or higher income families in any one development.
2. Several spreadsheets have expenditures for “Consultant Costs” which are described on pages 54, 56, 58, 60, and 62 of the packet as “Fees for Architectural/Engineering, Agency Plan preparation, **RAD consultants**, etc.” The fees vary from year to year in the five-year plan but range from \$30,000.00 to \$50,000.00. I believe the RAD consultants are the ones working on the contract to sell Willow Heights and move the residents to Morgan Manor.