

COMMISSIONERS' REGULAR IN-PERSON BOARD MEETING  
May 19, 2021

**Resolution(s) Passed:**

21-12 Resolution Approving Revisions to RRHA's Trespass-Barment Procedure and  
Recommending Adoption of the Same

**MOTIONS:** Johnson/Blount

**VOTE: Aye:** Blount, Coleman, Gooden, Hardiman, Johnson, Jones, Kessler,  
Pitchford, Shelton

**ABSTAIN:** None

**ABSENT:** None

MINUTES OF THE REGULAR IN-PERSON BOARD MEETING  
OF THE COMMISSIONERS OF  
RICHMOND REDEVELOPMENT AND HOUSING AUTHORITY  
HELD IN THE OFFICES OF RRHA  
901 CHAMBERLAYNE PARKWAY, RICHMOND, VIRGINIA  
ON WEDNESDAY, MAY 19, 2021

**Board of Commissioners**

Neil Kessler, Acting Chairman  
Veronica Blount  
Robley Jones  
Basil Gooden  
Barrett Hardiman  
Charlene Pitchford

**In Attendance via GoToMeeting:**

Jonathan Coleman  
W. R. "Bill" Johnson, Jr.  
Patrice Shelton

**RRHA Staff**

Stacey Daniels-Fayson, Interim Chief Executive Officer

Acting Chairman Neil Kessler called the meeting to order at 5:36 p.m. with Ben Titter serving as Legal Counsel. A quorum was established.

**General Counsel Comments**

This meeting is conducted in accordance with the Virginia Freedom of Information Act. The Board is physically assembled at the central offices of the Richmond Redevelopment and Housing Authority. Due to the COVID-19 pandemic, which has made it unsafe for persons to gather in a single indoor location, this meeting is also available via GoTo Meeting in accordance with Va. Code § 2.2-3708.2(E).

Notice of this meeting was published on RRHA's website on **Thursday, May 6, 2021** and updated on May 18, 2021. That updated Notice identified that this meeting is available through GoToMeeting, and that members of the public could observe and participate. Specific instructions to access the meeting by Internet and by phone were disclosed in the Notice, which also directed members of the public to a link where they could register to deliver public comments. All requests to speak are delivered to Priscilla Jackson, Executive Administrative Assistant.

Members of the public must register in advance in accordance with the Board's Bylaws in order to make public comments during the meeting. To register, members of the public must access an online link by which they can provide the registration information required by the Board's Bylaws. Public comments must be made at electronic meetings of this Board in real time through the GoToMeeting application, either by Internet or by phone. Written comments will not be accepted and will not be included in the minutes of this meeting.

In accordance with the Bylaws, no member of the public may address the Board unless they have registered to speak, or have otherwise been called upon by the Chair to speak. Accordingly, all members of the public are instructed to disable any audio or video broadcasts until and unless the Board has called upon such individual to deliver comments. If a member of the public refuses to disable an audio or video broadcast after having been warned to do so by the Chair, then the individual may be permanently banned from the remainder of the meeting.

Please disable your audio and video broadcasts now.

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The members who are participating in this meeting include: (1) Commissioner Veronica Blount, (2) Commissioner Jonathan Coleman\*\*, (3) Commissioner Basil Gooden, (4) Commissioner Barrett Hardiman, (5) Commissioner Bill Johnson\*\*, (6) Commissioner Robley Jones, (7) Commissioner Neil Kessler, (8) Commissioner Charlene Pitchford, and (9) Commissioner Patrice Shelton\*\*.

[\*\* denotes Commissioners who participated in the meeting electronically via GoTo Meeting]

For clarity, all voting during this meeting will be conducted by roll call vote. When a motion is on the floor, I will call each member by name, in alphabetical order, to state their vote individually, until all members are polled.

I have no further comments.

### Minutes

The Minutes from the *March 22, 2021 Electronic Board of Commissioners Work Session, March 31, 2021 Special Electronic Board of Commissioners Meeting, April 15, 2021 Special Electronic Board of Commissioners Meeting, and the April 21, 2021 Regular Electronic Board of Commissioners Meeting* were approved.

***1 Motion: (Jones/Blount) Move to adopt the Minutes from the March 22, 2021 Electronic Board of Commissioners Work Session, March 31, 2021 Special Electronic Board of Commissioners Meeting, April 15, 2021 Special Electronic Board of Commissioners Meeting, and the April 21, 2021 Regular Electronic Board of Commissioners Meeting***

**Motion Carried Unanimously**

**Absent: Gooden**

*Note: Commissioner Gooden arrived at 5:44 p.m., after the minutes were voted on.*

### Citizen Information Period

*No citizens were signed up to speak.*

### Parliamentary Procedures

Commissioner Jones provided parliamentary procedures for adjourning Board of Commissioners and committee meetings. He offered the following two approaches to adjourn a meeting.

He said "*The easiest way for a chair to adjourn a meeting is by unanimous consent (Robert's Rules, 12<sup>th</sup> Edition, p. 228).*

- **Chair:** *If there is no objection, the meeting will now adjourn. [Pause]*
- **Chair:** *Since there is no objection, the meeting is adjourned. [Tap Gavel]*

*The other common method:*

- *A member can propose to close the meeting entirely by moving to adjourn.*
  - *A second is required.*
  - *This motion is not debatable, not amendable, and it requires a majority vote.*

- *The chair can prompt a motion to adjourn by saying, "The chair will now entertain a motion to adjourn."*

*Using one of these two methods will allow you to conform to Robert's Rules and our Bylaws as you adjourn a meeting'.*

He added that one of the Commissioners wanted to know the longest amount of time a person can speak. According to Roberts Rules of Order, the longest time a person can speak at a meeting is ten minutes. Out of respect to the other Commissioners, your remarks should be confined to ten minutes. If you have already spoken for ten minutes and there is a motion before the Board and the Chair has given all of the other commissioners a chance to speak, you can raise your hand to speak again for ten minutes, but after that you will not be able to speak anymore.

#### **Memorandum of Understanding with the City**

Interim CEO Daniels-Fayson stated that there are no new updates on the Memorandum of Understanding (MOU) between RRHA and the City of Richmond at this time. Due to the current workload of city staff, they have not had an opportunity to focus on the MOU. Even though the MOU has not been executed, it does not impact any of RRHA's current projects.

#### **Creighton Court Redevelopment**

Alicia Garcia provided the following update on the Creighton Court Redevelopment project. RRHA staff met with the city staff and The Community Builders (TCB) today to discuss infrastructure funding. The ARP funds that will be received will be used for the \$4.7 million that is needed for the infrastructure for Phases A and B. That amendment will be adopted at the City Council meeting on May 24<sup>th</sup>. All Council members have agreed that this money will be prioritized for Creighton Court. They anticipate that this money will be received by June or July. Once the money is received, City Council will need to pass an ordinance to commit the funds to the project.

The next step includes creating the MDA specifically for Creighton. The MDA will be tied to funding that is received from the City for Creighton Court. A draft of the MDA will be provided to RRHA within the next couple of weeks for review. Once finalized, it will need to be approved by City Council.

As mentioned in Monday's real estate meeting, all assessments have been completed for the 95 residents who are still located in Phase 1 of Creighton Court. Since Monday, some residents have chosen to change their primary preference for relocation. To date, 65 residents have requested Tenant Protection Vouchers (TPVs).

Thirteen residents have chosen PBV offsite units from Creighton Court. Sixteen residents have chosen to remain at Creighton Court which means that they will be temporarily relocated to Phases 2 or 3 of Creighton Court. Once construction is completed at Phase A, they would move into PBV units in the newly transformed

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Creighton development. One resident has chosen to relocate to a different public housing community.

Resident Services staff are conducting one-on-one meetings with residents to discuss their relocation preference and to get them ready for their move. They are reviewing their credit score and discussing items that landlords would generally require when renting their properties. As of Monday, eighteen meetings have been completed with residents located in Phase 1 and twenty meetings have been scheduled for this week.

Regarding residents who have been relocated from Creighton, nine residents from Phase 1 have been moved for health and safety reasons. Since 2018, 82 residents in all phases (Phases 1, 2 and 3) in Creighton have moved to PBV units.

Both residents mentioned in the Richmond Times Dispatch article have been contacted. One of the residents has her one-on-one meeting scheduled with resident services and the other resident that we had difficulty reaching have been fully assessed for her relocation preference.

#### **Blackwell Project**

Desi Wynter provided the following update on the Blackwell project. A meeting was held with the HUD representative last Friday to discuss the Blackwell project. The project consists of 99 lots that we would like to convert and develop into homeownership housing for the community. We are working with two developers: the Maggie Walker Community Land Trust and their partners (Habitat, ProjectHomes, and Better Housing Coalition) and Southside Community Development Housing Corporation as potential developers for these lots.

Of the 99 lots we would like to contract with the Maggie Walker Land Trust for 21 of these lots and with Southside Community Development and Housing Corporation for 34 lots. Three of lots will be transferred to the City for park space and the remaining 41 lots will be developed by RRHA.

**Action Item:** Staff will check with the City to see if the three lots in Blackwell can be used for affordable housing rather than for park space.

#### **Legislative Updates**

General Counsel Ben Titter provided the following Legislative update.

- The CDC order is still in place. That order put a limitation on lease enforcement for non-payment of rent and allows the tenant to provide a declaration that they have made reasonable efforts to make timely payments. On May 5, 2021, the United States District Court in D.C. ruled that this Order is unconstitutional. The Court granted a temporary stay to allow the Justice Department to appeal the ruling. As of now, the CDC Order is back in force pending the outcome of this appeal.

- At the Virginia level there is a temporary law in place that will last until July 1, 2021. Before any landlord can proceed with an unlawful detainer based on non-payment of rent, the landlord must provide the tenant with written notice to the amount due and offer the tenant a repayment plan. The term of that plan is six months for the remainder of the lease term. We will offer repayment agreements, but because of limitations from HUD, they will look very different than what the statute requires.

### **Eviction Moratorium**

Interim CEO Daniels-Fayson provided a brief update on the Eviction Moratorium. Staff will be presenting RRHA's plan to the board for handling the eviction moratorium at the next board meeting. Our initial plan was the Come Current Campaign. This is a massive media campaign to reach our residents by use of flyers, radio and print ads as well as bus boards. We are still under the state eviction moratorium, but we are doing an extensive campaign to ensure that our residents understand that they need to come in and speak with their property manager to discuss their individual situation and enter into a repayment agreement plan.

### **Discussion:**

A question was raised regarding the uncollected rents during the Eviction Moratorium and whether RRHA will be penalized for these uncollected rents. Interim CEO Daniels-Fayson explained that RRHA have not been penalized thus far. She has reached out to HUD to see what their position is on RRHA's ability to forgive the debt and write off the receivables. If RRHA is not able to write off the receivables, this will count against our scores when we submit our financials for our fiscal year end. This will impact RRHA's MASS scores. The scores are important because this is how HUD grades us. If we have a failure in any category, RRHA could be designated as a sub-standard performer and will be required to submit a Corrective Action Plan to HUD. Chairman Kessler asked Interim CEO Daniels-Fayson to continue to maintain close communication with HUD regarding the moratorium and reach out to other housing authorities to see what their plans are for when the moratorium ends.

An additional question was raised to see if we are keeping track of our HCVP voucher holders to ensure that they have remained in good standing with paying their rents during this pandemic. Staff responded if the landlord does not indicate that a participant is not in good standing, we automatically assume that they are. We have not received any information from our landlords about residents not paying their rent as required.

**Action Item:** Staff will send out additional communication to HCVP landlords to see if there are any concerns or issues with HCVP voucher holders paying their rents.

### **Interim CEO/Chairman Reports**

**Acting Chairman's Comments** – Acting Chairman Kessler thanked staff and the executive office for the work that they are doing during these challenging times. He said

“You all are fully committed to the Authority and to our residents. Thank you for the job that you are doing.”

**Interim Chief Executive Officer’s comments** – Interim CEO Stacey Daniels-Fayson provided the following comments.

- We continue work with the Health Department to provide vaccines for employees and residents. Campaigns were held in Gilpin, Hillside, Mosby, Creighton, Fairfield and Whitcomb Courts to get our residents vaccinated.
- The Eviction Moratorium continues. RRHA have not evicted any residents during this month.
- We were not awarded the Choice Mobility Grant. Staff will reach out to HUD to determine where our deficiencies were.
- We will continue to work with the City to submit the application for the Neighborhood Choice Planning Grant. The application is due by July 21, 2021.
- We closed on RAD Family 1 today. She thanked Desi Wynter and his team - Elaine Key, Ofelia Solomon and Dan Hutchinson for bringing this project to a close.
- We were allotted 94 Emergency Housing Choice Vouchers as part of the American Rescue Plan.
- The Annual Plan is on public review. The public review will run from May 17, 2021 – July 22, 2021.
- We are looking to institute to a CEO Youth Leadership and Employment Academy for the organization; more specifically, for the Low-Income Public Housing (LIPH) and Resident Services.
- The RRHA, City and VUU Memorandum of Understanding is being finalized. This will be a 20-year partnership between RRHA and VUU for the Gilpin Court community. A press conference will be held on May 24, 2021.
- A groundbreaking ceremony for North Hill Armstrong Renaissance will be held on May 21, 2021. RRHA’s developer partner, TCB has partnered with the Better Housing Coalition to begin the construction of homes for homeownership.
- Staff will begin community outreach efforts to meet with the residents of Creighton Court. We anticipate starting this in June 2021.
- HUD’s Fair Housing Compliance Review was conducted with RRHA staff from May 17-19, 2021. HUD will follow up and provide additional information that they may need from us to complete their review. They provided the following positive feedback from their review.
  - RRHA’s property managers are well versed in fair housing and reasonable accommodations.
  - They were glad to see that we are offering homeownership with the transformation of our properties, specifically in Creighton Court and other activities that we have underway.

- They have not seen other housing authorities to ensure that contractors are meeting the ADA specifications.

#### Committee Updates

Deputy Chief Real Estate Officer, *Desi Wynter* stated that the *Real Estate and Community Development Committee* met on May 17, 2021. The following items were reviewed and discussed:

- o Procurement Policy Review.
- o Update on the MOU with the City of Richmond and RRHA.
- o Update on Creighton Court.
- o Update on the Blackwell Homeownership Project.
- o Timeline for the Big 6 Transformation.
- o Update on Section 3/MBE Reporting.
- o HUD Repositioning Webinar.

The *Administration and Finance Committee* met on May 17, 2021. Commissioner Jones provided an update on the following items:

- o The budget season has begun. Staff is developing departmental budgets. The budgets will be reviewed at the August 16, 2021 Finance Committee meeting.
- o Agency Vacancies.
- o Section 3.
- o IT Update.
- o Procurement Update.
- o Financials.

Interim Chief Operating Officer, *Kenyatta Greene* stated that the *Property Management and Assisted Housing Committee* met on May 12, 2021. The following items were reviewed and discussed:

- o Come Current Campaign.
- o New Campaign to Keep Communities Clean.
- o CEO's Youth Leadership and Employment Academy.
- o Update on the Calhoun Center.
- o Roll-out and Implementation of the HCVP Homeownership Program in 2023.
- o Emergency Housing Vouchers.
- o Status of the Choice Mobility Application.
- o Annual Agency Plan Timeline.

#### Resolution(s)

**Agenda Item No. 1** – Resolution Approving Revisions to RRHA's Trespass-Barment Procedure and Recommending Adoption of the Same

(21-12) WHEREAS, RRHA, in accordance with relevant law and regulation, adopted a Trespass-Barment Procedure (the "Procedure") setting forth guidelines for barring individuals from RRHA-owned property and enforcing such barment; and



WHEREAS, RRHA, with input from the Richmond Police Department and the Office of the Commonwealth's Attorney, recently proposed some revisions to the Procedure to better ensure community safety while also permitting more individuals to enter onto RRHA-owned property for lawful purposes, as more particularly shown in Exhibit A, attached hereto; therefore

BE IT RESOLVED that RRHA's Board of Commissioners, believing the proposed changes to the Procedure are prudent, approves the same and recommends that RRHA, by and through its Interim Chief Executive Officer, adopt the proposed changes to the Procedure.

**2 Motion: (Johnson/Blount) Move to adopt Resolution #1**

**Motion Carried Unanimously**

**Closed Session**

At 7:17 p.m., Commissioner Jones asked to go into Closed Session and read the following motion:

*I move that we go into closed meeting to consult with Legal Counsel regarding the discussion and consideration of prospective candidates for employment, specifically to discuss candidates for the position of Chief Executive Officer, as permitted by Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act.*

**3 Motion: (Jones/Gooden) Move to go into Closed Session.**

**Motion Carried Unanimously**

At approximately 8:53 p.m., Commissioner Jones asked to come out of Closed Session.

***CERTIFICATION OF CLOSED MEETING***

WHEREAS, the Board of Commissioners of the Richmond Redevelopment and Housing Authority (the "Board") convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711(B) of the Code of Virginia of 1950, as amended, requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

**4 Motion: (Jones/Gooden) Move to come out of Closed Session**

**Motion Carried Unanimously**

**Absent: Shelton**

Adjournment

There being no further business, the meeting adjourned at approximately 8:53 p.m.

  
\_\_\_\_\_  
Interim Chief Executive Officer/Secretary

  
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Acting Chairman