



Asheville Housing Authority
Regular Meeting of the Board of Commissioners
July 22, 2020, 6:00 p.m.
Central Office, 165 S. French Broad Ave., Asheville, NC 28801

The mission of the Asheville Housing Authority is to provide safe, quality, and affordable housing, to expand available resources, and to collaborate with the community to create opportunities for resident self-reliance and economic independence.

Our core values are Compassion, Equity, Fairness, Integrity, Openness, Patience and Respect.

Commissioners:

Cassandra Wells, Chair
Jennifer Pickering, Member
Tilman Jackson, Member
Gene Bell, Member
Amy Kemp, Member

Agenda Topics

▪ **Call to Order**

Roll Call	<u>Present</u>	<u>Absent</u>
Cassandra Wells, Chair	_____	_____
Jennifer Pickering, Member	_____	_____
Tilman Jackson, Member	_____	_____
Gene Bell, Member	_____	_____
Amy Kemp, Member	_____	_____

▪ **Approval of the June 24, 2020 Meeting Minutes**

▪ **Bills and Communications**

▪ **Report of the Secretary**

- Asheville Housing Properties
- Asheville Housing Vouchers
- Family Self Sufficiency
- Financial Report
- Coronavirus Response Update
- Edington Center
- Residents Council
- Property Management

- **New Business**

1. Election of Vice Chair of the Board of Commissioners.

Motion _____ Second _____

2. Ratification of CARES Act Regulatory Waivers Allowed by HUD and Approved by the Executive Director.

Motion _____ Second _____

3. Approval of a Amended Procurement Policy for the Housing Authority of the City of Asheville.

Motion _____ Second _____

4. Consideration of Authorization to Collaborate with the PEAK Academy to Identify a Charter School Location on or near HACA Property.

Motion _____ Second _____

- **Unfinished Business**

- **Public Comment**

- **Adjournment**

Work Session

The Commissioners will hold a work session at **5:00 PM** in the Board Room at 165 S. French Broad Ave, Asheville, NC 28801. The work session is open to the public.

Topics: Review of Agenda Items
 Discuss procedure for making board membership recommendations to the Mayor
 Discuss Operation Peacemaker model



Asheville Housing Authority Commission Meeting Minutes June 24, 2020

I. Work Session

The work session was held at the Central Office, facilitated via Zoom due to COVID-19, starting at 5:06 pm. The following Commissioners were present: Chair Cassandra Wells, Tilman Jackson, Gene Bell, Amy Kemp, and Jennifer Pickering. Chair Cassandra Wells called the work session to order by welcoming Amy Kemp to the Board of Commissioners. Roundtable introductions were conducted. Amy Kemp introduced herself to the board members and HACA staff.

Cassandra Wells introduced Asheville Chief of Police David Zack. Chief Zack addressed the board regarding how the Housing Authority and Police Department could collaborate to best serve the needs of public housing residents and the community. Julie Mayfield spoke regarding the disconnect from what the greater community is stating -- that there is over policing occurring. However, public housing residents seem to be asking for more policing to improve public safety. Chief Zack expressed his interest in meeting with residents to get their feedback, and hopefully utilize the feedback to develop a resolution to their concerns. Shuvonda Harper commented that she felt there needed to be more community engagement from law enforcement, instead of a show of force, which may improve community relations and engagement. Tilman Jackson asked if there could be more actively engaged in the community by being more present, controlling traffic/parking, disassembling crowds, and overall making the developments safer for the elderly and children. Cassandra Wells commented that Housing Authority and the Police Department needed to make more of an effort to collaborate. Jennifer Pickering suggested more of a focus on training, especially for youth, such as the Police and Fire Departments working together on community engagement and relations. Gene Bell posed a question regarding the gate to Walton Street park always staying open, which results in increased loitering and traffic. Captain Gary Gudac with the Asheville Police Department stated that the gate would be closed much earlier going forward, especially after hearing the concerns of the residents.

Work Session ended at: 6:27 pm.

II. Regular Meeting - Call to order

Chair Cassandra Wells called the regular meeting of the Board of Commissioners to order at **6:27 pm on Wednesday, June 24, 2020** at the Central Office, 165 S. French Broad Ave., Asheville, NC 28801. The meeting was facilitated via a Zoom due to COVID-19. Housing Authority staff were on-site to ensure participation by any interested member of the public. Teresa Jenkins conducted the roll call. The following Commissioners were

present: Chair Cassandra Wells, Vice Chair Raynetta Waters, Member Tilman Jackson, Member Amy Kemp, Member Gene Bell and Member Jennifer Pickering.

III. Approval of minutes from last meeting

Gene Bell made a motion, seconded by **Jennifer Pickering**, to approve the minutes. The Commissioners unanimously approved the minutes of **May 27, 2020**.

BOARD MEMBERS

Ms. Cassandra Wells
Ms. Amy Kemp
Ms. Jennifer Pickering
Mr. Tilman Jackson
Mr. Gene Bell

VOTE

Aye
Aye
Aye
Aye
Aye

IV. Bills and Communications

David Nash announced that Shaunda Sandford has accepted a new position as the Resident Services Director for the Housing Authority. Initially, she will be focusing on implementing summer youth programming this summer, supporting resident's council in developing resident associations by election in all properties over the next year, and working long term on developing a student social work internship program.

V. Report of the Secretary

a) Asheville Housing Properties

Noele Tackett reported the monthly Asheville Housing Properties occupancy report submitted with the board packet. She reported that we ended the month 98% occupied. There were 22 units that were on rehab/hold status, 21 units being prepared for leasing, 2 ready for leasing, and 32 move-ins. The total vacancy days were 1026 with an average turn around per unit of 32 days. Bartlett Arms, Klondyke, and Southside didn't meet unit turnaround days due to an infestation, emergency transfers and unit repairs due to extensive damage.

b) Asheville Housing Vouchers

Brandy Woodard provided a brief overview of the voucher program. She reported the monthly Asheville Housing Vouchers report as submitted with the board packet. There are a total of 3262 vouchers, 3221 available to lease, 2805 leased, 450 available, and 75 assigned/looking. There were 2 mobility moves, 22 move-ins, 6 move-outs, 65 inspections, and 206 re-exams. Noele provided a brief explanation of how the waitlist was dropping due to purging.

c) Family Self-Sufficiency

Shaunda Sandford reported the monthly Family Self-Sufficiency report as submitted with the board packet. She reported that they have 270 participants in the program and 174 escrow accounts. In May, there were no new FSS participant enrolled but 2 new participants established escrow accounts. There were also 2 graduates from the FSS program in May. For homeownership, there are 2 families scheduled to close in

in June. There are 2 families on hold with the USDA due to the COVID-19 crisis, 2 families scheduled to close in July and 2 families in the building process.

d) Financial Report

Tom Good reported the financial report as submitted with the board report. He reported that the RAD properties were in good standing with expenses tracking budget.. COVID-19 has impacted the budget slightly. The Housing Authority has been able to defer some expenses except for continuing expenses. There has been a decrease in revenue from tenant's inability to pay rent due to COVID-19.

e) Coronavirus Update

Tara Irby reported on the Coronavirus response updates presented with the board packet.

f) Residents Council Report

Shuvonda Harper reported that My Community Matters was postponed to begin the following week due to COVID-19 restrictions. This way they can better prepare for the youth. The program is set to begin on Monday with a small group of participants. They would like for the program to be year-round. Crystal Reid reported the Residents Council is working on trash pick-up on the properties, which means the quantities will be a little larger. She reported that they have noticed a decreased in the number of needles being picked up on the properties.

g) Edington Center Report

Shuvonda Harper reported that they have begun unlocking the doors of the Edington Center and signs are posted regarding visitors wearing masks when entering the building. The kitchen is still operating to get meals out to elderly, disabled and quarantined residents. The auditorium is looking great and getting ready for reopening, when the pandemic subsides.

h) Property Management Report

Sheri Guyton reported that **we** continue to do testing and weekly calls to residents, as well as food deliveries. The Southside camera installation for 2020 has been completed.

Robert Hooper reported that his properties continue to do wellness check calls. The cameras for Hillcrest have been ordered for center area. He has been in contact with the ground's contractors regarding the grounds contract not being fulfilled and is working to get them to improve upon their services.

Cassandra Wells inquired about the grounds in Erskine and the trash pickup on the properties. Sheri Guyton shared that a new grounds contractor is taking over and working to get caught up on the contract.

VI. New Business

1) Amended and Restated Bylaws of the Housing Authority of the City of Asheville.

Cassandra reviewed the bylaws and asked for explanations on the following:

Section 4.04- David explained that this one may have varied slightly depending on the Mayor. The Mayor listens and take recommendations from the board. Tilman questioned the procedure for the process for their recommendations; he wants to make sure they are following the adequate process for recommending someone for appointment the board. Cassandra suggested that the board members meet to discuss a procedure for that during next meeting. Jennifer suggested a video interview could be part of the process.

Section 4.08- David explained that this means if the resident that was appointed to the board moves out they will no longer be a member of the board of commissioners.

Section 5.08- David explained that this keeps him bonded and insured to make sure that he is operating ethically as the Executive Director of the Housing Authority.

Section 6.08- David explained that commissioners can't vote on issue if personally invested or impacted by the decision being made.

Section 8.02- David explained that he usually sends updates to mayor. Annually, we make a list of accomplishments and progress report on the strategic plan goals.

Section 8.08- David shared that this means if one section is invalidated the rest of the document is standard and valid.

Jennifer Pickering made a motion, seconded by **Tilman Jackson** to approve the amended and restated bylaws of the Housing Authority of the City of Asheville.

The Board voted as follows:

BOARD MEMBERS

Ms. Cassandra Wells
Ms. Amy Kemp
Ms. Jennifer Pickering
Mr. Tilman Jackson
Mr. Gene Bell

VOTE

Aye
Aye
Aye
Aye
Aye

2) Approval of CARES Act Landlord Incentives Policy.

David Nash reported that HUD is encouraging housing authorities to use Cares Act funding. Brandy Woodard reported that through CARES act we are able to use funds

to offer landlord incentives; security deposit assistance up to 1 month rent, \$1,000 referral bonus for landlords referring with an additional incentive if leased up.

Amy Kemp made a motion, seconded by **Gene Bell** to approve the CARES Act Landlord Incentives Policy.

The Board voted as follows:

<u>BOARD MEMBERS</u>	<u>VOTE</u>
Ms. Cassandra Wells	Aye
Ms. Amy Kemp	Aye
Ms. Jennifer Pickering	Aye
Mr. Tilman Jackson	Aye
Mr. Gene Bell	Aye

VII. Unfinished Business

Jennifer Pickering acknowledged everyone for being on the Zoom meeting with the Police Chief. Amy Kemp expressed interest in reviewing contract between the Housing Authority and the Asheville Police Department. David Nash will send out the contract to board tomorrow.

VIII. Public Comment

None.

IX. Adjournment

There being no further business to come before the Board, the meeting adjourned at 7:34 pm. The next meeting will be held at 6:00 pm on July 22, 2020 at Asheville Housing Authority Central Office, 165 S. French Broad Avenue, Asheville, NC 28801.

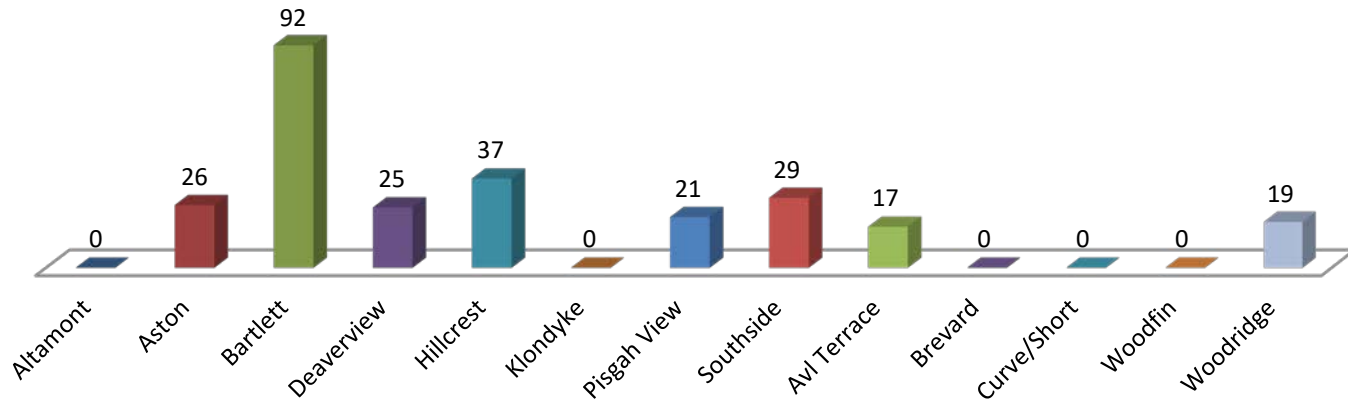
Cassandra Wells, Chair

ATTEST:

David Nash, Secretary

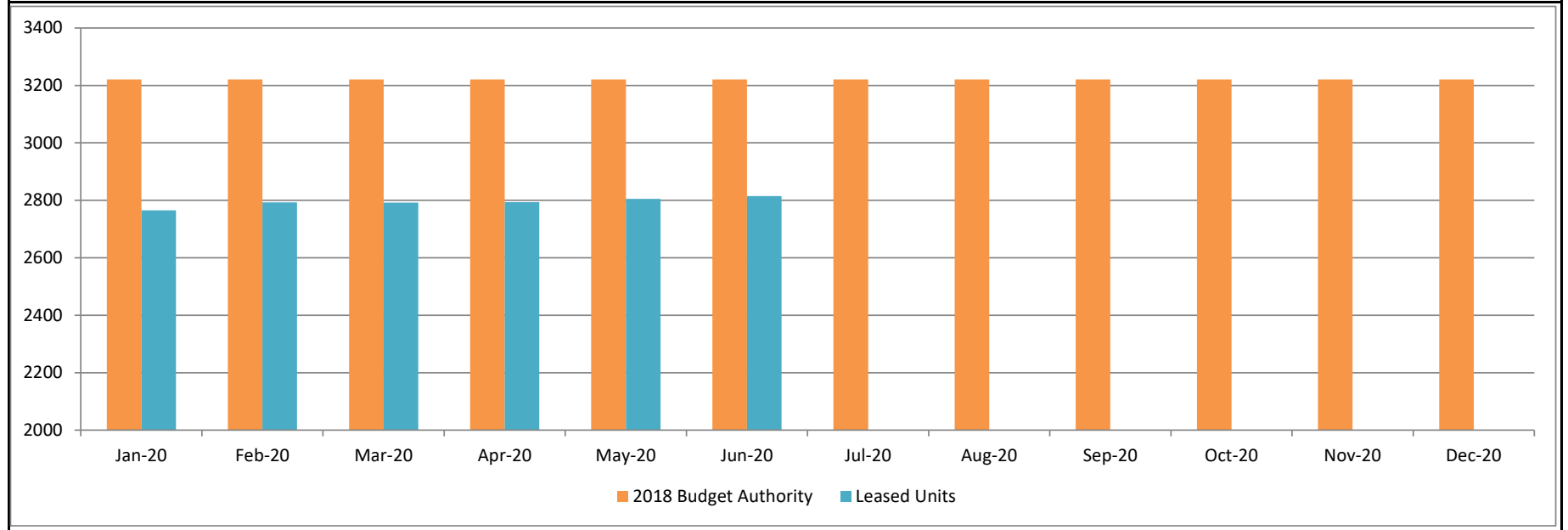
Asheville Housing & Related Properties - Occupancy June 2020										
Property		Units	Occupied	Occ Rate	Rehab/ Hold	Make Ready	Ready	Moved In	Vacant Days	Average
RAD PBV	Altamont	55	44	80%	9	2		0	0	✓ 0
	Aston	161	160	99%		1		4	104	✓ 26
	Bartlett	114	110	96%		4		2	184	✗ 92
	Deaverview	160	152	95%	7	1		1	25	✓ 25
	Hillcrest	227	217	96%	6	4		6	225	✗ 37
	Klondyke	182	182	100%				0	0	✓ 0
	Pisgah View	256	249	97%		7		2	43	✓ 21
	Southside	274	272	99%		2		1	29	✓ 29
Other	Avl Terrace	248	238	96%		7	3	1	17	✓ 17
	Brevard	163	162	99%		1		0	0	✓ 0
	Curve/Short	2	2	100%				0	0	✓ 0
	Woodfin	19	19	100%				0	0	✓ 0
	Woodridge	160	160	100%				1	19	✓ 19
Total		2021	1967	97%	22	29	3	18	646	✗ 36

Average Days to Lease Up



Asheville Housing Vouchers - June 2020												
Lease-Up								Monthly Processes				
Voucher Program	Total Vouchers	Available to Lease	Leased	Occupancy Rate	Available	Assigned/ Looking		Mobility Moves	Moved In	Moved Out	Inspect	Re-Exam
Project Based - RAD	1429	1391	1361	✔ 97.8%	30			0	15	10	18	100
Project Based - LH	20	20	19	⚠ 95.0%	1			0	0	1	0	0
Tenant Based - VASH	341	337	303	✖ 90.0%	34	14		0	7	0	27	25
Tenant Based - NED	75	74	69	⚠ 93.2%	5	2		0	0	0	7	3
Tenant Based - Mainstream	28	28	18	✖ 64.3%	14	0		0	1	0	2	1
Tenant Based - Other	1369	1399	1045	✖ 74.7%	354	69		5	0	4	119	76
Total HCVP	3262	3221	2815	✖ 87.4%	438	85		5	23	15	173	205

Housing Choice Voucher - Annual Trends													
Program	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Average
2018 Budget Authority	3221	3221	3221	3221	3221	3221	3221	3221	3221	3221	3221	3221	3221
Leased Units	2765	2793	2792	2794	2805	2815							
%	86%	87%	87%	87%	87%	87%							
Wait List	1461	1763	1842	1548	894	1007							
HAP Reserve	92,085	16,694	-13,210	176,191	103,134								



Family Self-Sufficiency/Homeownership Report - June 2020

Family Self-Sufficiency Program	Central AVL	Southside	West AVL	North AVL	Tenant-Based	Total
Current FSS Participants	18	56	32	53	109	268
Established FSS Accounts	12	36	16	33	73	170
FSS Account Balances	\$30,159	\$157,462	\$47,337	\$139,730	\$415,906	\$790,594
Total Distributed since 01/2017						\$308,834
Graduates (Since 1/2017)						39
Results and Updates this Month:	We have 2 new participants for the month of June, and no new escrow accounts.					
Homeownership Program	Central AVL	Southside	West AVL	North AVL	Tenant-Based	Total
Current Homeownership Applicants	4	7	5	1	9	26
Completed Homebuyer Education	1	0	1	1	23	62
Completed All Prerequisites	0	1	1	1	14	17
Under Contract	0	0	1	1	4	6
New Homeowners (this month)	0	0	0	0	1	1
Total Current Homeowners						63
Results and Updates this Month:						

HACA Revenue/Expense Summary June 2020

Property/Program	Current Month			Calendar Year to Date		
	Actual	Budget	Fav/(Unfav)	Actual	Budget	Fav/(Unfav)
Central Asheville Properties						
Operating Revenue						
Tenant Rent	62,057	62,744	(687)	372,137	376,465	(4,328)
RAD HAP Subsidy	141,056	140,724	332	811,417	844,345	(32,928)
Vacancy Allowance	0	(6,104)	6,104	0	(36,625)	36,625
Other Revenue	5,763	7,623	(1,860)	36,104	45,735	(9,631)
Total Operating Revenue	208,876	204,987	3,889	1,219,658	1,229,920	(10,262)
Operating Expenses						
Administrative	31,606	34,127	2,521	191,460	204,760	13,300
Tenant Services	2,368	3,858	1,490	15,071	23,150	8,079
Utilities	33,624	30,245	(3,379)	189,382	181,470	(7,912)
Maintenance	67,563	80,573	13,010	425,548	483,435	57,887
Protective Services	6,356	8,000	1,644	44,162	48,000	3,838
COVID Related	2,190	0	(2,190)	7,967	0	(7,967)
Other Expenses	12,055	18,018	5,964	116,652	108,110	(8,542)
Subtotal Operating Expenses	155,761	174,821	19,059	990,242	1,048,925	58,683
Capital Outlays	425	0	425	425	0	425
Replacement Reserve Deposit	32,750	32,750	0	196,500	196,500	0
Net Revenue	19,940	(2,584)	22,524	32,491	(15,505)	47,996
Strategic Reserve	0	3,250	(3,250)	0	19,500	(19,500)
Net Revenue After Set Aside	19,940	666	19,274	32,491	3,995	28,496

Southside Properties						
Operating Revenue						
Tenant Rent	58,399	63,624	(5,225)	386,305	381,745	4,560
RAD HAP Subsidy	167,076	162,782	4,294	973,866	976,690	(2,824)
Vacancy Allowance	0	(6,793)	6,793	0	(40,755)	40,755
Other Revenue	1,474	4,148	(2,674)	11,862	24,885	(13,023)
Total Revenue	226,949	223,761	3,188	1,372,033	1,342,565	29,468
Operating Expenses						
Administrative	44,185	45,558	1,373	263,745	273,350	9,605
Tenant Services	6,906	2,977	(3,930)	33,332	17,860	(15,472)
Utilities	76,768	47,575	(29,193)	326,400	285,450	(40,950)
Maintenance	60,598	75,561	14,963	386,451	453,365	66,914
Protective Services	5,936	6,418	482	35,616	38,505	2,889
COVID Related	4,952	0	(4,952)	8,775	0	(8,775)
Other Expenses	8,886	14,996	6,110	72,500	89,975	17,475
Subtotal Operating Expenses	208,232	193,084	(15,147)	1,126,818	1,158,505	31,687
Capital Outlay	0	0	0	0	0	0
Replacement Reserve Deposit	29,002	29,002	0	174,010	174,010	0
Net Revenue	(10,284)	1,675	(11,959)	71,206	27,290	43,916
Strategic Reserve	0	(1,083)	1,083	0	(6,500)	6,500
Net Revenue After Set Aside	(10,284)	592	(10,876)	71,206	20,790	50,416

HACA Revenue/Expense Summary June 2020

Property/Program	Current Month			Calendar Year to Date		
	Actual	Budget	Fav/(Unfav)	Actual	Budget	Fav/(Unfav)
West Asheville Properties						
Operating Revenue						
Tenant Rent	57,355	65,445	(8,090)	378,499	392,670	(14,171)
RAD HAP Subsidy	266,437	262,305	4,132	1,557,196	1,573,830	(16,634)
Vacancy Allowance	0	(9,833)	9,833	0	(58,995)	58,995
Other Revenue	2,158	8,916	(6,758)	48,268	53,495	(5,227)
Total Revenue	325,950	326,833	(883)	1,983,963	1,961,000	22,963
Operating Expenses						
Administrative	58,001	61,589	3,588	343,307	369,535	26,228
Tenant Services	732	4,433	3,701	5,570	26,600	21,030
Utilities	71,881	68,158	(3,722)	428,273	408,950	(19,323)
Maintenance	90,279	112,085	21,806	543,801	672,510	128,709
Protective Services	8,795	9,754	959	52,770	58,525	5,755
COVID Related	1,072	0	(1,072)	2,094	0	(2,094)
Other Expenses	14,970	20,846	5,876	120,848	125,075	4,227
Subtotal Operating Expenses	245,729	276,866	31,136	1,496,663	1,661,195	164,532
Capital Outlay	0	0	0	0	0	0
Replacement Reserve Deposit	28,066	28,066	(0)	168,395	168,395	(0)
Net Revenue	52,155	21,902	30,253	318,904	131,410	187,494
Strategic Reserve	0	(21,250)	21,250	0	(127,500)	127,500
Net Revenue After Set Aside	52,155	652	51,503	318,904	3,910	314,994

North Asheville Properties						
Operating Revenue						
Tenant Rent	84,603	96,122	(11,519)	558,368	576,730	(18,362)
RAD HAP Subsidy	260,258	248,117	12,141	1,470,368	1,488,700	(18,332)
Vacancy Allowance	0	(10,328)	10,328	0	(61,965)	61,965
Other Revenue	1,444	8,418	(6,974)	28,129	50,505	(22,376)
Total Revenue	346,305	342,328	3,977	2,056,864	2,053,970	2,894
Operating Expenses						
Administrative	60,739	64,373	3,635	367,924	386,240	18,316
Tenant Services-incl HCEP	577	10,256	9,679	5,526	61,535	56,009
Utilities	49,420	64,673	15,254	470,279	388,040	(82,239)
Maintenance	78,117	99,921	21,804	529,563	599,525	69,962
Protective Services	9,013	9,498	485	54,078	56,990	2,912
COVID Related	996	0	(996)	1,777	0	(1,777)
Other Expenses	19,730	21,361	1,631	111,882	128,165	16,283
Subtotal Operating Expenses	218,592	270,083	51,491	1,541,029	1,620,495	79,466
Capital Outlay	0	0	0	0	0	0
Replacement Reserve Deposit	46,783	46,783	0	280,695	280,695	0
Net Revenue	80,931	25,463	55,468	235,141	152,780	82,361
Strategic Reserve	0	(24,833)	24,833	0	(149,000)	149,000
Net Revenue After Set Aside	80,931	630	80,301	235,141	3,780	231,361
RAD Properties Net Revenue	142,741	46,456	96,285	657,742	295,975	361,767
Net Revenue After Set Aside	142,741	2,539	140,202	657,742	32,475	625,267

HACA Revenue/Expense Summary June 2020

Property/Program	Current Month			Calendar Year to Date		
	Actual	Budget	Fav/(Unfav)	Actual	Budget	Fav/(Unfav)

Housing Choice Voucher Program

Operating Revenues

Section 8 Admin. Fee Income	143,053	145,857	(2,804)	1,184,293	875,140	309,153
FSS Grant	6,832	10,699	(3,867)	6,832	64,195	(57,363)
Other Revenue	5,066	1,724	3,342	360,096	10,345	349,751
Total Revenue	154,951	158,280	(3,329)	158,280	949,680	601,542

Operating Expenses

Administrative	114,666	119,955	5,289	687,425	719,730	32,305
Tenant Services - FSS	25,687	30,460	4,774	167,690	182,760	15,070
Maintenance	248	225	(23)	1,376	1,350	(26)
COVID Related	249	0	(249)	1,831	0	(1,831)
Other Expenses	2,487	9,657	7,169	42,860	57,940	15,080
Subtotal Operating Expenses	143,337	160,297	16,960	160,297	961,780	60,598
Fund Balance	0	2,667	(2,667)	0	16,000	(16,000)

Net Operating Revenue	11,614	650	10,964	(2,017)	3,900	(5,917)
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Housing Assistance Payment Funds

Revenue	1,770,824	1,769,083	1,741	10,492,320	10,614,500	(122,180)
Expense	1,846,649	1,769,083	77,566	10,665,491	10,614,500	50,991
Net HAP	(75,825)	0	(75,825)	(173,171)	0	(173,171)

HACA Central Management

Operating Revenue

RAD Property Management Fees	97,028	97,013	15	578,707	582,075	(3,368)
PH/HCPV/Other Mgmt/Bkbp Fees	66,088	54,893	11,196	428,089	329,355	98,734
Other Revenue	30,371	20,113	10,258	615,093	120,680	494,413
Total Revenue	193,487	172,018	21,469	1,621,889	1,032,110	589,779

Operating Expenses

Administrative	115,109	108,233	(6,876)	672,971	649,400	(23,571)
Tenant Services	0	7,383	7,383	3,415	44,300	40,885
Utilities	13,520	6,808	(6,712)	61,660	40,845	(20,815)
Maintenance	17,385	12,081	(5,305)	117,091	72,485	(44,606)
COVID Related	3,226	0	(3,226)	6,251	0	(6,251)
Other Expenses	4,381	11,919	7,538	47,261	71,515	24,254
Subtotal Operating Expenses	153,621	146,424	(7,197)	908,648	878,545	(30,103)
Capital Outlay - Edington	27,656	25,000	(2,656)	389,770	150,000	239,770
Fund Balance	0	(12,500)	(12,500)	0	(75,000)	75,000
Loan to MCAH	0	12,500	12,500	0	75,000	(75,000)

HACA Central Management-Net Rev	12,210	594	11,616	323,471	3,565	319,906
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HACA CORONAVIRUS RESPONSE

Managing a Public Housing Authority in ordinary times presents certain challenges. But when the Coronavirus Pandemic took hold of the country at the beginning of the year, a swift and strategic response to a new set of challenges was required by the Leadership at AHA. We have taken the following actions to date:

- 03/16/2020 Mobilized the COVID-19 Action Team made up of HACA Leadership
- 03/16/2020 Volunteers and staff made and provided reusable (cloth) mask for HACA staff
- 03/16/2020 HACA partnered with area agencies in order to provide PPE for not only staff but for residents
- 03/18/2020 HACA enacted a Well-check protocol in which staff called residents to check on their wellbeing and their need for resources
- 03/23/2020 Leadership made the decision to close all HACA offices to the general public; closed to the public but open for business
- 03/23/2020 Leadership made the decision and preparations to have non-essential staff work remotely
- 03/25/2020 HACA Board of Directors passed motions that enabled HACA to transfer non-federal funds to acquire equipment and transition operations of the Southside Kitchen to establish a crisis kitchen as a response to the Coronavirus crisis.
- 03/30/2020 Developments continued Manna Bank food distribution with safety protocols and social distancing in mind in order to continue to provide this needed food resource to residents
- 03/31/2020 Partnered with the City to curtail unlawful gatherings within the developments; an educational flyer was distributed by a team of HACA staff and APD.
- 04/01/2020 Distributed HACA Newsletter with ED address to residents concerning the pandemic
- 04/06/2020 Assisted in marketing WRES efforts to speak to the community through a leader's panel around the importance of social distancing
- 04/08/2020 Partnered with COA task force in implementing a reporting protocol of residents that have COVID-19 symptoms in an effort to mitigate spread with early detection
- 04/09/2020 HACA in partnership with Buncombe County's Safety and Justice Initiative executed Operation Easter Egg. Pre-packaged Easter Eggs were delivered to the developments for families with children in an effort to encourage families to Easter Egg Hunt at home as opposed to unlawful social gathering for these activities
- 04/15/2020 Began considering offsite quarantine options should the need present itself
- 04/20/2020 Partnered with local farmers and chefs in the We Give A Share program to provide fresh vegetables to the Southside Kitchen's efforts to provide meals to AHA residents; **\$XX.XX** has been raised through generous donors
- 04/22/2020 HACA Board of Directors passed motions that enabled HACA to enact supplemental benefits for employees, self-certification of wages for residents, postponement of biennial inspections, and authorized the ED to implement additional policy waivers
- 04/27/2020 Partnered with ABIPA to provide mask and cleaning supplies to our residents
- 04/27/2020 HACA's work through Southside Kitchen's was profiled in Scene magazine from the AC-T. Cedric, a maintenance employee was shown representing the maintenance/delivery staff on the cover

- 04/27/2020 HACA continued to provide resources to staff by way of additional hand sanitizer/booties; made available for frontline staff (maintenance) that have to go into units
- 04/27/2020 HACA enacted a work hour reduction protocol, having no effect on the earned wages of the employees, in an effort to continue to support staff
- 05/01/2020 Friendly reminder to residents regarding Rent policy and their responsibility toward
- 05/01/2020 Continued coordination with Buncombe County Health Department, COA, Dogwood Health, and Pisgah Legal to get information, data, best practices, and resources to the residents and employees of AHA
- 05/11/2020 Partnered with Buncombe County Government and Western North Carolina Community Health Services to offer community-based COVID-19 testing for residents in HACA developments
- 5/12/2020 COVID-19 Testing Site held at Hillcrest Apartments (46 people tested)
- 05/18/2020 Partnered with Mt. Zion Development Corporation to get Mental Health information and resources to residents
- 5/26/2020 Discussions/planning has begun as to how we begin the process of re-opening offices for business. On hold pending further updates from the governor
- 5/26/2020 COVID-19 Testing Site held at Deaverview Apartments (77 people tested)
- 6/02/2020 COVID-19 Testing Site held at Klondyke Apartments (39 people tested)
- 6/03/2020 COVID-19 Testing Site held at Pisgah View Apartments (39 people tested)
- 6/08/2020 COVID-19 Testing Site held at the Central Office for HACA staff and related staff (67 tested)
- 6/15/2020 COVID-19 Testing Site held at the Central Office for Aston Park Tower residents and HACA staff that were unable to be tested on 6/08/2020 (58 people tested)
- 6/23/2020 COVID-19 Testing Site held at Altamont Apartments for Altamont, Woodfin and Homeward Bound staff (40 people tested)
- 6/24 & 25/2020 COVID-19 Testing Site held at Asheville Terrace Apartments (86 people tested)
- 6/24/2020 Received social distancing, and COVID building protocol signage for re-opening preparations
- 6/25/2020 Provided/completed COVID-19 testing at all of HACA developments. Provided managers with Buncombe County's permanent testing sites for resident and employee information.
- 6/29/2020 Continued efforts around resident Well-checks; large family developments on a once per week call schedule; multi-unit buildings with large concentrations of residents, particularly Elderly and Disabled will continue on the twice per week schedule. Staff is asked to report any illness; COVID-related or otherwise immediately. Ill residents were offered meals through Southside Kitchen
- 6/29/2020 HACA leadership began discussions around HQS inspections, if and how that roll-out happens pending HUD's decision regarding waivers
- 7/01/2020 After discussions with staff about their feedback from residents, it was decided that all developments would go to a once per week call schedule for resident Well-checks.
- 7/02/2020 Meeting with leadership and managers around HQS and if/ how that roll-out happens after receiving guidance from HUD regarding waivers
- 7/08/2020 A weekly meeting has been set for managers for COVID and re-opening updates; scheduled to begin 7/15/2020

- ❖ APD Housing Team addressing double parking and blocked roads at Hillcrest
- ❖ Graffiti Removal
- ❖ New Camera Installation at Hillcrest
- ❖ New Camera Installation at Klondyke
- ❖ Traffic Safety in Klondyke
- ❖ Request to Duke Energy to restore/add lighting for basketball court in Klondyke
- ❖ Fireworks in Pisgah View
- ❖ APD Housing Team/M.D.T.M.T. (*My Daddy Taught Me That*) Meeting
- ❖ Football and Basketball games between APD and community youth

SAFETY, COMMUNITY POLICING & ENGAGEMENT



ASHEVILLE HOUSING AUTHORITY
165 SOUTH FRENCH BROAD AVE.
ASHEVILLE, NORTH CAROLINA 28801

Adoption of HUD COVID-19 Waivers
Effective Date: 7/6/2020

Asheville Housing Authority hereby adopt the following HCV-HQS waivers from PIH notice 2020-13 effective as of July 6, 2020. The periods of availability for all other public housing and HCV waivers and alternative requirements that previously ended prior to December 31, 2020, are extended to December 31, 2020. Other timeframe extensions are as follows:

For any housing quality standards (HQS) provision that authorizes a PHA to rely upon an owner's certification as to the absence of life-threatening conditions, the PHA is now required to perform an inspection of the unit no later than 1 year from the date of the owner's certification, rather than no later than October 31, 2020.

HQS-1 Initial Inspections Requirements PIH notice 2020-13; pages 14-15

HUD is waiving these requirements and providing an alternative requirement. In order to place the unit under HAP contract and commence making payments, the PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question instead of conducting an initial inspection. The PHA is required to conduct an HQS inspection on the unit as soon as reasonably possible but no later than the 1-year anniversary date of the owner's certification

HQS-2: Project-Based Voucher (PBV) Pre-HAP Contract Inspections: PHA Acceptance of Completed Units PIH notice 2020-13; page 15

HUD is waiving the HQS inspection requirement and establishing an alternative requirement. Instead of conducting the pre-HAP contract HQS inspection, the PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question. At minimum the PHA must require the owner's certification. The PHA is required to conduct an HQS inspection on the unit as soon as reasonably possible but no later than the 1-year anniversary date of the owner's certification. The period of availability for PHAs to accept owner's self-certification for the pre-HAP inspection/completion of work requirement ends on December 31, 2020.

HQS-3: Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option PIH notice 2020-13; page 16

HUD is waiving the requirement that the PHA must withhold the payment if the NLT repairs are not made in 30 days. Instead, the PHA may provide an extension of up to an additional 30 days to the owner to make the NLT repairs and continue to make payments to the owner during the period of that maximum 30-day extension. If the owner has not made the NLT repairs by the end of the PHA extension period, the PHA must withhold payments. The period of availability for the PHA to approve an extension of up to an additional 30 days ends on December 31, 2020. The extension to make the NLT repairs may extend beyond December 31, 2020, depending on the date the PHA

approved the extension. For example, if the PHA approved the extension on December 15, 2020, the maximum extension provided to the owner would be January 15, 2021.

HQS-4: HQS Initial Inspection Requirement: Alternative Inspection Option PIH notice 2020-13 page 16

HUD is waiving the requirement that the PHA must conduct its own inspection of the unit in order to commence making assistance payments under the Initial Inspection – Alternative Inspection option. Under this waiver and alternative requirement, the PHA may commence assistance payments at the beginning of the lease term based on the alternative inspection and the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question. At minimum, the PHA must require this owner certification. This initial inspection option is available to the PHA for both tenant-based units and project-based units. This waiver and alternative requirement may also be applied to PHA-owned units if the independent entity is unable to perform the inspection

HQS-5: HQS Inspection Requirement: Biennial Inspections PIH notice 2020-13; page 17

HUD is waiving this requirement and is allowing PHAs to delay biennial inspections for both tenant-based and PBV units. All delayed biennial inspections must be completed as soon as reasonably possible but no later than one year after the date the biennial inspection would have been required absent the waiver. This waiver and alternative requirement may also be applied to PHA-owned units if the independent entity is unable to perform the inspection.

HQS-6: HQS Interim Inspections PIH notice 2020-13; page 18

HUD is waiving these requirements and establishing an alternative requirement for both tenant-based and PBV units. If the reported deficiency is life-threatening, the PHA must notify the owner of the reported life-threatening deficiency and that the owner must either correct the life-threatening deficiency within 24 hours of the PHA notification or provide documentation (e.g., text or email a photo to the PHA) that the reported deficiency does not exist. In the case of a reported non-life-threatening deficiency, the PHA must notify the owner of the reported deficiency within 30 days and the owner must either make the repair or document that the deficiency does not exist within 30 days of the PHA notification or any approved PHA extension. Period of Availability: The period of availability ends on December 31, 2020. After December 31, 2020, the PHA must conduct the HQS inspection in accordance with the applicable time periods upon notification by a family or government official that the assisted unit does not comply with the HQS

HQS-7: PBV Turnover Unit Inspections PIH notice 2020-13; page 18-19

HUD is waiving this regulatory requirement and providing as an alternative requirement the PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question to allow a new family to occupy the vacated PBV unit. At minimum the PHA must require this owner certification. The period of availability to fill a turnover PBV unit without conducting an HQS inspection ends on December 31, 2020. For any unit for which a PHA accepted an owner's self-certification, the PHA must conduct an HQS inspection as soon as reasonably possible but no later than the 1-year anniversary of the date of the owner's certification.

HQS-8: PBV HAP Contract: HQS Inspections to Add or Substitute Units PIH notice 2020-13; page 19

HUD is waiving the HQS inspection requirement. In order to substitute or add a new unit to the PBV HAP contract, the PHA may rely on the owner's certification that the owner has no reasonable basis

to have knowledge that life-threatening conditions exist in the unit or units in question instead of conducting an initial inspection. At minimum, the PHA must require the owner's certification. The period of availability for PHAs to accept owner's self-certification for an initial inspection ends on December 31, 2020. For any unit added to a PBV HAP contract based upon an owner's self-certification, the PHA must conduct an HQS inspection as soon as reasonably possible but no later than the 1-year anniversary of the date of the owner's certification.

HQS-9: HQS Quality Control Inspections PIH notice 2020-13; page 19

The regulations require PHAs to conduct supervisory quality control inspections of a sampling of units under contract. HUD is waiving this regulatory requirement. The period of applicability ends on December 31, 2020.

HQS-10: Housing Quality Standards: Space and Security PIH notice 2020-13; page 20

The regulation establishes a minimum standard for adequate space for both an HCV- and PBV-assisted family. Specifically, it requires that each dwelling unit have at least 1 bedroom or living/sleeping room for each 2 persons. HUD is waiving this requirement for PHAs where the PHA wishes to assist a current participant that needs to add a member or members to the assisted household as a result of the COVID-19 pandemic, and the additional family members would result in the unit not meeting the space and security standards. This provision does not apply to an initial or new lease. A participant must not enter into a new lease for a unit that does not comply with the space and security standards. For any family occupying a unit that does not meet the space and security requirements pursuant to this waiver, the waiver will be in effect for the duration of the current lease term or one year from the date of this Notice, whichever period of time is longer.

HQS-11: Homeownership Option: Initial HQS Inspection PIH notice 2020-13; page 20

The statute provides that HQS re-inspections are not required for homeownership vouchers but does not exempt the unit from the initial HQS inspection. The regulation provides that the PHA may not commence monthly homeownership assistance payments until the PHA has inspected the unit and determined that the unit passes HQS. HUD is waiving this requirement. However, the family is still required to obtain an independent professional inspector in accordance with § 982.631(b)(1) and the PHA is still required to review the independent inspection and has discretion to disapprove the unit for assistance under the homeownership option because of information in the inspection report in accordance with § 982.631(b)(4). The period of availability ends on December 31, 2020

Approved: _____


David L. Nash, Executive Director

Effective Date: July 6, 2020

HOUSING AUTHORITY OF THE CITY OF ASHEVILLE	
PROCUREMENT POLICY	Policy No. 2007-2
Effective Date: June 13, 2007 Amended: June <u>July</u> 22, 2016 <u>2020</u>	Policy Type: Administrative

This Procurement Policy complies with the Annual Contributions Contract (ACC) between Housing Authority of the City of Asheville (HACA) and HUD, Federal Regulations at 24 CFR 200, the procurement standards of the Procurement Handbook for PHAs, HUD Handbook 7460.8, Rev 2, and applicable State and Local laws.

GENERAL PROVISIONS

General

HACA shall: provide for a procurement system of quality and integrity; provide for the fair and equitable treatment of all persons or firms involved in purchasing by HACA; ensure that supplies and services (including construction) are procured efficiently, effectively, and at the most favorable prices available to HACA; promote competition in contracting; and assure that HACA purchasing actions are in full compliance with applicable Federal standards, HUD regulations, State, and local laws. (Pursuant to N.C.G.S. §157-9, state procurement requirements are not mandatory for public housing authorities in North Carolina, unless specifically so stated by the North Carolina Legislature, but HACA may choose voluntarily to follow state requirements in certain procurement actions.)

Application

This Procurement Policy applies to all procurement actions of the Authority, regardless of the source of funds, except as noted under “exclusions,” below. However, nothing in this Policy shall prevent HACA from complying with the terms and conditions of any grant, contract, gift or bequest that is otherwise consistent with the law. When both HUD and non-Federal grant funds are used for a project, the work to be accomplished with the funds should be separately identified prior to procurement so that appropriate requirements can be applied, if necessary. If it is not possible to separate the funds, HUD procurement regulations shall be applied to the total project. If funds and work can be separated and work can be completed by a new contract, then regulations applicable to the source of funding may be followed.

Definition

The term “procurement,” as used in this Policy, includes the procuring, purchasing, leasing, or renting of: (1) goods, supplies, equipment, and materials, (2) construction and maintenance; consultant services, (3) Architectural and Engineering (A/E) services, (4) social services, and (5) other services.

Exclusions

This policy does not govern administrative fees earned under the Section 8 voucher program, the award of vouchers under the Section 8 program, the execution of landlord Housing Assistance Payments contracts under that program, or non-program income, e.g., fee-for-service revenue under 24 CFR Part 990.

Changes in Laws and Regulations

In the event an applicable law or regulation is modified or eliminated, or a new law or regulation is adopted, the revised law or regulation shall, to the extent inconsistent with these Policies, automatically supersede these Policies.

Public Access to Procurement Information

Most procurement information that is not proprietary is a matter of public record and shall be available to the public to the extent provided in N.C.G.S. 132-1.

ETHICS IN PUBLIC CONTRACTING

General

HACA hereby establishes this code of conduct regarding procurement issues and actions and shall implement a system of sanctions for violations. This code of conduct is consistent with applicable Federal, State, or local law.

Conflicts of Interest

No employee, officer, Board member, or agent of HACA shall participate directly or indirectly in the selection, award, or administration of any contract if a conflict of interest, either real or apparent, would be involved. This type of conflict would be when one of the persons listed below has a financial or any other type of interest in a firm competing for the award:

- A. An employee, officer, Board member, or agent involved in making the award;
- B. His/her relative (including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister);
- C. His/her partner; or
- D. An organization which employs or is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

Gratuities, Kickbacks, and Use of Confidential Information

No officer, employee, Board member, or agent shall ask for or accept gratuities, favors, or items of more than \$25 in value from any contractor, potential contractor, or party to any

subcontract, and shall not knowingly use confidential information for actual or anticipated personal gain.

Prohibition Against Contingent Fees

Contractors wanting to do business with HACA must not hire a person to solicit or secure a contract for a commission, percentage, brokerage, or contingent fee, except for bona fide established commercial selling agencies.

PROCUREMENT PLANNING

Planning is essential to managing the procurement function properly. Hence, HACA will periodically review its record of prior purchases, as well as future needs, to: find patterns of procurement actions that could be performed more efficiently or economically; maximize competition and competitive pricing among contracts and decrease HACA's procurement costs; reduce HACA administrative costs; ensure that supplies and services are obtained without any need for re-procurement, e.g., resolving bid protests; and minimize errors that occur when there is inadequate lead time. Consideration should be given to storage, security, and handling requirements when planning the most appropriate purchasing actions.

PURCHASING METHODS

Petty Cash Purchases

Purchases under \$50 may be handled through the use of a petty cash account. Petty Cash Accounts may be established in an amount sufficient to cover small purchases made during a one-month period. For all Petty Cash Accounts, HACA shall ensure that security is maintained and only authorized individuals have access to the account. These accounts should be reconciled and replenished monthly.

Small Purchase Procedures

For any amounts above the Petty Cash ceiling, but not exceeding ~~\$150~~\$250,000, HACA may use small purchase procedures. Under small purchase procedures, HACA shall obtain a reasonable number of quotes (preferably three); however, for purchases of less than \$310,000 (~~or \$2000~~ in the case of ~~acquisitions for~~ construction subject to the Davis-Bacon Act), also known as Micro Purchases, only one quote is required provided the quote is considered reasonable. To the greatest extent feasible, and to promote competition, small and micro purchases should be distributed among qualified sources.

Quotes may be obtained orally (either in person or by phone), by fax, in writing, or through e-procurement. Award shall be made to the qualified vendor that provides the best value to HACA. If award is to be made for reasons other than lowest price, documentation shall be provided in the contract file. HACA shall not break down requirements aggregating more than the small purchase threshold (or the Micro Purchase threshold) into several purchases that are less than the applicable threshold merely to: (1) permit use of the small purchase procedures or (2) avoid any requirements that apply to purchases that exceed the Micro Purchase threshold.

Sealed Bids

Sealed bidding shall be used for all contracts that exceed the small purchase threshold and that are not competitive proposals or non-competitive proposals, as these terms are defined in this document. Under sealed bids, the PHA publicly solicits bids and awards a firm fixed-price contract (lump sum or unit price) to the responsible bidder whose bid, conforming with all the material terms and conditions of the Invitation for Bids (IFB), is the lowest in price. Sealed bidding is the preferred method for procuring construction, supply, and non-complex service contracts that are expected to exceed \$~~150,000~~250,000. However, whenever the conditions for sealed bidding are not present, or when factors other than price need to be considered, HACA may use competitive proposals for such contracts. (See HUD Handbook 7460.8 Rev 2, at 6-1.)

- A. **Conditions for Using Sealed Bids.** HACA shall use the sealed bid method if the following conditions are present: a complete, adequate, and realistic statement of work, specification, or purchase description is available; two or more responsible bidders are willing and able to compete effectively for the work; the contract can be awarded based on a firm fixed price; and the selection of the successful bidder can be made principally on the lowest price.
- B. **Solicitation and Receipt of Bids.** An IFB is issued which includes the specifications and all contractual terms and conditions applicable to the procurement, and a statement that award will be made to the lowest responsible and responsive bidder whose bid meets the requirements of the solicitation. The IFB must state the time and place for both receiving the bids and the public bid opening. All bids received will be date and time-stamped and stored unopened in a secure place until the public bid opening. A bidder may withdraw the bid at any time prior to the bid opening.
- C. **Bid Opening and Award.** Bids shall be opened publicly. All bids received shall be recorded on an abstract (tabulation) of bids, and then made available for public inspection. If equal low bids are received from responsible bidders, selection shall be made by drawing lots. If fewer than three bid packages are received, the bids will be retained unopened while the invitation for bids is readvertised, after which a contract may be awarded even if fewer than three bids are received. After readvertisement, if only one responsive bid is received from a responsible bidder, award may be made to that bidder, but only if the price can be determined to be reasonable, based on a cost or price analysis.
- D. **Mistakes in Bids.** Correction or withdrawal of bids may be permitted, where appropriate, before bid opening by written or telegraphic notice received in the office designated in the IFB prior to the time set for bid opening. After bid opening, corrections in bids may be permitted only if the bidder can show by clear and convincing evidence that a mistake of a nonjudgmental character was made, the nature of the mistake, and the bid price actually intended. A low bidder alleging a nonjudgmental mistake may be permitted to withdraw its bid if the mistake is clearly evident on the face of the bid document but the intended bid is unclear or the bidder submits convincing evidence that a mistake was made. All decisions to allow correction or withdrawal of a bid shall be supported by a written determination signed by the Contracting Officer. After bid opening, changes in

bid prices or other provisions of bids prejudicial to the interest of HACA or fair competition shall not be permitted.

Competitive Proposals

Unlike sealed bidding, the competitive proposal method permits: consideration of technical factors other than price; discussion with offerors concerning offers submitted; negotiation of contract price or estimated cost and other contract terms and conditions; revision of proposals before the final contractor selection; and the withdrawal of an offer at any time up until the point of award. Award is normally made on the basis of the proposal that represents the best overall value to the PHA, considering price and other factors, e.g., technical expertise, past experience, quality of proposed staffing, etc., set forth in the solicitation and not solely the lowest price.

- A. **Conditions for Use.** Where conditions are not appropriate for the use of sealed bidding, competitive proposals may be used. Competitive proposals are the preferred method for procuring professional services that will exceed the small purchase threshold. When factors other than price need to be considered, HACA will also use competitive proposals for construction contracts.
- B. **Form of Solicitation.** Other than A/E services, competitive proposals shall be solicited through the issuance of a RFP. The RFP shall clearly identify the importance and relative value of each of the evaluation factors as well as any subfactors and price. A mechanism for fairly and thoroughly evaluating the technical and price proposals shall be established before the solicitation is issued. Proposals shall be handled so as to prevent disclosure of the number of offerors, identity of the offerors, and the contents of their proposals until after award. HACA may assign price a specific weight in the evaluation criteria or HACA may consider price in conjunction with technical factors; in either case, the method for evaluating price shall be established in the RFP. If fewer than three proposals are received, the proposals will be retained while the RFP is readvertised, after which a contract may be negotiated and awarded even if fewer than three proposals are received. After readvertisement, if only one responsive proposal is received, award may be made to that offeror, but only if the price can be determined to be reasonable, based on a cost or price analysis.
- C. **Evaluation.** The proposals shall be evaluated only on the criteria stated in the RFP. Where not apparent from the evaluation criteria, HACA shall establish an Evaluation Plan for each RFP. Generally, all RFPs shall be evaluated by an appropriately appointed Evaluation Committee. The Evaluation Committee shall be required to disclose any potential conflicts of interest and to sign a Non-Disclosure statement. An Evaluation Report, summarizing the results of the evaluation, shall be prepared prior to award of a contract.
- D. **Negotiations.** Negotiations shall be conducted with all offerors who submit a proposal determined to have a reasonable chance of being selected for award, unless it is determined that negotiations are not needed with any of the offerors. This determination

is based on the relative score of the proposals as they are evaluated and rated in accordance with the technical and price factors specified in the RFP. These offerors shall be treated fairly and equally with respect to any opportunity for negotiation and revision of their proposals. No offeror shall be given any information about any other offeror's proposal, and no offeror shall be assisted in bringing its proposal up to the level of any other proposal. A common deadline shall be established for receipt of proposal revisions based on negotiations. Negotiations are exchanges (in either competitive or sole source environment) between the PHA and offerors that are undertaken with the intent of allowing the offeror to revise its proposal. These negotiations may include bargaining. Bargaining includes persuasion, alteration of assumptions and positions, give-and-take, and may apply to price, schedule, technical requirements, type of contract or other terms of a proposed contract. When negotiations are conducted in a competitive acquisition, they take place after establishment of the competitive range and are called discussions. Discussions are tailored to each offeror's proposal, and shall be conducted by the contracting officer with each offeror within the competitive range. The primary object of discussions is to maximize HACA's ability to obtain best value, based on the requirements and the evaluation factors set forth in the solicitation. The contracting officer shall indicate to, or discuss with, each offeror still being considered for award, significant weaknesses, deficiencies, and other aspects of its proposal (such as cost, price, technical approach, past performance, and terms and conditions) that could, in the opinion of the contracting officer, be altered or explained to enhance materially the proposer's potential for award. The scope and extent of discussions are a matter of the contracting officer's judgment. The contracting officer may inform an offeror that its price is considered by the PHA to be too high, or too low, and reveal the results of the analysis supporting that conclusion. It is also permissible to indicate to all offerors the cost or price that the government's price analysis, market research, and other reviews have identified as reasonable. "Auctioning" (revealing one offeror's price in an attempt to get another offeror to lower their price) is prohibited.

- E. **Award.** After evaluation of the revised proposals, if any, the contract shall be awarded to the responsible firm whose technical approach to the project, qualifications, price and/or any other factors considered, are most advantageous to HACA provided that the price is within the maximum total project budgeted amount established for the specific property or activity.
- F. **A/E Services.** HACA may contract for A/E services using Qualification Based Selection (QBS) procedures, utilizing a Request for Qualifications (RFQ). Sealed bidding shall not be used for A/E solicitations. Under QBS procedures, competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. Price is not used as a selection factor under this method. QBS procedures shall not be used to purchase other types of services, even if architectural/engineering firms are potential sources.

Noncompetitive Proposals

- A. **Conditions for Use.** Procurement by noncompetitive proposals (sole-source) may be used **only** when the award of a contract is not feasible using small purchase procedures,

sealed bids, cooperative purchasing, or competitive proposals, and if one of the following applies:

1. The item is available only from a single source, based on a good faith review of available sources;
2. An emergency exists that seriously threatens the public health, welfare, or safety, or endangers property, or would otherwise cause serious injury to HACA, as may arise by reason of a flood, earthquake, epidemic, riot, equipment failure, or similar event. In such cases, there must be an immediate and serious need for supplies, services, or construction such that the need cannot be met through any of the other procurement methods, and the emergency procurement shall be limited to those supplies, services, or construction necessary simply to meet the emergency;
3. HUD authorizes the use of noncompetitive proposals; or
4. After solicitation of a number of sources, competition is determined inadequate.

B. **Justification.** Each procurement based on noncompetitive proposals shall be supported by a written justification for the selection of this method. The justification shall be approved in writing by the responsible Contracting Officer. Poor planning or lack of planning is not justification for emergency or sole-source procurements. The justification, to be included in the procurement file, should include the following information:

1. Description of the requirement;
2. History of prior purchases and their nature (competitive vs. noncompetitive);
3. The specific exception in 24 CFR 200.320~~4~~(f)(1) through (4) which applies;
4. Statement as to the unique circumstances that require award by noncompetitive proposals;
5. Description of the efforts made to find competitive sources (advertisement in trade journals or local publications, phone calls to local suppliers, issuance of a written solicitation, etc.);
6. Statement as to efforts that will be taken in the future to promote competition for the requirement;
7. Signature by the Contracting Officer's supervisor (or someone above the level of the Contracting Officer); and
8. Price Reasonableness. The reasonableness of the price for all procurements based on noncompetitive proposals shall be determined by performing an analysis, as described in this Policy.

Cooperative Purchasing/Intergovernmental Agreements

HACA may enter into State and/or local cooperative or intergovernmental agreements to purchase or use common supplies, equipment, or services. The decision to use an interagency agreement instead of conducting a direct procurement shall be based on economy and efficiency. If used, the interagency agreement shall stipulate who is authorized to purchase on behalf of the participating parties and shall specify inspection, acceptance, termination,

payment, and other relevant terms and conditions. HACA may use Federal or State excess and surplus property instead of purchasing new equipment and property if feasible and if it will result in a reduction of project costs. The goods and services obtained under a cooperative purchasing agreement must have been procured in accordance with 24 CFR 200.

INDEPENDENT COST ESTIMATE

For all purchases above the Micro Purchase threshold, HACA shall prepare an Independent Cost Estimate (ICE) prior to solicitation. The level of detail shall be commensurate with the cost and complexity of the item to be purchased.

COST AND PRICE ANALYSIS

HACA shall require assurance that, before entering into a contract, the price is reasonable, in accordance with the following instructions.

Petty Cash and Micro Purchases

No formal cost or price analysis is required. Rather, the execution of a contract by the Contracting Officer (through a Purchase Order or other means) shall serve as the Contracting Officer's determination that the price obtained is reasonable, which may be based on the Contracting Officer's prior experience or other factors.

Small Purchases

A comparison with other offers shall generally be sufficient determination of the reasonableness of price and no further analysis is required. If a reasonable number of quotes is not obtained to establish reasonableness through price competition, the Contracting Officer shall document price reasonableness through other means, such as prior purchases of this nature, catalog prices, the Contracting Officer's personal knowledge at the time of purchase, comparison to the ICE, or any other reasonable basis.

Sealed Bids

The presence of adequate competition should generally be sufficient to establish price reasonableness. Where sufficient bids are not received, and when the bid received is substantially more than the ICE, and where HACA cannot reasonably determine price reasonableness, HACA must conduct a cost analysis, consistent with federal guidelines, to ensure that the price paid is reasonable.

Competitive Proposals

The presence of adequate competition should generally be sufficient to establish price reasonableness. Where sufficient bids are not received, HACA must compare the price with the ICE. For competitive proposals where prices cannot be easily compared among offerors, where there is not adequate competition, or where the price is substantially greater than the ICE, HACA must conduct a cost analysis, consistent with Federal guidelines, to ensure that the price paid is reasonable.

Contract Modifications

A cost analysis, consistent with federal guidelines, shall be conducted for all contract modifications for projects that were procured through Sealed Bids, Competitive Proposals, or Non-Competitive Proposals, or for projects originally procured through Small Purchase procedures and the amount of the contract modification will result in a total contract price in excess of ~~\$150~~250,000.

SOLICITATION AND ADVERTISING

Method of Solicitation

- A. **Petty Cash and Micro Purchases.** HACA may contact only one source if the price is considered reasonable.
- B. **Small Purchases.** Quotes may be solicited orally, through fax, or by any other reasonable method.
- C. **Sealed Bids and Competitive Proposals.** Solicitation must be done publicly. HACA must use one or more following solicitation methods, provided that the method employed provides for meaningful competition.
 - 1. Advertising in newspapers or other print mediums of local or general circulations.
 - 2. Advertising in various trade journals or publications (for construction).
 - 3. E-Procurement. HACA may conduct its public procurements through the Internet using e-procurement systems. However, all e-procurements must otherwise be in compliance with **24 CFR 200**, and the Authority's procurement policy.

Time Frame

For purchases of more than ~~\$150~~250,000, the public notice should run not less than once each week for two consecutive weeks.

Form

Notices/advertisements should state, at a minimum, the place, date, and time that the bids or proposals are due, the solicitation number, a contact who can provide a copy of, and information about, the solicitation, and a brief description of the needed items(s).

Time Period for Submission of Bids

A minimum of 30 days shall generally be provided for preparation and submission of sealed bids and 15 days for competitive proposals. However, the Executive Director may allow for a shorter period under extraordinary circumstances.

Cancellation of Solicitations

- A. An IFB, RFP, or other solicitation may be cancelled before bids/offers are due if:
 - 1. The supplies, services or construction is no longer required;

2. The funds are no longer available;
 3. Proposed amendments to the solicitation are of such magnitude that a new solicitation would be best; or
 4. Other similar reasons.
- B. A solicitation may be cancelled and all bids or proposals that have already been received may be rejected if:
1. The supplies or services (including construction) are no longer required;
 2. Ambiguous or otherwise inadequate specifications were part of the solicitation;
 3. All factors of significance to HACA were not considered;
 4. Prices exceed available funds and it would not be appropriate to adjust quantities to come within available funds;
 5. There is reason to believe that bids or proposals may not have been independently determined in open competition, may have been collusive, or may have been submitted in bad faith; or
 6. For good cause of a similar nature when it is in the best interest of HACA.
- C. The reasons for cancellation shall be documented in the procurement file and the reasons for cancellation and/or rejection shall be provided upon request.
- D. A notice of cancellation shall be sent to all bidders/offerors solicited and, if appropriate, shall explain that they will be given an opportunity to compete on any resolicitation or future procurement of similar items.
- E. If all otherwise acceptable bids received in response to an IFB are at unreasonable prices an analysis should be conducted to see if there is a problem in either the specifications or HACA's cost estimate. If both are determined adequate and if only one bid is received and the price is unreasonable, the Contracting Officer may cancel the solicitation and either
1. Re-solicit using an RFP; or
 2. Complete the procurement by using the competitive proposal method. The Contracting Officer must determine, in writing, that such action is appropriate, must inform all bidders of HACA's intent to negotiate, and must give each bidder a reasonable opportunity to negotiate.
- F. If problems are found with the specifications, HACA should cancel the solicitation, revise the specifications and resolicit using an IFB.

Credit (or Purchasing) Cards

Credit card usage should follow the rules for all other small purchases. For example, the Contracting Officer may use a credit card for Micro Purchases without obtaining additional quotes provided the price is considered reasonable. However, for amounts above the Micro

Purchase level, the Contracting Officer would generally need to have obtained a reasonable number of quotes before purchasing via a credit card.

When using credit cards, HACA should adopt reasonable safeguards to assure that they are used only for intended purposes (for instance, limiting the types of purchases or the amount of purchases that are permitted with credit cards).

BONDING REQUIREMENTS

The standards under this section apply to construction contracts that exceed \$150,000. There are no bonding requirements for small purchases or for competitive proposals. HACA may require bonds in these latter circumstances when deemed appropriate; however, non-construction contracts should generally not require bid bonds.

- A. Bid Bonds. For construction contracts exceeding ~~\$150~~250,000, offerors shall be required to submit a bid guarantee from each bidder equivalent to 5% of the bid price.
- B. Payment Bonds. For construction contracts exceeding ~~\$150~~250,000, the successful bidder shall furnish an assurance of completion. This assurance may be any one of the following four:
 - 1. A performance and payment bond in a penal sum of 100% of the contract price; or
 - 2. Separate performance and payment bonds, each for 50% or more of the contract price; or
 - 3. A 20% cash escrow (which may be funded through a 20% retainage on progress payments); or
 - 4. A 25% irrevocable letter of credit.
- C. These bonds must be obtained from guarantee or surety companies acceptable to the U. S. Government and authorized to do business in the State where the work is to be performed. Individual sureties shall not be considered. U. S. Treasury Circular Number 570 lists companies approved to act as sureties on bonds securing Government contracts, the maximum underwriting limits on each contract bonded, and the States in which the company is licensed to do business. Use of companies on this circular is mandatory.

CONTRACTOR QUALIFICATIONS AND DUTIES

Contractor Responsibility

PHAs shall not award any contract until the prospective contractor, i.e., low responsive bidder, or successful offeror, has been determined to be responsible. A responsible bidder/offeror must:

- A. Have adequate financial resources to perform the contract, or the ability to obtain them;
- B. Be able to comply with the required or proposed delivery or performance schedule, taking into consideration all the bidder's/offeror's existing commercial and governmental business commitments;

- C. Have a satisfactory performance record;
- D. Have a satisfactory record of integrity and business ethics;
- E. Have the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them;
- F. Have the necessary production, construction, and technical equipment and facilities, or the ability to obtain them;
- G. Be otherwise qualified and eligible to receive an award under applicable laws and regulations, including not be suspended, debarred or under a HUD-imposed LDP; and
- H. Have a license in good standing for the goods or services to be provided, if required by State or local law.

If a prospective contractor is found to be non-responsible, a written determination of non-responsibility shall be prepared and included in the official contract file, and the prospective contractor shall be advised of the reasons for the determination.

Suspension and Debarment

Contracts shall not be awarded to debarred, suspended, or ineligible contractors. Contractors may be suspended, debarred, or determined to be ineligible by HUD in accordance with HUD regulations (**24 CFR Part 24**) or by other Federal agencies, e.g., Dept of Labor for violation of labor regulations, when necessary to protect housing authorities in their business dealings.

Vendor Lists

All interested businesses shall be given the opportunity to be included on vendor mailing lists. Any lists of persons, firms, or products which are used in the purchase of supplies and services (including construction) shall be kept current and include enough sources to ensure competition.

CONTRACT PRICING ARRANGEMENTS

Contract Types

Any type of contract which is appropriate to the procurement and which will promote the best interests of HACA may be used, **provided the cost -plus-a-percentage-of-cost and percentage-of-construction-cost methods are not used**. All solicitations and contracts shall include the clauses and provisions necessary to define the rights and responsibilities of both the contractor and HACA.

For all cost reimbursement contracts, HACA must include a written determination as to why no other contract type is suitable. Further, the contract must include a ceiling price that the contractor exceeds at its own risk.

Options

Options for additional quantities or performance periods may be included in contracts, provided that:

- A. The option is contained in the solicitation;
- B. The option is a unilateral right of the Authority;
- C. The contract states a limit on the additional quantities and the overall term of the contract;
- D. The options are evaluated as part of the initial competition;
- E. The contract states the period within which the options may be exercised;
- F. The options may be exercised only at the price specified in or reasonably determinable from the contract; and
- G. The options may be exercised only if determined to be more advantageous to HACA than conducting a new procurement.

CONTRACT CLAUSES

All contracts should identify the contract pricing arrangement as well as other pertinent terms and conditions, as determined by HACA.

Additionally, the forms HUD-5369, 5369-A, 5369-B, 5369, 5370, 5370-C, and 51915-A , which contain all HUD-required clauses and certifications for contracts of more than \$150,000, as well as any forms/clauses as required by HUD for small purchases, shall be used in all corresponding solicitations and contracts issued by HACA.

CONTRACT ADMINISTRATION

HACA shall maintain a system of contract administration designed to ensure that contractors perform in accordance with their contracts. These systems shall provide for inspection of supplies, services, or construction, as well as monitoring contractor performance, status reporting on major projects including construction contracts, and similar matters. For cost-reimbursement contracts, costs are allowable only to the extent that they are consistent with the cost principles in HUD Handbook 2210.18.

SPECIFICATIONS

General

All specifications shall be drafted so as to promote overall economy for the purpose intended and to encourage competition in satisfying HACA needs. Specifications shall be reviewed prior to issuing any solicitation to ensure that they are not unduly restrictive or represent unnecessary or duplicative items. Function or performance specifications are preferred. Detailed product specifications shall be avoided whenever possible. Consideration shall be

given to consolidating or breaking out procurements to obtain a more economical purchase. For equipment purchases, a lease versus purchase analysis should be performed to determine the most economical form of procurement.

Limitation

The following types of specifications shall be avoided:

- A. geographic restrictions not mandated or encouraged by applicable Federal law (except for A/E contracts, which may include geographic location as a selection factor if adequate competition is available);
- B. brand name specifications (unless the specifications list the minimum essential characteristics and standards to which the item must conform to satisfy its intended use).

Nothing in this procurement policy shall preempt any State licensing laws. Specifications shall be reviewed to ensure that organizational conflicts of interest do not occur.

APPEALS AND REMEDIES

General

It is HACA policy to resolve all contractual issues informally and without litigation. Disputes will not be referred to HUD unless all administrative remedies have been exhausted. When appropriate, a mediator may be used to help resolve differences.

Informal Appeals Procedure

HACA shall adopt an informal bid protest/appeal procedure for contracts of \$150,000 or less. Under these procedures, the bidder/contractor may request to meet with the appropriate Contract Officer.

Formal Appeals Procedure

A formal appeals procedure shall be established for solicitations/contracts of more than ~~\$150~~250,000.

- A. **Bid Protest.** Any actual or prospective contractor may protest the solicitation or award of a contract for serious violations of the principles of this Policy. Any protest against a solicitation must be received before the due date for the receipt of bids or proposals, and any protest against the award of a contract must be received within ten (10) calendar days after the contractor receives notice of the contract award, or the protest will not be considered. All bid protests shall be in writing, submitted to the Contracting Officer or designee, who shall issue a written decision on the matter. The Contracting Officer may, at his/her discretion, suspend the procurement pending resolution of the protest if the facts presented so warrant.
- B. **Contractor Claims.** All claims by a contractor relating to performance of a contract shall be submitted in writing to the Contracting Officer for a written decision. The contractor

may request a conference on the claim. The Contracting Officer's decision shall inform the contractor of its appeal rights to the next higher level of authority in HACA. Contractor claims shall be governed by the Changes clause in the form HUD-5370.

ASSISTANCE TO SMALL AND OTHER BUSINESSES

Required Efforts

Consistent with Presidential Executive Orders 11625, 12138, and 12432, and Section 3 of the HUD Act of 1968, all feasible efforts shall be made to ensure that small and minority-owned businesses, women's business enterprises, and other individuals or firms located in or owned in substantial part by persons residing in the area of HACA project are used when possible. Such efforts shall include, but shall not be limited to:

- A. Including such firms, when qualified, on solicitation mailing lists;
- B. Encouraging their participation through direct solicitation of bids or proposals whenever they are potential sources;
- C. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;
- D. Establishing delivery schedules, where the requirement permits, which encourage participation by such firms;
- E. Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce;
- F. Including in contracts, to the greatest extent feasible, a clause requiring contractors, to provide opportunities for training and employment for lower income residents of the project area and to award subcontracts for work in connection with the project to business concerns which provide opportunities to low-income residents, as described in **24 CFR Part 135** (so-called Section 3 businesses); and
- G. Requiring prime contractors, when subcontracting is anticipated, to take the positive steps listed above.

Goals shall be established periodically for participation by small businesses, minority-owned businesses, women-owned business enterprises, labor surplus area businesses, and Section 3 business concerns in HACA prime contracts and subcontracting opportunities.

Definitions

1. A **small business** is defined as a business that is: independently owned; not dominant in its field of operation; and not an affiliate or subsidiary of a business dominant in its field of operation. The size standards in **13 CFR Part 121** should be used to determine business size.
2. A **minority-owned business** is defined as a business which is at least 51% owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51% of its voting stock is owned by one or more minority group

members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, Asian Indian Americans, and Hasidic Jewish Americans.

3. A **women's business enterprise** is defined as a business that is at least 51% owned by a woman or women who are U.S. citizens and who control and operate the business.
4. A **"Section 3 business concern"** is as defined under **24 CFR Part 135**.
5. A **labor surplus area business** is defined as a business which, together with its immediate subcontractors, will incur more than 50% of the cost of performing the contract in an area of concentrated unemployment or underemployment, as defined by the DOL in **20 CFR Part 654**, Subpart A, and in the list of labor surplus areas published by the Employment and Training Administration.

BOARD APPROVAL OF PROCUREMENT ACTIONS

Other than approval of this Procurement Policy, approval by the Board of Commissioners is not required for any procurement action, as permitted under State and local law. Rather, it is the responsibility of the Executive Director to make sure that all procurement actions are conducted in accordance with the policies contained herein.

DELEGATION OF CONTRACTING AUTHORITY

While the Executive Director is responsible for ensuring that HACA's procurements comply with this Policy, the Executive Director may delegate all procurement authority as is necessary and appropriate to conduct the business of the Agency.

Further, and in accordance with this delegation of authority, the Executive Director shall, where necessary, establish operational procedures (such as a procurement manual or standard operating procedures) to implement this Policy. The Executive Director shall also establish a system of sanctions for violations of the ethical standards described on page 2 above, consistent with Federal, State, or local law.

DOCUMENTATION

HACA must maintain records sufficient to detail the significant history of each procurement action. These records **shall** include, but **shall not** necessarily be limited to, the following:

- A. Rationale for the method of procurement (if not self-evident);
- B. Rationale of contract pricing arrangement (also if not self-evident);
- C. Reason for accepting or rejecting the bids or offers;
- D. Basis for the contract price (as prescribed in this handbook);
- E. A copy of the contract documents awarded or issued and signed by the Contracting Officer;

- F. Basis for contract modifications; and
- G. Related contract administration actions.

The level of documentation should be commensurate with the value of the procurement.

Records are to be retained for a period of three years after final payment and all matters pertaining to the contract are closed.

DISPOSITION OF SURPLUS PROPERTY

Property no longer necessary for HACA's purposes (non-real property) shall be transferred, sold, or disposed of in accordance with applicable Federal, state, and local laws and regulations.

FUNDING AVAILABILITY

Before initiating any contract, HACA shall ensure that there are sufficient funds available to cover the anticipated cost of the contract or modification.

SELF-CERTIFICATION

HACA self-certifies that this Procurement Policy, and HACA's procurement system, complies with all applicable Federal regulations and, as such, HACA is exempt from prior HUD review and approval of individual procurement action.



June 9, 2020

To David Nash and the Asheville Housing Authority's Board of Commission:

Asheville PEAK Academy is excited to share an update as to our recent progress as we target an opening date of August 2021. As noted in previous meetings, Asheville PEAK Academy will function as a charter school (tuition-free, non-profit) for children in the Asheville and Buncombe County area. The school lottery system will be weighted to ensure that at least 50% of students that attend the school come from lower-income households. We plan to serve predominantly students of color. This school was developed to be one part of the community-wide effort to eliminate the achievement gap that has persisted in Asheville and Buncombe County for many years. We consider achieving this objective to be one of the most critical steps for our community as we work towards achieving long-term social equity in Asheville.

Students attending Asheville PEAK Academy will realize their full academic potential. The school is committed to serving the whole child in addition to nourishing their academic needs. Asheville PEAK Academy will place a priority on character education, the socio-emotional well-being of each student, and utilize a trauma-informed and restorative justice approach to student disciplinary issues. It will provide curriculum that is rich, diverse, relevant and reflective of the students that it serves. Asheville PEAK Academy staff will have high expectations for their students and for themselves as professionals and providers. Staff will be specifically trained to meet the needs of the students that they serve. Asheville PEAK Academy also recognizes the critical need to enlist parents as true partners in their child's futures – and will form relationships based on mutual trust and respect to achieve this critical objective.

Below is a timeline of recent progress that has been made:

- March 5, 2020: The North Carolina Department of Public Instruction unanimously approves Asheville PEAK Academy for a start date in 2021-2022
- February – May 2020: The Asheville PEAK Academy board of directors conducted a nation-wide school director search with over 60 candidates. After a four-stage selection process, the board made a job offer to Dr. Raul Saldana from El Paso, Texas. Dr. Saldana accepted the offer and is scheduled to start his work locally in August 2020.
- June 6, 2020: Asheville PEAK Academy was awarded a significant three-year grant to assist the school's operational start-up. These funds are restricted in use but will help the school provide a comprehensive curriculum with teacher training and purchase other tangible assets (books, desks, technology)

As two of our board members discussed with you back in February, finding a facility for this school is a critical objective. The school is slated to begin in August of 2021. In the next 14 months, we need to find a facility that can adequately accommodate our Year 1 – which will have six classes total (K, 1st grade, 2nd grade). Each classroom will need to have adequate space to accommodate between 20 and 22 students. Ideally, the space will allow Asheville PEAK Academy room to continue to grow for at least 3 years. We will add one grade each year (so the need for 2 classrooms each year) until we reach 8th grade. Ideally, the space would have outdoor green space, adequate parking, a gymnasium and an auditorium.

As you can imagine, finding a facility that meets those specifications is not an easy task. We continue to have discussions with different institutions (both public and private) and are exploring every option possible. With that said, our board would prefer a partnership with the Housing Authority given our symbiotic missions and priorities. As a board, we humbly ask for the Housing Authority's Board of Commission to give consideration towards and vote upon each of the following requests:

Option #1 (highly preferred): That Asheville PEAK Academy enter into a partnership with the Housing Authority as a tenant to utilize adequate building and office space in the Arthur R. Edington Education & Career Center to accommodate the needs of the school by July 2021.

Option #2: That Asheville PEAK Academy enter into a partnership with the Housing Authority as a tenant to utilize the Lonnie D. Burton Head Start Center for Year 1 by July 2021. With this option, we would ask for permission to also utilize the Auditorium space (periodically) and Gymnasium space (daily) at the Arthur R. Edington & Career Center.

Option #3: Housing Authority partner with Asheville PEAK Academy to actively help us find adequate facility space by July 2021.

We recognize that consideration of Option #1 and Option #2 would be a disruption and inconvenience to current partners and the status quo. We are sensitive to this fact. We also understand that critical community work and support is happening between the current Housing Authority tenants and partners that are within the Arthur R. Edington Education & Career Center and the Lonnie D. Burton Head Start Center.

We recognize that our most powerful public institutions – including the Asheville Housing Authority – are tasked with a major challenge: Analyzing which assets and resources (including building space) are being utilized towards the best end and purpose of the existing space to meet the most pressing needs of the community. It is our opinion that the optimal utilization for the Arthur R. Edington Center would be for at least some of the space to be returned to its original intended use – a community school.

As the Board of Asheville PEAK Academy, we make this request humbly. If approved, we would be active partners with you in the following ways:

- Helping to reimagine the use of the space while utilizing as little space as possible
- Assisting to find additional office space for current partners (if necessary based on ultimate utilization of existing space)
- Ensuring that Asheville PEAK Academy becomes a community institution that lives up to its promise of educating every student – and especially students of color
- Allowing for continued community use of the space made available to us in any way possible – including for other nonprofits, community agencies and community members to utilize this space after school hours and on the weekends

We are confident that Asheville PEAK Academy will be a partner that you will be proud of. Feel free to hold us accountable in the form of a lease agreement: If after three years we have not met the ambitious goals that we have set to help eliminate the achievement gap in Asheville, we would understand if your preference would be to discontinue the partnership. We will be fully transparent and want to be held accountable. The mission of the school is too important. Children's lives are at stake.

What we need is a chance to let this seed grow. It will be a community treasure.

Thank you for your consideration.

Sincerely,

The Board of Directors
Asheville PEAK Academy

An Innovative Government Solution to Reducing Gun Violence

City of Richmond California Office of Neighborhood Safety (ONS)

Name of City:

Richmond, California

Current Population:

104,887

City General Fund Budget:

\$127,300,000

ONS Personnel:

10 FTE (Director, Administrative Manager, Administrative Assistant, Neighborhood Change Agents/Street Outreach Workers [7])

Categories:

Public Safety, Public Health, Social Services, Boys and Men of Color, Gang Prevention, Violence Prevention, Intervention, Interruption, Re-Entry, Gun Violence,

Brief Description of the Program:

Youth related gun violence has persisted in the City of Richmond at an alarming rate for a number of years. In response, the City of Richmond created the Office of Neighborhood Safety (ONS) in October 2007. The ONS was created as a non-law enforcement agency within city government with a sole focus to reduce loss of life associated with firearm offenses. The ONS functions in a fast response mode to quickly interrupt gun violence, and to advance dramatic and sustained reductions in gun violence over time. The ONS facilitates two very important primary strategies to achieve its goals and objectives with active firearm offenders: its Street Outreach Strategy and the Operation Peacemaker Fellowship. By working cooperatively with the Police Department and the broader community, in 2012, the City of Richmond recorded the lowest number of firearm assaults and homicides in more than a decade, and experienced a 61% reduction in such crime from 2007 when the Office of Neighborhood Safety was created.

Narrative:

"The nation's attention has been focused on the tragic events in Newtown, Connecticut, but the epidemic of gun violence is unfortunately not a new issue for many communities in the Bay Area... Across the United States, more children and teens die from guns every three days than died in the Newtown massacre. The Bay Area's 15 biggest cities saw 310 homicides last year, up from the 275 homicides in 2011 and 248 in 2010." - Demian Bulwa and Justin Berton, "Bay Area homicide rate rises in 2012," January 2013.

Youth related gun violence has persisted in the City of Richmond at an alarming rate for a number of years. In 2009, the City experienced 47 homicides, a rate of 45.9 per 100,000 residents, compared to the statewide rate of 5.4 per 100,000 in the same year. In 2009, Richmond was listed as the 14th most dangerous city in the country in a ranking of the safety of American cities based upon violent crime rates. ("City Crime Rankings: Crime in Metropolitan America," CQ Press, 2009.)

In Richmond, police intelligence indicates that shootings and homicides are driven by a very small group of individuals, primarily African American and Hispanic American young men between the ages of 16 and 25. This group represents 80% or more of those who are engaged in violent activity, or who are the objects of that activity. The majority of the members of this group have experienced previous contact with the criminal/juvenile justice system.

In contrast to the widely dispersed structure of "gangs" found in some urban communities, rival associations in Richmond tend to be strongly geographically based. Membership is often unorganized and tends to be multi-generational rather than hierarchical. Patterns of youth related gun violence in Richmond are frequently shaped by violations of turf or power, which lead to an attack on individuals in rival geographies of the city, followed by multiple cycles of retaliation. These cycles of retribution can take place within days or can extend over a period of years, as one group seeks redress for past wrongs committed by their adversaries.

Narrative Solution:

In October 2007 the City of Richmond created the Office of Neighborhood Safety (ONS). The ONS is a non-law enforcement agency within city government with a sole focus to reduce loss of life associated with firearm offenses. The ONS functions in a fast response mode to quickly interrupt gun violence, and to advance dramatic and sustained reductions over time. The Office provides and coordinates targeted intervention services for those identified as active firearm offenders who have avoided sustained criminal consequences. The ONS outreaches to 150-200 young adults annually, providing attention-intensive engagement, and a support structure designed to improve the social and emotional health and wellness of these individuals. The ONS facilitates two very important primary strategies to achieve its goals and objectives with active firearm offenders; its Street Outreach Strategy and the Operation Peacemaker Fellowship.

The city's street outreach team (Neighborhood Change Agents or "NCA's") directly engages, on a daily, face-to-face basis, those individuals identified as most likely to be perpetrators and/or victims of gun violence in Richmond. NCA's are city employees who work to build healthy and consistent relationships with these individuals, serving as their mentors, credible messengers of healthy information, and examples of positive and healthy lifestyles. Working through these Neighborhood Change Agents, the ONS works to expand access to quality opportunities, exposures, resources, and services that build on the identified populations' strengths in an effort to reduce their involvement in gun violence.

The Operation Peacemaker Fellowship is a non-mandated, intensive Transformative Mentoring Intervention program designed for those individuals, ages 16-25 identified as current catalysts and/or instigators of firearm offences in Richmond. This intervention works to transform the attitudes and behaviors that have given rise to those individuals' involvement in gun violence. The Fellowship actively seeks to include those individuals who have been the most resistant to change, and/or are have been chronically unresponsive to the traditional range of services offered in the Richmond community. In addition to the public safety concerns that these individuals pose, they are among the most expensive population to serve with respect to the costs of policing, incarceration, hospitalization, and social services. Enabling them to right their life trajectory has a collateral and positive effect on their communities, families and peers, in addition to saving tax payer dollars.

Operation Peacemaker Fellows are provided small incentives (including monetary incentives) in exchange for their partnership, active program participation, positive behavior, and meeting a range of life development/skills, education, employment and restorative justice goals. The incentive structure functions to provide a gateway for the advancement of intrinsic motivation that arises from internal and not external rewards.

Narrative Results:

Specific outcomes resulting from the Street Outreach Strategy include:

- 2,422 outreach contacts were facilitated by Neighborhood Change Agents;
- 212 individuals who are at high risk of being involved in gun violence provided culturally competent and responsive services including intensive support and mentoring/life coaching;
- 154 service referrals were facilitated by Neighborhood Change Agents;
- 39 individuals who are at high risk of being involved in gun violence participated in life skills training facilitated by Neighborhood Change Agents.

There have been two Peacemaker Fellowship cohorts since 2010, with specific outcomes that include:

Of the 43 Fellows enrolled:

- 43 developed individualized life plans (LifeMaps);
- 41 are Alive;
- 34 have no new gun charges since becoming a Fellow;
- 32 have no gun violence related arrests since becoming Fellow;
- 37 have no gun related injuries or hospitalization since becoming a Fellow;

The combined results of the Office of Neighborhood Safety in terms of reducing the incidence of gun violence are summarized below:

Richmond Firearm Activity – Pre & Post Office of Neighborhood Safety:

YEAR	HOMICIDES	FIREARM ASSAULTS
2007	47	242
2008	28	150
2009	45	170
Pre - Totals	120 (+54)	562 (+248)
2010	22	118
2011	26	114
2012	18	82
Post - Totals	66 (-45%)	314 (-44%)

In 2012, the City of Richmond recorded the lowest number of firearm assaults and homicides in more than a decade, and experienced a 61% reduction in such crime from 2007 when the Office of Neighborhood Safety was created.

The work of the City of Richmond Office of Neighborhood Safety could not be successfully accomplished without the support and partnership of local and regional law enforcement agencies. These agencies are instrumental in ensuring that the ONS is focusing its limited resources on the right people to achieve maximum impact from each ONS strategy. A select group of community based organizations have also been important to the successful facilitation of ONS work. Community based service providers who are willing and able to provide helpful and viable supportive services for the target population is critical for any success accomplished.

The Office of Neighborhood Safety could not facilitate the Operation Peacemaker Fellowship without the generous support of its philanthropic partners. Private foundations and donors generously fund the incentive structure of the Fellowship Program.

Most importantly, the Office is grateful to the young men who participate in the Operation Peacemaker Fellowship. The program's theory of change is that cities must partner in new ways with those who can best influence the elimination of the gun violence. It is they who must decide to stop shooting. The work by the Office of Neighborhood Safety is designed to empower these individuals to do just that, and to provide the assistance that they need to help them achieve this objective.

Contact:

DeVone L. Boggan, Neighborhood Safety Director devone_boggan@ci.richmond.ca.us