

MINUTES OF THE REGULAR  
MEETING OF THE BOARD OF COMMISSIONERS  
OF THE HOUSING AUTHORITY OF THE CITY  
OF MICHIGAN CITY, INDIANA, HELD ON  
MONDAY, APRIL 19, 2010

The Commissioners of the Housing Authority of the City of Michigan City, Indiana held a regular meeting on Monday, April 19, 2010 at 4:30 p.m. after Executive Session scheduled at 4:00 p.m. The meetings were held at the Michigan City Housing Authority, 621 East Michigan Boulevard, Michigan City, Indiana 46360. Chairperson Carla Mock called the regular meeting to order at approximately 4:33 p.m. Commissioners who attended the meetings included Vice Chairperson Ronald Strauss, Commissioner Eddie Wilson, Commissioner William Fine, and Commissioner Hesham Khalil. Housing Authority Attorney Michelle Bazin-Johnson was also in attendance. Commissioner Hazel Thomas and Commissioner Yolanda Thomas-Davis did not attend these meetings. ALCO TV representative Andre Steele attended the regular meeting. Housing Authority personnel, who attended the Board meeting, included Executive Director Lenda Wilson and Executive Secretary Robin Fly.

APPROVAL OF MINUTES:

March 15, 2010

Chairperson Mock called for approval of the regular Board meeting minutes and resolutions dated March 15, 2010. Commissioner Fine motioned approval of the minutes and resolutions as presented to the Board; Commissioner Wilson seconded the motion.

CARRIED

APPROVAL OF MANAGEMENT REPORTS:

Chairperson Mock called for approval of management reports as presented to the Board. Commissioner Wilson commended Executive Director Wilson and Family Self-Sufficiency Coordinator (FSS) Samara McNeal for their successful effort with the FSS program. Executive Director Wilson read aloud a letter regarding a participant of the GED program at Lakeland Estates who passed the GED test with honors and is currently in pursuit of higher education. Chairperson Mock informed the Board that she has encouraged others to participate in the GED program. Attorney Bazin-Johnson asked how many participants the GED program can accommodate. In reply, Executive Director Wilson said that although she is not aware of the number of participants, a waiting list of 30 individuals exists.

Chairperson Mock wanted to clarify with the Board that new housing located across from the Michigan City High School is not owned and operated by the Housing Authority. In response, Executive Director Wilson said that the Housing Authority does not own such housing but that such housing is funded by tax credit and is HUD-affiliated. She said that the Housing Authority's voucher holders are allowed to reside in those units if units are

affordable. Those units are based on one's income and designed for various income levels according to Executive Director Wilson. Commissioner Khalil said that in the state of Indiana such grants exist for such housing and that there must be an occupancy rate of 51% low-to-moderate income tenants.

Executive Director Wilson explained to the Board that a similar situation existed with Tall Timbers Apartments, and because Tall Timbers Apartments are at the end of their term agreement, HUD contacted the Housing Authority to administer 28 families with special vouchers at Tall Timbers Apartments.

Commissioner Fine asked what would cause those families to relocate. Executive Director Wilson explained to the Board that all tenant-based vouchers are portable giving those families an option to relocate. With no further discussion of the management reports, Commissioner Khalil motioned approved of the management reports as presented to the Board; Commissioner Wilson seconded the motion.

CARRIED

#### COMMITTEE REPORTS:

In reference to the newly assigned committees, Chairperson Mock asked the Board to call or email any of their concerns. She said that she plans to attend the committee meetings and said that over the past year all the committees have done a great job.

Commissioner Fine asked if the handout of the newly assigned committees indicate who is the chairperson for each committee. In reply, Commissioner Mock said that each committee should select their own committee chairperson.

#### OLD BUSINESS:

#### NEW BUSINESS:

##### Lawn Care Quotes

Chairperson Mock called for approval of the lawn care quotes. Vice Chairperson Strauss said the asset committee, which consisted of himself and Executive Director Wilson, reviewed the quotes for the annual lawn maintenance program. He said some of following quotes submitted were incomplete and without any liability insurance:

<u>COMPANY</u>	<u>QUOTE AMOUNT</u>
A-Plus Lawn	\$750.00/month (\$3,750.00/season)
Eastport Lawn Maintenance	\$100/week plus materials (\$2000/season)
M K Lawn Care	\$100/week (\$2,200/season)
Shirley's General Maintenance	N/A

In reference to M K Lawn Care, Vice Chairperson Strauss said that M K Lawn Care has provided lawn care services for the Housing Authority for the past 2 years; that the Housing Authority management is satisfied with this company; and that M K Lawn Care submitted the lowest quote at \$100/week with a total season amount of \$2,200 with liability insurance. He then recommended the Board approve M K Lawn Care's quote.

Executive Director Wilson informed the Board that M K Lawn Care has not hired a resident but plans to hire when the opportunity arises. Commissioner Khalil asked if the owner of M K Lawn Care is a Michigan City resident and Executive Director Wilson confirmed that the M K Lawn Care owner resides in Michigan City. With no further inquiries, Vice Chairperson Strauss motioned approval of lawn care quote by M K Lawn Care; Commissioner Khalil seconded the motion.

After discussion, Carla Mock introduced the following resolution:

RESOLUTION NUMBER 2010-18

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF MICHIGAN CITY, INDIANA TO APPROVE THE LAWN CARE QUOTE PROVIDED BY M K LAWN CARE FOR A TOTAL COST OF \$2,200 AT \$100 PER WEEK FROM MAY 1, 2010 TO SEPTEMBER 30, 2010.

The resolution was moved by Vice Chairperson Ronald Strauss and seconded by Commissioner Hesham Khalil.

AYES

Carla Mock  
 Ronald Strauss  
 Eddie Wilson  
 William Fine  
 Hesham Khalil

NAYS

CARRIED

Commissioner Hazel Thomas and Commissioner Yolanda Thomas-Davis did not attend this Board meeting.

Change Order No. 1 – James Childs Architects

Chairperson Mock called for approval of Change Order No. 1 from James Childs Architects. Executive Director Wilson explained to the Board that initial contract awarded to Kaser-Spraker Construction, Inc. included the Davis Bacon building wage rates instead of the Davis Bacon residential wage rates acquired by James Childs Architects resulting in an increase cost the construction contract. As a result, the Housing

Authority eliminated Alternate No. 1 project, would reduce amount on capital funds to pay the contract cost for administration building windows and hold off on roof construction for projects IN19-004 and IN19-005 from the regular capital fund until next year according to Executive Director Wilson.

Commissioner Khalil asked if the architect requested a wage determination from the Department of Labor during the bidding of the project. Executive Director Wilson stated that the architect used the wage determination from the Department of Labor and utilized an incorrect building wage decision instead of the residential wage decision. Executive Director Wilson said that the architect thought that because the community room at Boulevard Gardens is in connection with the Boulevard Gardens development, the Housing Authority could use Davis Bacon building rates. She said that HUD informed Housing Authority that such action could not be implemented and that all wage rates should comply with the Davis Bacon residential rates.

Making reference to his past experience, Commissioner Khalil informed the Board that the architect is at fault for acquiring an erroneous wage rate and that the architect should have known the funding mechanism involved with determining wage rates which is considered normal practice. Executive Director Wilson said that the architect acknowledged the error.

Commissioner Fine asked if this error has any affect on other bids that were considered. Executive Director Wilson said that HUD considered other bids; however, because the contract had already been awarded, HUD said that construction work should proceed. Commissioner Khalil asked if the increased sum of \$59,280.00 for Change Order No. 1 is adequate. Executive Director Wilson said specifications reveal comparisons and breakdown of wage rates verifying implementation of the Davis Bacon residential wage rates.

Attorney Bazin-Johnson advised Board to have the architect compensate this miscalculated error with the architect's insurance. Vice Chairperson Strauss recommended that the attorney write correspondence to the architect. Commissioner Khalil then motioned approval for Attorney Bazin-Johnson to write correspondence to James Childs Architects requesting that the architect's insurance compensate calculation error for wage determination rates. Vice Chairperson Strauss seconded the motion.

After discussion, Carla Mock introduced the following resolution:

#### RESOLUTION NUMBER 2010-19

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF MICHIGAN CITY, INDIANA TO AUTHORIZE HOUSING AUTHORITY ATTORNEY TO WRITE CORRESPONDENCE TO JAMES CHILDS ARCHITECTS REQUESTING INSURANCE COMPENSATION FOR DETERMINATION WAGE RATE CHOICE ERROR RESULTING IN AN INCREASE CONSTRUCTION CONTRACT AMOUNT OF \$59,280.00.

The resolution was moved by Commissioner Hesham Khalil and seconded by Vice Chairperson Ronald Strauss.

AYES

Carla Mock  
 Ronald Strauss  
 Eddie Wilson  
 William Fine  
 Hesham Khalil

NAYS

CARRIED

Commissioner Hazel Thomas and Commissioner Yolanda Thomas-Davis did not attend this Board meeting.

Approval of Change Order No. 1 – James Childs Architects

When Executive Director Wilson informed the Board that construction is pending until the change order is approved, Commissioner Khalil motioned approval of Change Order No. 1 with net change of \$59,280.00 in order to proceed with construction. Commissioner Wilson seconded the motion.

After discussion, Carla Mock introduced the following resolution:

RESOLUTION NUMBER 2010-20

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF MICHIGAN CITY, INDIANA TO APPROVE JAMES CHILDS ARCHITECTS CHANGE ORDER NUMBER 1 WITH CONSTRUCTION CONTRACT INCREASE AMOUNT OF \$59,280.00.

The resolution was moved by Commissioner Hesham Khalil and seconded by Commissioner Eddie Wilson.

AYES

Carla Mock  
 Ronald Strauss  
 Eddie Wilson  
 William Fine  
 Hesham Khalil

NAYS

CARRIED

Commissioner Hazel Thomas and Commissioner Yolanda Thomas-Davis did not attend this Board meeting.

Commissioner Khalil informed the Board that State Board of Accounts has stipulation that a change order not exceed 20 percent of the total amount of construction contract. Executive Director Wilson asked that correspondence to James Childs Architects include such information.

### Housing Quality Standards Training

Chairperson Mock called for Housing Quality Standards Training. She informed the Board that meeting attendees are Executive Director Wilson and Section 8 Housing Choice Voucher Manager Kathy Wilson. Attendance to this housing choice voucher seminar will update the Executive Director and the Section 8 Housing Choice Voucher Manager on the housing quality standards and allow them to obtain a certification for inspections for rental units utilized by Housing Choice Voucher program according to Chairperson Mock. She said that seminar is scheduled in July.

### Approval of Bills

### For Your Information

### Public Comment

### Adjournment

With no other business to present before the Board, Chairperson Mock adjourned the Board meeting at approximately 5:00 p.m.

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Carla Mock, MCHA Chairperson

ATTEST:

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Lenda Wilson, MCHA Executive Director

RESOLUTION NUMBER 2010-18

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF MICHIGAN CITY, INDIANA TO APPROVE THE LAWN CARE QUOTE PROVIDED BY M K LAWN CARE FOR A TOTAL COST OF \$2,200 AT \$100 PER WEEK FROM MAY 1, 2010 TO SEPTEMBER 30, 2010.

WHEREAS, the Housing Authority of the City of Michigan City hires a landscaping company to maintain its grounds on an annual basis, and

WHEREAS, the Housing Authority sent out request for quotes for landscaping services with the following responses to include:

<u>COMPANY</u>	<u>QUOTE AMOUNT</u>
A-Plus Lawn	\$750.00/month (\$3,750.00/season)
Eastport Lawn Maintenance	\$100/week plus materials (\$2000/season)
M K Lawn Care	\$100/week (\$2,200/season)
Shirley's General Maintenance	N/A

WHEREAS, the Asset Management/Procurement/Construction recommended to the Board to accept the lowest seasonal quote for total cost of \$2,200 at \$100 per week from M K Lawn Care who has performed past lawn care services on behalf of the Housing Authority for the past 2 years with satisfactory results.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Michigan City, Indiana approved the landscaping quote from M K Lawn Care for a total cost of \$2,200 to provide lawn care services at Boulevard Gardens and Business Activities properties.

Adopted this 19<sup>th</sup> day of April 2010.

Resolution moved by: Vice Chairperson Ronald Strauss

Resolution seconded by: Commissioner Hesham Khalil

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Chairperson Carla Mock

ATTEST:

RESOLUTION NUMBER 2010-19

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF MICHIGAN CITY, INDIANA TO AUTHORIZE HOUSING AUTHORITY ATTORNEY TO WRITE CORRESPONDENCE TO JAMES CHILDS ARCHITECTS REQUESTING INSURANCE COMPENSATION FOR DETERMINATION WAGE RATE CHOICE ERROR RESULTING IN AN INCREASE CONSTRUCTION CONTRACT AMOUNT OF \$59,280.00.

WHEREAS, initial contract award to Kaser-Spraker Construction, Inc. included the Davis Bacon building wage determination rates, and

WHEREAS, upon review by the United States Department of Housing and Urban Development (HUD), HUD informed the Housing Authority that the Davis Bacon residential wage determination rates should have been implemented, and

WHEREAS, as a result of implementation of the correct Davis Bacon residential wage determination rates, the construction contract had an increase in the amount of \$59,280.00, and

WHEREAS, to compensate this increase the Housing Authority decided to eliminate the Alternate No. 1 project reducing amount on capital fund to pay the contract cost for administration building windows and hold off on roof construction from regular capital fund until next year, and

WHEREAS, the Board of Commissioners with advice from Housing Authority Counsel recommended James Childs Architects' insurance compensate calculation error involving the implementation of the Davis Bacon building wage rates resulting in a contract increase of \$59,280.00.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Michigan City, Indiana authorized Housing Authority Counsel to write correspondence to James Childs Architects requesting their insurance compensate determination wage rate error which increased contract construction cost in the amount of \$59,280.00.

Adopted this 19<sup>th</sup> day of April 2010.

Resolution moved by:

Commissioner Hesham Khalil

Resolution seconded by:

Vice Chairperson Ronald Strauss

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Chairperson Carla Mock

ATTEST:

RESOLUTION NUMBER 2010-20

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF MICHIGAN CITY, INDIANA TO APPROVE JAMES CHILDS ARCHITECTS CHANGE ORDER NUMBER 1 WITH CONSTRUCTION CONTRACT INCREASE AMOUNT OF \$59,280.00.

WHEREAS, the Housing Authority of the City of Michigan City awarded contract to Kaser-Spraker Construction, Inc. for Boulevard Gardens Renovations and Scattered Site Driveway Repaving funded by the American Recovery and Reinvestment Act, and

WHEREAS, James Childs Architects, architect hired by the Housing Authority, initially obtained Davis Bacon building determination wage rates from the Department of Labor, and

WHEREAS, the United States Department of Housing and Urban Development (HUD) informed the Housing Authority that Davis Bacon residential determination wage rates should have been implemented instead, and

WHEREAS, as a result of the implementation of the Davis Bacon residential determination wage rates, the total cost of the construction contract result with a net change of \$59,280.00, and

WHEREAS, in order to proceed with construction, change order no. 1 in the amount of \$59,280.00 requires Board approval.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Michigan City, Indiana approved James Childs Architects Change Order No. 1 in the amount of \$59,280.00.

Adopted this 19<sup>th</sup> day of April 2010.

Resolution moved by: Commissioner Hesham Khalil

Resolution seconded by: Commissioner Eddie Wilson

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Chairperson Carla Mock

ATTEST: