

HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

10400 Detrick Avenue
Kensington, Maryland 20895
(240) 627-9425

Minutes

February 5, 2020

20-02

The monthly meeting of the Housing Opportunities Commission of Montgomery County was conducted on Wednesday, February 5, 2020 at 10400 Detrick Avenue, Kensington, Maryland beginning at 4:11 p.m. Those in attendance were:

Present

Jackie Simon, Chair
Richard Y. Nelson, Jr., Vice Chair
Roy Priest, Chair Pro Tem
Linda Croom
Frances Kelleher

Absent

Pamela Byrd

Also Attending

Stacy L. Spann, Executive Director
Cornelia Kent
Charnita Jackson
Christina Autin
Guidy Paul
John Vass
Darcel Cox
Eamon Lorincz
Ian Williams
Fred Swan
Lynn Hayes
Kathryn Hollister
Derrick McLaughlin
Karshia Farrow-Butler

Aisha Memon, Acting General Council
Kayrine Brown
Matt Husman
Nathan Bovel
Jay Berkowitz
Zachary Marks
Ian-Terrell Hawkins
Nargiza Polvanova
Patrick Mattingly
Vivian Benjamin
Bonnie Hodge
Satina Ali
Shirdell Sellman

Resident Advisory Board

Yvonne Caughman, Vice President

IT Support

Gabriel Taube
Arthur Owens
Karlos Taylor

Guest

Karen Lundregan
Macedonia Baptist Church/Bethesda African
Cemetery Coalition

Commission Support

Patrice Birdsong, Spec. Asst. to the Commission

I. **Information Exchange**

Resident Advisory Board (RAB)

- Yvonne Caughman, Vice Chair, updated on activities of the Resident Advisory Board. She reported that the RAB reviewed and approved the FY 20 Year End Payment Standards. The RAB continues to distribute updates on the upcoming 2020 Census and encouraging voter registration with the residents. RAB continues to welcome Division presentations. Real Estate Development/Mortgage Finance and Housing Resources have started off. There will also be outside organizations participating in presentations. Continue to recruit for new membership.

Community Forum

- Macedonia Baptist Church/Moses African American Cemetery Group continues to address the Board.
- Karen Lundregan continues to address the Board with her allegations of discrimination and retaliation from staff.

- II. **Approval of Minutes** - The minutes were approved as submitted with a motion by Vice Chair Nelson and seconded by Commissioner Croom. Affirmative votes were cast by Commissioners Simon, Nelson, Priest, Croom, and Kelleher. Commissioner Byrd was necessarily absent and did not participate in the vote.

A. Approval of Minutes of January 8, 2020

III. **Consent Items**

A. Approval of the Nomination of Sally Roman to the Board of Directors of Housing Opportunities Community Partners, Inc.

The following resolution was adopted upon a motion by Chair Pro Tem Priest and seconded by Commissioner Kelleher. Affirmative votes were cast by Commissioners Simon, Nelson, Priest, Croom, and Kelleher. Commissioner Byrd was necessarily absent and did not participate in the vote.

RESOLUTION NO.: 20-10

RE: Approval of the Nomination of Sally Roman to the Board of Directors of Housing Opportunities Community Partners, Inc.

WHEREAS, the Housing Opportunities Commission of Montgomery County (“Commission”) approved the creation of the non-profit, Housing Opportunities Community Partners, Inc. (“Community Partners”), in 1999 to support the residents and programs of the Commission; and

WHEREAS, the Board of Community Partners unanimously has nominated Sally Roman to fill an *At-large* vacancy on the Community Partners Board; and

WHEREAS, the Commission is required, by the Community Partners’ bylaws, to approve nominees to the Board of Directors of Community Partners.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that Sally Roman is hereby approved and appointed to serve on the Board of Directors of Housing Opportunities Community Partners, Inc.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that its Executive Director is authorized, without any further action on its part, to take any and all other actions necessary and proper to carry out the transaction and action contemplated herein, including the execution of any documents related thereto.

IV. **Information Exchange Continued**

Report of the Executive Director

- Mr. Spann highlighted some of HOC's accomplishments: He spotlighted the Fatherhood Initiative Program, acknowledging Jonathan Cartagena, Resident Employment/Fatherhood Initiative Coordinator and staff. HOC is one of the first Housing Authority in the Country to receive the new Pathways for Fathers and Families Grant from The Office of Administration for Children and Families. Mr. Spann also spotlighted other Agency events such Stewartown Homes renovation project; HOC Academy hosted a Family Science, Technology, Engineering, Arts and Math (STEAM) Night at Magruders Discovery; Montgomery County Homeownership Assistance Program; and joint FSS Graduation Ceremony with DC Housing Authority participants. His final update was on the 2020 Maryland State Legislation.

Commissioner Exchange

- Commissioner Kelleher shared that there are free tax preparation services throughout the County at six sites and AARP at twenty sites for elderly and low-income families.

V. **ADMINISTRATIVE AND SPECIAL SESSION RATIFICATION**

A. None

VI. **COMMITTEE REPORTS and RECOMMENDATIONS FOR ACTION**

A. Legislative and Regulatory Committee – *Com. Byrd, Chair*

1. Authorization to Implement Voucher Payment Standards Based on HUD FY 2020 Small Area Fair Market Rents

Lynn Hayes, Director of Housing Resources, and Guidy Paul, Management Analyst, were the presenters.

The following resolution was adopted upon a motion by Commissioner Croom and seconded by Chair Pro Tem Priest. Affirmative votes were cast by Commissioners Nelson, Priest, Croom, and Kelleher. Commissioner Simon abstained. Commissioner Byrd was necessarily absent and did not participate in the vote.

RESOLUTION NO.: 20-11

**RE: Authorization to Implement Voucher
Payment Standards Based on HUD FY 2020 Small
Area Fair Market Rents**

WHEREAS, the regulations of the U.S. Department of Housing and Urban Development (“HUD”) require that the Housing Opportunities Commission of Montgomery County (“HOC”) establish and implement new Voucher Payment Standards (“VPS”) annually for use in HOC’s administration of the Housing Choice Voucher Program; and

WHEREAS, the establishment of the VPS must be between 90 and 110 percent of the HUD Small Area Fair Market Rents (SAFMR) for the given fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County establishes the Voucher Payment Standards for FY 2020 as shown on Exhibit A.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that the Executive Director, or his designee, is authorized and directed, without further action on its part, to take any and all other actions necessary and proper to carry out the activities contemplated herein.

B. Development and Finance Committee – Com. Simon, Chair

1. Financial Advisor: Approval to Extend the Financial Advisor Contract with Caine Mitter and Associates Incorporated (“CMA”) in Accordance with Current Contract and Procurement Policy

Kayrine Brown, Chief Investment and Real Estate Officer, was the presenter.

The following resolution was adopted upon a motion by Chair Pro Tem Priest and seconded by Vice Chair Nelson. Affirmative votes were cast by Commissioners Simon, Nelson, Priest, Croom, and Kelleher. Commissioner Byrd was necessarily absent and did not participate in the vote.

RESOLUTION NO.: 20-12

RE: Approval to Extend the Financial Advisor Contract with Caine Mitter and Associates Incorporated (“CMA”) in Accordance with the Current Contract and Procurement Policy

WHEREAS, the Housing Opportunities Commission of Montgomery County (the “Commission” or “HOC”) is a public body corporate and politic duly organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, known as the Housing Authorities Law, and the Memorandum of Understanding by and between the Housing Opportunities Commission of Montgomery County and Montgomery County, Maryland (the “County”), dated June 20, 2018, and authorized thereby to issue its notes and bonds from time to time to fulfill its corporate purposes; and

WHEREAS, to advance its mission and operate a successful bond financing program, the Commission engages the services of a number of industry professionals, one of which is a financial advisor; and

WHEREAS, Caine Mitter & Associates Incorporated (“CMA”) has successfully served the Commission since 1979 and was selected on June 7, 2017, to continue to serve the Commission as its financial advisor for a new contract term after completing a full procurement, initially for two years with three optional one year renewals for a maximum term of five years, with each renewal requiring the approval of the Commission; and

WHEREAS, On May 8, 2019, the Commission approved a one-year renewal of the contract with CMA, which expires on June 30, 2020; and

WHEREAS, CMA continues to provide satisfactory financial advisory services to the Commission and the Commission wishes to renew the contract for one year in accordance with the current contract and Procurement Policy; and

NOW THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it approves the renewal of current contract with Caine Mitter & Associates Incorporated to continue to serve the Commission as Financial Advisor for one-year in accordance with terms provided in the current contract in accordance with the Procurement Policy.

BE IT FURTHER RESOLVED that the Housing Opportunities Commission of Montgomery County hereby authorizes and directs the Executive Director, without further action on its part, to take any and all other actions necessary and proper to carry out the transactions contemplated herein.

2. Hillandale Gateway: Approval to Submit the Revised Site Plan for the Development of Hillandale Gateway; Approval of Revised Predevelopment Budget; and Approval of CY 2020 Predevelopment Funding

Zachary Marks, Director of Development, and Kathryn Hollister, Senior Financial Analyst, were the presenters.

The following resolution was adopted upon a motion by Vice Chair Nelson and seconded by Chair Pro Tem Priest. Affirmative votes were cast by Commissioners Simon, Nelson, Priest, Croom, and Kelleher. Commissioner Byrd was necessarily absent and did not participate in the vote.

RESOLUTION NO.: 20-13

RE: Approval to Submit the Revised Site Plan for the Development of Hillandale Gateway; Approval of Revised Predevelopment Budget; and Approval of CY 2020 Predevelopment Funding

WHEREAS, the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”), is the owner of a 96-unit rental property in Hillandale known as Holly Hall Apartments located on approximately 4.35 acres of land at 10110 New Hampshire Avenue, Silver Spring, MD 20903 (“Holly Hall”); and

WHEREAS, HOC is the sole member of HOC at Hillandale Gateway, LLC, which is a member of Hillandale Gateway, LLC, the entity that will redevelop the Holly Hall site; and

WHEREAS, on July 11, 2014, HOC purchased a 43,671 square foot parcel of land located at the southwest corner of Powder Mill Road and New Hampshire Avenue (the “CONA Site”) from Capital One Bank, N.A.;

WHEREAS, on July 8, 2015, the Commission authorized the creation of a joint venture between The Duffie Companies (“Duffie”) and HOC (together, the “Development Team”) to redevelop Holly Hall and the CONA Site (“the Redevelopment Properties”), where HOC will contribute the Redevelopment

Properties and Duffie contributed cash, both purchasing respective ownership interests (70% to HOC and 30% to Duffie) in the venture; and

WHEREAS, on October 7, 2015, March 1, 2017, and January 9, 2019 the Commission authorized loans to Hillandale Gateway, LLC from HOC's Opportunity Housing Reserve Fund ("OHRF") in the total amount of \$3,504,470 to fund predevelopment activities related to the redevelopment of the Redevelopment Properties; and

WHEREAS, on January 3, 2017 and on August 14, 2017 the Development Team submitted Concept Plan and Sketch Plan applications, respectively, to the Montgomery County Planning Board ("Planning Board") for the Redevelopment Properties, and on November 16, 2017, the Planning Board approved the Sketch Plan application; and

WHEREAS, on May 8, 2019, the Commission approved the site design (the "Site Plan") for the Redevelopment Properties, which comprised of one age-restricted apartment building, one non-age-restricted apartment building, one parking garage, one free standing retail building with drive-through (together, "Phase One"), and one commercial building ("Phase Two"), and authorized the Development Team to submit an application to the Planning Board for Site Plan approval for the Redevelopment Properties;

WHEREAS, the Development Team has revised the Site Plan for the Redevelopment Properties in response to comments received from Montgomery County's Planning Department and Department of Transportation;

WHEREAS, the Development Team has explored alternative development options to Phase Two, and recommends replacing the Phase Two commercial building with two smaller restaurant and/or retail pads ("Pads"), to be delivered as part of Phase One, and to include these Pads in the revisions to the Site Plan ("Revised Site Plan") for the Redevelopment Properties;

WHEREAS, the Commission desires to approve the Revised Site Plan and authorize the Development Team to submit the Revised Site Plan to Montgomery County's Planning Department;

WHEREAS, the Commission desires to approve a revised predevelopment budget in the amount of \$7,990,437, representing \$3,271,877 in predevelopment funding spent to date and \$4,718,560 in anticipated predevelopment spending of the Redevelopment Properties through close of construction financing (anticipated to occur in 2021); and

WHEREAS, the Commission desires to approve predevelopment funding for calendar year 2020 in an amount up to \$2,868,000 to cover predevelopment costs of the Redevelopment Properties through December 31, 2020; and

WHEREAS, staff recommends approval of a loan in the amount of \$2,868,000 to Hillandale Gateway, LLC to be funded from HOC's OHRF to cover predevelopment and entitlement work for the Redevelopment Properties for calendar year 2020, and such loan shall accrue interest at the applicable federal rate and will be repaid from the proceeds of Hillandale Gateway, LLC's redevelopment construction-period financing.

WHEREAS, the Commission currently intends and reasonably expects to participate in tax-exempt borrowings to finance such capital expenditures for the redevelopment of the Redevelopment

Properties in an amount not to exceed \$100,000,000, *all or a portion of which may reimburse* the Commission for the portion of such capital expenditures incurred or to be incurred subsequent to the date which is 60 days prior to the date hereof but before such borrowing, and the proceeds of such tax-exempt borrowing will be allocated to reimburse the Commission's expenditures within 18 months of the later of the date of such capital expenditures or the date that the Redevelopment Properties is placed in service (but in no event more than 3 years after the date of the original expenditure of such moneys); and

WHEREAS, the Commission hereby desires to declare its official intent, pursuant to Treasury Regulation §1.150-2, to reimburse the Commission for such capital expenditures with the proceeds of the Commission's future tax-exempt borrowing for such projects named in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it approves the Revised Site Plan for the Redevelopment Properties and authorizes the Development Team to submit the Revised Site Plan to Montgomery County's Planning Department.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it approves the revised predevelopment budget of \$7,990,437, representing \$3,271,877 in predevelopment funding spent to date and \$4,718,560 in anticipated predevelopment spending for the redevelopment of the Redevelopment Properties through closing of construction financing.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it approves predevelopment funding for calendar year 2020 in an amount up to \$2,868,000 to cover predevelopment costs related to the redevelopment of the Redevelopment Properties through December 31, 2020.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County, that it authorizes a loan to Hillandale Gateway, LLC from HOC's OHRF in the amount of \$2,868,000, accruing interest at the applicable federal rate and to be repaid at the closing of Hillandale Gateway, LLC's redevelopment construction-period financing.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County, acting on behalf of itself and on behalf of HOC at Hillandale Gateway, LLC, as its sole member, that the Executive Director, or his designee, is authorized to take any and all actions necessary and proper to carry out the transactions and actions contemplated herein, including the execution of any documents related to Hillandale Gateway, LLC's acceptance of the loan from HOC's OHRF in an amount up to \$2,868,000.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it presently intends and reasonably expects to finance costs related to the predevelopment and other expenditures of the Redevelopment Properties located in the Hillandale area of Montgomery County, with moneys currently contained in its OHRF and any other funds of the Commission so designated for use by the Commission.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that all of the capital expenditures covered by this Resolution which may be reimbursed with proceeds of tax-exempt borrowings will be incurred not earlier than 60 days prior to the date of this Resolution except preliminary expenditures as defined in Treasury Regulation Section 1.150-2(f)(2) (e.g. architect's fees, engineering fees, costs of soil testing and surveying).

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it presently intends and reasonably expects to participate in tax-exempt borrowings of which proceeds in an amount not to exceed \$100,000,000 will be applied to reimburse the Commission for its expenditures in connection with the Redevelopment Properties.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that all prior acts and doings of the officials, agents and employees of the Commission which are in conformity with the purpose and intent of this Resolution, and in furtherance of the redevelopment of the Redevelopment Properties, shall be and the same hereby are in all respects ratified, approved and confirmed.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that all other resolutions of the Commission, or parts of resolutions, inconsistent with this Resolution are hereby repealed to the *extent* of such inconsistency.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that the Executive Director, or his designee, is hereby authorized, without any further action on its part, to take any and all actions necessary and proper to carry out the transactions and actions contemplated herein, including the execution of any documents related thereto.

3. Wheaton Gateway: Approval of the CY 2020 Predevelopment Budget and Funding for Wheaton Gateway; Approval of a Loan to Wheaton Gateway, LLC; Approval of the Concept Plan for the Redevelopment of the Ambassador Apartments/Lindsay Ford/Mattress Firm Sites

Kayrine Brown, Chief Investments and Real Estate Officer, and Zachary Marks, Director of Development, were the presenters.

The following resolution was adopted upon a motion by Vice Chair Nelson and seconded by Commissioner Kelleher. Affirmative votes were cast by Commissioners Simon, Nelson, Priest, Croom, and Kelleher. Commissioner Byrd was necessarily absent and did not participate in the vote.

RESOLUTION NO.: 20-14

RE: Approval of the CY 2020 Predevelopment Budget and Funding for Wheaton Gateway; Approval of a Loan to Wheaton Gateway, LLC; Approval of the Concept Plan for the Redevelopment of the Ambassador Apartments/Lindsay Ford/Mattress Firm Sites

WHEREAS, Wheaton-University Boulevard Limited Partnership, a Maryland limited partnership, a subsidiary of HOC, owns the residential condominium unit in a vacant and to-be-demolished 162-unit mixed-use rental property (the "Ambassador Condo") in Wheaton located at 2715 University Blvd W., Silver Spring, MD 20902 (the "Ambassador Property"); and

WHEREAS, Wheaton Commercial Center Associates Limited Partnership, a Maryland partnership ("WillCo"), which is part of a third generation real estate development and investment company based in Montgomery County, Maryland and commonly known as WillCo, owns the commercial condominium unit in the

Ambassador Condo and owns the immediately adjacent approximately Fourteen Thousand and Twenty Three (14,023) square foot corner property at 11200 Veirs Mill Road in Wheaton, Maryland (the "Mattress Firm Property"); and

WHEREAS, HOC, in accordance with previous Commission resolutions, completed the acquisition of a site adjacent to the Ambassador Property and the Mattress Firm Property with a main address of 11250 Veirs Mill Road and commonly known as the "Lindsay Ford Property" on January 17, 2019 (and collectively with the Ambassador Property and the Mattress Firm Property, the "Property"); and

WHEREAS, HOC is holding the Lindsay Ford Property in a single purpose entity known as HOC at 11250 Veirs Mill Road, LLC (the "Venture Property Entity"); and

WHEREAS, on August 9, 2017, the Commission authorized the creation of a joint venture known as Wheaton Gateway, LLC between The Duffie Companies ("Duffie") and HOC in order to further the potential redevelopment of the Ambassador Property and the surrounding area; and

WHEREAS, on August 9, 2017, the Commission authorized the creation of a joint venture known as Wheaton Gateway, LLC ("Wheaton Gateway") between The Duffie Companies ("Duffie") and HOC in order to further the potential redevelopment of the Ambassador Property and the surrounding area; and

WHEREAS, on April 3, 2019, the Commission authorized the creation of a joint venture, Wheaton Ventures, LLC ("Wheaton Venture") between Wheaton Gateway and WillCo and approved a land assembly strategy in which HOC will contribute the Venture Property Entity to Wheaton Venture and then WillCo and HOC will convey the Mattress Firm Property and the Ambassador Property to the Venture Property; and

WHEREAS, in order to advance the predevelopment efforts of the Venture Property, the Commission desires to approve the Concept Plan for the redevelopment of the Property and authorize its submission to the Montgomery County Planning Department; and

WHEREAS, the Commission desires to approve the calendar year 2020 Predevelopment Budget in the amount of \$2,392,500 to cover predevelopment costs related to the redevelopment of the Property (the "Wheaton Gateway Redevelopment") and needed to continue with the design and planning options for the redevelopment plan; and

WHEREAS, staff recommends that the calendar year 2020 predevelopment budget be funded from the Opportunity Housing Reserve Fund ("OHRF"), which will be repaid upon the closing of the construction or permanent financing of the Properties; and

WHEREAS, staff recommends a draw of half of the calendar year 2020 predevelopment budget in the amount of \$1,196,250 from the OHRF, which shall be loaned to Wheaton Gateway, LLC at an interest at the greater of Prime or 6% to fund the ongoing predevelopment costs for the Wheaton Gateway Redevelopment; and

WHEREAS, the Commission currently intends and reasonably expects to participate in tax-exempt borrowings to finance such capital expenditures in an amount not to exceed \$125,000,000, all or a portion of which may reimburse the Commission for the portion of such capital expenditures incurred or to be incurred subsequent to the date which is 60 days prior to the date hereof but before such borrowing, and the proceeds of such tax-exempt borrowing will be allocated to reimburse the Commission's expenditures within 18 months of the later of the date of such capital expenditures or the

date that the applicable project comprising the Wheaton Gateway Redevelopment to which such expenditure applies is placed in service (but in no event more than 3 years after the date of the original expenditure of such moneys); and

WHEREAS, the Commission hereby desires to declare its official intent, pursuant to Treasury Regulation §1.150-2, to reimburse the Commission for such capital expenditures with the proceeds of the Commission's future tax-exempt borrowing for such projects named in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it approves the Concept Plan for the redevelopment of the Property and authorizes the Development Team to submit the Concept Plan to the Montgomery County Planning Department.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it approves the calendar year 2020 total predevelopment budget of \$2,392,500 for the Wheaton Gateway Redevelopment through December 2020.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that the calendar year 2020 predevelopment budget shall be funded from the OHRF, which will be repaid upon the closing of the construction or permanent financing of the Properties.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it approves a draw of half of the calendar year 2020 predevelopment budget in the amount of \$1,196,250 from the OHRF, which shall be loaned to Wheaton Gateway, LLC at an interest at the greater of Prime or 6% to fund the ongoing predevelopment costs for the Wheaton Gateway Redevelopment.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it presently intends and reasonably expects to finance costs related to the predevelopment and other expenditures of the Wheaton Gateway Redevelopment with moneys currently contained in its OHRF and any other funds of the Commission so designated for use by the Commission.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that all of the capital expenditures covered by this Resolution which may be reimbursed with proceeds of tax-exempt borrowings will be incurred not earlier than 60 days prior to the date of this Resolution except preliminary expenditures as defined in Treasury Regulation Section 1.150-2(f)(2) (e.g. architect's fees, engineering fees, costs of soil testing and surveying).

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it presently intends and reasonably expects to participate in tax-exempt borrowings of which proceeds in an amount not to exceed \$125,000,000 will be applied to reimburse the Commission for its expenditures in connection with the Wheaton Gateway Redevelopment.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that all prior acts and doings of the officials, agents and employees of the Commission which are in conformity with the purpose and intent of this Resolution, and in furtherance of the redevelopment of the Wheaton Gateway Redevelopment, shall be and the same hereby are in all respects ratified, approved and confirmed.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that all other resolutions of the Commission, or parts of resolutions, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County, acting for itself and in its capacity as sole member of HOC at Wheaton Gateway, LLC (“HOC at Wheaton”), a member of Wheaton Gateway, that HOC, HOC at Wheaton and Wheaton Gateway are each authorized to take any and all actions necessary and proper to carry out the transactions and actions contemplated herein, including the execution of any documents related to Wheaton Gateway, LLC’s acceptance of the loan from HOC’s OHRF in the amount of \$1,196,250.

BE IT FURTHER RESOLVED that the Housing Opportunities Commission Montgomery County authorizes the Executive Director, without any further action on its part, to take any and all other actions necessary and proper to carry out the transaction and actions contemplated herein.

VII. **ITEMS REQUIRING DELIBERATION and/or ACTION**

1. None

VIII. **ELECTION OF OFFICER**

Executive Director Spann opened the floor for nomination of the following Officers, Chair, Vice Chair, and Chair Pro Tem, to the Housing Opportunities Commission Board. Motion was made by Commissioner Simon to elect Roy Priest to Chair. Affirmative votes were cast by Commissioners Simon, Nelson, Croom, and Kelleher. Commissioner Byrd was necessarily absent and did not participate in the vote.

Executive Director Spann called for the nomination of Vice Chair. Motion was made by Commissioner Nelson to elect Frances Kelleher. Affirmative votes were cast by Commissioners Simon, Nelson, Priest, and Croom. Commissioner Byrd was necessarily absent and did not participate in the vote.

Executive Director Spann called for the nomination of Chair Pro Tem. Motion was made by Commissioner Priest to elect Richard Y. Nelson, Jr. Affirmative votes were cast by Commissioners Simon, Priest, Croom, and Kelleher. Commissioner Byrd was necessarily absent and did not participate in the vote.

Executive Director Spann made a motion to close the nominations. Affirmative votes cast by Commissioners Simon, Nelson, Priest, Croom, and Kelleher. Commissioner Byrd was necessarily absent and did not participate in the vote.

Based upon this report and there being no further business to come before this session of the Commission, the open session adjourned at 5:46 p.m.

Respectfully submitted,

Stacy L. Spann
Secretary-Treasurer

/pmb

Approved: March 4, 2020