

## **HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY**

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

### **Development and Finance Committee Minutes**

**December 18, 2020**

For the official record of the Housing Opportunities Commission of Montgomery County, an open meeting of the Development and Finance Committee was conducted via an online platform and teleconference on Friday, December 18, 2020, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland beginning at 10:03 a.m. Those in attendance were:

#### **Present**

Jackie Simon, Chair – Development and Finance Committee  
Roy Priest - Commissioner  
Richard Y. Nelson – Commissioner

#### **Guest**

Jeffrey Merkowitz - Commissioner

#### **Also Attending**

Stacy Spann, Executive Director  
Aisha Memon, General Counsel  
Eamon Lorincz, Deputy General Counsel  
Hyunsuk Choi  
Kristyn Greco  
Nicolas Deandreis  
Cornelia Kent  
Darcel Cox  
Gail Willison  
Nathan Bouvelle

Kayrine Brown, Deputy Executive Director  
Zachary Marks  
Jennifer Arrington  
Marcus Ervin  
Claire Kim  
Kathryn Hollister  
Jay Shepherd  
Gio Kaviladze  
Victoria Dixon  
Patrice Birdsong, Spec. Asst. to Commission

Commissioner Simon opened the meeting of the Development and Finance Committee with an introduction of the Commissioners who participate on the Committee, Jackie Simon, Chair, Roy Priest, and Richard Y. Nelson, Jr. Commissioner Merkowitz joined the meeting as a guest.

## **APPROVAL OF MINUTES**

The minutes of the November 20, 2020 Development and Finance Committee were approved as submitted with a motion by Commissioner Nelson and seconded by Commissioner Priest. Affirmative votes were cast by Commissioners Simon, Priest, and Nelson.

## **DISCUSSION ITEMS**

### **1. Missing Middle: Approval for the Executive Director to Execute Task Order to Engage Selzer Gurvitch Rabin Wertheimer & Polott, P.C. for Legal Services**

Kayrine Brown, Deputy Executive Director, introduced Jay Shepherd, Senior Financial Analyst, who provided the presentation. The team requested that the Development and Finance Committee join staff's recommendation that the full Commission approve a Task Order to select Selzer, Gurvitch, Rabin, Wertheimer & Polott, P.C. for legal land use services, and authorize the Executive Director to approve a purchase order to commence the work.

Commissioner Priest ask for clarity on the request of the budget increase and for Mr. Shepherd to explain the Missing Middle concept. Mr. Shepherd explained that the Missing Middle concept is a development process in which you have higher density with a suburban feel. Commissioner Nelson also commented on the budget increase and recommended that the packet be amended to include the Executive Director's authority to approve legal services, to approve the necessary purchase orders, and increased budget amounts.

A motion was made by Commissioner Nelson and seconded by Commissioner Priest to recommend the item for approval at the January 13, 2021 monthly Commission meeting. Affirmative votes were cast by Commissioners Simon, Priest and Nelson.

### **2. Bond Counsel Contracts: Renewal with Kutak Rock LLP and Ballard Spahr LLP in Accordance with the Current Contract and Procurement Policy**

Kayrine Brown, Deputy Executive Director, provided the presentation. She explained the Team's request to recommend to the full Commission to renew contract with Kutak Rock, LLP and Ballard Spahr, LLP as Bond Counsel and extend the current contract for one year.

Commissioners expressed their concerns on decoupling the cost of the two and consider staggering terms when contract expires to prevent loss of qualified Bond Counsel. Recommended for further discussions at a later time.

A motion was made by Commissioner Priest and seconded by Commissioner Nelson to recommend the item for approval at the January 13, 2021 monthly Commission meeting. Affirmative votes were cast by Commissioners Simon, Priest and Nelson.

**3. Metropolitan: Approval to Select Miner Feinstein Architects as Architect, Authorization for the Executive Director to Negotiate and Execute a Contract, and Authorization to Make Loans to Metropolitan Bethesda Limited Partnership and Metropolitan Development Corporation**

Kayrine Brown, Deputy Executive Director, introduced Hyunsuk Choi, Senior Financial Analyst, who provided a summary overview of the recommendation of Miner Feinstein Architects as the architect services for renovation of The Metropolitan Apartment.

Commissioners expressed their concerns of creating opportunities and encouraging more qualified firms to hire minority firms and comply with Section 3 as it relates to hiring skilled residents with outside firms. Executive Director Spann informed that the Procurement Office is working on a process in tracking this process.

Commissioner Nelson expressed an interest in discussing OHRF Loans. Staff will coordinate a session for discussion.

Commissioner Merkowitz asked about the volume cap and how it is allocated. Staff answered that decisions were made according to projects that are close to completion.

A motion was made by Commissioner Nelson and seconded by Commissioner Priest to recommend the item for approval at the January 13, 2021 monthly Commission meeting. Affirmative votes were cast by Commissioners Simon, Priest and Nelson.

**4. Stewartown Homes: Financing Plan, Feasibility, and Public Purpose for Stewartown Homes; Issuance of a Commitment, and Loan to HOC at Stewartown Homes, LLC for Acquisition, Construction, and Permanent Financing; and Borrower Acceptance of Loan in Accordance with the Finance Plan**

Kayrine Brown, Deputy Executive Director introduced Victoria Dixon, Senior Multifamily Underwriter, who provided a presentation on the Stewartown Homes Financing and Feasibility

Plan. The team requested that the Development and Finance Committee join staff's recommendation that the full Commission approve the final financing plan, feasibility and public purpose plan, and bond authorizing resolution for Stewartown Homes.

A motion was made by Commissioner Nelson and seconded by Commissioner Priest, acknowledging the impact of the Bond Financing in creating all sources of financing in making this transaction happen, and for recommendation for approval at the January 13, 2020 monthly Commission meeting. Affirmative votes were cast by Commissioners Simon, Priest and Nelson.

**5. West Side Shady Grove (WSSG): Approval to Authorize the Executive Director to Execute a Guaranteed Maximum Price ("GMP") contract with Bozzuto Construction Company**

Kayrine Brown, Deputy Executive Director introduced Marcus Ervin, Housing Acquisitions Manager, who provided a presentation on the West Side Shady Grove. The team requested that the Development and Finance Committee join staff's recommendation that the full Commission authorize the Executive Director to execute a Guaranteed Maximum Price contract with Bozzuto Construction Company.

Commissioner Merkowitz had questions in regards to market comparable properties and requested when presenting the construction cost to provide a key to the square footage terms. Commissioner Nelson suggested that the Davis-Bacon cost be identified.

A motion was made by Commissioner Nelson and seconded by Commissioner Priest to recommend the item for approval at the January 13, 2021 monthly Commission meeting. Affirmative votes were cast by Commissioners Simon, Priest and Nelson.

Commissioner Simon thanked the staff for thorough packet of information. The meeting adjourned at 11:40 a.m.

Next scheduled meeting is January 22, 2021.

Respectfully submitted,

Stacy L. Spann  
Secretary-Treasurer

/pmb

**Approved: January 22, 2021**