

**JOURNAL OF THE PROCEEDINGS
OF THE BOARD OF COMMISSIONERS
OF THE HOUSING AUTHORITY OF COOK COUNTY**

**REGULAR SESSION, OPEN TO THE PUBLIC
September 21, 2023 at 2:01 pm**

ROLL CALL

COMMISSIONERS PRESENT

Wendy Walker Williams, Chair
Polly Kuehl, Vice Chair
Dr. Normah Salleh-Barone, Commissioner
Nilda Soler, Commissioner
Elaine Kroll, Commissioner
Eric L. Slaughter, Commissioner
Herb Porter, Commissioner

HACC STAFF PRESENT

Jon Duncan, Temporary Executive Director and General Counsel
Sheryl Seiling, Director of Rent Assistance
Deborah O'Donnell, Procurement Manager
Raquel Burnette, Director of Human Resources
Tina Pourroy, Development Associate
Marcus King, Director of Strategy and Communication
Kevan Casson, Director of Human Services
Diana Cornejo, Human Resources Generalist
Darrick Shafer, Regional Director, North
Chalone Liddell, Regional Director, South
Nahid Khumawala, Comptroller

CALL TO ORDER

Chair Wendy Walker Williams called the September 21, 2023 meeting of the Board of Commissioners of the Housing Authority of Cook County to order at approximately 2:01 p.m. Each person who was present introduced themselves.

PUBLIC COMMENTS

Chair Wendy Walker Williams opened the floor for public comments. No public comments were submitted.

CONSENT AGENDA

A motion was made by Commissioner Nilda Soler and seconded by Commissioner Eric Slaughter for approval of the consent agenda, which included approval of the Minutes of the Regular Board Meeting of August 19, 2023 and approval of the Minutes of the Executive Session of August 19, 2023. The motion carried with all “ayes.”

EXECUTIVE DIRECTOR’S REPORT

Temporary Executive Director and General Counsel Jon Duncan reported that the HACC timely filed its response to HUD’s Troubled Designation letter, and copies were sent to all of the HACC Board Members and to County Board President Toni Preckwinkle. He also reported that he, Chair Wendy Williams, and Vice-Chair Polly Kuehl met with President Preckwinkle about the troubled designation on September 15, 2023.

Mr. Duncan reported that HUD’s Recovery Team will be reviewing the HACC’s response to determine what further assistance may be provided by HUD. The HACC will have two important benchmarks to recover from HUD’s Troubled Designation: (1) a PHAS score of at least 51 on the PHAS assessment that occurs after July 27, 2024; and (2) a full recovery PHAS score of 60 or higher on the subsequent PHAS assessment.

Mr. Duncan noted that the response to the Troubled Designation letter mentioned that our low PHAS score was due, in part, to a miscalculation by HUD of the HACC’s Occupancy Rate. HUD calculated our Occupancy Rate to be 88%, but HUD incorrectly included 65 apartment units that had been approved for demolition in its calculation. HUD rules provide that units that have been approved for demolition are not supposed to be included in the Occupancy Rate calculation. If those units had not been included, the HACC’s Occupancy Rate would be 94%, instead of 88%, which would have improved our PHAS score to 55 and would have resulted in a “Standard” management score.

An appeal of the PHAS score was filed with HUD on this basis on August 24, which remains pending.

Mr. Duncan also provided a summary of pending litigation in which the HACC is a party. There currently are nine routine civil lawsuits pending in the Circuit Court of Cook County and one civil case in Winnebago County in which the HACC is a defendant. The Housing Authority is also the plaintiff in 20 eviction cases that are currently pending.

A jury trial in a personal injury case in which the HACC was a defendant was held in the Circuit Court of Cook County during the week of August 23. The case involved an alleged slip and fall by a tenant in the Henrich House parking lot in Des Plaines. The Plaintiff had demanded \$120,000 to settle the case before the trial, and requested over \$270,000 in damages from the jury. The HACC’s position was that it was not negligent and was not liable for any amount. Our attorneys asked the jury to enter a no liability verdict in favor of the HACC. The jury verdict was in favor of the Plaintiff, but the jury’s monetary award was just below \$75,000. No appeal will be filed and the judgment is being paid by our risk pool. *Nugent-Kennedy v. Housing Authority of Cook County, et al.*, Case No. 2019 L 003080.

One federal civil appeal still remains pending in the United States Court of Appeals for the Seventh Judicial Circuit from a District Court’s decision in the HACC’s favor in a housing discrimination case. The case has been fully briefed since June 5, 2023. Because the lower court’s decision was made on the submitted written materials, the Court of Appeals similarly usually rules in this type of case without holding an oral argument. However, the Court could issue an order scheduling oral argument at any time. *Talley and Bonds v. HACC, et al.*, Consolidated Case Nos. 23-1097 and 23-1167 (CA7).

FINANCIAL REPORT

Comptroller Nahid Khumawala presented a summary of the written financial report. She discussed reductions in overtime work at the HACC-managed properties, and some adjustments that were needed in financial reporting to more accurately reflect the HACC's financial condition. She also discussed automation of some of the financial reporting functions in order to improve efficiency, and some of the details of the recordkeeping system.

OTHER BUSINESS

MOTION TO CONVENE IN EXECUTIVE SESSION (CLOSED TO THE PUBLIC)

Chair Wendy Walker Williams requested a motion to move into an Executive Session, closed to the public, pursuant to Section 2(c)(1) of the *Illinois Open Meetings Act* [5 ILCS 20/2(c)(1)], in order to discuss the employment, compensation and performance of a specific employee and, pursuant to Section 2(c)(3) of the *Illinois Open Meetings Act* [5 ILCS 20/2(c)(3)], in order to discuss the selection of a person to fill a vacancy in a statutory public office, that being the position of Executive Director of the Housing Authority of Cook County.

The motion to move into Executive Session was made by Commissioner Eric Slaughter and seconded by Commissioner Nilda Soler. The motion carried with all "ayes," after which the Board moved into Executive Session for which minutes are kept separately.

BOARD RETURNS TO REGULAR PUBLIC SESSION

Following the Executive Session, the Board moved back into Regular Public Session.

General Counsel Jon Duncan noted in Public Session that no votes had been taken during the Executive Session, other than to approve a motion to adjourn the Executive Session and to return to the Public Session.

ADJOURNMENT

There being no further business for the Board's consideration Following the conclusion of the Executive Session, Chair Wendy Walker Williams requested a motion to adjourn the Regular Meeting, which was made by Commissioner Herb Porter and seconded by Commissioner Normah Salleh-Barone. The motion to adjourn carried with all "ayes."

The Regular meeting concluded at approximately 6:22 p.m.

Respectfully submitted by:



Jon A. Duncan

Temporary Executive Director and General Counsel



DATE