

CITY OF BRUNSWICK OFFICE OF THE MAYOR

601 Gloucester Street • Post Office Box 550 • Brunswick • Georgia • 31520-0550 • (912) 267-5529 • cell (912) 400-1504

January 6, 2023

Brunswick Housing Authority
Attn: William Kitts, Chairman
1126 Albany Street
Brunswick, Georgia 31520

Via Hand Delivery and Email

Re: Brunswick Housing Authority – Notice of Removal

Chairman Kitts:

Pursuant to O.C.G.A. § 8-3-53, the Mayor is authorized to remove a commissioner of an authority for inefficiency, neglect of duty, or misconduct of office. As a standard of review I considered the following statement related to the duties and obligations of a Housing Authority Commissioner:

Commissioners are charged with ensuring fairness in the administration of Housing Authority policies, attracting adequate resources, balancing the demands of conflicting community groups, and winning public support. A Commissioner shall have no role in the day-to-day operations, no role in the hiring, direction, or evaluation of staff, and no role in staff grievances.

For the reasons set forth below, I am electing to remove you from office.

Misconduct of Office

Sexual Harassment Allegations

On October 26, 2022, after putting you on notice of my intent to investigate concerns voiced by the community, I received an email from an employee of the Brunswick Housing Authority (BHA). In this email, BHA Employee I makes disturbing allegations against you regarding statements made of a sexual nature in the BHA offices. Included in those allegations is an acknowledgement by the BHA that you were to receive training and to have no further contact with the employee. I elect not to delve into these allegations in detail as they are archived in my administration's background documents.



While the allegations alone represent misconduct on the level to warrant your removal from office, it also demonstrates a troubling pattern of overreach in your seat as a commissioner whose sole focus should be on providing safe, healthy, and accessible housing for the citizens of our area. HUD guidance makes clear that a singular commissioner should not interfere with the day-to-day operations of the authority, in this instance and many others this federal guidance was breached.

Employment Discrimination Allegations

On October 4, 2022, a potential BHA employee notified the City of Brunswick of grievance charges being filed against the BHA. In the notice they specifically reference your failure to respond to multiple requests for a resolution to the matter. During my investigation, it was discovered that you were directly involved in the events surrounding this person's attempted employment with the BHA.

It was also discovered that you were aware of inappropriate behavior from BHA staff directed towards this potential employee. Not only was it grossly inappropriate to have been involved in the employment process, but your involvement exacerbated a negative ecosystem around hiring and fundamental day to day processes. Furthermore, your interference with requests from sitting commissioners to address the inappropriate behavior is a direct interference with the hiring practices of the Agency.

Inappropriate Influence on Interim Staff Search

While conducting my investigation I spoke with three of five of the then seated BHA commission. During these recorded conversations I questioned commissioners on their initial interactions with any interim BHA staff persons or contractors recently hired by the BHA. Prior to this investigation, the City Attorney and I met with you and the BHA Attorney to discuss the selection of interim staff persons as well as contractor selection. During that initial meeting, you stated you had never met any interim BHA staff persons prior to any search completed for that needed staff. A currently seated BHA Commissioner revealed that not only had you known potential interim staff prior to the resignation of current staff, you also had previous knowledge of a law firm that would assist in ensuring that the interim staff of your choosing would be selected. This collusion was done outside of the other commissioners and clearly tainted the search for the needed interim staff.

Several seated BHA Commissioners provided a detail accounting of your undue influence on this process which clearly constitutes misconduct in office.

Inefficiency

Contracts and Employment Decisions

On July 13, 2022, multiple contracts were presented to the BHA Board for approval. HUD Guidance makes clear the Chairman is responsible for setting the agenda of the meeting. The contracts presented for approval contained glaring inaccuracies and clearly inappropriate requests from certain contractors. Only when vigorously questioned by a newly seated BHA Commissioner, did you send these egregiously concocted contracts back to the finance committee with clear instructions not to evaluate their need in connection to a clear plan but to get them done because newly acquired interim staff demanded them be approved.

Those contracts, which are discussed again below, provided for interim staff to hire private attorneys to serve as consultants, a separate firm to conduct audit services, and an additional consultant to perform policy review. Notably, at the time of these contracts being placed on the agenda for approval, the BHA was represented by counsel capable of policy review and received annual auditing services from a licensed and certified public accounting firm. To allow these contracts to be presented

to your fellow commissioners, many of whom indicated the contracts had never been disclosed prior, was improper. Ultimately, the contracts approval of redundant services constitutes inefficiency of office.

Micromanagement of Staff

Your role of chairman and commissioner at the BHA is to serve in a representative capacity to vote alongside your fellow commissioners based on the recommendations of staff. In contrast, the role of a commissioner is not one that interferes with the day-to-day operations of the agency.

Based on the investigation, the evidence demonstrates a clear and troubling pattern of your presence at the BHA office on a near-daily basis. Additionally, reports from the Boys and Girls Club, City Commission and other agencies present clear evidence of your presence at staff level meetings and site visits. This is particularly troubling considering correspondence received from both the Boys and Girls Club as well as currently employed BHA staff.

The evidence discovered through my investigation shows a pattern that is in contrast of the values listed above. The improper micromanagement of an agency's staff causes confusion, failures in communication, and destroys the checks and balances that should be in place between a Board of Commissioners and the underlying staff. These issues are clearly present based on the multiple complaints lodged by current or former staff at the BHA. Additionally, your improper involvement in the hiring practices of the Agency caused grievances and your involvement in the negative reporting against the Boys and Girls Club lost public support and clearly disenfranchised an important community partner.

The constant overreach and interference in the day-to-day operations creates inefficiency and therefore serves as grounds for removal.

Neglect of Duty

As a commissioner you are also tasked with the duty to make decisions that are in the best interest of the BHA. As outlined above, your influence in the search for interim staff resulted in a tainted process and thereby a polluted selection.

Additionally, as a result of your influence on the selection, you appeared to conspire with incoming interim staff to include contracts for approval on July 13, 2022, that contained inaccuracies and appeared clearly structured to provide lucrative incentives to private attorneys previously connected to incoming interim staff. No Commissioner I interviewed that was present at the July 13th meeting indicated these contracts had been provided for review prior to the meeting.

It goes without saying that while the contracts were ultimately approved with significant legal amendments, there is a clear conflict of interest in your participation in the hiring of interim staff and subsequent awarded contracts. This is clearly a failure of the duty you owe to the citizens who call our public housing home but also to the employees of the BHA and your fellow commissioners to make decisions that are in the best interests of the Agency and our City.

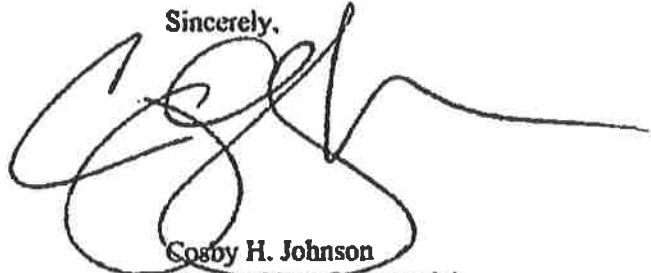
What is most troubling about the allegations, in the above paragraphs is that while these contracts were being secured, the BHA failed to properly file its Section Eight Management Assessment Program (SEMAP). The failure to appropriately acquire interim staff capable of completing and filing SEMAP is grounds for deep consideration for removal. Coupling this failure

with your clear undue influence on the hiring decision is a neglect of the duty you owe to make decisions in the best interests of the BHA.

Please allow this letter to serve as notice required by O.C.G.A. § 8-3-53, of the commissioner's rights to be heard in person or by counsel.

Please contact my office to discuss how you wish to proceed. Thank you for your attention to this matter.

Sincerely,



Cosby H. Johnson
Mayor, City of Brunswick

c: