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"Providing Safe and Affordable Housing Opportunities"

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Board of Commissioners Meeting

July 20, 2016
5:30 p.m.
PAHA Conference Room

AGENDA

1. **Call to Order** – Robin Cruz, BOC Chair
2. **Invocation**
3. **Roll Call** – Robin Cruz, BOC Chair
4. **Approval of Agenda**
5. **Approval of Minutes BOC meeting** – June 22, 2016
6. **Opening Remarks** – Floyd Tortalita, Executive Director
7. **New Business**
 - a.) 2015 PAHA Financial Audit – *Owen Ondelacy, Finance Manager*
 - b.) PAHA LIHTC Homes #1 Investor – *Floyd Tortalita, Executive Director*
8. **Department Reports -**
 - a.) Finance – *Owen Ondelacy, Finance Manager*
 - b.) Housing Services – *Jennette Steward, Housing Services Manager*
 - c.) Development – *Francisco Carr, Development Manager*
 - d.) Executive Director's Update – *Floyd Tortalita, Executive Director*
9. **Announcements & Schedule Next BOC Meeting**

August BOC Meeting – August 9, 2016 - 5:30 pm – PAHA Conference Room
10. **Adjournment**



Minutes of June 22, 2016
PAHA Board of Commissioners Regular Meeting
PAHA Conference Room- 5:30pm

1. Call to Order: 5:59 p.m.

2. Invocation: Tribal Councilman, Ernest Vallo, Sr.

3. Roll Call: PRESENT: Chairwoman, Robin Cruz; Vice-Chair, Patrick Ortiz; Commissioner's Ezilda Paytiamo, Damian Garcia & April Estevan; PAHA Staff: Executive Director, Floyd Tortalita; Development Manager, Francisco Carr; Housing Services Counselor, Nina Jaramillo; Finance Manager, Owen Ondelacy, and Recording Secretary, Krystal Vallo; Ex-Officio's: 1st Lt. Governor, Raymond Concho, Jr.; Tribal Councilman, Ernest Vallo, Sr.

4. Approval of June 22, 2016 Agenda:

Vice-Chair, P. Ortiz motioned to approve 6/22/16 Agenda, seconded by Commissioner, E. Paytiamo. Motion carried.

5. Approval of May 17, 2016 Meeting Minutes:

Commissioner, E. Paytiamo motioned to approve 5/17/16 Minutes, seconded by Commissioner, A. Estevan. Motion carried.

6. Opening Remarks: Floyd Tortalita, Executive Director

Mr. Tortalita informed the Board that there will be some discussion on the residential land leasehold and two resolutions which require the Boards approval.

7. New Business

a) Rescind Resolution PAHA-0414-2016-03 – Francisco Carr, Development Manager

PAHA is requesting the Board to rescind Resolution PAHA-0414-2016-03, due to the fact that when the numbers were redone NAHC would have been awarded the contract. NAHC submitted a bid in the amount of \$261,627.74, but what was missed was the x factor of 8%, which would have given the award to NAHC, but it would have also taken PAHA over the budgeted amount of \$258,700.08. Due to that the contract was put back out to bid and the contract was never awarded to Vigil Contracting. NAHC is a Native American owned firm, which would have given them the award. There were no inquiries. Chairwoman, R. Cruz motioned to rescind Resolution PAHA -0414-2016-03 in the amount of \$252,766.70, seconded by Commissioner, E. Paytiamo. Passed in a vote of 4 for and -0- against.

b) 2015 Home Rehab Project- Phase II-2(2) – Francisco Carr, Development Manager

There were no inquiries. Chairwoman, R. Cruz motioned to accept resolution to enter into contract with Rock GAP Engineering, LLC, seconded by Commissioner, A. Estevan. Motion carried. Approving the Pueblo of Acoma Housing Authority to Enter into Contract with Rock GAP Engineering, LLC for the 2015 PAHA Rehabilitation Project – Phase II-2 (2) on the Acoma Indian Reservation, Resolution No. PAHA-0622-2016-02 passed in a vote of 5 for and -0- against.

c) 2015 Home Rehab Project- Phase II-1(2) – Francisco Carr, Development Manager

There were no inquiries. Chairwoman, R. Cruz motioned to accept resolution to enter into contract with Rock GAP Engineering, LLC, seconded by Commissioner, E. Paytiamo. Motion carried. Approving the Pueblo of Acoma Housing Authority to Enter into Contract with Rock GAP Engineering, LLC for the 2015 PAHA Rehabilitation Project – Phase II-1 (2) on the Acoma Indian Reservation, Resolution No. PAHA-0622-2016-01 passed in a vote of 5 for and -0- against.

8. Department Reports- (For more information refer to June 2016 Board Packet.)

Finance Department – Owen Ondelacy

For the month of May a manager's meeting was held to discuss the maintenance position, audit, homeownership week and environmental reviews for the ICDBG construction of 4 homes. A conference call with Travois was also held to discuss the strategy for the 5/12/16 tax credit appeals hearing scheduled for 1:30 p.m.; in attendance of the appeal

hearing was Owen Ondelacy, Robin Cruz, Elizabeth Glynn-Travois, CEO and Adam Rose, Travois Senior Project Coordinator. After some deliberation PAHA was informed by the MFA Board that they upheld PAHA's appeal. With PAHA successfully winning the tax credit appeal, conference calls with Travois will resume on a weekly basis. The auditors for Le Compte commenced their fieldwork on 5/16/16 and fieldwork was completed on 5/20/16. PAHA was informed that there would be one finding. On May 4th Mr. Ondelacy submitted the quarterly SF-425, Federal Financial Report to HUD. Report was due to HUD April 30th and was inadvertently overlooked due to all that was going on in the month of May. On May 31st a conference call was held with Travois to discuss the Reservation Letter & Fee of \$57,572.85; Plans & Specs; Investor Selection; GP Attorney Closing; Partnership Accountant and Survey Firm. Templates were provided to PAHA to advertise for proposals. Upcoming tasks for Mr. Ondelacy are to respond to audit findings and begin work on 2017 tentative allocation for the IHBG in the amount of \$1,161,049. Calene Pedro attended AMERIND/NAIHC Annual Convention & Tradeshow in Honolulu, Hawaii May 8-11, 2016. Trip was attached. **Robin:** Do we have any heads up on what the audit findings were? **Response:** First finding is in regards to leave slips, time sheets, administrative leave, and time cards. Second finding has to deal with 2CFR Part 200. HUD never really provided training in regards to 2CFR Part 200 in the last two years. However, HUD will have training on July 26th & 27th in regards to 2CFR Part 200. Owen, Jennette, and Chico will be attending training. PAHA has responded to findings. **Robin:** Recommendation will be that PAHA recognize administrative leave closures ahead of time. **April:** How do the findings impact us? **Response:** With both findings they were making recommendations. **1st Lt. Gov.:** In reference to the appeal. First I like to commend you all for pushing it through and not taking, "No" for an answer. Second comment relates to Travois, did you slap their wrist or what did you do? **Response:** Any costs associated to the appeal Travois paid for and if PAHA lost the appeal Travois was going to reimburse PAHA 100%. Expenditure report: (see report). **Robin:** Why is there a \$1,191.73 credit under leasing equipment in Operating? **Response:** When I had done the SF-425 in January I did not know we were allowed up to March to submit the SF-425, so I cut it off toward the end of January. So anything paid after that I told Calene just to pay the 2016 and this has to deal with the vehicles. It came up to that amount and the auditors wanted me to put it back into 2015. So it was an auditor recommendation. It is a 2015 expenditure. There is another one in Planning and Administration and that has to deal with the tax credit payments. **Robin:** Under office supplies, the \$1,501.62 is that replenishment? **Response:** Yes. **April:** Why is training so high? **Response:** Mostly due to the Hawaii training. **Patrick:** Who all attending Hawaii training? **Response:** Jennette, Calene, Chico and Floyd. **Robin:** I recommend that when trainings or conferences are coming up to remind the Board about those trainings or conferences. There were no further inquiries on Mr. Ondelacy's report.

Housing Services Department – Nina Jaramillo

H.S. staff continues monitor all tenant accounts. Thirty day Notice to Vacate were sent to N. Thompson and G. Torivio; the two individuals who received FEMA trailers. Annual Inspections (7 low rent & 1 lease purchase), follow-up inspections (1 low rent & 1 lease purchase) and annual recertification's (9 low rent & 9 lease purchase) were conducted for the month of May. The H.S. staff continues to meet with prospective applicants, community members, tribal officials, and other interested parties pertaining to housing. Two new housing applications were received and 1 Quitclaim Deed has been submitted to the BIA Land Office for recording. H.S. Department continues to work diligently on homeownership week activities for June 3-4, 2016. On May 6th N. Thompson vacated unit and move-out inspection conducted on May 9th. On May 16th G. Torivio vacated unit and move-out inspection was conducted on May 18th. Jennette Steward attended the 2016 Amerind Risk/NAIHC Annual Conference & Tradeshow on May 8-11, 2016 in Honolulu, Hawaii. Trip report was attached. Also, a spreadsheet listing all the vendors, exhibitors, and tribal programs that were in attendance of Homeownership event on June 3-4, 2016 was attached. **April:** How did the shoe give away go and the overall event? **Response:** It went very well. They had more than enough shoes and were able to give shoes away to the elderly. I think they gave away about 600 pairs of shoes, but overall event was a success. **Robin:** I would recommend posting pictures of Housing Fair on PAHA's Facebook page. There were no further inquiries on Mrs. Jaramillo's report.

Development Department – Francisco Carr

Development staff continues to accept rehabilitation applications. As of 4/30/16 there are 50 applicants on the rehab waiting list (below 80%), 6 applicants on the modernization waiting list, and 8 applicants on the rehab waiting list (over 80%). Eight (8) recertification applications have been returned and will remain on waiting list. Two recertification applications were not been received and will be removed from waiting list. 2015 Rehabilitation (14

Homes): Phase I-1 and Phase I-2 projects were awarded to Star Hill Enterprises on 4/14/16. Construction for both phases began 5/11/16. Phase II-1 and Phase II-2 have been put out for advertisement for a third time due to no responsive bids received on April 7th. Bid packets were available for pick-up on May 16th. Walk-thru of homes was on May 17th and bids due on May 31st. Phase II-1 and Phase II-2 both received a total of four bids each. However, three of the four bids were accepted for each Phase. One bid was deemed unresponsive due to contractor representative signing in for Mandatory walk-thru but not actually walking the project homes, therefore disqualifying the contractor from award of the project. **2015 Acomita Sewer Main Extension Project:** A project update meeting was held on 5/24/16 and next update meeting is scheduled for 6/28/16. Pending Projects are the 2015 Modernization of 3 homes, 2016 IHBG Rehabilitation of 10 homes, and 2016 ICDBG New Home Construction of 4 homes. PAHA did send a formal request to Laguna Housing requesting the floor plans Mr. Tortalita developed during his time of employment with Laguna Housing. However, they were unable to locate the floor plans, so PAHA will do a design build bid for the Construction of the four homes. The Maintenance Department completed 8 work orders and 1 courtesy call to a non-PAHA home. Fourteen open work orders as of 5/31/16 and two vacant rental units. Mr. Carr attended the 2016 Amerind Risk/NAIHC Annual Convention & Tradeshow in Honolulu, HI on May 8-11, 2016 and trip report was attached. Mr. Carr also attended the ICDBG NOFA Training at the HUD office in Albuquerque, NM on May 17-18, 2016 and Acoma Sanitation Deficiency meeting with the Acoma Utility Authority. Maintenance worker position had to be re-advertised on May 23rd with a closing date of June 3rd, due to individual declining position. Interviews were conducted on June 13th for the maintenance worker position. There were three applicants and Ed Peacock was selected. Mr. Peacock will begin July 5th. Project Manager, Patrick Martinez resigned and position has been advertised. **Robin:** 2016 IHBG rehabilitation of 10 homes, the families have been identified but have they been notified. **Response:** No, we have identified them internally to begin the environmental process. **Robin:** 2016 ICDBG New Construction of 4 Homes, since we cannot get the floor plans from Laguna is there another tribe that has similar designs that we could use? **Response:** PAHA will do a design bid, so basically it is an RFP and they tell us what they are going to build. We can also put a price on it. Another factor will be product. Unfortunately we will not own the drawings but it is something we need to do to get the project moving forward. With Mr. Martinez gone Mr. Tortalita will step in to help with the work load, being that he does have a background in development. **1st Lt. Gov.:** Tribe meets with Continental Divide twice a year and they asked what upcoming projects we have they will require new hook-ups. We told them about the Low Income Tax credit project and if there are any other projects that they need to be aware of contact them. I will forward the contact information. They are going to get information in regards to taxes because tribal families are exempt from those taxes. So they will be sending out refunds or just credit accounts. **Robin:** I would like to elaborate on that and if you go to the New Mexico Public Regulation Cite (NMPRC). There is a tax exemption form on there that tribal families fill out, which they can take to the utility office to be exempt from the NM gross receipt tax. They have to be living on the reservation. There were no further inquiries on Mr. Carr's report.

Executive Director Report – Floyd Tortalita

Robin: I just wanted to add on to our last discussion in regards to Continental Divide wanting to know about any upcoming projects that will require new hook-ups. I think what is important here is it falls back to our strategic planning that we have. What I would like to see from Floyd and Chico is an update on where were projecting for five and ten years. Then, if we could have that presented at the next Board meeting.

Mr. Tortalita gave updates on PAHA LIHTC Homes #1 and POA Residential Leasehold. NAHSDA Reauthorization remains unresolved and one of the meetings we had at our National Convention was with the Native Hawaiian Homelands, where reauthorization remains stuck at. We are trying to reach some common ground with both sides. PAHA received its 2017 allocation which is approximately \$1.1 million dollars. PAHA received notification that the NM Mortgage Finance Authority Board of Directors has approved a Reservation of Tax Credits for PAHA LIHTC Homes #1 (letter was read aloud to Board). Total amount approved is \$767,638. PAHA did submit the reservation contract agreement and the required processing fee of 7.5%. The market study was prepared by Vogt Strategic Insights and has been submitted. The market study indicated no adverse findings and complies with the guidelines of the NM Mortgage Finance Authority. PAHA did solicit for Civil Engineering and Surveying services. PAHA offered contract to Tetra Tech of Show Low, Arizona. Construction is anticipated to begin October 2016. Conference calls with Travois are held weekly on Thursday at 9am. Board is welcome to attend conference calls. A timeline for scope of work and construction was provided in report. PAHA will not submit an application for 2016 ICDBG, because of the amount of projects PAHA has going on and could possibly run into timeline issues, which could result in non-

compliance. On May 27th Tribal Council, Tribal Administration, PAHA, and the Antelope Clan meet to discuss the Residential Leasehold document. It was relayed to the antelope clan that there would be issues with procurement if the outstanding invoices were paid by the Tribe or PAHA. The Tribe did remind the Antelope Clan of the proposal from the POA and the PAHA to cure the delinquency. The Antelope Clan did not give answer and want to meet among themselves to discuss the issue, due to not all clan members in attendance. The residential leasehold will not only benefit PAHA to get private capital but families on the Pueblo of Acoma that are not low income. **1st Lt. Gov.:** It was agreed by the Antelope Clan that they will pay the bill. That is no longer an issue. The issue now is passing the lease document. What I am recommending is to present the original document with the understanding that it can be amended like any other document. I am requesting that PAHA make a presentation to Tribal Council at next month's Council meeting. Make contact with Tribal Secretary to get on the agenda. **Floyd:** I will make contact with Tribal Secretary. **Robin:** Can we get meeting minutes of the conference calls with Travois. **Floyd:** Yes. There were no further inquiries on Mr. Tortalita's report.

9. Announcements & Schedule July 2016 Meeting:

BOC meeting will be held on Wednesday, July 20, 2016 at 5:30 p.m. (tentative) – PAHA Conference Room. Meeting subject to change pending PAHA getting put on the Tribal Council meeting agenda.

10. Adjournment:

Meeting adjourned @ 8:43 p.m., motioned made by Commissioner, E. Paytiammo, seconded by Commissioner, D. Garcia. Motion carried.

Respectfully submitted



Krystal Vallo,
Transcribing Secretary