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Pueblo of Acoma, NM 87034

"Providing Safe and Affordable Housing Opportunities"

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## **Board of Commissioners Meeting**

August 13, 2014  
5:30 p.m.

### **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 Meeting Minutes**
  - a. Board Meeting - June 25, 2014
6. **Opening Remarks** – *Floyd Tortalita, Executive Director*
7. **New Business**
  - a. 2015 PAHA Indian Housing Plan (IHP) – *O. Ondelacy, Finance Manager*
8. **Department Reports**
  - Finance Dept – *O. Ondelacy, Finance Manager*
  - Housing Services Dept – *J. Steward, Housing Services Mgr*
  - Development Dept – *L. Ramirez, Development Manager*
  - Executive Directors Report – *F. Tortalita, Executive Director*
9. **Announcements & Schedule Next BOC Meeting**
  - August BOC meeting
    - September 10, 2014 – 5:30 pm – PAHA-Pueblo of Acoma, NM
10. **Adjourn**



"Providing Safe and Affordable Housing Opportunities"

**Minutes of June 25, 2014**  
**PAHA Board of Commissioners Regular Meeting**  
**PAHA Conference Room – 5:30 p.m.**

1. **Call to Order:**  
Chair, Robin Cruz at 6:00 p.m..
2. **Invocation:**  
Vice Chair, Bernard Lewis.
3. **Roll Call: Present:** Chair, R. Cruz; Vice-Chair, B. Lewis; Commissioners: April Estevan, Damian Garcia. PAHA Staff Present: Executive Director, Floyd Tortalita; Finance Manager, Owen Ondelacy; Housing Serv. Mgr. Jennette Steward; Recording Secretary, Veralyn Farias.  
**Absent:** Commissioner, Patrick Ortiz; Ex-Officio, Ernest Vallo, Sr.; PAHA Staff, Lawrence Ramirez.  
**Guest:** Felecia Estevan.
4. Approval of June 25, 2014 Agenda:  
Vice-Chair, B. Lewis motioned to accept the 6/25/14 Agenda, seconded by Commissioner A. Estevan.
5. Approval of Meeting Minutes: April 9, 2014 & May 21, 2014  
April 9, 2014 – Motion to accept, Commissioner, Damian Garcia, seconded by Vice-Chair, B. Lewis.  
May 21, 2014 – Motion to accept, Commissioner Damian Garcia, seconded by Commissioner A. Estevan.
6. Opening Remarks: Floyd Tortalita, Executive Director  
Mr. Tortalita indicated this evening was a lengthy agenda with presentation of five (5) resolutions requiring approval from the Board. Mr. Ramirez had a death in the family therefore is not present this evening.
7. New Business:
  - a. The 2014 audit marks the 2<sup>nd</sup> yr. audit of a 3 year contract performed by Axiom. Auditors Chris Garner and Jim Cox were on hand to make their presentation to the Board. Mr. Garner explained their report is required communication made to the Board, adding the standards haven't changed much from last year. Their role is to clearly communicate to their client, (PAHA), what they were hired for, which is to provide reasonable assurance. The financial statements could have some numbers that are incorrect, however this would not affect the reader i.e., bank/lender. They did **not** look at all transactions, explaining costs would not justify doing so. Samples, reviews and reasonableness of numbers/controls were looked at. **OPINION:** The term, "Unqualified" which auditors previously used to signify a Clean Opinion is now referred to as "Unmodified". PAHA was issued a Clean Opinion. No modifications or problems were encountered. Standard audit report numbers in the Financial Statements are materially correct. PAHA expends more than \$500K of federal grants and is subject to two other audits an A-133 audit or Single Audit and a Yellow Book audit. The Yellow Book audit, covering Internal Control Compliance received a clean opinion with findings that were raised to a level of significant deficiency. With the Single Audit, auditors went through the grants from a risk based approach and determined which grants to look at. Each grant had different eligibility requirements strictly complying with federal guidelines. PAHA received a clean opinion with a finding. Mr. Garner stated all three (3) reports were clean opinions with only a few findings, which is not uncommon. **FINDINGS: #1 Financial Statements. Accounts Payable:** Ref: cut-off issues a couple of items related to construction payments that were not properly recorded as A/P into Quick Books. **#2 Earmarking - Grants.** It was noted that 29% of grant funds were allocated to planning and administration which exceeded the 20% maximum allowed. PAHA estimated expending those funds by the end of the year, however, it did not. PAHA intends to fully expend the grant dollars and close them out. This will then be fully resolved. **Reporting** it was noted that PAHA failed to submit Form HUD 60002. PAHA requested training on submission of this report however, has not rec'd a response. PAHA will obtain the proper training.

**Unusual Transaction:** Payment of the \$619,413 back to Acoma. The auditors stated the financial files were well organized. This concluded Axiom's presentation of the 2013 Financial Audit.

b. PAHA Signatory Authority – Resolution PAHA-0625-2014-01

This resolution replaces two (2) former commissioners who are currently listed with this authority. The names being omitted are: Don Shields, Jr. and Tim Chavez. Vice-Chair, Bernard Lewis and Commissioner, Damian Garcia will replace those persons. Owen Ondelacy and Floyd Tortalita will still continue to have this authority. These four (4) individuals will have signatory authority over all accounts held by PAHA at the Bank of Albuquerque. In a vote of 4 voting for and -0-against Resolution No. PAHA-0625-2014-01 was passed.

c. Tenant Rental Lease Transfer –J. Steward, Housing Services Mgr (Resolution)

Ms. April Estevan submitted her 30-day notice to vacate her unit at 63 Pinion St.. In her letter of 06/02/14, she indicated she was moving to an area closer to her job in Albuquerque. She also requested PAHA allow her daughter Ms. Felecia Estevan to continue residing in the unit. Felecia is employed by the local McDonalds as shift manager and is a full-time student at NMSU Grants Branch. Felecia qualifies under the guidelines of the rental lease. A background check on Felecia is the only document lacking the application. Ms. Steward expects to receive the results from the Acoma Police Dept., in a day or two. HUD in Alb., and PAHA's attorney were contacted for direction. Both did not foresee a problem with this request. HUD could not see a reason for eviction and Attorney, Ms. Zuni, stated, as policy makers the decision ultimately lies with the Board. The advantages to this request are, the unit will not be vacant, revenue will continue to be generated and the possibility of vandalism will be nil. The Estevan's have been compliant with their tenant agreement the past 12 yrs., and have been considered ideal tenants. After some discussion the Board unanimously approved the request on the condition that Felecia passes her background check. Resolution PAHA-0625-2014 passed in a vote of 4 for and -0- against.

d. 2014 PAHA Rehab Project – Phase II– L. Ramirez, Development Manager

Procurement Recommendation for 2014 PAHA Rehab. Project Phase II was presented. Mr. Tortalita explained although V & A Construction as shown in the checklist was the lowest bidder, they did not provide a key document, (Addendum) and consequently were disqualified. PAHA went with the next lowest bidder Native American Housing Consultants, LLC (NAHC) at \$233,520.82. In a vote of 4 to 0 Resolution PAHA 0625-2014-03 was approved signifying approval to move forward with NAHC.

## 8. Old Business

a. Self-Monitoring Policy – F. Tortalita, Executive Director

With only a few typos to be corrected, Vice Chair Bernard Lewis motioned to approve the Self-Monitoring Policy, seconded by Commissioner April Estevan. In a vote of 4 for and -0- against, Resolution No. PAHA 0625-2014-04 unanimously passed

b. Investment Policy – F. Tortalita, Executive Director

With only a minor typo to be corrected, Vice Chair Bernard Lewis motioned to approve the Investment Policy, seconded by Commissioner, Damian Garcia. In a vote of 4 for and -0- against, Resolution No. PAHA 0625-2014-05 unanimously passed.

**Note there was no item 9 listed on the Agenda**

## 10. Department Reports – Refer to reports attached to Board Packet

Finance Dept – *O. Ondelacy, Finance Manager*

- Budget/Expenditure Reports – All PAHA budget accounts as of 05/2014 remain within budget limits: No inquiries to the report were made following Mr. Ondelacy's presentation.
- Housing Services Dept – *J. Steward, Housing Services Mgr.*  
No inquiries were made following Ms. Steward's report

Development Dept – L. Ramirez, Development Manager/Mr. Tortalita

- Mr. Tortalita presented the Development report. No questions were presented. Announcement of Ms. Laquita Cruz resignation as Adm. Assist., was made. The position will be filled soon.

Executive Directors Report – F. Tortalita, Executive Director

- **Updates:** NAHASDA Reauthorization – The law expired in 09/30, there are currently two versions to this bill, HR 4277 & HR 4329. NAHASDA is hopeful this will be acted upon before the end of the year.
- NAHASDA Negotiated Rulemaking – a fourth meeting was held in Scottsdale, AZ June 11 – 13, 2014. This continues to be an on-going issue. PAHA's attorney attends these sessions and will keep PAHA updated.
- Residential Leasehold – PAHA continues working on this issue with the clan members. On 5/22, 2014 PAHA met with representatives from the clan. Continued concerns were expressed by the members. Cacique wants a legal opinion and have acquired legal services from Ms. Teresa Leger of Fernandez, Leger Law and Strategy LCC to assist them in this endeavor. They are also requesting financial assistance from PAHA to pay for this service which is not to exceed \$2,500. (non-program funds will be used).
- Pueblo of Acoma is working on an overall Strategic Plan for Acoma which includes housing. The tribe contracted services with Mr. Marvis Aragon, Jr.. to work on this project. PAHA would like to join forces with Mr. Aragon on working on this project. An RFP to contract Mr. Aragon's services will be presented to the Board at the August BOC meeting.
- NAHASDA allocation is \$648,000,000, PAHA's cut: for FY 2015 is: \$1,089,503.00.

**11. Announcements & Schedule August 2014 BOC Meeting**

Scheduling of next BOC meeting: August 13, 2014 – 5:30 pm – PAHA Conference Room.

**12. Adjournment**

With no other business at hand, Vice Chair Bernard Lewis motioned to adjourn, seconded by Commissioner, April Estevan, meeting adjourned at 8:31 p.m..

Respectfully submitted,



Veralyn Farias  
Recording Secretary