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"Providing Safe and Affordable Housing Opportunities"

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Board of Commissioners Meeting

November ~~15~~¹⁹, 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** October 13, 2016
6. **Opening Remarks** – Floyd Tortalita, Executive Director
7. **New Business-**
 - a.) Resolution – Approving the PAHA to enter into contract with Pavilion Construction for the construction of PAHA LIHTC Homes #1 – *Francisco Carr, Development Manager*
 - b.) 2016 PAHA Budget Amendment # 1 - *Owen Ondelacy, Finance Manager*
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**
December BOC Meeting – December 9, 2016 - 5:30 pm – Santa Ana Star - Sadies
10. **Adjournment**



Minutes of October 13, 2016
PAHA Board of Commissioners Regular Meeting
PAHA Conference Room- 5:30pm

1. **Call to Order:** 6:16 p.m.

2. **Invocation:** Vice-Chair, Patrick Ortiz

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 Manager, Jennette Steward; Finance Manager, Owen Ondelacy, and Recording Secretary, Krystal Vallo; **Ex-OFFICIO's:** 1st Lt. Governor, Raymond Concho, Jr.; **ABSENT:** Tribal Councilman, Ernest Vallo, Sr.

4. **Approval of October 13, 2016 Agenda:**

Commissioner, D. Garcia motioned to approve 10/13/16 Agenda, seconded by Commissioner, E. Paytiamo. Motion carried.

5. **Approval of August 18, 2016 Meeting Minutes:**

Commissioner, D. Garcia motioned to approve 8/18/16 Minutes, seconded by Commissioner, A. Estevan. Motion carried.

6. **Opening Remarks:** Floyd Tortalita, Executive Director

Mr. Tortalita informed the Board that there are a couple action items on the agenda that require the Board's approval. Also, there is much information to share with the Board in regards to construction projects and so forth.

7. **New Business**

a) Resolution Approving the Transfer of Funds from General Checking 939 Accounts to LIHTC Development & Operations Account at the Bank of Albuquerque – Floyd Tortalita, Executive Director

Resolution generated to show that the Board approved PAHA to transfer funds from general checking into LIHTC account. There was a prior resolution authorizing PAHA to create a new account for the LIHTC project, along with a resolution for signatory authority. **Robin:** Do we have to maintain a certain opening balance? **Response:** We may need to start out with maybe \$500 to a \$1,000. **April:** When you are moving those funds over, does the Board have to approve every amount? **Response:** No, this resolution being presented is authorizing PAHA to do that. **Floyd:** There will be a separate expenditure report? **Response:** Yes. There were no further inquiries. Resolution was read aloud. Transfer of Funds from General Checking 939 Account to LIHTC Development & Operations Account at the Bank of Albuquerque (Resolution No. PAHA-1013-2016-01) passed in a vote of 5 for and -0- against.

b) Resolution Approving the Purchase Price and Conversion from the Rental Program to the Homeownership Program– Jennette Steward, Housing Services Manager

PAHA received a request to convert from rental to homeownership on July 26, 2016 from Ms. Brenda Charlie. A letter was sent to Ms. Charlie letting her know that her request was received. Ms. Charlie met all eligibility requirements and on Sept. 9th a letter was sent letting her know she was determined eligible. Mrs. Steward did meet with Ms. Charlie to discuss the homeownership program and responsibilities. **Damian:** When a tenant converts to homeownership is it at their discretion to put anything in their yard? **Response:** Right now anyone can make improvements, but we do require that they put a request in writing letting us know what they plan to do to the unit or yard. There were no further inquiries. Resolution was read aloud. Approving Purchase Price and Conversion from Rental Program to Homeownership Program for Ms. Brenda Charlie – 11 Pinon Drive (Resolution No. PAHA-1013-2016-02) passed in a vote of 5 for and -0- against.

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

Finance Department – Owen Ondelacy

For the month of September PAHA had four conference calls with Travois, items discussed were bank accounts; GP Resolution; Partnership Accountant (Lee & Company); Legal Description; Correspond with BIA (EA's); LPA; Closing Development Fee Agreement; Bid Period and contractor on site to conduct Phase I ESA. On Sept. 7th Mr. Ondelacy submitted the 2015 audit to the Federal Audit Clearinghouse (FAC). HUD had some comments in regards to the 2017 IHP, which Mr. Ondelacy addressed. First question was in regards to the 3 homes in modernization, second question was in regards to the new construction of 4 homes and the last question was in regards to IHP certification of compliance. Received a letter from HUD on Sept. 15th that the 2017 IHP was approved. LIHTC bank accounts and signature cards were finalized with Victoria Begay of Bank of Albuquerque. A conference call was held with Lee & Co., Partnership Accountant to make introductions. A site visit was done by Travois staff and James Horvick from Raymond James. Rick Farrell assisted PAHA with setting up LIHTC accounting system in Quickbooks and provided valuable information about what to expect. With the acceptance of the 2015 audit by the FAC draw downs from the 2015 & 2016 IHBG's were conducted. Mr. Ondelacy will begin the submittal of the form HUD 2516 and HUD 4710. Gwen Garcia, Accounting Technician attended the SWTHA Annual Meeting in Phoenix, AZ September 26-28, 2016 (trip report was provided). Expenditure Report: A line item over in Operating in advertising, due to the advertisement of the Project Manager position and another line item over in Planning & Administration in office supplies. Adjustments will be made. **Robin**: Don't we have a journal entry for fringe benefits, dues & subscription, and so forth? **Response**: Yes, was noticed after report was submitted. I will include in next month's Board meeting report. There were no further inquiries on Mr. Ondelacy's report.

Housing Services Department – Jennette Steward

H.S. staff continues to monitor all tenant accounts, and conduct annual inspections and annual recertifications. The H.S. staff also continues to meet with prospective applicants, community members, tribal officials, and other interested parties pertaining to housing. On Sept. 1st Housing Services department attended the Radon Awareness training at the AMERIND Training Center. Housing Services department met with Jovian Henio, Keres Consultants and Natalie Pena, NM American Lung Association to discuss implication of "Smoke Free" environment of the LIHTC units. CHI St. Joseph Children's staff made a presentation on Sept. 23rd and on Sept. 26th Nina, Housing Services Counselor conducted a rental lease signing for D. Caruth. Nina Jaramillo attended the SWTHA Triannual Meeting and HUD Training on Chandler, AZ on Sept. 27th-30th, 2016 (trip report was provided). There are 72 applicants currently on the waiting list. The waiting list continues to grow. Applications were handed out at the General meeting. **Robin**: The policy we have to have in place, what is the deadline for that? **Response**: I believe that is what the Lunch and Learn is about and they are looking at mid November. They do have a template that they will provide, which we can modify. **1st Lt.**: The 72 applicants on the waiting list, are they the applicants who will go into the LIHTC project? **Response**: Yes. **April**: I think trainings with CHI St. Joseph or other programs should be made mandatory for young families. **Response**: Yes we can do that. There were no inquiries on Mrs. Steward's report.

Development Department – Francisco Carr

Before report was given Mr. Carr introduced new hire Ms. Melanie Keams, Project Manager and she gave a brief introduction. Development staff continues to accept rehabilitation applications. As of 9/30/16 there are 46 applicants on the rehab waiting list (below 80%), 6 applicants on the modernization waiting list, and 9 applicants on the rehab waiting list (over 80%). Two new applications and two recertification applications received. 2015 Rehabilitation (14 Homes): Phase I-1 and Phase I-2 projects were awarded to Star Hill Enterprises. 1 to 2 more homes remain left to complete. Phase II-1 and Phase II-2 projects were awarded to Rock Gap Engineering. There are a couple change orders but project should wrap up in a couple weeks. 2015 Acomita Sewer Main Extension Project: A project update meeting was to be held on Sept. 29th but was postponed until October 18th (tentatively). Plan set is approximately 95% complete. PAHA LIHTC Limited Partnership #1: Project advertised on Sept. 14th and a walk-thru on Sept. 23rd. Project bids due October 21st. Pending Projects are the 2015 Modernization of 3 homes (anticipated to begin early next year), 2016 IHBG Rehabilitation of 10 homes (anticipated to begin next year in the spring), and 2016 ICDBG New Home Construction of 4 homes (waiting for EA's from SHPO). The Maintenance Department completed 3 work orders and 1 courtesy call to a non-PAHA home. Thirteen open work orders as of 9/30/16. Development & Maintenance staff attended Radon Awareness training on Sept. 1st at the AMERIND training center. Development manager, Project manager and Executive Director had a conference call with Travois, BIA and POA Realty Office in regards to TSR for LIHTC project on Sept. 12th. On Sept. 15th Development manager attended meeting with Dept. of Health & Human Services staff to discuss improving health of community. Lauren Cheromiah, Development

Administrative Assistant attended the 8th Annual SWTHA Triannual Meeting and HUD Training on Sept. 28th-30th in Chandler, AZ. Request made at August 2016 Board meeting about number of homes rehab with IHBG, ICDBG or MFA funding. In 2011 twenty-two homes were rehabilitated. In 2012 & 2013 two homes using MFA funding were rehabilitated, however the rehab of homes in 2011 rolled over into 2012. In 2013 we did the fencing and sidewalk project as well. In 2014 fourteen homes were rehabilitated. Then in 2015 & 2016 we are currently rehabilitating sixteen homes. Overall we have rehabilitated 56 homes. **Robin:** What are the limitations on this Dept. of Health & Human Services, the opportunity to provide some type of additional funding for improving health of community members? So we had the question back on the LIHTC because they are getting a community center, play ground, basketball court and so forth, what is the opportunity to provide this housing development something similar?

Response: That opportunity is there, but again it is just overall health of the community on how to get them more active. They are looking at input on where to spend those dollars to get the community active. **1st Lt.:** The tribe was involved in several discussions with all Indian tribes at the BIA facility and it did focus on that same area, but we have also received concerns from homeowners in regards to mold and weatherization issues. There is a plan in place to connect all homes to natural gas. At the General Meeting on Oct. 25th there will be a presentation made on the proposed greenhouse. Some of the benefits that will be coming out of this greenhouse is that it will be able to produce electricity and use more natural gas in terms of connecting. It will be good for PAHA to be there to get more information. Customer services issues about PAHA have been brought to Tribal Administration's attention in regards to relocation, no communication, slow progress of rehabilitation of home, workmanship and so forth. We are losing medical staff at ACL and main issue is housing. The lease agreement with IHS will expire March 2017. Acoma is in the process of updating that lease agreement if we could include two management oversights, which will be PAHA and the water department. Acoma is looking to take over ACL's water distribution. Lastly, a community member called one of the contractors on PAHA's vendor list and the contractor took the community members money and took off. On PAHA's vendor list there is only a name and number. **Robin:** These types of concerns regarding customer service are ongoing. There are agreements in place that the homeowner signs, which states what work is going to be done and that there is no relocation assistance. It is very clear about what PAHA can and cannot do. The homeowner should not be communicating with the contractor but should be contacting Chico or Melanie. **Response:** We need the residential lease hold in place to access that capital, and then we could build more apartment complexes at ACL or rehabilitate the current units. We did address those concerns with those two homeowners. PAHA does practice customer service. Yes this project went on longer than expected. When two units are delayed it delays the whole project. PAHA does meet individually with each family. So now we are going to develop a check list and meet with all families at once, so they can all hear it at one time. The development staff has been in contact with them, but because we do not say what they want to hear they go and tell someone something else. All homeowners are not allowed at the home during rehabilitation because they are not covered under the insurance. PAHA did provide a list of contractors to community members and they are told that we are not recommending them it is just merely a list, but because of recent events PAHA will no longer provide that list to community members. **Ezilda:** I think there should be a meeting with all community members who are on propane about switching over to natural gas, to discuss the costs and so forth. **Patrick:** As far as the ACL hospital, yes we have lost a lot of doctors, but Acoma should not be the only one trying to figure out the housing issue and water. All surrounding communities go there too, so it should be a combined effort. Then when it comes to customer service, our tribal members always have a tendency to go to tribal administration to voice their concerns. However, we just need to point them in the right direction. Mr. Tortalita has a good staff here and has good customer service. **Robin:** The agreements that these homeowners have with PAHA in terms of before construction is done, you mentioned a check list, is that just simply a check list or do they initial at every single point? **Response:** They initial and sign, which is basically saying they understand and agree to what will be done. When it comes to liabilities, we may have to start fencing off the project sites to keep the homeowner and other family members away. **April:** Are the homeowners given a copy of the scope of work? Is there something in the contract about no trespassing? **Response:** Yes, we do give them a copy. The contract is only between PAHA and the contractor. **Ezilda:** Do you take pictures of the damage? **Response:** Yes we take plenty of pictures before construction starts, during construction and when construction is complete. **Robin:** What is the process for the walk-thru during the week during construction? **Response:** Ms. Keams is out there each and every day taking pictures and making sure that work is being done. She points things out to the contractor. **Robin:** So those walk-thru's every day are the result of your change orders? **Response:** Yes, because when the homeowner vacates and we begin we find things that were not noticeable when the assessment was first done. When you start opening up walls you are going to

find something that was not expected and that is how changes orders occur. There were no further inquiries on Mr. Carr's report.

Executive Director Report – Floyd Tortalita

Pueblo of Acoma Residential Leasehold was presented to Tribal Administration on August 2nd. The POA Tribal Administration has met with the Antelope Clan in regards to this issue. The PAHA has not received an update from Tribal Administration. **1st Lt.:** On Monday, Oct. 17th Governor will meet with the Antelope Clan again. So that is the latest on the Residential Leasehold. The Acoma LIHTC #1, PAHA is still working on the lease documents. An environmental review has been completed and Mr. Tortalita will meet with Franklin Martinez at the Realty Office to complete the TSR. PAHA is currently in the process of bid and bids for the LIHTC project are due October 21st. On Sept. 14th as mentioned PAHA met with representatives from Raymond James and Travois. PAHA does have a tax credit attorney. The Mortgage Finance Authority (MFA) will be out on Oct. 27th at 10am to meet with PAHA. Meeting is to answer some of the concerns PAHA has being this is our first LIHTC project. The BIA Contract Guide for Mortgage Lending was published in September 2016. The guide provides guidance for mortgage lending in Indian Country. Lastly is the policy review on Section 2, updating policies. Please make edits or comments and have submitted by October 28th to PAHA on policies. Furthermore, PAHA will be coordinating the Pueblo of Acoma's Annual Halloween Carnival. A copy of the NAIHC Legal Symposium conference was passed out to the Board. Anyone interested in attending please call PAHA, so all the necessary travel arrangements can be made. **Floyd:** What is the latest update on the purchase of the Social Services building? **1st Lt.:** Tribe is still interested in purchasing the Social Services building and it is still moving forward. There were no inquiries on Mr. Tortalita's report.

9. Announcements & Schedule November 2016 Meeting:

Next scheduled BOC meeting will be held on Thursday, November 10, 2016 at 5:30 p.m. – PAHA Conference Room.
Announcement: Mitigation training on November 9th at the Sky City Hotel & Conference.

10. Adjournment:

Meeting adjourned @ 8:45 p.m., motion made by Commissioner, E. Paytiamo, seconded by Commissioner, A. Estevan. Motion carried.

Respectfully submitted



Krystal Vallo,
Transcribing Secretary