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"Providing Safe and Affordable Housing Opportunities"

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Board of Commissioners Yearend Meeting
Flix Brewhouse – Albuquerque, NM

December 15, 2017
4:00 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 Minutes BOC meeting** – November 14, 2017
6. **Opening Remarks** – *Floyd Tortalita, Executive Director*
7. **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*
8. **Announcements & Schedule Next BOC Meeting**

January BOC Meeting – Jan 9, 2018 - 5:30 pm – PAHA Conference Room

9. **Adjournment**



Minutes of November 14, 2017
PAHA Board of Commissioners Regular Meeting
PAHA Conference Room- 5:30pm

1. **Call to Order:** 5:38 p.m.

2. **Invocation:** Development Manager, Francisco Carr

3. **Roll Call:** PRESENT: Chairwoman, Robin Cruz; Commissioner, April Estevan and Michael Salvador; PAHA Staff: Executive Director, Floyd Tortalita; Development Manager, Francisco Carr; Housing Services Manager, Jennette Steward; Finance Manager, Owen Ondelacy and Recording Secretary, Krystal Vallo; ABSENT: Ex-OFFICIO's: Tribal Councilman, Ernest Vallo, Sr. and Tribal Interpreter, Elliott Sanchez, Jr.; Vice-Chair, Patrick Ortiz and Commissioner, Mark Thompson.

4. **Approval of November 14, 2017 Agenda:**

Commissioner, A. Estevan motioned to approve 11/14/17 agenda with amendments, seconded by Chairwoman, R. Cruz. Motion carried. Amendments: Table item d.) under new business and have a conference call. Conference call to be scheduled. BOC to review proposals for New Construction project and provide feedback to PAHA. Second amendment is changing the December Board meeting to the 15th and time to 4pm.

5. **Approval of August 8, 2017 Meeting Minutes & September 14, 2017 Special BOC Conference Call:**

Commissioner, A. Estevan motioned to approve 8/9/17 Minutes & 9/14/17 Conference Call Minutes, seconded by Chairwoman, R. Cruz. Motion carried.

6. **Opening Remarks:** Jennette Steward, Housing Services Manager

Mrs. Steward informed the Board that there are four action items to be presented to the Board. It has been a few months since a meeting has been held, but pleased to announce that PAHA has a new Board member, Mr. Michael Salvador. Mr. Salvador gave a brief introduction. PAHA staff and Board gave brief introductions as well.

7. **New Business:**

a) 2017 PAHA Budget Amendment #1 – Owen Ondelacy, Finance Manager

A budget revision was done to current budget because we were going over in one of the line items in Operating. The line item we were over in was Repairs and Maintenance. Initially \$30,000 was budgeted, but we had to do a meth remediation, so it took us well over the budgeted amount. A total amount of \$58,818.00 (fees - \$400; repairs & maintenance - \$58,358; and janitorial services & supplies - \$50.00) was redistributed. Under Planning and Administration, money was added to Meeting Supplies to accommodate end of the year meeting. A total amount of \$5,702.00 (dues & subscription - \$700; fees - \$550; printer/copier - \$800; meeting supplies - \$2,352; and bank service charges - \$1,300) was redistributed under Planning & Administration. Budget stayed the same, monies were just redirected from other line items and put into other line items. **Robin:** What was the budget amount for 2016 for Repairs & Maintenance, because that is a big jump? **Response:** \$30,000, but again it is due to the meth remediation. **Robin:** Are we going to be reimbursed for the remediation costs? **Response:** We will do a final billing, but will seek collection. **Robin:** Do we have to meet a requirement for disclosure? **Response:** We did speak with our attorney about that and we did do a statement of disclosure with the tenant. It let them know what was entailed, that the unit did test positive for meth and was professional cleaned. Also, that we did not turn the unit over until the unit tested back clean. **Robin:** How much does remediation cost? **Response:** It depends on the severity of the meth use in the house. **Robin:** Were we aware of any activity to begin with? **Response:** Until we receive a police report is when we become aware. **Robin:** Since we cannot anticipate those type of incidents, can we ask for a deposit? **Response:** We do charge a \$200 deposit, but that won't cover the remediation cost. The most we can charge is the ceiling rent for the deposit. **Mike:** Is this the first incident reported about meth? **Response:** Yes, this is the first. **April:** What does that meth do to the home? **Response:** The chemicals used in meth can cling to the surfaces in the home and can cause health issues to the individuals in the home. But yes, we can change policy to up the security deposit. **Mike:** Is there any type of insurance to cover this type of occurrence? **Response:** No, but I am sure if there is it will probably have a high premium. There were no further inquires. Motion to approve: All in favor none opposed.

b) 2018 Operating Budget – Owen Ondelacy, Finance Manager

Budget for 2018 is based on past history. Wages include possible merit and COLA increases. Fringe Benefits range from 25% to 27%, but to be on the safe side it was increased by 29%. Housing Services increased by \$1,500. Proposed budget for 2018 is \$1,076,225. There is a \$12,000 decrease from last year's budget to 2018. Community Outreach stayed at \$1,500. In Development a new work truck will be purchased. Also, new computers will be purchased in 2018. Repairs & Maintenance is at \$45,000 and hopefully that will be enough, and we don't have any remediation's. **Robin:** Are we getting reimbursed for these drug tests? **Response:** Yes. Furthermore, we look to hire another Maintenance worker, so wages in Operating was increased. **Robin:** What is the intent for the old computers, when we get new ones? **Response:** They are expendable because they are under \$5,000. We recycled other equipment. **Robin:** Could we give the equipment away to like the schools? **Response:** Yes, we can. **Robin:** Did we give an increase on wages last year? **Response:** Yes, a 2% merit increase. But not a COLA increase. There were no further inquires. Motion to approve: All in favor none opposed. Furthermore, we prepared the amendments for the 2017 budget and 2018 Operating Budget early, because Mr. Ondelacy will be retiring at the end of 2017. Mr. Ondelacy has been a huge asset to PAHA and those are some big shoes PAHA will need to fill. Mr. Ondelacy will be missed. Mr. Ondelacy gave his farewell speech to the Board, because he will not be attending the December Board meeting. Mr. Ondelacy was wished well. We are in the process of advertising the Finance Manager position. Mr. Ondelacy has agreed to be available when we need his help after he retires.

c) Approving Officials of the PAHA with Signatory Authority for Accounts at the Bank of Albuquerque – Owen Ondelacy, Finance Manager

The reason we are doing this is to replace a current check signer with another. Ezilda Paytiamio was the current check signer, but this is to replace her with Jennette Steward. We chose Jennette, because of accessibility. Majority of the Board work in Albuquerque, Farmington and Santa Fe. **Robin:** Since Owen is leaving in a month we will have to do this again, so how about take him off x date? **Response:** We could but either way we are going to have to do this again when we get the new Finance Manager. There were no further inquires. Resolution was read aloud. Approving Officials of the Pueblo of Acoma Housing Authority with Signatory Authority for Accounts at the Bank of Albuquerque (Resolution No. PAHA-1114-2017-01) passed in a vote of 3 for and -0- against.

d) Low Rent Conversion to Lease Purchase – Jennette Steward, Housing Services Manager

There are two Low Rent tenants who have requested to convert to Homeownership. David Shroulote, a 15-year rental tenant, submitted his request to convert to Homeownership on August 31, 2017 and Darlene Shutiva, a 7-year rental tenant, submitted her request to convert to Homeownership on August 3, 2017. In policy it states that the tenant must qualify for conversion. Qualification for conversion entail: 1) Current with monthly payments; 2) Tenant has not breached agreement; 3) Based on income determine tenant qualifies for Homeownership; and 4) Perform and inspection of unit to determine it is in decent and sanitary condition. Both tenants qualified. On September 5th an appraisal was done on both units. Mrs. Steward did meet with both tenants to present purchase price of each unit and appraisal. Tenants approved. Resolutions were read aloud. Approving Purchase Price and Conversion from Rental Program to Homeownership Program for: David Shroulote (Resolution No. PAHA-1114-2017-02) and Approving Purchase Price and Conversion from Rental Program to Homeownership Program for: Darlene Shutiva (Resolution No. PAHA-1114-2017-03) passed in a vote of 3 for and -0- against.

8. Department Reports- (For more information refer to November 2017 Board Packet.)

Finance Department Report – Owen Ondelacy

For the month of October, Mr. Ondelacy submitted form HUD 2516 to the Albuquerque HUD office on 10/4/17 and form HUD 4710 to the Las Vegas Field Office on 10/4/17. On October 17th the quarterly SF-425, Federal Financial Report was submitted to the Albuquerque HUD office for the 2017 IHBG and 2015 ICDBG. A drawdown in the amount of \$251,005.67 for the 2016 IHBG was made to eLOCCS on October 18th. Bank of Albuquerque received the funds on October 20th. Since eLOCCS does not allow two drawdowns in one day, another in the amount of \$633,077.73 was made the following day for the 2017 IHBG and Bank of Albuquerque received the funds on October 23rd. Draw request #7 was sent to Travois and Travois sent reimbursement request to Raymond James. Funds in the amount of \$824,145.58 were received by the Bank of Albuquerque on October 18th from Raymond James. On September 28th PAHA received back the 2018 IHP with Governor's signature. It is not required for PAHA to present the 2018 IHP to the Board, but do so as a courtesy and to have in the minutes. Unfortunately, a quorum could not be

lot of work the Acoma Tribal Council adopted the residential leasehold. In last month's Board packet, a summary of the changes made to the residential leasehold were provided. Changes made were minor and language made was changing customs to customary law. On November 3rd the Pueblo of Acoma Tribal Council approved resolutions for the Residential Lease form, amendments to the Mortgage Law, implementing the Section 184 program and executing MOU's with USDA and VA. MOU's were sent to the USDA and VA. Both have confirmed receipt of the MOU's. HUD is not passing new residential leasehold's that adhere to Tribal Court jurisdiction. Residential leasehold was sent to HUD. HUD feels that if they file in Federal Court they will get better remediation, because of two incidents where action was not taking even after going through Tribal Court. Tribal Council asked if PAHA had any issues with filing in Federal Court and we do not, because really the only law Federal Court can apply to is our Mortgage Law, which states that, "the Tribal Court of the Pueblo of Acoma shall have exclusive jurisdiction over all actions arising under this chapter." What HUD is recommending and approving now is, "Tribal Court shall exercise jurisdiction over all matters arising within the jurisdiction of the Pueblo of Acoma with respect to subject of this ordinance and with respect to any person or entities acting or causing actions, which arise under this ordinance; B) Withstand any other provision in this ordinance or mortgage document, if a Federal agency becomes the holder of a lease hold mortgage or the lien under the Federal Mortgage Loan Guarantee or insurance program, such as the Section 184 Indian Home Loan program the United States may file for foreclosure action in the appropriate Federal Court, such actions shall be governed by the laws governing the applicable federal program and any other applicable federal laws." So, at this point Tribal Council wants to hold off and work this out. Hopefully in the next 60 days this issue shall clear up and the Section 184 program will become available. Tribal Council wants to keep the language as Tribal Court jurisdiction. So now we are going through the implementation process and implement these programs. A copy of the resolutions and amended Mortgage Law were provided to the Board. Recently the Historic Preservation office has been made a TIPO office. PAHA now does not have to send environmental reviews to the SHIPO, we send it to the tribe. The next step is to implement the HEARTH Act, which will be managed at the Realty office. **April:** What is the process to obtain a land assignment? **Response:** You would go to the Antelope Clan and once you get that you take that to the Realty office. The process is still being worked on. **Robin:** We talked about men having land assignments, so they would follow this same process? **Response:** That is a discussion we talked about with traditional leadership, because each situation will be different. If a family member gives the land to a male that is their decision to make, but yes, they would. There were no further inquires on Mr. Tortalita's report.

9. Announcements & Schedule December 2017 Meeting:

Next scheduled BOC meeting will be held on Friday, December 15, 2017 at 4:00 p.m. – Flix Brewhouse, Albq.

10. Adjournment:

Meeting adjourned @ 9:33 p.m., motion made by Commissioner, A. Estevan, seconded by Chairwoman, R. Cruz. Motion carried.

Respectfully submitted



Krystal Vallo,
Transcribing Secretary