

Housing Authority of the City of Laredo
Board of Commissioner Meeting
LHA Board Room
2000 San Francisco Ave.
Laredo, Texas 78040
Wednesday, November 23, 2016
8:00 a.m.

A-16-R-11

Minutes

November 23, 2016

1. **CALL TO ORDER** Chairman Ceballos called the meeting to order 8:03 a.m.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL AND DECLARATION OF QUORUM**

Commissioners Present

Jose L. Ceballos, Chairman
Dr. Sergio Garza, Vice Chairman
Gina Magallanes, Commissioners
Dr. Marisela Rodriguez, Commissioner

Commissioners Absent

Staff Present

Maria Hernandez, Assistant Director of Public Housing
Bulmaro Cruz, Director of Modernization and Development
Jennifer Barrientos, Interim Section 8 Administrator
Cesar Vasquez, Human Resources Manager
Alfonso Trevino, CFP Foreman
Julia Orduna, Planning & Community Affairs Specialists
Mauricio Del Barrio, Director of Finance
Frank Lopez, Procurement Officer
Jose Collazo, Resident Initiative Coordinator
Roberto Pena, Director of IT
Christy Ramos, Administrative Assistant
Alma Mata, Administrative Assistant
Laura Gutierrez, Farm Labor Manager
Darin Darby, Attorney
Douglas Poneck, Attorney (by phone)
Mario Jasso, Consultant

Others Present

Orlando Guerrero

4. **CHAIRMAN'S COMMENTS**

Chairman Ceballos informed the Board of Commissioners and those present that Ms. Rodriguez, an advocate for the Housing Authority and for Russell Terrace for the last 15 years,

passed away last Monday. He asked for a moment of silence in appreciation for her selflessness and dedication.

Moment of silence was observed.

Chairman Ceballos stated that he would also like to observe a moment of silence for Det. Benjamin Marconi from the San Antonio Police Department that lost his life due to a senseless act.

Moment of silence was observed.

5. CITIZENS COMMENTS

This is the opportunity for visitors and guests to address the Board of Commissioners on any issue. The Board may not discuss any presented issue, nor may any action be taken on any issues at this time. There will be a 3-minute limitation per speaker. (Texas Attorney General Opinion-JC-0169)

Ms. Ortiz informed the commissioners that the staff would be having their Thanksgiving luncheon at 12:00 p.m. and extended the invitation to the Board.

6. APPROVAL OF MINUTES

- A. Approval of minutes for Board of Commissioners meeting on October 7, 2016.
Chairman Ceballos asked that in the minutes there be constancy when addressing or referring to the commissioner. He also stated that Commissioner Dr. Garza preferred his last name after his title.

Chairman Ceballos motioned to approve the minutes as presented.

Vice Chairman Dr. Garza seconded the motion.

Motion passed unanimously.

- B. Approval of minutes for Board of Commissioners meeting on October 21, 2016.

Vice Chairman Dr. Garza noted that page 5 was missing the last name next to the title Vice Chairman. He also stated that page 9 was missing some correction he asked for in the resident survey form.

Chairman Ceballos asked that Ms. Mata review the records and make changes to the minutes to reflect the correction on item G page 9. He also asked to verify if there was a time frame to complete the mobile app.

Chairman Ceballos asked which minutes reflect the resignation submitted by John Solis.

Ms. Ortiz replied that these minutes were the ones that documented that.

Vice Chairman Dr. Garza motioned to approve the minutes with the stated corrections.

Commissioner Magallanes seconded the motion.

Motion passed unanimously.

- C. Approval of minutes for Special Board of Commissioners meeting on October 31, 2016.

Vice Chairman Dr. Garza stated that pages 2-6 needed to be reviewed to include the title "Dr." before his last name and page 6 needed to state the Chairman's last name after the title. He also stated that page 5 under the procurement item there is a question and should have a question mark and instead it has a period.

Chairman Ceballos motioned to approve the minutes as amended acknowledging the request to correct each of the records to establish the title and the last name for each as referenced in the minutes.

Commissioner Dr. Rodriguez seconded the motion.

Motion passed unanimously.

7. PRESENTATION BY CENTRAL RESIDENT COUNCIL

8. PERSONNEL ITEM

Discussion and possible action related to the grievance filed by Orlando Guerrero. This item may be discussed in Executive Closed Session, pursuant to Texas Government Code Section 551.074 (Personnel Matters).

Chairman stated that the item would be discussed in executive session. He stated that he would allow staff ten minutes to present and Mr. Guerrero ten minutes to present as well.

He asked for Acting/Interim Executive Director Melissa Ortiz and Human Resources Manager Cesar Vasquez along with Attorneys Darin Darby and (by phone) Doug Poneck to enter into executive Session.

Vice Chairman Dr. Garza motioned to enter into executive session.

Commissioner Dr. Magallanes seconded the motion

Motion passed unanimously.

Board entered into executive session at 8:17 a.m.

Board returned from executive session at 9:41 a.m.

No action was taken in executive session.

Vice Chairman Dr. Garza motioned to accept Mr. Guerrero's resignation in lieu of termination and for resignation to be effective November 1, 2016 and no further action be taken regarding his grievance.

Commissioner Dr. Rodrigues seconded the motion.

Motion passed unanimously.

9. PRESENTATIONS (No Action to be taken)

A. Executive Director's report.

B. Unaudited Financials for the month of September 2016.

Chairman Ceballos informed the Board that the Executive Director's Report and financials were in their packets for their review and asked that the Board accept them as presented unless there were any questions.

Vice Chairman Dr. Garza stated that he has noticed that AMP 4 is always in the red and asked if the final number should be in red as well.

Ms. Ortiz replied yes for the fiscal year and stated that they do have reserves from prior years that they can tap into. She stated that this year they have used more expenses than the revenue they have received.

Chairman Ceballos asked if they will be in the black by the end of the fiscal year.

Ms. Ortiz replied that it is not likely and that money has been moved to this account over the years to cover their expenses. She stated that she will analyze the budget for that amp to reduce expenses.

Chairman Ceballos asked where the funding is coming from for the resident coordinator at that amp.

Ms. Ortiz replied from the operating subsidy. She stated there is a specific amount allocated for an elderly/disabled coordinator. She stated that LHA is one of the few agencies that receive funding for this position.

Chairman Ceballos asked if this person was being paid strictly out of AMP 4 and, if so, could this person work at other AMPS and help get AMP 4 out of the red.

Ms. Ortiz stated that those monies are specifically designated for AMP 4 for that position by HUD.

Chairman Ceballos asked if there is enough activity at that AMP or if it was possible for this coordinator to work at other AMPS so that they could fund the position appropriately.

Vice Chairman Dr. Garza asked if there is a requirement or law that requires that you have a person designated only to the Senior Citizens home.

Ms. Ortiz replied no but LHA is one of a few agencies that receive funding for that position. She stated that no other amp receives that funding and when funds are drawn for AMP 4 that money must specifically be used for that.

Chairman Ceballos stated that they are accepting financials that are in the red and if you could diversify where the coordinator performs her duties that may help AMP 4 get to the black.

Mr. Collazo stated that the coordinator is assigned to the Senior Home; however she is involved with the elderly at other AMPS as well.

Chairman Ceballos asked Ms. Ortiz to look into diversifying the source of funds for the coordinator salary.

He asked Mr. Del Barrio to report to the Board at the next meeting to see if they can be in the black by the end of the fiscal year.

10. ACTION ITEMS

Chairman Ceballos motioned to move Item 10B up for discussion first before entering executive session.

Commissioner Dr. Rodriguez seconded the motion

Motion passed unanimously.

- A. Discussion and possible action on Casa Verde and Russell Terrace as it relates to TDHCA.
- B. Discussion and possible action related to Executive Director's report on Farm Labor Housing Development and others matters incident thereto. This item may be discussed in Executive Closed Session, pursuant to Texas Government Code Section 551.071 (consultation with attorneys).

Ms. Ortiz stated that they met with Attorney Ricardo De Anda, and Housing Authority was able to issue eviction letter for four residents. She stated that one of the residents moved out and left a balance. She also mentioned that the other two somehow were transferred to public housing.

Chairman Ceballos stated that regulations require that anyone that is to be assisted in Farm Labor must go through the waiting list. He stated that they will set out a process

after returning from executive session if one is not yet in place. He stated that we cannot be moving people at our discretion. He clarified that he is not saying that is what the current managers are doing but he wants them to be aware. He stated that there is a process on how we treat applicants in any housing project and when there is discretion on how we qualify and disqualify. He stated that in particular how we place applicants at farm labor depends on an addendum that is placed in their file. He also stated that there needs to be a process and it needs to be clear when you make judgement calls on how families get housed. If management is not receiving the guidance he asks that they come back to the Board and receive the guidance because they cannot be placing themselves in any kind of liability in how they deal with tenants, in particular low income tenants. He stated that it is unfair to them to house applicants and then inform them that they really didn't qualify based in regulations. He stated that the regulations don't change regularly, at least not in this area. Chairman Ceballos stated that he wants management to feel empowered to come before the Executive Director and before the Board if they are not receiving the support to help establish a process that makes it fair for people. He stated that they are going to take some action that possibly takes families out of that development because they do not qualify and did not qualify at the time they were admitted. He also stated that the worst thing that can happen is for a housing authority to have to correct that. He stated that how you move people from Public Housing and Section 8 has a process and the housing authority cannot be making that up. He stated that he wants to make sure that they feel empowered and that we are going to fix things as opposed to them thinking that the rules are changing because the rules haven't really changed. He stated that maybe the direction that management had been giving had been different and we cannot have a Farm Labor development housing non-Farm Labor clients when our districts are full of migrants and there is a marketing plan that is established to pursue these families.

Chairman Ceballos informed the Commissioners that they will hear from staff that they have a hard time filling those units however he would question how much outreach has been done. He stated that they will establish a marketing plan for that program. If in the next 4 to 6 months staff can demonstrate that migrants truly don't need housing, then that is where we are. He stated that there are families that are not migrant that are living in a Farm Labor development and that needs to be corrected. He stated that the regulations force us to address it. He stated that there are ways to gain an exemption and they will discuss those.

Chairman Ceballos stated staff should feel empowered to address the Board regardless of who is on the Board and address things according to the regulations.

Chairman Ceballos asked how many families are impacted.

Ms. Ortiz replied six families.

Chairman Ceballos stated that Attorney De Anda, who works tenant issues, is working with Ms. Ortiz and they administratively have the authority to work with the families

that are eligible. As to those families that are not eligible, those families will have to be transitioned elsewhere. He stated that when transitioning a family, they must meet the Public Housing requirements and there is only one way to get into housing and that is through a waiting list. He also mentioned that there are some exceptions that would have to come to this Board and we haven't heard any. He stated that they are hoping to have a displacement preference that will help with situations like this one.

- C. Discussion and possible action relating to agency's organizational structure and staffing, including possible changes to organizational chart and staffing. This item may be discussed in Executive Closed Session, pursuant to Texas Government Code Section 551.074 (Personnel Matters)

11. EXECUTIVE CLOSED SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE

The Board of Commissioners for the Housing Authority of the City of Laredo reserve the right to adjourn into Executive Closed Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, including Sections 551.071 (consultation with attorneys), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development).

Vice Chairman Dr. Garza motioned to entertain items 10A and 10B and 10C in executive section.

Commissioner Dr. Rodriguez seconded the motion.

Motion passed unanimously.

Chairman Ceballos asked for Acting/Interim Executive Director Melissa Ortiz, Finance Director Mauricio Del Barrio, and Farm Labor Project Manager Laura Gutierrez, Assistant Director of Public Housing Maria Hernandez, and Director of Modernization and Development Bulmaro Cruz to enter into executive Session.

Board entered into executive session at 9:56 a.m.

Board returned from executive session at 11:29 a.m.

No action was taken in executive session.

12. ADJOURNMENT

Commissioner Dr. Rodriguez motioned to adjourn

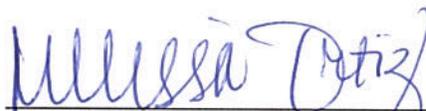
Vice Chairman Dr. Garza seconded the motion.

Motion passed unanimously.

Meeting adjourned at 11:31 a.m.



Jose L. Ceballos, Chairman



Melissa Ortiz, Acting/Interim Executive Director