Housing Authority of the City of Laredo Regular Board of Commissioners Meeting



LHA Board Room 2000 San Francisco Ave. Laredo, Texas 78040

Friday, March 26, 2021 12:00 p.m.

Administration

Housing Authority of the City of Laredo Regular Board of Commissioners Meeting Zoom Video Link: https://us02web.zoom.us/j/81712811044 Call in Number: 1-346-248-7799 Webinar ID: <u>817 1281 1044</u> LHA Board Room 2000 San Francisco Ave. Laredo, Texas 78040 Friday, March 26, 2021 12:00 P.M.

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Board of Commissioners

Jose L. Ceballos, Board Chairman Dr. Sergio D. Garza, Vice Chairman Anita L. Guerra, Commissioner Dr. Marisela Rodríguez Tijerina, Commissioner Gloria Ann Freeman, Resident Commissioner

NOTE: Due to the recent COVID-19 health concerns, this meeting will be held by telephonic/video conferencing and the public may join via conference call number or via website provided above.

A-21-R-05 Agenda	March 26, 2021
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- 1. CALL TO ORDER
- 2. INVOCATION PRAYER
- 3. PLEDGE OF ALLEGIANCE
- 4. ROLL CALL AND DECLARATION OF QUORUM
- 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 the time. There will be a 3-minute limitation per speaker. (Texas Attorney General Opinion-JC-0169)

- 6. DISCLOSURE OF CONFLICTS OF INTEREST FOR BOARD OF COMMISSIONERS AND STAFF
- 7. PRESENTATION BY CENTRAL RESIDENT COUNCIL
- 8. STANDING REPORTS AND PRESENTATIONS (No Action to be take on these items)
 - A. Report status on construction projects.

9. ACTION ITEM

- **A.** Discussion and possible action to accept into public record the Audited Financial statements for fiscal year ending March 31, 2020.
- **B.** Discussion and possible action to award RFP #2021-0305-1 Housing & Supportive Programs Consultant and authorize the Executive Director to finalize negotiations and contract.
- **C.** Discussion and possible action related to the development of a Housing & Facilities Masterplan for Homeless Community Members.
- D. Discussion and possible action related to the executed contract agreement related to the Laredo Inner City Revitalization Study and additional work related to Covid-19 impact and economic recovery work.
- E. Discussion and possible action to approve the updated LHA Financial Policies effective April 1, 2021.
- F. Discussion and possible action to approve and update the Housing Choice Voucher Program Administrative Plan to improve on internal controls and compliance as it relates to Chapter 11 Payments to Owners/Landlords.
- **G.** Discussion and possible action to approve the updated bonding requirements table within the procurement policy.
- **H.** Discussion and possible consideration related to the migration of the application process to RENTCafe an online application portal.
- I. Discussion and possible action to approve and update the LHA Personnel Policy as it relates to Section 7 B. Holiday and Section 12 J. Continuing Education.

10. EXECUTIVE 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 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).

11. ACTION ON ANY EXECUTIVE SESSION ITEM

12. ADJOURNMENT

Mary Goona, Executive Director

The Housing Authority of the City of Laredo is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the Executive Director at (956) 722-4521 at least 48 hours in advance. This meeting site is accessible to disabled persons. Disabled parking is provided in the north parking lot adjacent to the Administration Building, and disabled building access is located at the main entrance.

CERTIFICATON

This notice was posted at the Municipal Government Offices, 1110 Houston Street, Laredo, Texas, at a place convenient and readily ADA/accessible to the public at all times. Said notice was posted on Tuesday, March 23, 2021 at 12:00 p.m.

Jose A. Valdez Jr., City Secretary

<u>DATE</u> : 03/262021 <u>Item #:</u> 9A	<u>SUBJECT</u>: Discussion and possible action to accept into public record the Audited Financial statements for fiscal year ending March 31, 2020.			
INITIATED BY	STAFF SOURCE			
Mary GaonaJennifer BarrientosExecutive DirectorDirector of Finance				
PREVIOUS BO None	PREVIOUS BOARD ACTION: None			
BACKGROUND : On December 30, 2020, the Audited Financial Statements were submitted to the U.S. Department of Housing and Urban Development Real Estate Assessment Center for Fiscal year ending March 31, 2020.				
FINANCIAL: None				
RECOMMENDATION : Approval to accept into public record the Audited Financial statements for fiscal year ending March 31, 2020.				

<u>DATE</u> : 03/26/2021	<u>SUBJECT</u> :
<u>Item #:</u> 9B	Discussion and possible action to award RFP #2021-0305-1 Housing & Supportive Programs Consultant and authorize the Executive Director to finalize negotiations and contract.

INITIATED BY:

STAFF SOURCE

Maria M. Gaona Executive Director Valeria Cabello Procurement Officer

PREVIOUS BOARD ACTION:

None

BACKGROUND:

On March 5, 2021, the Housing Authority of the City of Laredo issued a Request for Proposals (RFP) for Housing & Supportive Programs Consultant; the established deadline to respond to this RFP was on March 19, 2021.

Additionally, the Agency received one submission for the Housing & Supportive Programs Consultant services:

• Regina Portillo Consulting

FINANCIAL:

To be presented at board meeting.

RECOMMENDATION:

Approval to award RFP No. 21-0305-1 Housing & Supportive Programs Consultant services and authorize the Executive Director to finalize negotiations and contract (s) with selected firm (s).

RFP No. 2021-0305-1 Housing & Supportive Programs Consultant

	Bidder 1 Regina Portillo Regina Portillo Consulting
Total Evaluation Points	94.6

RFP Newspaper Publication Dates:	March 5, 2021	
Scoring Committee Date	March 23, 2021	
Scoring Committee:	Jennifer Barrientos Jessica Martinez Stephanie Garcia	Director of Finance Director of Community & Resident Services Program Coordinator

Scoring Criteria/Evaluation Factors

NO.	MAX POINT VALUE	DESCRIPTION	
1	20 points	Level of Quality and Professonal Responsiveness	
2	30 points	Overall Statement of Qualifications and Knowledge of Subject Matter	
3	30 points	Quality of Key Personnel Assigned. Avaliable and Response to Client	
4	20 points	Cost Effectiveness and Technical Value	
5	15 points	Section 3 Business Preference	
	115 points	Total Points (other than preference points) 115 points	

Scoring Criteria/Preference Evaluation Factors (Section 3)

NO.	MAX POINT VALUE	FACTOR DESCRIPTION	
7		SECTION 3 BUSINESS PREFERENCE PARTICIPATION: A firm may qualify for Section 3 status as detailed within Attachment D (NOTE: A max of 5 points awarded).	
7a	15 points Priority I: As detailed on page 5 of Attachment D.		
7b	12 points	12 points Priority II: As detailed on page 5 of Attachment D.	
7с	9 points Priority III: As detailed on page 5 of Attachment D.		
7d	6 points Priority IV: As detailed on page 5 of Attachment D.		
7e	3 points	3 points Priority V/VI: As detailed on page 5 of Attachment D.	
	15 points	Maximum Preference Points (Additional)	

*9C

Discussion and possible action related to the development of a Housing & Facilities Masterplan for Homeless Community Members.

*This action item will be discussed at the Board of Commissioners Meeting.

DATE: SUBJECT:

3/26/2021 Discussion and possible action related to the executed contract agreement related to the Laredo Inner City Revitalization Study and additional work related to Covid-19 impact and economic recovery work.

STAFF SOURCE:

INITIATED BY:

Mary Gaona Executive Director

PREVIOUS BOARD ACTION:

On October 3, 2019 the Housing Authority of the City of Laredo (LHA) executed the contract with HR&A Advisors, Inc for the Inner City Housing Reinvestment Analysis Consultant Services. On March 17, 2021, LHA executed a contract amendment to include the additional work related to Covid-19 impact and economic recovery work.

ACTION PROPOSED:

Approval of action related to the executed contract agreement related to the Laredo Inner City Revitalization Study and additional work related to Covid-19 impact and economic recovery work.

BACKGROUND:

None

FINANCIAL:

\$8,000.00

SUBJECT:

Approval of action related to the executed contract agreement related to the Laredo Inner City Revitalization Study and additional work related to Covid-19 impact and economic recovery work.

DATE: 03/26/2021 <u>Item #:</u> 9E	<u>SUBJECT</u> : Discussion and possible action to approve the updated LHA Financial Policies effective April 1, 2021			
INITIATED BY	STAFF SOURCE			
Mary Gaon Executive D	a Jennifer Barrientos			
PREVIOUS B	DARD ACTION:			
None				
BACKGROUND : These updated financial policies are to revise and develop an overall assessment of the design and operation of Internal Control over Financial Reporting.				
FINANCIAL: None				
<u>RECOMMENDATION</u> : Approval to adopt the updated LHA Financial Policies effective April 1, 2021				

DATE: 3/26/2021 Item #: 9F	SUBJECT: Discussion and possible action to approve and update the Housing Choice Voucher Program Administrative Plan to improve on internal controls and compliance as it relates to Chapter 11 Payments to Owners/Landlords.
INITIATED BY	<u>(:</u> <u>STAFF SOURCE</u> :
Mary Gaon	a Melissa Ortiz
Executive D	virector Section 8 Administrator

PREVIOUS BOARD ACTION

None

ACTION PROPOSED:

To update the Housing Choice Voucher Program Administrative Plan to improve on internal controls and compliance as it relates to Chapter 11 Payments to Owners/Landlords. And incorporate the implementation of the Affidavit for HAP Recipient and Affidavit of Property Owner (s) to eliminate and prevent any misrepresentation of ownership.

BACKGROUND:

Currently, the Section 8 Program Administrative Plan does not require an affidavit for the verification of owners/landlords for the leased properties entering into the HCV Program.

FINANCIAL:

None

<u>RECOMMENDATION</u>:

To approve the update to the Housing Choice Voucher Program Administrative Plan to improve on internal controls and compliance as it relates to Chapter 11 Payments to Owners/Landlords.

STATE OF TEXAS)) ss. COUNTY OF WEBB)

AFFIDAVIT OF PROPERTY OWNER(S)

Before me the undersigned authority appeared ______, who after having been duly sworn before me a notary public, stated and affirmed the following to be true and correct from his own personal knowledge.

- 1. My name is ______. I am over 18 years of age and am qualified to make these affirmations. I reside at ______, Texas.
- 2. I have prepared and signed this affidavit as part of my Housing Assistance Payments contract ("HAP") with the Laredo Housing Authority ("LHA"), which provides for rental assistance payments on behalf of _______, a tenant eligible for Section 8 housing assistance from the LHA.
- 3. I do hereby swear and affirm that I am the record title holder and owner of the property located at ______, _____, Texas, on which property said tenant ______, will reside pursuant to the HAP contract described above.

I am attaching hereto a copy of a tax statement from the Webb County Appraisal District showing that I am the record owner of the said property.

4. I do hereby swear and affirm that the record title owners of the above-described property are

	anu		•
I further swear and affirm that			does hereby
authorize me to receive the HAP payments	s due	under the HAP contract.	A separate affidavit
from		is attached	hereto verifying that
		authorizes	me to receive the

HAP payments from the LHA.

I am attaching hereto a copy of a tax statement from the Webb County Appraisal District showing the record owners as _______.

STATE OF TEXAS)

[Name]

) ss. COUNTY OF WEBB)

Sworn and affirmed before me this _____ day of _____, 20___, by ____, who after having been duly sworn and put under oath, did swear and affirm that the above is true and correct from his own personal knowledge.

Notary Public

My Commission Expires:_____

STATE OF TEXAS)) ss. COUNTY OF WEBB)

AFFIDAVIT FOR HAP RECIPIENT

Before me the undersigned authority appeared ______, who after being duly sworn before me a notary public, stated and affirmed the following to be true and correct from his own personal knowledge.

- 1. My name is ______. I am over 18 years of age and am qualified to make these affirmations. I reside at ______, Texas.
- 2. I am a co-owner of a property situated at _____, Texas, along with _____.
- 3. I understand that the above property is being made subject to a Housing Assistance Payments ("HAP") contract providing for rental assistance from the Laredo Housing Authority ("LHA") in favor of ______, a tenant who will be residing at the above property pursuant to Section 8 housing assistance.
- 4. I do hereby authorize the LHA to make the rental assistance payment under the HAP contract payable to my co-owner, _____.

[Name]

STATE OF TEXAS)) ss. COUNTY OF WEBB)

Sworn and affirmed before me this _____ day of _____, 20____, by ____, who after having been duly sworn and put under oath, did swear and affirm that the above is true and correct from his own personal knowledge.

Notary Public

My Commission Expires: _____

HousingChoiceVoucherProgramAdministrativePlan+ Formatted: Right CHAPTER 11. Payments to Owners/Landlords A. Controls and Accountability 1. All HAP payments are computed according to HUD approved formulas and schedules. 2. New contracts are dated on or after the unit are is approved and the participant has moved in. 3. An Affidavit of property Owner(s) and/or Affidavit for HAP Recipient accompanied by a tax Formatted: Indent: Left: 0.5", First line: 0" statement showing ownership must be submitted with contract. 3. Computations are reviewed before being submitted for payment. 4. A HAP register is maintained to monitor timeliness and accuracy. 5. The owner/landlord may not charge extra for items customarily included in rents in the locality or provided at no additional cost to the unsubsidized residents on the premises. **B.** Basic Procedures 1. Annual rent increases are effective the first of the month. 2. PHA internal requests for payments are submitted by no later than the 24thof each month to ensure that payments can be reviewed for accuracy and so that payments are made in a timely manner to the owners/landlords. 3. The PHA will generate an EIV Deceased Tenants Report prior to requesting payment be made to owner. The PHA will review and follow up in accordance with Chapter 13 F of this policy. 4. The owner/landlord may choose either direct deposit or payment by check. Direct deposit of Formatted: Indent: Left: 0.5", First line: 0" HAP payments is required for all current, new and prior landlords participating in the Section 8 program. Additionally, each participating landlord must have a valid email address for communication. This service is a convenience to the landlords and helps streamline the payment process. A direct deposit form is available at www.larha.org. Landlords should note the following: a. You must have a checking or savings account. Formatted: Indent: Left: 0.5" b. Direct Deposit will only be made to one bank account. c. The entire amount of the HAP will be deposited. No partial deposits will be made. d. Monthly HAP payments will normally be deposited on the second business day of the -Formatted: Indent: Left: 1", First line: 0" month, but is subject to funding availability from HUD. e. Any changes to your account information must be submitted in writing along with a new Direct deposit form and Owner and/or Co-Owner affidavit. 5. Tenant's Utility Reimbursement payments are made directly to the tenant.

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C.	HAP Late Payments to Owners/Landlords
	ne HAP contract provides for penalties against the PHA. To assess such fees, the policy and practice ust meet the following criteria:
	1. The penalties follow the generally accepted practice and law in the local housing market;
	2. The owner/landlord charges both assisted and non-assisted residents;
	3. The owner/landlord charges the resident for late rent payments;
	4. Late fee will be paid from the Administrative fees income and reserve;
I	5. PHA will not be penalized for circumstances are beyond their control;
	6. The HAP payment is considered received once it has been mailed (or electronically deposited) by the PHA; and
	7. The first HAP payment of a contract is not considered for a late payment.
<u>D.</u>	Landlord Communication
se	mail Communication – LHA has upgraded its communication to Section 8 Landlords by using e-mail to end correspondence. This change will allow quicker communication from LHA to Section 8 Landlords and assure that important information is sent by LHA and received by the Landlord in an expeditious

manner.

<u>DATE</u> : 03/26/2021	<u>SUBJECT</u> :
<u>Item #:</u> 9G	Discussion and possible action to approve the updated bonding requirements table within the procurement policy.

INITIATED BY:

STAFF SOURCE

Maria M. Gaona Executive Director Valeria Cabello Procurement Officer

PREVIOUS BOARD ACTION:

None

BACKGROUND:

On March 4, 2021, the Housing Authority of the City of Laredo updated the bonding requirements table within the procurement policy.

The updated table includes the bonding requirements of all trades, the Board of Commissioners approval of the Executive Director's authorization to proceed with awarding competitive procurements up to \$50,000 for CARES Act and Capital Fund Grant related projects through 2021 (effective December 17, 2020).

In addition, the updated table includes direct access hyperlinks to the State of Texas Procurement Handbook for Public Agencies, and Texas Government Code.

FINANCIAL:

None

RECOMMENDATION:

Recommendation to approve the updated bonding requirements table as presented by Staff.

Construction Bonding Requirements for the Housing Authority of the City of Laredo

All Trades	\$2,000 to \$50,000	Over \$50,000 to \$100,000	Over \$100,000
Bid Bond	None	None	5% of the contract price;
Performance Bond	None	100% of the contract price;	100% of the contract price;
Payment Bond	Applies if more than \$25,000 (under State Law ¹)	100% of contract price	100% of the contract price; separate payment and performance bonds each for 50% or more of the contract price;
Irrevocable Letter of Credit	None	None	25% irrevocable letter of credit; or
Cash Escrow	None	None	20% cash escrow.

Notes:

By Board of Commissioners approval under, the Executive Director has been authorized to proceed with awarding competitive procurements up to \$50,000 for CARES Act and Capital Fund Grant related projects through 2021 (effective December 17, 2020).

For more information, please click <u>here</u>² to view the State of Texas Procurement Handbook for Public Agencies. To view the Construction Contracts Insurance Requirements for the Housing Authority of the City of Laredo, please click <u>here</u>.³

¹ <u>Texas Government Code 2253.021</u>

² <u>State of Texas Procurement Handbook for Public Agencies</u>

³ <u>Construction Contracts Insurance Requirements</u>

<u>DATE</u>: 03/26/2021	SUBJECT: Discussion and possible consideration related to the migration of the application process to	
<u>ltem #:</u> 9Н	RENTCafe an online application portal.	

INITIATED BY:

Mary Gaona Executive Director STAFF SOURCE:

Robert Pena Director of IT

PREVIOUS BOARD ACTION:

None

BACKGROUND:

Our current ACOP and HCV Administrative Plan do not reference the acceptance of waiting list applications online. Our new Yardi software was purchased with the RENTCafe portal that allows LHA to accept online waiting list applications.

Admissions and Continued Occupancy Policy

Chapter 3. Application for Admission

During open application periods, the PHA will accept applications at the main administrative office at 2000 San Francisco Avenue, Laredo, Texas 78040 and at the Asherton Project at 12th Cleveland Street, Asherton, Texas 78827. Each person or family seeking admission to a unit must submit a written application. When applications are being accepts, the PHA accepts them between the hours of 8:00 am to 12:00 pm and 1:00 pm to 5:00 pm on Monday thru Friday each week. Families may contact the PHA on Monday thru Friday from 8:00 am to 5:00 pm to check waiting list status. Steps for processing the applications are outlined below. Accessibility is available or will be provided as a reasonable accommodation.

Housing Choice Voucher Program Administrative Plan

Chapter 3. Completion of Application, Preferences, Determination of Eligibility and Selection of Families

- A. Completion of Application
 - 1. Applying of Assistance
 - a. Applications will only be accepted during periods when the waiting list is open.
 - b. The form may also be mailed to the applicant and, if requested, it will be mailed in an acceptable format.
 - c. To provide specific accommodation for person with disabilities, they may call the PHA to make special arrangements to complete their application.
 - d. Applications or pre-applications submitted to the PHA, fully completed and signed by the applicant family's head of household.

<u>RENTCafe</u>

Applicants will need a valid email in order to create an LHA account and apply online.

The only persons having access to the RENTCafe will be the administrator and the Admissions Coordinator and Admissions Specialist.

RENTCafe will not allow applicant to be deleted. While an applicant may be cancelled, an applicant can never be deleted. A record of the applicant will always remain on the portal.

For audit purposes, you need to select a reason for changing the status of an online application to "Rejected" or "On Hold".

In RENTCafe, every application maintains an audit log showing what movements were done during the preapplication process.

Due to current health concerns, we are recommending to migrate to this process as soon as possible.

FINANCIAL:

None

RECOMMENDATION:

To consider the migration of the application process to RENTCafe the online application portal.

DATE: 03/26/2021 Item #: 9I	SUBJECT: Discussion and possible action to approve and update the LHA Personnel Policy as it relates to Section 7 B. Holiday and Section 12 J. Continuing Education.		
INITIATED BY: Mary Gaona Executive Dire	STAFF SOURCE:		
PREVIOUS BO None	ARD ACTION:		
Section 7. Ab B. Holiday 1. <u>Official Sta</u> The PHA has The observan will not be pc	D: Current Personnel Policy sence from Work <u>indard Holidays are as follows:</u> established thirteen (13) official standard holidays with full pay by regular full- time employees. ce of holidays by temporary and part-time employees shall be without pay. Personal Holiday id to those employees who are terminated from their employment with LHA. <u>indard Holidays are as follows</u> :		
<u>Authorized</u> New Year's Martin Luther President's Da Good Friday Memorial Day Independend Labor Day Veteran's Da Thanksgiving Christmas Eve Christmas Da Personal Holic	When Observed January 1stKing DayThird Monday in JanuaryayThird Monday in February Friday before Easter Sunday Last Monday in MayvLast Monday in Mayce DayJuly 4th First Monday in SeptemberyNovember 11thDayFourth Thursday in November Friday after Thanksgiving December 25th		
Section 12. O J. Continuing 1. The PHA en employees an post-high sch a. the cour	ther Matters		

- b. the employee has received advance written approval for reimbursement from the Executive Director;
- c. the employee passes the course with a grade of "C" or better.

2. In accordance with IRS Code Section 127, reimbursement for post-graduate college education will be considered taxable income to the employee.

3. Reimbursement for expenses may not exceed the amount allowed per employee as established by the PHA. This benefit is contingent on available funds. If budget line items would be overrun this benefit shall temporarily suspend.

FINANCIAL:

None

<u>RECOMMENDATION</u>:

To approve and update the LHA Personnel Policy as it relates to Section 7 B. Holiday and Section 12 J. Continuing Education.

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(C. HAP Late Payments to Owners/Landlords
	The HAP contract provides for penalties against the PHA. To assess such fees, the policy and practice nust meet the following criteria:
	1. The penalties follow the generally accepted practice and law in the local housing market;
	2. The owner/landlord charges both assisted and non-assisted residents;
	3. The owner/landlord charges the resident for late rent payments;
	4. Late fee will be paid from the Administrative fees income and reserve;
I	5. PHA will not be penalized for circumstances are beyond their control;
	6. The HAP payment is considered received once it has been mailed (or electronically deposited) by the PHA; and
	7. The first HAP payment of a contract is not considered for a late payment.
1	D. Landlord Communication
5	Email Communication – LHA has upgraded its communication to Section 8 Landlords by using e-mail to send correspondence. This change will allow quicker communication from LHA to Section 8 Landlords and assure that important information is sent by LHA and received by the Landlord in an expeditious

manner.