

**Minutes of Annual Board Meeting  
Held by the Board of Commissioners of the  
Housing Authority of the City of Pharr**

**April 28, 2016**

The Annual Meeting was held by the Board of Commissioners of the Housing Authority of the City of Pharr, Texas on April 28, 2016 at 5:00 p.m. at The Pharr Housing Authority, Administration Building, Board Room located at 104 W. Polk Ave., Pharr, Texas. Upon roll call those present were as follows:

Vice-Chairman: Frank Nunez

Commissioners: Mario Lizcano, Uvaldo N. Gutierrez, III

Absent: Deborah Lopez

Also Present: Mr. Noel De Leon, Interim Executive Director, Marissa A. Carranza Hernandez, PHA Attorney; Jaime X. Pena, CPA; Joe Cantu, Director of Administrative Services; Lazaro J. Guerra, Finance Human Resource Director; Janie Barrera, Executive Secretary; Ricardo Cuellar, PHDC President; Mike Hernandez, Web Designer.

Vice-Chairman Frank Nunez called the meeting to order, welcomed everyone present.

Commissioner Mario Lizcano, lead the Pledge of Allegiance.

Commissioner Mario Lizcano gave the Invocation.

First Order of Business was Excuse the Absence of Any Board Member. Vice-Chairman Frank Nunez advised Commissioner Deborah Lopez was ill. Commissioner Mario Lizcano moved to Excuse the Absence of Commissioner Deborah Lopez. Commissioner Uvaldo N. Gutierrez, III duly seconded. Upon call for votes the following was recorded.

Ayes: Frank Nunez, Mario Lizcano, Uvaldo N. Gutierrez, III

Nays: None

Next Order of Business was Public Comments. Vice-President Frank Nunez advised the Board there were no public comments.

Next Order of Business was Election of Officers. Vice-Chairman opened the floor for the office of Chairman. Commissioner Mario Lizcano advised there was a Chairman in place but recently resigned. Commissioner Mario Lizcano moved to nominate Vice-Chairman Frank Nunez for the office of Chairman. Commissioner Uvaldo N. Gutierrez, III duly seconded. Upon call for votes

the following was recorded.

Ayes: Frank Nunez, Mario Lizcano, Uvaldo N. Gutierrez, III

Nays: None

Chairman Frank Nunez moved to nominated Mario Lizcano for the Office of Vice-Chairman. Commissioner Uvaldo N. Gutierrez, III duly seconded. Ms. Hernandez Legal Council advised the Board she met with Honorable Mayor Hernandez and advised he would be appointing a new Board Member shortly for the Pharr Housing Authority Board. Commissioner Mario Lizcano thanked Legal Counsel for the continued communication with City Officials, which is something very beneficial for the Housing Authority and is something that we lacked in the past. Upon call for votes the following was recorded.

Ayes: Frank Nunez, Mario Lizcano, Uvaldo N. Gutierrez, III

Nays: None

Next Order of Business was Consideration and Possible Action to Approve Minutes of Regular Meeting held on March 23, 2016. Commissioner Mario Lizcano moved to Approve Minutes of Regular Meeting held on March 23, 2016. Commissioner Uvaldo N. Gutierrez, III, duly seconded. Upon call for votes the following was recorded.

Ayes: Frank Nunez, Mario Lizcano, Uvaldo N. Gutierrez, III

Nays: None

Next Order of Business was Jaime X. Pena, Certified Public Accountant, Financial Report for Low-Rent Program, Housing Choice Voucher Program, ROSS 15, CFP 501-14 and CFP 501-15. Mr. Jaime X. Pena introduced himself to the Board. Mr. Pena reviewed the financial report for the month of February 2016. Ms. Hernandez, Legal Council advised the Board the Reserve Levels that HUD establishes sometimes in years when there are budgeting issues HUD has been able to come back and dip into your reserves if you have too much, that is why we are always trying to operate very carefully making sure we are not carrying too much of a reserve level. Commissioner Mario Lizcano asked who controlled the maturity of Certificates of Deposits and if they can all be combined and would like to request for all Certificate of Deposits/Money Markets be combined. Mr. Pena advised he did not see a problem with having the Certificate of Deposits/Money Market Accounts in one single Financial Institution, considering all funds are secured under FDIC. Mr. Pena advised the Board of Commissioners all programs were doing well. Mr. De Leon advised the Board he attended a Resident Council Meeting at the Las Milpas Community Center and asked the residents what it was that they needed to improve the units. The Residents mentioned they had requested kitchen cabinets which are in the CFP budget but were never installed. Mr. De Leon advised he would be taking pictures of the before and after of every project to make sure to and comply with budgeted and allotted items. Commissioner Mario Lizcano said he would like to have a workshop to see where the money was and trending

and better understand that we are in compliance. Chairman Frank Nunez said he had a question that he has been asking since he first got appointed to the Board and has never received an accurate response on discarding of appliances and equipment what happens to it how does the Housing Authority account for all the equipment. Mr. De Leon advised we have a fixed asset person who takes inventory of the items and depending on equipment if it has a value we have a process of putting it out to the public for bids and of it does not have value then be able to discard of it with proper documentation in place. Chairman Frank Nunez said he would like for the Board to be provided with a list of equipment that needs to be discarded and description as to how it was discarded and he is aware that it was not done before but they are a new commission and would like the public to know as much as possible. Chairman Frank Nunez said he was aware we held an Annual Scholarship Awards and saw list of PHA vehicle and does not see the need for them and would like to get rid of them and use the funds to give out more scholarships. Mr. Jaime X. Pena advised the Pharr Housing Development Corporation would be the Program that would be able to donate or have residents has fund raisers and advised Public Housing and Section 8 funding is Federal Funding and cannot be used for that therefore the vehicles would need to be sold. Mr. De Leon advised he was currently working on putting a plan together and does not foresee use of all the vehicles and would bring it forth to the Board.

Next Order of Business was In accordance with Chapter 551 of the Texas Government Code (Open Meetings Act), the Housing Authority of the City of Pharr, Board of Commissioners hereby gives notice that it will meet in executive session. Should any final action, decision, or final vote be required in the opinion of the Board with regard to any item deliberated during a closed meeting, then such final action, decision, or final vote shall be made during the open meeting held in compliance with Chapter 551, Government Code, V.T.C.A. The Board of Commissioners will discuss the following matters: **Discussion with General Counsel related to status of TDHCA complaint/special council report and Discussion of records received from management companies related to Valle de Palmas lease and status of collection of unpaid rents.** Pursuant to Section 551.071, the Board of Commissioners may convene in a Closed, non-public meeting with its attorney and discuss any matters related to Legal advice on pending or contemplated litigation, settlement offer, And/or on a matter in which the duty of the attorney to the governmental body Under the Texas Disciplinary Rules of Professional Conduct of the State Bar Of Texas clearly conflicts with this chapter. The Board of Commissioners and Its attorney may also discuss such issues with the appropriate staff so as to obtain. Necessary and relevant information so that such discussion is informative and developed.

Commissioner Uvaldo N. Gutierrez, III moved to enter into Executive Session. Commissioner Mario Lizcano duly seconded. Chairman Frank Nunez announced the Board of Commissioners would now enter into Executive Session time being 5:45 p.m.

Next Order of Business was RECONVENE into open session and consider action, if any, on items discussed in executive session. Commissioner Uvaldo N. Gutierrez, III, moved to reconvene into Regular Session. Commissioner Mario Lizcano duly seconded. Chairman Frank Nunez announced the Board of Commissioners was now in regular session time being 6:28 p.m. Commissioner Mario Lizcano provided a quick update on the Texas Department of Housing & Community Affairs (TDHCA) Complaint on continue to provide documents and meet the Deadline of May 30 and continues to be in contact with Special Council, Certified letters

requesting documents were sent to Valle De Palmas Ownership and nothing has been provided as of date of this meeting, our attorney has been in contact with the Legal Council for Valle De Palmas and a conference call has been scheduled for related matters. Commissioner Mario Lizcano advised this was just to inform that we are continued to follow up with and give a brief statement as far as where we are at with the Complaint received with TDHCA.

Next Order of Business was Consideration and Possible Action to Adopt Resolution No. 612-Resolution form HUD 11702 Resolution of Board of Commissioners and Certificate of Authorized Signatures for all Pharr Housing Authority Bank Accounts. Mr. De Leon advised the Board this Agenda Item was necessary to update signatures and titles due to appointed Chairman and Vice-Chairman. Commissioner Mario Lizcano moved to Approve Resolution No. 612-Resolution form HUD 11702 Resolution of Board of Commissioners and Certificate of Authorized Signatures for all Pharr Housing Authority Bank Accounts. Commissioner Uvaldo N. Gutierrez, III duly seconded. Upon call for votes the following was recorded.

Ayes: Frank Nunez, Mario Lizcano, Uvaldo N. Gutierrez, III

Nays: None

Next Order of Business was Discussion and Possible Action on Nepotism Policy. Vice-Chairman Mario Lizcano advised that was a concern that he brought up on having a better standing and implementation on what we have to adhere to with the nepotism policy, something specific in making sure that as we have a new Interim Director and Commission that we have all the policy that may be able to reflect our housing authority indirectly and at this time I would like to put it up for continued review and possible action in the near future. Chairman Frank Nunez announced this Agenda Item will be tabled.

Next Order of Business was Discussion and Approval of change of current name to The Pharr Housing Authority, Administration Building. Chairman Frank Nunez moved to name the Administration Building, the Pharr Housing Authority, and Administration Building. Vice-Chairman Mario Lizcano duly seconded. Upon call for votes the following was recorded.

Ayes: Frank Nunez, Mario Lizcano, Uvaldo N. Gutierrez, III

Nays: None

Next Order of Business was Consideration and Possible Action to Adopt Resolution No. 613 – Resolution to Approve Revision to PHA Personnel Policy, Section J. Annual Leave and Section M. Sick Leave. Mr. De Leon presented the Board a Power Point Presentation, on the liability incurred with the Personnel Policy Changes in 2011 and what is currently in 2016 we are short \$55,000 upon separating and advised to make the change to not incur the type of liability in the future. Mr. De Leon Advised he is working with Mr. Pena, and Mr. Blakeway on what the liability should be now and proposing to change the Personnel Policy Plan and change into some type of PTO type and incur limits on days allowed to keep on a use it or lose it and not place ourselves in a situation to incur a liability and would like for Ms. Hernandez, Legal Council

revise the Policy. Commissioner Mario Lizcano moved to table this item until further review. Commissioner Uvaldo N. Gutierrez, III duly seconded. Upon call for votes the following was recorded.

Ayes: Frank Nunez, Mario Lizcano, Uvaldo N. Gutierrez, III

Nays: None

Next Order of Business was Executive Directors Report: • Certificates of Deposits • Check List • Vacancy & Rent-Roll for Public Housing and Housing Choice Voucher Program • Texas "Open Government Training" • SEMAP Certification • PHA Website • Revise the Personnel Policy • Audit FYE 09/30/15. Mr. De Leon revisited a Power Point Presentation with the Board and reviewed the Certificate of Deposit, Lone Star National Bank, Money Market Accounts \$628,682.00 NAFT Federal Credit Union \$101,04200; Family Self-Sufficiency, Public Housing, IBC \$15,679.00; Section 8, IBC \$47,481.00; Mr. De Leon advised on the Check List for the Low-Rent (Plains Capital Bank) \$103,090; IBC Bank \$397,907.00; Section 8 HAP & UTY's (IBC Bank) \$533,317.00; Section 8 Admin (IBC Bank) \$104,062.00; Payroll (IBC Bank) \$105,955.00; CFP 2014 (IBC Bank) \$17,424.00; CFP 2015 (IBC Bank) \$47,065.00; Mr. De Leon reported on the Public Housing, Vacancy & Rent Roll for February 2016 for Parkview Terrace TX73-002, Rent Roll \$0.00, P.U.M. 0.00, Move-Outs during the month 0, Vacancies at end of Month 0; TX73-003 Sunset Terrace Rent Roll \$0.00, P.U.M. 0.00, Move-Outs during the month 0, Vacancies at end of Month 0; TX73-005 Meadow Heights, Rent Roll \$14,254.48, P.U.M. 211.37, Move-Outs during the month 1, Vacancies at end of Month 1; TX73-006 Villa Las Milpas, Rent Roll \$4,054.00, P.U.M. 202.75, Move-Outs during the month 0, Vacancies at end of Month 0; TX73-009 Las Milpas Homes, Rent Roll \$2,830.00, P.U.M. 202.15, Move-Outs during the month 0, Vacancies at end of Month 0; TX73-008 Single Unit, Rent Roll \$166.00, P.U.M. 166.00, Move-Outs during the month 0, Vacancies at end of Month 0; for a monthly total of Rent Roll \$21,634.00 P.U.M. 195.56, Move-Outs during the month 3, Vacancies at end of Month 1; February 2016 eight hundred eighteen (818) units under lease with eighty-six (86) Re-Exams, eighty-eight (88) Inspections, sixteen (16) Move-Outs and Total HAP's in the amount of \$253,189.11; Mr. De Leon Advised the Board the Open Government Training Information had been provided for them as a reminder. Mr. De Leon advised the Office of the Attorney General provides free training for all Public Officials through both online and video courses. Mr. De Leon advised the Board to sign up with Janie to attend the training. Mr. De Leon advised the Board a letter had been received from HUD on the Section 8 SEMAP Certification with a Score of 96 percent rating the Housing Authority overall SEMAP Performance Rating. Mr. De Leon advised a flyer was provided on the new website Pharrha.org which was up and going. Mr. Joe Cantu and Mike Hernandez, Web Designer gave the Board a brief presentation to the Board on the new website and pictures uploaded of the Pharr Housing Authority Developments and reviewed the different sites and program with the Board. Mr. De Leon advised the Board on the Personnel Policy in place he would like to recommend to the Board to review the Policy and would like to bring all the Housing Authority Policies up to date and make sure we are in compliance with current law and would like the Policy's to be reviewed by Ms. Hernandez, Legal Counsel and bring them to the Board for approval. Mr. De Leon advised the Board the Audit for Fiscal Year Ending September 30, 2015 is currently ongoing and trying to negotiate some issues

that came up and will keep the Board updated. Vice-Chairman advised he thinks that what we are doing is making sure that our policy's are up to date and appreciated the willingness to review all our policies as new Commissioners and make sure that they are not only being developed but also implemented and would like to acknowledged Ms. Hernandez, Legal Counsel for her recognition recently in The Super Lawyer, and make the community aware of what was done before we are going to work and improve in our policies to continue to serve the Community of the City of Pharr.

There being no further business from the Board of Commissioners, the Chairman asked for a motion to adjourn. The motion was made by Commissioner Uvaldo N. Gutierrez, III and duly second by Commissioner Mario Lizcano. Upon call for votes the following was recorded.

Ayes: Frank Nunez, Mario Lizcano, Uvaldo N. Gutierrez, III,

None

The Meeting was adjourned at 6:56 p.m.

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Attest:

Chairman, Frank Nunez

Secretary, Noel De Leon

NDL/jb

