

**HOUSING AUTHORITY OF TRAVIS COUNTY  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
502 East Highland Mall Blvd., Suite 106-B  
Austin, Texas 78752  
October 4<sup>th</sup>, 2023  
9:30 a.m.**

**MINUTES**

The Housing Authority of Travis County, Texas, held a Regular Board of Commissioners meeting at 502 East Highland Mall Blvd., 106-B Austin, Texas 78752 and via the link provided below.

<https://us02web.zoom.us/j/88464719746?pwd=U2QzbS8yd1EvQm5aUDF6djgwcXI1Zz09>

**I. CALL TO ORDER / ROLL CALL / CONFIRMATION OF QUORUM**

- a. Chair Sharal Brown called the *meeting to order at 10:23 a.m.*
- b. Executive Assistant Madeleine Hoffman conducted a Roll Call of Commissioners: Chair Sharal Brown; Commissioner Wilmer Roberts; Commissioner Janet Wenig; Vice Chair Jimmy Paver; and Commissioner Rebecca Webber.
- c. CEO/Executive Director Patrick Howard confirmed that there was a quorum.  
*(Staff in Attendance: CEO/Executive Director Patrick Howard; Asset Manager Keith Hoffpauir; Housing Manager Victoria Perez; Director of Finance Subra Narayanaier; Deputy Executive Director Steve Peglar).*

**II. PUBLIC FORUM / CITIZEN COMMUNICATION**

N/A

**III. CONSENT AGENDA**

- a. The Approval of the Minutes from the September 7th, 2023, Regular Meeting with a note to correct the times for Executive Session.  
Vice Chair Jimmy Paver made a motion for approval and Commissioner Rebecca Webber seconded the motion, which **passed** unanimously.

Chair Sharal Brown has deferred discussion of the Interlocal Agreement between HATC and SHFC to Executive Session.

**IV. CEO / EXECUTIVE DIRECTOR'S REPORT**

*Not discussed.*

**V. DISCUSSION ITEM**

- a. Discussion of Overlapping Board Members as It Relates to the Interlocal Agreement  
Attorney Cliff Blount summarized that the three overlapping directors on both Boards had not been a problem in the past but present a conflict now with pending Interlocal Agreement Termination. Commissioner Jan Wenig asked for a 'parliamentary education' on the difference between recusing oneself and abstaining from a vote. Attorney Cliff Blount explains that to recuse oneself means that you would not count towards the quorum,

and you would preferably neither attend nor discuss the meeting nor its matters. To abstain would mean that you would not vote but you are present and you do count towards the quorum.

Attorney Jim Plummer explains that there is the concern of not only conflict but also the appearance of conflict, which is just as bad. Also, if all three overlapping Board members recuse themselves from HATC's meetings and discussions, HATC loses quorum. Thirdly, there is another option whereby the overlapping Board members could simply choose one Board and resign from the other.

Commissioner Rebecca Webber inquires as to what would happen in a joint meeting with the appearance or actual presence of conflict with the three overlapping Board members. Attorney Jim Plummer answers that there is the same conflict questions because no matter what you decide, you are acting adversely to one Board or the other.

Chair Sharal Brown suggests that the Board's decision will be guided by the opinion of its members. Commissioner Rebecca Webber believes it is counsel's guidance to recuse herself, along with other overlapping Board members, from Executive Session.

## **VI. PUBLIC INFORMATION REQUEST**

Chair Sharal Brown seeks to address the Public Information Request made regarding CEO Patrick Howard's performance evaluations of the past three years. CEO Patrick Howard did get a legal opinion and did provide the requested information from last year but was unable to locate years 2020 or 2021. Commissioner Rebecca Webber shares that she was the one who made the request in the spirit of full transparency, hoping to acquire the evaluations for her knowledge – not knowing if she herself was privy to past evaluations – and also to share with her appointers.

Commissioner Wilmer Roberts expresses that he is unhappy with the idea that someone would go and share a public record of past CEO evaluations with the County Commissioners or anyone outside of the agency. Commissioner Rebecca Webber clarifies that she requested the information via the PIA specifically so that the information *could* be shared. Commissioner Wilmer Roberts is of the opinion that this violates the fiduciary responsibility of the Board members.

Attorney Jim Plummer clarifies that to share information gathered via the PIA, and therefore public information, with County Commissioners – members of the public – is not in violation of the fiduciary responsibility of the Board members. Furthermore, he is of the opinion that information should be shared freely with the Board's appointers, the County Commissioners.

**Items V and VI were not discussed.**

**Item VII is to be discussed at a Special Meeting on October 17<sup>th</sup> at 9:30am.**

## **VIII. EXECUTIVE SESSION**

Vice Chair Jimmy Paver made a **motion** to move the Board meeting into Executive Session at 11:02 am; Commissioner Wilmer Roberts seconded the motion, which **passed** unanimously.

Chair Sharal Brown reconvened the meeting at 11:22am. Executive Assistant Madeleine Hoffman does roll call and a quorum is confirmed.

Commissioners Jan Wenig and Rebecca Webber both left the room after Executive Session was called at the advice of counsel. Physical quorum was lost. The topics to be discussed, CEO Patrick Howard's evaluation and SHFC/the Interlocal Agreement were not discussed because the physical quorum was lost.

It was established once back in session that the CEO's evaluation criteria should be on the regular agenda.

#### **IX. ADJOURNMENT**

Vice Chair Jimmy Paver made a **motion** to adjourn the Board meeting; Commissioner Rebecca Webber seconded the motion, which **passed** unanimously.

The Board meeting adjourned at 11:25 a.m.

Respectfully submitted and approved,

A handwritten signature in blue ink that reads "Patrick B. Howard". The signature is written in a cursive, flowing style.

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Patrick Howard, CEO/Executive Director