

HOUSING AUTHORITY OF TRAVIS COUNTY
BOARD MEETING
502 East Highland Mall Blvd.
Suite 106-B
Austin, Texas 78752
November 12, 2010
12:00 p.m.

MINUTES

The Housing Authority of Travis County, Texas held a Board of Commissioners Meeting at 502 East Highland Mall Blvd., Suite 106-B, Austin, Texas 78752 on the above date. A quorum was established, and Chairman Melvin Wrenn called the meeting to order at 12:28 p.m.

ROLL CALL

Roll Call of Commissioners: Chairman Melvin Wrenn, Vice Chairman Richard Moya, Commissioner Sarah Anderson, Commissioner Philip Barnes. Absent: Commissioner Tracy Burkhalter. Staff in Attendance: Executive Director Craig Alter, Administrative Assistant Debbie Honeycutt, Section 8 Assisted Housing Supervisor Lupe Riojas, Housing Manager Jose Villanueva. Executive Director Craig Alter certified the quorum.

Item 1: Citizen Communications *Anyone desiring to discuss or comment on items directly related to the HATC is always welcome; sign-in must be completed prior to the opening of the meeting. Please limit all presentations to 3 minutes or less. If the item is deemed related to an agenda item at the current meeting, the presiding officer will inform the citizen that pending action(s) remain.*

There were none at that time.

ACTION ITEMS

Item 2: Administer the Housing Authority of Travis County Board of Commissioners' Oath of Office to Sarah Anderson, confirmed appointee of Travis County Commissioner Sarah Eckhardt.

Oath to new member of the HATC Board of Commissioners. Chairman Melvin Wrenn administered the oath to new Board Member, Sarah Anderson.

Item 3: Review and approval of Minutes from the September 11, 2010 Annual Board Meeting.

Vice Chairman Richard Moya made a **motion** to approve the minutes as presented. Commissioner Philip Barnes seconded the motion, which **passed** with 3 yeas and 1 abstained.

Chairman Melvin Wrenn - Yea
Vice Chairman Richard Moya - Yea
Commissioner Sarah Anderson - Abstained
Commissioner Philip Barnes - Yea

Item 4: Review and approval of Minutes from the September 11, 2010 Annual Election Board Meeting.

Mr. Barnes made a **motion** to approve the minutes as presented. Vice Chairman Moya seconded the motion, which **passed** with 3 yeas and 1 abstained.

Chairman Melvin Wrenn - Yea
Vice Chairman Richard Moya - Yea
Commissioner Sarah Anderson - Abstained
Commissioner Philip Barnes - Yea

Item 5: Review and approval of Minutes from the October 5, 2010 Special Board Meeting.

Vice Chairman Moya made a **motion** to approve the minutes as presented. Mr. Barnes seconded the motion, which **passed** with 3 yeas and 1 abstained.

Chairman Melvin Wrenn - Yea
Vice Chairman Richard Moya - Yea
Commissioner Sarah Anderson - Abstained
Commissioner Philip Barnes - Yea

Item 6: Review and approval of Minutes from the October 19, 2010 Board Meeting.

Executive Director Craig Alter said he did not have time to review the minutes before the meeting.

Chairman Wrenn said the Commissioners would table the minutes until the next scheduled Board meeting.

Item 7: Presentation, deliberation and possible action regarding proposed revisions to the Housing Authority of Travis County Personnel Policy.

Mr. Alter said he had met with Mr. Moya regarding the Personnel Policy. He said the changes that had been discussed are incorporated in the hand out.

Vice Chairman Moya suggested discussing the revisions today November 12th but not voting on them today. Chairman Wrenn suggested placing Item 7 on the agenda for the next scheduled Board meeting.

Mr. Alter presented the Personnel Policy Change Summary report to the Board.

Commissioner Sarah Anderson said regarding the Family Medical Leave Act she did not know what was standard about an employee being required to exhaust all accrued sick, vacation and compensatory leave prior to receiving unpaid leave. She asked if an employee could have the option to hold back 8 hours of sick leave. She said when an employee returned to work after a Medical Leave they would need to have some sick time for doctor appointments for example.

Vice Chairman Moya said compensatory time is earned and even if an employee is terminated they should be paid for their accrued compensatory time.

Item 8: Presentation, deliberation and possible action regarding proposed amendments to the By-Laws of the Housing Authority of Travis County.

Mr. Alter said what was being proposed was to remove some inconsistencies within the by-laws, and also have the by-laws reflect the procedures that the Housing Authority follows. Mr. Alter said the first one pertains to check signing. Currently the by-laws state that the Housing Authority Chair Person should provide a signature on the check. However, the by-laws do refer to a fiscal policy and a check signing procedure which the Housing Authority currently follows. Mr. Alter said he recommended that the by-laws state that the checks would be signed in accordance with the fiscal policy and the check signing procedures. He said the fiscal policy states that there would be two forms of authorization, and the check signing procedure states what that procedure is.

Mr. Alter said Article II Section 9 pertains to hiring of additional staff. He said additional, meaning other than Secretary or the Executive Director.

Instead of saying that all staff would basically be hired by the Board we, are saying that the staff would be hired by the Executive Director, subject to the annual budget that was approved by the Board.

Chairman Wrenn said for clarification, Article II Section 9 Sentence 2 shall read as follows: The selection and compensation of such personnel, excluding the Executive Director, shall be determined by the Executive Director subject to the laws of the State of Texas and the annual budget approved by the Board.

Mr. Alter recommended a change for Article III Section 2 regarding Regular Meeting. He said currently the sentence states that a regular meeting may be held without notice at such time and place as may from time to time be determined by resolution of the Authority. He said **“without notice”** should be removed from that sentence. Mr. Alter said Article III Section 2 contradicts with Article III Section 4.

Mr. Alter said Article III Section 6 states the order that the Housing Authority should conduct Board meetings.

Mr. Barnes made a **motion** to approve the corrections to the by-laws that are stated above. Vice Chairman Moya seconded the motion, which **passed** unanimously.

Item 9: Presentation, deliberation and possible action regarding changing the eligibility requirement for public housing related to past criminal offenses.

Mr. Alter presented the report. Chairman Wrenn asked what the HUD guidelines for eligibility are for allowing criminals to enter into public housing. Mr. Alter said the only reason a person would be denied housing would be if they were producing methamphetamines or on the sex offender list, otherwise it is up to the Commissioners what would be stated in the policy. Vice Chairman Moya asked if the Board could get a copy of the Housing Authority City of Austin ACOP plan that states their eligibility requirements. Vice Chairman Moya stated that our requirements should be consistent with the Housing Authority City of Austin.

Chairman Wrenn said to place Item 9 on the agenda for the next scheduled Board meeting.

Ms. Anderson asked if there was a difference between a true conviction and an arrest; or a conviction based on suspicion.

Item 10: Presentation, deliberation and possible action regarding a resolution of the Housing Authority Board of Commissioners prohibiting the Housing Authority staff from amending the employee retirement SEP/IRA plan without Board approval.

Vice Chairman Moya made a **motion** to approve the resolution prohibiting Housing Authority staff from amending the employee retirement SEP/IRA plan without Board approval. Mr. Barnes seconded the motion, which **passed** unanimously.

Item 11: Presentation, deliberation and possible action regarding Housing Authority Board of Commissioners and staff celebrations of Thanksgiving and Christmas holidays.

Mr. Alter said the Thanksgiving pot luck lunch for staff and commissioners has been set for November 19th at 12:00 noon here at the office. He said the agency would provide turkey, dressing, and ham. He said we would ask others to bring side dishes to sublimit.

Mr. Alter said staff is opposed to a Christmas party, instead, they suggested a Christmas bonus. He said we would still have a pot luck lunch with the date to be determined.

Mr. Alter said we would like to consider accepting a family or a child; or a few children and as staff we would bring some presents for that adopted individual or family.

Chairman Wrenn said regarding the holiday bonus the finance and personnel committee would be involved. Vice Chairman Moya said the 2 committees could not meet together, so he suggested Chairman Wrenn appointing a Chairperson for each committee to meet and come up with a plan, then present the information to the respected committees. He said then a recommendation could be presented to the Board for approval.

Chairman Wrenn said the Chair of the personnel policy committee which is vice Chairman Moya, and the Chair of the finance committee, which is Commissioner Barnes could meet to come up with a recommendation.

Chairman Wrenn said he had visited with the Commissioners in reference to contributions for the turkey and ham.

Vice Chairman Moya asked when the next Board was. Mr. Alter said December 16th.

Vice Chairman Moya made a **motion** to approve the recommendations for the holiday events, with the understanding that the Board would discuss and possibly approve some type of Christmas bonus for employees. Mr. Barnes seconded the motion, which **passed** unanimously.

Chairman Wrenn suggested adopting a family that the Housing Authority services.

Item 12: Presentation, deliberation and possible action regarding changing the Housing Authority SEP/IRA retirement program employee benefit eligibility date.

Mr. Alter said the current policy states an employee is eligible for the retirement program on January 1st the year following the date of hire. Mr. Alter said the Board passed a resolution that new hires would be eligible after their 90 days probation period. Mr. Alter said he submitted that resolution to Mutual of America and they said employees would need to become eligible immediately or follow one of the other prescribed periods. Chairman Wrenn asked what the other prescribed periods were. Mr. Alter said the prescribed periods are January 1st of the following year after hire or 3 years after hire.

Vice Chairman Moya made a **motion** that employees hired by the agency be part of the retirement (SEP/IRA) program upon hire. Mr. Barnes seconded the motion.

Mr. Barnes said the agency would have at risk a certain amount of money during that 90 day period of time.

A vote was taken, which **passed** unanimously.

Item 13: Executive Session – Pursuant to the Texas Government Code Annotated, the Commissioners may discuss the following agenda items. In addition the Commissioners may also discuss and consider any other item posted on this agenda if there are issues that require consideration in Executive Session and the Commissioners announce that the item will be considered during the Executive Session.

According to the Texas Government Code Annotated 551.071, Consulting with Attorney

According to the Texas Government Code Annotated 551.072, Real Property

According to the Texas Government Code Annotated 551.074, Personnel Matters

There were none at the time.

Item 14: Reconvene from Executive Session and take any action deemed necessary as a result of the Executive Session discussions.

N/A

Item 15: Presentation and deliberation of the Authority's August and September, 2010 Financial Reports and possible related action regarding the Authority's Annual Budget.

Mr. Alter said the August and September financial reports were in the Board books for the October Board meeting, however they were not discussed. Mr. Alter said one item of concern is the voucher administration fees. He said there were 2 months of fees that the Housing Authority would not get and not scheduled to get unless the Authority was able to convince HUD otherwise. Mr. Alter said there was an over payment of administration fees made to the Housing Authority in 2008 and 2009 from HUD, so that has to be corrected in 2010.

The meeting was suspended at 1:30 p.m.

The meeting reconvened at 1:35 p.m.

DISCUSSION ITEMS

Chairman Wrenn said the Board would address Item 19.

Item 19: Presentation regarding progress in responding to the U.S. Department of Housing and Urban Development Office of Inspector General report recommendations.

Mr. Alter said the final report from Leal & Carter was submitted to HUD. He said HUD had contacted him to ask some questions. He said one question was they understood that the Authority would like up to 10 years to repay. He said another question was to have all of the federal to federal do to's forgiven. Mr. Alter said then HUD asked when the Authority could start paying back, and how much. Mr. Alter said November 10 he had received a call from Larry Freeman from the San Antonio HUD office asking the Authority to submit a statement to HUD stating that the Authority would like 10 years to repay, and which programs the Authority would like to repay in what years, and how much. Mr. Alter said a Board member agreed to go with him to San Antonio and meet with David Pohler. Chairman Wrenn suggested meeting with Craig before they meet with David Pohler.

Chairman Wrenn asked Commissioner Anderson to serve on the finance committee with Commissioner Barnes.

Mr. Barnes asked Craig what the repayment amount was as of June 10, 2007. Mr. Alter said if there was not an amount forgiven it would be a net do to HUD \$565,000.00. He said federal programs owe non-federal programs approximately \$95,000.00, but federal to federal is approximately \$660,000.00. Mr. Barnes said if HUD forgave the federal to federal as of the June 10, 2007 date, HUD would owe the Authority. Mr. Alter said the Authority could forgive HUD. Mr. Alter said HUD is fixated on that date (June 10, 2007), but that does not mean that the remainder of the money owed to HUD would be forgiven.

Ms. Anderson said she had mentioned to Craig that she knows some people that were employed at HUD and would be willing to speak to them before Craig and Chairman Wrenn meets with David Pohler. She said the person that she knows had just stepped down when the administration changed. Ms. Anderson said he ran all of the multi-family programs. She said that person would be willing to make a call on the Housing Authority's behalf. Chairman Wrenn said any information the Housing Authority could get would be helpful. He suggested Commissioner Anderson meet with Craig before she makes that call to the person she knows that is a former employee of HUD.

Item 16: Presentation of Public and Affordable Housing Properties Report.

Housing Manager Jose Villanueva presented the public and affordable housing properties report.

Section 8 Assisted Housing Supervisor Lupe Riojas presented the section 8 report.

Item 17: Presentation regarding progress in implementation of Southwest Housing Compliance Corporation organization improvement recommendations.

Chairman Wrenn said the Housing Authority had a list of all the recommendations that were made by Southwest Housing and a report that projected the time line and a report that stated the items that have been completed. He said for the process for next year, the Authority might need to have those as audit points. Chairman Wrenn said the Board members need to know those items have been completed.

Item 18: Presentation of Board Committee Reports.

Chairman Wrenn said he had asked Commissioner Anderson to serve on the finance committee with Commissioner Barnes.

Chairman Wrenn said he would ask Commissioner Burkhalter to serve on the personnel policy committee with Vice Chairman Moya. He said he would be the alternate person for the personnel policy committee.

Chairman Wrenn said he had spoke to Commissioner Anderson about ways to structure the Board meeting so all items on the agenda could be completed in 1 hour.

Chairman Wrenn said the presentation of public and affordable housing properties report should be at the top of the agenda so that staff does not have to sit through the entire Board meeting.

Item 20: Review list of outstanding matters from previous Board meetings.

There were none at the time.

Item 21: Issues for consideration, discussion, planning, and possible action.

Mr. Barnes asked if a quorum was no longer established during a Board meeting, would the meeting be able to continue and just not vote on any items. Mr. Alter said he had a copy of the by-laws and Article III Section 5 states "Quorum - At all meetings of the Authority a majority of the members of the Authority shall constitute a quorum for the purpose of transacting business; provided that a smaller number may meet and adjourn to some other time or until a quorum is obtained".

- Issues and concerns of the Board

Mr. Barnes said since the Board books are delivered to us days before the meeting, we would have had time to review the action items. He said all the action items could be voted on together, or if a Board member wanted to have a specific item lifted for further discussion. He said for example, if a Board member wanted a specific action item lifted, then if the Board members agreed, it would not be voted on.

REPORTS

- Executive Director's Report

There were none at the time.

- Chairman's comment

There were none at the time.

ADJOURN

Mr. Barnes made a **motion** to adjourn the Board meeting. Ms. Anderson seconded the motion, which **passed** unanimously. The Board meeting was adjourned at 2:15 p.m.

Respectfully submitted,

Craig Alter, Executive Director