

MINUTES OF THE CITY OF LAS VEGAS HOUSING AUTHORITY MEETING HELD ON WEDNESDAY SEPTEMBER 23, 2015 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.

CHAIRMAN: Alfonso E. Ortiz, Jr.

COMMISSIONERS: David Romero
Joey Herrera
Vince Howell Absent
Tonita Gurule-Giron
Ember Davis

ALSO PRESENT: Pamela Marrujo, Housing Director
Barbara Padilla, HM Supervisor
Dave Romero, City Attorney
Elmer Martinez, City Manager

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Chairman Ortiz Jr. asked for a moment of silence. The Pope is in the United States today and hopefully he will bring a very positive message that hopefully we will follow. We have so many problems in the world, and water is one of them of course. Now we have animal abuse which is another major problem. Let it be known that each and every citizen is trying or makes an effort to resolve the problems. Let's keep in mind possible ways we can unite and try to achieve a goal to help as many people as possible.

Chairman Ortiz Jr. wanted to share that he had receive a text from Commissioner Howell. He updated Chairman Ortiz Jr. on his recovery.

APPROVAL OF AGENDA

Commissioner Joey Herrera made a motion to approve the agenda as is. Commissioner Ember Davis seconded the motion.

Chairman Ortiz Jr. asked for a roll call. Roll call was taken and reflected the following.

Commissioner David Romero	Yes
Commissioner Tonita Gurule-Giron	Yes
Commissioner Joey Herrera	Yes
Commissioner Ember Davis	Yes
Commissioner Vince Howell	Absent

Barbara Padilla re-read the motion and advised the motion carried.

APPROVAL OF MINUTES

Commissioner Joey Herrera made a motion to approve the minutes of August 19, 2015. Commissioner David Romero seconded the motion.

Chairman Ortiz Jr. asked for a roll call. Roll call was taken and reflected the following.

Commissioner Tonita Gurule-Giron	Yes
Commissioner Ember Davis	Yes
Commissioner Joey Herrera	Yes
Commissioner David Romero	Yes
Commissioner Vince Howell	Absent

Barbara Padilla re-read the motion and advised the motion carried.

PUBLIC INPUT

None at this time.

PRESENTATION

Finance Director Gallegos discussed the Housing Financial report. The Commission was presented with the HA revenue report as of August 31, 2015. This is the second month of the 2015-2016 fiscal year. Finance Director Gallegos stated the HA should be at 16% of their revenue, and is currently at 14%. She stated the HA will be doing a transfer and closing out one of the bigger funds and transferring it over to the operating account. The Homeownership fund is going to be closed as of September 30th. On the expenditures side, the HA has expended 17% of the budget and now in the month of August, the departments did expend monies on their insurances for the first half of the year, so you will see a slight increase.

HOUSING DIRECTORS MONTHLY REPORT

Housing Director Marrujo discussed with the Commission that at the last meeting she reported that all that lacked on the window project was the abatement of the Sagebrush sites in order for the final window to be installed. Director Marrujo provided a drawing of what the current window looks like. She stated the windows needed to be extended an additional 9 inches in order to meet egress requirements. Director Marrujo explained that when the abatement team came in, they ran into an issue. When cutting those additional 9 inches, it was discovered that the electrical wires ran along the bottom of the window where the window needed to be placed. Director Marrujo explained that because of this, there were a couple of change orders. One of the change orders was for the abatement company to cut an additional 320 square feet of the sheet rock so the electrical wires can be lowered. Also an additional change order was for the construction company to provide an electrician to move the wires and do the patch up work on the walls. The abatement team completed all the work in two days. With that said, Director Marrujo said the HA does have budget to cover these change orders. The HA has also provided notices to the tenants to let them know what’s going on. This project will be complete within the next 2 to 3 weeks.

Commissioner Gurule-Giron stated that on the windows it appears it is a single hung, double pane window. She asked on the change order for the abatement company, what was the total cost for the change order? Housing Director Marrujo stated it was \$14,500.00. Commissioner

Gurule-Giron asked about the change order for the electrician. Director Marrujo stated that the total is \$14,800.00. Commissioner Gurule-Giron asked who the electrician is on the project. Director Marrujo explained that the electrician is hired under the construction company which is Cross Hair Electric. Commissioner Gurule-Giron asked who the actual construction company is. Director Marrujo stated it is Northeastern Construction. Commissioner Gurule-Giron asked for the original cost for the windows project. Director Marrujo stated it was about \$233,000.00. Commissioner Gurule-Giron asked if this was going to be applied to every single window. Director Marrujo explained this only applies to the windows on Sagebrush which needed to be lowered to meet egress requirements. There are 41 units where the additional cut was made and additional work will be done. Commissioner Gurule-Giron stated that amount goes slightly over the 10% for change orders. Director Marrujo explained to the Commissioners that it is 10% for the contract. The windows contract is \$233,000.00 the abatement contract is not part of that contract, it is a separate contract.

Commissioner Herrera stated he was asked why the windows were not all the same size. He stated he now understands it is because some of the windows needed to be lowered in order to meet egress code.

Director Marrujo reported on the Commissioners Training. Director Marrujo thanked Chairman, Ortiz Jr., Commissioner, Joey Herrera Commissioner, Ember Davis and City Manager, Elmer Martinez for attending the training held Monday afternoon and Tuesday morning. She reported that staff from Pecos and Raton also attended the training. Mandy Griego from HUD provided the training called "Lead the Way". It was a very informative training which is also provided online. All the commission was provided with step by step instructions on how to sign up and take the online course at their own convenience. Director Marrujo explained the training covered Public Housing basics, Rules and Responsibilities of Commissioners, Budgets, Ethics, Accessing and Approving your Local Housing Authority. Director Marrujo stated she can also designate 15 minutes out of the commission meeting to go over a section of it each month if the commission would like.

Commissioner Joey Herrera stated that the Commissioners Training was very good. He stated that Mandy Griego was very happy to report that out of all the PHA's in New Mexico, there was only one HA that had double digits in occupancy. Director Marrujo explained that out of all the HA's in New Mexico, the City of Las Vegas Housing Authority was the only HA that jumped double digits in occupancy. HUD follows the occupancy of each HA. The state wide goal is 98% and this HA jumped to 92% which was a 24% increase. We had a huge improvement over the last year. We housed the 12 units that were just remodeled as well as the 17 vacancies we had the prior year. Commissioner Herrera stated that Mandy Griego is very pleased with the Las Vegas HA. He thanked Director Marrujo stating she and her staff did an awesome job.

BUSINESS ITEMS

Approval/Disapproval of Resolution #15-45 Flat Rent Schedule.

Director Marrujo explained that HUD requires every Housing Authority to review the Flat Rent Schedule annually. What we do is review the fair market rent for San Miguel County. That amount is multiplied at 80% and that is how the Flat Rents are determined. We also deduct the

applicable utility allowance into each site, based on which utilities residents pay. Every resident is offered both the Income Based Rent and the Flat Rent. Rent is calculated at 30% of the adjusted gross income, so tenants are given the choice of the two.

Commissioner Gurule-Giron stated she has a lot of concerns from the actual constituents who live in Housing. She said they were concerned that the Flat Rent Schedule was significantly higher as stated in the actual resolution. Commissioner Gurule-Giron asked what the significant change to the Flat Rent Schedule was. Director Marrujo explained that when HUD required HA's to revise the Flat Rents based off of the fair market rents (FMR's), the utility allowance was then deducted off each one. Director Marrujo had the flat rent schedule attached for the commissioners to review. The scheduled showed the current flat rents and the new proposed flat rents. Director Marrujo explained that the new flat rents are actually going to be lower.

Commission Gurule-Giron asked Director Marrujo, based on her analysis and assessment of the current information, what is going to benefit the residents, will it be the low income based or will it be the flat rent? Director Marrujo explained that it is on a case by case basis. The rent amount is based on the family's income. For families whose income is higher, they are able to select the flat rent which is lower than what their income based rent would be. Whichever rent amount is lower is the rent residents will usually select.

Commissioner Joey Herrera made a motion to approve Resolution #15-45 Flat Rent Schedule. Commissioner Ember Davis seconded the motion.

Resolution #15-45 Flat Rent Schedule was approved as follows:

CITY OF LAS VEGAS HOUSING AUTHORITY

RESOLUTION NO. 15-45

Resolution Approving New Flat Rent Schedule

WHEREAS, The Quality Housing and Work Responsibility Act of 1998 (QHWRA), Section 523, establishes Family Choice of rental payment, effective September 1, 1999; and

WHEREAS, each Public Housing Authority (PHA) must adopt a policy that gives residents the choice between two types of rent payment- a flat rent or an income-based rent; and

WHEREAS, there have been changes to the Flat Rent Requirements- 2014 Appropriations Act; and

WHEREAS, the new flat rent requirements are considered a significant change therefore the established flat rents schedule needs to be revised; and

WHEREAS, new flat rents are calculated based off 80% of the Fair Market Rent (FMR) less the utility cost for their area;

WHEREAS, The City of Las Vegas Housing Authority Board of Commissioners has reviewed the Flat Rent Schedule attached; and

NOW, THEREFORE, BE IT RESOLVED, the Las Vegas Housing Authority Board of Commissioners accepts and approves this resolution and the attached Flat Rent schedule.

PASSED, APPROVED AND ADOPTED this _____ day of September, 2015.

Signed:

ATTEST:

Mayor Alfonso E. Ortiz, Jr.

Casandra Fresquez, City Clerk

APPROVED AS TO LEGAS SUFFICIENCY ONLY:

Dave Romero, City Attorney

Chairman Ortiz Jr. asked for a roll call. Roll call was taken and reflected the following.

Commissioner David Romero	Yes
Commissioner Tonita Gurule-Giron	Yes
Commissioner Ember Davis	Yes
Commissioner Joey Herrera	Yes
Commissioner Vince Howell	Absent

Barbara Padilla re-read the motion and advised the motion carried.

COMMISSIONERS REPORT

Commissioner Joey Herrera stated that the last 2 days of training was very good. He stated Mandy Griego covered a lot of important issues, including how to help families in Public Housing to get ahead in life and eventually become self sufficient.

Commissioner Tonita Gurule-Giron stated she has a lot of concerns. She stated she got a call from a constituent who lives in Housing regarding a letter that was sent to her from Housing because she was protesting on facebook about not being treated fairly in Housing. She said that the letter stated she was not allowed to enter the premises. Commissioner Gurule-Giron stated, she is not a threat and she believes it is a violation of her civil rights. She asked why this happened, because it is not going to stop here. City Attorney, David Romero responded saying that what Commissioner Gurule-Giron is referring to, Housing, Council, and the Police Department have analyzed the history of the individual and this is going to be potential

litigation, which is probably better handled in executive session. The City Attorney wanted to point out that before the letter was sent, before anything was done, discussions were held and the best way to handle it was discussed. The City Attorney stated since it involves a tenant and there is privacy there, we cannot discuss it in Public session, but we can discuss it in Executive Session. Commissioner Gurule-Giron stated "she is not a threat, and no one is going to sell that to me." The City Attorney stated that at the proper time and place, we can discuss the facts that we had to make the decision we have made. Commissioner Gurule-Giron stated her concern is that she is almost 100% certain this is going to go into litigation. It is not going to end here and this is something that should have never occurred. The City Attorney respectfully disagreed.

Commissioner Gurule-Giron stated secondly is the issue that she saw Housing Director Marrujo meeting with Councilor Herrera at Spic N Span. She stated that during that meeting it was brought to her attention that they were discussing issues of Housing and Economic Development. She asked Director Marrujo, what issues would you be discussing privately with Councilor Herrera and a representative from another congressman, in Economic Development. She stated, one, that should not be discussed with the entire commission and second of all, did you receive permission from your City Manager. Director Marrujo stated it was not a private meeting, it was at Spic N Span, and it was not a meeting it was lunch. Commissioner Gurule-Giron stated but you were discussing Housing issues. Director Marrujo stated she was being introduced to an individual that has housing experience. Commissioner Joey Herrera stated he is actually the Chairman of HELP New Mexico. He has nothing to do with congress. Commissioner Gurule-Giron stated that the bottom line is, what Economic Development issues could you possibly be discussing with one individual, versus bringing in your Commission. Did you have permission from your City Manager to do so? Director Marrujo stated she did not have permission to have lunch with Commissioner Herrera.

Chairman Ortiz Jr. advised Commissioner Gurule-Giron that this is a personnel issue that can be addressed with the City Manager and she could follow through with the City Manager. Commissioner Gurule-Giron stated, we the Commission have the right to know. Chairman Ortiz Jr. stated again that this is a personnel issue that needs to be addressed, but not at this time. Commissioner Gurule-Giron stated regardless, we are the commission and we need to be informed.

Chairman Ortiz Jr. stated he sees a lot of good things happening with Housing and the recognition that Housing gets all the time. Chairman Ortiz Jr. stated we have our little problems here and there and he hopes we can resolve them.

Commissioner Joey Herrera stated that not everyone knows, be he is the Vice Chairman on the State Board for HELP New Mexico. Roger Gonzales is the Chair of this same board. A lot of what they do is help those that are in need. He stated that the Housing Authority helps with Housing needs. HELP New Mexico helps with on the Job Training, a lot of other opportunities for individuals. He stated they are looking at other resources and anyone that can help the City of Las Vegas as well as the State of New Mexico. He wanted to basically explain what HELP New Mexico does. The community is who benefits from these programs. Commissioner Herrera stated that Mandy Griego, in the Commissioners training, discussed Ethics issues and these questions could have easily been raised there. Commissioner Herrera asked specifically if

his involvement pertaining HELP New Mexico was an issue and he stated everything seemed to be ok with her as far as him representing two different boards.

EXECUTIVE SESSION/CLOSED SESSION

No need for executive session.

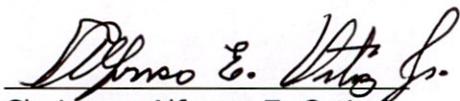
ADJOURN

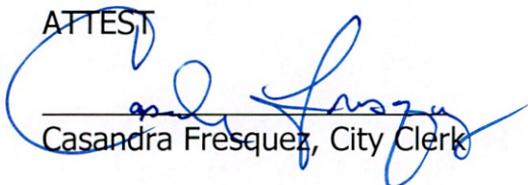
Commissioner Tonita Gurule-Giron made a motion to adjourn the meeting. Commissioner Ember Davis seconded the motion.

Chairman Ortiz Jr. asked for a roll call. Roll call was taken and reflected the following.

Commissioner Ember Davis	Yes
Commissioner Tonita Gurule-Giron	Yes
Commissioner David Romero	Yes
Commissioner Joey Herrera	Yes
Commissioner Vince Howell	Absent

Barbara Padilla re-read the motion and advised the motion carried.


Chairman Alfonso E. Ortiz Jr.

ATTEST

Casandra Fresquez, City Clerk