

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY  
BOARD of COMMISSIONERS**

Cinderella Brown • Sara Dixon • Sharon Samples • Christopher Willis • Barry Williams

**nbha**

**THE CITY OF NEW BRAUNFELS HOUSING AUTHORITY**



**NBHA ANNUAL BOARD MEETING**

**Thursday, January 27, 2022, 5:15 PM**

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY**  
**BOARD of COMMISSIONERS**

Cinderella Brown • Sara Dixon • Sharon Samples • Christopher Willis • Barry Williams

**Community Center**  
**300 Laurel Lane**  
**New Braunfels, Texas 78130**

**Thursday, January 27, 2022 @ 5:15pm**

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**ANNUAL MEETING NOTICE**

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**AGENDA**

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MINUTES**

1. Discuss and approve minutes of Board of Commissioners meeting of November 17, 2021.

**D. CITIZENS' COMMUNICATION**

This time is for citizens to address the Board on issues and items of concern. Pursuant to the Texas Open Meetings Act, there will be no Board discussion or action on items not on the agenda. Each citizen will be given five (5) minutes to speak.

**E. INDIVIDUAL ITEMS FOR CONSIDERATION**

- A. Nomination and Election of the Board of Commissioners' Officers. (*Chairman Willis, BOC-no staff report*)
- B. Consideration and approval of the Fiscal Year Audit Ending 2020. (*Isabel Lee, Bookkeeper*)
- C. Consideration and approval of the Five (5) year 2023 – 2027 Capital Fund Program and Annual Statement 2023. (*Isabel Lee, Bookkeeper*)

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY**  
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**F. Executive Director Report**

- Operations update – Covid19
- Strategic Plan
- Facility Update
- Payables Report
- YTD Budget Report

**G. EXECUTIVE SESSION –Closed Session<sup>i</sup>**

- a. Tex. Loc. Gov't Code Section 551.071—Consultation with attorney and consideration of potential litigation regarding Instrumentality – New Braunfels Community Resource Center.

**H. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.**

**I. ADJOURNMENT**

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at New Braunfels City Hall on \_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_  
City Secretary

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY**  
**BOARD of COMMISSIONERS**

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**MINUTES**  
**OF THE NEW BRAUNFELS HOUSING AUTHORITY BOARD OF COMMISSIONERS REGULAR BOARD**  
**MEETING OF NOVEMBER 17, 2021.**

The Board of Commissioners of Housing Authority of the City of New Braunfels, Texas, met in a Regular Session, November 17, 2021 @ 4pm

**COMMISSIONERS PRESENT:**

Christopher Willis  
Sharon Samples  
Sarah Dixon  
Cinderella Brown  
Barry Williams

**STAFF:**

Henry Alvarez, Executive Director  
Irene Cantu, Administrative Assistant  
Mickey Lloyd, Programs Manager  
Isabel Lee, MBA Bookkeeper  
Phillip Colton, Property Manager  
Doug Poneck, Esquire

- **MEETING CALLED TO ORDER**

Chairman Willis called the meeting to order at 4:03 pm.

- **ROLL CALL**

Mrs. Cantu called roll. A quorum was present.

- **MINUTES**

Discussed and approved the minutes of the Regular Board of Commissioners meeting of July 12, 2021. Commissioner Dixon moved to approve the minutes. Commissioner Brown seconded the motion which passed unanimously.

- **CITIZENS COMMUNICATIONS**

One (1) citizen was heard.

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY  
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**ITEMS FOR CONSIDERATION:**

All items listed below are considered to be routine and non-controversial by the New Braunfels Housing Authority Board of Director's and will be approved by one motion.

There will be no separated discussion of these items unless a Commissioner or citizen so requests, in which case the item will be removed from the consent agenda and considered as part of the normal order of business.

- 1. Approval of NBHA hypothetical Section Eight Management Assessment Program (SEMAP) score for Fiscal Year 2021.**
- 2. Approval of Fiscal Year 2022 Utility Allowance**
- 3. Approval of Fiscal Year 2022 Department of Housing and Urban Development (HUD) Voucher Fair Market Rents and Payment Standards**

Chairman Willis read the aforementioned. Henry Alvarez presented the items. Commissioner Williams motioned to approve the items. Commissioner Dixon seconded the motion which passed unanimously.

**EXECUTIVE DIRECTORS REPORT**

Executive Director Alvarez provided the reports.

**1. EXECUTIVE SESSION-Closed Session**

**In accordance with Texas Government Code, Subchapter D. Section 551.071, the Board reserves the right to retire into executive session to discuss any of the items listed anywhere on this agenda. In addition, the Board may convene in executive session on any of the following items, with any final action being taken in open session.**

- a. Tex. Loc. Gov't Code Section 551.071-Consultation with attorney and consideration of potential litigation regarding Instrumentality - New Braunfels Community Resource Center.**

**CONVENE INTO EXECUTIVE SESSION**

Convened into Executive session at 4:38 pm.

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY  
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**RECONVENED INTO OPEN SESSION**

Reconvened into open session 5:41 pm.

Commissioner Brown moved to approve the Resolutions discussed in closed session.  
Commissioner Dixon seconded the approval which passed unanimously.

**ADJOURNMENT:**

Without objections Chairman Willis adjourned the meeting at 5:42 pm.

**Attest:**

\_\_\_\_\_  
Christopher Willis, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Henry Alvarez  
Executive Director

\_\_\_\_\_  
Date

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY**  
**BOARD of COMMISSIONERS**

Cinderella Brown • Sara Dixon • Sharon Samples • Christopher Willis • Barry Williams

**Board of Commissioners Agenda Item Report**  
**January 27, 2022**

Agenda Item No. B

**SUBJECT:**

**Consideration and approval of a RESOLUTION APPROVING THE NBHA FISCAL YEAR AUDIT REPORT AND OTHER MATTERS IN CONNECTION THEREWITH.**

**BACKGROUND AND RATIONAL:**

Pursuant to the Code of Federal Regulations (CFR), Title 2, Subtitle A, Chapter II, Part 200, Subpart F; *Audit Requirements*, non-Federal entities that expend \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year.

Reporting is done in accordance with Generally Accepted Accounting Principles (GAAP) as promulgated by the Government Accounting Standards Board Reporting (GASB). All PHAs report the results of their audits electronically through HUD's FASS-PH system. The FASS-PH system was developed under an "entity-wide" concept; that is, PHAs report all the programs and activities that are administered by the PHA. Under this concept, HUD is generally able to obtain a higher level of assurance on the accuracy of the financial data as the financial data is directly comparable to the audit required under Code of Federal Regulations (CFR), Title 2, Subtitle A, Chapter II, Part 200, Subpart F - *Audit Requirements*.

The Audit was conducted by John A Blakeway, CPA of Kennedale, Texas. The Audit reports one (1) single finding in relation to legal fees associated with the NBHA instrumentality New Braunfels Community Resources (NBCR). NBHA objected to the audit finding. Download Audit Report at this link: <https://www.dropbox.com/s/c8jtqxm02ebxwf9/Audit2020.pdf?dl=0>

**FISCAL IMPACT:**

All NBHA programs are subject to these Audit Requirements in order to receive continued funding from HUD.

**STAFF RECCOMENDATION:**

Staff recommends acceptance of the Audit Report

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY**  
**BOARD of COMMISSIONERS**

Cinderella Brown • Sara Dixon • Sharon Samples • Christopher Willis • Barry Williams

**CERTIFICATE FOR RESOLUTION**

The undersigned officer of the Housing Authority of the City of New Braunfels, Texas, a public instrumentality created pursuant to the laws of the State of Texas (“NBHA”) hereby certifies as follows:

1. In accordance with the bylaws of NBHA, the Board of Commissioners of NBHA (the “Board”) held a meeting on January 27, 2022 (the “Meeting”) of the duly constituted officers and members of the Board, at which a duly constituted quorum was present. Whereupon among other business transacted at the Meeting, a written

**RESOLUTION APPROVAL AND ACCEPTANCE OF THE BLAKEWAY AUDIT FOR THE  
NBHA PROGRAM YEAR 2020**

(the “Resolution”) was duly introduced for the consideration of the Board and discussed. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of the Resolution, prevailed and carried by a majority vote of the Board.

2. A true, full, and correct copy of the Resolution adopted at the Meeting is attached to and follows this Certificate; the Resolution has been duly recorded in the Board’s minutes of the Meeting; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the Meeting; and the Meeting was held and conducted in accordance with the Articles of Incorporation and the Bylaws of NBHA.

SIGNED AND SEALED \_\_\_\_\_, 2022.

\_\_\_\_\_  
Henry Alvarez, Secretary/Executive Director

(SEAL)



**CITY OF NEW BRAUNFELS HOUSING AUTHORITY  
BOARD of COMMISSIONERS**

Cinderella Brown • Sara Dixon • Sharon Samples • Christopher Willis • Barry Williams

**RESOLUTION NO. 012720220001**

**RESOLUTION APPROVING THE ACCEPTANCE OF THE NBHA  
FISCAL YEAR AUDIT 2020**

WHEREAS, the Board of Commissioners of the Housing Authority of the City of New Braunfels, Texas, a public instrumentality created pursuant to the laws of the State of Texas (“NBHA”) recognizes the importance of responding to the housing and support needs of its residents in times of emergency or calamity; and

WHEREAS, the Board of Commissioners believes it serves the public interest and is in the best interest of NBHA to accept the Audit Report for Fiscal Year 2020; and

WHEREAS, the Board of Commissioners desires to approve and accept the Audit for Fiscal Year 2020;

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF NEW BRAUNFELS, TEXAS, THAT:

Section 1. The Board hereby accepts and approves the NBHA Audit for Program Year 2020, attached hereto as Exhibit 1;

Section 2. If any section, paragraph, clause, or provision of this Resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

Section 4. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. This Resolution shall be in force and effect from and after its passage.

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY**  
**BOARD of COMMISSIONERS**

Cinderella Brown • Sara Dixon • Sharon Samples • Christopher Willis • Barry Williams

Agenda Item No. C

**SUBJECT:**

**Consideration and approval of a RESOLUTION APPROVING THE NBHA FIVE YEAR CAPITAL FUND PROGRAM FOR FISCAL YEARS 2023 - 2027**

**BACKGROUND AND RATIONAL:**

The Capital Fund Program (CFP) provides financial assistance in the form of grants to public housing agencies (PHAs) to carry out capital and management activities including those listed in Section 9(d)(1) of the United States Housing Act of 1937 (1937 Act). Capital Fund (CF) grants can also be entered into with resident management corporations (RMCs) (see 24 CFR 964.225(h)). The Capital Fund Program financial assistance may also be provided to mixed-finance projects that contain public housing units provided Amendments are entered into under the Mixed Finance Annual Contributions Contract (ACC) Amendment and Capital Fund ACC Amendment. Eligible Capital Fund activities are further described in this guidebook. Regulations on Capital Funds are at 24 Code of Federal Regulation (CFR) part 905.

Congress provides Capital Funds through annual appropriations. In order to receive a CFP grant, a PHA must meet three administrative prerequisites which are to:

1. Validate project-level information in HUD's data systems,
2. Have an approved 5-Year Action Plan and
3. Enter into a Capital Fund Annual Contributions Contract Amendment with HUD.

Download the Capital Fund Five (5) year plan at this link:

[https://www.dropbox.com/s/gxuxv7bhw8phu97/five\\_yap.pdf?dl=0](https://www.dropbox.com/s/gxuxv7bhw8phu97/five_yap.pdf?dl=0)

**FISCAL IMPACT:**

The hypothetical current Capital Fund funding (Exhibit 2) is \$322,584.00 annually, or \$1,612,920.00 over the five (5) year period.

**STAFF RECCOMENDATION:**

Staff recommends Approval

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY**  
**BOARD of COMMISSIONERS**

Cinderella Brown • Sara Dixon • Sharon Samples • Christopher Willis • Barry Williams

**CERTIFICATE FOR RESOLUTION**

The undersigned officer of the Housing Authority of the City of New Braunfels, Texas, a public instrumentality created pursuant to the laws of the State of Texas (“NBHA”) hereby certifies as follows:

1. In accordance with the bylaws of NBHA, the Board of Commissioners of NBHA (the “Board”) held a meeting on January 27, 2022 (the “Meeting”) of the duly constituted officers and members of the Board, at which a duly constituted quorum was present. Whereupon among other business transacted at the Meeting, a written

**RESOLUTION APPROVING THE FIVE (5) YEAR CAPITAL FUND PROGRAM FOR  
PROGRAM YEARS 2023 – 2027.**

(the “Resolution”) was duly introduced for the consideration of the Board and discussed. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of the Resolution, prevailed and carried by a majority vote of the Board.

2. A true, full, and correct copy of the Resolution adopted at the Meeting is attached to and follows this Certificate; the Resolution has been duly recorded in the Board’s minutes of the Meeting; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the Meeting; and the Meeting was held and conducted in accordance with the Articles of Incorporation and the Bylaws of NBHA.

SIGNED AND SEALED \_\_\_\_\_, 2022.

\_\_\_\_\_  
Henry Alvarez, Secretary/Executive Director

(SEAL)

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY  
BOARD of COMMISSIONERS**

Cinderella Brown • Sara Dixon • Sharon Samples • Christopher Willis • Barry Williams

**RESOLUTION NO. 012720220002**

**RESOLUTION APPROVING THE ACCEPTANCE OF THE 2020 FISCAL  
YEAR AUDIT**

WHEREAS, the Board of Commissioners of the Housing Authority of the City of New Braunfels, Texas, a public instrumentality created pursuant to the laws of the State of Texas (“NBHA”) recognizes the importance of responding to the housing and support needs of its residents in times of emergency or calamity; and

WHEREAS, the Board of Commissioners believes it serves the public interest and is in the best interest of NBHA to approve and submit the Capital Fund Program for fiscal years 2023 – 2027;

WHEREAS, the Board of Commissioners desires to approve and accept the Capital Fund Program funding for program years 2023 – 2027;

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF NEW BRAUNFELS, TEXAS, THAT:

Section 1. The Board hereby accepts and approves the NBHA Capital Fund Program Five (5) year Plan, attached as Exhibit 2.

Section 2. If any section, paragraph, clause, or provision of this Resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

Section 4. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. This Resolution shall be in force and effect from and after its passage.

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY**  
**BOARD of COMMISSIONERS**

Cinderella Brown • Sara Dixon • Sharon Samples • Christopher Willis • Barry Williams

To: Board of Commissioners

From: Henry Alvarez, Executive Director

Re: Executive Director Report

**Operations update – Covid 19**

- CDC guidelines continued to be followed
- All employees are on site
- Employees are in individual offices

**Payables Report – 4<sup>th</sup> Quarter 2020**

Please click this link to download report.

<https://www.dropbox.com/s/tvciaohcmql02zn/4qrtpay.pdf?dl=0>

**YTD Budget Report FY 2020**

Summary of Relevant Items:

**Low Rent Program:**

General Fund balance - \$221,888  
Rents collected - \$73,608 (Pending-\$8,540)  
Rent Roll unpaid balances - \$67,929  
Accts Receivables-Others-Graciela Ovalle - \$85,350  
HUD OFND 21D funding - \$0  
Operating Expenses - \$89,289  
Net Operating Income (Loss) - (\$37,664)

**Public Housing (PH) CARES Act Program:**

Unexpended deferred PH CARES Act funds - \$1,370.94

Sec. 8 Housing Choice Voucher Program:

HUD HAP Funding for November, 2021 - \$129,161  
Housing Assistance Payments - \$147,678  
HAP-Veteran's Affairs - \$1,458  
Port-out HAP - \$1,923  
Port-in HAP - \$1,947  
HAP Reserve Balance - (NRP) - (\$78,983) (Deficit)  
Admin Reserve Balance - (UNP) - \$207,675  
Pre-2004 Admin Reserve balance (included above) - \$29,311  
Bank Balance - \$158,061

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**Capital Fund Program:**

CFP HUD Funding - \$133,494 (applied to 9/30/21)

CFP Expenditures - \$18,921

HCV CARES Act Program:

Unexpended deferred HCV CARES Act funds - \$22,718.67

Salary for Belinda de Leon - COVID-19 - \$4,007.10

Vending Business Activities:

Bank balance - \$550.83

Vending sales - \$365.32

Vending merchandise purchased - \$367.10

**Financial Reports can be downloaded from this link:**

**[https://www.dropbox.com/sh/z6lm5j85n7smzub/AAALrSB\\_a-3Hbv3ToMtO05Rya?dl=0](https://www.dropbox.com/sh/z6lm5j85n7smzub/AAALrSB_a-3Hbv3ToMtO05Rya?dl=0)**

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<sup>i</sup>Note: Whenever the Texas Open Meetings Act (Section 551.001 et seq. of the Texas Government Code) provides for a closed meeting in matters concerning legal advice, real estate, contracts, personnel matters, or security issues, the Board may find a closed meeting to be necessary. For convenience of the citizens interested in an item preceded by an asterisk, notice is given that a closed meeting is contemplated. However, the Board reserves the right to go into a closed meeting on any other item, whether it has an asterisk, when the Board determines there is a need for a closed meeting and it is permitted by law.

Pursuant to 30.06, Penal Code, (trespass by holder license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun. Pursuant to 30.07, Penal Code, (trespass by holder license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.