

**AUSTIN AFFORDABLE CONTRACTORS
PFC, INC.**

**BOARD OF DIRECTORS
Regular Meeting**

**Thursday, October 17, 2024
12:00 PM**

HACA Central Office, 1124 S. Interstate Highway 35
To attend via Zoom: <https://bit.ly/4dAXNDT> Meeting ID: 822 7025 2953
Passcode: 859380
Austin, TX

**PUBLIC NOTICE OF A MEETING
TAKE NOTICE OF A BOARD OF DIRECTORS
REGULAR BOARD MEETING
OF THE AUSTIN AFFORDABLE CONTRACTORS PFC, INC.**

**TO BE HELD AT
HACA Central Office, 1124 S. Interstate Highway 35
To attend via Zoom: <https://bit.ly/4dAXNDT> Meeting ID: 822 7025 2953 Passcode:
859380
Austin, TX
(512.477.4488)
Thursday, October 17, 2024
12:00 PM**

CALL TO ORDER, ROLL CALL

CERTIFICATION OF QUORUM

Citizens Communication (Note: There will be a three-minute time limitation)

CONSENT AGENDA

Items on the Consent Agenda may be removed at the request of any Commissioner and considered at another appropriate time on this agenda. Placement on the Consent Agenda does not limit the possibility of any presentation, discussion, or action at this meeting. Under no circumstances does the Consent Agenda alter any requirements under Chapter 551 of the Texas Government Code, Texas Open Meetings Act.

CONSENT ITEMS

1. Presentation, Discussion, and Possible Action regarding the Approval of the Board Minutes Summary for the Board Meeting held on March 21, 2024

ACTION ITEMS

2. Presentation, Discussion and Possible Action on Resolution No. 00002 by the Board of Directors of Austin Affordable Contractors Public Facility Corporation (“AACPFC”) appointing and/or ratifying officers

EXECUTIVE SESSION

The Board may go into Executive Session (close its meeting to the public) Pursuant to:

- a. 551.071, Texas Gov't Code, consultations with Attorney regarding legal advice, pending or contemplated litigation; or a settlement offer;
- b. 551.072, Texas Gov't Code, discussion about the purchase, exchange, lease or value of real property;
- c. 551.074, Texas Gov't Code, discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.
- d. 551.087, Texas Gov't Code, discuss certain economic development negotiations.

OPEN SESSION

If there is an Executive Session, the Board will return to Open Session for discussion,

consideration and possible action of matters discussed in Executive Session.

REPORTS -The Board will receive program updates from the President/CEO and other senior staff.

ADJOURNMENT

"Pursuant to 30.06, Penal Code, (trespass by holder of license with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not attend this meeting with a concealed handgun."

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

"En virtud del 30.06, Código Penal, (traspaso titular de licencia con una pistola), una persona bajo el subcapítulo H, capítulo 411, código de gobierno (Ley de licencia de arma o pistola), no se permiten en esta reunión con una arma o pistola.

"En virtud de 30.07, Código Penal (prevaricación por titular de la licencia con un arma o pistola abiertamente llevado), una persona bajo el subcapítulo H, capítulo 411, código de gobierno (Ley de licencia de arma o pistola), no se permiten en esta reunión con un arma o pistola que lleva abiertamente.

*The Housing Authority of the City of Austin (HACA) Board of Commissioners reserves the right to discuss and consider items out of order on the agenda on an as needed basis.

The Housing Authority of the City of Austin is committed to compliance with the Americans with Disability Act. Reasonable modifications and equal access to the communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Please call Nidia Hiroms at HACA at 512.477.4488, for additional information; TTY users route through Relay Texas at 711. For more information on HACA, please contact Nidia Hiroms at 512.477.4488 x2104.

AUSTIN AFFORDABLE CONTRACTORS PFC, INC.

BOARD ACTION REQUEST

ITEM NO. 1.

MEETING DATE: October 17, 2024

STAFF CONTACT: Ron Kowal, Vice President of Housing Development/Asset Mgmt

ITEM TITLE: Presentation, Discussion, and Possible Action regarding the Approval of the Board Minutes Summary for the Board Meeting held on March 21, 2024

BUDGETED ITEM: N/A

TOTAL COST: N/A

SUMMARY

Background:

The Board is being asked to review and approve the Board Minutes Summary for the Board Meeting held on March 21, 2024.

ATTACHMENTS:

- ▣ **20240321 AACPFC Minutes Summary**

**AUSTIN AFFORDABLE CONTRACTORS PFC, INC.
BOARD OF DIRECTORS
ANNUAL BOARD MEETING**

MARCH 21, 2024

SUMMARY OF MINUTES

THE AUSTIN AFFORDABLE CONTRACTORS PFC, INC. (AACPFC) BOARD OF DIRECTORS ANNUAL MEETING NOTICE WAS POSTED FOR 12:00 PM ON THURSDAY, MARCH 21, 2024, AND WAS HELD AT THE CHALMERS COURTS EAST, 1700 E. 3RD STREET, AUSTIN, TX AND VIRTUALLY

CALL TO ORDER, ROLL CALL, CERTIFICATION OF QUORUM

The Board of Directors Annual Board Meeting of the Austin Affordable Contractors PFC, Inc., of March 21, 2024, was called to order by Dr. Tyra Duncan-Hall, Director at 12:19 pm. The meeting was held at the Chalmers Courts East, 1700 E. 3rd Street, Austin, TX 78704

Roll call certified a quorum was present.

MEMBERS PRESENT:

Edwina Carrington, Chairperson (via Zoom)
Charles Bailey, Vice-Chairperson (via Zoom)
Mary Apostolou, 2nd Vice-Chairperson
Carl S. Richie, Jr., Director
Dr. Tyra Duncan-Hall, Director

MEMBER(S) ABSENT:

ALSO IN ATTENDANCE:

Lauren Aldredge, Cokinis Law Firm

STAFF PRESENT:

Ann Gass, Barbara Chen, Jimi Teasdale, Jorge Sanchez, Keith Swenson, Kelly Crawford, Leilani Lim-Villegas, Lisa Garcia, Michael Cummings, Michael Gerber, Nidia Hiroms, Nora Velasco, and Ron Kowal

PUBLIC COMMUNICATION – (3 minute time limit)

NONE

Public communication was opened up during each item on the agenda. No one provided any communication during any of the items.

CONSENT ITEMS

APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:

ITEM 1: Presentation, Discussion, and Possible Action regarding the Approval of the Board Minutes Summary for the Board Meeting held on June 15, 2023

Director Duncan-Hall moved to Approve the Board Minutes Summary for the Board Meeting held on June 15, 2023. **2nd Vice-Chair Apostolou** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

ITEM 2: Presentation, Discussion, and Possible Action regarding Resolution No. 00002: Approval to ratify all actions taken by the Board of Directors during FYE 2024, in order to resolve any irregularities which may have occurred regarding a quorum or vote by the Directors as reflected within the approved minutes and resolution

Upon past advisement of legal counsel, Resolution No. 00002 was drafted to ensure all actions taken by the Board during FYE 2024 be ratified, thus ensuring resolution of any irregularities during the voting process taken by the Directors. This is an action that is presented for board action on an annual basis.

This Resolution resolves any irregularities in the voting process found in the Board meeting minutes and/or resolutions, and all actions taken during the 2023-2024 Fiscal Year by the Board of Directors are fully enforceable.

Director Duncan-Hall moved to Approve Resolution No. 00002: Approval to ratify all actions taken by the Board of Directors during FYE 2024, in order to resolve any irregularities which may have occurred regarding a quorum or vote by the Directors as reflected within the approved minutes and resolution. **2nd Vice-Chairperson Apostolou** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

ACTION ITEMS

ITEM 3: Presentation, Discussion, and Possible Action regarding Resolution No. 00003: Election of Officers for the Austin Affordable Contractors PFC, Inc.

With the current officer terms expiring at the end of April 2024, and new terms beginning May 1, 2024, it is necessary for the Board to elect officers for the Austin Affordable Contractors PFC, Inc. Board of Directors. Resolution No. 00003 approves the following board officers: Chairperson-Edwina Carrington; Vice-Chairperson-Chuck Bailey; 2nd Vice-Chairperson-Mary Apostolou and President-Sylvia Blanco; Vice-President-Ron Kowal; Secretary-Michael Gerber; Treasurer-Barbara Chen

Director Duncan-Hall moved to Approve Resolution No. 00003: Election of Officers for the Austin Affordable Contractors PFC, Inc. The officers for AACPFC are Chairperson-Edwina Carrington; Vice-Chairperson-Chuck Bailey; 2nd Vice-Chairperson-Mary Apostolou and President-Sylvia Blanco; Vice-President-Ron Kowal; Secretary-Michael Gerber; Treasurer-Barbara Chen. **Director Richie** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

EXECUTIVE SESSION

The Board did not recess into Executive Session.

Director Duncan-Hall moved to adjourn the meeting. **2nd Vice-Chairperson Apostolou** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

The meeting adjourned at 2:42 pm.

Michael G. Gerber, Secretary

Chairperson

AUSTIN AFFORDABLE CONTRACTORS PFC, INC.

BOARD ACTION REQUEST

RESOLUTION NO. 00002

ITEM NO. 2.

MEETING DATE: October 17, 2024

STAFF CONTACT: Suzanne Schwertner, Director of Development

ITEM TITLE: Presentation, Discussion and Possible Action on Resolution No. 00002 by the Board of Directors of Austin Affordable Contractors Public Facility Corporation (“AACPFC”) appointing and/or ratifying officers

BUDGETED ITEM: N/A

TOTAL COST: N/A

ACTION

The Board is being asked to approve Resolution No. 00002 appointing and/or ratifying officers.

Process:

The Board is being asked to approve Suzanne Schwertner as an officer of Austin Affordable Contractors Public Facility Corporation with signing authorization.

Staff Recommendation:

Staff recommends approval of Resolution No. 00002.

RESOLUTION NO. 00002

A Resolution by the Board of Directors of Austin Affordable Contractors Public Facility Corporation (“ACPFC”) Appointing and/or Ratifying Officers

WHEREAS, ACPFC wishes to appoint and/or ratify the current officers of ACPFC (the “Officers”);

WHEREAS, at a meeting of the Board of Directors of ACPFC, ACPFC takes the following actions:

NOW, BE IT RESOLVED, that the Board of Directors of ACPFC hereby adopt the following resolutions at a duly-called meeting of ACPFC:

RESOLVED, that ACPFC hereby appoints Suzanne Schwertner to serve as Administrative Vice President (“AVP”) of ACPFC;

RESOLVED, that ACPFC hereby confirms and ratifies that the individuals named below are the current Officers of ACPFC (upon adoption of this Resolution):

President – Sylvia Blanco
Vice President – Ron Kowal
Administrative Vice President – Suzanne Schwertner
Treasurer – Biliang Chen
Secretary – Michael Gerber

RESOLVED, that each Officer above may enter into contracts or execute and deliver instruments on behalf of ACPFC;

RESOLVED, that these Officers are empowered to carry out the day-to-day business of ACPFC, to perform all acts necessary and appropriate to carry out the business of ACPFC, subject to the direction and control of the Directors;

RESOLVED, that all acts, transactions, agreements, or actions undertaken by any of the Officers, Directors, and/or representatives of ACPFC, prior to this date, in connection with the foregoing matters, the formation of the Corporation, and all matters resolved in all previous resolutions of ACPFC, are hereby ratified and confirmed as the valid actions of ACPFC, effective as of the date such actions were taken;

RESOLVED, that all resolutions, consents, certificates, agreements, and actions undertaken prior hereto by any of the Officers and/or Directors of ACPFC, are hereby ratified and confirmed as the valid actions of ACPFC, effective as of the date such actions were taken;

RESOLVED, that the Officers and Directors of ACPFC be, and they hereby are, authorized to do any and all acts and things and to execute any and all agreements, consents, certificates, and documents as in their opinion, or in the opinion of counsel to ACPFC, may be necessary or appropriate in order to carry out the purposes and intent of any of the foregoing resolutions;

RESOLVED, that all officers of ACPFC (each, an “Executing Officer”) are each hereby authorized, empowered and directed, for and on behalf of, and in the name of each of ACPFC, to execute and deliver documents and instruments as may be necessary or desirable, with such changes and modifications thereto as

shall be approved by executing the same, such execution and delivery to be conclusive evidence of such approvals;

RESOLVED, that the Executing Officer is authorized and directed for and on behalf of AACPFC, in the aforementioned capacity, to execute and deliver such other notices, requests, consents, approvals, orders, undertakings, amendments, further assurances or other instruments as may be necessary or appropriate in order to cause AACPFC to carry into effect the intent of the foregoing resolutions and such other instruments are hereby approved, ratified and confirmed in all respects; and

RESOLVED, that to the extent any of the actions authorized by these Resolutions have already been taken on behalf of AACPFC such actions are hereby ratified and confirmed as the valid actions of AACPFC, effective as of the date such actions were taken.

[End of Resolution]

PASSED, APPROVED AND ADOPTED this 17th day of October, 2024.

CHAIRPERSON

ATTEST:

SECRETARY