

**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
GOVERNING BOARD MEETING**

**A G E N D A
9:00 AM
JANUARY 16, 2020**

**Dewitt C. Greer State Highway Building
Ric Williamson Hearing Room
125 E. 11th Street
Austin, Texas 78701**

CALL TO ORDER

ROLL CALL

Leslie Bingham Escareño, Vice Chair

CERTIFICATION OF QUORUM

Pledge of Allegiance - I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Texas Allegiance - Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

CONSENT AGENDA

Items on the Consent Agenda may be removed at the request of any Board member and considered at another appropriate time on this agenda. Placement on the Consent Agenda does not limit the possibility of any presentation, discussion or approval at this meeting. Under no circumstances does the Consent Agenda alter any requirements under Chapter 551 of the Tex. Gov't Code, Texas Open Meetings Act. Action may be taken on any item on this agenda, regardless of how designated.

ITEM 1: APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:

EXECUTIVE

- a) Presentation, discussion, and possible action on Board meeting minutes summaries for October 10, 2019, and November 7, 2019

J. Beau Eccles
General Counsel

ASSET MANAGEMENT

- b) Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Land Use Restriction Agreement

Rosalio Banuelos
Director of
Asset Management

01057	Beckley Townhomes	Dallas
09007	Mill Stone Apartments	Fort Worth
060062	Enclave at Parkview Apartments	Fort Worth

- c) Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Exchange Land Use Restriction Agreement

07131/09914	StoneLeaf at Dalhart	Dalhart
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COMMUNITY AFFAIRS

- d) Presentation, discussion, and possible action regarding authorization to release a Notice of Funding Availability for Program Year 2020 Community Services Block Grant Discretionary funds for education and employment initiatives for Native American and migrant seasonal farm worker populations

Gavin Reid
Manager of
Planning and Training

RULES

- e) Presentation, discussion, and possible action on an order adopting the repeal of 10 TAC Chapter 10 Subchapter E, Post Award and Asset Management Requirements, and an order adopting new 10 TAC Chapter 10 Subchapter E, Post Award and Asset Management Requirements, and directing their publication in the *Texas Register*
- f) Presentation, discussion, and possible action on the adoption of the repeal of 10 TAC Chapter 27, Texas First Time Homebuyer Program Rule; the adoption of new 10 TAC Chapter 27, Texas First Time Homebuyer Program Rule; and directing their submission for adoption to the *Texas Register*
- g) Presentation, discussion, and possible action on the adoption of the repeal of 10 TAC Chapter 28, Taxable Mortgage Program; the adoption of new 10 TAC Chapter 28, Taxable Mortgage Program; and directing their submission for adoption to the *Texas Register*

Rosalio Banuelos
Director of
Asset Management

Monica Galuski
Director of
Bond Finance

HOME AND HOMELESSNESS PROGRAMS

- h) Presentation, discussion, and possible action on awards for the 2019 HOME Investment Partnerships Program Single Family Development Open Cycle Notice of Funding Availability

Abigail Versyp
Director of HOME and
Homelessness Programs

CONSENT AGENDA REPORT ITEMS

ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:

- a) Outreach and Activities Report (Dec. 2019-Jan. 2020)
- b) Report on the Department's Swap Portfolio and recent activities with respect thereto

Michael Lyttle
Director of
External Affairs

Monica Galuski
Director of
Bond Finance

ACTION ITEMS

ITEM 3: COMMUNITY AFFAIRS

Presentation, discussion, and possible action regarding authorization to reprogram Community Services Block Grant discretionary funds towards the procurement of one or more providers to provide fiscal and cost allocation related training and technical assistance for Community Services Block Grant eligible entities

Michael DeYoung
Director of
Community Affairs

ITEM 4: FAIR HOUSING, DATA MANAGEMENT AND REPORTING

Presentation, discussion, and possible action authorizing the Department to submit an application for Fair Housing Initiative Program – Education and Outreach Initiative (FR-6300-N-21-A) released by the U.S. Department of Housing and Urban Development, and if successfully awarded to operate such program

Brooke Boston
Director of Programs

ITEM 5: OCI, HTF, AND NSP

Presentation, discussion, and possible action on an amendment to the Neighborhood Stabilization Program 1 Agreement 77090000601 and associated loan documents with City Wide Community Development Corporation and authorization to award additional funding from Neighborhood Stabilization Program – Program Income

Raul Gonzales
Director of
OCI, HTF, and NSP

ITEM 6: MULTIFAMILY FINANCE

- a) Presentation, discussion, and possible action regarding the issuance of Determination Notices for 4% Housing Tax Credit Applications
 - 20422 Brush Country Cottages Dilley
 - 20423 Chula Vista San Diego
 - 20424 Cielo Lindo Edcouch

Teresa Morales
Director of
Multifamily Bonds

20425	La Estancia	Sebastian
20426	La Posada I & II	Elsa
20427	La Reina	La Villa
20428	La Sombra	Donna
20429	Las Palmas	La Feria
20430	Leuty Avenue	Justin
20431	Los Laureles	Edcouch
20432	Los Naranjos	Alton
20433	Oak Haven	Donna
20434	Raintree	Alamo
20435	Seagraves Garden	Seagraves
20436	Silver Trail	Menard
20437	The Village	Tomball
20438	Valley View	Valley View
20439	Villa Vallarta	Rio Grande City
20440	Vista Verde	Cotulla
20441	Willowick	Gainesville
20442	Windmill	Giddings
20423	Windwood I & II	Kingsland
19471	Austin Manor	Austin ETJ

- b) Presentation, discussion, and possible action regarding a waiver of certain requirements in 10 TAC §11.1(d)(122) regarding the definition of Supportive Housing

Marni Holloway
Director of
Multifamily Finance

ITEM 7: RULES

- a) Presentation, discussion, and possible action on an order proposing the repeal of 10 TAC Chapter 1, Subchapter C, Previous Participation and Executive Award Review Advisory Committee; an order proposing new 10 TAC Chapter 1, Subchapter C, Previous Participation and Executive Award Review Advisory Committee; and directing their publication for public comment in the *Texas Register*
- b) Presentation, discussion, and possible action on an order adopting the repeal of 10 TAC Chapter 90, Migrant Labor Housing Facilities, an order adopting new 10 TAC Chapter 90, Migrant Labor Housing Facilities and directing publication in the *Texas Register*

Patricia Murphy
Director of Compliance

Tom Gouris
Director of HOME and
Special Initiatives

PUBLIC COMMENT ON MATTERS OTHER THAN ITEMS FOR WHICH THERE WERE POSTED AGENDA ITEMS

EXECUTIVE SESSION

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

Leslie Bingham Escareño
Vice Chair

The Board may go into Executive Session Pursuant to Tex. Gov't Code §551.074 for the purposes of discussing personnel matters including to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee;

Pursuant to Tex. Gov't Code §551.071(1) to seek the advice of its attorney about pending or contemplated litigation or a settlement offer;

Pursuant to Tex. Gov't Code §551.071(2) for the purpose of seeking the advice of its attorney about a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules

of Professional Conduct of the State Bar of Texas clearly conflicts with Tex. Gov't Code Chapter 551; including seeking legal advice in connection with a posted agenda item;

Pursuant to Tex. Gov't Code §551.072 to deliberate the possible purchase, sale, exchange, or lease of real estate because it would have a material detrimental effect on the Department's ability to negotiate with a third person; and/or

Pursuant to Tex. Gov't Code §2306.039(c) the Department's internal auditor, fraud prevention coordinator or ethics advisor may meet in an executive session of the Board to discuss issues related to fraud, waste or abuse.

OPEN SESSION

If there is an Executive Session, the Board will reconvene in Open Session. Except as specifically authorized by applicable law, the Board may not take any actions in Executive Session.

ADJOURN

To access this agenda and details on each agenda item in the board book, please visit our website at www.tdhca.state.tx.us or contact Michael Lyttle, 512-475-4542, TDHCA, 221 East 11th Street, Austin, Texas 78701, and request the information. If you would like to follow actions taken by the Governing Board during this meeting, please follow TDHCA account (@tdhca) on Twitter.

Individuals who require auxiliary aids, services or sign language interpreters for this meeting should contact MeLissa Nemecek, ADA Responsible Employee, at 512-475-3959 or Relay Texas at 1-800-735-2989, at least five days before the meeting so that appropriate arrangements can be made. Non-English speaking individuals who require interpreters for this meeting should contact Elena Peinado, 512-475-3814, at least five days before the meeting so that appropriate arrangements can be made. Personas que hablan español y requieren un intérprete, favor de llamar a Elena Peinado, al siguiente número 512-475-3814 por lo menos cinco días antes de la junta para hacer los preparativos apropiados.

NOTICE AS TO HANDGUN PROHIBITION DURING THE OPEN MEETING OF A GOVERNMENTAL ENTITY IN THIS ROOM ON THIS DATE:

Pursuant to Section 30.07, Penal Code (trespass by 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.

De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista.

THIS RESTRICTION IS APPLICABLE TO THE IDENTIFIED MEETING ROOM ON THIS DATE AND DURING THE MEETING OF THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS