

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

**A G E N D A
9:00 AM
February 27, 2020**

**Texas Capitol Extension, E2.030
1100 Congress Avenue
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.

Resolution celebrating the 20th Anniversary of the Texas Bootstrap Loan Program

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:

ASSET MANAGEMENT

- a) Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application

03134	Cien Palmas	El Paso
16422	Pathways at Shadowbend Ridge	Austin
17736/19707	Providence at Ted Trout Drive	Hudson
19133	Alazan Lofts	San Antonio

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

00010	El Patrimonio Apartments	McAllen
01031	La Estancia Apartments	Weslaco
10035	HomeWood at Zion	Houston

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

00056	The Woodlands of Beaumont	Beaumont
03134	Cien Palmas	El Paso

Homero Cabello
Director of Program
Controls and Oversight

COMMUNITY AFFAIRS

- d) Presentation, discussion, and possible action on approval of the draft 2020 Department of Energy Weatherization Assistance Program state plan for public comment

Brooke Boston
Director of Programs

FINANCIAL ADMINISTRATION

- e) Presentation, discussion, and possible action to adopt a resolution regarding designating signature authority and superseding previous resolutions

Ernie Palacios
Director of Financial
Administration

LEGAL

- f) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Plainview II Triplex (HOME 532315 / CMTS 2658)
- g) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Southeast Texas CDC (HOME 537606 / CMTS 2680)
- h) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Maryland I (HTC 91122 / CMTS 990)

Jeff Pender
Deputy General Counsel

RULES

- i) Presentation, discussion, and possible action on the adoption of the 2020 State of Texas Low Income Housing Plan and Annual Report, and an order adopting the repeal and new 10 TAC §1.23 concerning State of Texas Low Income Housing Plan and Annual Report, and directing their submission to the *Texas Register*

Brooke Boston
Director of Programs

SINGLE FAMILY AND HOMELESS PROGRAMS

- j) 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 Single Family
and Homeless Programs

BOND FINANCE

- k) Presentation, discussion, and possible action on Resolution No. 20-011 authorizing the filing of one or more applications for reservation with the Texas Bond Review Board with respect to qualified mortgage bonds, authorizing state debt application, and containing other provisions relating to the subject

Monica Galuski
Director of
Bond Finance

MULTIFAMILY FINANCE

- l) Presentation, discussion, and possible action regarding the issuance of Determination Notices for 4% Housing Tax Credit Applications
20407 New Hope Housing Avenue J Houston
- m) Presentation, discussion, and possible action regarding the re-issuance of the Determination Notice for Scharbauer Flats (#20448)

Teresa Morales
Director of
Multifamily Bonds

CONSENT AGENDA REPORT ITEMS

ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:

- a) Outreach and Activities Report (Jan-Feb)
- b) Report on the Department's 1st Quarter Investment Report in accordance with the Public Funds Investment Act
- c) Report on the Department's 1st Quarter Investment Report relating to funds held under Bond Trust Indentures
- d) Report on an Amendment relating to Application 19239 Talavera Lofts

Michael Lyttle
Director of
External Affairs

Ernie Palacios
Director of Financial
Administration

Monica Galuski
Director of Bond Finance

Marni Holloway
Director of
Multifamily Finance

ACTION ITEMS

ITEM 3: TEXAS HOMEOWNERSHIP

Housing Finance Activity Report

Cathy Gutierrez
Director of Texas
Homeownership

ITEM 4: ASSET MANAGEMENT

Presentation, discussion, and possible action regarding approval of a Multifamily Direct Loan assumption

1001800 The Lakeshore Apartments Homes Lake Dallas

Homero Cabello
Director of Program
Controls and Oversight

ITEM 5: MULTIFAMILY FINANCE

- a) Presentation, discussion, and possible action regarding a waiver of 10 TAC §11.204(15) regarding the requirements for a Feasibility Report for proposed Rehabilitation Development Applications
- b) Presentation, discussion, and possible action on penalties for failure to meet deadlines under 10 TAC 11.9(c)(8) Readiness to Proceed
- | | | |
|-------|-------------------------|---------|
| 19070 | South Rice Apartments | Houston |
| 19074 | 900 Winston | Houston |
| 19077 | Telephone Road Elderly | Houston |
| 19085 | Gala at McGregor | Houston |
| 19242 | The Tramonti | Houston |
| 19245 | Huntington Chimney Rock | Houston |
| 19296 | McKee City Living | Houston |
- c) Presentation, discussion, and possible action on the First Amendment to the 2020-1 Multifamily Direct Loan Notice of Funding Availability
- d) Presentation, discussion, and possible action regarding the cancellation of the 2020-2 Multifamily Direct Loan Special Purpose Notice of Funding Availability and approval of the 2020-2B Multifamily Direct Loan Special Purpose Notice of Funding Availability
- e) Presentation, discussion, and possible action regarding the approval for publication in the *Texas Register* of the 2020-4 Multifamily Direct Loan Special Purpose Notice of Funding Availability (NOFA)

Marni Holloway
Director of
Multifamily Finance

Andrew Sinnott
Multifamily Loan
Programs Administrator

ITEM 6: RULES

Presentation, discussion, and possible action on the proposed repeal and proposed new 10 TAC Chapter 7, Subchapter A, General Policies and Procedures, and Subchapter B, Homeless Housing and Services Program; 10 TAC §7.31, §7.34, §7.36, §§7.41-44, Emergency Solutions Grants; and 10 TAC §7.62 and §7.65, Ending Homelessness Fund, and directing publication for public comment in the *Texas Register*

Abigail Versyp
Director of Single Family
and Homeless Programs

ITEM 7: BOND FINANCE

Presentation, discussion, and possible action on Inducement Resolution No. 20-010 for Multifamily Housing Revenue Bonds Regarding Authorization for Filing Applications for Private Activity Bond Authority

20602	Vermillion Apartments	Houston
20604	The Walzem	San Antonio ETJ

Teresa Morales
Director of
Multifamily Bonds

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