

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

**A G E N D A
9:00 AM
March 26, 2020**

Meeting Location: In light of the March 13, 2020, disaster declaration by the Office of the Governor, and the subsequent waivers of portions of Tex. Gov't Code, Ch. 551*, this meeting of the TDHCA Governing Board will be accessible to the public via the telephone and web link information, below. In order to engage in two-way communication during the meeting, persons must first register (at no cost) to attend the webinar via the link provided. Anyone who calls into the meeting without registering online will not be able to ask questions or provide comments, but the meeting will still be audible. A recording of the meeting will be made available to the public as soon as possible following the meeting.

Governing Board Webinar registration:

<https://attendee.gotowebinar.com/register/6058415027786399757>. Dial-in number: +1 (631) 992-3221, access code 479-898-662 (persons who use the dial-in number and access code without registering online will only be able to hear the Board meeting and will not be able to ask questions or provide comments). Note, this meeting will be proceeding as a teleconference under Tex. Gov't Code §551.125, as modified by waiver, and video will not be available.

CALL TO ORDER

ROLL CALL

Leslie Bingham, 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 recognizing April as Fair Housing Month

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.

* The list of Open Meeting laws subject to temporary suspension effective March 16, 2020, is available at:

<https://www.texasattorneygeneral.gov/sites/default/files/images/admin/2020/Press/Open%20Meeting%20Laws%20Subject%20to%20Temporary%20Suspension.pdf>

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

EXECUTIVE

- a) Presentation, discussion, and possible action on Board meeting minutes summary for December 12, 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
02120 Humble Memorial Gardens Humble
- c) Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application
19009 Churchill at Golden Triangle Community Fort Worth
98170 Homes of Persimmons Dallas

Rosalio Banuelos
Director of Asset
Management

COMMUNITY AFFAIRS

- d) Presentation, discussion, and possible action on awards for 2020 Community Services Block Grant discretionary funds for education and employment services to Native American and Migrant Seasonal Farmworker populations

Michael DeYoung
Director of
Community Affairs

HOUSING RESOURCE CENTER

- e) Presentation, discussion, and possible action on the draft 2020-2024 State of Texas Consolidated Plan

Elizabeth Yevich
Director of Housing
Resource Center

LEGAL

- f) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning related properties Park Meadows Villas (HTC 03140 / CMTS 3354) and Stone Hollow Village (HTC 04057 / CMTS 4112)
- g) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Santa Fe Trails (HTC 70028 / CMTS 895)

Jeff Pender
Deputy General Council

RULES

- h) Presentation, discussion, and possible action on an order adopting new 10 TAC Chapter 90, Migrant Labor Housing Facilities, §90.9 and directing publication in the Texas Register

Tom Gouris
Director of HOME and
Special Initiatives

MULTIFAMILY FINANCE

- i) Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application for Talavera Lofts (HTC #19239)
- j) Presentation, discussion, and possible action regarding the issuance of Determination Notices for 4% Housing Tax Credit Applications
- | | | |
|-------|----------------------|-------------|
| 20414 | Arbor at Wayforest | Houston ETJ |
| 20421 | Richcrest Apartments | Houston ETJ |
| 20404 | Tampico Apartments | San Antonio |
| 20418 | Park at 38Thirty | San Antonio |
| 20446 | St. Johns Square | San Antonio |
| 20409 | McKinney Flats | McKinney |

Marni Holloway
Director of
Multifamily Finance

Teresa Morales
Director of
Multifamily Bonds

CONSENT AGENDA REPORT ITEMS

ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:

- a) Outreach and Activities Report (February-March)

Michael Lyttle
Director of
External Affairs

ACTION ITEMS

ITEM 3: INTERNAL AUDIT

- a) Review and possible acceptance of the State Auditor's Office audit of the TDHCA Financial Statement
- b) Report on the meeting of the Internal Audit and Finance Committee

State Auditor's Office

Sharon Thomason
Chair of the Audit and Finance Committee

ITEM 4: SINGLE FAMILY AND HOMELESS PROGRAMS

- a) Presentation, discussion, and possible action on a proposed amendment to a Colonia Self-Help Center Program Contract with El Paso County in accordance with 10 TAC Chapter 25, the Colonia Self-Help Center Program Rule

Abigail Versyp
Director of Single Family and Homeless Programs

ITEM 5: BOND FINANCE

- a) Presentation, discussion, and possible action regarding the Issuance of a Multifamily Note (The Reserves at San Marcos Apartments) Resolution No. 20-012 and a Determination Notice of Housing Tax Credits

Teresa Morales
Director of Multifamily Bonds

ITEM 6: AGENCY PROGRAMMATIC RESPONSE TO COVID-19 PANDEMIC

- a) Presentation, Discussion and Possible Action authorizing the Executive Director to extend certain deadlines under 10 TAC Chapter 11, the Qualified Allocation Plan (QAP), 10 TAC Chapter 12, the Multifamily Housing Revenue Bond Rules (Bond Rule), and 10 TAC Chapter 13, the Multifamily Direct Loan (MFDL) Rule and related Notices of Funding Availability (NOFA)
- b) Presentation, discussion, and possible action on waivers to certain provisions of Texas Administrative Code for state and federal funds administered by the Single Family and Homeless Programs Division for disaster response for qualified persons and households most impacted by COVID-19, and authorization to submit a minor amendment to the State of Texas 2019 Action Plan
- c) Presentation, discussion, and possible action on the reprogramming of Program Year 2019 and programming of 2020 Community Services Block Grant Administrative and Discretionary funds for response to COVID-19
- d) Presentation, discussion, and possible action authorizing the Executive Director to take extend certain deadlines and take possible waiver action for provisions of 10 TAC Chapter 6, Community Affairs Programs, and related Notices of Funding Availability (NOFAs) and contracts, for federal funds administered by the Community Affairs Division for disaster response for qualified persons and households impacted most impacted by COVID-19

Marni Holloway
Director of Multifamily Finance

Abigail Versyp
Director of Single Family and Homeless Programs

Michael DeYoung
Director of Community Affairs

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
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 Elizabeth Yevich, at 512-463-7961 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.