

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

**A G E N D A
9:00 AM
June 25, 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/7575413421244122635>

Dial-in number: +1 (415) 930-5321, access code 256-792-799 (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 videoconference under Tex. Gov't Code §551.127, as modified by waiver.

If the GoToWebinar terminates prior to adjournment of the meeting (i.e. if the webinar session "crashes") the meeting will be recessed. A new link to the meeting will be posted immediately on the TDHCA Board meetings web page (<https://www.tdhca.state.tx.us/board/meetings.htm>) along with the time the meeting will resume. The time indicated to resume the meeting will be within six hours of the interruption of the webinar. Please note that in this contingency, the original meeting link will no longer function, and only the new link (posted on the TDHCA Board meetings web page) will work to return to the meeting.

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.

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

* 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>

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 summary for April 23, 2020

J. Beau Eccles
General Counsel

ASSET MANAGEMENT

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

Rosalio Banuelos
Director of Asset
Management

19242	The Tramonti	Houston
19245	Huntington Chimney Rock	Houston
19315	Hammack Creek	Kennedale

- c) Presentation, discussion, and possible action regarding approval of a Material Amendment to the Land Use Restriction Agreement

542076	Bridgeport Estates Phase II	Bridgeport
531301	Spring Garden Apartments IV	Springtown
1000370	Bridgeport IV	Bridgeport
1000608	Estates of Bridgeport Iva	Bridgeport

LEGAL

- d) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Villa Main Apartments (HTC 060193 / CMTS 4403)
- e) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning George Gervin Apartments (HTF 859X03 / CMTS 2651)
- f) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Meadowlake Village Apartments (HTC 11189 / HOME 1004196 / CMTS 4463)

Jeff Pender
Deputy General Counsel

COMMUNITY AFFAIRS

- g) Presentation, discussion, and possible action on approval of the 2021 Low Income Home Energy Assistance Program State Plan for submission to the U.S. Department of Health and Human Services and approval of the associated 2021 awards

Michael DeYoung
Director of
Community Affairs

MULTIFAMILY FINANCE

- h) Presentation, discussion, and possible action regarding the issuance of Determination Notices for 4% Housing Tax Credit Applications

Teresa Morales
Director of
Multifamily Bonds

20452	Enclave at Lake Pointe	Houston ETJ
20457	Pinewood Apartments	Houston
20444	Plano Kathryn Senior Living	Plano
20458	Kinwood Apartments	McKinney
20459	Spring Villas	Austin
20461	Cascade at Onion Creek	Austin
20419	Woodway Village	Austin

- i) Presentation, discussion, and possible action on a Determination Notice for Housing Tax Credits and an Award of Direct Loan Funds (#20406, Gala at Central Park, Hurst)
- j) Presentation, discussion, and possible action on the Fourth Amendment to the 2020-1 Multifamily Direct Loan Notice of Funding Availability and the ability to make

Andrew Sinnott
Multifamily Loan Programs
Administrator

future amendments with Executive Director approval to the 2020-1 Multifamily Direct Loan Notice of Funding Availability, as necessary to meet the 2018 commitment deadline for the National Housing Trust Fund

- k) Presentation, discussion, and possible action on the 2020 Multifamily National Housing Trust Fund Minimum Rehabilitation Standards for the 2020-2024 State of Texas Consolidated Plan and Substantial Amendment of the 2015-2019 State of Texas Consolidated Plan
- l) Presentation, discussion and possible action regarding an Award of Direct Loan funds from the 2020-1 Multifamily Direct Loan Notice of Funding Availability

20502 Heritage Heights at Big Spring Big Spring

BOND FINANCE

- m) Presentation, discussion, and possible action on Inducement Resolution No. 20-023 for Multifamily Housing Revenue Bonds Regarding Authorization for Filing Applications for Private Activity Bond Authority

Teresa Morales
Director of
Multifamily Bonds

20615 The Montage San Antonio ETJ

- n) Presentation, discussion, and possible action on Inducement Resolution No. 20-024 for Multifamily Housing Revenue Bonds Regarding Authorization for Filing Applications for Private Activity Bond Authority

20617 Murdeaux Villas Dallas

HOUSING RESOURCE CENTER

- o) Presentation, Discussion, and Possible Action on the 2020-2024 State of Texas Consolidated Plan

Elizabeth Yevich
Director of
Housing Resource Center

COMPLIANCE

- p) Presentation, discussion, and possible action on a Dispute of the Compliance Division's assessment of the Applicant's compliance history to be reported to the Executive Award Review Advisory Committee regarding

Patricia Murphy
Director of Compliance

20187	Cortez Plaza	El Paso
20190	Nuestra Senora	El Paso
20310	Highpoint at Wynnewood	Dallas
20016	Reserve at Sulphur Springs	Sulphur Springs
20111	St. Andrew's Townhomes	Arlington
20156	Whispering Trees	Carrizo Springs
20100	Southlawn at Milby	Houston

CONSENT AGENDA REPORT ITEMS

ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:

- a) Outreach and Activities Report (May-June)
- b) Report on Activities Related to the Department's Response to COVID-19 Pandemic

Michael Lyttle
Director of
External Affairs

Brooke Boston
Director of Programs

ACTION ITEMS

ITEM 3: INTERNAL AUDIT

- a) Report on the meeting of the Internal Audit and Finance Committee

Sharon Thomason
Chair of Audit and
Finance Committee

ITEM 4: FINANCIAL ADMINISTRATION

- a) Approval of updated FY 2021 Operating Budget

Joe Guevara
Director of Financial
Administration

- b) Approval of the FY 2021 Housing Finance Division Budget

ITEM 5: COMPLIANCE

- a) Presentation, discussion, and possible action on a Dispute of the Compliance Division's assessment of the Applicant's compliance history to be reported to the Executive Award Review Advisory Committee regarding

Patricia Murphy
Director of Compliance

20316	Virginia Flats	Beaumont
20288	Providence at Buna	Buna
20138	The Ella	Houston

ITEM 6: MULTIFAMILY FINANCE

- a) Presentation, discussion, and possible action regarding a waiver of certain requirements in 10 TAC §11.201(1)(A) of the 2020 Qualified Allocation Plan regarding the errors in the calculation of Application fees
- b) Report of Third Party Requests for Administrative Deficiency under 10 TAC §11.10 of the 2020 Qualified Allocation Plan

Marni Holloway
Director of
Multifamily Finance

20018	The Park Tower	Fort Worth
20051	Village at McArdle	Corpus Christi
20054	Gulf Shore Villas	Rockport
20075	New Hope Housing Savoy	Houston
20077	Lockwood South Apartments	Houston
20083	Lakeview Preserve	Irving
20089	Hamilton Wolfe Lofts	San Antonio
20092	Fiesta Trails	San Antonio
20144	The Enchanted Gardens	Victoria
20147	Kestral on Cooper	Arlington
20150	Palmville Homes	San Benito
20177	Avanti Legacy Valor Heights	McAllen
20181	Avanti Valley View	Hidalgo
20184	The Heritage at Abilene	Abilene
20200	Lofts at Temple Medical District	Temple
20223	Campanile on Briar Hollow	Houston
20235	Madisonville Estates	Madisonville
20240	Livingston Pioneer Crossing	Livingston
20264	Juliette Fowler Residences	Dallas
20272	Westwind of Dumas	Dumas
20273	La Grange Springs	La Grange
20309	Los Ebanos	Bishop
20317	Merritt Edge Senior Village	Midland
20329	Fish Pond at Huntsville	Huntsville
20342	The Cottages at Cedar Ridge	Elgin

- c) Presentation, discussion, and possible action on timely filed appeals of application termination under 10 TAC §11.902 of the 2020 Qualified Allocation Plan

20030	Akins East	Austin
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- d) Presentation, discussion, and possible action on timely filed scoring appeals under 10 TAC §11.902 of the 2020 Qualified Allocation Plan

20092	Fiesta Trails	San Antonio
20329	Fish Pond at Huntsville	Huntsville
20342	The Cottages at Cedar Ridge	Elgin

- e) Presentation, discussion, and possible action to issue a list of approved Applications for 2020 Housing Tax Credits (HTC) in accordance with Tex. Gov't Code §2306.6724(e)

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 Nancy Dennis, 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.

