

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

**A G E N D A
9:00 AM
October 8, 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/9187673503020370191>

Dial-in number: +1 (914) 614-3221, access code 743-488-678 (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.

* 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>

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 July 23, 2020 and September 3, 2020

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

98005	Falcon Pointe Apartments	Rosenberg
98050	Las Villas de Leon	San Antonio
98067	Asbury Place Apartments	San Marcos
99177	Park at Clear Creek	Hempstead
00003	The Villas of Greenville	Greenville
00027	Rosemont at Arlington Park	Dallas
01029	The Landing	Waco
01094	South Cooperstown Apartments	El Paso
01099	Cooperstown Apartments	El Paso
01101	Timber Ridge Apartments	Houston
02051	Pueblo Montana	El Paso
02053	Castner Palms	El Paso
04226	Arbor Cove	Donna
11149	Silver Glen Apartments	Houston
13071	Windy Ridge Apartments	Austin
16043	SilverLeaf at Panhandle Seniors	Panhandle
16057	Silverleaf at Mason	Mason

MULTIFAMILY FINANCE

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

Teresa Morales
Director of
Multifamily Bonds

20476	Grand Station	Austin ETJ
20455	Redwood	San Marcos
20480	Bridge at Turtle Creek	Austin
20474	Canyon Pass	San Antonio
20449	EMI at Pecan Creek	Aubrey

- d) Presentation, discussion, and possible action regarding Awards of Direct Loan funds from the 2020-1 Multifamily Direct Loan Notice of Funding Availability

Marni Holloway
Director of
Multifamily Finance

20505	Roosevelt Gardens	Austin
-------	-------------------	--------

- e) Presentation, discussion, and possible action regarding a Material Amendment of the Housing Tax Credit Application for La Grange Springs (HTC #20273)

LEGAL

- f) Presentation, discussion, and possible action regarding the adoption of two Agreed Final Orders concerning related properties Sycamore Center Villas (CMTS 3283 / HTC 02484) and Rosemont at Arlington Park (CMTS 64 / HTC 00027)

Jeff Pender
Deputy General Counsel

BOND FINANCE

- g) Presentation, discussion, and possible action on Inducement Resolution No. 21-003 for Multifamily Housing Revenue Bonds Regarding Authorization for Filing Applications for Private Activity Bond Authority

Teresa Morales
Director of
Multifamily Bonds

21600 Corona del Valle El Paso
20630 Caroline Lofts Houston

- h) Presentation, discussion, and possible action regarding an increase in authorization for the Taxable Mortgage Purchase Program
- i) Presentation, discussion, and possible action on Resolution No. 21-004 authorizing request to the Texas Bond Review Board for annual waiver of Single Family Mortgage Revenue Bond set-aside requirements; authorizing the execution of documents and instruments relating thereto; making certain findings and determinations in connection therewith; and containing other provisions relating to the subject
- j) Presentation, discussion, and possible action regarding Resolution No. 21-005 authorizing the implementation of Texas Department of Housing and Community Affairs Mortgage Credit Certificate Program 96, approving the form and substance of the program manual and the program summary, authorizing the execution of documents and instruments necessary or convenient to carry out Mortgage Credit Certificate Program 96, and containing other provisions relating to the subject
- k) Presentation, discussion, and possible action on Resolution No. 21-006 authorizing the filing of one or more applications for reservation with the Texas Bond Review Board with respect to qualified mortgage bonds and containing other provisions relating to the subject

Monica Galuski
Director of
Bond Finance

SINGLE FAMILY & HOMELESS PROGRAMS

- l) Presentation, discussion, and possible action to authorize the issuance of the 2021 HOME Investment Partnerships Program Single Family General Set-Aside Notice of Funding Availability and publication of the NOFA in the Texas Register
- m) Presentation, discussion, and possible action to authorize the issuance of the 2021 HOME Investment Partnerships Program Single Family Persons with Disabilities Set-Aside Notice of Funding Availability and publication of the NOFA in the Texas Register
- n) Presentation, discussion, and possible action to authorize the issuance of the 2021 HOME Investment Partnerships Program Single Family Contract for Deed Set-Aside Notice of Funding Availability and publication of the NOFA in the Texas Register

Abigail Versyp
Director of Single Family &
Homeless Programs

RULES

- o) Presentation, discussion, and possible action on an order adopting the repeal of 10 TAC Chapter 1, §1.21, Action by Department if Outstanding Balances Exist; an order adopting new 10 TAC Chapter 1, §1.21, Action by Department if Outstanding Balances Exist; and directing their publication for adoption in the Texas Register

Brooke Boston
Deputy Director
of Programs

SECTION 811

- p) Presentation, discussion, and possible action regarding an adjustment to contract #332-21-5201, TRACS Processing Services with Blueprint Housing Solutions
- q) Presentation, discussion, and possible action authorizing the Department to implement occupancy preferences in the Section 811 Project Rental Assistance Program

Spencer Duran
Director of Section 811

COMMUNITY AFFAIRS

- r) Presentation, discussion and possible action on the programming of Housing Choice Voucher Program Administrative funds available to Texas through the Coronavirus Aid, Relief, and Economic Security Act and authorization to proceed with said programmed activities.

Michael De Young
Director of
Community Affairs

CONSENT AGENDA REPORT ITEMS

ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:

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

Michael Lyttle
Director of
External Affairs

Brooke Boston
Deputy Director
of Programs

ACTION ITEMS

ITEM 3: PROGRAMS

Presentation, discussion and possible action on a substantial amendment to the 2019 State of Texas Consolidated Plan: One-Year Action Plan; approval of programming for ESG CARES II and CDBG CARES funding; and authority to make awards to identified non-competitive subrecipients

Brooke Boston
Deputy Director
of Programs

ITEM 4: SINGLE FAMILY & HOMELESS PROGRAMS

Presentation, discussion, and possible action on Program Year 2020 Emergency Solutions Grants Program Awards

Abigail Versyp
Director of Single Family &
Homeless Programs

ITEM 5: ASSET MANAGEMENT

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

Rosalio Banuelos
Director of Asset
Management

16373 Avondale Farms Seniors Haslet

ITEM 6: MULTIFAMILY FINANCE

- a) Presentation, discussion and possible action regarding eligibility under 10 TAC §11.101(a)(3)(B)(ii) related to Neighborhood Risk Factors for W. Leo Daniels (#20482) in Houston
- b) Presentation, discussion, and possible action on a timely filed appeal for HTC Application 20344, Merritt Sunset under the Department's Multifamily Program Rules

Teresa Morales
Director of
Multifamily Bonds

Marni Holloway
Director of
Multifamily Finance

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.