

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

**A G E N D A  
9:00 AM  
December 10, 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/2236441146685562379>

**Dial-in number:** +1 415-655-0060, access code 311-803-933 (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**

**Leo Vasquez, 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 summary for October 8, 2020

**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

17376                      The Bristol    San Antonio

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

19277                      Cielo Place    Fort Worth

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

531001                      Cedar Ridge II    Leander

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

99004	Highland Village Apartments	Longview
99126	Villages at West Lake aka Sunset Arbor Townhomes	Abilene
00038	Ryan's Crossing (Pemberton Place)	Marshall
02029	North Grand Villas	Amarillo
03004	Rosemont at Lakewest	Dallas
03028	Mill Creek Village Apartments	Longview
03053	Millpoint Townhomes	Henderson
04246/07058	Wildwood Trails Apartments	Brownwood
04250	Knollwood Heights Apartments	Big Spring
05184	Palestine Hampton Chase Apartments	Palestine
05185	Market Place Apartments	Brownwood
05187	Valley Creek Apartment	Fort Stockton
060125	Country Club Apartments	Pecos
060128	Jacksonville Pines Apartments	Jacksonville
07115	Heights Apartments	Big Spring
07117	Deer Creek Apartments	Levelland
07118	Lakeside Apartments	Mount Pleasant
08207/150900-09927	Carpenters Point Senior Living	Dallas
08299/150900-09942	Southern View Apartments	Fort Stockton
09006/150900-09946	Avalon Park dba Cedar Street Apartments	Brownfield
09260/150900-09967	Mill Creek Terrace dba Millie Street Apartments	Longview
10103	Gateway Plaza Apartments	Midland
10107	Tenth Street Apts dba Adobe Ranch Apartments	Borger
10236	Stone Canyon	Amarillo
12221	Riverstone Trails	Sunnyvale

12243	Dunes Apartments	Seminole
13128	Winchester Arms Apartments	Comanche
13129	Rose Meadows	Levelland
14122	Riverside Park	Early

**MULTIFAMILY FINANCE**

- f) Presentation, discussion, and possible action to adopt the 2021 Multifamily Programs Application Procedures Manual
- g) Presentation, discussion, and possible action regarding a Material Amendment of the Housing Tax Credit Application for La Grange Springs (HTC #20273)

**Marni Holloway**  
Director of  
Multifamily Finance

**RULES**

- h) Presentation, discussion, and possible action on an order proposing an amendment to 10 TAC §1.15, Integrated Housing Rule, and directing publication for public comment in the *Texas Register*
- i) Presentation, discussion, and possible action on repeal of and proposed new 10 TAC Chapter 2 Enforcement, Subchapter B, Enforcement for Noncompliance with Program Requirements of Chapters 6 and 7, §2.201, Cost Reimbursement, and §2.202, Sanctions and Contract Closeout, to be published in the *Texas Register* for public comment

**Brooke Boston**  
Deputy Director  
of Programs

**CONSENT AGENDA REPORT ITEMS**

**ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:**

- a) Outreach and Activities Report (November-December)
- b) Report on Activities Related to the Department's Response to COVID-19 Pandemic
- c) Report on the Draft Computation of Housing Finance Division Total and Unencumbered Fund Balances and Transfers to the State of Texas Housing Trust Fund
- d) Housing Finance Activity Report
- e) Report on the allocation of Program Year 2021 Community Services Block Grant awards

**Michael Lyttle**  
Director of  
External Affairs

**Brooke Boston**  
Deputy Director  
of Programs

**Joe Guevara**  
Director of Financial  
Administration

**Cathy Gutierrez**  
Director of  
Texas Homeownership

**Michael De Young**  
Director of  
Community Affairs

**ACTION ITEMS**

**ITEM 3: BOND FINANCE**

Presentation, discussion, and possible action regarding the Issuance of a Multifamily Note (Legacy Riverside Senior Living Community) Series 2020 Resolution No. 21-007, and a Determination Notice of Housing Tax Credits

**Teresa Morales**  
Director of  
Multifamily Bonds

**ITEM 4: MULTIFAMILY FINANCE**

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

**Teresa Morales**  
Director of  
Multifamily Bonds

20491	Ridgecrest Terrace	Dallas
20498	Gala at Waxahachie	Waxahachie
20495	Fawn Ridge Apartments	The Woodlands
20494	La Cima	Austin
20496	Marshall Apartments	Austin

- b) Presentation, discussion, and possible action regarding a waiver of 10 TAC §11.101(b)(1)(A)(ii) of the Qualified Allocation Plan (QAP) and the issuance of a Determination Notice for 4% Housing Tax Credits for Wildhorse Flats (#20488)
- c) Presentation, discussion, and possible action on a Determination Notice for 4% Housing Tax Credits and an Award of Direct Loan Funds (#20464, Pine Terrace, Mount Pleasant)
- d) Presentation, discussion and possible action regarding an Award of Direct Loan Funds from the 2020-1 Multifamily Direct Loan Notice of Funding Availability
  - 20329 Fishpond at Huntsville Huntsville
  - 20501 Samano Brownsville
  - 20504 Burnet Place Austin
- e) Presentation, discussion, and possible action regarding the approval for publication in the *Texas Register* of the 2021-1 Multifamily Direct Loan Notice of Funding Availability
- f) Presentation, discussion and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Application 19315, Hammack Creek

**Marni Holloway**  
Director of  
Multifamily Finance

**ITEM 5: AUDIT**

- a) Report on the meeting of the Internal Audit and Finance Committee
- b) Presentation, discussion, and possible approval of the Annual Internal Audit Plan for Fiscal Year 2021

**Sharon Thomason**  
Chair of Audit & Finance  
Committee  
**Mark Scott**  
Director of Internal Audit

**ITEM 6: RULES**

Presentation, discussion, and possible action on the draft 2021 State of Texas Low Income Housing Plan and Annual Report; proposed repeal of 10 TAC Chapter 1, Subchapter A, General Policies and Procedures, §1.23 concerning State of Texas Low Income Housing Plan and Annual Report; proposed new 10 TAC Chapter 1, Subchapter A, General Policies and Procedures, §1.23 concerning State of Texas Low Income Housing Plan and Annual Report; and directing their publication for public comment in the *Texas Register*

**Elizabeth Yevich**  
Director of Housing  
Resource Center

**ITEM 7: TEXAS HOMEOWNERSHIP**

Presentation, discussion, and possible action on the Participating Lender List for the Single Family Mortgage Loan and Mortgage Credit Certificate Programs

**Cathy Gutierrez**  
Director of  
Texas Homeownership

**ITEM 8: COMMUNITY AFFAIRS**

- a) Presentation, discussion, and possible action regarding authorization to release a Notice of Funding Availability for 2021 Community Services Block Grant Discretionary funds for education and employment initiatives for Native American and migrant seasonal farm worker populations
- b) Presentation, discussion, and possible action regarding termination of Galveston County Community Action Council, Inc.'s Low Income Home Energy Assistance Program Comprehensive Energy Assistance Program contracts and future funding; award of 24.99% of the 2020 Comprehensive Energy Assistance Program awards for the service area covered by Galveston County Community Action Council, Inc., to alternate provider(s); and the authorization of staff to identify a provider(s), through release and subsequent award of a Request for Application or through a direct designation, to temporarily and permanently administer the Comprehensive Energy Assistance Program in Brazoria, Fort Bend, Galveston, and Wharton counties (the areas served by Galveston County Community Action Council, Inc.)

**Michael De Young**  
Director of  
Community Affairs

- c) Presentation, discussion, and possible action on initiation of proceedings to remove the eligible entity status of Galveston County Community Action Council, Inc. and terminate Community Services Block Grant contracts and future funding

**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):

**Leo Vasquez**  
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](http://www.tdhca.state.tx.us) or contact Michael Lyttle, 512-475-4542, TDHCA, 221 East 11<sup>th</sup> 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.