

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

**A G E N D A  
9:00 AM  
January 14, 2021**

**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/1386452688513425166>

**Dial-in number:** +1 (415) 930-5321, access code 934-629-276 (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 November 5, 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

03006 Villas of Park Grove

Katy

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

15247 City Square Apartment Homes

Garland

#### MULTIFAMILY FINANCE

- d) Presentation, discussion, and possible action on penalties for failure to meet deadlines under 10 TAC 11.9(c)(8) Readiness to Proceed for:

**Marni Holloway**  
Director of  
Multifamily Finance

20011	Canal Lofts	Houston
20015	New Caney Oaks	New Caney
20075	New Hope Housing Savoy	Houston
20077	Lockwood South Apartments	Houston
20082	Connect South Apartments	Houston
20097	Regency Lofts	Houston
20100	Southlawn at Milby	Houston
20140	Richmond Senior Village	Houston
20179	Avanti West	Edinburg
20204	Heritage Senior Residences	Houston
20223	Campanile on Briar Hollow	Houston
20248	Cedar Cove Apartments	Sealy
20251	Mathis Apartments	Mathis
20281	Bayou Bend Apartments	Waller
20329	Fish Pond at Huntsville	Huntsville

#### COMMUNITY AFFAIRS

- e) Presentation, Discussion and Possible Action on an Extension to the Release of Coronavirus Aid, Relief, and Economic Security Act Low Income Home Energy Assistance Program Funds Held in Emergency Reserve and Authorization to Award Such Funds

**Michael De Young**  
Director of  
Community Affairs

#### LEGAL

- f) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Emerald Run (HTC 70079 / CMTS 2320)

**Jeff Pender**  
Deputy General Counsel

## CONSENT AGENDA REPORT ITEMS

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

- a) Outreach and Activities Report (December 2020-January 2021)
- b) Report on Activities Related to the Department's Response to COVID-19 Pandemic
- c) Report on the Department's Swap Portfolio and recent activities with respect thereto

**Michael Lyttle**  
Director of  
External Affairs

**Brooke Boston**  
Deputy Director  
of Programs

**Monica Galuski**  
Director  
of Bond Finance

## ACTION ITEMS

### ITEM 3: RULES

Presentation, discussion, and possible action on an order proposing the amendment of 10 TAC §8.7 Program Regulations and Requirements, and directing publication for public comment in the Texas Register.

**Spencer Duran**  
Director of  
Section 811

### ITEM 4: ASSET MANAGEMENT

Presentation, discussion, and possible action on timely filed appeal under the Department's Multifamily Program Rules for Villas on Raiford (Exchange #15090009913)

**Rosalio Banuelos**  
Director of Asset  
Management

### ITEM 5: SINGLE FAMILY & HOMELESS PROGRAMS

- a) Presentation, discussion, and possible action on the Dispute of EARAC's Emergency Solutions Grants Coronavirus Aid, Relief, and Economic Security Act first allocation award recommendation for Galveston County Community Action Council, Inc. and approval of an award to The Salvation Army, Inc. serving Galveston County
- b) Presentation, discussion, and possible action on Emergency Solutions Grants Coronavirus Aid, Relief, and Economic Security Act second allocation awards

**Abigail Versyp**  
Director of Single Family &  
Homeless Programs

### ITEM 6: HOUSING RESOURCE CENTER

Presentation, discussion and possible action on adoption of the second substantial amendment to the 2019 State of Texas Consolidated Plan: One-Year Action Plan relating to Community Development Block Grant funding under the CARES Act; authority to request waivers of HUD; and delegation of authority to the Department's Executive Director to make awards to subrecipients

**Elizabeth Yevich**  
Director of Housing  
Resource Center

### ITEM 7: BOND FINANCE

- a) Presentation, discussion, and possible action on Inducement Resolution No. 21-008 for Multifamily Housing Revenue Bonds Regarding Authorization for Filing Applications for Private Activity Bond Authority for Meadowbrook (#21604)
- b) Presentation, discussion, and possible action regarding the Issuance of Multifamily Housing Revenue Bonds (The Montage) Resolution No. 21-009 and a Determination Notice of Housing Tax Credits
- c) Presentation, discussion, and possible action regarding the Issuance of Multifamily Housing Revenue Bonds (Oso Bay Apartments) Resolution No. 21-010 and a Determination Notice of Housing Tax Credits

**Teresa Morales**  
Director of  
Multifamily Bonds

### ITEM 8: MULTIFAMILY FINANCE

- a) Presentation, discussion, and possible action regarding a waiver of 10 TAC §11.101(a)(1) of the Qualified Allocation Plan (QAP) and the issuance of a Determination Notice for 4% Housing Tax Credits for 2100 Memorial in Houston (#20490)
- b) Presentation, discussion, and possible action regarding a waiver of 10 TAC §11.101(b)(8)(B)(iii) of the Qualified Allocation Plan (QAP) and the issuance of a

**Teresa Morales**  
Director of  
Multifamily Bonds

Determination Notice for 4% Housing Tax Credits for The Oleanders at Broadway (#20497)

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

20493 The Ridge at Lancaster  
20703 Cove in Odessa

Dallas  
Odessa

#### **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.