

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

**A G E N D A
9:00 AM
March 11, 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/6928266171630811404>

Dial-in number: +1 (631) 992-3221, access code 362-515-779 (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.

Resolution Recognizing April as Fair Housing Month

* 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:

ASSET MANAGEMENT

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

Rosalio Banuelos
Director of Asset
Management

02004	Williams Trace Apartments	Cameron
03070	Bay Ranch Apartments	Bay City
04018	Terrace Pines	College Station
05164	Ridge Pointe Apartments	Killeen

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

19410	Eisenhower II	El Paso
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- c) Presentation, discussion, and possible action regarding a waiver of 10 TAC §11.101(b)(4)(I) for Lago de Plata (HTC #19600)
- d) Presentation, discussion, and possible action on loan modification for Mission Village of Pecos (HOME #1002030)

MULTIFAMILY FINANCE

- e) Presentation, discussion, and possible action regarding the issuance of Determination Notices for 4% Housing Tax Credits

Teresa Morales
Director of
Multifamily Bonds

21406	Midpark Towers	Dallas
21401	Cowan Place	Fort Worth
20708	Copernicus Apartments	San Antonio
20709	Watson Road	San Antonio

RULES

- f) Presentation, discussion, and possible action on an order adopting the repeal, and new 10 TAC Chapter 2 Enforcement, Subchapter A General, Subchapter C Administrative Penalties, and Subchapter D Debarment

Wendy Quackenbush
Director
of Compliance Monitoring

CONSENT AGENDA REPORT ITEMS

ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:

Report on Activities Related to the Department's Response to COVID-19 Pandemic

Brooke Boston
Deputy Director
of Programs

ACTION ITEMS

ITEM 3: EXECUTIVE

Executive Director's Report

Bobby Wilkinson
Executive Director, TDHCA

ITEM 4: INTERNAL AUDIT

- a) Review and possible acceptance of the state Auditor's Office audit of the TDHCA Financial Statement

State Auditor's Office

- b) Report on the meeting of the Internal Audit and finance Committee

Sharon Thomason
Chair of the Audit and
Finance Committee

ITEM 5: DEPARTMENT OF POLICY & PUBLIC AFFAIRS

Media Analysis and Outreach Report January 2021

Michael Lyttle
Director of
External Affairs

ITEM 6: SINGLE FAMILY & HOMELESS PROGRAMS

- a) Presentation, discussion, and possible action on proposed amendments to 10 TAC Chapter 7 Subchapter C, Section 7.33, Apportionment of ESG Funds, concerning the Emergency Solutions Grants, and directing their publication for public comment in the Texas Register
- b) Presentation, discussion, and possible action on a transfer and change of final eligible use for property purchased under the Neighborhood Stabilization Program to the City of Dallas for creation and expansion of municipal parkland

Abigail Versyp
Director of Single Family &
Homeless Programs

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Homeless Programs

ITEM 7: TEXAS HOMEOWNERSHIP

Housing Finance Activity Report

Cathy Gutierrez
Director of Texas
Homeownership
Monica Galuski
Director
of Bond Finance

ITEM 8: BOND FINANCE

- a) Presentation, discussion, and possible action on Resolution No. 21-017 authorizing the filing of one or more applications for reservation with the Texas Bond Review Board with respect to qualified mortgage bonds, authorizing state debt application, and containing other provisions relating to the subject
- b) Presentation, discussion, and possible action on Resolution No. 21-018 authorizing the issuance, sale and delivery of Texas Department of Housing and Community Affairs Residential Mortgage Revenue Bonds, Series 2021A and Residential Mortgage Revenue Refunding Bonds, Series 2021B (Taxable), approving the form and substance of related documents, authorizing the execution of documents and instruments necessary or convenient to carry out the purposes of this resolution, and containing other provisions relating to the subject
- c) Presentation, discussion, and possible action on Resolution No. 21-019 authorizing the filing of one or more applications for reservation with the Texas Bond Review Board with respect to qualified mortgage bonds, authorizing state debt application, and containing other provisions relating to the subject
- d) Presentation, discussion, and possible action on Inducement Resolution No. 21-020 for Multifamily Housing Revenue Bonds Regarding Authorization for Filing Applications for Private Activity Bond Authority

Monica Galuski
Director
of Bond Finance

Monica Galuski
Director
of Bond Finance

Teresa Morales
Director of
Multifamily Bonds

21610 Delafield Villas Dallas

- e) Presentation, discussion, and possible action regarding the Issuance of Multifamily Green Tax-Exempt Bonds (Green M-TEBS – Pineview at Grogan's Mill Apartments) Series 2021, Resolution No. 21-021, and a Determination Notice of Housing Tax Credits
- f) Presentation, discussion, and possible action regarding the Issuance of Multifamily Green Tax-Exempt Bonds (Green M-TEBS – Ridgewood at Panther Creek Apartments) Series 2021, Resolution No. 21-022, and a Determination Notice of Housing Tax Credits

ITEM 9: MULTIFAMILY FINANCE

- a) Presentation, discussion, and possible action on a Determination Notice for Housing Tax Credits and an Award of Direct Loan Funds (#21407 Espero Austin at Rutland, Austin)
- b) Presentation, discussion, and possible action regarding the issuance of a Determination Notice for 4% Housing Tax Credits for Sandpiper Cove (#20705) in Galveston

Marni Holloway
Director of
Multifamily Finance

Teresa Morales
Director of
Multifamily Bonds

ITEM 10: COMMUNITY AFFAIRS

- a) Presentation, discussion, and possible action approving actions taken by the Executive Director, and authorizing the Executive Director to take further special actions to meet the emergency needs of low-income Texans economically impacted by Winter Storm Uri using federal funds administered by the Community Affairs Division
- b) Presentation, discussion, and possible action on approval of the draft 2021 Department of Energy Weatherization Assistance Program state plan for public comment
- c) Presentation, discussion and possible action on the amendment of Community Services Block Grant CARES Act discretionary contracts from the Texas Eviction Diversion Pilot program to Community Services Block Grant CARES Act direct service activities
- d) 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 and CARES Act Comprehensive Energy Assistance Program awards for the service area covered by Galveston County Community Action Council, Inc., to temporary provider(s); and the authorization of staff to identify a permanent provider(s), through release and subsequent award of a Request for Application or through a direct designation, to administer the Comprehensive Energy Assistance Program in Brazoria, Fort Bend, Galveston, and Wharton counties (the areas served by Galveston County Community Action Council, Inc.)
- e) 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

Michael De Young
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):

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 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.