

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

**A G E N D A**

**9:00 AM**

**May 13, 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/8299063603340971536>

Dial-in number: +1 (914) 614-3221, access code 636-031-475 (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 May as National Mobility Awareness Month**

**CONSENT AGENDA**

\* 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>

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

00072	Beacon Bay Apartments	Port Isabel
01073	The Greens on Turtle Creek	Port Arthur
02042	Saddle Creek Apartments at Kyle	Kyle
03009	Forest Park Apartments	Bryan
03178	Big Bass Resort Senior Apartments	Jacinto City

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

14425	Dwight D. Eisenhower Memorial Apartments	El Paso
20200	Lofts at Temple Medical District	Temple

- c) Presentation, discussion, and possible action regarding approval of a Multifamily Direct Loan re-subordination for Westridge Villas (HOME #1002295 and TCAP #13150015502)

**COMMUNITY AFFAIRS**

- d) Presentation, discussion, and possible action on the 2021 Department of Energy Weatherization Assistance Program State Plan and Awards

**Michael De Young**  
Director of  
Community Affairs

**RULES**

- e) Presentation, discussion, and possible action on an order proposing the amendment of 10 TAC Chapter 1, Subchapter A, General Policies and Procedures, §1.3, Sick Leave Pool; and an order directing its publication for public comment in the Texas Register
- f) Presentation, discussion, and possible action on an order proposing new 10 TAC Chapter 5, Section 8 Housing Choice Voucher Program, §5.802, Waiting List, directing its publication for public comment in the Texas Register
- g) Presentation, discussion, and possible action on an order adopting 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 adoption in the Texas Register

**Brooke Boston**  
Deputy Director  
of Programs

**Michael De Young**  
Director of  
Community Affairs

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

**HOUSING RESOURCE CENTER**

- h) Presentation, discussion, and possible action on the draft 2022 Regional Allocation Formula Methodology, and directing its publication in the Texas Register for public comment

**Elizabeth Yevich**  
Director of  
Housing Resource Center

**MULTIFAMILY FINANCE**

- i) Presentation, discussion, and possible action on a waiver of specific non-statutory requirements of 10 TAC §11.9(d)(5)(A) regarding Letters from State Representatives for 21130 Sun Pointe Apartments and 21200 Edson Lofts

**Marni Holloway**  
Director of  
Multifamily Finance

**BOND FINANCE**

- j) Presentation, discussion, and possible action regarding the adherence to a Protocol established by the International Swaps and Derivatives Association for the Department's LIBOR-based swaps

**Monica Galuski**  
Director of  
Bond Finance

## CONSENT AGENDA REPORT ITEMS

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

- a) Media Analysis and Outreach Report (March 2021)
- b) Report on the Department's 2nd Quarter Investment Report in accordance with the Public Funds Investment Act
- c) Report on the Department's 2nd Quarter Investment Report relating to funds held under Bond Trust Indentures

**Michael Lyttle**  
Director of  
External Affairs  
**Joe Guevara**  
Director of Financial  
Administration  
**Monica Galuski**  
Director of  
Bond Finance

## ACTION ITEMS

### ITEM 3: EXECUTIVE

- a) Presentation, Discussion and Possible Approval of an Award of Emergency Rental Assistance Funds to the Texas Access to Justice Foundation for Housing Stabilization Services
- b) Report on Activities Related to the Department's Response to COVID-19 Pandemic
- c) Executive Director's Report

**Brooke Boston**  
Deputy Director  
of Programs

**Bobby Wilkinson**  
Executive Director, TDHCA

### ITEM 4: BOND FINANCE

- a) Presentation, discussion, and possible action regarding the Issuance of a Governmental Note (Caroline Lofts) Resolution No. 21-029 and a Determination Notice of Housing Tax Credits
- b) Presentation, discussion, and possible action regarding the Issuance of Governmental Notes (The Citadel Apartments) Series 2021 Resolution No. 21-030, and a Determination Notice of Housing Tax Credits
- c) Presentation, discussion, and possible action authorizing publication of a Notice of Public Hearing for the issuance of Single Family Mortgage Revenue Bonds

**Teresa Morales**  
Director of  
Multifamily Bonds

**Monica Galuski**  
Director of  
Bond Finance

### ITEM 5: MULTIFAMILY FINANCE

- a) Presentation, discussion, and possible action on an Award of Direct Loan Funds from the 2020-1 Multifamily Direct Loan Notice of Funding Availability and a Determination Notice for 4% Housing Tax Credits for The Enchanted Gardens in Victoria
- b) Presentation, discussion and possible action regarding an Award of Direct Loan Funds from the 2020-1 Multifamily Direct Loan Notice of Funding Availability for Manor Town Apartments Phase 2 in Manor
- c) Report on potential assistance to 2020 competitive 9% Housing Tax Credits due to the impact of increased construction costs
- d) Presentation, discussion and possible action on timely filed appeals of scoring of HTC Applications, and request for Board waiver of rule, under the Qualified Allocation Plan

**Marni Holloway**  
Director of  
Multifamily Finance

21016	Houston Willow Chase Living	Houston
21139	Cypress Creek Apartments	Dallas
21144	Mariposa Apartment Homes at Plano Parkway	Plano

- e) Report on the 2022 and 2023 QAP Planning Process

### ITEM 6: CDBG CARES

Presentation, discussion, and possible action on the Community Development Block Grant Coronavirus Aid, Relief, and Economic Security Act Texas Emergency Mortgage Assistance Program awards and any timely filed appeals

**Rudy Bentancourt**  
Director of CDBG CARES

**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.