

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

**A G E N D A
10:00 AM
January 12, 2023**

**Greer Bldg., Williamson Board Room
125 East 11th Street
Austin, Texas 78701**

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.

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 the Board meeting minutes summary for December 8, 2022

Beau Eccles
Board
Secretary

ASSET MANAGEMENT

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

Rosalio Banuelos
Director of Asset
Management

19133	Legacy at Alazan	San Antonio
19286	Hartwood at West Little York	Houston
20115	Avenue at Sycamore Park	Fort Worth

- c) Presentation, discussion, and possible action regarding a Material Amendment to the National Housing Trust Fund Application for Burnet Place Apartments (NHTF #82900020504)

FINANCIAL ADMINISTRATION

- d) Presentation, discussion, and possible action to adopt a resolution regarding designating signature authority and superseding previous resolutions

Joe Guevara
Director of Financial
Administration

This will be an open, public meeting conducted under Tex. Gov't Code, chapter 551, without COVID-19 emergency waivers. There will not be a remote online or telephone option for public participation. The meeting, however, will be streamed online for public viewing. Masks will be available for members of the public who wish to attend this public meeting.

MULTIFAMILY BOND FINANCE

- e) Presentation, discussion, and possible action on Inducement Resolution No. 23-014 for Multifamily Revenue Bonds regarding authorization for filing applications for private activity bond authority for Palladium Old FM 471 (#22624)

Teresa Morales
Director of
Multifamily Bond

RULES

- f) Presentation, discussion, and possible action on an order proposing repeal of 10 TAC Chapter 10, Uniform Multifamily Rules, Subchapter H, Income and Rent Limits, and order proposing new Subchapter H, Income and Rent Limits, and directing their publication for public comment in the *Texas Register*
- g) Presentation, discussion, and possible action on the statutory four-year rule review and order of proposed readoption for 10 TAC Chapter 10, Uniform Multifamily Rules, Subchapter F, Compliance Monitoring, §10.603, Notices to the Internal Revenue Service (HTC Developments during the Compliance Period), and §10.620, Monitoring for Non-Profit Participation, HUB, or CHDO Participation, and directing their publication for public comment in the *Texas Register*
- h) Presentation, discussion, and possible action on the statutory four-year rule review and order of proposed readoption for 10 TAC Chapter 29, Texas Single Family Neighborhood Stabilization Program Rule, and directing its publication for public comment in the *Texas Register*
- i) Presentation, discussion, and possible action on the proposed repeal of 10 TAC Chapter 1, Subchapter B, Accessibility and Reasonable Accommodations; proposed new 10 TAC Chapter 1, Subchapter B, Accessibility and Reasonable Accommodations; and directing publication for public comment in the *Texas Register*

Amy Hammond
Manager of Compliance
Monitoring

Brooke Boston
Deputy Director
of Programs

LEGAL

- j) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Dale Meadows (HOME 530200 / CMTS 4001)
- k) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Plainview Triplex (HOME 532315 / CMTS 2658)

Nina Wiggins
Associate General
Counsel

CONSENT AGENDA REPORT ITEMS

ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:

- a) Media Analysis and Outreach Report, November 2022
- b) Report on TDHCA One-Time or Temporary Allocations – Pandemic Response and Other Initiatives
- c) Report regarding a Request for Proposal for Financial Advisor issued by the Texas Department of Housing and Community Affairs.

Michael Lyttle
Director of
External Affairs
Brooke Boston
Deputy Director
of Programs
Scott Fletcher
Director of Bond
Finance

ACTION ITEMS

Executive Session: the Chair may call an Executive Session at this point in the agenda in accordance with the below-cited provisions¹

Leo Vasquez
Chair

ITEM 3: EXECUTIVE

- a) Executive Director's Report
- b) Presentation, discussion, and possible action authorizing amendments to vendor contracts as required by Texas Government Code, Chapter 2155

Bobby Wilkinson
Executive Director, TDHCA
Brooke Boston
Deputy Director
of Programs

¹ Note: the Chair is not restricted by this item, and may call for an Executive Session at any time during the posted meeting.

ITEM 4: ASSET MANAGEMENT

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

Rosalio Banuelos
Director of Asset
Management

20406 Gala at Central Park Hurst

ITEM 5: RULES

- a) Presentation, discussion, and possible action on an order adopting the amended 10 TAC Chapter 10 Subchapter E, Post Award and Asset Management Requirements, and directing its publication for adoption in the *Texas Register*
- b) Presentation, discussion, and possible action on amendments to §10.606 Construction Inspections; §10.613 Lease Requirements; §10.626 Liability; and §10.627 Temporary Suspension of Sections of this Subchapter and directing their publication for public comment in the *Texas Register*

Rosalio Banuelos
Director of Asset
Management

Amy Hammond
Manager of Compliance
Monitoring

ITEM 6: HOME AMERICAN RESCUE PLAN

Presentation, discussion, and possible action regarding an award to Burnet Place Apartments Application Number 22722 from the special purpose HOME American Rescue Plan National Housing Trust Fund set-aside, as described

Naomi Cantu
HOME American Rescue
Plan Director

ITEM 7: BOND FINANCE

Report on the closing of the Department's Single Family Mortgage Revenue Bonds, Series 2022B (Tax-Exempt)

Scott Fletcher
Director of Bond
Finance

ITEM 8: MULTIFAMILY BOND FINANCE

Presentation, discussion, and possible action regarding the issuance of a Determination Notice for 4% Housing Tax Credits for Coppertree Village (#22474) in Houston.

Teresa Morales
Director of
Multifamily Bond

ITEM 9: COMMUNITY AFFAIRS

Presentation, discussion, and possible action regarding nonrenewal of Big Bend Community Action Committee, Inc.'s Comprehensive Energy Assistance Program and Low Income Household Water Assistance Program contracts and future funding and the authorization of staff to identify a permanent provider(s), through release and subsequent award of a Request for Applications, to administer the Comprehensive Energy Assistance Program and potentially the Low Income Household Water Assistance Program in Brewster, Culberson, Hudspeth, Jeff Davis, and Presidio counties (the area served by Big Bend Community Action Committee, Inc.)

Michael De Young
Director of
Community Affairs

ITEM 10: MULTIFAMILY FINANCE

Presentation, discussion, and possible action regarding an award from the Multifamily Direct Loan (MFDL) 2022-1 Notice of Funding Availability (NOFA) to Fiesta Trails in San Antonio

Conner Jones
MFDL
Program Manager

PUBLIC COMMENT ON MATTERS OTHER THAN ITEMS FOR WHICH THERE WERE POSTED AGENDA ITEMS

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 Danielle Leath, 512-475-4606, 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 Danielle Leath, al siguiente número 512-475-4606 por lo menos cinco días antes de la junta para hacer los preparativos apropiados.