

**Texas Department of Housing and Community Affairs Governing Board
Board Meeting Minutes Summary
July 11, 2024**

On Thursday, the eleventh day of July 2024, at 10:00 a.m., the first of two meetings in July 2024 of the Governing Board (Board) of the Texas Department of Housing and Community Affairs (“TDHCA” or “the Department”) was held in the Williamson Board Room of the TxDOT Greer Building, 125 E. 11th Street, Austin, Texas.

The following members, constituting a quorum, were present and voting:

- Leo Vasquez, III, Chair
- Kenny Marchant, Vice Chair
- Cindy Conroy
- Anna Maria Farias
- Holland Harper
- Ajay Thomas

Mr. Vasquez served as Chair, and James “Beau” Eccles, TDHCA General Counsel, served as Secretary.

1) The Board unanimously approved the Consent Agenda and Consent Agenda Report items (items 1-3) as presented.

2) Action Item 4 – Executive Director’s Report – was presented by Bobby Wilkinson, TDHCA Executive Director. The Board heard the report and took no further action.

3) Action Item 5 – Presentation, discussion, and possible action on Resolution No. 24-022 authorizing the filing of one or more applications for reservation to the Texas Bond Review Board with respect to Qualified Mortgage Bonds and containing other provisions relating to the subject – was presented by Scott Fletcher, TDHCA Director of Bond Finance, with additional information from Mr. Wilkinson. The Board unanimously adopted staff recommendation to approve the resolution.

4) Action Item 6 – Presentation, discussion, and possible action on Resolution No. 24-023 approving Assignment Agreements relating to Private Activity Bond Authority, and containing other provisions relating to the subject – was presented by Mr. Fletcher. The Board unanimously adopted staff recommendation to approve the resolution.

5) Action Item 7 – Presentation, discussion, and possible action regarding the issuance of a Determination Notice for 4% Housing Tax Credits for Willow Creek Manor in Houston (#24460) – was presented by Teresa Morales, TDHCA Director of Multifamily Bonds, with additional

information from Mr. Wilkinson. Following public comment (listed below), the Board unanimously approved staff recommendation to approve the determination notice.

- Michael Lyttle, TDHCA Director of External Affairs, read a letter into the record from the Honorable Sam Harless, Texas State Representative, House District 126, expressing opposition to staff recommendation.

6) Action Item 8 – Presentation, discussion, and possible action regarding a waiver of 10 TAC §11.101(b)(8)(B)(iii) of the Qualified Allocation Plan (QAP), related to Development Visitability Requirements for The Meridian (#24409) in Fort Worth – was presented by Ms. Morales. Staff recommended approval of the waiver request and the Board concurred unanimously by approving the request.

7) Action Item 9 – Presentation, discussion, and possible action on Inducement Resolution No. 24-021 for Multifamily Housing Revenue Bonds or Notes regarding authorization for filing applications to be added to the Department's Waiting List for private activity bond authority and/or submitted for Traditional Carryforward for Airport Commerce Multifamily Apartments – was presented by Ms. Morales. The Board unanimously adopted staff recommendation to improve the inducement resolution.

8) Action Item 10 – Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application, changes to the ownership structure, and waiver of §11.101(b)(1)(A)(vii) of the 2023 Qualified Allocation Plan for Cabana Design District (HTC #23100) – was presented by Rosalio Banuelos, TDHCA Director of Asset Management, with additional information from Mr. Wilkinson. The Board unanimously adopted staff recommendation to approve the material amendment request, the rule waiver request, and the ownership structure changes.

9) Action Item 11 – Presentation, discussion, and possible action regarding a waiver of 10 TAC §11.101(b)(4)(D) for Oaklawn Place (HTC #21136/22821/23935) – was presented by Mr. Banuelos. The Board unanimously adopted staff recommendation to approve the waiver request.

10) Action Item 12 – Presentation, discussion, and possible action to approve the 2024 State of Texas Analysis of Impediments to Fair Housing Choice – was presented by Elizabeth Yevich, TDHCA Director of the Housing Resource Center. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the document.

- Ann Lott, Inclusive Communities Project, provided comments on the item

11) Action Item 13 – Presentation, discussion, and possible action regarding release of HOME-American Rescue Plan Non-Congregate Shelter Development Invitation to Apply – was presented by Tiara Hardaway, Manager, TDHCA HOME-ARP Program. The Board unanimously adopted staff recommendation to approve the release of the invitation to apply.

12) Action Item 14 – Presentation, discussion, and possible action on State Fiscal Year 2025 Homeless Housing and Services Program Awards – was presented by Abigail Versyp, TDHCA Director of Single Family and Homeless Programs. The Board unanimously approved staff recommendation on the awards as described in the item.

13) Action Item 15 – 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 The Upland – was presented by Josh Goldberger, Manager, TDHCA Competitive (9%) Housing Tax Credit Program. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the force majeure request.

- Lauren Osterman, Harris County Redevelopment Authority, provided comment on the item

14) Action Item 16 – 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 Avenue Heights – was presented by Mr. Goldberger with additional information from Mr. Wilkinson. The Board unanimously adopted staff recommendation to approve the force majeure request.

15) Action Item 17 – 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 Park Boulevard Lofts – was presented by Mr. Goldberger. Following public comment (listed below), the Board unanimously adopted an amended staff recommendation to approve the force majeure request with a placed-in-service deadline of June 30, 2026.

- Jervon Harris, SuperUrban Realty and associated with the development team for Park Boulevard Lofts, provided comments in support of staff recommendation

16) Action Item 18 – 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 Cypress Creek Forest Lane – was presented by Mr. Goldberger with additional information from Mr. Eccles. Staff recommendation was neutral. Following public comment (listed below), the Board voted unanimously to deny the force majeure request.

- Zachary Krochtengel, developer of Cypress Creek Forest Lane, provided comments on the item

17) Action Item 19 – 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 Park Row Katy Living – was presented by Mr. Goldberger. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the force majeure request.

- Taylor Thomas, Palladium USA and the developer of Park Row Katy Living, provided comments on the item

18) Action Item 20 – 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 305 East Round Grove – was presented by Mr. Goldberger with additional information from Cody Campbell, TDHCA Director of Multifamily Finance. Following public comment (listed below), the Board unanimously voted to table further consideration of the item until a future meeting.

- Taylor Thomas, Palladium USA and the developer of 305 East Round Grove, provided comments on the item
- Kim Parker, Palladium USA and the developer of 305 East Round Grove, provided comments on the item

19) Action Item 21 – 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 Paige Estates – was presented by Mr. Goldberger. Following public comment (listed below), the Board unanimously adopted an amended staff recommendation to approve the force majeure request with a placed-in-service deadline of June 30, 2026.

- Mr. Lyttle read a letter into the record from the Honorable Angelia Orr, Texas State Representative, House District 13, expressing support for staff's recommendation
- Michael Ash, JES Holdings and the developer of Paige Estates, provided comments in support of staff's recommendation
- Milet Hopping, Waco Housing Authority, provided comments in support of staff's recommendation

20) Action Item 22 – Presentation, discussion, and possible action regarding an extension of the development period and a waiver of 10 TAC §13.11(m) for Grim Hotel – was presented by Connor Jones, Manager, TDHCA Multifamily Direct Loan Program. The Board unanimously adopted staff recommendation to approve the extension and waiver requests.

21) Action Item 23 – Presentation, discussion, and possible action on an extension of the development period for Espero Austin at Rutland – was presented by Mr. Jones. The Board unanimously adopted an amended staff recommendation to extend the development period to February 1, 2025.

22) Action Item 24 – Presentation, discussion, and possible action on an appeal for 10112 Bissonnet Living – was presented by Mr. Campbell with additional information from Mr. Wilkinson and Mr. Eccles. Following public comment (listed below), the Board by a 4-2 vote

(Members Conroy and Marchant voted nay) did not adopt staff recommendation to deny the appeal but instead approved the appeal.

- Michael Beard, BETCO Consulting, provided comment on the item
- Jervon Harris, SuperUrban Realty, provided comments in support of staff's recommendation
- Sallie Burchett, Structure Development, provided comments in support of staff's recommendation
- Russ Michaels, Texas Inter-Faith Group, provided comments in support of staff's recommendation
- Kim Parker, Palladium USA and the developer of Bissonnet Living, provided comments on the item
- The Honorable Edward Pollard, Houston City Councilmember, District J, provided comments on the item

23) Action Item 25 – Presentation, discussion, and possible action on an appeal for Mission Road Apartments – was presented by Mr. Campbell. Following public comment (listed below), the Board adopted staff recommendation to deny the appeal.

- Wallace Reed, Sonoma Housing Advisors, provided comments in opposition to staff's recommendation

24) Action Item 26 – Presentation, discussion, and possible action on an appeal for Villas at Primrose – was not heard as it was pulled from the agenda per the request from Villas at Primrose.

25) Action Item 27 – Presentation, discussion, and possible action on an appeal for Green Manor Apartments – was presented by Mr. Campbell with additional information from Mr. Wilkinson; Mr. Eccles; and Jeanna Adams, TDHCA Director of Real Estate Analysis. Following public comment (listed below), the Board by a 4-1 vote (Member Harper voted nay) did not adopt staff recommendation and instead approved the appeal on the basis that the matter in question was an administrative deficiency.

- Robbye Meyer, ARX Advantage and associated with the developer for Green Manor Apartments, provided comments in opposition to staff's recommendation
- Justin Meyer, ARX Advantage and associated with the developer for Green Manor Apartments, provided comments in opposition to staff's recommendation

26) Action Item 28 – Presentation, discussion, and possible action on an appeal for HWY 77 Seniors – was not heard as it was pulled from the agenda per the request from HWY 77 Seniors.

27) Action Item 29 – Presentation, discussion, and possible action on an appeal for Braniff Lofts – was presented by Mr. Campbell with additional information from Ms. Adams. Following

public comment (listed below), the Board by a 4-2 vote (Members Conroy and Farias voted nay) approved staff recommendation to deny the appeal.

- Sarah Anderson, S. Anderson Consulting and associated with the developer for Braniff Lofts, provided comments in opposition to staff's recommendation
- Kit Sarai, S. Anderson Consulting and associated with the developer for Braniff Lofts, provided comments in opposition to staff's recommendation
- Zachary Krochtengel, developer for Braniff Lofts, provided comments in opposition to staff's recommendation

Except as noted otherwise, all materials presented to and reports made to the Board were approved, adopted, and accepted. These minutes constitute a summary of actions taken. The full transcript of the meeting, reflecting who made motions, offered seconds, etc., questions and responses, and details of comments, is retained by TDHCA as an official record of the meeting.

There being no further business to come before the Board, the meeting adjourned at 2:34 p.m. The next meeting is scheduled for Thursday, July 25, 2024.

Secretary

Approved:

Chair