

Texas Department of Housing and Community Affairs



Thursday, June 13, 2024

10:00 AM

**Greer Building, Williamson Board Room
125 E. 11th Street
Austin, TX 78701**

Governing Board

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

CALL TO ORDER**ROLL CALL****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.

EXECUTIVE

1. Presentation, discussion, and possible action on the Board meeting minutes summary for May 9, 2024 Beau Eccles

ASSET MANAGEMENT

2. Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application for Regency Lofts (HTC #20097) Rosalio Banuelos
3. Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application for Laurel Flats (HTC #20167) Rosalio Banuelos
4. Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application for Reserve at Decatur (HTC #23046) Rosalio Banuelos
5. Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application for Carver Ridge (HTC #21177/#22839/#23942) Rosalio Banuelos

HOUSING RESOURCE CENTER

6. Presentation, Discussion, and Possible Action on the 2024 State of Texas Consolidated Plan: One-Year Action Plan Elizabeth Yevich

LEGAL

- | | | |
|----|---|-----------------|
| 7. | Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Waters at Sunrise (HOME # 1002231 / HTC # 1002231 / CMTS # 5046) | Sascha Stremler |
| 8. | Presentation, discussion, and possible action regarding the adoption of Agreed Final Orders concerning TwentyFive25 (Bond # MF009, CMTS 2529) and Solaire (Bond # MF011, CMTS 2562) | Sascha Stremler |

RULES

- | | | |
|-----|---|----------------|
| 9. | Presentation, discussion, and possible action on an order proposing amendments to 10 TAC Chapter 8, Project Rental Assistance Program Rule, §8.6, Program Regulations and Requirements, and directing its publication for public comment in the Texas Register | Brooke Boston |
| 10. | Presentation, discussion, and possible action on an order proposing the repeal of 10 TAC Chapter 1, Subchapter D, Uniform Guidance for Recipients of Federal and State Funds, including §1.401 through §1.411; an order proposing new 10 TAC Chapter 1, Subchapter D, Uniform Guidance for Recipients of Federal and State Funds, including §1.401 through §1.411; and directing their publication for public comment in the Texas Register | Brooke Boston |
| 11. | Presentation, discussion, and possible action on an order adopting the repeal and new 10 TAC Chapter 26, Texas Housing Trust Fund Rule, Subchapter B, Amy Young Barrier Removal Program, and directing its publication in the Texas Register | Abigail Versyp |

CONSENT AGENDA REPORT ITEMS

- | | | |
|-----|--|----------------|
| 12. | Report on TDHCA One-Time or Temporary Allocations - Pandemic Response and Other Initiatives | Brooke Boston |
| 13. | Media Analysis and Outreach Report, April 2024 | Michael Lyttle |
| 14. | Quarterly report relating to staff-issued Determination Notices for 2023 and 2024 Non-competitive 4% Housing Tax Credit applications | Teresa Morales |

ACTION ITEMS

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

EXECUTIVE

- | | | |
|-----|-----------------------------|-----------------|
| 15. | Executive Director's Report | Bobby Wilkinson |
|-----|-----------------------------|-----------------|

INTERNAL AUDIT

16. Report on the Meeting of the Internal Audit and Finance Committee Ajay Thomas
Board Member

FINANCIAL ADMINISTRATION

17. Presentation, discussion, and possible action on the SFY 2025 Housing Finance Division Budget Joe Guevara
18. Presentation, discussion, and possible action on the SFY 2025 Operating Budget Joe Guevara

MULTIFAMILY BOND

19. Presentation, discussion, and possible action regarding the Issuance of Multifamily Housing Revenue Bonds (Gulfway Manor Apartments) Series 2024 Resolution No. 24-020, and a Determination Notice of Housing Tax Credits Teresa Morales

ASSET MANAGEMENT

20. Presentation, discussion, and possible action regarding an increase to the Housing Tax Credit amount for Norwood Estates (HTC #19407) Rosalia Banuelos
21. Presentation, discussion, and possible action regarding a waiver and extension of the 10% Test submission deadline in 10 TAC §10.401(a) and 10 TAC §11.2(a) for 3300 Caroline Street (HTC #20114/21711/22802) Rosalia Banuelos

COMMUNITY AFFAIRS

22. Presentation, discussion, and possible action on approval of the 2025 Low Income Home Energy Assistance Program State Plan for submission to the U.S. Department of Health and Human Services and approval of the associated 2025 awards Gavin Reid
23. Presentation, discussion, and possible action on the selection of International Center for Appropriate and Sustainable Technology to administer the Bipartisan Infrastructure Law Department of Energy Weatherization Assistance Program in Travis, Hays, Comal, Guadalupe, and Bexar counties Gavin Reid

COMMUNITY DEVELOPMENT BLOCK GRANT CARES

24. Presentation, discussion, and possible action on the Community Development Block Grant Coronavirus Aid, Relief, and Economic Security Act Program to allocate unutilized funds Rudy Bentancourt

RULES

-
- | | | |
|------------|---|-------------------|
| 25. | Presentation, discussion, and possible action on an order adopting the repeal and proposed new rule of 10 TAC Chapter 90, Migrant Labor Housing Facilities; and directing their publication in the Texas Register | Wendy Quackenbush |
|------------|---|-------------------|

MULTIFAMILY FINANCE

- | | | |
|------------|---|---------------|
| 26. | Presentation, discussion, and possible action on approval of loans from the Departments 2024-1 National Housing Trust Fund Notice of Funding Availability | Connor Jones |
| 27. | Presentation, discussion, and possible action on extensions of the development periods for Sierra Vista and Eastern Oaks | Connor Jones |
| 28. | Report on Third Party Requests for Administrative Deficiency under 10 TAC §11.10 | Cody Campbell |
| 29. | Presentation, discussion, and possible action regarding a 9% Housing Tax Credit scoring appeal for Anacua Senior Village | Cody Campbell |
| 30. | Presentation, discussion, and possible action to issue a list of approved Applications for 2024 Housing Tax Credits (HTC) in accordance with Tex. Gov't Code §2306.6724(e) | Cody Campbell |
| 31. | Presentation, discussion, and possible action related an amendment of the loan terms for Manson Place (22503) | Cody Campbell |
| 32. | Presentation, discussion, and possible action on a staff-initiated waiver of 10 TAC §11.204(15) related to HOME Match Requirements for certain Tax-Exempt Bond Developments | Cody Campbell |
| 33. | 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 Boulevard 61 | Cody Campbell |
| 34. | 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 Knoll Street Crossing | Cody Campbell |
| 35. | 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 Sasha | Cody Campbell |
| 36. | 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 | Cody Campbell |

37. Presentation, discussion, and possible action regarding waivers of certain provisions of 10 TAC Chapter 13 in response to the Department's National Housing Trust Fund expenditure deadline

Cody Campbell

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.texas.gov 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 X (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.

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.