

Texas Department of Housing and Community Affairs Governing Board
Board Meeting Minutes Summary
June 13, 2024

On Thursday, the thirteenth day of June 2024, at 10:00 a.m., the regular meeting 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 the Consent Agenda Report items (items 1-14) as presented.
- 2) Action Item 15 – 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 16 – Report on the Meeting of the Internal Audit and Finance Committee – was presented by Ajay Thomas, Chair, TDHCA Board Audit and Finance Committee. The Board heard the report and took no further action.
- 4) Chairman Vasquez exercised his right to change the order of the agenda and the Board took up Action Item 18 – Presentation, discussion, and possible action on the SFY 2025 Operating Budget – presented by Joe Guevara, TDHCA Director of Financial Administration. The Board unanimously adopted staff recommendation to approve the budget and submit it to the Office of the Governor and the Legislative Budget Board.
- 5) Action Item 17 – Presentation, discussion, and possible action on the SFY 2025 Housing Finance Division Budget – was presented by Mr. Guevara. The Board unanimously adopted staff recommendation to approve the budget and submit it to the Office of the Governor and the Legislative Budget Board.
- 6) The Board resumed the normal order of the agenda and took up Action Item 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 – presented by Teresa Morales, TDHCA Director of Multifamily Bonds, with additional information from Mr. Wilkinson. By a 3-2 vote (members Farias and Marchant voted “nay” and Chairman Vasquez abstained), the Board approved the bond resolution and determination notice issuance per staff recommendation.

7) Action Item 20 – Presentation, discussion, and possible action regarding an increase to the Housing Tax Credit amount for Norwood Estates (HTC #19407) – was presented by Rosalio Banuelos, TDHCA Director of Asset Management. The Board unanimously adopted staff recommendation to approve the increase in housing tax credits.

8) Action Item 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) – was presented by Mr. Banuelos. Per staff recommendation, the Board unanimously approved the waiver and deadline extension.

9) Action Item 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 – was presented by Gavin Reid, TDHCA Planning Manager, Community Affairs division. The Board unanimously adopted staff recommendation and approved the state plan and associated awards.

10) Action Item 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 – was presented by Mr. Reid. The Board unanimously adopted staff recommendation and approved BILWAP provider selection.

11) Action Item 24 – Presentation, discussion, and possible action on the Community Development Block Grant Coronavirus Aid, Relief, and Economic Security Act Program to allocate unutilized funds – was presented by Rudy Bentancourt, TDHCA Director of the CDBG-CARES Program. The Board unanimously adopted staff recommendation and approved the allocation of unutilized funds as identified in the item.

12) Action Item 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* – was presented by Peter Jones, TDHCA Senior Compliance Manager, with additional information from Mr. Wilkinson. Per staff recommendation, the Board unanimously approved the new migrant labor housing facilities rules.

13) Action Item 26 – Presentation, discussion, and possible action on approval of loans from the Department’s 2024-1 National Housing Trust Fund Notice of Funding Availability – was

presented by Connor Jones, TDHCA Manager, Multifamily Direct Loan Program. The Board unanimously adopted staff recommendation and approved the MFDL loans.

14) Action Item 27 – Presentation, discussion, and possible action on extensions of the development periods for Sierra Vista and Eastern Oaks – was presented by Mr. Jones. The requested extension for Eastern Oaks was pulled from the agenda, so the Board addressed only the Sierra Vista request. Accordingly, staff recommended and the Board unanimously concurred to grant the extension for Sierra Vista.

15) At 11:30 a.m., the Board convened into an executive session and returned at 12:10 p.m. The Board did not adopt any policy, position, resolution, rule, regulation, or take any formal action or vote on any item.

16) Action Item 28 – Report on Third Party Requests for Administrative Deficiency under 10 TAC §11.10 – was presented by Cody Campbell, TDHCA Director of Multifamily Finance, with additional information from Mr. Wilkinson. The Board heard the report, listened to public comment (listed below), and took no further action on the item.

- Henry Flores, Madhouse Development Services, provided comment on the item
- Michael Lyttle, TDHCA Director of External Affairs, read a letter into the record from the Honorable Sergio Munoz, Jr., State Representative, Texas House District 36, that provided comment on item
- Sarah Anderson, S. Anderson Consulting, provided comment on the item
- Ellen Moskalik, Cesar Chavez Foundation, provided comment on the item
- Donna Rickenbacker, Marque Real Estate Consultants, provided comment on the item
- Tracey Fine, National Church Residences, provided comment on the item
- Kim Parker, Palladium USA, provided comment on the item
- Taylor Thomas, Palladium USA, provided comment on the item
- Adrian Iglesias, Generation Housing Partners, provided comment on the item

17) Action Item 29 – Presentation, discussion, and possible action regarding a 9% Housing Tax Credit scoring appeal for Anacua Senior Village – was presented by Mr. Campbell with additional information from Mr. Wilkinson and Mr. Eccles. Staff recommended denial of the appeal but the Board unanimously approved the appeal. Public comment on this item listed below:

- Kathryn Saar, The Brownstone Group and part of the development team, provided comment in opposition to staff recommendation
- Arnold Padilla, Mission Housing Authority and part of the developer team, provided comments in opposition to staff recommendation

18) Action Item 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) – was presented by Mr. Campbell with additional information from Mr. Eccles. Per staff recommendation, the Board adopted the list of approved applications.

19) Action Item 31 – Presentation, discussion, and possible action related an amendment of the loan terms for Manson Place (22503) – was presented by Mr. Campbell. The Board unanimously approved staff recommendation to adopt the amendment of the loan terms.

20) Action Item 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 – was presented by Mr. Campbell. The Board unanimously adopted staff recommendation to approve the HOME match waiver for certain developments.

21) Action Item 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 – was presented by Mr. Campbell with additional information from Mr. Wilkinson. Following public comment (listed below), the Board by a 5-0 vote (member Harper abstained) adopted staff recommendation and approved the request.

- Janine Sisak, DMA Development and part of the development team, provided comment in support of staff recommendation

22) Action Item 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 – was presented by Mr. Campbell. Following public comment (listed below), the Board unanimously adopted staff recommendation and approved the request.

- Russ Michaels, Texas Interfaith Housing, provided comment in support of staff recommendation

23) Action Item 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 – was presented by Mr. Campbell with additional information from Mr. Wilkinson. Per staff recommendation, the Board unanimously approved the request.

24) Action Item 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 – was pulled from the agenda and not heard.

25) Action Item 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 – was presented by Mr. Campbell with additional information from Mr. Wilkinson and Homero Cabello, TDHCA Deputy Executive Director. Following public comment

(listed below), the Board unanimously adopted staff recommendation and approved the waiver requests.

- Jennifer Hicks, Tru Casa Consulting and part of the development team, provided comments on the item

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 2:17 p.m. The next meeting is scheduled for Thursday, July 11, 2024.

Secretary

Approved:

Chair