

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

GOVERNING BOARD MEETING

VIA TELEPHONE AND WEB LINK

March 26, 2020  
9:03 a.m.

MEMBERS:

LESLIE BINGHAM, Vice Chair  
PAUL A. BRADEN, Member  
SHARON THOMASON, Member  
LEO VASQUEZ, Member

BOBBY WILKINSON, Executive Director

*ON THE RECORD REPORTING*  
*(512) 450-0342*

I N D E X

<u>AGENDA ITEM</u>	<u>PAGE</u>
CALL TO ORDER	6
ROLL CALL	
CERTIFICATION OF QUORUM	
CONSENT AGENDA	
ITEM 1: APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:	6
EXECUTIVE	
a) Presentation, discussion, and possible action on Board meeting minutes summary for December 12, 2019	
ASSET MANAGEMENT	
b) Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Land Use Restriction Agreement	
02120 Humble Memorial Gardens Humble	
c) Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application	
19009 Churchill at Golden Triangle Community Fort Worth	
98170 Homes of Persimmons Dallas	
COMMUNITY AFFAIRS	
d) Presentation, discussion, and possible action on awards for 2020 Community Services Block Grant discretionary funds for education and employment services to Native American and Migrant Seasonal Farmworker populations	
HOUSING RESOURCE CENTER	
e) Presentation, discussion, and possible action on the draft 2020-2024 State of Texas Consolidated Plan	10
LEGAL	
f) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning related properties Park Meadows Villas (HTC 03140 / CMTS 3354) and Stone Hollow Village (HTC 04057 / CMTS 4112)	

- g) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Santa Fe Trails (HTC 70028 / CMTS 895)

#### RULES

- h) Presentation, discussion, and possible action on an order adopting new 10 TAC Chapter 90, Migrant Labor Housing Facilities, §90.9 and directing publication in the Texas Register

#### MULTIFAMILY FINANCE

- i) Presentation, discussion, and possible action regarding  
a Material Amendment to the Housing Tax Credit Application for Talavera Lofts (HTC #19239)
- j) Presentation, discussion, and possible action regarding the issuance of Determination Notices for 4% Housing Tax Credit Applications

20414 Arbor at Wayforest Houston ETJ  
20421 Richcrest Apartments Houston ETJ  
20404 Tampico Apartments San Antonio  
20418 Park at 38Thirty San Antonio  
20446 St. Johns Square San Antonio  
20409 McKinney Flats McKinney

#### CONSENT AGENDA REPORT ITEMS

- ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:  
a) Outreach and Activities Report (February-March)

#### ACTION ITEMS

- ITEM 3: INTERNAL AUDIT 13  
a) Review and possible acceptance of the State Auditor=s Office audit of the TDHCA Financial Statement
- b) Report on the meeting of the Internal Audit and Finance Committee 16
- ITEM 4: SINGLE FAMILY AND HOMELESS PROGRAMS 17  
a) Presentation, discussion, and possible action on a proposed amendment to a Colonia Self-Help Center Program Contract with El Paso County in accordance with 10 TAC Chapter 25, the Colonia Self-Help Center Program Rule
- ITEM 5: BOND FINANCE 19

- a) Presentation, discussion, and possible action regarding the Issuance of a Multifamily Note (The Reserves at San Marcos Apartments) Resolution No. 20-012 and a Determination Notice of Housing Tax Credits

ITEM 6: AGENCY PROGRAMMATIC RESPONSE TO COVID-19 PANDEMIC

- a) Presentation, Discussion and Possible Action authorizing the Executive Director to extend certain deadlines under 10 TAC Chapter 11, the Qualified Allocation Plan (QAP), 10 TAC Chapter 12, the Multifamily Housing Revenue Bond Rules (Bond Rule), and 10 TAC Chapter 13, the Multifamily Direct Loan (MFDL) Rule and related Notices of Funding Availability (NOFA) 23
- b) Presentation, discussion, and possible action on waivers to certain provisions of Texas Administrative Code for state and federal funds administered by the Single Family and Homeless Programs Division for disaster response for qualified persons and households most impacted by COVID-19, and authorization to submit a minor amendment to the State of Texas 2019 Action Plan 27
- c) Presentation, discussion, and possible action on the reprogramming of Program Year 2019 and programming of 2020 Community Services Block Grant Administrative and Discretionary funds for response to COVID-19 34
- d) Presentation, discussion, and possible action authorizing the Executive Director to extend certain deadlines and take possible waiver action for provisions of 10 TAC Chapter 6, Community Affairs Programs, and related Notices of Funding Availability (NOFAs) and contracts, for federal funds administered by the Community Affairs Division for disaster response for qualified persons and households impacted most impacted by COVID-19 39

PUBLIC COMMENT ON MATTERS OTHER THAN ITEMS FOR WHICH THERE WERE POSTED AGENDA ITEMS 45

EXECUTIVE SESSION none

OPEN SESSION --

ADJOURN 57

P R O C E E D I N G S

1  
2 MS. BINGHAM: Good morning. Welcome to the  
3 March meeting of the Texas Department of Housing and  
4 Community Affairs.

5 We'll call to order first and roll call.

6 Mr. Braden?

7 MR. BRADEN: Here.

8 MS. BINGHAM: Ms. Thomason?

9 MS. THOMASON: Here.

10 MS. BINGHAM: Mr. Vasquez?

11 MR. VASQUEZ: Here.

12 MS. BINGHAM: Good morning, guys.

13 We do have quorum, we can do business today.

14 Bobby, are you going to lead us in a version of  
15 the pledges?

16 MR. WILKINSON: Yes.

17 Board members, please remain seated during the  
18 pledge here.

19 (The Pledge of Allegiance and the Texas  
20 Allegiance were recited.)

21 MS. BINGHAM: Thanks, Bobby.

22 Michael Lyttle, do you have a resolution to read  
23 to us this morning?

24 MR. LYTTLE: Yes, Madam Chair and Board members,  
25 I do. It reads as follows:

1           "Whereas, April 2020 is Fair Housing Month, and  
2 marks 52 years since the passage of the federal Fair  
3 Housing Act (Title VIII of the Civil Rights Act of 1968),  
4 signed by U.S. President Lyndon Baines Johnson on April  
5 11, 1968;

6           "Whereas, the Fair Housing Act provides that no  
7 person shall be subjected to discrimination because of  
8 race, color, national origin, religion, sex, disability,  
9 or familial status in the sale, rental, financing, or  
10 advertising of housing and charges the Secretary of the  
11 U.S. Department of Housing and Urban Development (HUD)  
12 with administering HUD programs in a manner that meets the  
13 requirements of the law and purposes of the Fair Housing  
14 Act;

15           "Whereas, the Texas Department of Housing and  
16 Community Affairs administers HUD and other housing  
17 programs that promote the development and supply of safe,  
18 decent, affordable housing for qualifying Texans;

19           "Whereas, it is the policy of the Department to  
20 support equal housing opportunity in the administration of  
21 all of its programs and services, including encouraging  
22 equitable lending practices for its homebuyer programs and  
23 ensuring compliance with Fair Housing rules and guidelines  
24 for its multifamily developments;

25           "Whereas, the Department, through its programs,

1 workshops, trainings, and materials seeks to educate  
2 property managers, consultants, program administrators,  
3 architects, contractors, developers, engineers, lenders,  
4 real estate professionals, and others about the importance  
5 of their adherence to the requirements of the Fair Housing  
6 Act;

7 "Whereas, the Department encourages the  
8 development of educational fair housing programs in local  
9 communities throughout the State and is seeking to build  
10 new opportunities for fair housing education and training;  
11 and

12 "Whereas, the Department and the State of Texas  
13 support equal housing opportunity and housing choice in  
14 accordance with the Fair Housing Act not only during Fair  
15 Housing Month in April, but throughout the entire year;

16 "Now, therefore, it is hereby resolved, that  
17 the Texas Department of Housing and Community Affairs C  
18 (1) recognizes the significance of Fair Housing Month as  
19 an important time to acknowledge, better understand, and  
20 support equal housing opportunity, and encourages the  
21 continued commitment to fair housing in the State of  
22 Texas; and (2) recognizes that in the pursuit of the goal  
23 and responsibility of providing affordable housing and  
24 equal housing opportunities for all, the Governing Board  
25 of the Texas Department of Housing and Community Affairs

1 does hereby celebrate April 2020 as Fair Housing Month in  
2 Texas and encourages all Texas individuals and  
3 organizations, public and private, to join and work  
4 together in this observance of the impact and importance  
5 of affordable housing and equal housing opportunity to the  
6 success of all Texans.

7 "Signed this Twenty-sixth day of March 2020."

8 MS. BINGHAM: Thank you, Michael.

9 Do we need to move this so resolved, or is this  
10 a done deal?

11 Bobby, do we need to move to resolve or is it a  
12 done deal?

13 MR. ECCLES: This is Beau speaking through  
14 Naomi's speaker.

15 A motion to resolve that resolution to adopt  
16 it.

17 MS. BINGHAM: Thank you.

18 I'll entertain a motion to so resolve.

19 MR. BRADEN: So moved.

20 MS. BINGHAM: That was Mr. Braden. And a  
21 second?

22 MS. THOMASON: Second.

23 MS. BINGHAM: Ms. Thomason seconds.

24 All those in favor aye.

25 (A chorus of ayes.)



1 MS. BINGHAM: Motion carries. Thank you very  
2 much.

3 Moving on to the consent agenda. Do any of the  
4 Board members or staff wish to address any item on the  
5 consent agenda outside of consent?

6 (No response.)

7 MS. BINGHAM: Mr. Eccles, was there a  
8 possibility that (e) was going to come off, or did it  
9 already come off?

10 MR. ECCLES: I believe that Elizabeth Yevich  
11 has some revisions to agenda item 1(e) that she can make a  
12 presentation on before adoption of the consent agenda.

13 MS. BINGHAM: Awesome. So we'll hold 1(e) out,  
14 and then if there are no other revisions to the consent  
15 agenda, we'll entertain a motion to approve items on the  
16 consent agenda.

17 MR. BRADEN: I'll make a motion to approve all  
18 items on the consent agenda other than 1(e).

19 MS. BINGHAM: Thank you.

20 Mr. Braden moves. Is there a second?

21 MS. THOMASON: Second.

22 MR. VASQUEZ: Second.

23 MS. BINGHAM: Ms. Thomason seconds.

24 If there's no further questions, all those in  
25 favor say aye.

1 (A chorus of ayes.)

2 MS. BINGHAM: Opposed?

3 (No response.)

4 MS. BINGHAM: Motion carries. Thank you.

5 Would we like to do 1(e) right now?

6 MS. CANTU: Ms. Bingham, this is Naomi Cantu,  
7 moderator. We're going to go ahead and unmute Elizabeth  
8 Yevich.

9 MS. BINGHAM: Thank you.

10 MS. YEVICH: Can you hear me? This is  
11 Elizabeth Yevich, director of the Housing Resource Center.

12 MS. BINGHAM: Good morning. We can hear you.

13 MS. YEVICH: Wonderful, wonderful.

14 As has been stated, this is for item 1(e),  
15 which is the presentation, discussion and possible action  
16 on the draft 2020-2024 State of Texas Consolidated Plan.

17 Now, due to the quickly evolving impact of  
18 COVID-19 having on TDHCA funding programs and recent  
19 guidance given by HUD, TDHCA's Legal Division suggested  
20 some additional language to assist the Department with a  
21 quick and efficient response for this and future  
22 situations.

23 Therefore, several language additions were  
24 included after the posting of this Board meeting late last  
25 week for item 1(e). These additions were on the following

1 three pages, page 274, 275, 289. They are all under what  
2 is known as AP-30, which means Action Plan 30. Two of  
3 them relate to the HOME Program, one is to the ESG  
4 Program, and I'm going to read the language and with the  
5 additional language.

6 So on page 274, the sentence reads: "Non  
7 set-aside funds are initially being made available on a  
8 regional basis in accordance with state statutes." What  
9 has been added is a parenthetical which says: "unless  
10 waived by the governor in response to a state or federally  
11 declared disaster."

12 The next one on page 275 the sentence reads:  
13 "All programs will be operated through direct  
14 administration by TDHCA. Reallocation of de-obligated and  
15 program income are through the release of a NOFA with an  
16 emphasis on geographic dispersion of funds, particularly  
17 in rural areas of the state, using a regional allocation  
18 formula which uses objective measures to determine rural  
19 housing needs such as poverty and substandard housing."  
20 Again, that same parenthetical has been inserted which  
21 reads: "unless waived by the governor in response to a  
22 state or federally declared disaster."

23 Continuing on to page 289, the sentence reads:  
24 "Any funds returned to the Department from prior to 2020  
25 EFG funds will be redistributed in accordance with 10 TAC

1 Chapter 741, or as otherwise approved by the TDHCA Board."  
2 What has been added is the following: "In the event of a  
3 state or a federally declared disaster, such as an  
4 outbreak of the Coronavirus, TDHCA may suspend all or part  
5 of its competitive award process, local competition or de-  
6 obligation of funds and directly allocate ESG funding to  
7 existing ESG subrecipients or TDA subrecipients of similar  
8 programs that have the capacity to take on additional work  
9 and be responsive during a state or federally declared  
10 disaster."

11 Those are the three pages that have the  
12 additional language which I'd like to have been read into  
13 the record. Thank you.

14 MS. BINGHAM: Thank you, Elizabeth.

15 So there were the governor waivers for the  
16 first two, page 274 and 275, and then 279 addressing that  
17 in the event of a disaster that TDHCA may suspend or  
18 change based on awardees being able to respond timely  
19 because of the disaster?

20 MS. YEVICH: That is correct. And that last  
21 one was actually page 289, not 279.

22 MS. BINGHAM: Gotcha, 289.

23 Okay. Is there a motion for staff's  
24 recommendation on item 1(e)?

25 MR. BRADEN: I move to approve item 1(e) as

1 outlined by staff.

2 MS. BINGHAM: Thank you.

3 Mr. Braden makes the motion. Is there a  
4 second?

5 MR. VASQUEZ: Second.

6 MS. BINGHAM: Mr. Vasquez seconds.

7 Naomi, is there anybody teed up for comment on  
8 this item?

9 MS. CANTU: We do not see any hands raised or  
10 any comments in the comment box. If you did have a  
11 comment, go ahead and indicate and we can get to you, but  
12 we do not see any currently.

13 MS. BINGHAM: If there's no further questions,  
14 I have a motion and a second to approve staff's  
15 recommendations on item 1(e). All those in favor aye.

16 (A chorus of ayes.)

17 MS. BINGHAM: Opposed?

18 (No response.)

19 MS. BINGHAM: Motion carries for item 1(e).  
20 Great. Thank you.

21 We will move on to action items and start with  
22 Ms. Thomason and Internal Audit. Good morning.

23 MS. THOMASON: Good morning.

24 The Audit and Finance Committee did meet this  
25 morning at eight o'clock, and action was taken to

1 recommend to the Board approval of the SAO, State  
2 Auditor's Office audits of the TDHCA 2019 financial  
3 statements.

4           These audits are required for the statewide  
5 single audit of Texas and also for compliance with the  
6 Public Funds Investment Act, and I believe we have the  
7 State Auditor's Office on the line with us, and Robert  
8 Pagenkopf would be able to present the results.

9           MR. PAGENKOPF: Good morning, Madam Chair and  
10 members. My name is Robert Pagenkopf. I'm a project  
11 manager with the State Auditor's Office. This morning  
12 we'll be discussing the results of our most recent  
13 financial audits at the Department.

14           We issued two unmodified opinions as part of  
15 this audit, one for the Department's basic financial  
16 statement for fiscal year 2019, and one for the  
17 Department's Revenue Bond Program financial statements for  
18 fiscal year 2019.

19           We determined that in both cases these  
20 financial statements were materially correct and reported  
21 in accordance with Generally Accepted Accounting  
22 Principles, or GAAP. In other words, we determined that  
23 the statements as issued were not misleading to the reader  
24 of those statements.

25           Additionally, we also concluded that the

1 Department's Housing Finance Division's computation of  
2 unencumbered fund balances complies with Texas Government  
3 Code Sections 2306.204 and 2306.205.

4 We also issued a report on the Department's  
5 compliance with the Public Funds Investment Act for the  
6 fiscal year ended August 31, 2019. The result of that  
7 work disclosed no issues of noncompliance or other matters  
8 that are required to be reported under Governmental  
9 Auditing Standards.

10 Last, I would just like to thank Mr. Cervantes  
11 and all of his folks, the Financial Administration  
12 Division, Ernie Palacios, Jose Guevara, Bond Finance and  
13 Information Security. They were all very cooperative and  
14 patient with us this year, we asked a lot of questions.  
15 As well as Mr. Scott and Internal Audit for all their  
16 assistance and cooperation throughout the audit.

17 That concludes my comments. I'd be happy to  
18 address any questions that you may have.

19 MS. BINGHAM: Thank you, Robert.

20 Does the Board have any questions?

21 (No response.)

22 MS. BINGHAM: Very well.

23 Well, then we will accept a motion to accept  
24 the State Auditor's Office audit of the TDHCA's financial  
25 statement. We'll entertain a motion.

1 MS. THOMASON: So moved.

2 MS. BINGHAM: Ms. Thomason moves. Is there a  
3 second?

4 MR. VASQUEZ: Second.

5 MS. BINGHAM: Mr. Vasquez seconds.

6 All those in favor aye.

7 (A chorus of ayes.)

8 MS. BINGHAM: Opposed?

9 (No response.)

10 MS. BINGHAM: Great. The motion carries.

11 Really good work. Great work from the TDHCA  
12 team, Mr. Cervantes's and Mr. Scott's team. Great job.

13 So item (b), Ms. Thomason, is the report from  
14 the Audit and Finance Committee.

15 MS. THOMASON: Yes, and in addition to what we  
16 just discussed, the Internal Audit staff this morning,  
17 Neda Sanjar, also presented the internal audit of the  
18 Multifamily Bond Program as well as discussed four recent  
19 external audit activities, so that was the extent of our  
20 meeting this morning.

21 MS. BINGHAM: Very good. Thank you very much.

22 We'll move on to agenda item 4. 4(a) is  
23 presentation, discussion, possible action on a proposed  
24 amendment to a Colonia Self-Help Center Program contract  
25 with El Paso County.



1 Abigail.

2 MS. VERSYP: Good morning. Can you hear me, I  
3 hope?

4 MS. BINGHAM: Yes.

5 MS. VERSYP: Okay. I'm Abigail Versyp,  
6 director of Single Family and Homeless programs. I'm  
7 presenting item 4 which is a request for amendment for El  
8 Paso County's Colonia Self-Help Center contract. I'll  
9 work to keep my presentation brief this morning.

10 On November 28, 2019, new rules were adopted  
11 for the Colonia Self-Help Center Program in 10 TAC Chapter  
12 25. It increased the per cost unit limitation for both  
13 rehab and reconstruction, and it also allows for a six-  
14 month extension to contracts.

15 The new rules also provided additional  
16 flexibility to Colonia self-help centers so that the  
17 assistance can be provided as a grant regardless of  
18 household income level as long as they're still eligible  
19 for the program.

20 The rule allows self-help centers with current  
21 contracts to opt in to the new more flexible rules with  
22 their existing contracts, and El Paso County requested to  
23 opt in. They've also requested a six-month extension  
24 which may be granted by the Department without required  
25 Board action. That's also recommended for El Paso County.

1           However, any increase in funding that causes  
2 the contract to exceed a million dollars does require  
3 Board approval, and this is the case with El Paso County.

4           They were originally awarded a contract of \$700,000, but  
5 additional funding has been made available from prior  
6 grant years, so the proposed increase to \$1,050,000 was  
7 considered and recommended by the Colonia Resident  
8 Advisory Committee, or CRAC, and that will be utilized to  
9 provide for the increased per-household limit.

10           The county is currently meeting their  
11 benchmarks, they've already identified the families to be  
12 assisted. And I'm ready to answer any questions that you  
13 might have.

14           MS. BINGHAM: Thank you, Abigail.

15           Does the Board have any questions regarding  
16 this recommendation?

17           (No response.)

18           MS. BINGHAM: Great. We'll entertain a motion  
19 to approve the recommendation from EARAC for the award of  
20 this with no conditions.

21           MR. BRADEN: Move to approve.

22           MS. BINGHAM: Mr. Braden makes the motion.  
23 Second?

24           MR. VASQUEZ: Second.

25           MS. BINGHAM: Mr. Vasquez seconds.

1 Naomi, is anybody teed up to make comment?

2 MS. CANTU: Madam Vice Chair, I do not see any  
3 comments in the question box, and no hands raised.

4 Again, as a reminder, if you wish to make  
5 verbal comments, you can raise your hand. If you don't  
6 call in time on your item, you can also let us know if you  
7 have a comment in the question box, or you can enter your  
8 comment directly in the question box and make sure to put  
9 the agenda item, your name and who you represent.

10 But there's no comments.

11 MS. BINGHAM: Great. So then we have a motion  
12 and a second on item 4(a) to approve EARAC's  
13 recommendation. All those in favor aye.

14 (A chorus of ayes.)

15 MS. BINGHAM: Opposed?

16 (No response.)

17 MS. BINGHAM: Great. That motion carries.

18 Thank you.

19 Great. Moving on to item 5, Bond Finance,  
20 Teresa Morales. This is presentation, discussion and  
21 possible action regarding the issuance of a multifamily  
22 note for the Reserves at San Marcos.

23 MS. MORALES: Teresa Morales, director of  
24 Multifamily Bonds.

25 Item 5(a) involves the issuance of a

1 multifamily note, similar to multifamily bonds and other  
2 structures, by the Department for the new construction of  
3 376 units in San Marcos serving the general population,  
4 with 320 units restricted at 60 percent of annual median  
5 income and the remaining 56 units at market rate.

6 This transaction involves the issuance of an  
7 unrated tax exempt fixed rate multifamily note in the  
8 amount of \$41 million that will be purchased initially by  
9 the Key Bank Real Estate Capital who will be serving as  
10 the construction and permanent lender.

11 Once the conditions to conversion have been  
12 met, Key Bank on the perm side will purchase the loan  
13 under Freddie Mac's tax exempt loan program. Shortly  
14 thereafter, Freddie will acquire the loan from Key Bank  
15 and will be the permanent lender and bondholder and Key  
16 Bank will remain as the servicer of the loan for Freddie.

17 The multifamily note will have a term of 15  
18 years and a 35-year amortization, with an interest rate  
19 that is more fully described in Section 1.2 of the bond  
20 resolution that is included in your package.

21 Staff recommends approval of Bond Resolution  
22 No. 20-012 in the amount of \$41 million and a  
23 determination notice of 4 percent housing tax credits in  
24 the amount of \$1,857,733.

25 MS. BINGHAM: Thank you, Teresa.

1 Do I hear a motion on item 5(a)?

2 MS. THOMASON: So moved.

3 MS. BINGHAM: Ms. Thomason moves. Is there a  
4 second?

5 MR. VASQUEZ: Second.

6 MS. BINGHAM: Mr. Vasquez seconds. Thank you.  
7 Naomi, are there any comments?

8 MS. CANTU: Madam Vice Chair, I do not see any  
9 comments in the question box and no hands raised. No,  
10 wait, we do have a hand raised. Hold on. Let me check.

11 This is Marni Holloway, her hand is raised, and  
12 we're going to go ahead and unmute her.

13 Marni.

14 MS. HOLLOWAY: I'm just waiting to present the  
15 next item.

16 MS. CANTU: I see. Sorry about that. Okay.  
17 Marni, we'll unmute you for the next item.

18 MR. BRADEN: Before we adopt, I have a  
19 question.

20 MS. BINGHAM: Yes, Mr. Braden.

21 MR. BRADEN: So Teresa, has there been any  
22 discussion that the COVID-19 events and the unrest in the  
23 market, is that going to slow down this transaction or  
24 disrupt the timing of this transaction?

25 MS. MORALES: For this particular

1 transaction -- and we just had a conference call with a  
2 larger working group yesterday afternoon -- it does not  
3 seem that what's going on in the market is affecting this  
4 particular transaction, and Freddie is set to put  
5 everything in motion for a closing on April 22.

6 We have, though, on some of the other  
7 transactions that we are currently working on, the market  
8 and that volatility has affected those, primarily with  
9 respect to the amount of negative arbitrage that's going  
10 to be required, but we're just still continuing to march  
11 it out, recognizing that things are changing daily.

12 MR. BRADEN: Okay. Thank you.

13 And maybe my other comment is more for Bobby.  
14 Bobby, at a future Board meeting, and obviously once maybe  
15 the waters settle out, I'd like to have a little bit of a  
16 presentation on how COVID-19 and the market destruction is  
17 affecting the tax credit market and our bond situation and  
18 any variable rate debt we might have out there.

19 MR. WILKINSON: Certainly. We'll put that on  
20 the agenda for April.

21 MR. BRADEN: That's all I had.

22 MS. BINGHAM: Very good.

23 So we have a motion and a second to issue the  
24 multifamily note as recommended by staff and the  
25 corresponding determination notice. All those in favor

1 aye.

2 (A chorus of ayes.)

3 MS. BINGHAM: Opposed?

4 (No response.)

5 MS. BINGHAM: Motion carries. Thank you.

6 Thank you, Teresa.

7 Okay, Marni. We have presentation, discussion  
8 and possible action authorizing the executive director to  
9 extend certain deadlines under 10 TAC Chapter 11.

10 Marni.

11 MS. HOLLOWAY: Good morning. This is Marni  
12 Holloway, director of the Multifamily Finance Division.

13 As Ms. Bingham described, this is a  
14 presentation, discussion and action to authorize the  
15 executive director to extend deadlines under the QAP, the  
16 Bond rule, the Direct Loan Rule, and then any related  
17 NOFAs.

18 As you know, on March 13 the governor issued a  
19 disaster declaration and certified that the Coronavirus  
20 posed a threat of disaster to the state. Responding to  
21 the needs of Texans impacted by the virus will demand that  
22 the Department make extraordinary measures to ensure that  
23 its resources are deployed as effectively and fully as  
24 possible.

25 We manage our multifamily programs through

1 rules and NOFAs, as you know, and all of them include some  
2 non-statutory deadlines. In the coming months there may  
3 be occasions where extension of those deadlines is  
4 necessary without time to bring a decision regarding those  
5 extensions to the Board.

6 Granting the executive director authority to  
7 extend non-statutory deadlines without the typical process  
8 will allow the Department to react quickly to  
9 unpredictable circumstances and any actions taken by the  
10 governor or the federal government in response to the  
11 virus.

12 Any action taken to extend a deadline will be  
13 applied equitably to all applicants unless the  
14 circumstances are unique to a single proposed development.

15 All extensions will be reported back to the Board at the  
16 next available meeting. There will be no action taken  
17 under this authority that would be considered an amendment  
18 to a rule or NOFA or as establishing precedent for future  
19 action.

20 Staff recommends that the executive director be  
21 granted authority as described.

22 I'll be happy to take any questions.

23 MS. BINGHAM: Thank you, Marni.

24 Does the Board have any questions about Marni's  
25 recommendation from staff?



1 MR. VASQUEZ: So a question. Is this a  
2 permanent new enactment, or is it just for this particular  
3 emergency situation or declaration?

4 MS. HOLLOWAY: It's intended for this  
5 particular emergency situation. This is not a permanent  
6 authority at all.

7 MR. VASQUEZ: Okay. Thanks.

8 MS. BINGHAM: So there is no need at this point  
9 to put like a hard stop on it, say relative the current  
10 QAP, or is that kind of implied?

11 MS. HOLLOWAY: We certainly could put a hard  
12 stop to it. We could say that it's just for the 2020  
13 rules unless the Board takes some action in the future to  
14 stop it prior to the end of the year.

15 MS. BINGHAM: Do Board members have any  
16 thoughts about that?

17 MR. VASQUEZ: I would like to just leave it  
18 open-ended so we don't have to have some sort of emergency  
19 meeting.

20 MR. BRADEN: Yeah, I'm okay with the way it is  
21 written as well.

22 MS. CANTU: Madam Vice Chair, this is Naomi  
23 Cantu, moderator, and I do see Sarah Andre with her hand  
24 raised, so we're going to go ahead and unmute her.

25 Sarah, please make sure to introduce yourself

1 by name, your organization, and your title, if possible.

2 MS. ANDRE: Hi. Good morning. This is Sarah  
3 Andre. I'm with Structure Development, and I believe you  
4 all have already taken care of my concern which is the  
5 2019 developments under that QAP are also being impacted,  
6 so thank you for recognizing that it's not just 2020.

7 MS. BINGHAM: Thank you, Sarah.

8 Marni, any other comments or thoughts?

9 MS. HOLLOWAY: I have nothing further.

10 MS. BINGHAM: Okay, great.

11 We didn't entertain a motion first, but we'll  
12 go ahead and do that now. Is there a motion to approve  
13 staff's recommendation regarding extending the authority  
14 of the executive director under these circumstances. It's  
15 item 6(a). Can I have a motion to approve?

16 MR. VASQUEZ: I move to approve.

17 MS. BINGHAM: Mr. Vasquez motions to approve.  
18 Is there a second?

19 MR. BRADEN: Second.

20 MS. BINGHAM: Mr. Braden seconds.

21 If there is no further discussion, all those in  
22 favor aye.

23 (A chorus of ayes.)

24 MS. BINGHAM: Opposed?

25 (No response.)

1 MS. BINGHAM: Great. Thank you. Motion  
2 carries.

3 Item 6(b), presentation, discussion and  
4 possible action on waivers to certain provisions of the  
5 Texas Administrative Code for state and federal funds  
6 administered by single family and homeless programs for  
7 disaster response.

8 Abigail, are you back with us?

9 MS. CANTU: We're working on getting her up.  
10 There she is.

11 MS. VERSYP: Good morning. It's Abigail Versyp  
12 again, director of Single Family and Homeless programs.

13 I'm presenting item 6(b). It's a pretty  
14 lengthy item. It's a request to waive certain provisions  
15 of 10 TAC Chapter 23 related to the HOME Program, and 10  
16 TAC Chapter 7 related to homelessness programs.

17 There is also in the item the authorization for  
18 the executive director to authorize movement of de-  
19 obligated funding as necessary for response not just HOME  
20 and homelessness funding. We also have a minor amendment  
21 to the one-year action plan.

22 I'll begin with the amendment to the action  
23 plan which specifically identifies persons impacted by a  
24 state or federally declared disaster. The addition of  
25 this category of special populations will allow

1 administrators serving households with general set-aside  
2 HOME funds to establish a preference for households  
3 impacted by COVID-19.

4 This is already permissible under the disaster  
5 set-aside, but there may be a future need to use our  
6 general set-aside HOME funding for this special purpose  
7 and this minor amendment is going to allow for that.

8 The second section of the item I'm presenting  
9 today includes waiver requests applicable to the HOME TBRA  
10 Program. We anticipate a high need for rental assistance  
11 and the waiver request proposed would work in conjunction  
12 with other state and federal waivers that we're likely to  
13 request to provide an increased amount of flexibility for  
14 the use of HOME funds for tenant-based rental.

15 The regulatory waivers requested, as described  
16 in the write-up, would streamline the submission process  
17 and allow subrecipients or HOME staff, if we do administer  
18 directly at some point, to provide short-term TBRA clients  
19 who have been economically impacted.

20 We expect to offer TBRA for a minimum three-  
21 month term, which may be extended to six months if needed.

22 We expect to use de-obligated funding for prior year  
23 allocations, and we anticipate that the funding available  
24 right now could assist over 2,000 households with their  
25 short term rental assistance needs. The waivers would

1 also provide an increased amount of administrative funding  
2 which would assist with rapid deployment of funds.

3 Additional waivers of other 10 TAC provisions  
4 may be approved by TDHCA's executive director if the  
5 waivers to federal regulations are approved by HUD in  
6 accordance with 10 TAC 1.5.

7 The third section of the item today is related  
8 to the de-obligated HHSP funds which we have been advised  
9 may be reallocated by the Comptroller's Office. The funds  
10 are from state fiscal years 2018 and 2019 and they total  
11 \$239,886 which we propose at this time to reallocate using  
12 the allocation formula for 2020. The funds would be  
13 offered to existing HHSP subrecipients but could be  
14 reallocated to other subrecipients if any of the offers  
15 are declined.

16 In order to facilitate this reallocation, staff  
17 is recommending a waiver of two provisions of 10 TAC  
18 Chapter 7 which require the governing body of each city to  
19 authorize entering into a contract or to designate a  
20 nonprofit to administer funds on their behalf.

21 We're still going to want approval from the  
22 city but without formal action of the city council in  
23 order to expedite contracting of these funds and making  
24 them available for a critical need in the community, such  
25 as homeless prevention or provision of hotel/motel

1 vouchers for persons experiencing homelessness.

2 I can take any questions.

3 MS. BINGHAM: Do any of the Board members have  
4 any questions about what Abigail and the staff are trying  
5 to accomplish here?

6 MR. BRADEN: A couple of questions about the  
7 TBRA Program. So, Abigail, the way this is going to  
8 continue to work is we're obviously identifying some  
9 additional funding to put into that program, and then  
10 we're going to funnel that money into administrators who  
11 currently are out there and putting money out, giving it  
12 to people as needed. Is that correct?

13 MS. VERSYP: That's the initial response. So  
14 we are planning initially to make it available as soon as  
15 we can to administrators that are already in place. We'll  
16 also encourage them to expand their service area if they  
17 can so that we can get more coverage across the state. As  
18 of yesterday we had administrators administering TBRA in  
19 159 counties; we think we need it in 254 counties.

20 So in addition to working with our current  
21 administrators, staff is planning outreach to our  
22 community action agencies which have a statewide network,  
23 to the PHAs in Texas that already administer the Section 8  
24 Housing Choice Voucher Program which is very similar, and  
25 to COGs.

1           We'll also reach out to any nonprofit that  
2 receives funding from the Department to let them know  
3 about the availability of these funds. If we're unable to  
4 get adequate coverage through those mechanisms, we may  
5 potentially directly administer tenant-based rental  
6 assistance, but that would take the longest amount of time  
7 to get off the ground.

8           MR. BRADEN: And I know we're suspending  
9 several rules. Is there some uniformity of application  
10 that we're telling the administrators ask these questions  
11 and then give these people a check, or is it we're letting  
12 the administrators have their own process?

13           MS. VERSYP: What we would do, we're looking at  
14 our current existing documents, our current existing setup  
15 checklists, and you know, our just procedural items and  
16 we're trying to make those smaller, so as we get a waiver  
17 we can strike requirements here, we can strike  
18 requirements there, and what we'll end up sending them is  
19 essentially a new packet for how to administer.

20           So they could reserve money with very little  
21 information up front regardless of what waivers we  
22 receive, and then if we receive the waivers that we're  
23 requesting, the documentation that they would need for the  
24 file would be greatly reduced based on the waived  
25 regulations.

1 MR. BRADEN: That sounds like you're  
2 streamlining the process, which makes sense to me  
3 considering the current situation. Thank you.

4 MS. VERSYP: Right. And typically we want a  
5 project ready to go before they reserve funds. In this  
6 case we just need to know that we have a low income  
7 household that need to reserve funds. And we're in  
8 discussion now about how to throttle it so that one area  
9 of the state doesn't claim all of the money immediately,  
10 so those would be decisions that we could make either  
11 through doing some kind of an allocation or perhaps  
12 limiting submissions by any one administrator.

13 MR. BRADEN: Thank you. I have nothing  
14 further, Madam Chair.

15 MS. BINGHAM: Thanks, Abigail.

16 So the motion would be then to approve the  
17 waivers as outlined and then also to authorize that minor  
18 amendment to the state action plan. Do I hear a motion as  
19 such?

20 MR. BRADEN: Move to approve.

21 MS. BINGHAM: Mr. Braden moves to approve. Is  
22 there a second?

23 MS. THOMASON: Second.

24 MS. BINGHAM: Ms. Thomason seconds.

25 If there are no further questions --



1 MS. CANTU: Madam Vice Chair.

2 MS. BINGHAM: Yes.

3 MS. CANTU: Naomi Cantu. We do not have any  
4 comments on this particular item and no hands raised.

5 Again, if you wish to make a comment during  
6 this Board meeting, you can raise your virtual hand or add  
7 your information in the question box. But there's nothing  
8 for this item.

9 MS. BINGHAM: Thank you very much.

10 So then I have a motion and a second. We'll  
11 call for a vote. All those in favor aye.

12 (A chorus of ayes.)

13 MS. BINGHAM: No opposed. Motion carries.

14 Just really thoughtful. I mean, obviously you  
15 guys, Abigail, had to move quickly to figure some of this  
16 out. I think it's smart, it's responsive, and it shows  
17 how resourceful our staff are at trying to figure out how  
18 they can help in the best way. So we'll look forward to  
19 hearing, hopefully, good things that we've been able to do  
20 as a result.

21 MS. VERSYP: Thank you, Leslie. I hope to  
22 bring a good report.

23 MS. BINGHAM: Great. Thank you, Abigail.

24 So item 6(c) is presentation, discussion and  
25 possible action on the reprogramming of program year 2019

1 and programming of 2020. This is CSBG administrative and  
2 discretionary funds also for COVID-19 response.

3 And Michael De Young, are you on?

4 MR. DE YOUNG: Yes, I am.

5 MS. BINGHAM: Good morning.

6 MR. DE YOUNG: Can you hear me?

7 MS. BINGHAM: Yes.

8 MR. DE YOUNG: Good morning, Madam Chair and  
9 members. It's Michael De Young, Community Affairs  
10 Division director.

11 Item 6(c) and item 6(d) are from the Community  
12 Affairs Division. We'll start with item 6(c). It's the  
13 award of some discretionary CSBG funds in response to the  
14 COVID-19 pandemic.

15 The CSBG funds included in this action are all  
16 the remaining unspent funds from 2019 CSBG awards, the  
17 discretionary portion of that award, and the  
18 administrative funds. And then there's also a small  
19 portion of our 2020 CSBG discretionary funds that's put in  
20 as well as disaster relief funds.

21 Most of these funds would expire on September  
22 30, 2020, so we have about six months to expend, and staff  
23 is recommending awards to 38 of our 40 eligible entities  
24 that comprise the network that serve all 254 counties.

25 Two entities are ineligible to receive awards

1 due to outstanding balances with the Department. Those  
2 entities are Cameron and Willacy Counties Community  
3 Projects, Inc. and Community Services, Inc. based in  
4 Corsicana, Texas. The Department's rules prevent awards  
5 to entities that owe the Department funds and are not in a  
6 repayment plan.

7 The funds being awarded must be utilized by the  
8 subrecipients to provide direct line assistance to  
9 households economically impacted by COVID-19. As you all  
10 are aware, CSBG is a fairly flexible program so this could  
11 include lost wages, it could include increased childcare  
12 costs due to school closures, higher utility bills,  
13 groceries, some transportation, or shelf-stable meal  
14 delivery for those who can't leave their home, among other  
15 COVID activities that are also eligible. These funds will  
16 be made available until August 30 of 2020 and will go out  
17 in contracts to the 38 entities named in the Board item.

18 Staff is requesting your approval for these  
19 awards, and I'll answer any questions that are asked.

20 MS. BINGHAM: Thanks, Michael.

21 What questions do the Board members have?

22 MR. VASQUEZ: I have a question. Is Galveston  
23 County Community Action Council in good standing with us?

24 MR. DE YOUNG: They are at this time working  
25 with our Compliance Division to resolve our outstanding

1 issues. We do not have a recommendation that does not  
2 include Galveston County at this time, and I don't know if  
3 Compliance is on or able to speak to any issues.

4 MR. WILKINSON: I think one major difference,  
5 Leo, is that they don't technically owe us money. So we  
6 might even have some other community action agencies that  
7 are having some compliance issues, but only the two that  
8 owe the Department money.

9 Staff, please correct me if I'm wrong.

10 MR. DE YOUNG: Michael again. The two entities  
11 who I mentioned before, Cameron and Willacy Counties  
12 Community Projects, Inc. and Community Services, Inc. have  
13 gone through the entire compliance process and ultimately  
14 still owe the Department money that has not been either  
15 repaid or put into a repayment agreement, which is one  
16 option available to them.

17 Galveston County, we're still in the process of  
18 monitoring and resolving issues as we speak.

19 MR. VASQUEZ: I guess I'm just a little  
20 concerned that if there are some of these agencies that  
21 don't do well under normal circumstances, I'm concerned  
22 with us throwing more money at them under these emergency  
23 circumstances.

24 MS. BINGHAM: Michael, let me ask you  
25 something. So at the bottom of the table that has the 40

1 recipients -- I think we said 38 -- but I'm looking at the  
2 table, there's an asterisk at the bottom that says, "All  
3 awards are conditioned on positive EARAC recommendation  
4 and subject to any EARAC conditions." Is that a caveat  
5 that could help make the right decisions in terms of  
6 getting those funds out?

7 MR. DE YOUNG: Yes. All 40 were presented to  
8 EARAC and ultimately we instructed EARAC that Cameron and  
9 Willacy and CFI would not be recommended for an award  
10 based on their outstanding balance.

11 EARAC as a group can attach conditions to  
12 awards. We did attach conditions to the Community Council  
13 of Greater Dallas award -- I'm looking for a number --  
14 number 15 on the table that is on your screen now.

15 MS. BINGHAM: Okay.

16 MS. CANTU: Madam Vice Chair, we do have Brooke  
17 Boston, who has her hand raised, and we're going to go  
18 ahead and unmute her so she can help with this discussion.

19 MS. BOSTON: Can you guys hear me?

20 MS. BINGHAM: Yes.

21 MS. BOSTON: I would just add that as EARAC  
22 convenes we may choose to add some conditions on  
23 Galveston's similar to the conditions that we added for  
24 Dallas. The conditions we added in Dallas were things  
25 that were very specific to their current findings. So,

1 for instance, we said you can't do pass-through funds. We  
2 want to approve any procurement that you do. You can't use  
3 this for contract employees. They have to be actual  
4 employees of the organization. And so we can do something  
5 like that with Galveston as well.

6 MR. VASQUEZ: I'm comfortable -- and thanks,  
7 Leslie, for pointing out the asterisk on EARAC  
8 discretion -- I just want to make sure we're not just  
9 saying everyone gets money but that we are thoughtfully  
10 allocating the funds.

11 MS. BOSTON: We are, and I think an important  
12 thing is that we didn't want to exclude areas, especially  
13 areas where we know the population is potentially going to  
14 be a high COVID area, like the more populous parts of the  
15 state, so we were trying to offset that to mitigate the  
16 risks but not preclude the populations from being  
17 assisted.

18 MS. BINGHAM: Great. Thank you, Brooke.

19 Any other questions from the Board, or Naomi,  
20 any other comments or hands raised?

21 MS. CANTU: We do not see any other hands  
22 raised and no more questions in the question box on this  
23 item.

24 MR. WILKINSON: I have one brief comment. This  
25 is a relatively small amount of money, and we'll see how

1 this goes, and we're expecting, of course, another big  
2 slog of CSBG, so we'll see how this, the \$1.4 million or  
3 whatnot, how the distribution and execution works here and  
4 then we'll have a lot more money pretty soon to work with  
5 and hopefully we will have learned something.

6 MS. BINGHAM: Thank you, Bobby.

7 So I'll entertain a motion on item 6(c) for the  
8 action on reprogramming of program year 2019 and 2020  
9 CSBG.

10 MR. BRADEN: Move to approve.

11 MS. BINGHAM: Mr. Braden motions. Is there a  
12 second?

13 MS. THOMASON: Second.

14 MR. VASQUEZ: Second.

15 MS. BINGHAM: Ms. Thomason seconds.

16 If there's no further questions, all those in  
17 favor aye.

18 (A chorus of ayes.)

19 MS. BINGHAM: No opposed. The motion carries.  
20 Thank you.

21 Okay, Michael, the second item is 6(d),  
22 presentation, discussion and possible action on  
23 authorizing the executive director to extend certain  
24 deadlines and take possible waiver actions.

25 MR. DE YOUNG: Yes. This regards authorizing

1 Bobby to seek waivers to federal statutes or state  
2 regulations for CSBG, LIHEAP, the Low Income Home Energy  
3 Assistance Program, and Department of Energy programs. It  
4 also authorizes the executive director to grant extensions  
5 and waive certain provisions of the TAC, specifically  
6 Chapter 6, which is the chapter that governs the Community  
7 Affairs programs.

8 This authority will allow the executive  
9 director to make responsive program adjustments so that  
10 the subrecipients can focus their efforts on the response  
11 to the COVID-19 virus.

12 Examples of waivers could be client signatures  
13 on their applications for assistance because they don't  
14 have the ability to leave their residence and actually go  
15 into the agency in many counties at this point in time.  
16 They also would be talking about whether individuals can  
17 self-declare their income because they can't get to their  
18 employer to provide their most recent pay stubs.

19 So there's just a few things that have not  
20 presented themselves to the operation of these programs in  
21 the last few years, and granting the authority for Bobby  
22 to be able to waive certain provisions would allow  
23 subrecipient agencies to quickly deploy the funds to  
24 eligible households.

25 The 38 agencies that we just gave the funds to



1 in the previous item all operate different levels of  
2 programs, not all of them run each of these programs.  
3 There are probably going to be some requests from the  
4 field that we haven't identified yet as well.

5 We would like to take those to Bobby and have  
6 the ability for him to waive those should they be  
7 significant enough to impact the delivery of service.  
8 Each of these requests that we make to Bobby in regards to  
9 this Board item would be in anticipation of making it  
10 easier to deploy the federal funds in a timely manner so  
11 that the assistance arrives as quickly as possible to the  
12 individual household or to the utility provider in the  
13 case of LIHEAP.

14 MS. BINGHAM: Gotcha.

15 MR. DE YOUNG: And I can answer any questions.

16 MS. BINGHAM: I will entertain a motion to  
17 approve staff's recommendation.

18 MS. THOMASON: So moved.

19 MR. VASQUEZ: So moved.

20 MS. BINGHAM: Ms. Thomason makes the motion and  
21 Mr. Vasquez seconds. Is that okay?

22 MR. VASQUEZ: Yes.

23 MS. BINGHAM: Naomi, any comments?

24 MS. CANTU: Madam Vice Chair, I don't have any  
25 comments in the question box, and I do not see any hands

1 raised.

2 If you do wish to make a comment, go ahead and  
3 raise your hand, we're looking, or if you have a comment,  
4 please make sure to type it in the comment box. Make sure  
5 to type in your name, your organization, and your comment.

6 But not comments on this item.

7 MS. BINGHAM: We'll take action on this last  
8 item and then it will be public comment time, so just  
9 anybody out there that's interested in making public  
10 comment on matters other than the ones that were on the  
11 agenda or for future agendas can probably do so now.

12 So then I have a motion from Ms. Thomason and a  
13 second from Mr. Vasquez on item 6(d). All those in favor  
14 aye.

15 (A chorus of ayes.)

16 MS. BINGHAM: And opposed?

17 (No response.)

18 MS. BINGHAM: That motion carries also.

19 Thank you, Michael.

20 Naomi, do we wait a second or do you see any  
21 hands popping up?

22 MS. CANTU: I do have one request to put Ms.  
23 Yevich on one more time. She has something to address, so  
24 we're going to go ahead and unmute Elizabeth Yevich so she  
25 can address the item.

1 MS. BINGHAM: Hey, Elizabeth.

2 MS. YEVICH: Can you hear me?

3 MS. BINGHAM: Yes.

4 MS. YEVICH: Okay. Hi. Good morning again.

5 This is Elizabeth Yevich, director of the Housing Resource  
6 Center.

7 I spoke at the very beginning of the meeting  
8 about item 1(e), which is that draft Consolidated Plan,  
9 and that was official record, but I had wanted to add  
10 something at the conclusion of that which is completely  
11 unofficial, and so if I may, this is almost as important  
12 and this will be a shout-out to one member of my Housing  
13 Resource Center team, and that's Jeremy Stremmler, and he  
14 basically singlehandedly put the lengthy draft  
15 Consolidated Plan together.

16 Jeremy arrived at TDHCA almost exactly one year  
17 ago, and he and I were just talking about this. My  
18 direction to him on his first day was you're going to be  
19 the lead on this unwieldy document, and it's going to take  
20 you over a year to produce and I want you to own it, and  
21 he did, beautifully.

22 So thank you, Jeremy Stremmler.

23 MS. BINGHAM: That's awesome. So Jeremy, I  
24 hope he's out there somewhere. Jeremy, happy anniversary  
25 as you've been here a year now, and that is a huge

1 undertaking and a great job.

2 We'll wait and see if there are any other hands  
3 that come up. I did notice on our little dashboard it  
4 looks like we've had around 100 parties on the line with  
5 us this morning, so it's probably a good time to just  
6 thank everybody, starting with the staff and the Board,  
7 and everyone out there who's been flexible with us as  
8 we're going through this period. Really am grateful for  
9 the work that the agency does. This is what we say -- I'm  
10 coming to you from a hospital this morning, and what we  
11 say is this is what we train for.

12 But just really have tremendous gratitude for  
13 the work that the staff has done and the sacrifices that  
14 folks are making. And not sure if we'll see each other  
15 again this way next month but feel really good about the  
16 work that's been done to make sure that we're in a  
17 position to help the state wherever we can.

18 Any other comments?

19 MS. CANTU: There is a comment. Meredith  
20 Maycotte would like to make a public comment, and we're  
21 going to go ahead and unmute her.

22 MS. BINGHAM: Great.

23 MS. CANTU: Meredith, please make sure to state  
24 your name, your organization and your comment.

25 MS. MAYCOTTE: Hi there. My name is Meredith

1 Maycotte, and I would like to speak about a project that's  
2 recently applied for the TDHCA funding, and I'm just  
3 speaking as a neighbor to the proposed project.

4 Can you hear me okay?

5 MR. VASQUEZ: Yes.

6 MS. MAYCOTTE: The name of the project that I  
7 want to talk about is called Espero Austin at West 24th,  
8 and their application number is 20041, and I live down the  
9 street from the proposed housing site, which is on 24th  
10 and San Gabriel in West Campus in central Austin. So the  
11 project includes demolition of a small retail strip and  
12 turning that into 87 units of equally affordable  
13 residential housing.

14 So just a little background about me. I've  
15 lived in this neighborhood for almost 15 years, and I  
16 absolutely understand the need for affordable housing in  
17 Austin, and when I first heard about this project I  
18 thought that's a great place to put something like that.

19 I also have two daughters who are 10 and 13  
20 years old and they go to school two blocks up the street,  
21 so they'll be literally two blocks from the proposed  
22 project, and I think it's also relevant that after school  
23 many of these elementary kids walk to an ice cream shop  
24 which is just on the other side of the project from the  
25 school, so there's a lot of kids that they'll walk by this

1 project regularly without adult supervision, and so as you  
2 can imagine, I was curious to know more details about the  
3 project.

4 So I was able to attend a University Area  
5 Partners meeting on February 25, where the developer and  
6 the future management company discussed the project, and a  
7 few concerns came up at that meeting for me.

8 Number one was that it sounded like the  
9 developer and the manager haven't ever done a project of  
10 this nature and this scale in the past, and then they also  
11 communicated, from what I understood, that there would be  
12 little or no screening of any of the residents in terms of  
13 criminal background or any other factors that might ensure  
14 the safety of the existing neighborhood, and so I was  
15 surprised to hear that there wouldn't be any kind of  
16 screening or any kind of discussion about how we would  
17 make sure that that will remain a safe neighborhood.

18 So I wasn't super concerned about that until  
19 there was also a man at the meeting who currently lives  
20 across the street from another property in Austin that is  
21 also managed by this same management company, and he  
22 started describing some of the issues that he faces living  
23 across the street from this property, and that concerned  
24 me.

25 He gave examples of illegal drug use and sales

1 happening out in the open on a daily basis, physical  
2 violence and prostitution, people shouting in the streets  
3 at all hours, he's had multiple break-ins into his house,  
4 and he says when he complains to the management company  
5 and to the police, there's no action taken.

6 And so as you can imagine, I'm imagining that  
7 happening down the street from my house, and it just made  
8 me get concerned. So I can't imagine there's not some way  
9 to have this project but also make sure that it's safe for  
10 the neighborhood.

11 So it's going to be 87 units, which I think is  
12 a lot, and the units are about 300 to 400 square feet  
13 each, which is pretty small, so I think it's reasonable to  
14 assume that a lot of the daily activities of the residents  
15 will come into the neighborhood.

16 And so I'm just wondering how we're going to  
17 have any input as neighbors, because the way I found out  
18 about the project was just randomly by word of mouth from  
19 another neighbor, and someone from the city told us that  
20 they approve projects like this without even looking at  
21 them because they're very pro affordable housing right  
22 now.

23 And when we contacted the Governor's Office,  
24 someone suggested that we contact the city, and so when I  
25 went to the media, I also overheard that because we were

1 across some line, our voices weren't going to be counted.

2 And so I just want you guys to know that  
3 there's a lot of neighbors out here that are going to be  
4 affected by this property.

5 MS. CANTU: I don't know if my audio is on, I  
6 think they can hear me. Can you nod if you can hear me?  
7 Great. Thanks. All right. We're going to call in --

8 (Audio cut off.)

9 MS. BINGHAM: Ms. Maycotte, bear with us for  
10 just a minute. I think Naomi was trying to figure  
11 something out.

12 MS. MAYCOTTE: Okay.

13 MS. BINGHAM: Naomi, nobody can hear you if you  
14 are trying to talk with us.

15 Bobby, are we okay in letting Ms. Maycotte know  
16 that we hear her and thank her for her comments?

17 MR. WILKINSON: Yes.

18 MS. BINGHAM: Thank you, Ms. Maycotte, for your  
19 comments.

20 MS. MAYCOTTE: Thanks.

21 MS. BINGHAM: Any other business the Board  
22 needs to do?

23 (No response.)

24 MS. BINGHAM: In the absence of our awesome  
25 guide Naomi, I guess I will ask for a motion to adjourn.



1 MR. BRADEN: So moved.

2 MS. BINGHAM: Great. Mr. Braden moves to  
3 adjourn.

4 MS. THOMASON: Second.

5 MS. BINGHAM: Ms. Thomason seconds. I'm  
6 assuming all of us are in favor.

7 Thank you guys all very much. And we will be  
8 hearing instruction on plans for the next meetings, Bobby?

9 MR. WILKINSON: Yes. We'll meet through  
10 another webinar or maybe in person, we'll see.

11 MS. BINGHAM: Great. Thank you very much.

12 Naomi, are you back? Are we good to close up?

13 MS. CANTU: Can you hear us?

14 MS. BINGHAM: Oh, yes, I can hear you.

15 MS. CANTU: No. We still have Rowena Dasch,  
16 and we're going to go ahead and unmute her.

17 MS. BINGHAM: Okay.

18 MS. CANTU: Sorry about the technical  
19 difficulty here. We're going to unmute Rowena, and you  
20 should be good to go.

21 MS. DASCH: Can you all hear me?

22 MS. BINGHAM: Yes.

23 MR. VASQUEZ: Yes.

24 MS. DASCH: Great. Good morning. My name is  
25 Rowena Dasch. I'm the executive director of the Neill-

1 Cochran House Museum, which is located directly across the  
2 street from the Espero project that you were just hearing  
3 about.

4 I'm not going to go back over the details,  
5 because she did a fabulous job of covering those. I also  
6 technically, according to the City of Austin, have no  
7 standing in this issue because the border of the  
8 neighborhood ends past San Gabriel Street; however, as I  
9 say, we are directly across the street. Our front yard  
10 will be the front yard for this facility.

11 I attended the same meeting several weeks ago  
12 and had very similar concerns. I think all of us in  
13 Austin recognize the need for more affordable housing. In  
14 the West Campus area in particular we all recognize the  
15 need for more affordable housing.

16 And this project, when we asked the question,  
17 well, why is this not focused on student housing,  
18 considering this is the neighborhood where the City of  
19 Austin has decided to attempt to consolidate student  
20 housing in order to reduce the amount of traffic on the  
21 road, keeping UT from being a commuter campus, there are a  
22 variety of reasons for that, and what the project leaders  
23 said in answer to that question was, well, the funding  
24 that we have secured will not allow student housing.

25 There are apparently a whole lot of different

1 hoops you have to jump through and essentially a decent --  
2 most of the people who will be housed in this facility  
3 will be on vouchers, and essentially students are  
4 ineligible because of an employment requirement and being  
5 head of household and things like that.

6 And so we pushed a little and they said, well,  
7 if you can find \$15 million, we're happy to turn this into  
8 student housing. And it just feels like this entire  
9 project has been thrown together.

10 I have all the respect in the world for Caritas  
11 and what they do, but it is true that this is the largest  
12 scale project of this type that any of the people who are  
13 involved have done. None of them have worked in an area  
14 directly adjacent to a university. They're working with  
15 some people who have worked around the country, but there  
16 is no similar project on which they can base any decision  
17 making.

18 And on top of that, our neighborhood, we are  
19 very open, we actually are the last green space in Austin  
20 between the University of Texas and Shoal Creek, for those  
21 of you who know the Shoal Creek area, and so we are kind  
22 of a community park our front yard at the Neill-Cochran  
23 House Museum, and we want to remain that way.

24 But we have been dealing with about a four-  
25 month-long issue with vagrancy with somebody who has

1 mental health concerns, and he's basically just told us,  
2 he said, you're a state space and they can send me away  
3 but I'm coming back.

4 We have a lot of concerns with our family  
5 programming, school tours which happen in our front  
6 yard --

7 MS. BINGHAM: Ms. Dasch.

8 MS. DASCH: Yes.

9 MS. BINGHAM: So the comment period is for  
10 items that aren't on the agenda or may be on a future  
11 agenda and the Board doesn't really have the ability to  
12 engage with you on your comments, but we do hear your  
13 comments and your concerns, and I'm sure that the staff  
14 are available to answer questions that you might have  
15 about the process moving forward.

16 MS. DASCH: Okay. I'm happy for that to  
17 happen. I was contacted and told that this was going to  
18 be on the agenda today, that's why I was on the phone. So  
19 I apologize for taking up your time if it is not.

20 MS. BINGHAM: No worries. We're happy to hear  
21 your comments, and I'm sure that the staff will be able to  
22 provide you with some guidance. Thank you.

23 MS. DASCH: Okay. That would be very helpful.  
24 Thank you. Have a good day.

25 MS. BINGHAM: You bet. Thank you.

1 Naomi, anything else?

2 MS. CANTU: Yes. There's one other person with  
3 their hand raised. That's Jennifer Hicks.

4 Jennifer, we're going to unmute you, and then  
5 if you could state your organization and who you represent  
6 and your title, please.

7 MR. GAGNE: Ms. Hicks, according to my screen,  
8 you have not logged in to your audio controls, but if you  
9 can hear us, please do so now. You have a little green  
10 arrow that collapses your control panel, and you can click  
11 on it to expand it and there will be an audio control  
12 panel which you can either select using your computer or  
13 dialing into a phone number. So we'll give you a few  
14 moments to do so.

15 (Pause.)

16 MS. CANTU: We don't see a response from  
17 Jennifer yet.

18 Jennifer, again, if you want to go ahead and  
19 click on the computer audio, then hopefully we should be  
20 able to hear you if you're unable to call in.

21 If not, you can go ahead and enter information  
22 in the question panel and it will be recorded as written  
23 comment during this meeting as well.

24 Oh, I think she did call in. Why don't we  
25 unmute her.

1 MS. HICKS: Hi, everyone. This is Jennifer  
2 Hicks with True Casa Consulting. I'm actually here  
3 because -- to respond to the two previous commenters, so  
4 if this isn't the right course to do that, I'm happy to  
5 wait until this might get scheduled for a future Board  
6 meeting, whatever the Board wishes at this point.

7 MS. BINGHAM: Jennifer, just a minute.

8 So is Beau on a line where Beau can talk? Beau  
9 or Bobby, should we have Jennifer respond when it's on the  
10 agenda at a later time?

11 MR. ECCLES: Well, of course, people are  
12 welcome to discuss anything that they would like that  
13 relates to the Board's business during this public comment  
14 period, but the Board is not going to be taking any action  
15 one way or another on this application until it's actually  
16 on the agenda. So that's her call.

17 MS. HICKS: Great. I think I'd just like to  
18 say that -- Jennifer Hicks with True Casa Consulting. I'm  
19 the consultant on this project and working very closely  
20 with Caritas of Austin and the Viceno Group for Espero  
21 Austin at West 24th Street.

22 I would encourage both Meredith and Rowena to  
23 please reach out to Jo Kathryn Quinn. She is the  
24 executive director at Caritas of Austin. Her phone number  
25 is 512-466-7080. She is actively meeting face to face

1 with every single person who has emailed her or called her  
2 in response to this project.

3 I think there are a lot of facts that are not  
4 correct, which happens, and we would like to just meet  
5 face to face to just talk about what this project really  
6 will be, what our goal for this project is.

7 I want to say that the comments about us  
8 saying, you know, give us \$15 million and we'd turn it  
9 into student housing, that is not the goal or mission of  
10 either one of the groups that are involved in this  
11 project.

12 The ultimate goal of this project is delivering  
13 extremely affordable units to that area of Austin. And so  
14 that is not anything that Caritas of Austin would ever be  
15 a part of. Their goal is affordable housing to reduce  
16 homelessness and housing instability in Austin.

17 The comment, though, I think there should be a  
18 conversation about what students can be served, and it  
19 would absolutely be the goal. It's very true the Housing  
20 Tax Credit Program, which this project will be financed  
21 with, has requirements about students, but any student who  
22 is experiencing housing instability, is emancipated and/or  
23 has exited foster care would be eligible.

24 And so we are happy to, you know, go through  
25 that and dig in, because that would be a goal of our team

1 as well is to serve students that are facing housing  
2 instability.

3 So I would please encourage you to reach out.  
4 We would be happy to meet with you face to face and talk  
5 through some of the issues that you have with the project.

6 Thanks, everyone, for your time.

7 MS. BINGHAM: Thank you, Ms. Hicks.

8 So are there no further comments teed up,  
9 Naomi?

10 MS. CANTU: I do not see any other hands raised  
11 or questions in the question panel, and we don't have any  
12 more people who when they registered indicated that they  
13 wished to express comments.

14 MS. BINGHAM: Great. Thank you so much for  
15 your help today.

16 So we had a motion and a second to adjourn the  
17 meeting. All those in favor aye.

18 (A chorus of ayes.)

19 MS. BINGHAM: All right. Motion carries.  
20 Thank you all very much. The meeting is adjourned.

21 (Whereupon, at 10:15 a.m., the meeting was  
22 adjourned.)



C E R T I F I C A T E

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

MEETING OF: TDHCA Board  
LOCATION: Austin, Texas  
DATE: March 26, 2020

I do hereby certify that the foregoing pages, numbers 1 through 57, inclusive, are the true, accurate, and complete transcript prepared from the verbal recording made by electronic recording by Latrice Porter before the Texas Department of Housing and Community Affairs.

DATE: March 31, 2020

\_\_\_\_\_  
(Transcriber)

On the Record Reporting  
7703 N. Lamar Blvd., #515  
Austin, Texas 78752