

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

GOVERNING BOARD MEETING

John H. Reagan Building
Room JHR 140
105 W. 15th Street
Austin, Texas

February 22, 2018
8:00 a.m.

BOARD MEMBERS:

J.B. GOODWIN, Chair
LESLIE BINGHAM ESCAREÑO, Vice Chair
PAUL BRADEN, Member
ASUSENA RESÉNDIZ Member
SHARON THOMASON, Member
LEO VASQUEZ, Member

TIMOTHY K. IRVINE, Executive Director

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| CALL TO ORDER | 5 |
| ROLL CALL | |
| CERTIFICATION OF QUORUM | |
| CONSENT AGENDA | 6 |
| ITEM 1: APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS: | |
| EXECUTIVE | |
| a) Presentation, discussion, and possible action on Board meeting minutes summary for December 14, 2017 | |
| LEGAL | |
| b) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Third & Florence (HTC 91130 / CMTS 995) | |
| c) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Parkview Place Apartments (HOME 535031 / CMTS2652) | |
| ASSET MANAGEMENT | |
| d) Presentation, discussion and possible action regarding a change in the ownership structure of the Development Owner, Developer and Guarantor prior to issuance of IRS Form(s) 8609 | |
| 12415 Gardens of San Juan Square San Antonio | |
| e) Presentation, discussion and possible action regarding a material amendment to Housing Tax Credit Land Use Restriction Agreement ("LURA") | |
| 99053 Killeen Veranda Killeen | |
| f) Presentation, discussion and possible action regarding a material amendment to the Housing Tax Credit Application and Waiver of 10 TAC §10.405(a) (7) (A) | |
| 15119 Liberty Square and Liberty Village Groesbeck | |

COMMUNITY AFFAIRS

- g) Presentation, discussion, and possible action on the reprogramming of Program Year ("PY") 2017 Community Services Block Grant ("CSBG") Discretionary funds
- h) Presentation, discussion, and possible action on approval of the Draft Federal Fiscal Year ("FFY") 2018 Department of Energy ("DOE") Weatherization Assistance Program ("WAP") State Plan for Public Comment

HOUSING RESOURCE CENTER

- i) Presentation, discussion, and possible action on the draft 2018 State of Texas Consolidated Plan: One-Year Action Plan

MULTIFAMILY FINANCE

- j) Presentation, discussion, and possible action on a Determination Notice for Housing Tax Credits with another Issuer

17438 McKinney Falls Austin ETJ
 17448 Sun Plaza Apartments El Paso
 17449 Quail Chase Houston ETJ

- k) Presentation, discussion and possible action on Inducement Resolution No. 18-014, Santa Maria Apartments, Fairway Village Apartments, and Forestwood Apartments, for Multifamily Housing Revenue Bonds Regarding Authorization for Filing Applications for Private Activity Bond Authority on the 2018 Waiting List
- l) Presentation, discussion, and possible action regarding an award of Direct Loan funds from the 2017-1 Multifamily Direct Loan Notice of Funding Availability

17511 AHA! at Briarcliff Austin

RULES

- m) Presentation, discussion, and possible action on adoption of the 2018 State of Texas Low Income Housing Plan and Annual Report, and an order adopting the repeal and new 10 TAC Chapter 1, Subchapter A, General Policies and Procedures §1.23 concerning State of

Texas Low Income Housing Plan and Annual Report, and directing their publication in the *Texas Register*

- n) Presentation, discussion, and possible action adopting new 10 TAC §1.5, Waiver Applicability in the Case of Federally Declared Disasters, and directing that it be published for adoption in the *Texas Register*
- o) Presentation, discussion, and possible action on an order proposing the repeal of 10 TAC Chapter 5, Community Affairs Programs: Subchapter A, General Provisions; Subchapter B, Community Services Block Grant ("CSBG"); Subchapter D, Comprehensive Energy Assistance Program; Subchapter E, Weatherization Assistance Program General; Subchapter F, Weatherization Assistance Program Department of Energy; Subchapter G, Weatherization Assistance Program Low-Income Home Energy Assistance Program; Subchapter J, Homeless Housing and Services Program ("HHSP"); Subchapter K, Emergency Solutions Grants ("ESG"); Subchapter L, Compliance Monitoring, and directing that they be published for public comment in the *Texas Register* while renaming Chapter 5 Community Affairs Programs to Chapter 5 Section 8 Housing Choice Voucher Program

REPORT ITEMS

The Board accepts the following reports:

1. Report to the Board on a contract renewal for the Community Action Partnership ("CAP")
2. TDHCA Outreach Activities, (January 2018 B February 2018)
3. Report on the Department's 1st Quarter Investment Report in accordance with the Public Funds Investment Act ("PFIA")
4. Report on the Department's 1st Quarter Investment Report relating to funds held under Bond Trust Indentures

5. Report on change in reporting to the Internal Revenue Service ("IRS") regarding eligible basis

ACTION ITEMS

| | | |
|---------|---|----|
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| a) | Presentation, discussion and possible action regarding site eligibility under 10 TAC §10.101(a)(2) related to Undesirable Site Features 18259 Cannon Courts Bangs | 7 |
| b) | Presentation, discussion and possible action regarding site eligibility under 10 TAC §10.101(a)(3) related to Undesirable Neighborhood Characteristics for Residences of Stillwater in Georgetown | 19 |
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P R O C E E D I N G S

1
2 MR. GOODWIN: I call to order the February 22
3 Board meeting of the Texas Department of Housing and
4 Community Affairs, and we'll begin with a roll call.

5 Ms. Bingham is not here. Mr. Braden is not
6 here.

7 Ms. Reséndiz?

8 MS. RESÉNDIZ: Present.

9 MR. GOODWIN: Present.

10 Ms. Thomason?

11 MS. THOMASON: Present.

12 MR. GOODWIN: Mr. Vasquez?

13 MR. VASQUEZ: Here.

14 MR. GOODWIN: And myself, so we have a quorum.

15 I will now ask Tim to lead us in the Pledge of
16 Allegiance to both the U.S. and Texas flags.

17 (The Pledge of Allegiance and the Texas
18 Allegiance were recited.)

19 MR. GOODWIN: We will begin with the consent
20 agenda, and are there any items that anyone on the Board
21 or any staff member or public member wants to see pulled
22 from the consent agenda?

23 (No response.)

24 MR. GOODWIN: If not, I will take a motion to
25 approve the consent agenda.

1 MS. RESÉNDIZ: So moved.

2 MR. GOODWIN: It's been moved. I'd take a
3 second.

4 MS. THOMASON: Second.

5 MR. GOODWIN: It's been moved and seconded.
6 All in favor say aye.

7 (A chorus of ayes.)

8 MR. GOODWIN: Opposed?

9 (No response.)

10 MR. GOODWIN: Okay. We will move on to the
11 action items.

12 The record will reflect that Mr. Braden has
13 graced us. Welcome.

14 MR. BRADEN: Apologies.

15 MR. GOODWIN: That's all right. Most of us in
16 the room are familiar with Austin traffic and the travails
17 of the weather that we have today. We're glad to have
18 you.

19 So action item number 2, Multifamily Finance,
20 and I understand Marni has also been delayed because of
21 traffic, so who is going to present? Sharon, you're going
22 to present for Marni?

23 MS. GAMBLE: I would never presume to be Marni
24 and ask everybody in this room to please remember that,
25 but I am extremely familiar with all of these items

1 because, of course, Marni and I work very closely together
2 on all these things.

3 Mr. Chair, Board, my name is Sharon Gamble.
4 I'm the administrator for the competitive HTC program at
5 TDHCA.

6 Item 2(a) is presentation, discussion and
7 possible action regarding site eligibility under 10 TAC
8 10.101(a) (2) related to undesirable site features, and it
9 relates to pre-application at this time, number 18259,
10 Cannon Courts which is located in Bangs, Texas.

11 So we received this request last week from an
12 applicant and it's related to 10.101(a) (2) which is part
13 of the rules that deals with site eligibility, and this
14 site located in Bangs, Texas, is 60 units for new
15 construction for general population and it's located near
16 railroad tracks. The railroad tracks themselves are
17 located across from the site, across a state highway that
18 is a four-lane split highway, and then there are other
19 buildings, and then a parcel of land and then the railroad
20 tracks, and I believe 492 feet is the distance of the
21 railroads tracks from the site, and the rule states that
22 if the tracks are within 500 feet, then it's to be
23 reported to the Department as an undesirable site feature.

24 So the language in the rule is clear regarding
25 the type of mitigation that is to be provided for the

1 Board to find the development eligible despite the
2 proximity. The applicant concedes that the City of Bangs
3 has not adopted a railroad quiet zone and does not have a
4 local ordinance that regulates the proximity of a railroad
5 development that would have a smaller distance than 500
6 feet. The applicant provided no evidence of a state or
7 federal cognizant agency that would require a new facility
8 under its jurisdiction to have a minimum separation from
9 housing, and the railroad is not a commuter or light rail
10 line, and all of those are in the rule as mitigating
11 issues for the railroad.

12 As I said, this is a pre-application at this
13 point, we don't have an application yet so we can't look
14 at the funding planned for the application. The applicant
15 did say, however, that this application would be using
16 either FHA or USDA funds and they have pledged that they
17 would comply as a condition of award, if they get one,
18 they would comply with HUD noise standards.

19 So staff considered that, and the rule says
20 that the Board has to make the determination, and as a
21 determination per 10 TAC 10.101(a)(2), the Board may
22 determine whether the information regarding mitigation of
23 the applicable undesirable site feature is sufficient and
24 supports site eligibility. The Board could also require
25 the development to meet the requirements under 24 CFR,

1 Part 51, Subpart B to be determined by an exterior and
2 interior noise study and sufficient mitigation is
3 incorporated into the development to obtain 65 decibels or
4 below daylight average sound level and 45 decibels or
5 below average sound level.

6 And so staff doesn't have a recommendation on
7 this because it really us up to the Board to determine if
8 what the applicant has presented convinces you that the
9 site is eligible.

10 MR. GOODWIN: I just want to make one
11 clarification. The applicant has stated that they would
12 do whatever FHA or USDA requires for sound mitigation,
13 whether they use that financing or not?

14 MS. GAMBLE: I'm hearing a yes.

15 MR. GOODWIN: So that makes it very similar to
16 the request that we had last month on the Georgetown
17 projects.

18 MS. GAMBLE: Exactly. In fact, the applicant
19 stated that they are pending their argument on the
20 decision that was made at the last Board meeting.
21 Correct.

22 MR. GOODWIN: Okay. Any questions?

23 (No response.)

24 MR. GOODWIN: Do I hear a motion to hear
25 comments? I see we have some people that want to talk.

1 MS. THOMASON: So moved.

2 MR. GOODWIN: A second?

3 MR. BRADEN: Second.

4 MR. GOODWIN: Moved and seconded. All in favor
5 say aye.

6 (A chorus of ayes.)

7 MR. GOODWIN: Opposed?

8 (No response.)

9 MR. GOODWIN: Okay. We'll now take comments.
10 And please, if you would, sign in and state your name
11 clearly for us.

12 MS. KIDWELL: Good morning, Mr. Chairman and
13 members of the Board. My name is Susan Kidwell. I'm here
14 today on behalf of Cynthia Bast, so just as she was trying
15 to conjure up Marni, I'm doing my best to conjure up Ms.
16 Bast who is speaking at a national housing conference over
17 in Florida and could not be here today.

18 We represent Cannon Courts, which is the
19 applicant, and I believe the Board understands the close
20 relationship between our application and the one that you
21 considered last month.

22 I've blown up a map that we've actually
23 included in the board packet, and this is on page 657 of
24 your board packet, but I wanted to just kind of orient you
25 to this town. This is the town of Bangs, a typical Texas

1 town, it grew up along a railroad, it's out in central
2 west Texas, about ten miles west of Brownwood, and one of
3 the main features, here's the town, here's the railroad
4 that runs right smack through the middle of the town.
5 Most of the housing is built just south of the railroad.
6 In fact, many of the residential houses in the City of
7 Bangs, they're very close to the railroad, so that is
8 normal, you know, the city hall is right there next to the
9 railroad.

10 Then there's this four-lane highway, although
11 highway as it goes through Bangs, the speed limit slows
12 down to 35, you best not go above 35 or you may find
13 yourself contributing to the local treasury. So it's the
14 main road but it's not like cars are just crashing through
15 there like on I-35 or something.

16 Just north of the highway you've got the high
17 school, this big white building that you can see on your
18 map. There's a middle school that's actually very close
19 to the high school and is actually closer to the railroad
20 tracks than our proposed development. And then here's our
21 proposed development, it's up in this area right here, and
22 what you can perhaps see from this and see in your packet
23 is the development has kind of an interesting shape
24 because it's cut around some existing buildings.

25 And so the distance, the reason why we are here

1 today is because, yes, we are within 500 feet of a
2 railroad track but it's actually 492 feet to get to this
3 very edge which would only be the entranced driveway. The
4 proposed buildings that are going to go up for the 60
5 units, there are three buildings that are planned, and
6 they're all planned for the northern part, and so actually
7 all the buildings are going to be well over 500 feet from
8 the tracks. In fact, the closest building is going to be
9 approximately 695 feet from the tracks.

10 So you know, again, to compare it to the
11 application from Georgetown, Georgetown, the closest point
12 was 427 feet, we're at 492 feet. Georgetown, most of the
13 buildings were going to be built about 450 feet, our
14 buildings are going to be built 600, 695 and over 700 feet
15 from the tracks. And Georgetown and our property both
16 looking at federal financing so we are both going to be
17 complying with the HUD regulations which means we will
18 conduct a noise study and we will do any abatements that
19 are necessary if our sound goes outside of acceptable
20 limits.

21 A couple of other features that I would like to
22 just point out, although I think that the Board will
23 hopefully be consistent with what it did last month, but I
24 think our case presents even more compelling mitigating
25 circumstances. First is that Georgetown, there is

1 basically just a field between the proposed development
2 and the railroad tracks. In this instance, again, you've
3 got the highway that goes through, you've got some
4 buildings, there are things that sort of get in the way of
5 people, like kids couldn't just go run out and run across
6 a field and run to the railroad tracks if safety is an
7 issue. The existence of these things will also mitigate
8 noise a little bit just on their own without having to do
9 anything, noise study, but those are things that HUD will
10 take into account or that we will take into account when
11 we do our noise study.

12 And then finally, I know the Board was
13 interested last month in kind of safety and community
14 concerns, and I would just point out, you know, study your
15 maps but when you see this number of residential houses
16 that are that close to the tracks, the idea of building
17 some affordable housing that's up much further away from
18 the tracks than all of these houses, that's further from
19 the tracks than their middle school, and that's about the
20 same distance from the tracks as their high school, I
21 would suggest that this is very consistent with what is
22 normal for the community of Bangs.

23 So we would ask that the Board make the
24 determination that this site is suitable, despite that it
25 exists within 500 feet of the railroad tracks. Thank you

1 for your time.

2 MR. GOODWIN: Thank you.

3 I don't want to cut discussion short, but if
4 you'll allow me the opportunity to see which Board member
5 would like to make a motion as it relates to this, after
6 they make a motion we'll still ask again for further
7 comments and then we can be discussing whether the Board
8 is making a motion to approve that the site is eligible or
9 ineligible.

10 So is there a Board member?

11 MR. VASQUEZ: Mr. Chairman, I would like to
12 move that we accept the location as eligible.

13 MR. GOODWIN: Do I have a second?

14 MS. RESÉNDIZ: Second.

15 MR. GOODWIN: Okay. We have a motion and a
16 second. Any additional comments?

17 MS. ANDRÉ: Good morning. My name is Sarah
18 André, and I am here to comment and to ask you not to
19 compare this project to Georgetown and the other cities
20 that don't comply with the rule but compare it to all of
21 the other sites that will be before you this year that do
22 comply with the rules.

23 I hate rules, everyone in this room has heard
24 me complain about the rules. That said, they persist and
25 they persist for very good reasons. Some people don't

1 know what to do, they receive guidance from rules; some
2 people don't do the right thing, rules check their
3 impulses. Other people don't have control over what
4 happens or where they live, they don't have many choices,
5 like our tenants, and these rules exist to protect them.
6 In the case of the Tax Credit Program, these rules are
7 protecting our taxpayer investment, where the funds go.

8 Staff spends a solid year crafting these rules,
9 they seek input, they have public meetings, they talk to
10 constituents on the telephone, they do research, they
11 debate endlessly, we pour over every word in these rules,
12 and then finally, one beautiful day in the fall the rules
13 are set for the year and applicants have the opportunity
14 to go out and find a site that complies with those rules.

15 It is like finding a needle in a haystack but it is
16 possible. For every 100 sites you look at, one of them
17 complies, and meets all the scoring criteria, I might
18 add -- they're a bit more intense than the rules even.

19 So I'm asking you today to consider what is the
20 point of all that if the rules are not going to be upheld.

21 Today it's a railroad, next month it's going to be a
22 nuclear power plant that someone wants to put a
23 development next to. Regardless of your ruling today, I'm
24 just here to provide these thoughts and ask that you
25 ponder the rules and ponder their purpose and ponder the

1 consequences of bending those rules.

2 Thank you.

3 MR. GOODWIN: Thank you.

4 Any questions?

5 MS. KIDWELL: Just one quick response.

6 MR. IRVINE: State your name, please.

7 MS. KIDWELL: Susan Kidwell from Locke Lord.

8 We are following the rules. The rules say a
9 site will be ineligible unless the applicant presents
10 information regarding mitigation of the undesirable site
11 feature. So mitigation is built into the rule, that's why
12 we're here today. And I believe the mitigating
13 circumstances that I spelled out in my opening part, those
14 are more than sufficient to support a determination of
15 eligibility in our instance. So we would ask that you be
16 consistent with last month and recognize that this is even
17 a less close call to the extent that last month was.

18 So we are following the rules, that's the main
19 response to that.

20 MR. GOODWIN: Any questions? Any other
21 discussion or comments?

22 (No response.)

23 MR. BRADEN: Mr. Chairman, just to be clear, I
24 think last month when we passed that motion we did include
25 language that they have to comply with the HUD guidelines,

1 and that was one of the things I would suggest that we add
2 with respect to this as well.

3 MR. GOODWIN: Would the maker of the motion
4 accept that?

5 MR. VASQUEZ: Accept the amendment to the
6 motion.

7 MR. GOODWIN: Accept the amendment.
8 Does the seconder accept it?

9 MS. RESÉNDIZ: Yes.

10 MR. GOODWIN: So the motion is made and
11 amended. Now any discussion on the amended motion?

12 (No response.)

13 MR. GOODWIN: If not, I'll entertain a vote.
14 All those in favor say aye.

15 (A chorus of ayes.)

16 MR. GOODWIN: Opposed?

17 (No response.)

18 MR. GOODWIN: Okay. Passed. Thank you.

19 Item 2.B. Welcome, Marni.

20 MS. HOLLOWAY: Good morning.

21 MR. GOODWIN: Good morning.

22 MS. HOLLOWAY: Rain, traffic.

23 MR. GOODWIN: We know.

24 MS. HOLLOWAY: Good morning, Chairman Goodwin,
25 members of the Board. My name is Marni Holloway, I'm the

1 director of the Multifamily Finance Division.

2 I thank Ms. Gamble for pinch-hitting for me.
3 I'm sure she did a great job.

4 Item 2(b) is presentation, discussion and
5 possible action regarding site eligibility under 10 TAC
6 10.101(a) (3) related to undesirable neighborhood
7 characteristics for Residences of Stillwater in
8 Georgetown.

9 The Residences of Stillwater is a proposed
10 development which was brought to our last meeting for a
11 decision regarding eligibility based on proximity to a
12 railroad track, so that's the item that you were just
13 discussing in relation to the first one. The applicant
14 now seeks a Board determination regarding an undesirable
15 neighborhood characteristic. Specifically, the proposed
16 development is located within the attendance zone of an
17 elementary school that did not achieve the Met Standard
18 rating by the Texas Education Agency for 2017.

19 Staff has conducted a review of the proposed
20 development site and surrounding neighborhood, and based
21 on the record of achieving Met Standard for the previous
22 four years and correspondence from a Georgetown ISD
23 official, staff is recommending that the proposed site be
24 found eligible under the Uniform Multifamily Rules.

25 MR. GOODWIN: Any questions for Marni?

1 (No response.)

2 MR. GOODWIN: Jean, did you want to speak to
3 this?

4 MS. LATSHA: (Speaking from audience.) Only if
5 there are questions.

6 MR. GOODWIN: I'll entertain a motion for
7 staff's approval.

8 MR. BRADEN: Move to approve.

9 MR. GOODWIN: Move to approve. Second?

10 MR. VASQUEZ: Second.

11 MR. GOODWIN: Any discussion or questions?

12 (No response.)

13 MR. GOODWIN: I'll call for a vote. All those
14 in favor say aye.

15 (A chorus of ayes.)

16 MR. GOODWIN: Opposed?

17 (No response.)

18 MR. GOODWIN: Okay. Thank you, Marni.

19 Item 2(c) is actually an item that staff is
20 bringing to the Board. This is presentation, discussion
21 and possible action regarding extension of the due date
22 for local government resolutions for affected applications
23 in the 2018 Housing Tax Credit application cycle.

24 Our rules require a governing board resolution
25 in support of a development located in a census tract with

1 20 percent or greater tax credit units per household in
2 order for the application to be eligible for funding.
3 This rule was revised for the 2018 cycle to remove the
4 previous requirement that the place in which the
5 development is located have a population greater than
6 100,000, and that revision was not reflected in the data
7 included in the 2018 site demographic characteristics
8 report which was posted on January 4. This error resulted
9 in a number of census tracts that would require the
10 resolution being omitted from the original list.

11 When the revised list was posted on January 25,
12 an additional 150 census tracts were added, affected 13 9
13 percent pre-applications and at least two 4 percent
14 applications. The last posting of this revised data may
15 mean that affected applicants will not be able to secure
16 the required resolution by the current deadline of March 1
17 for a complete application.

18 Staff is recommending approval of an extension
19 of the deadline to provide a governing body resolution
20 until April 1 for applications located in a census tract
21 that was added to the 20 percent HTC units tab of the 2018
22 site demographic characteristics report after January 4 of
23 2018. All other application deadlines would remain as
24 published.

25 So we didn't catch this change when we posted

1 the site demographics and this is on us, and we are asking
2 the Board to allow affected applicants a little more time
3 so that they can get through city council processes and
4 get that resolution.

5 MR. GOODWIN: Any questions?

6 MR. VASQUEZ: Quick question. So will delaying
7 that a month have other ripple effects for compressing
8 time frames, or would we have to move other dates?

9 MS. HOLLOWAY: I would hope not. This is 13
10 pre-applications in the 9 percent cycle. We don't know
11 how many of them will wind up as full applications. This
12 is one resolution and one would think, one would hope that
13 if the city resolutions supporting the project are also in
14 the application that if the applicant has to go back and
15 get this other resolution that council would continue to
16 support the development. So I think that we'll be okay.
17 And we'll know the minute full apps are submitted which
18 ones are impacted and be able to be on watch for them.

19 MR. GOODWIN: Any other questions?

20 (No response.)

21 MR. GOODWIN: If not, do I hear a motion to
22 approve staff's recommendation?

23 MR. BRADEN: So moved.

24 MR. GOODWIN: It's moved. Do I have a second?

25 MR. VASQUEZ: Second.

1 MR. GOODWIN: Moved and seconded. Any other
2 additional questions or comments?

3 (No response.)

4 MR. GOODWIN: If not, all in favor say aye.

5 (A chorus of ayes.)

6 MR. GOODWIN: Opposed?

7 (No response.)

8 MR. GOODWIN: Okay. Marni, let's go a little
9 out of order now. Let's take item (e), if you don't mind.

10 MS. HOLLOWAY: Item (e), absolutely. 2(e) is
11 presentation, discussion and possible action regarding an
12 amendment to the construction loan agreement for TX Majors
13 Place Apartments. This loan closed on August 14 of 2015
14 with a construction agreement that stipulated a completion
15 date of not more than 18 months from the date of the
16 agreement, so the original completion date was February 14
17 of 2017.

18 The CLA has been previously amended
19 administratively, which is allowed by our rules, extending
20 the completion date to 30 months which puts it at February
21 14 of 2018. Our Multifamily Direct Loan Rule requires
22 Board approval for an extension beyond 12 months to the
23 construction completion date, as well as documentation
24 that the extension is necessary to complete construction
25 and that there is good cause for the extension. The

1 Multifamily Direct Loan Rule requires substantiation of
2 necessary and good cause for extensions such as the one
3 being requested.

4 The development owner claims that construction
5 was substantially completed by October of 2017 but a final
6 inspection request was not submitted to TDHCA because the
7 owner was waiting for certificates of occupancy from the
8 city. It is anticipated that the development will receive
9 a final inspection in March, with an inspection letter
10 likely issued in April. Many final construction
11 inspections require some corrective actions which is
12 anticipated to be completed within 60 to 90 days from the
13 date of the letter. When all corrective action has been
14 cleared, the development receives a closed final
15 construction inspection and is able to draw \$191,000 in
16 retainage that's left on the loan.

17 Staff recommends extension of the completion
18 date of the construction loan agreement up to 38 months
19 from the date of the agreement, making the new completion
20 date no later than October 14, 2018.

21 MR. GOODWIN: That's staff's recommendation?

22 MS. HOLLOWAY: Yes, it is.

23 SPEAKER FROM AUDIENCE: If need be, I'm glad to
24 answer questions.

25 MR. GOODWIN: Okay. Well, then I'm going to

1 entertain a motion for approval of staff's recommendation
2 or denial.

3 MR. VASQUEZ: Could I just ask one question?
4 So effectively construction is complete at this point?

5 MS. HOLLOWAY: That's what the applicant has
6 told us and they've told us that they're starting to
7 occupy the development, but because of these delays, we
8 don't have the official --

9 MR. VASQUEZ: We have to still finish all the
10 paperwork and everything.

11 MS. HOLLOWAY: Right. It's just getting
12 through our process.

13 MR. VASQUEZ: Okay.

14 MR. GOODWIN: Any other questions?

15 (No response.)

16 MR. GOODWIN: Do I hear a motion?

17 MR. VASQUEZ: I'd like to make a motion to
18 approve staff's recommendation to extend the date on this.

19 MR. GOODWIN: A second?

20 MS. THOMASON: Second.

21 MR. GOODWIN: It's been moved and seconded.

22 Any other questions or discussion?

23 (No response.)

24 MR. GOODWIN: All those in favor say aye.

25 (A chorus of ayes.)

1 MR. GOODWIN: Opposed?

2 (No response.)

3 MR. GOODWIN: Okay. Now, Marni, let's move to
4 2(d), but let's take 18159, -161 and -164 first, and then
5 we'll come back to -269, 2400 Bryan as our last.

6 MS. HOLLOWAY: Absolutely.

7 So under item 2(d), this is presentation,
8 discussion and possible action on a timely filed appeal of
9 pre-application termination under the Department's
10 Multifamily Program Rules. This appeal relates to pre-
11 applications 18159 for Rutherford Park and 18161 for
12 Monroe Crossing. Late yesterday the applicant has
13 withdrawn their appeal for 18164, so we're just talking
14 about two applications here.

15 Both of these applications were filed by the
16 same applicant and have the same fact pattern behind them,
17 so I don't think it's necessary to split them off as
18 separate actions between the two. The pre-applications
19 were timely submitted to the Department and notices of
20 termination were provided for failure to attach required
21 documentation for the pre-application to be considered
22 complete. The applicant timely filed an appeal which the
23 executive director has denied.

24 The QAP states that pre-applications will be
25 terminated unless they meet the threshold criteria

1 described in the rule which includes site control and a
2 map of the census tract in which the proposed development
3 is located with an outline of the proposed development
4 site. Staff was unable to review the site control
5 documents in the submitted pre-application for Monroe
6 Crossing and the site control documents or census tract
7 map for Rutherford Park because the hyperlinks to these
8 documents were inoperable.

9 So just as a point of background, we use an
10 online service called Jotform to receive all of our pre-
11 applications. There were close to 400 of them this year.

12 The applicants upload their supporting documentation to
13 Jotform and it creates a hyperlink within the pre-
14 application that we receive. So if you go on our website
15 right now today and open up one of the pre-applications
16 and click on the hyperlink, it actually takes you to
17 Jotform to look at what that supporting documentation is.

18 So staff guidance on the pre-application
19 submission repeatedly made it very clear that applicants
20 should check each uploaded document to ensure that it was
21 properly uploaded. Guidance suggested that applicants
22 check the hyperlinks prior to submission of the pre-
23 application and again after the submission in order to
24 make sure that those documents could be accessed.
25 Instructions for both operations were provided to

1 applicants, along with instructions on how to fix any
2 missing documents.

3 In its appeal, the applicant insists that the
4 hyperlinks were tested and functioned properly when they
5 were tested. The applicant presents multiple potential
6 reasons for document hyperlink problems, including using a
7 Safar browser when submitting the application. Of the
8 almost 400 pre-applications submitted, it's likely that
9 more than those from this applicant were submitted from
10 machines using Safari, so submitted from Apple machines.
11 Unusually long names for hyperlinks was used as part of
12 the defense, and staff counted the number of letters in
13 several of the broken hyperlinks and determined that there
14 were links with longer names even within the applicant's
15 own submission.

16 The applicant did not resubmit the pre-
17 applications after checking that the hyperlinks were
18 working, and resubmission is not necessary if a change is
19 made to the pre-app. If the applicant had checked the
20 pre-applications after submission, as suggested by staff
21 guidance, they would have realized that the links did not
22 work and could have taken care of the issue at that time.

23 Because site control documentation and census
24 tract maps were not included in the pre-applications, in
25 accordance with the rule, the pre-applications are deemed

1 to have not been made. Staff recommends denial of the
2 appeal.

3 MR. GOODWIN: Any questions?

4 MR. BRADEN: Marni, have you had any other
5 reports of issues like this on any of these other deals?

6 MS. HOLLOWAY: No. These issues were limited
7 to this applicant and they actually submitted more
8 additional pre-applications beyond these. Those are
9 clearly ones that they're not planning on moving forward
10 with so they're not included in this appeal, but it was
11 really all of the pre-applications submitted by this
12 applicant had this issue.

13 MR. BRADEN: Thank you.

14 MR. GOODWIN: And how many applications did
15 this applicant submit?

16 MS. HOLLOWAY: There were eight ten? Eight.

17 MR. GOODWIN: Eight. Okay.

18 Any other questions?

19 (No response.)

20 MR. GOODWIN: Obviously we have people here
21 that want to comment, so I'm going to entertain a motion
22 to receive and hear comments.

23 MR. BRADEN: So moved.

24 MR. GOODWIN: So moved. Second?

25 MS. THOMASON: Second.

1 MR. GOODWIN: It's been moved and seconded.
2 All in favor say aye.

3 (A chorus of ayes.)

4 MR. GOODWIN: Opposed?

5 (No response.)

6 MS. DULA: Good morning. Tamea Dula with Coats
7 Rose, appearing on behalf of the developers here, Steve
8 Ford and Dwayne Henson.

9 Before I begin, Marni has described how the
10 TDHCA uses a Jotform type of application for the pre-
11 applications, and I have here a four-page letter,
12 correspondence with Jotform that we would like to present.

13 We would have presented it in time to get it into the
14 Board book but we didn't get the correspondence until
15 after that date. I did talk with Sharon about it
16 yesterday and described what the correspondence said,
17 suggested that maybe the appeal should be granted by the
18 executive director or asked if she wanted to delay the
19 appeal here to the Board until March, and she preferred to
20 go ahead today. So TDHCA is aware of the letter, they
21 haven't received it yet, but we'd like to have permission
22 to provide you with a copy of it, and we have brought 100
23 copies.

24 MR. GOODWIN: Can we take a look at it, have
25 counsel take a look at it for us, please?

1 Very clear. They could have done it in smaller
2 print.

3 MS. DULA: I'm sorry. That's the best we could
4 do on that.

5 So are we good to go on that?

6 MR. GOODWIN: Let's hold off until we hear from
7 Beau.

8 (Pause to review document.)

9 MR. GOODWIN: We'll accept it.

10 MS. DULA: Okay. Thank you.

11 All right. Indeed, this is an appeal of two
12 out of eight pre-applications that were terminated, and we
13 have here a situation where the rules were followed and
14 technology rears its ugly head.

15 Lilly Kathekar is the person who did the
16 submissions on these pre-applications. She is extremely
17 experienced. She did them last year with the same Jotform
18 type of application, no problems. She's never had an
19 application terminated since 1998. She has been
20 successful using virtually the same process last year.
21 All the steps were followed, she goes by the procedures
22 manual, she submitted it, they received a confirmation of
23 the submission with a link in it. Lilly checked the link
24 as required, checked to see that the links online were
25 working, which she'd already done before she submitted it,

1 but she also checked it then, they were working. Then on
2 the day of the application she entered the link again just
3 to make a printout of what was there, and when you print
4 it out, it shows the URL, the name of the file for the
5 attachments, but it doesn't print out the attachments and
6 she did not enter the attachments then.

7 So we were very confused when we found that all
8 eight of the applications were being terminated because
9 the URLs did not work, there was no link that was workable
10 to get to the documents that were attached. This was not
11 a situation where at 4:30 on the day of the deadline she
12 was frantically trying to submit things. These were
13 submitted in advance; one was submitted on the 5th, the
14 deadline was the 9th of January. All of them were
15 submitted before noon on the day of the application, so
16 she had plenty of time in which to do all of this process
17 and she did do so.

18 It's not a situation where there was any
19 incentive to try to delay because we had all the earnest
20 money contracts. One of them is a year old and it's still
21 there, signed and receipted well in advance of the
22 deadline. The census tract data is public data so there's
23 no reason to try to delay filing an application or a pre-
24 application because you don't have that kind of data, so
25 there was absolutely no incentive and the record shows

1 that she did it all in terms of timing well in advance of
2 the deadline, and Lilly is here to talk to you about how
3 she did it.

4 In looking at the eight applications, trying to
5 figure out what happened, we noticed that the attachments
6 that were not accessible were two to three lines in
7 length, the description of the attachment, and they were
8 broken off, and we thought initially that perhaps the name
9 was just too long. Then we did some research to find out
10 what caused linkage breaks in Jotform, and this is just
11 online research, and we found that there were many
12 instances of people complaining that their links were
13 broken and what happened, why did it happen, and these
14 were reported from 2011 through the end of January 2018
15 there were reports. And basically, the gist of what was
16 said was that if you have a URL that has a space in it or
17 it has an unusual symbol in it that that can sometimes be
18 a contributory factor toward the link breaking.

19 MR. GOODWIN: Isn't all of that said in here?

20 MS. DULA: Well, it says even more. Yes, it
21 does say that in here. But then one of these people at
22 the developers group corresponded with Jotform, that is
23 what you're looking at, the correspondence that they had
24 about the particular the particular pre-applications that
25 we're talking about, and so Jeremy Bartholomew will tell

1 you about that.

2 MR. GOODWIN: The basis of yours is we did what
3 we were supposed to do, our staff didn't receive what
4 they're supposed to, it wasn't your fault, it wasn't
5 staff's fault, and it wasn't Jotform's fault.

6 MS. DULA: Basically.

7 MR. GOODWIN: Or something happened in
8 cyberspace that none of us can figure out.

9 MS. DULA: That is basically it, yes.

10 MR. GOODWIN: I know you have other people that
11 want to comment, so kind of bring it, since we're a little
12 past the three minutes.

13 MS. DULA: We'll give it to Lilly.

14 MR. GOODWIN: Okay. Before you leave the
15 podium, does anybody have questions of Tamea?

16 (No response.)

17 MR. GOODWIN: Okay. Thank you.

18 MS. DULA: Thank you.

19 MS. KATHEKAR: Good morning. My name is Lilly
20 Kathekar. I've been working on TDHCA applications for Mr.
21 Steve Ford and Mr. Dwayne Henson since 1998 and the
22 applications were typed volumes and submitted in binders
23 and now evolved to online submissions. I study the QAP
24 and rules, then follow directions from the procedures
25 manual to complete pre-applications and applications. In

1 addition to 9 percent competitive application submissions,
2 I have also submitted carryover allocation documentation,
3 10 percent test documentation, construction inspection
4 documentation and cost certification documentation to
5 TDHCA in a timely manner and without any problems. I have
6 also submitted successful applications for SECO grants,
7 HTF loans, and TCAP funds. I'm familiar with the TDHCA's
8 FTP server, CMTS server and I've never had any issues and
9 I've never had any applications terminated so far.

10 In 2018 pre-application round, with my
11 handwritten planning template, I followed instructions per
12 the procedure manual to complete the pre-application for
13 Rutherford Park and Monroe Crossing, uploaded three files
14 as required, earnest money contract, census tract map, and
15 list of amenities, and submitted the pre-application prior
16 to the January 9 deadline to avoid any problems.

17 When Mr. Ford and Mr. Henson received the
18 development owners email of acknowledgment of submission,
19 using the link provided in the email, I followed
20 directions, verified the applications, tested the links to
21 ensure they were working. On January 9, using the same
22 link provided, I once again accessed the application to
23 make sure everything was working and wanted to just go
24 basically to print the form to make sure I have a copy of
25 it for our records. I was not aware of any problems.

1 Thank you.

2 MR. GOODWIN: Thank you.

3 Any questions?

4 (No response.)

5 MR. GOODWIN: Anybody else want to speak?

6 MR. BARTHOLOMEW: Good morning. Jeremy
7 Bartholomew. I'm part of the development team for these
8 two projects. And what I want to do briefly is just go
9 through this dialogue with Jotform to just highlight some
10 of the points of what the conversation concluded for us.

11 As Marni pointed out, they use the system, the
12 Jotform system is a third party system. So you see the
13 first, John is from our office, he's asking the questions,
14 he says: We've uploaded these documents and what it
15 appears -- and it's not the notification that we received,
16 we asked for the notification that staff received to be
17 sent back to us, when we got that notification, that's
18 when you can mouse over the email and determine it's
19 splitting one file into two different hyperlinks.

20 So you'll notice on this first page were it
21 says Monroe Crossing, if you look down in blue it says
22 Monroe Crossing, and then it says "Fully executed and
23 receipted earnest money contract." That's actually one
24 file, and what it did, once it went into their system we
25 don't control the links that this system makes, we have

1 one file, it splits it into two links, so obviously when
2 you click on just Monroe Crossing that's where nothing
3 happens. But we never had a file just named Monroe
4 Crossing, there's no PDF, .pdf or .doc associated with.

5 So we were inquiring to say it appears it's
6 splitting it into two links. You'll see the response is
7 he's saying he cloned the form which just means he cloned
8 TDHCA's form, he wanted to test the name. So moving on to
9 page 2, you see he cloned the name, he retested the name,
10 and he said, So far the files are working and
11 downloadable. He said he also tries the files in each of
12 the email notifications and they're working. So again,
13 what he's doing here is testing the full correct name of
14 the file.

15 The third page he says, "I investigated further
16 by checking the mail log." So he's going back into the
17 actual logs, into our actual submission. He goes in and
18 says, "I looked at the actual submission you mentioned. I
19 found out that the problem occurred in your customized
20 email notification named Notification 1." Again, we don't
21 control any of this, this is in their system, this is the
22 notifications that TDHCA creates within the Jotform
23 system. He said, "The notification shows the file just
24 fine. To fix it, delete Notification 1, then create it
25 again."

1 Our response is that, "Well, we're the user,
2 we're not the creator, but would it be correct in saying
3 that this error was not due to anything on my end?"
4 Jotform support says, "Yes, it has nothing to do on your
5 end. It's the customized notification of the user form,
6 specifically the Notification 1." He's saying you have a
7 bug, you have a problem in this Notification 1 that is
8 taking one file and splitting it into two hyperlinks.

9 The fourth page is a followup question
10 regarding Rutherford asking similar questions. The
11 gentleman says, he alludes to the fact saying
12 unfortunately some of the files were uploaded before the
13 fix, so alluding that there was a fix, it had a broken
14 link, and he says, "Two links were being created instead
15 of one." So he indicates that it's problem within the
16 system. This is beyond reasonable doubt, this is him
17 explicitly stating we have a problem within this, you had
18 a bug within this that's splitting one file into two
19 links.

20 All we're trying to do is compete for this
21 project, and we've spent a lot of time, we have a
22 tremendous amount of support, and we're here because we
23 have a bug in a notification and I don't think it's a
24 material reason to be able basically to say these projects
25 are out.

1 MR. GOODWIN: Thank you.

2 Any questions?

3 (No response.)

4 MR. GOODWIN: Anybody else want to speak?

5 Marni, do you have anything you want to add?

6 MS. HOLLOWAY: Yes, please.

7 MR. GOODWIN: Okay.

8 MS. HOLLOWAY: So a couple of things, and we
9 did receive this letter via email late yesterday. I'd
10 like to point out that on the second page, the links that
11 are listed here are not the links that were in the Jotform
12 that we received, these are different names, so I don't
13 know that Jotform has done in order to recreate these
14 links.

15 I also would point out in the line about
16 "Apparently there must have been a bug in the URL
17 creation," that sentence continues to say "or these files
18 were not uploaded correctly." Also, in our Uniform
19 Multifamily Rules, 10.2011(c) which addresses uploading
20 applications and providing application information to the
21 Department, it says, and I'm reading, "Where there are
22 instances of computer problems, mystery glitches, et
23 cetera, that prevents the application from being received
24 by the Department prior to the deadline, the application
25 may be terminated.

1 So again, apparently there was some issue with
2 these documents being uploaded to Jotform. I don't know
3 what it was and I don't know that it's really clear here
4 exactly what happened, but ultimately we did not receive
5 the attachments for eight pre-applications from one
6 applicant, and so those pre-applications did not meet
7 threshold criteria.

8 MR. GOODWIN: Any questions for Marni?

9 Mr. Ford wants to speak.

10 MR. FORD: Steve Ford. I am the sponsor of
11 this and many others.

12 Quite honestly, I don't understand anything
13 about what hyperlinks are. I tried to figure it out on
14 the way in but it baffles me. All I do know is that it
15 seems like if there's a chance that the flaw was not in
16 our uploading, that we didn't do anything wrong, if
17 there's a chance of that and maybe the Department can tell
18 me with 100 percent certainty that there was no flaw, all
19 we're asking for is the pre-app points, which nobody is
20 giving us any credits, nobody is telling us we won. This
21 is like one of those 30K cross country ski races and we
22 just got the first tag, we're a long way from winning.

23 But we've done a lot of this. I started in
24 1988 and we've done 12- or 15,000 affordable units, we
25 used to turn them in packages like this and now we're not

1 allowed to. We went from that package to a disk and now
2 we've gone to this, and I don't have a clue once that
3 button is pushed what actually happens. Maybe everybody
4 up here is better than I am but I'm just not there. But
5 it appears, from the documentation we have, it appears
6 that there could have been a flaw in the upload system
7 that was not on our side of the equation, and if that's
8 the case, it seems like -- I don't know, how many points
9 are we dealing with here?

10 SPEAKER FROM AUDIENCE: Six.

11 MR. FORD: Six. Six is the difference in even
12 competing at all. So anyhow, that's all I have to say
13 under the minutes.

14 MR. GOODWIN: Any questions for Mr. Ford?

15 MS. DULA: Tamea Dula once again. Claire
16 Palmer has just told me that she has a client that this
17 happened to in this 2018 round also but he chose not to
18 appeal.

19 MS. ANDERSON: Good morning. My name is Sarah
20 Anderson, and I have nothing to do with this deal. As a
21 matter of fact, I have deals that are probably competing
22 with it, so it is not in my best interest to be up here
23 speaking, but that doesn't usually stop me.

24 And I would like to say that it is entirely
25 possible that this was a Jotform issue. We had a lot of

1 problems, the day of submission. I was almost crying
2 because Jotform was so problematic and buggy the day of
3 application. From what I've read of that letter, I think
4 it's pretty compelling if there's any question, I
5 personally would have more conversations with Jotform. I
6 think every single applicant has had issues, has seen
7 bugs. We can't control it.

8 Again, I'm probably speaking against my
9 interest on this, but I would hope that if I were in the
10 same position that somebody would come up and say what I'm
11 saying, and I think if this is going the wrong direction
12 that you should spend more time looking at it because I
13 think the evidence they submitted was pretty compelling,
14 from what we read.

15 MR. GOODWIN: Thank you.

16 Any questions?

17 (No response.)

18 MR. GOODWIN: It looks to me like we have no
19 other speakers. Do I hear a motion from a Board member?
20 And as I understand it, staff's recommendation is to
21 remain that these two applications are ineligible for pre-
22 submission.

23 MS. HOLLOWAY: Yes. Staff recommendation is to
24 deny the appeal on the basis that these were not complete
25 applications, they did not meet threshold.

1 MR. VASQUEZ: Did you say they were using the
2 Safar browser?

3 MS. HOLLOWAY: That was one of the potential
4 reasons for this issue that was listed in their initial
5 appeal letter -- or their appeal to the executive
6 director, actually.

7 MR. VASQUEZ: If we grant this, can we at least
8 deduct points for them using the Safari browser?

9 MR. GOODWIN: Steve, do you know what a Safari
10 browser is? You take a big gun and you hunt.

11 (General laughter.)

12 MR. GOODWIN: Any other questions for Marni?

13 MR. BRADEN: Marni, I'm not suggesting that we
14 delay this, but is there any reason if we wanted to delay
15 this to allow you more time to look into this, would there
16 be any benefit or problems with that?

17 MS. HOLLOWAY: Well, one problem would be the
18 applicant would either -- because we would be at the March
19 meeting earliest, would either be submitting a full
20 application or not submitting a full application, not
21 knowing whether they have those six points. If the
22 applicant is willing to move forward with that
23 uncertainty, that would certainly be up to them. I'm not
24 seeing, at first glance, anything in the information from
25 Jotform that leads me to question the conclusions that we

1 came to. If you look in -- and I don't know what page it
2 is in the Board book supplement, we actually did quite a
3 bit of work to try to correct these issues. We went back
4 and tried to repair the links, we tried to put the broken
5 links together to see if it was just some odd thing and
6 could we still get there, we went back and looked at
7 access logs, and we actually did a lot of work behind this
8 hoping to get to, no, we're not going to terminate, but we
9 just were not able to get there.

10 MR. BRADEN: Because we also just heard, mind
11 you, at least from a couple of different people say that
12 they were having problem too.

13 MS. HOLLOWAY: So Jotform is imperfect, and we
14 know that and we've all known that. It was put in place a
15 few years ago and we started working for the 2018 round on
16 an internal pre-application system, something that we've
17 designed and we control, we were not able to get to a
18 finished product in time for this year. It is on IS's
19 list of projects for the coming year to create a pre-
20 application system that we control internally rather than
21 dealing with an outside vendor.

22 MS. THOMASON: Did we just hear that there was
23 another applicant who also had this same problem and chose
24 to appeal, so were there other applicants?

25 MS. HOLLOWAY: Did we have others? She's going

1 to remember terminations.

2 MS. GAMBLE: Sharon Gamble, administrator for
3 the 9 percent program.

4 I don't recall another applicant having this
5 particular situation. There was one applicant that I know
6 of that thought that they uploaded something but there was
7 nothing there, there was no link there, there was no
8 indication of anything at all, and so that is the one that
9 I remember. I'm not exactly sure which applicant that
10 person was speaking of. And there were absolutely other
11 applicants that were having problems with their uploads on
12 that day. In just about every instance, though, staff was
13 contacted either by phone or by email and I was able to
14 talk every single one of them through getting their
15 documents uploaded.

16 MS. THOMASON: Thank you.

17 MR. GOODWIN: Any additional questions?

18 (No response.)

19 MR. GOODWIN: Did you want to speak, ma'am?

20 MS. PALMER: Claire Palmer. I'm not really
21 representing anybody here today on this issue.

22 One of my clients, in fact, had a similar
23 issue, not the same issue with the upload but his
24 printouts, when he got to the end and hit the button and
25 printed out his own copies, showed the link there but the

1 document that came back from TDHCA did not have the link.
2 He didn't open it up again to check so he decided that
3 was his fault, but it was clearly shown that the link
4 uploaded in the printout of the initial pre-application.
5 So I don't know where that broken piece was but a lot of
6 people have had a lot of problems with Jotform and the
7 upload.

8 That's all I have.

9 MR. GOODWIN: Any questions for Claire?

10 (No response.)

11 MR. GOODWIN: No further comments. John, did
12 you have a comment?

13 MR. BARTHOLOMEW: Again, Jeremy Bartholomew.

14 MR. GOODWIN: Jeremy, sorry.

15 MR. BARTHOLOMEW: I have to oppose what was
16 said. If you look on page 3 of his response, it clearly
17 states that there is a problem in the notification. I
18 don't know what else we could produce that would be as
19 emphatic as this. He's saying, "I investigated the actual
20 logs of your submission and it shows the problem. I found
21 out the problem occurred in your customized email
22 notification, Notification 1." Again, that's not what we
23 control, that's within the system. He's saying you have a
24 problem with this notification. We don't know where that
25 notification goes, but he's saying, "You have a problem

1 with this notification. To fix it, delete it and start
2 over again." That's not something we control.

3 MR. GOODWIN: Thank you, Jeremy. Sorry about
4 that.

5 Any questions?

6 MS. RESÉNDIZ: Mr. Chairman, I would just like
7 a little bit of clarity on the browser user. Now,
8 according to this, what was submitted, we used Chrome to
9 upload everything. Is that correct?

10 MS. DULA: Tamea Dula. No. Safari was used to
11 upload.

12 MS. RESÉNDIZ: Okay. So why is the Chrome
13 application being shown.

14 MR. BARTHOLOMEW: What he has done first,
15 before that conclusion on the third page, is he has
16 recreated the file names to test the file name, to say
17 he's recreating some names to test them and see if it
18 works. Then he further, on page 3 says, "I investigated
19 further." This was the Jotform support's work, this
20 second page is what he was doing, the test that he was
21 doing.

22 MS. RESÉNDIZ: So there are no instructions
23 stating that either Chrome or Internet Explorer or Safari
24 need to be used to create any applications?

25 MR. BARTHOLOMEW: Not to my knowledge, no.

1 MS. RESÉNDIZ: Thank you.

2 MR. GOODWIN: Other questions? Tim, do you
3 have a question?

4 MR. IRVINE: Yes. Regardless of notification
5 issues, can it be actually confirmed that the required
6 document was, in fact, uploaded prior to the due date?

7 MS. DULA: Tamea Dula again.

8 The printouts f the pre-application show the
9 unique name that Lilly Kathekar used in naming the
10 documents, that name is there. It would not be there
11 unless something had been uploaded. When the TDHCA
12 responded to our appeal, they provided a copy of one pre-
13 application that had three lines in the earnest money
14 contract indicating that multiple lines were okay, the
15 length of the URL was not an issue, but those three lines
16 were three different documents, it was not a situation
17 where there was an extremely long name, they were all
18 different PDFs.

19 Here, I think what happened possibly is that
20 there was a space between Monroe Crossing and the rest of
21 the name and that might have triggered what was in the
22 notification, number one, that bug. Because clearly other
23 people, who may not have used spaces, did not have that
24 problem, didn't trigger the notification. I don't think
25 the notification is unique as to each pre-application, in

1 all likelihood. But there were no instructions on how you
2 name your document in order to upload it.

3 So our position is that it was properly done,
4 it was properly checked, it was all in order, it wasn't
5 resubmitted because there were no errors in it and nothing
6 had to be corrected.

7 Thank you.

8 MR. GOODWIN: Additional questions?

9 (No response.)

10 MR. GOODWIN: If nobody else wants to speak, I
11 will entertain a motion from some like-minded Board
12 member.

13 MR. VASQUEZ: Mr. Chairman, while I still want
14 to deduct points for using Safari, I would move to accept
15 the request -- the appeal to accept the application as
16 timely.

17 MR. GOODWIN: As timely for pre-application
18 points?

19 MR. VASQUEZ: For pre-application.

20 MR. GOODWIN: Okay. Is there a second to Mr.
21 Vasquez's motion?

22 MS. RESÉNDIZ: Second.

23 MR. GOODWIN: It's been moved and seconded.
24 Any further discussion or questions?

25 (No response.)

1 MS. HOLLOWAY: I would point out, as you are
2 working through your motions, that we still do not have
3 those threshold documents. So until those are submitted
4 to us and we're able to evaluate them and make sure that
5 they, in fact, meet the criteria, we still have a little
6 more work to do.

7 MR. GOODWIN: Okay. So would you amend that
8 motion to suggest that upon verification?

9 MR. VASQUEZ: To deem that it was filed timely
10 pending -- I'm not saying we're granting the points, just
11 deemed that it was filed timely. Is that sufficient?

12 MR. GOODWIN: Accept that for the second?

13 MS. RESÉNDIZ: Second.

14 MR. GOODWIN: Yes, that's sufficient. Any
15 other questions or comments?

16 (No response.)

17 MR. GOODWIN: If not, all those in favor say
18 aye.

19 (A chorus of ayes.)

20 MR. GOODWIN: Opposed?

21 (No response.)

22 MR. GOODWIN: Thank you very much.

23 So we will move on to our last item on the
24 action agenda which is 2(d), 18269, Bryan Tower.

25 MS. HOLLOWAY: All right. So this is our last

1 one. This is presentation, discussion and possible action
2 on a timely filed appeal of pre-application termination
3 under the Department's Multifamily Program Rules. This
4 application is number 18269, this is 2400 Bryan Street.

5 This is one of the early applications submitted
6 by January 26 in order to qualify for the ten points
7 related to declared disaster areas, as we discussed in the
8 meeting last month. The Department did not receive a
9 letter from a state representative regarding the
10 application prior to the early application due date of
11 January 26.

12 On January 29, 2018, the Department received a
13 request from the applicant to extend the submission
14 deadline for the state representative letter stating that
15 the representative was unable to complete the review and
16 his due diligence of the information and materials
17 provided to his office regarding the proposed development
18 in Dallas. Based on the Board's interpretation of our
19 statute that in order for an application to qualify for
20 points under that provision under the disaster provision,
21 it needed to be submitted in its entirety by the second
22 anniversary of the disaster declaration, which in this
23 case was January 26, so the executive director denied the
24 request for extension.

25 The request cites the QAP related to the

1 program calendar says non-statutory deadlines specifically
2 listed in the program calendar may be extended by the
3 Department for a period of not more than five business
4 days. This section is not applicable as a basis for
5 seeking extension for disaster point eligibility because
6 the deadline by which the letter was due is not a deadline
7 specifically listed in the program calendar. The deadline
8 the applicant is requesting to be extended has been
9 interpreted -- the statute has been interpreted by this
10 Board to be January 26.

11 It is important to note that although the
12 application was not complete on January 26, it was
13 completed prior to March 1 of 2018. Accordingly, staff
14 acknowledges that the application may still receive full
15 points for the state representative's letter of support
16 but based on last month's decision, will not be eligible
17 to receive the declared disaster area points.

18 Staff recommends the Board deny the request to
19 extend the deadline.

20 MR. GOODWIN: Okay. Any questions for Marni?
21 I have a question. What disaster was it that happened two
22 years earlier?

23 MS. HOLLOWAY: I have no idea.

24 (General laughter.)

25 MR. GOODWIN: Okay. I'm sure somebody on this

1 front row is going to be able to tell us the answer to
2 that question, and since we have people that want to
3 comment, I will entertain a motion to accept comments.

4 MR. BRADEN: So moved.

5 MR. GOODWIN: And a second?

6 MR. VASQUEZ: Second.

7 MR. GOODWIN: It's been moved and seconded.

8 All in favor say aye.

9 (A chorus of ayes.)

10 MR. GOODWIN: Opposed?

11 (No response.)

12 MR. GOODWIN: We will start hearing comments.

13 MS. PALMER: Thank you. Claire Palmer,
14 representing the applicant in this matter. And I want to
15 point out that Mayor Mike Rawlings of the City of Dallas
16 was in route to come today, he's on the tarmac in Dallas
17 still, and has sent a representative in his place, and we
18 also have State Representative Morgan Meyer here to talk
19 regarding his support to this project.

20 Really quickly, obviously as between the ten
21 points for the declared disaster and an eight point
22 representative letter, we would not be choosing between
23 those two, so that was never a request, and when staff
24 came back with that, I was a little surprised because that
25 was not even in any of the materials that we provided to

1 you. This issue doesn't have to do with picking between
2 the two.

3 Much like item 2(c) that you heard earlier
4 about the 20 percent test, this is a matter of equity and
5 clarity. Both involve statutory requirements in the
6 statute that are also included in the QAP and in this
7 context there was an extra deadline added this year for
8 the very first time. In order to get the declared
9 disaster points, you had to file those applications in the
10 affected counties by January 26. We didn't find that out
11 until December and it was never republished in the QAP
12 calendar. The calendar remains to have the application
13 deadline as March 1 with a separate line item for input
14 from elected officials also due March 1.

15 We went immediately to the City of Dallas and
16 they said, Oh, my gosh, we don't know anything about this,
17 our process takes six to eight weeks, there's no way we
18 can get you a resolution. So we were at a place where we
19 thought we probably wouldn't be able to file because we
20 couldn't possibly make that deadline. The City of Dallas
21 waived multiple hearings and meetings in order to get our
22 project, which they support a great deal, onto their
23 calendar but it didn't go onto their calendar until their
24 January 24 meeting and a resolution was issued on January
25 25.

1 MR. GOODWIN: January what?

2 MS. PALMER: 25th, the day before applications
3 were due.

4 Representative Meyer, as he should, wanted to
5 know that the city supported the application before he
6 made his decision about sending in his letter. He did not
7 have the city support resolution until the day before the
8 applications were due.

9 To add to this confusion, on January 4 -- and
10 you have a copy of this -- TDHCA staff sent an email to
11 every single representative's office saying: The deadline
12 for filing your support is March 1; don't file early
13 because you can't rescind it, so the deadline is March 1.

14 They already knew that there was a January 26 deadline
15 that was going to come along as well, but that letter went
16 out saying you have till March 1, and they really need
17 till March 1 because it takes time to review these
18 projects. It was very difficult to make the January 26
19 deadline.

20 At the January 18 meeting of TDHCA, this issue
21 was brought to the Board and the Board ruled that a full
22 application means every single piece of an application. I
23 don't think that's actually what the Board meant, because
24 that would mean that market studies were also due on
25 January 26, and I can assure you there's not one single

1 market study in any application that was filed on January
2 26 because they're not due until April 1 in the calendar.

3 And so the resolution, on its face, that was made on
4 January 18 is clearly incorrect.

5 And I believe firmly that based on the calendar
6 and precedent from TDHCA -- I took you back to 2011 -- for
7 years and years and years, the input from elected
8 officials was due two months after application, it was
9 then due one month after application, and finally in 2016
10 it was put on the day of the final application deadline,
11 but always as a separate line item in the calendar so that
12 it's clear to the elected official that their date is
13 March 1. This caused a lot of confusion this year.

14 To top it off, after the January 18 meeting,
15 staff sent a letter to the representatives in the affected
16 counties only saying that: Remember your deadline is
17 March 1, but oh, maybe if you are in an affected county,
18 it might be due early. It doesn't have a date, January 26
19 is never mentioned in there, and as a result, there was no
20 way really for representatives to know other than what we
21 told them exactly when that letter was due. We had told
22 Representative Meyer -- and he's not blaming anyone and
23 he's been awesome -- but he does support the application,
24 he just wanted time to be able to review what the city was
25 saying and to do his job and provide all the due diligence

1 he needed so that he could support a really worthy
2 project.

3 So really and truly, I think this is a matter
4 of not just equity but it's precedent that representative
5 letters have always been due separate from the application
6 and I think that the Board perhaps did not have all the
7 facts at the January 18 meeting, and I'm hopeful that you
8 will reconsider and allow us to have the representative
9 letter approved. It was sent in on February 1.

10 Thank you.

11 MR. GOODWIN: Any questions?

12 (No response.)

13 MS. PALMER: I'll let Representative Meyer up.

14 MR. MEYER: Good morning. Morgan Meyer. I am
15 the representative of this particular district in which
16 the project is going to take place. And as someone who
17 normally sits on the other side of that dais, I'm going to
18 be brief, I'm not going to tell you I'm going to be brief
19 and then speak for 20 minutes.

20 Truly, I didn't have the time necessary to be
21 able to review the background information to submit a
22 support letter. On these type of issues, I want to
23 personally make sure that I have vetted the project before
24 I put my name on it. The deadline came quickly, this is
25 not their fault, this is mine. I was made aware of it

1 very late to figure out, all right, I need to do my due
2 diligence and I just didn't have the time to do it. Once
3 I had the opportunity after the city passed its
4 resolution, I submitted a letter that following Friday.
5 And I believe that the end game here is to see if the
6 state senator and the state representative actually do
7 support it. Well, I do. And it was just due to the fact
8 that the deadline was so short and I didn't have an
9 opportunity to do my due diligence that it came in a
10 little bit late.

11 So I'm happy to take any questions, but I
12 respectfully request that you allow for the appeal, allow
13 for the inclusion of my letter, and not deduct any points
14 from this project.

15 MR. GOODWIN: Any questions? I've got a
16 question. When were you notified that the date had been
17 moved to January 26? You found out, I know, on the 25th
18 and you had the letter done in six days. When were you
19 notified by the applicant or the applicant's
20 representative that that deadline had been shifted by our
21 Board action on January 18?

22 MR. MEYER: Honestly, that week.

23 MR. GOODWIN: So if you had been notified on
24 the 18th, you'd have had the same seven days to do the due
25 diligence and get it in by the 26th, as you did once you

1 got notified on the 25th and got it in by February 1. Am
2 I adding the days right there? I'm not saying it's your
3 fault, I'm just asking that seems like from the 18th to
4 the 26th there was nine days, from the 25th to the 1st of
5 February, when it was represented that your letter came
6 in, was also about nine days.

7 MR. MEYER: Yes, but to be completely frank
8 with this Board, I have other responsibilities.

9 MR. GOODWIN: We all do.

10 MR. MEYER: I'm an attorney, I have three
11 children, I missed carpool this morning to be here, so you
12 guys are going to have to tell my wife about that. So no,
13 quite frankly, it doesn't matter whether or not the nine
14 days were before or the nine days were after, it's when I
15 have an opportunity to actually sit down. And I know that
16 every representative and senator deals with these type of
17 issues differently, and probably frustrating to some, I
18 sat down and read through the materials, I sat down and
19 met with the developer, I spoke with the city. And I
20 couldn't tell you I would have had that time before, all I
21 know is that with the crunch of the deadline and the City
22 of Dallas just doing their resolution the day before, I
23 want to gather all of the facts necessary.

24 So no, honestly, it's not apples to apples for
25 me because I have other responsibilities that I deal with

1 and it just happened that I had the opportunity after that
2 to take a look the following week, okay, so the city has
3 done this, I can take a look at this material, I've got
4 all the facts, all right, I'm going to sit down and I'm
5 going to do it. Does that make sense?

6 MR. GOODWIN: Obviously, the key to this is
7 your letter, not the City of Dallas's letter, so the other
8 question I have is what was the first date you were told
9 about this project and that you were going to be requested
10 a letter of support. Was that January 25 or had you been
11 told about it in November.

12 MR. MEYER: Oh, no, it wasn't November. I
13 honestly do not recall the first time that I was told
14 about this or also my staff. It was sometime in January,
15 I just don't know the specific date.

16 MR. GOODWIN: Is this the old Bryan Tower
17 building, the Trammell Crow building, or do I have it
18 mixed up with another building?

19 MS. PALMER: This is a new construction
20 building that's next door to the historical Crozier Tech
21 rehab building, and it's part and parcel of that master
22 development on that site. It's on the same site as
23 Crozier Tech.

24 MR. GOODWIN: Any other questions?

25 (No response.)

1 MR. GOODWIN: Thank you, Representative.

2 MR. MEYER: Appreciate it. Thank you.

3 MR. SPARKS: Good morning, Mr. Chairman and
4 members. My name is Clifford Sparks, I represent the City
5 of Dallas as the state legislative director. I'm here on
6 behalf of Mayor Mike Rawlings, who, as my colleague has
7 mentioned before, he is currently stuck on the tarmac and
8 he wanted to be here sincerely, so he sends his apologies.

9 I won't belabor the issue. This project is
10 very important to the City of Dallas. As you know, we
11 expedited the process just to get it to the city council,
12 and the city council voted for it unanimously, which if
13 you know anything about Dallas politics, that is a tough
14 feat, a Herculean feat. So it's something that's very
15 important to us, we would like for Representative Morgan
16 Meyer's letter to be considered, and I will leave it at
17 that, unless you have any questions.

18 MR. GOODWIN: Any questions?

19 (No response.)

20 MR. GOODWIN: Thank you, sir.

21 Additional speakers?

22 (No response.)

23 MR. GOODWIN: Okay. I will call for a motion
24 from a Board member.

25 MR. BRADEN: I'd like to make a motion to go

1 into executive session.

2 MR. GOODWIN: Any discussion about that? If
3 not, do I hear a second?

4 MS. THOMASON: Second.

5 MR. GOODWIN: So it's been moved and seconded.
6 All in favor say aye.

7 (A chorus of ayes.)

8 MR. GOODWIN: Opposed?

9 (No response.)

10 MR. GOODWIN: Okay. We will be moving into
11 executive session and I think I have a little something I
12 need to read to you.

13 The Governing Board of the Texas Department of
14 Housing and Community Affairs will go into closed or
15 executive session at this time. The Board may go into
16 executive session pursuant to Government Code 551.071 to
17 see and receive legal advice of its attorney. So we are
18 recessing at 9:20 and we will be back at 9:35. Thank you.

19 (Whereupon, at 9:20 a.m., the meeting was
20 recessed, to reconvene this same day, Thursday, February
21 22, 2018, following conclusion of the executive session.)

22 MR. GOODWIN: The Board is now reconvened in
23 open session, and the time is 9:38 a.m. During the
24 executive session, the Board did not adopt any policy,
25 position, resolution, rule, regulation or take any formal

1 action or vote on any item.

2 So we are back to item 2(d), 18269.

3 MR. IRVINE: Mr. Chairman, if I might, I'd just
4 like to offer what I think is a clarification and invite
5 Marni to certainly chime in, as I invite Claire to chime
6 in. Ms. Palmer indicated that the Board had created a new
7 deadline at its action in the January meeting, and the way
8 that staff understood that was not exactly the case. What
9 the Board did as consider and arrive at a construction of
10 the language in 67.10(b)(1)(H) and determined that in that
11 statutory provision complete meant that an applicant was
12 required to submit all of the stuff that they would
13 ordinarily be required to submit by the application
14 deadline under statute by the second anniversary of the
15 date of the declaration of the disaster in order to claim
16 the disaster points.

17 MS. HOLLOWAY: That, in fact, was our
18 understanding moving forward.

19 MR. GOODWIN: Okay. Do I hear a motion from
20 any Board member?

21 MS. THOMASON: Yes. I would like to make a
22 motion to uphold staff's recommendation and deny the
23 request for the extension of the deadline.

24 MR. GOODWIN: Okay. Do I hear a second?

25 MR. VASQUEZ: Second.

1 MR. GOODWIN: It's been moved and seconded.

2 Any questions or comments?

3 (No response.)

4 MR. GOODWIN: If not, all in favor say aye.

5 (A chorus of ayes.)

6 MR. GOODWIN: All opposed?

7 (No response.)

8 MR. GOODWIN: Thank you very much.

9 We have moved to a part of the agenda where we
10 have public comment, and we are open for discussion, you
11 can bring up items for future Board agendas if you would
12 like. Is there any public comment?

13 MR. CICHON: Good morning, Board.

14 MR. GOODWIN: Good morning.

15 MR. CICHON: Mr. Irvine. Gerry Cichon with the
16 Housing Authority of the City of El Paso.

17 I come before you today with an informational
18 topic only. We had been set to talk to you back in
19 September. Some things have happened. Really want to let
20 you know what's going on within our industry because all
21 of this is going to come before you and it's going to be
22 statewide.

23 So what I'm talking about, seeing that I work
24 in what has traditionally been known as public housing, El
25 Paso is the 14th largest housing authority in the country,

1 you have the 13th largest housing authority in San
2 Antonio, you have the most number of housing authorities
3 in the country in the State of Texas. I don't know if you
4 know or have had a chance to really understand what's
5 going on with our industry. There was 1.3 million units
6 available in the United States, that was ten years ago.
7 You're down to less than 1.1 million available today
8 because of lack of funding and capital infrastructure
9 investment, and so what had been affordable housing 80
10 years ago is actually disappearing in all the cities
11 across the United States.

12 If you look at New York alone, they estimate
13 they're about \$5 billion behind just making the units safe
14 in order to be maintained right now in the State of New
15 York. In El Paso our 6,400 units, or 20,000 people that
16 we currently house, we were the strongest housing
17 financial authority in the country and we were closing
18 units, we have almost 200 that were offline based on our
19 inability to fix them themselves.

20 The Federal Government created a new idea and
21 the idea was called a Rental Assistance Demonstration
22 Program, and it was the ability to bring in private
23 investment into what had traditionally been public housing
24 to be able to use tax credits, private equity and debt.
25 See, up to this point in time we weren't able to mortgage

1 our properties, they were pretty much controlled by the
2 Federal Government. And in doing so, we have been the
3 recipient of 10 percent of the total allocation in El Paso
4 for RAD converted units.

5 At the end of this year, public housing will
6 cease to exist in El Paso -- let me say it again, at the
7 end of this year on our 80th birthday, public housing will
8 cease to exist, even though we had been the 14th largest
9 in the country. And what that means is we're not going to
10 stop housing the 20,000 people that had been in those
11 units, what we're doing is we're converting them from what
12 had been Section 9 money to Section 8 money, and to do so
13 we had to also apply for bonds and tax credits. This year
14 alone we're bringing 19 tax credits before this Board, so
15 you'll see 19 applications for a total of over 3,000
16 units. We've already reserved over \$4 million in bonds in
17 order to make this actually occur. We are the largest
18 fully converting agency in the United States.

19 Now, this program is going to have to start to
20 move across -- I know, I'll do this real quick. Beth Van
21 Duyne, who is the regional administrator for HUD, was in
22 El Paso to celebrate our 80th birthday gala. I had a
23 conversation with her and she has asked if it would be
24 possible if we could set this on an agenda item in the
25 future and HUD would like to come down and also present,

1 along with the housing authority, an informational update
2 as to what this is and what's going to happen with the
3 other housing authorities. It's not just us but I know
4 Austin is also fully converting, I recognize Fort Worth is
5 also fully converting, and it's going to be a big
6 difference. Right now -- and I'll step down -- we are
7 leveraging \$1.3 billion in El Paso, at zero taxpayer
8 expense, to public-private partnerships to make this
9 happen.

10 And I just want to say thank you to staff in
11 advance for this next year. This is going to be a massive
12 year where we leverage up over \$800 million.

13 Thank you, and I'll pass it off to my
14 compatriot over here, Mr. Javier Camacho. Thank you.

15 MR. CAMACHO: I'll write both of our names down
16 before I get started before I forget.

17 MR. GOODWIN: We won't start the timing until
18 you finish writing.

19 MR. CAMACHO: Thank you. I'm not that much fast
20 of a writer, it might take all three minutes.

21 Well, good morning, Governing Board, Chairman
22 and Mr. Irvine. Javier Camacho with the Housing Authority
23 of the City of El Paso.

24 Let me just quickly say thank you to the staff
25 for allowing us and helping us through this process in

1 getting these presentations to you. We definitely
2 appreciate the time.

3 And just to go off of what Mr. Cichon had
4 mentioned, we are leveraging a very major investment, not
5 just for the City of El Paso and our affordable housing
6 infrastructure and celebrating those 80 years of service
7 that have offer to our residents, but really thinking how
8 much more we can offer to a growing. The City of El Paso
9 stands as the second fastest growing city in the State of
10 Texas and one of the fastest in the country, so we really
11 have to think about this affordable housing conversation
12 and how it impacts our community and really the entire
13 conversation that the nation is having at this very
14 moment.

15 And just to give you some physical standpoints,
16 there is another presentation with my name on it, they
17 both look very similar, but they're just some pictures
18 that walk you through a lot of the work that were doing
19 across the entire city. In the previous presentation that
20 you had, there as an entire map of the City of El Paso.
21 We cover every single are of our city's footprint, and
22 just in our first tranche alone, we were able to complete
23 17 communities. That was not even half of what we are
24 trying to do throughout the city with our rental
25 assistance demonstration initiative.

1 If you go through the photos, you can see a lot
2 of the improvements are doing through purely a
3 redevelopment perspective, simply doing a gut rehab and
4 improving them, bringing those units back to life, as Mr.
5 Cichon mentioned, where instead of closing doors we are
6 now opening them, not just to the families currently
7 receiving assistance, but opening up our wait lists to
8 those families who have not yet received this assistance
9 and need it.

10 If you go in further to our presentation where
11 you're looking at the interiors of our units, here you
12 just look at a lot of the improvements we are making.
13 Energy Star appliances, something that we all would like
14 to have in our own homes and really that leaves a better
15 footprint on our climate for our communities, and putting
16 them in our affordable housing units and improving the
17 quality of life for all of our families. Water efficient
18 appliances, improving the accessibility which is major.
19 If you look at the units that were built back in the mid
20 century in the last millennium, bathrooms were literally
21 built upstairs only. That did not allow for our elderly
22 or any families who needed that access to access their own
23 bathrooms in their homes. So now as we're pursuing RAD,
24 we're taking these very simple basic concepts that we take
25 advantage today and improving them and how we serve the

1 needs of our citizens.

2 And when we look ahead, we have a lot more to
3 go and we will be seeing lots of you over the next couple
4 of months because we have a lot to cover for the City of
5 El Paso and for the State of Texas. In fact, we've
6 already branched into our downtown footprint, the very
7 first time that the housing authority has been able to do
8 this through a rehab and redevelopment initiative, taking
9 on our third tallest building in downtown El Paso.

10 We have a lot to go, we are moving a lot of
11 families we're impacting, and we want to again extend a
12 huge thanks to your staff and to your leadership for
13 working with us as we continue to share this conversation
14 on RAD and the transformation of El Paso.

15 Thank you so much.

16 MR. GOODWIN: Thank you.

17 Any other comments?

18 (No response.)

19 MR. GOODWIN: If not, I'll entertain a motion
20 to adjourn.

21 MS. RESÉNDIZ: So moved.

22 MR. GOODWIN: It's been moved. Second?

23 MR. VASQUEZ: Second.

24 MR. GOODWIN: Moved and second. All in favor
25 say aye.

1 (A chorus of ayes.)

2 MR. GOODWIN: We're adjourned. Thank you.

3 (Whereupon, at 9:57 a.m., the meeting was

4 adjourned.)

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C E R T I F I C A T E

MEETING OF: TDHCA Board
LOCATION: Austin, Texas
DATE: February 22, 2018

I do hereby certify that the foregoing pages,
numbers 1 through 72, inclusive, are the true, accurate,
and complete transcript prepared from the verbal recording
made by electronic recording by Nancy H. King before the
Texas Department of Housing and Community Affairs.

DATE: February 28, 2018

(Transcriber)

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