

**AUSTIN AFFORDABLE  
PFC, INC.**

**BOARD OF DIRECTORS  
Annual Meeting**

**Thursday, March 24, 2022  
12:00 PM**

**HACA Central Office, 1124 S. Interstate Highway 35, Austin, TX  
Austin, TX**

REVISED

**PUBLIC NOTICE OF A MEETING  
TAKE NOTICE OF A BOARD OF DIRECTORS  
ANNUAL BOARD MEETING  
OF THE AUSTIN AFFORDABLE PFC, INC.**

**TO BE HELD AT  
HACA Central Office, 1124 S. Interstate Highway 35, Austin, TX  
Austin, TX  
(512.477.4488)  
Thursday, March 24, 2022  
12:00 PM**

**CALL TO ORDER, ROLL CALL**

**CERTIFICATION OF QUORUM**

**Public Communication (Note: There will be a three-minute time limitation). Public Communication will be open at the beginning of each Item as well.**

**CONSENT ITEMS**

1. Presentation, Discussion, and Possible Action regarding the Approval of the Board Minutes Summary for the Board Meeting held on November 18, 2021
2. Presentation, Discussion, and Possible Action regarding Resolution No. 00092: Approval to ratify all actions taken by the Board of Directors during FYE 2022, in order to resolve any irregularities which may have occurred regarding a quorum or vote by the Directors as reflected within the approved minutes and resolution

**ACTION ITEMS**

**EXECUTIVE SESSION**

The Board may go into Executive Session (close its meeting to the public) Pursuant to:

- a. 551.071, Texas Gov't Code, consultations with Attorney regarding legal advice, pending or contemplated litigation; or a settlement offer;
- b. 551.072, Texas Gov't Code, discussion about the purchase, exchange, lease or value of real property;
- c. 551.074, Texas Gov't Code, discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.
- d. 551.087, Texas Gov't Code, discuss certain economic development negotiations

**OPEN SESSION**

If there is an Executive Session, the Board will return to Open Session for discussion, consideration and possible action of matters discussed in Executive Session.

**REPORTS**

The Board accepts the following reports:

- President's Report
- Other Staff Reports

- Commissioners' Reports/Questions to the Department Staff

## **ADJOURNMENT**

"Pursuant to 30.06, Penal Code, (trespass by holder of license with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not attend this meeting with a concealed handgun."

"Pursuant to 30.07, Penal Code (trespass by holder of license with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not attend this meeting with a handgun that is carried openly."

"En virtud del 30.06, Código Penal, (traspaso titular de licencia con una pistola), una persona bajo el subcapítulo H, capítulo 411, código de gobierno (Ley de licencia de arma o pistola), no se permiten en esta reunión con una arma o pistola.

"En virtud de 30.07, Código Penal (prevaricación por titular de la licencia con un arma o pistola abiertamente llevado), una persona bajo el subcapítulo H, capítulo 411, código de gobierno (Ley de licencia de arma o pistola), no se permiten en esta reunión con un arma o pistola que lleva abiertamente.

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\*The Housing Authority of the City of Austin (HACA) Board of Commissioners reserves the right to discuss and consider items out of order on the agenda on an as needed basis.

The Housing Authority of the City of Austin is committed to compliance with the Americans with Disability Act. Reasonable modifications and equal access to the communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Please call Nidia Hiroms at HACA at 512.477.4488, for additional information; TTY users route through Relay Texas at 711. For more information on HACA, please contact Nidia Hiroms at 512.477.4488 x 2104.

**AUSTIN AFFORDABLE PFC, INC.**

**BOARD ACTION REQUEST**

**ITEM NO. 1.**

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**MEETING DATE:** March 24, 2022

**STAFF CONTACT:** Ron Kowal, Vice President of Housing Development/Asset Mgmt

**ITEM TITLE:** Presentation, Discussion, and Possible Action regarding the Approval of the Board Minutes Summary for the Board Meeting held on November 18, 2021

**BUDGETED ITEM:** N/A

**TOTAL COST:** N/A

**ACTION**

The Board is being asked to review and approve the Board Minutes Summary for the Board Meeting held on November 18, 2021.

**ATTACHMENTS:**

- ▣ **20211118 AAPFC Minutes**

**AUSTIN AFFORDABLE PFC, INC.  
BOARD OF DIRECTORS  
REGULAR BOARD MEETING**

**NOVEMBER 18, 2021**

**SUMMARY OF MINUTES**

**AUSTIN AFFORDABLE PFC, INC. (HACA) BOARD OF DIRECTORS REGULAR BOARD MEETING NOTICE WAS POSTED FOR 12:00 P.M. ON THURSDAY, NOVEMBER 18, 2021, AND WAS HELD AND WAS HELD AT THE HACA CENTRAL OFFICE, 1124 S. IH 35, AUSTIN, TX**

**CALL TO ORDER, ROLL CALL, CERTIFICATION OF QUORUM**

Edwina Carrington, AAPFC Chairperson called the Board of Directors Regular Board Meeting of Austin Affordable PFC, Inc., of November 18, 2021, to order, at 12:14 p.m. The meeting was held via Conference Call from the HACA Central Office, 1124 S. IH 35, Austin, TX

Roll call certified a quorum was present on the call.

**MEMBERS PRESENT:**

Edwina Carrington, Chairperson  
Charles Bailey, Vice-Chairperson (joined via Zoom)  
Mary Apostolou, 2<sup>nd</sup> Vice-Chairperson  
Dr. Tyra Duncan-Hall, Director  
Carl S. Richie, Jr., Director

**MEMBER(S) ABSENT:**

**ALSO ON THE CALL:**

Wilson Stoker, Cokinos  
Bill Walter, Coats Rose (via Zoom)  
Nick Walsh, NRP Group

**STAFF PRESENT ON THE CALL:**

Andrea Galloway, Barbara Chen, Gloria Morgan, Kelly Crawford, Leilani Lim-Villegas, Nidia Hiroms, Nora Velasco, Pilar Sanchez, Ron Kowal, Suzanne Schwertner, and Sylvia Blanco

**CITIZENS COMMUNICATION**

Citizen communication was opened up during each item on the agenda. No one provided any communication during any of the items.

Director Duncan-Hall left the room at 1:15 pm

**CONSENT AGENDA**

**APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:**

**ITEM 1: Presentation, Discussion, and Possible Action regarding the Approval of the Board Minutes Summary for the Board Meeting held on September 16, 2021**

**Director Richie** moved the Approval of the Board Minutes Summary for the Board Meeting held on September 16, 2021. **2<sup>nd</sup> Vice-Chairperson Aposstolou** seconded the motion. The motion Passed (4-Ayes and 0-Nays).

Director Duncan-Hall returned to the room at 1:22 pm

**ACTION ITEMS**

**APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS**

**ITEM 2: Presentation, Discussion and Possible Action on Resolution No. 00091: Authorizing the issuance, sale and delivery of Multifamily Housing Revenue Bonds (El Prado at Estancia Apartments), Series 2021A and Taxable Multifamily Housing Revenue Bonds (El Prado at Estancia Apartments) Taxable Series 2021B; Authorizing the execution and delivery of documents and instruments necessary to carry out the financing of such multifamily residential rental development; and containing other provisions relating to the subject**

Austin Affordable Housing Corporation was presented with an opportunity to partner with The NRP Group LLC on a 15.3 acre tract of land located within the Austin limited purpose annexation at the corner of Estancia Parkway and Avenida Mercado, Austin, TX 78652. The project (El Prado at Estancia) will consist of 318 family apartment units serving tenants at or below 60% of median family income. The proposed development is located in the *Estancia Hill Country* master development which includes multifamily luxury apartments, single-family homes, and a future branch of Texas Children's Hospital. The community

features walking trails, parkland, and close proximity to Onion Creek. This property will serve the following schools: Menchaca Elementary, Paredes Middle School, and Akin High School. The nearest property in AAHC's current portfolio is Bridge at Asher Apartments located just north.

The development will use a mixture of 4% tax credits and bonds to finance the development with a total project cost of approximately \$62,000,000. The planned development will consist of 30 one bedroom and one bath units, 127 two bedroom and two bath units, 129 three bedroom and two bath units, and 32 four bedroom and two bath units. All units will be marketed to HACA's Housing Choice Voucher residents. HACA, through its Public Facility Corporation is requesting the approval of an issuance of tax-exempt bonds. The Board saw this property for the first time in January 2021.

**2<sup>nd</sup> Vice-Chairperson Apostolou** moved the Approval of Resolution No. 00091: Authorizing the issuance, sale and delivery of Multifamily Housing Revenue Bonds (El Prado at Estancia Apartments), Series 2021A and Taxable Multifamily Housing Revenue Bonds (El Prado at Estancia Apartments) Taxable Series 2021B; Authorizing the execution and delivery of documents and instruments necessary to carry out the financing of such multifamily residential rental development; and containing other provisions relating to the subject. **Director Duncan-Hall** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

**THE BOARD DID NOT RECESS INTO EXECUTIVE SESSION.**

**REPORTS**

None.

**Director Richie** moved to adjourn the meeting. **Director Duncan-Hall** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

The meeting adjourned at 1:44 p.m.

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**Michael G. Gerber, Secretary**

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**Edwina Carrington, Chairperson**

**AUSTIN AFFORDABLE PFC, INC.**

**BOARD ACTION REQUEST**

**RESOLUTION NO. 00092**

**ITEM NO. 2.**

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**MEETING DATE:** March 24, 2022

**STAFF CONTACT:** Ron Kowal, Vice President of Housing Development/Asset Mgmt

**ITEM TITLE:** Presentation, Discussion, and Possible Action regarding Resolution No. 00092: Approval to ratify all actions taken by the Board of Directors during FYE 2022, in order to resolve any irregularities which may have occurred regarding a quorum or vote by the Directors as reflected within the approved minutes and resolution

**BUDGETED ITEM:** N/A

**TOTAL COST:** N/A

**ACTION**

The Board is being asked to approve Resolution No. 00092: which ratifies all actions taken by the Board of Directors during the 2021-2022 Fiscal Year, in order to resolve any irregularities which may have occurred regarding a quorum or vote by the Directors as reflected within the approved minutes and resolutions.

**SUMMARY**

***Background:***

Upon past advisement of legal counsel, Resolution No. 00092 was drafted to ensure all actions taken by the Board during FYE 2022 be ratified, thus ensuring resolution of any irregularities during the voting process taken by the Directors. This is an action that will be presented for board action on an annual basis.

This Resolution resolves any irregularities in the voting process found in the Board meeting minutes and/or resolutions, and all actions taken during the 2021-2022 Fiscal Year by the Board of Directors are fully enforceable.

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**RESOLUTION NO. 00092**

**Approval to ratify all actions taken by the Board of Directors during FYE 2022, in order to resolve any irregularities which may have occurred regarding a quorum or vote by the Directors as reflected within the approved minutes and resolutions**

**WHEREAS**, in the event that there were any irregularities in any action or vote taken by AAPFC's Board of Directors during the 2021-2022 Fiscal Year, the Austin Affordable PFC desires to ratify and affirm all of the actions and votes taken by the Board of Directors regardless of the irregularity, as each action and vote taken represents the true intention of a quorum or more of AAPFC's Board of Directors.

**WHEREAS**, the purpose of this resolution is to give full legal force and effect to each action or vote of the Board of Directors taken during the 2021-22 Fiscal Year as if each action was taken by a quorum of the board without any irregularity, and therefore, every action taken by the Board of Directors during the 2021-22 Fiscal Year is fully enforceable.

**NOW, THEREFORE, BE IT RESOLVED**, the Austin Affordable PFC Board of Directors hereby ratifies and affirms all actions and votes taken by the Board of Directors during 2021-2022 Fiscal Year.

**PASSED, APPROVED AND ADOPTED** this 24th day of March 2022.

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Michael G. Gerber, Secretary

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Edwina Carrington, President