



REGULAR BOARD MEETING
DECEMBER 6, 2023

BOARD OF COMMISSIONERS

Gabriel Lopez
Chair

Gilbert Casillas
Vice Chair

Dalia Contreras
Commissioner

Estrellita Garcia-Diaz
Commissioner

Janet Garcia
Commissioner

Leilah Powell
Commissioner

Vincent Robinson
Commissioner

PRESIDENT & CEO

Ed Hinojosa, Jr.

REGULAR BOARD MEETING

1:00 p.m. | Wednesday | December 6, 2023

At least four Commissioners will be physically present at this location, and up to three other Commissioners may attend by videoconferencing, as permitted by Tex. Gov't Code Section 551.127, and the Presiding Officer will also be present at this location.

MEETING CALLED TO ORDER

1. The Board of Commissioners or its Committee may hold a closed meeting pursuant to Texas Government Code § 551.071-076 for consultation concerning attorney-client matters, real estate, litigation, personnel, and security matters. The Board or Committee reserves the right to enter into closed meeting at any time during the course of the meeting.

CITIZENS TO BE HEARD

2. **Citizens to be Heard** at approximately 1:00 p.m. (may be heard after this time) Citizens wishing to speak on any issues, including ones not related to items posted on the agenda, should personally request to be placed on the Citizens to be Heard roster prior to 12:45 p.m. Citizens will be given up to three minutes to speak. Each citizen will be permitted to speak only once. A Spanish/English translator will be available to citizens needing translation.

Now is the time for Citizens to be Heard. The Board asks the public to address concerns related to Opportunity Home matters and policy and not include statements that may be considered defamatory of any individual. The Board encourages members of the public to direct specific concerns or problems to Opportunity Home staff for more prompt resolution. The Board will not discuss the comments of speakers or respond to speakers during the Citizens to be Heard portion of the agenda.

PRESENTATION

3. 2023 TPS Safety Grant Program Award (Jennifer Dominquez, Senior Risk Manager; E. Allen Hall, Loss Control Director at Texas Political Subdivisions JSIF (TPS))

MINUTES

4. Minutes
 - Approval of the November 1, 2023 Regular Board meeting minutes
 - Approval of the November 15, 2023 Finance Committee meeting minutes
 - Approval of the November 15, 2023 Operations and Real Estate Committee meeting minutes

CONSENT ITEMS

5. Consideration and approval regarding Resolution 6405, authorizing the award of contracts for commercial real estate broker services to CBRE, Inc. and Jones Lang LaSalle Americas, Inc., for a period of one year with the option to renew up to four additional one-year terms (George Ayala, Director of Procurement; Miranda Castro, Director of Asset Management)

6. Consideration and approval regarding Resolution 6407, authorizing the award of contracts for mowing and grounds maintenance for Beacon Communities to A&S Landscaping Services (HABE, VBE), Blue Lacy Landscape & Maintenance Co. (HABE), Cutrite, LLC (HABE, MBE, SBE), and Incircle Management, Inc. (ABE, DBE, SBE, WBE), for an annual cumulative amount not to exceed \$1,000,000; for a period of one year with the option to renew up to four additional one-year terms (George Ayala, Director of Procurement; Melissa Garza, Director of Beacon Communities)
7. Consideration and approval regarding Resolution 6409, authorizing the award of contracts for pest control services for Beacon Communities to Nova Pest Control, Inc. (AABE, ESBE, MBE, SBE) and Worldwide Pest Control (HABE, MBE, SBE, WBE, HUB) for an annual cumulative amount not to exceed \$500,000; for a period of one year with the option to renew up to one year and six months (George Ayala, Director of Procurement; Melissa Garza, Director of Beacon Communities)
8. Consideration and approval regarding Resolution 6404, approving the Vista at Reed 9% Low Income Housing Tax Credit Project and approving and authorizing the San Antonio Housing Facility Corporation to approve the Resolution 23FAC-11-15 authorizing its participation in the Vista at Reed transaction (Susan Ramos-Sossaman, Interim Director of Development Services and Neighborhood Revitalization)
9. Consideration and approval regarding Resolution 6406 and 23SEN-11-15, authorizing the payoff of debt up to \$7.3 million, which may include MTW funds, for Legacy at Crown Meadows (Brandee Perez, Chief Operating Officer)
10. Consideration and approval regarding Resolution 6401, approving interim policy updates to the Administrative Plan (Admin Plan) and Admissions and Continued Occupancy Policy (ACOP) (Christine Patrick, Assistant Director of Operations Support - Policy)
11. Consideration and approval regarding Resolution 6408, approving the 2024 Small Area Fair Market Rents (SAFMR) payment standard and the Project-Based Voucher (PBV) Program payment standard schedules (Stephanie Rodriguez, Director of Assisted Housing Programs)

INDIVIDUAL ITEMS

12. Consideration and approval regarding Resolutions 6410 and 23FAC-12-06, authorizing the San Antonio Housing Facility Corporation to approve a resolution authorizing the sale of the Culebra Commons Project (Miranda Castro, Director of Asset Management)
13. Consideration and approval regarding Resolutions 6411 and 23LVPFC-12-06, authorizing the Las Varas Public Facility Corporation to approve an inducement resolution for the proposed tax-exempt bond financing of Phase I of the Augustine at Palo Alto Apartments Project (Susan Ramos-Sossaman, Interim Director of Development Services and Neighborhood Revitalization)
14. Consideration and approval regarding Resolutions 6412 and 23LVPFC-12-07, authorizing the Las Varas Public Facility Corporation to approve an inducement resolution for the proposed tax-exempt bond financing of Phase II of the Augustine at Palo Alto Apartments Project (Susan Ramos-Sossaman, Interim Director of Development Services and Neighborhood Revitalization)

DISCUSSION ITEMS

15. Update and discussion regarding Beacon Program Overview (Brandee Perez, Chief Operating Officer; Melissa Garza, Director of Beacon Communities)

16. President's Report

- 8th Annual San Antonio's Kick Childhood Cancer Soccer Camp
- Winter Holiday Observance
- Housing Choice Voucher Open Enrollment
- Close to Home Press Conference
- Honoring Our Veteran Employees
- Landlord Workgroup
- District 3 Turkey Distribution
- Reframing Housing Advocate Training
- HalloEast 2023
- Halloween BOO-nanza
- Dia de Los Muertos Altar

CLOSED SESSION

17. Closed Session

Real Estate/Consultation with Attorney

Deliberate the management, purchase, exchange, lease or value of certain real properties and obtain legal advice regarding related legal issues pursuant to Texas Government Code Sec. 551.072 (real property) and Texas Government Code Sec. 551.071 (consultation with attorney).

- Discussion with attorney regarding Beacon Communities
- Discussion with Attorney regarding Development/Land

Personnel/Consultation with Attorney

Deliberate 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 and obtain legal advice regarding legal issues pursuant to Texas Government Code Sec. 551.074 (personnel) and Texas Government Code Sec. 551.071 (consultation with attorney).

- Discussion with Attorney regarding President and CEO Performance Goals and Appraisal for 2023-2024

18. Adjournment

Posted on: 12/01/2023 01:00 PM

*Note: Whenever the Texas Open Meetings Act (Section 551.001 et seq. of the Texas Government Code) provides for a closed meeting in matters concerning legal advice, real estate, contracts, personnel matters, or security issues, the Board may find a closed meeting to be necessary. For convenience of the citizens interested in an item preceded by an asterisk, notice is given that a closed meeting is contemplated. However, the Board reserves the right to go into a closed meeting on any other item, whether it has an asterisk, when the Board determines there is a need and a closed meeting is permitted.

"Pursuant to § 30.06, Penal Code, (trespass by holder license holder 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 license holder 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."

2023 TPS Safety Grant Program



Texas Political Subdivisions JSIF (TPS) is committed to assisting its members with financial assistance to obtain resources that can aid in reducing the severity and/or frequency of losses.

TPS Loss Control Director, E. Allen Hall, is honored to present to Opportunity Home San Antonio a check for **\$6,158.46** for the purchase of Emergency Vehicle kits for each Opportunity Home fleet vehicle.





MINUTES OF OPPORTUNITY HOME SAN ANTONIO REGULAR BOARD MEETING

Meeting Called to Order

I. Call to Order

Chair Lopez called the Regular Board Meeting of Opportunity Home San Antonio to order at 1:01 PM CDT on November 1, 2023. The meeting was held at the Opportunity Home San Antonio Central Office located at 818 S. Flores St. San Antonio, TX 78204.

Board Members Present:

Chair Gabriel Lopez, Vice Chair Gilbert Casillas, Dalia Contreras, Estrellita Garcia-Diaz, Janet Garcia, Leilah Powell, and Vincent Robinson.

Adviser Present:

Doug Poneck, General Counsel.

Guests Present:

President and CEO Ed Hinojosa, Jr.; Richard Milk, Planning Officer; George Ayala, Director of Procurement; Aiyana Longoria, Director of Human Resources; and Hector Martinez, Director of Construction Services and Sustainability.

Gabriela Martinez, Interpreter, BCC Languages LLC.

Board Members Absent:

None.

Quorum:

A quorum was established with seven (7) voting members present.

Citizens to be Heard

II. Citizens to be Heard

Citizens wishing to speak on any issues, including ones not related to items posted on the agenda, were given three minutes to speak. There were no citizens who signed up to speak. No citizens spoke. No citizens ceded their time.

Minutes

III. Minutes

Commissioner Contreras moved to approve the October 4, 2023, Regular Board meeting minutes and October 18, 2023, Operations and Real Estate Committee Meeting minutes. Commissioner Powell seconded the motion. The motion carried with seven (7) in favor and none against by a voice vote.

Consent Items

IV. Resolution 6398



Consideration and approval regarding Resolution 6398, authorizing the amendments to the proposed 2023-2024 Moving To Work (MTW) Agency Plan, including revisions to the MTW Plan, the Public Housing Admissions and Continued Occupancy Policy (ACOP), the Housing Choice Voucher Administrative Plan (ADMIN PLAN), Capital Fund Program Plan, Five-Year Capital Improvement and Development Plan, and the Family Self-Sufficiency (FSS) Program Action Plan (Richard Milk, Planning Officer)

V. Resolution 6399

Consideration and approval regarding Resolution 6399, authorizing the expenditure of additional funds for temporary and contract personnel services for an amount not to exceed \$750,000 (George Ayala, Director of Procurement; Aiyana Longoria, Director of Human Resources)

VI. Resolution 6400

Consideration and approval regarding Resolution 6400, authorizing the award of contracts for architectural, engineering, and forensic consulting services to Able City, LLC (DBE, HABE, MBE, SBE, WBE), AG Associates Architects (HABE, HUB), Alamo Architects, Inc., Durand Hollis Rupe (DBE, ESBE, HABE, MBE, SBE), KCI Technologies, Inc., Madeline Anz Slay Architecture LLC dba Slay Architecture (DBE, SBE, WBE), Sprinkle Co Architects, LLC (ESBE, SBE); and Terracon Consultants, Inc., not to exceed an annual cumulative amount of \$3,000,000; for a period of one year with the option to renew up to four additional one-year terms (George Ayala, Director of Procurement; Hector Martinez, Director of Construction Services and Sustainability)

Main Motion Regarding Items 4-6

Moved by Vice Chair Casillas. Seconded by Commissioner Contreras. The motion carried with seven (7) in favor and none against by a voice vote.

Discussion Items

The following item was discussed with the Board:

- VII.** Update and discussion regarding Beacon Program Overview (Brandee Perez, Chief Operating Officer; Melissa Garza, Director of Beacon Communities)

Main Motion Regarding Item 7

With no objections, the Board tabled item 7 for discussion at the December 6, 2023 Regular Board Meeting.

VIII. President's Report

- National Awards Presentation
- Vouchers Provided to Address Homelessness
- San Antonio Business Journal Diversity and Inclusion Awards
- San Antonio Neighbors Together



- Representative Ray Lopez Meeting
- State Representative Elizabeth “Liz” Campos Meeting
- Texans for Reasonable Solutions Affordable Housing Networking
- Victoria Plaza Grand Reopening
- 17th Annual AccessAbility Fest
- Westside Resource Fair and Tree Giveaway
- City Council District 10’s Harvest Festival
- Housing America Month
- Digital Inclusion Week
- Customer Service Week
- Employee Safety Fair
- Director Selected for San Antonio Equity Fellowship
- Build San Antonio Green Award
- Red Zone Appreciation Luncheon

IX. Closed Session

Real Estate/Consultation with Attorney

Deliberate the management, purchase, exchange, lease or value of certain real properties and obtain legal advice regarding related legal issues pursuant to Texas Government Code Sec. 551.072 (real property) and Texas Government Code Sec. 551.071 (consultation with attorney).

- Discussion with attorney regarding Beacon Communities

Main Motion Regarding Item 9. Closed Session

With no objections, the Board tabled item 9 for discussion at the December 6, 2023 Regular Board Meeting.

X. Adjournment

Main Motion Regarding Adjournment

Moved by Vice Chair Casillas. Seconded by Commissioners Contreras and Robinson. The motion carried with seven (7) in favor and none against by a voice vote. The meeting adjourned at 1:09 PM CDT.

ATTEST:

Gabriel Lopez
Chair, Board of Commissioners

Date



Ed Hinojosa, Jr.
President and CEO

Date



MINUTES OF OPPORTUNITY HOME SAN ANTONIO FINANCE COMMITTEE OR SPECIAL BOARD MEETING

Meeting Called to Order

I. Call to Order:

Committee Chair Dalia Contreras called the Finance Committee Meeting of Opportunity Home San Antonio to order at 1:05 PM CST on November 15, 2023. The meeting was held at the Opportunity Home San Antonio Central Office located at 818 S. Flores St. San Antonio, TX 78204.

Board Members Present:

Chair Gabriel Lopez, Vice Chair Gilbert Casillas, Committee Chair Dalia Contreras, Estrellita Garcia-Diaz, and Leilah Powell.

Adviser Present:

Doug Poneck, General Counsel.

Guests Present:

President and CEO Ed Hinojosa, Jr.; Diana Kollodziej Fiedler, Chief Financial Officer; and Allison Schlegel, Director of Internal Audit.

Interpreter, BCC Languages LLC.

Board Members Absent:

Janet Garcia and Vincent Robinson.

Quorum:

A quorum was established with five (5) voting members present.

Citizens to be Heard

II. Citizens to be Heard

Citizens are provided three minutes each to speak to any agenda item. There were no citizens signed up to speak and no citizens spoke. No citizens ceded their time.

Discussion Items

III. Update and discussion regarding the Quarterly Financial Report (Diana Kollodziej Fiedler, Chief Financial Officer)

IV. Update and discussion regarding the Quarterly Internal Audit Report (Allison Schlegel, Director of Internal Audit)

V. Adjournment



A COMMUNITY OF POSSIBILITIES

The meeting adjourned at 1:36 PM CDT.

ATTEST:

Gabriel Lopez
Chair, Board of Commissioners

Date

Ed Hinojosa, Jr.
President and CEO

Date



MINUTES OF OPPORTUNITY HOME SAN ANTONIO OPERATIONS AND REAL ESTATE COMMITTEE OR SPECIAL BOARD MEETING

I. Call to Order:

Committee Chair Casillas called the Operations and Real Estate Committee Meeting of Opportunity Home San Antonio to order at 1:37 PM CST on November 15, 2023. The meeting was held at the Opportunity Home San Antonio Central Office located at 818 S. Flores St. San Antonio, TX 78204.

Board Members Present:

Chair Gabriel Lopez, Vice Chair and Committee Chair Gilbert Casillas, Dalia Contreras, Estrellita Garcia-Diaz, and Leilah Powell.

Adviser Present:

Doug Poneck, General Counsel.

Guests Present:

President and CEO Ed Hinojosa, Jr.; George Ayala, Director of Procurement; Miranda Castro, Director of Asset Management; Melissa Garza, Director of Beacon Communities; Susan Ramos-Sossaman, Interim Director of Development Services and Neighborhood Revitalization; Brandee Perez, Chief Operating Officer; Christine Patrick, Assistant Director of Operations Support - Policy; Stephanie Rodriguez, Director of Assisted Housing Programs; Muriel Rhoder, Chief Administrative Officer; Richard Milk, Planning Officer; Joel Tabar, Director of Resident Services; Ruth Bautista, Assistant Director of Federal Housing Programs; and Viridiana Rivera, Assistant Director of Community Development Initiatives.

Interpreter, BCC Languages LLC.

Board Members Absent:

Janet Garcia and Vincent Robinson.

Quorum:

A quorum was established with five (5) voting members present.

II. Citizens to be Heard

Citizens are provided three minutes each to speak to any agenda item. There were two (2) citizens signed up to speak and two (2) citizens spoke. No citizens ceded their time.

Individual Items

III. Resolution 6405



Consideration and appropriate action regarding Resolution 6405, authorizing the award of contracts for commercial real estate broker services to CBRE, Inc. and Jones Lang LaSalle Americas, Inc., for a period of one year with the option to renew up to four additional one-year terms (George Ayala, Director of Procurement; Miranda Castro, Director of Asset Management)

Main Motion Regarding Resolution 6405

Moved by Commissioner Powell. Seconded by Commissioner Contreras. Abstained by Chair Lopez. The motion was carried with four (4) in favor and none against by a voice vote.

IV. Resolution 6407

Consideration and appropriate action regarding Resolution 6407, authorizing the award of contracts for mowing and grounds maintenance for Beacon Communities to A&S Landscaping Services (HABE, VBE), Blue Lacy Landscape & Maintenance Co. (HABE), Cutrite, LLC (HABE, MBE, SBE), and Incircle Management, Inc. (ABE, DBE, SBE, WBE), for an annual cumulative amount not to exceed \$1,000,000; for a period of one year with the option to renew up to four additional one-year terms (George Ayala, Director of Procurement; Melissa Garza, Director of Beacon Communities)

Main Motion Regarding Resolution 6407

Moved by Commissioner Powell. Seconded by Chair Lopez. The motion was carried with five (5) in favor and none against by a voice vote.

V. Resolution 6409

Consideration and appropriate action regarding Resolution 6409, authorizing the award of contracts for pest control services for Beacon Communities to Nova Pest Control, Inc. (AABE, ESBE, MBE, SBE) and Worldwide Pest Control (HABE, MBE, SBE, WBE, HUB) for an annual cumulative amount not to exceed \$500,000; for a period of one year with the option to renew up to one year and six months (George Ayala, Director of Procurement; Melissa Garza, Director of Beacon Communities)

Main Motion Regarding Resolution 6409

Moved by Commissioner Garcia-Diaz. Seconded by Commissioner Powell. The motion was carried with five (5) in favor and none against by a voice vote.

The Committee Chair noted there is a resident in the back that had requested to speak for CTBH, but signed up outside the window. The resident was asked to speak with Brandee Perez and Joel Tabar after the meeting.

VI. Resolutions 6404 and 23FAC-11-15

Consideration and appropriate action regarding Resolution 6404, approving the Vista at Reed 9% Low Income Housing Tax Credit Project and approving and



authorizing the San Antonio Housing Facility Corporation to approve the Resolution 23FAC-11-15 authorizing its participation in the Vista at Reed transaction (Susan Ramos-Sossaman, Interim Director of Development Services and Neighborhood Revitalization)

Main Motion Regarding Resolutions 6404 and 23FAC-11-15

Moved by Chair Lopez. Seconded by Commissioner Contreras. The motion was carried with five (5) in favor and none against by a voice vote.

VII. Resolutions 6406 and 23SEN-11-15

Consideration and appropriate action regarding Resolution 6406 and 23SEN-11-15, authorizing the payoff of debt up to \$7.3 million, which may include MTW funds, for Legacy at Crown Meadows (Brandee Perez, Chief Operating Officer)

Main Motion Regarding Resolutions 6406 and 23SEN-11-15

Moved by Chair Lopez. Seconded by Commissioner Contreras. The motion was carried with five (5) in favor and none against by a voice vote.

VIII. Resolution 6401

Consideration and appropriate action regarding Resolution 6401, approving interim policy updates to the Administrative Plan (Admin Plan) and Admissions and Continued Occupancy Policy (ACOP) (Christine Patrick, Assistant Director of Operations Support - Policy)

Main Motion Regarding Resolution 6401

Moved by Commissioner Contreras. Seconded by Chair Lopez. Abstained by Commissioner Powell. The motion was carried with four (4) in favor and none against by a voice vote.

IX. Resolution 6408

Consideration and appropriate action regarding Resolution 6408, approving the 2024 Small Area Fair Market Rents (SAFMR) payment standard and the Project-Based Voucher (PBV) Program payment standard schedules (Stephanie Rodriguez, Director of Assisted Housing Programs)

Main Motion Regarding Resolution 6408

Moved by Commissioner Contreras. Seconded by Commissioner Powell. The motion was carried with five (5) in favor and none against by a voice vote.

Discussion Items

The following items were discussed with the Board:



- X.** Discussion regarding the proposed 2024 Board meetings calendar (Muriel Rhoder, Chief Administrative Officer)
- XI.** Discussion regarding SAISD school closures impact on Opportunity Home students (Richard Milk, Planning Officer)

Commissioners Contreras and Garcia-Diaz exited the meeting.

- XII.** Update and discussion regarding Lincoln Heights and Cassiano Homes (Joel Tabar, Director of Resident Services; Ruth Bautista, Assistant Director of Federal Housing Programs; Viridiana Rivera, Assistant Director of Community Development Initiatives)

Attorney Doug Poneck read the Board into Closed Session.

Committee Chair Casillas recessed the Operations and Real Estate Committee meeting and entered into Closed Session at 3:39 PM CST.

XIII. Closed Session

Real Estate/Consultation with Attorney

Deliberate the management, purchase, exchange, lease or value of certain real properties and obtain legal advice regarding related legal issues pursuant to Texas Government Code Sec. 551.072 (real property) and Texas Government Code Sec. 551.071 (consultation with attorney).

- Consultation with attorney regarding properties overseen by Asset Management

REPORTS

- Procurement Activity Report
- Demographic Procurement Report
- Operations Report

RESOURCE

- Schedule of Units Under Development

XIV. Adjournment

The meeting adjourned at 4:33 PM CST.

ATTEST:

Gabriel Lopez
Chair, Board of Commissioners

Date



Ed Hinojosa, Jr.
President and CEO

Date

**BOARD OF COMMISSIONERS
Regular Board Meeting**

RESOLUTION 6405, AUTHORIZING THE AWARD OF CONTRACTS FOR COMMERCIAL REAL ESTATE BROKER SERVICES TO CBRE, INC. AND JONES LANG LASALLE AMERICAS, INC., FOR A PERIOD OF ONE YEAR WITH THE OPTION TO RENEW UP TO FOUR ADDITIONAL ONE-YEAR TERMS

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Ed Hinojosa Jr
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Ed Hinojosa, Jr.
President and CEO

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George Ayala
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George Ayala
Director of Procurement

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Miranda Castro
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Miranda Castro
Director of Asset Management

REQUESTED ACTION:

Consideration and approval regarding Resolution 6405, authorizing the award of contracts for commercial real estate broker services to CBRE, Inc. and Jones Lang LaSalle Americas, Inc., for a period of one year with the option to renew up to four additional one-year terms.

SUMMARY:

Opportunity Home requires the services of commercial real estate brokers to serve as agents and/or consultants on an as-needed basis for the selling, leasing, or purchase of property located in Bexar County, Texas. The brokers will be tasked with services to include, but not limited to, the acquisition of sites suitable for affordable housing development and/or the acquisition of existing housing developments and marketing of commercial space owned by Opportunity Home. The property types that may be acquired include commercial, including vacant land; industrial; multi-family; and/or retail, including vacant land.

On June 6, 2023, Opportunity Home issued a "Request For Proposals" (RFP) #2305-5404 for Commercial Real Estate Services, which closed on June 26, 2023. The RFP was published on Opportunity Home's E-Procurement Website, the Hart Beat, and directly solicited to 255 vendors. Two proposals were received in response to this solicitation from CBRE, Inc. and Jones Lang LaSalle Americas, Inc. Both proposals were evaluated on the following criteria: qualifications and experience, project approach, fee proposal, references, and strength of the respondent's SWMBE utilization statement. Based on the above, we are recommending contract awards to both respondents.

COMPANY PROFILES:

CBRE, Inc. was founded in 1906 and is headquartered in Dallas, Texas, with more than 500 office locations worldwide, including San Antonio, Austin, El Paso, Fort Worth, and Mission, Texas. They are a provider of integrated services to commercial real estate investors and occupiers in office, retail, industrial, multifamily, and other types of commercial real estate categories. CBRE provides services to include facilities management, project management, property sales and leasing, loan origination and servicing, investment management, valuation and development services, and workspace solutions. This company has worked with Housing Authorities, including, but not limited to, the Atlanta Housing Authority, the City of El Paso Housing Authority, the Hawaii Public Housing Authority, the Houston Housing Authority, the

Philadelphia Housing Authority, the San Diego Housing Commission, and the Seattle Housing Authority. Their client list includes, but is not limited to, the City of Austin, the City of Dallas, Bexar County, Dallas County, Travis County, CPS Energy, Port San Antonio, VIA Metropolitan Transit, Texas Workforce Commission, Texas Department of Transportation, Texas Facilities Commission, Teacher Retirement System of Texas, Employee Retirement System of Texas, Austin Independent School District, Dallas Independent School District, and San Antonio Independent School District.

Jones Lang LaSalle Americas, Inc. was founded in 1997 and is headquartered in Chicago, Illinois, with Texas field office locations in Austin and San Antonio. This firm is a global commercial real estate and investment management company offering services, including, but not limited to, agency leasing, capital markets, consulting, corporate solutions, facility management, lease administration, and real estate investment banking. Their Texas client list includes, but is not limited to, the City of Austin, the City of Dallas, Harris County, the State of Texas, Texas Facilities Commission, Texas General Land Office, Austin Independent School District, Rice University, St. Edward's University, Texas A&M University, Texas Tech University, University of Texas at Austin, University of North Texas, University of Texas System, and University of Texas at San Antonio.

PRIOR AWARDS:

CBRE, Inc. has received no prior awards from Opportunity Home.

Jones Lang LaSalle Americas, Inc. has received no prior awards from Opportunity Home.

CONTRACT OVERSIGHT:

Miranda Castro, Director of Asset Management.

STRATEGIC OUTCOMES:

Supports all strategic outcomes.

ATTACHMENTS:

Resolution 6405
Scoring Matrix
Procurement Process

**Opportunity Home San Antonio
Resolution 6405**

RESOLUTION 6405, AUTHORIZING THE AWARD OF CONTRACTS FOR COMMERCIAL REAL ESTATE BROKER SERVICES TO CBRE, INC. AND JONES LANG LASALLE AMERICAS, INC., FOR A PERIOD OF ONE YEAR WITH THE OPTION TO RENEW UP TO FOUR ADDITIONAL ONE-YEAR TERMS

WHEREAS, on June 6, 2023, Opportunity Home issued a “Request For Proposals” (RFP) #2305-5404 for Commercial Real Estate Services, which closed on June 26, 2023; and

WHEREAS, two proposals were received in response to this solicitation; and

WHEREAS, staff are recommending contract awards to both proposers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Opportunity Home San Antonio hereby:

- 1) Approves Resolution 6405, authorizing the award of contracts for commercial real estate broker services to CBRE, Inc. and Jones Lang LaSalle Americas, Inc., for a period of one year with the option to renew up to four additional one-year terms.
- 2) Authorizes the President and CEO or designee to execute all necessary documents and extensions.

Passed and approved the 6th day of December 2023.

Gabriel Lopez

Chair, Board of Commissioners

Attested and approved as to form:

Ed Hinojosa, Jr.

President and CEO



**2305-5404 - Commercial Real Estate Services
Scoring Summary**

| | Total | Respondent's Qualifications and Experience: | Respondent's Proposed Staff Qualifications | Fee Proposal | References | Strength of the Offeror's SWMBE Utilization Statement |
|-----------------------------------|-----------|---|--|--------------|------------|---|
| Supplier | / 100 pts | / 30 pts | / 25 pts | / 25 pts | / 15 pts | / 5 pts |
| Jones Lang LaSalle Americas, Inc. | 83.67 | 24.00 | 21.67 | 25.00 | 13.00 | 0.00 |
| CBRE, Inc. | 81.92 | 28.00 | 23.33 | 14.58 | 14.00 | 2.00 |

Commercial Real Estate Broker Services

Procurement Process

Procurement Process

Solicitation Process

On June 6, 2023, Opportunity Home issued a “Request for Proposals” (RFP) #2305-5404 for **Commercial Real Estate Broker Services**, which closed on June 23, 2023.

RFP was published on multiple websites

Directly solicited to 255 vendors

Two responses were received

Evaluation criteria included:

- Qualifications and Experience
- Project Approach
- Fee Proposal
- References
- Strength of the Section 3 and SWMBE Plan

Staff is recommending contract awards to both respondents.

Procurement Process

Financial Impact

Opportunity Home will be required to pay the broker a percentage ranging from **.05 to 6% for listing and/or selling** properties depending on the type of transaction.


Award includes the **acquisition of sites** suitable for affordable housing development and/or the acquisition of existing housing developments and **marketing of commercial space** owned by Opportunity Home.

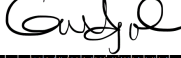
OPPORTUNITY HOME SAN ANTONIO

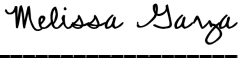
December 6, 2023

**BOARD OF COMMISSIONERS
Regular Board Meeting**

RESOLUTION 6407, AUTHORIZING THE AWARD OF CONTRACTS FOR MOWING AND GROUNDS MAINTENANCE FOR BEACON COMMUNITIES TO A&S LANDSCAPING SERVICES (HABE, VBE), BLUE LACY LANDSCAPE & MAINTENANCE CO. (HABE), CUTRITE, LLC (HABE, MBE, SBE), AND INCIRCLE MANAGEMENT, INC. (ABE, DBE, SBE, WBE), FOR AN ANNUAL CUMULATIVE AMOUNT NOT TO EXCEED \$1,000,000; FOR A PERIOD OF ONE YEAR WITH THE OPTION TO RENEW UP TO FOUR ADDITIONAL ONE-YEAR TERMS

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Ed Hinojosa, Jr.
President and CEO

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George Ayala
Director of Procurement

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Melissa Garza
Director of Beacon
Communities

REQUESTED ACTION:

Consideration and approval regarding Resolution 6407, authorizing the award of contracts for mowing and grounds maintenance for Beacon Communities to A&S Landscaping Services (HABE, VBE), Blue Lacy Landscape & Maintenance Co. (HAB), Cutrite, LLC (HABE, MBE, SBE), and Incircle Management, Inc. (ABE, DBE, SBE, WBE), for an annual cumulative amount not to exceed \$1,000,000; for a period of one year with the option to renew up to four additional one-year terms.

SUMMARY:

Opportunity Home requires the services of vendors to provide routine scheduled mowing service and as-needed grounds maintenance services to properties within Beacon Communities portfolio and properties transitioning back from third-party management companies. This approval will allow for Opportunity Home staff to engage a pool of vendors, with property assignments under this award being made administratively by leadership for Beacon Communities.

On September 25, 2023, Opportunity Home issued a "Request For Proposals" (RFP) #2308-5425 for Mowing and Ground Maintenance for Beacon Communities, which closed on October 16, 2023. The RFP was published on the Opportunity Home's E-Procurement Website, the Hart Beat, and directly solicited to 90 vendors. Six proposals were received in response to the solicitation: A&S Landscaping Services (HABE), Blue Lacy Landscape & Maintenance Co. (HABE), Capital Cleaning Services, Champion Lawn Care (HABE, WBE), Cutrite, LLC (HABE, MBE, SBE), and Incircle Management Inc. (ABE, DBE, SBE, WBE). All proposals were evaluated on the following criteria: qualification and experience, proposed staff qualifications, capacity, project management and plan, price proposal, and strength of the SWMBE utilization statement. Based on the above, we are recommending contract awards to the four highest rated proposers.

COMPANY PROFILES:

A&S Landscaping was founded in 1992 and is headquartered in San Antonio, Texas. This vendor self-certifies as a HABE, VBE. They provide services to include lawn maintenance, tree trimming and planting, installation of flower beds, laying down sod, fertilizer, remodeling, drywall, texture,

painting, carpentry, installation of floor tile, re-installation of cabinets, countertops, faucets and commode. Their client list includes, but is not limited to: City of San Antonio, Colonial Gardens, Johnson Components, Inc., Northwest Trail Apartments, Parent/Child, Inc., Park Ridge Apartments, Poteet Independent School District, and Union Stock Yards.

Blue Lacy Landscape & Maintenance Co. was founded in 2017 and is headquartered in Selma, Texas with a field office location in San Antonio, Texas. This vendor self-certifies as a H.A.B.E. They are a full-service landscape company providing services to include, but are not limited to, mowing, shrub and hedge trimming, tree trimming and removal, leaf clean-up and removal, mulch, irrigation inspections and repairs, brush removal, weed control, pre and post emergent, fire ant mound control, hardscape and masonry design, and construction and installation. In addition to their residential clients, Blue Lacy provides mowing and grounds maintenance services to Choate USA, Chicken N Pickle Restaurant, DR Horton, La Quinta, Red Berry Mansion, Retreat at the Rim, RK Group, and Sterling Heights Compass Rose School.

Cutrite, LLC was established in 2019 and is headquartered in San Antonio, Texas. This vendor has been certified as a H.A.B.E., M.B.E., S.B.E. by the South Central Texas Regional Certification Agency. Cutrite provides landscaping services to commercial and residential clients with services to include, but not limited to, commercial and residential landscape design, commercial and residential maintenance, fertilization, irrigation installation and repair, and tree trimming and removal. They have worked with Housing Authorities to include Edinburg Housing Authority and Mercedes Housing Authority. Their client list includes Fiesta Texas, St. Mary's University, and San Antonio Water System.

Incircle Management, Inc. was established in 1998 and is headquartered in Colleyville, Texas. This vendor self certifies as an A.B.E., D.B.E., S.B.E., W.B.E. They provide services to residential, commercial, and governmental clients with services to include, but are not limited to, mowing, trimming, fertilizing, mulching, weed eradication, and trimming of shrubbery. Their client list includes City of Irving, City of Georgetown, City of Austin, City of McKinney, Denton County, and US Army Corps of USACE Grapevine Office.

PRIOR AWARDS:

A&S Landscaping is currently under contract with Opportunity Home to provide mowing and grounds maintenance services for both Beacon Communities and Public Housing, tree trimming and maintenance services, unit make ready services for both Beacon Communities and Public Housing, and painting services for Beacon Communities. Additionally, they have received various awards for micro and small purchases. They have performed satisfactorily under all awarded contracts.

Blue Lacy Landscape & Maintenance Co. is currently under contract with the organization to provide mowing and grounds maintenance services for Beacon Communities and has performed satisfactorily under the awarded contract.

Cutrite, LLC has received no prior awards from Opportunity Home.

Incircle Management, Inc. has received no prior awards from Opportunity Home.

CONTRACT OVERSIGHT:

Contract oversight will be provided by Melissa Garza, Director of Beacon Communities.

STRATEGIC OUTCOMES:

Opportunity Home residents live in quality affordable housing.

Opportunity Home residents feel safe.

ATTACHMENTS:

Resolution 6407

Scoring Matrix

Procurement Process

**Opportunity Home San Antonio
Resolution 6407**

RESOLUTION 6407, AUTHORIZING THE AWARD OF CONTRACTS FOR MOWING AND GROUNDS MAINTENANCE FOR BEACON COMMUNITIES TO A&S LANDSCAPING SERVICES (HABE, VBE), BLUE LACY LANDSCAPE & MAINTENANCE CO. (HABE), CUTRITE, LLC (HABE, MBE, SBE), AND INCIRCLE MANAGEMENT, INC. (ABE, DBE, SBE, WBE), FOR AN ANNUAL CUMULATIVE AMOUNT NOT TO EXCEED \$1,000,000; FOR A PERIOD OF ONE YEAR WITH THE OPTION TO RENEW UP TO FOUR ADDITIONAL ONE-YEAR TERMS

WHEREAS, on September 25, 2023, Opportunity Home issued a “Request For Proposals” (RFP) #2308-5425 for Mowing and Ground Maintenance for Beacon Communities, which closed on October 16, 2023; and

WHEREAS, six proposals were received in response to the solicitation; and

WHEREAS, staff are recommending contract awards to the four highest rated proposers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Opportunity Home San Antonio hereby:

- 1) Approves Resolution 6407, authorizing the award of contracts for mowing and grounds maintenance for Beacon Communities to A&S Landscaping Services (HABE, VBE), Blue Lacy Landscape & Maintenance Co. (HAB), Cutrite, LLC (HABE, MBE, SBE), and Incircle Management, Inc. (ABE, DBE, SBE, WBE), for an annual cumulative amount not to exceed \$1,000,000; for a period of one year with the option to renew up to four additional one-year terms.
- 2) Authorizes the President and CEO or designee to execute all necessary documents and extensions.

Passed and approved the 6th day of December 2023.

Gabriel Lopez

Chair, Board of Commissioners

Attested and approved as to form:

Ed Hinojosa, Jr.

President and CEO



RFP #2308-5425 - Mowing and Ground Maintenance for Beacon Communities
Scoring Summary

| | Total | Qualifications and Experience | Proposed Staff Qualifications | Capacity | Project Management and Plan | Price Proposal | Strength of the Respondent's Section SWMBE Utilization Statement |
|--------------------------------------|-----------|-------------------------------|-------------------------------|----------|-----------------------------|----------------|--|
| Supplier | / 100 pts | / 15 pts | / 15 pts | / 15 pts | / 15 pts | / 35 pts | / 5 pts |
| Incircle Management Inc | 79.91 | 11.00 | 10.00 | 11.00 | 11.00 | 33.91 | 3.00 |
| Blue Lacy Landscape & Maintenance Co | 75.00 | 12.00 | 9.00 | 9.00 | 8.00 | 35.00 | 2.00 |
| Cutrite, LLC | 66.12 | 13.00 | 13.00 | 10.00 | 12.00 | 16.12 | 2.00 |
| A & S Landscaping Services | 65.03 | 12.00 | 10.00 | 11.00 | 10.00 | 17.03 | 5.00 |
| Champion Lawn Care | 64.93 | 6.00 | 7.00 | 7.00 | 9.00 | 30.93 | 5.00 |
| Capital Cleaning Services | 55.36 | 9.00 | 9.00 | 7.00 | 7.00 | 21.36 | 2.00 |

Mowing and Ground Maintenance for Beacon Communities

Procurement Process

Procurement Process

Solicitation Process

On September 25, 2023, Opportunity Home issued a “Request for Proposals” (RFP) #2308-5425 for **Mowing and Ground Maintenance for Beacon Communities**, which closed on October 16, 2023.

RFP was published on multiple websites

Directly solicited to 90 vendors

Six responses were received

Evaluation criteria included:

- Qualifications and Experience
- Proposed Staff Qualifications
- Capacity
- Project Management and Plan
- Price Proposal
- Strength of the SWMBE Utilization Statement

Staff is recommending contract awards to the four highest rated respondents.

Procurement Process

Financial Impact

The current award recommendation for Mowing and Ground Maintenance Services for Beacon Communities is not expected to exceed an annual cumulative amount of **\$1,000,000**.

Award includes **Mowing and Ground Maintenance Services** for Beacon Communities.

**BOARD OF COMMISSIONERS
Regular Board Meeting**

RESOLUTION 6409, AUTHORIZING THE AWARD OF CONTRACTS FOR PEST CONTROL SERVICES FOR BEACON COMMUNITIES TO NOVA PEST CONTROL, INC. (AABE, ESBE, MBE, SBE) AND WORLDWIDE PEST CONTROL (HABE, MBE, SBE, WBE, HUB) FOR AN ANNUAL CUMULATIVE AMOUNT NOT TO EXCEED \$500,000; FOR A PERIOD OF ONE YEAR WITH THE OPTION TO RENEW UP TO ONE YEAR AND SIX MONTHS

DocuSigned by:
Ed Hinojosa Jr
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Ed Hinojosa, Jr.
President and CEO

DocuSigned by:
George Ayala
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George Ayala
Director of Procurement

DocuSigned by:
Melissa Garza
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Melissa Garza
Director of Beacon
Communities

REQUESTED ACTION:

Consideration and approval regarding Resolution 6409, authorizing the award of contracts for pest control services for Beacon Communities to Nova Pest Control, Inc. (AABE, ESBE, MBE, SBE) and Worldwide Pest Control (HABE, MBE, SBE, WBE, HUB) for an annual cumulative amount not to exceed \$500,000; for a period of one year with the option to renew up to one year and six months.

SUMMARY:

Opportunity Home requires the services of a vendor to provide pest control services for Beacon Communities. The vendor will work in partnership with staff and residents to undertake a program of Integrated Pest Management (IPM) that relies on the combination of physical, cultural, biological, and/or chemical control of pests. Its aim is to integrate or incorporate all appropriate methods into an approach that provides needed pest control in the safest manner with the use of chemicals as a last resort. Opportunity Home’s IPM plan promotes environmentally sensitive pest management, while preserving assets and protecting the health and safety of its residents and employees.

Services will include, but are not limited to, inspection, flushing, application, baiting, trapping, monitoring, clean-up, and treatment for German and American cockroaches, ants, scorpions, spiders, silverfish, other crawling insects, flies, stored product pests (weevils, etc.), and rodents. Additional services may include bird deterrent, bat removal, snake removal, inspection for evidence of termites and/or bed bugs. Contractor shall submit a proposed plan for eradication, trapping of skunks, raccoons, possums, armadillos, exterior building rodent bait boxes, and treatment for fleas and ticks.

Beacon Communities units will be serviced within 30 days (12 treatments per year) and shall include inspection and treatment of the entire unit during every routine pest control service; common areas within the developments shall be serviced every 2 weeks (26 treatments per year) to include, but not limited to, offices, laundry rooms, lobby, dumpster areas, breezeways, halls, and pool house, etc.

The Department currently has two contracts in place for this service. In an effort to increase service delivery for the properties, it was determined a new solicitation would be issued to increase the vendor pool. The recommended term for this award will run concurrent with the Board approved award of March 4, 2021 (Resolution 6114) for Pest Control Services for Beacon Communities.

On August 24, 2023, Opportunity Home issued a "Request For Proposals" (RFP) #2307-5414 for Pest Control for Beacon Communities, which closed on September 21, 2023. The RFP was published on Opportunity Home's E-Procurement Website, the Hart Beat, and directly solicited to 52 vendors. Two proposals were received in response to the RFP from Nova Pest Control, LLC (AABE, ESBE, MBE, SBE) and Worldwide Pest Control (HABE, MBE, SBE, WBE, HUB). Both proposals were evaluated on the following criteria: relevant experience, key personnel, method, capacity, price proposal, and strength of the Section 3 and SWMBE utilization plans. Based on the above, we are recommending contract awards to both respondents. This award will allow for the properties to have a vendor under contract that provides heat treatment for bedbugs rather than steam treatment, which is currently being provided, and treatment for mosquitoes, which is a service currently not under contract.

COMPANY PROFILES:

Nova Pest Control was founded in 2018, and they are headquartered in Cibolo, Texas. This vendor has been certified as an AABE, ESBE, MBE, SBE by the South Central Texas Regional Certification Agency. They provide commercial and residential pest control services, including the control of ants, bees, bedbugs, crickets, critters, cockroaches, earwigs, fleas, grub worms, spiders, scorpions, termites, wasps, weeds, and wildlife. Their client list includes University Health Services, Mule Group, Nest, and American Homes 4 Rent.

World Wide Pest Control was established in 1985. This vendor has been certified as a HABE, MBE, SBE, and WBE by the South Central Texas Regional Certification Agency and a HUB by the State of Texas. Their corporate office is in San Antonio, with field office locations in Austin and Corpus Christi, Texas. They service the South Texas region from Temple to the Valley. Their company is comprised of various divisions, including commercial (office buildings, industrial warehouse, food processing and dairy plants, and restaurants); multi-family (apartments, highrise, condos, hospitals, and senior living), residential; bed bug control (chemical, heat electric, and heat propane); lawn services (fertilizer, aeration, and weed control); special projects (rodent, pigeon, bat, animal trapping to include raccoon, possum, skunk, and live snake removal), and termite control (treatment, wood-destroying insects (WDI) reports, mold care). World Wide has technicians available 24 hours a day 7 days a week, including weekends and holidays. Their client list includes the Housing Authority of the City of Austin, HEB, and CPS Energy.

PRIOR AWARDS:

Nova Pest Control has received no prior awards from Opportunity Home.

World Wide Pest Control has received a prior award for pest control services for Public Housing and Administrative properties and is currently under contract to provide pest control services for these portfolios. They have performed satisfactorily under the awarded contracts.

CONTRACT OVERSIGHT:

Melissa Garza, Director of Beacon Communities.

STRATEGIC OUTCOMES:

Opportunity Home residents live in quality affordable housing.

Opportunity Home residents feel safe.

ATTACHMENTS:

Resolution 6409

Scoring Matrix

Procurement Process

**Opportunity Home San Antonio
Resolution 6409**

RESOLUTION 6409, AUTHORIZING THE AWARD OF CONTRACTS FOR PEST CONTROL SERVICES FOR BEACON COMMUNITIES TO NOVA PEST CONTROL, INC. (AABE, ESBE, MBE, SBE) AND WORLDWIDE PEST CONTROL (HABE, MBE, SBE, WBE, HUB) FOR AN ANNUAL CUMULATIVE AMOUNT NOT TO EXCEED \$500,000; FOR A PERIOD OF ONE YEAR WITH THE OPTION TO RENEW UP TO ONE YEAR AND SIX MONTHS

WHEREAS, on August 24, 2023, Opportunity Home issued a “Request For Proposals” (RFP) #2307-5414 for Pest Control for Beacon Communities, which closed on September 21, 2023; and

WHEREAS, two responses were received to this solicitation; and

WHEREAS, staff are recommending contract awards to both respondents.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Opportunity Home San Antonio hereby:

- 1) Approves Resolution 6409, authorizing the award of contracts for pest control services for Beacon Communities to Nova Pest Control, Inc. (AABE, ESBE, MBE, SBE) and Worldwide Pest Control (HABE, MBE, SBE, WBE, HUB) for an annual cumulative amount not to exceed \$500,000; for a period of one year with the option to renew up to one year and six months.
- 2) Authorizes the President and CEO or designee to execute all necessary documents and extensions.

Passed and approved the 6th day of December 2023.

Gabriel Lopez

Chair, Board of Commissioners

Attested and approved as to form:

Ed Hinojosa, Jr.

President and CEO



2307-5414 - Pest Control for Beacon Communities Scoring Summary

Active Submissions

| | Total | Responsiveness | Relevant Experience | Key Personnel | Method | Capacity | Strength of the Contractor's Section 3 Utilization Plan | Strength of the Contractor's S/W/MBE Utilization Plan | Price Proposal | Section 3 Preference |
|------------------------|-------------|----------------|---------------------|---------------|----------|----------|---|---|----------------|----------------------|
| Supplier | / 100.1 pts | Pass/Fail | / 25 pts | / 10 pts | / 15 pts | / 20 pts | / 5 pts | / 5 pts | / 20 pts | / 0.1 pts |
| WorldWide Pest Control | 72.86 | Pass | 21.67 | 7.333 | 7 | 17.33 | 1 | 0 | 18.53 | 0 |
| Nova Pest Control LLC | 60 | Pass | 16.67 | 5.333 | 9 | 8 | 1 | 0 | 20 | 0 |

Pest Control for Beacon Communities

Procurement Process

Procurement Process

Solicitation Process

On August 24, 2023, Opportunity Home issued a “Request for Proposals” (RFP) #2307-5414 for **Pest Control for Beacon Communities**, which closed on September 21, 2023.

RFP was published on multiple websites

Directly solicited to **52** vendors

Two responses were received

Evaluation criteria included:

- Relevant experience
- Key Personnel
- Method
- Capacity
- Strength of the Section 3 and SWMBE Plans

Staff is recommending contract awards to both respondents.

Procurement Process


Financial Impact


The current award recommendation for Pest Control Services for Beacon Communities is not expected to exceed an annual cumulative amount of **\$500,000**.

Award includes **Pest Control Services** for areas to include, but not limited to: units, common areas within the developments, offices, laundry rooms, lobby, dumpster areas, breezeways, halls, and pool house.

**BOARD OF COMMISSIONERS
Regular Board Meeting**

RESOLUTIONS 6404 and 23FAC-11-15, APPROVING THE VISTA AT REED 9% LOW INCOME HOUSING TAX CREDIT PROJECT AND APPROVING AND AUTHORIZING THE SAN ANTONIO HOUSING FACILITY CORPORATION TO APPROVE THE RESOLUTION 23FAC-11-15 AUTHORIZING ITS PARTICIPATION IN THE VISTA AT REED TRANSACTION

DocuSigned by:

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Ed Hinojosa, Jr.
President and CEO

DocuSigned by:

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Susan Ramos-Sossaman
Interim Director of Development Services
and Neighborhood Revitalization

REQUESTED ACTION:

Consideration and approval regarding Resolutions 6404 and 23FAC-11-15, approving the Vista at Reed 9% low income housing tax credit project and approving and authorizing the San Antonio Housing Facility Corporation to approve the Resolution 23FAC-11-15 authorizing its participation in the Vista at Reed transaction.

SUMMARY:

Today we are seeking authority to undertake the Vista at Reed transaction for the development of a new tax credit project in partnership with Atlantic Pacific Communities (“APC”). The authority being requested includes entrance into construction, bridge, and permanent debt financing and equity financing for the project. The project will consist of 56 multifamily housing units, including 55 housing tax credit units, with the following affordability: 2 units will be set aside for individuals and families earning up to 20% of AMI, 4 units will be set aside for individuals and families earning up to 30% of AMI, 13 units will be set aside for individuals and families earning up to 50% of AMI, 36 units will be set aside for individuals and families earning up to 60% of AMI, and 1 market rate unit. The units will be built as one 3-story building with surface lot parking, a playground, and a community room. The project is located at approximately 8401 Reed Road, San Antonio, Texas on land that is currently under contract. The land will be acquired by SAHFC and then ground leased to the Partnership. Construction is projected to begin in January of 2024, with completion in March of 2025. The Board is being asked to authorize all of the actions now understood to be necessary to finance and construct the project.

We are targeting a closing date in late December 2023.

STRATEGIC OUTCOME:

Opportunity Home San Antonio residents have a sufficient supply of affordable housing options.

ATTACHMENTS:

OPPORTUNITY HOME SAN ANTONIO

December 6, 2023

Resolution 6404
Resolution 23FAC-11-15
Presentation

**Opportunity Home San Antonio
Resolution 6404**

RESOLUTION 6404, APPROVING THE VISTA AT REED 9% LOW INCOME HOUSING TAX CREDIT PROJECT AND APPROVING AND AUTHORIZING THE SAN ANTONIO HOUSING FACILITY CORPORATION TO APPROVE THE RESOLUTION 23FAC-11-15 AUTHORIZING ITS PARTICIPATION IN THE VISTA AT REED TRANSACTION

WHEREAS, the Housing Authority of the City of San Antonio, Texas a/k/a Opportunity Home San Antonio (“Authority”) has, pursuant to the Texas Public Facility Corporations Act, Chapter 303, Texas Local Government Code, as amended (the “Act”), approved and created the San Antonio Housing Facility Corporation, a nonstock, nonprofit public facility corporation (“SAHFC”); and

WHEREAS, SAHFC, on behalf of the Authority, is empowered to finance the costs of public facilities that will provide decent, safe, and sanitary housing for persons of low income in the City of San Antonio; and

WHEREAS, the Board of Commissioners of Opportunity Home San Antonio (the “Board”) previously approved the inducement by the SAHFC of the application by Vista at Reed, L.P., a Texas limited partnership (the “Partnership”), to acquire and construct a new development consisting of 56 units of affordable housing located at 8327 Reed Road, San Antonio, TX 78251 and associated amenities to be known as the Vista at Reed (the “Project”) and located on real property in San Antonio, Texas (the “Land”) in collaboration with Atlantic Pacific Communities (the “Developer”); and

WHEREAS, the acquisition of the Land and construction of the Project will be financed using 9% low income housing tax credits and equity from the sale of such tax credits, and a construction loan and a bridge loan that will later convert to a permanent loan (collectively, the “Financing”); and

WHEREAS, SAHFC will serve as the sole member of Opportunity Home Reed GP, LLC, a Texas limited liability company (the “General Partner”), which General Partner will in turn serve as the general partner of Vista at Reed, LP, a Texas limited partnership (the “Partnership”); and

WHEREAS, SAHFC will acquire the Land and enter into a long-term ground lease with the Partnership to allow for the Partnership’s development of the Project on the Land; and

WHEREAS, in order to save costs associated with sales taxes on construction materials, SAHFC shall serve as the general contractor for the construction of the Project; and

WHEREAS, pursuant to Section 303.071 of the Act, the Board must approve and authorize the transaction and the participation by SAHFC or an affiliate thereof in the Project; and

WHEREAS, the Board has determined that it is in the public interest and to the benefit of the citizens and residents of San Antonio for the various entities to enter into the transactions described above so that the Partnership may construct the Project; and

WHEREAS, this Board has reviewed the foregoing and determined that the action herein authorized is in furtherance of the public purposes of Opportunity Home San Antonio and SAHFC.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of San Antonio a/k/a Opportunity Home San Antonio hereby:

- 1) The Board hereby approves the Project and Resolution 6404, approving the Vista at Reed 9% low income housing tax credit project and approving and authorizing the San Antonio Housing Facility Corporation to approve the Resolution 23FAC-11-15 authorizing its participation in the Vista at Reed transaction.
- 2) The Board approves Resolution 23FAC-11-15 of SAHFC, authorizing the transactions for the Project and the participation of SAHFC, General Partner and any affiliates thereof in the Project.
- 3) The officers of Opportunity Home San Antonio and SAHFC, or any of them, are authorized to take any and all action necessary to carry out and consummate the transactions described in or contemplated by the documents approved hereby or otherwise to give effect to the actions authorized hereby and the intent hereof.
- 4) If any section, paragraph, clause, or provisions of this Resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.
- 5) The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.
- 6) All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.
- 7) This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- 8) This Resolution shall be in force and effect from and after its passage.

| <u>Name of Commissioner/Officer</u> | <u>Title</u> |
|-------------------------------------|------------------------------------|
| Ed Hinojosa, Jr. | President and CEO |
| Muriel Rhoder | Chief Administrative Officer |
| Diana Fiedler | Chief Financial Officer |
| Brandee Perez | Chief Operating Officer |
| Michael Reyes | Public Affairs Officer |
| Richard Milk | Planning Officer |
| Gabriel Lopez | Chair, Board of Commissioners |
| Gilbert Casillas | Vice Chair, Board of Commissioners |

Dalia Contreras
Estrellita Garcia-Diaz
Janet Garcia
Leilah Powell
Vincent Robinson

Commissioner
Commissioner
Commissioner
Commissioner
Commissioner

Passed and approved the 6th day of December 2023.

Gabriel Lopez

Chair, Board of Commissioners

Attested and approved as to form:

Ed Hinojosa, Jr.

President and CEO

**CERTIFICATE FOR RESOLUTION
RESOLUTION 23FAC-11-15**

The undersigned officer of the San Antonio Housing Facility Corporation, a Texas nonprofit corporation created pursuant to the laws of the State of Texas (“SAHFC”) hereby certifies as follows:

1. In accordance with the bylaws of SAHFC, the Board of Directors of SAHFC (the “Board”) held a meeting on December 6, 2023 (the “Meeting”) of the duly constituted officers and members of the Board, at which a duly constituted quorum was present. Whereupon among other business transacted at the Meeting, a written

RESOLUTION 23FAC-11-15, AUTHORIZING THE VISTA AT REED TRANSACTION, INCLUDING THE EXECUTION OF ALL DOCUMENTATION NECESSARY TO CARRY OUT SUCH TRANSACTION; AND AUTHORIZING ALL FILINGS AND AGREEMENTS WITH TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS IN CONNECTION WITH AN AWARD FOR LOW INCOME HOUSING TAX CREDITS; AND AUTHORIZING THE PURCHASE OF THE LAND FOR THE TRANSACTION AND THE LEASE OF SUCH LAND FOR THE TRANSACTION; AND AUTHORIZING THE ACQUISITION OF A MEMBERSHIP INTEREST IN OPPORTUNITY HOME REED GP, LLC, THE GENERAL PARTNER OF VISTA AT REED, LP; AND AUTHORIZING THE FINANCING FOR SUCH TRANSACTION; AND AUTHORIZING SAN ANTONIO HOUSING FACILITY CORPORATION TO SERVE AS THE GENERAL CONTRACTOR; AND OTHER MATTERS IN CONNECTION THEREWITH

(the “Resolution”) was duly introduced for the consideration of the Board and discussed. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of the Resolution, prevailed and carried by a majority vote of the Board.

2. A true, full, and correct copy of the Resolution adopted at the Meeting is attached to and follows this Certificate; the Resolution has been duly recorded in the Board’s minutes of the Meeting; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the Meeting; and the Meeting was held and conducted in accordance with the Articles of Incorporation and the Bylaws of SAHFC.

SIGNED and SEALED this 6th day of December 2023.



Ed Hinojosa, Jr.
Secretary/Treasurer

**San Antonio Housing Facility Corporation
Resolution 23FAC-11-15**

RESOLUTION 23FAC-11-15, AUTHORIZING THE VISTA AT REED TRANSACTION, INCLUDING THE EXECUTION OF ALL DOCUMENTATION NECESSARY TO CARRY OUT SUCH TRANSACTION; AND AUTHORIZING ALL FILINGS AND AGREEMENTS WITH TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS IN CONNECTION WITH AN AWARD FOR LOW INCOME HOUSING TAX CREDITS; AND AUTHORIZING THE PURCHASE OF THE LAND FOR THE TRANSACTION AND THE LEASE OF SUCH LAND FOR THE TRANSACTION; AND AUTHORIZING THE ACQUISITION OF THE MEMBERSHIP INTEREST IN OPPORTUNITY HOME REED GP, LLC, THE GENERAL PARTNER OF VISTA AT REED, L.P.; AND AUTHORIZING THE FINANCING FOR SUCH TRANSACTION; AND AUTHORIZING SAN ANTONIO HOUSING FACILITY CORPORATION TO SERVE AS THE GENERAL CONTRACTOR; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Housing Authority of the City of San Antonio a/k/a Opportunity Home San Antonio (the "Authority"), has, pursuant to the Texas Public Facility Corporations Act, Chapter 303, Texas Local Government Code, as amended (the "Act"), approved and created the San Antonio Housing Facility Corporation, a nonstock, nonprofit public facility corporation ("SAHFC"); and

WHEREAS, SAHFC, on behalf of the Authority, is empowered to finance the costs of public facilities that will provide decent, safe, and sanitary housing for persons of low income in the City of San Antonio; and

WHEREAS, Vista at Reed, L.P., a Texas limited partnership (the "Partnership"), and Opportunity Home Reed GP, LLC, a Texas limited liability company and its general partner (the "General Partner"), have been formed to acquire and construct a 56 unit multifamily housing facility (the "Housing Facility") to be located at approximately 8327 Reed Road, San Antonio, Texas 78251 (the "Land," and together with the Housing Facility, the "Project") in partnership with Atlantic Pacific Communities or affiliates thereof (the "Developer"); and

WHEREAS, at the request of the Partnership, SAHFC has agreed to (i) serve as the sole member of the General Partner of the Partnership in connection with the financing of the Project (with an affiliate of the Developer acting as a special limited partner of the Partnership) (the "SLP"), (ii) acquire the Land and lease it to the Partnership pursuant to a Ground Lease (the "Ground Lease"), and (iii) serve as the general contractor for the Project; and

WHEREAS, the Developer, on behalf of the Partnership, has applied for low income housing tax credits (the "LIHTCs") from the Texas Department of Housing and Community Affairs ("TDHCA") with respect to the Project and the Project has received an award of LIHTCs (the "LIHTC Award"); and

WHEREAS, in connection with the LIHTC Award, it is anticipated that the Partnership, General Partner, and/or SAHFC will be required to execute, complete, and deliver various agreements, certificates, documents, and instruments to TDHCA (the "TDHCA Documents"); and

WHEREAS, the Partnership will contribute approximately \$17,798,220 of equity to the construction of the Project, which will be raised from the sale of the LIHTCs, which is anticipated to be made to PNC Bank, National Association or an affiliate thereof (the “Equity Financing”); and

WHEREAS, in order to raise equity for the Project; SAHFC, the General Partner, and the Partnership desire to enter into certain equity documents related to the admission of PNC Bank, National Association and/or one or more of its affiliates (collectively, the “Equity Investor”) as limited partners in the Partnership and the SLP as special limited partner in the Partnership, including, without limitation, an amended and restated agreement of limited partnership, a development agreement or a development subcontract agreement, a right of first refusal agreement, a property management agreement, closing certificates, a guaranty and other related documents contemplated thereby (collectively, the “Equity Documents”); and

WHEREAS, the Partnership desires to obtain a construction loan from PNC Bank, National Association (the “Lender”) in an amount not to exceed \$5,000,000 (the “Construction Loan”), and in connection therewith the Partnership, the General Partner, and/or SAHFC, as applicable will enter into, execute, and deliver a promissory note, a loan agreement, a deed of trust (which may include a fee joinder with respect to the Land), an assignment of leases and rents, financing statements, an environmental indemnity agreement, various assignments and pledges, a ground lessor estoppel, and any other documents evidencing, securing, governing, or necessary or convenient in connection with the Construction Loan (collectively, the “Construction Loan Documents”); and

WHEREAS, the Partnership desires to obtain a construction bridge loan from the Lender in an amount not to exceed \$15,000,000 (the “Bridge Loan”), and in connection therewith enter into, execute, and deliver a promissory note, a loan agreement, a deed of trust, an assignment of leases and rents, financing statements, an environmental indemnity agreement, various assignments and pledges, and any other documents evidencing, securing, governing, or necessary or convenient in connection with the Bridge Loan (collectively, the “Bridge Loan Documents”); and

WHEREAS, the Partnership desires to obtain a financing commitment for a permanent loan in an amount not to exceed \$4,500,000 (the “Permanent Loan”) from the Lender pursuant to Freddie Mac requirements pursuant to a commitment, rate lock agreement, and delivery assurance loan documents (collectively, the “Permanent Loan Commitment”); and

WHEREAS, upon completion of construction, the Partnership, the General Partner, and/or SAHFC, as applicable, will enter into certain documents evidencing, governing, and/or securing the Permanent Loan including, without limitation, a promissory note, multifamily loan and security agreement, a deed of trust (which may include a fee joinder with respect to the Land), financing statements, various assignments and pledges, a ground lessor estoppel, and any other documents necessary or convenient in connection with the Permanent Loan (collectively, the “Permanent Loan Documents”); and

WHEREAS, to reduce the cost of the Project by eliminating sales tax on the construction materials used to build the Project, SAHFC will serve as the general contractor and enter into any required construction contracts and ancillary documents including, but not limited, to a master

subcontract with Atlantic Pacific Community Builders-Texas LLC (collectively, the “Construction Documents”); and

WHEREAS, the members of the Board of Directors of SAHFC (collectively, the “Board”) and their respective offices are as follows:

| <u>Name of Directors/Officers</u> | <u>Position</u> |
|-----------------------------------|-----------------------------|
| Ed Hinojosa, Jr. | Secretary/Treasurer |
| Muriel Rhoder | Asst. Secretary/Treasurer |
| Diana Fiedler | Asst. Secretary/Treasurer |
| Brandee Perez | Asst. Secretary/Treasurer |
| Michael Reyes | Asst. Secretary/Treasurer |
| Richard Milk | Asst. Secretary/Treasurer |
| Gabriel Lopez | President and Director |
| Gilbert Casillas | Vice President and Director |
| Dalia Contreras | Director |
| Estrellita Garcia-Diaz | Director |
| Janet Garcia | Director |
| Leilah Powell | Director |
| Vincent Robinson | Director |

WHEREAS, the Board has determined that it is in the public interest and to the benefit of the citizens and residents of San Antonio for the various entities to enter into the transactions described above so that the Partnership may construct the Project; and

WHEREAS, this Board has reviewed the foregoing and determined that the action herein authorized is in furtherance of the public purposes of SAHFC.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Antonio Housing Facility Corporation, hereby:

Section 1. The Project and the various forms of financing contemplated for the Project, including, but not limited to, the Construction Loan Documents, the Bridge Loan Documents, the Equity Documents, the TDHCA Documents, the Permanent Loan Commitment, the Permanent Loan Documents, the Construction Documents, and the Ground Lease, are hereby authorized and approved.

Section 2. The purchase of the Land, the lease of the Land, the acquisition of a membership interest in the General Partner by SAHFC, the acquisition of a partnership interest in the Partnership by the General Partner, and the role of SAHFC as the general contractor for the Project are approved and the President, any Vice President, the Secretary, the Treasurer, and any Assistant Secretary, or any of them acting alone, are hereby authorized to execute the documents required to be executed by SAHFC, and/or the General Partner, and/or the Partnership in order to effectuate such transactions.

Section 3. The President, any Vice President, the Secretary, the Treasurer, any Assistant Secretary, or any of them acting alone, are hereby authorized to execute any and all documentation required for the financing and construction of the Project, including, but not

limited to, the Ground Lease, the TDHCA Documents, the Construction Loan Documents, the Bridge Loan Documents, the Permanent Loan Commitment, the Permanent Loan Documents, the Equity Documents, the Construction Documents, and all other documents relating to the development of the Project to which the Partnership, and/or the General Partner, and/or SAHFC is a party.

Section 4. The President, any Vice President, the Secretary, the Treasurer, any Assistant Secretary, or any of them acting alone, and, if required by the form of the document, the Secretary and any Assistant Secretary, or any of them, of SAHFC are authorized and directed to modify, execute, and deliver any of the documents to be signed by or consented to by SAHFC, and any and all certificates and other instruments necessary to carry out the intent thereof and hereof. The President, any Vice President, the Secretary, the Treasurer, any Assistant Secretary, or any of them, are authorized to negotiate and approve such changes in, or additions to, the terms of any of the documents, including amendments, renewals, and extensions, as such officers shall deem necessary or appropriate upon the advice of counsel to SAHFC, and approval of the terms of any of the documents by such officers and this Board shall be conclusively evidenced by the execution and delivery of such documents.

Section 5. The members and officers of this Board, or any of them, are authorized to take any and all action necessary to carry out and consummate the transactions described in or contemplated by the documents approved hereby or otherwise to give effect to the actions authorized hereby and the intent hereof.

Section 6. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

Section 7. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 8. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Resolution would have been enacted without such invalid provision.

Section 9. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 10. This Resolution shall be in force and effect from and after its passage.

Passed and approved the 6th day of December 2023.

Gabriel Lopez
Chair, Board of Directors

Attested and approved as to form:

Ed Hinojosa, Jr.
Secretary/Treasurer

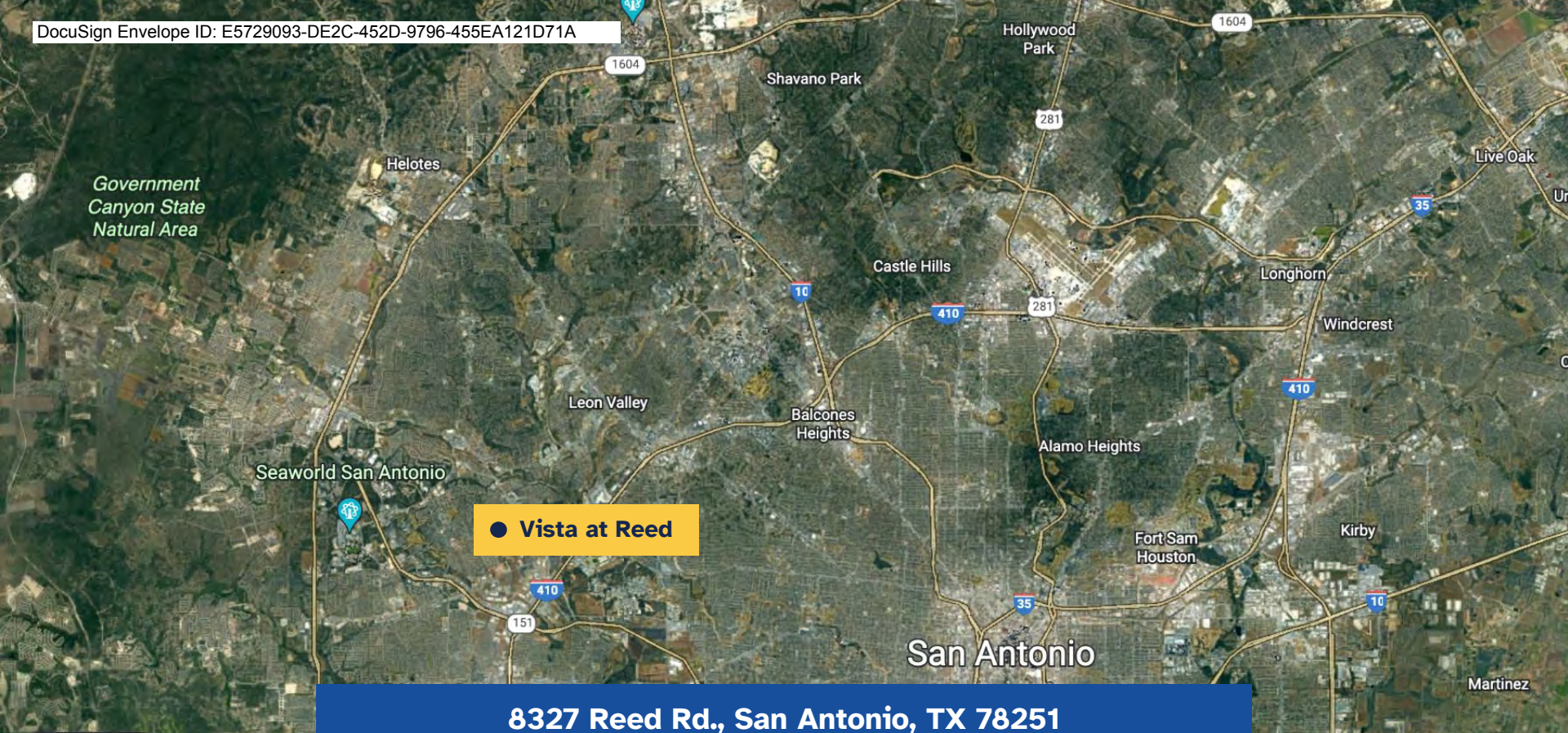
Vista at Reed

Susan Ramos-Sossaman

Interim Director of Development Services
and Neighborhood Revitalization

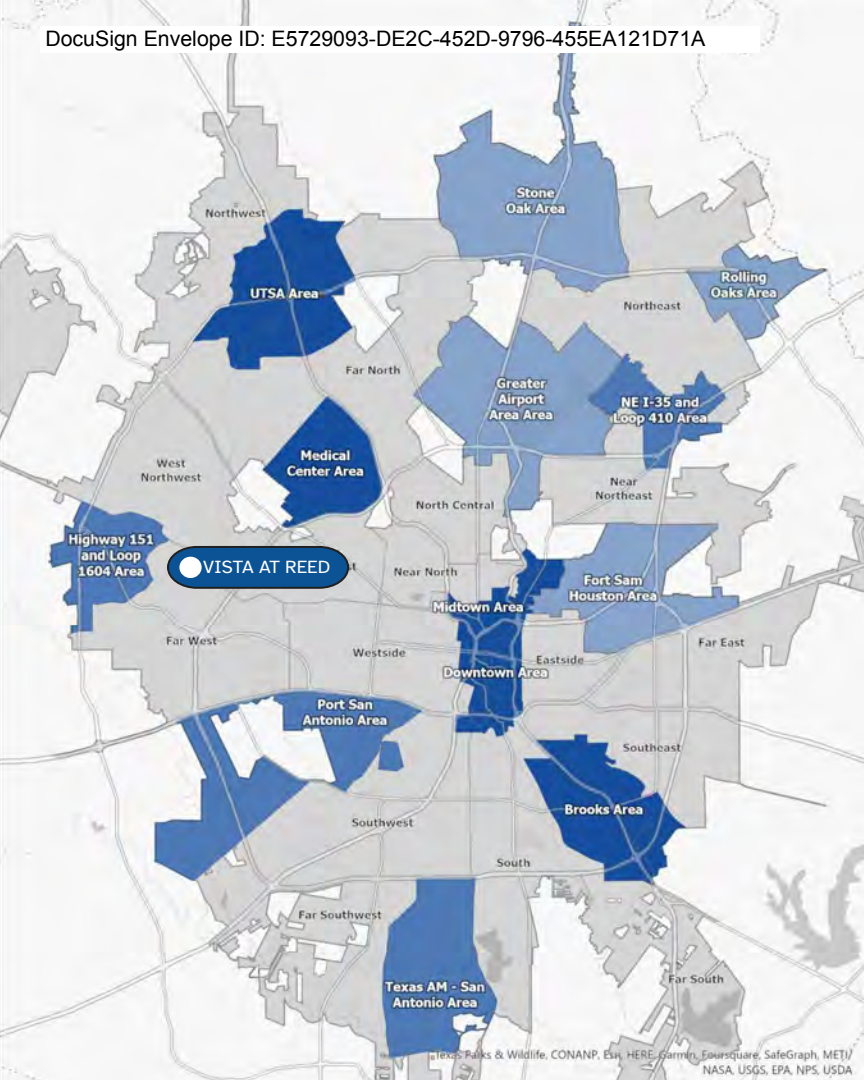
Resolution 6404

- This resolution is for final approval to move to closing
- We are seeking authority to undertake the Vista at Reed transaction for the development of a new tax credit project in partnership with Atlantic Pacific Communities (“APC”)
- Construction is projected to begin in Jan. 2024 with completion in March 2025
- The Board has previously approved Resolutions 6315 and 23FAC-02-02 on Feb. 1, 2023
 - Allowed the project to apply for 9% tax credits and other financing



● Vista at Reed

8327 Reed Rd., San Antonio, TX 78251
North of 151, West of 410 | About 4 miles from Seaworld



Regional Centers

PHASE 1 CENTERS

Downtown
Medical Center
UTSA
Midtown
Brooks

PHASE 2 CENTERS

NE I-35 and Loop 410
Highway 151 and Loop 1604
Texas A&M – San Antonio
Port San Antonio

PHASE 3 CENTERS

Greater Airport Area
Fort Sam Houston
Rolling Oaks
Stone Oak

Overview



City Council District 6
Northside ISD

Total Units: **56**

Proposed

2 Units at 20% AMI

4 Units at 30% AMI

13 Units at 50% AMI

36 Units at 60% AMI

1 Units at MR

Bedrooms

22 - 2-bedroom

34 - 3-bedroom

9% Tax Credits

Total Development Cost

\$21,576,008

Proforma Breakdown (Approximate)

| | |
|---------------------------------------|---------------------|
| Construction Costs | \$12,608,472 |
| A&E | \$575,785 |
| Other Soft Costs, etc. | \$6,075,899 |
| Per Unit Cost | \$385,286 |
| Rentable per Square Foot Cost | \$384 |
| Acquisition Costs | \$1,700,000 |
| Construction Contingency | \$615,852 |
| Total Development Cost Approx. | \$21,576,008 |

Summary

Today we are asking approval authorizing:

- The Vista at Reed transaction
- Authorizing the San Antonio Housing Facility Corporation to approve Resolution 23FAC-11-15 authorizing its participation in the Vista at Reed transaction

Questions?

**BOARD OF COMMISSIONERS
Regular Board Meeting**

RESOLUTIONS 6406 and 23SEN-11-15, AUTHORIZING THE PAYOFF OF DEBT UP TO \$7.3 MILLION, WHICH MAY INCLUDE MTW FUNDS, FOR LEGACY AT CROWN MEADOWS

DocuSigned by:
Ed Hinojosa Jr
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Ed Hinojosa, Jr.
President and CEO

DocuSigned by:
Brandee R. Perez
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Brandee Perez
Chief Operating Officer

REQUESTED ACTION:

Consideration and approval regarding Resolutions 6406 and 23SEN-11-15, authorizing the payoff of debt up to \$7.3 million, which may include MTW funds, for Legacy at Crown Meadows.

SUMMARY:

The property debt will mature on January 1, 2024. The payoff of the debt will allow the organization to increase local non-traditional available units (LNT) units as allowed per our MTW agreement and PIH Notice 2011-45. The current debt of up to \$7.3 million will be paid with MTW reserves.

The Legacy at Crown Meadows Apartments is a 192 unit, multi-family asset built in 2004 and located at 7700 Ingram Road, San Antonio, Texas 78251 owned by the Sendero I Public Facility Corporation. The payment of the debt will increase LNT units by approximately 167 units per month.

As a requirement of PIH Notice 2011-45, a Land Use Restriction Agreement (LURA) will be recorded for the community restricting all units to 80% of AMI or below for a 30-year-period.

STRATEGIC OUTCOMES:

Opportunity Home San Antonio residents have a sufficient supply of affordable housing options. Opportunity Home San Antonio residents live in quality affordable housing.

ATTACHMENTS:

- Resolution 6406
- Resolution 23SEN-11-15

**Opportunity Home San Antonio
Resolution 6406**

RESOLUTION 6406, AUTHORIZING THE PAYOFF OF DEBT UP TO \$7.3 MILLION, WHICH MAY INCLUDE MTW FUNDS, FOR LEGACY AT CROWN MEADOWS

WHEREAS, one of Opportunity Home’s strategic goals is to expand the supply of affordable housing; and

WHEREAS, the property debt will mature on January 1, 2024; and

WHEREAS, the payoff of the debt will allow the organization to increase local non-traditional available units (LNT units) as allowed per our MTW agreement and PIH Notice 2011-45; and

WHEREAS, the current debt of \$7.3 million will be paid with MTW reserves; and

WHEREAS, the Legacy at Crown Meadows Apartments is a 192 unit, multi-family asset built in 2004 and located at 7700 Ingram Road, San Antonio, Texas 78251 owned by the Sendero I Public Facility Corporation. The payment of the debt will increase LNT units by approximately 167 units per month; and

WHEREAS, as a requirement of PIH Notice 2011-45, a Land Use Restriction Agreement (LURA) will be recorded for the community restricting all units to 80% of AMI or below for a 30-year-period.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Opportunity Home San Antonio hereby:

- 1) Approves Resolutions 6406 and 23SEN-11-15, authorizing the payoff of debt up to \$7.3 million, which may include MTW funds, for Legacy at Crown Meadows.
- 2) Authorizes the Secretary/Treasurer or designee to execute all necessary documents and extensions.

Passed and approved the 6th day of December 2023.

Attested and approved as to form:

Gabriel Lopez

Chair, Board of Commissioners

Ed Hinojosa, Jr.

President and CEO

**Sendero I Public Facility Corporation
Resolution 23SEN-11-15**

RESOLUTION 23SEN-11-15, AUTHORIZING THE PAYOFF OF DEBT UP TO \$7.3 MILLION, WHICH MAY INCLUDE MTW FUNDS, FOR LEGACY AT CROWN MEADOWS

WHEREAS, one of Opportunity Home’s strategic goals is to expand the supply of affordable housing; and

WHEREAS, the property debt will mature on January 1, 2024; and

WHEREAS, the payoff of the debt will allow the organization to increase local non-traditional available units (LNT units) as allowed per our MTW agreement and PIH Notice 2011-45; and

WHEREAS, the current debt of \$7.3 million will be paid with MTW reserves; and

WHEREAS, the Legacy at Crown Meadows Apartments is a 192 unit, multi-family asset built in 2004 and located at 7700 Ingram Road, San Antonio, Texas 78251 owned by the Sendero I Public Facility Corporation. The payment of the debt will increase LNT units by approximately 167 units per month; and

WHEREAS, as a requirement of PIH Notice 2011-45, a Land Use Restriction Agreement (LURA) will be recorded for the community restricting all units to 80% of AMI or below for a 30-year-period.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Sendero I Public Facility Corporation hereby:

- 1) Approves Resolution 23SEN-11-15, authorizing the payoff of debt up to \$7.3 million, which may include MTW funds, for Legacy at Crown Meadows.
- 2) Authorizes the Secretary/Treasurer or designee to execute all necessary documents and extensions.

Passed and approved the 6th day of December 2023.

Attested and approved as to form:

Gabriel Lopez

Chair, Board of Directors

Ed Hinojosa, Jr.

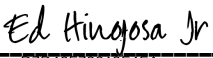
Secretary/Treasurer


OPPORTUNITY HOME SAN ANTONIO

December 6, 2023

BOARD OF COMMISSIONERS
Regular Board Meeting

RESOLUTION 6401, APPROVING INTERIM POLICY UPDATES TO THE ADMINISTRATIVE PLAN (ADMIN PLAN) AND THE ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP)

DocuSigned by:

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Ed Hinojosa, Jr.
 President and CEO

DocuSigned by:

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Christine Patrick
 Assistant Director of Operations Support -
 Policy

REQUESTED ACTION:

Consideration and approval regarding Resolution 6401, approving interim policy updates to the Administrative Plan (Admin Plan) and Admissions and Continued Occupancy Policy (ACOP).

SUMMARY:**I. Proposed Revisions to ACOP**

In accordance with 24 CFR 960.206(a)(1), Opportunity Home has the authority to adopt preferences based on local housing needs and priorities as determined by the organization. The waitlist preference, currently called the Single Family Preference, was implemented in April of this year and Opportunity Home has provided 0- and 1-bedroom Public Housing units to a total of 90 referred individuals as of October 2023.

Since implementation, the need for an expanded preference has been identified and Opportunity Home is proposing updating the referral preference to allow for households composed of up to two individuals who are either homeless, displaced, elderly (age 62 or older), or are persons with disabilities to qualify.

The updated preference will allow these families referred by a designated social service agency, such as Haven for Hope, to be placed on the Public Housing (PH) waitlist for an efficiency or 1-bedroom unit. These families will retain the assigned preference throughout the waitlist, eligibility, and offer process. This policy will be added to the Admissions and Continued Occupancy Policy (ACOP).

- I. (100 Points) - Families composed of up to two individuals certified by a designated social service agency as eligible based on the criteria below and referred to Opportunity Home under the terms and conditions of a Memorandum of Agreement with a certifying social service agency, such as Haven for Hope, to receive an available efficiency or one-bedroom unit. [24 CFR 960.206(a), 24 CFR 960.206(c)] Individuals must meet at least one of the following criteria:**
- i. Elderly (age 62 or older)
 - ii. Displaced
 - iii. Homeless
 - iv. Persons with disabilities

II. Proposed Revisions to the Administrative Plan

Opportunity Home is revising the abatement period policy in Section 8.2.G(3)(f) of the Administrative Plan to increase the current 30-day period to 60 days. The increased abatement period would allow residents additional time to search for a new unit, if necessary, when their current unit has received a Final Fail rating on a Housing Quality Standards (HQS) Inspection. Landlords have the option of paying a reinspection fee for units that receive a Final Fail rating. If the unit passes the reinspection, the abatement would be lifted and Housing Assistance Payments would resume.

In addition, Opportunity Home was recently awarded 41 Stability Vouchers (SVs) to assist individuals and families experiencing or at-risk of homelessness; those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking; and, veterans and families that include a veteran family member that meet one of the proceeding criteria. Chapter 20 of the Administrative Plan would include policies for the administration of the SV program.

Lastly, the Income-Based Housing Assistance Program (IBHA) is a local, non-traditional (LNT) program that will allow Opportunity Home to serve families at or below 80% of Area Median Income (AMI) and use MTW funds for activities that meet one of three required MTW statutory objectives of increasing the efficiency of Federal expenditures, incentivizing self-sufficiency of participating families and increasing housing choice for low-income families. Chapter 20 of the Administrative Plan would include policies for the administration of the IBHA program in accordance with PIH Notice 2011-45. References related to the administration of the IBHA program will also be incorporated into the Admissions and Continued Occupancy Policy.

STRATEGIC OUTCOMES:

Supports all strategic outcomes.

ATTACHMENTS:

Resolution 6401
Stability Voucher Policy
60-Day Abatement Period Policy
Income-Based Housing Assistance Policy
Presentation

**Opportunity Home San Antonio
Resolution 6401**

RESOLUTION 6401, APPROVING INTERIM POLICY UPDATES TO THE ADMINISTRATIVE PLAN (ADMIN PLAN) AND THE ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP)

WHEREAS, the mission of Opportunity Home San Antonio is to improve the lives of our residents by providing quality affordable housing and building sustainable, thriving communities; and

WHEREAS, Opportunity Home may update policy plans in accordance with HUD regulations and local housing needs and priorities; and

WHEREAS, the proposed revisions to the Admissions and Continued Occupancy Policy (ACOP) and Administrative Plan (Admin Plan) aim to further the mission of Opportunity Home by providing affordable housing through the Public Housing (PH) and Assisted Housing Programs (AHP); and

WHEREAS, Opportunity home is proposing the following interim updates to the Admissions and Continued Occupancy Policy (PH) and the Administrative Plan (AHP)

ACOP

- Updating the Public Housing waitlist preference, currently called the Single Family Preference, to allow for households composed of up to two individuals who are homeless, displaced, elderly (age 62 or older), or are persons with disabilities to qualify.

Admin Plan

- Revise the abatement period policy in Section 8.2.G(3)(f) of the Administrative Plan to increase the current 30-day period to 60 days.
- Include policies for the administration of the Stability Voucher program.
- Include policies for the administration of the Income Based Housing Assistance program and references to the program in the ACOP where applicable to Public Housing.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Opportunity Home San Antonio hereby:

- 1) Approves Resolution 6401, approving interim policy updates to the Administrative Plan (Admin Plan) and Admissions and Continued Occupancy Policy (ACOP).
- 2) Authorizes the President and CEO or designee to execute all necessary documents and extensions.

Passed and approved the 6th day of December 2023.

Gabriel Lopez

Chair, Board of Commissioners

Attested and approved as to form:

Ed Hinojosa, Jr.

President and CEO



Stability Vouchers

Administrative Plan | Chapter 20

20.8 Funding

20.8.A Funding Overview

- (1) The Consolidated Appropriations Act of 2021 and 2022, provides administrative fees for voucher assistance under Section 8(o) of the United States Housing Act of 1937 for use by individuals and families experiencing or at-risk of homelessness; those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking, and veterans and families that include a veteran family member that meet one of the proceeding criteria. On August 16, 2022, HUD issued Notice PIH 2022-24 which described the allocation strategy and program requirements for the Stability Voucher program.

20.8.B Partnering Agencies

(1) Continuum of Care (CoC)

- (a) HUD established an alternative requirement under which PHAs must enter into a Memorandum of Understanding (MOU) with a CoC to establish a partnership with the CoC to pair SVs with CoC-funded supportive services; and to collaborate with the CoC and other stakeholders to develop a prioritization plan for these vouchers.

(i) Opportunity Home has entered into an MOU with Close to Home.

(2) Other Partnering Organizations

- (a) The PHA must also take direct referrals from outside the CoC CE process if:
 - (i) The CE process does not have a sufficient number of eligible families to refer to fully lease the PHA's allocation of SVs; or
 - (ii) The CE process does not identify a sufficient number of families that may be eligible for SV assistance because they are fleeing, attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking.
- (3) In these instances, the PHA must enter into a partnership to receive direct referrals from another entity, like a victim services provider or another homeless services provider, that can certify that an individual



meets one of the four eligibility categories. The PHA must enter into an MOU with the partnering referral agencies or can be added to the MOU between the PHA and CoC.

20.8.C Referrals

(1) CoC and Partnering Agency Referrals

(a) The primary responsibility of the CoC under the MOU with the PHA is to make direct referrals of qualifying individuals and families to the PHA and to identify any CoC-funded available supportive services that may be paired with SVs. The PHA must generally refer a family that is seeking SV assistance directly from the PHA to the CoC or other referring agency for initial intake, assessment, and possible referral for SV assistance. Partner CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for SVs. The CoC or other direct referral partner must provide supporting documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for SV assistance.

- (i) Close to Home must establish and implement a system to identify SV eligible individuals and families within the agency's caseload and make referrals to Opportunity Home. Close to Home must certify that the SV applicants they refer to Opportunity Home meet at least one of the four SV eligibility criteria. Opportunity Home will maintain a copy of the referral or certification from Close to Home in the participant's file along with other eligibility paperwork.
- (ii) As part of the MOU, Opportunity Home and Close to Home will identify staff positions to serve as lead SV liaisons. These positions will be responsible for transmission and acceptance of referrals. Close to Home must commit sufficient staff and resources to ensure eligible individuals and families are identified and determined eligible in a timely manner.
- (iii) The Opportunity Home liaison responsible for acceptance of referrals will contact the Close to Home liaison via email indicating the number of vouchers available and requesting an appropriate number of referrals. Close to Home will provide Opportunity Home with a list of eligible referrals including the



name, address, and contact phone number for each adult individual who is being referred; a completed release form for each adult family member; and a written certification for each referral indicating they are SV-eligible.

(2) Offers of Assistance with CoC Referral

- (a) Other than cases where a survivor of domestic violence, dating violence, sexual assault, stalking, or human trafficking is requesting an emergency transfer, the PHA must refer a family that is seeking SV assistance directly from the PHA to the CoC or other referring agency partner for initial intake, assessment, and possible referral for SV assistance.
- (c) If at any time the PHA is not receiving enough referrals or is not receiving referrals in a timely manner from the CoC or other partner referral agencies (or the PHA and CoC cannot identify any such alternative referral partner agencies), the PHA must enter into a formal partnership with another entity, such as another homeless service provider and/or victim services provider, to receive referrals.



20.8.D Waiting List Management

(1) HCV Waiting List

- (a) The regulation that requires the PHA to admit applicants as waiting list admissions or special admissions in accordance with admission policies in Chapter 4 does not apply to PHAs operating the SV program. Direct referrals are not added to the PHA's HCV waiting list.
- (b) The PHA must inform families on the HCV waiting list of the availability of SVs by, at a minimum, either by posting the information to their website or providing public notice in their respective communities in accordance with the requirements listed in Notice PIH 2022-24.

- (i) Opportunity Home will post information about the SV program for families on the HCV waiting list on Opportunity Home's website. The notice will:
 - (A) Describe the eligible populations to which SVs are limited.
 - (B) Clearly state that the availability of these SVs is managed through a direct referral process.
 - (C) Advise the family to contact the CoC (or any other PHA referral partner, if applicable) if the family believes they may be eligible for SV assistance.
- (ii) Opportunity Home will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2. Opportunity Home will also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP) in accordance with Chapter 2.

20.8.E Stability Vouchers Waiting List

- (1) The HCV regulations requiring the PHA to operate a single waiting list for admission to the HCV program do not apply to PHAs operating the SV program. Instead, when the number of applicants referred by the CoC or partnering agency exceeds the SVs available, the PHA must maintain a separate waiting list for SV referrals.
- (2) Further, the SV waiting list is not subject to PHA policies in Chapter 4 regarding opening and closing the HCV waiting list. The PHA will work directly with its CoC and other referral agency partners to manage the number of referrals and the size of the SV waiting list.



20.8.F Preferences

(1) HCV and SV Waiting List Preferences

- (a) If local preferences are established by the PHA for HCV, they do not apply to SVs. Local preferences established by the PHA must be in accordance with Notice PIH 2022-24.
- (b) With the exception of a residency preference, the PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for SVs. The PHA may, however, choose to not establish any local preferences for the SV waiting list.

- (i) No local preferences have been established for the SV waiting list.



20.8.G Family Eligibility

(1) Overview

- (a) The CoC or referring agency determines whether the individual or family meets any one of the four eligibility criteria described in Notice PIH 2022-24 and then refers the family to the PHA.

20.8.H Referring Agency Determination of Eligibility

- (1) In order to be eligible for an SV, an individual or family must meet one of four eligibility criteria:
 - (a) Individuals and families who are currently experiencing homelessness;
 - (b) Individuals and families at risk of homelessness;
 - (c) Individuals and families fleeing or attempting to flee domestic violence, dating violence, stalking, sexual assault; and
 - (d) Veterans and families that include a veteran family that meet one of the preceding criteria (a-b).
- (2) For certifying eligibility for individuals, minor children, and families fleeing or attempting to flee domestic violence, sexual assault, stalking, or human trafficking, CoCs and VSPs may accept a survivors' self-definition of "fleeing or attempting to flee."
- (3) The CoC or referring agency must provide documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for SV assistance. The PHA must retain this documentation as part of the family's file

20.8.I PHA Screening

(1) Overview

- (a) HUD waived 24 CFR 982.552 and 982.553 in part for SV applicants and established alternative requirements for mandatory and permissive prohibitions of admissions. Except where applicable, PHA policies regarding denials in Chapter 3 of this policy do not apply to screening individuals and families for eligibility for an SV. Instead, the SV alternative requirement listed in this section will apply to all SV applicants.
- (b) The mandatory and permissive prohibitions listed in Notice PIH 2022-24 and in this chapter, however, apply only when screening the individual or family for eligibility for an SV. When adding a family



member after the family has been placed under a HAP contract with SV assistance, the regulations at 24 CFR 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular HCV screening criteria in Chapter 3 in doing so.

(2) **Mandatory Denials**

- (a) Under alternative requirements for the SV program, mandatory denials for SV applicants include:
 - (i) 24 CFR 982.553(a)(1)(ii)(C), which prohibits admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
 - (ii) 24 CFR 982.553(a)(2)(i), which prohibits admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.
- (b) The PHA must deny admission to the program if any member of the family fails to sign and submit consent forms for obtaining information as required by 24 CFR 982.552(b)(3) but should notify the family of the limited SV grounds for denial of admission first.

(i) While Opportunity Home will deny admission to the program if any adult member (or head of household or spouse, regardless of age) fails to sign and submit consent forms, Opportunity Home will first notify the family of the limited SV grounds for denial of admission as part of the notice of denial that will be mailed to the family.

(3) **Permissive Denials**

- (a) Notice PIH 2022-24 lists permissive prohibitions for which the PHA may, but is not required to, deny admission to SV families. The notice also lists prohibitions that, while allowable under the HCV program, may not be used to deny assistance for SV families.
- (b) If the PHA intends to establish permissive prohibition policies for SV applicants, the PHA must first consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration.
- (c) The PHA must not deny SV applicant admission or otherwise exclude an SV applicant based on arrest records only.



- (i) In consultation with Close to Home, Opportunity Home will apply permissive prohibition to the screening of SV applicants. Determinations using permissive prohibitions will be made based on an individualized assessment of relevant mitigating information in accordance with policies in Section 3-III.E.
- (ii) Opportunity Home will establish the following permissive prohibitions:
 - (A) If the PHA determines that any household member is currently engaged in, or has engaged in within the previous 12 months:
 - (1) Violent criminal activity
 - (2) Other criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity
 - (B) If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program within the previous 12 months.
 - (C) If the family engaged in or threatened abusive or violent behavior toward Opportunity Home personnel within the previous 12 months.
- (iii) The PHA will also deny assistance to household members already receiving assistance from another program in accordance with Notice PIH 2022-24.
- (iv) Prohibitions based on criminal activity for the eligible SV populations regarding drug possession will be considered apart from criminal activity against persons (i.e., violent criminal activity).
- (v) In compliance with PIH 2022-24, Opportunity Home will not deny an SV applicant admission regardless of whether:
 - (A) Any member of the family has been evicted from federally assisted housing;
 - (B) The PHA has ever terminated assistance under the program for any member of the family;



- (C) The family currently owes rent or other amounts to Opportunity Home or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act;
- (D) The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;
- (E) The family breached an agreement with the PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA;
- (F) The family would otherwise be prohibited admission under alcohol abuse standards established by Opportunity Home in accordance with 24 CFR 982.553(a)(3);
- (G) Opportunity Home determines that any household member is currently engaged in or has engaged in, during a reasonable time before the admission, drug-related criminal activity.

20.8.J Income Verification at Admission

(1) Self-Certification at Admission

- (a) The requirement to obtain third-party verification of income in accordance with Notice PIH 2018-18 does not apply to the SV program applicants at admission, and alternatively, PHAs may consider self-certification the highest form of income verification at admission. As such, PHA policies related to the verification of income in Section 7-I.B. do not apply to SV families at admission. Instead, applicants must submit an affidavit attesting to their reported income, assets, expenses, and other factors that would affect an income eligibility determination.
- (b) Additionally, applicants may provide third-party documentation that represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA's request.

- (i) Any documents used for verification must be the original (not photocopies) and dated within the 60-day period prior to



admission. The documents must not be damaged, altered, or in any way illegible.

- (ii) Printouts from webpages are considered original documents.
- (iii) Any family self-certifications must be made in a format acceptable to Opportunity Home and must be signed by the family member whose information or status is being verified. The certification must be signed in the presence of a notary public (e.g., an affidavit).
- (iv) Opportunity Home will incorporate additional procedures to remind families of the obligation to provide true and complete information in accordance with Chapter 14.
- (v) Opportunity Home will address any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later.
- (vi) Opportunity Home may, but is not required to, offer the family a repayment agreement in accordance with Chapter 16. If the family fails to repay the excess subsidy, Opportunity Home will terminate the family's assistance in accordance with the policies in Chapter 12.

(2) Recently Conducted Income Determinations

(a) PHAs may accept income calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program in lieu of conducting an initial examination of income as long as:

- (i) The income was calculated in accordance with rules outlined at 24 CFR Part 5 and within the last six months; and
- (ii) The family certifies there has been no change in income or family composition in the interim.

- (A) Opportunity Home will accept income calculations and verifications from third-party providers provided they meet the criteria outlined above.
- (B) The family certification must be made in a format acceptable to Opportunity Home and must be signed by all



adult family members whose information or status is being verified.

- (b) At the time of the family’s annual reexamination, the PHA must conduct the annual reexamination of income as outlined at 24 CFR 982.516 and PHA policies in Chapter 11.

(3) EIV Income Validation

- (a) Once HUD makes the EIV data available to PHAs under this waiver and alternative requirement, the PHA must:
 - (i) Review the EIV Income and Income Validation Tool (IVT) reports to confirm and validate family-reported income within 90 days of the PIC submission date;
 - (ii) Print and maintain copies of the EIV Income and IVT Reports in the tenant file; and
 - (iii) Resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.
- (b) Prior to admission, PHAs must continue to use HUD’s EIV system to search for all household members using the Existing Tenant Search in accordance with PHA policies in Chapter 3.
- (c) If a PHA later determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program in accordance with Chapter 12.

20.8.K Social Security Number and Citizenship Status Verification

- (1) For the SV program, the PHA is not required to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the SV program. Instead, PHAs may adopt policies to admit SV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.



- (2) If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

- (a) Opportunity Home will admit SV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. These individuals must provide the required documentation in accordance with policies in Chapter 7 within 180 days of admission. Opportunity Home may provide an additional 60-day extension based on evidence from the family or confirmation from Close to Home that the family has made a good-faith effort to obtain the documentation.
- (b) If Opportunity Home determines that an ineligible family received assistance, Opportunity Home will take steps to terminate that family from the program in accordance with policies in Chapter 12.

20.8.L Age and Disability Verification

- (1) PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.
- (2) If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

- (a) Opportunity Home will accept self-certification of date of birth and disability status if a higher form of verification is not immediately available. The certification must be made in a format acceptable to Opportunity Home and must be signed by the family member whose information or status is being verified.
- (b) If self-certification is accepted, within 90 days of admission, Opportunity Home will verify the information in EIV or, if the information is not available in EIV, through other third-party verification. Opportunity Home will note in the family's file that self-certification was used as initial verification and include an EIV printout or other third-party verification confirming the applicant's date of birth and/or disability status.
- (c) If Opportunity Home determines that an ineligible family received assistance, Opportunity Home will take steps to terminate that family from the program in accordance with policies in Chapter 12.



20.8.M Income Targeting

- (1) The PHA must determine income eligibility for SV families in accordance with 24 CFR 982.201 and Opportunity Home policy in Chapter 3; however, income targeting requirements do not apply for SV families. The PHA may still choose to include the admission of extremely low-income SV families in its income targeting numbers for the fiscal year in which these families are admitted.

- (a) Opportunity Home will include the admission of extremely low-income SV families in its income targeting numbers for the fiscal year in which these families are admitted.



20.8.N Housing Search and Leasing

(1) Initial Voucher Term

- (a) Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, SV vouchers must have an initial search term of at least 120 days. PHA policies on extensions as outlined in Section 5-II.E. will apply.

- (i) All SVs will have an initial term of 120 calendar days.
- (ii) The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless Opportunity Home grants an extension.

20.8.O HQS Pre-Inspections

- (1) To expedite the leasing process, PHAs may pre-inspect available units that SV families may be interested in leasing in order to maintain a pool of eligible units.

- (a) To expedite the leasing process, Opportunity Home may pre-inspect available units that SV families may be interested in leasing to maintain a pool of eligible units. If an SV family selects a unit that passed a HQS pre-inspection (without intervening occupancy) within 45 days of the date of the Request for Tenancy Approval, the unit may be approved provided that it meets all other conditions under 24 CFR 982.305.
- (b) The family will be free to select their unit.
- (c) When a pre-inspected unit is not selected, Opportunity Home will make every effort to fast-track the inspection process, including adjusting the normal inspection schedule for any required reinspections.

20.8.P Initial Lease Term

- (1) Unlike the standard HCV program, SV voucher holders may enter into an initial lease that is for less than 12 months, regardless of the PHA policy in Section 9-I.E., Term of Assisted Tenancy.



20.8.Q Portability

- (1) The normal HCV portability procedures and requirements outlined in Chapter 10 generally apply to SVs. Exceptions are addressed below.
- (2) **Nonresident Applicants**
 - (a) Under SV, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied, regardless of PHA policy in Section 10-II.B.
- (3) **Billing and Absorption**
 - (a) A receiving PHA cannot refuse to assist an incoming SV family, regardless of whether the PHA administers SVs under its own ACC.
 - (i) If the SV family moves under portability to another PHA that administers SVs under its own ACC:
 - (A) The receiving PHA may only absorb the incoming SV family with an SV (assuming it has an SV voucher available to do so).
 - (B) If the PHA does not have an SV available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with SV assistance and may not absorb the family with a regular HCV when the family leases the unit.
 - (C) Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family's SV assistance, the SV administration of the voucher is in accordance with the receiving PHA's SV policies.
 - (ii) If the SV family moves under portability to another PHA that does not administer SV under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.
- (4) **Family Briefing**
 - (a) In addition to the applicable family briefing requirements at 24 CFR 982.301(a)(2) the initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).



- (b) A family that includes any disabled person, the PHA must take appropriate steps to ensure effective communication in accordance with 24 CFR 8.6.

- (i) In addition to following agency policy on briefings in Chapter 5, as part of the briefing packet for SV families, Opportunity Home will include a written notice that Opportunity Home will assist the family with moves under portability.
- (ii) For limited English proficient (LEP) applicants, Opportunity Home will provide interpretation services in accordance with the PHA's LEP plan (See Chapter 2).

(5) Coordination of Services

- (a) If the portability move is in connection with the SV family's initial lease-up, the receiving PHA and the initial PHA must consult and coordinate the SV services and assistance that will be made available to the family.

- (i) For SV families who are exercising portability, when the PHA contacts the receiving PHA in accordance with Section 10-II.B. Preapproval Contact with Receiving PHA, the PHA will consult and coordinate with the receiving PHA to ensure there is no duplication of SV services and assistance, and ensure the receiving PHA is aware of the maximum amount of services fee funding that the initial PHA may provide to the receiving PHA on behalf of the family.

20.8.R Payment Standards

(1) Payment Standard Schedule

- (a) For the SV program, HUD has waived the regulation requiring a single payment standard for each unit size. Instead, the PHA may, but is not required to, establish separate higher payment standards for SVs. Lower SV payment standards are not permitted. If the PHA is increasing the regular HCV payment standard, the PHA must also increase the SV payment standard if it would be otherwise lower than the new regular HCV payment standard. The separate SV payment standard must comply with all other HCV requirements with the exception of the alternative requirements discussed below.
- (b) Further, if the PHA chooses to establish higher payments standards for SVs, HUD has provided other regulatory waivers:



- (i) Allowing the PHA to establish a payment standard amount for a unit size at any level between 90 percent and 120 percent (as opposed to 110 percent) of the published Fair Market Rent (FMR) for the unit size.
- (ii) Allowing a PHA that is not in a designated Small Area FMR (SAFMR) area or has not opted to voluntarily implement SAFMRs to establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD published SAFMRs. The PHA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published Small Area FMR for that ZIP code area. The exception payment standard must apply to the entire ZIP code area.
 - (A) The PHA must notify HUD if it establishes an SV exception payment standard based on the SAFMR.

(1) Opportunity Home will establish a payment standard between 90 percent and 120 percent of SAFMRs.

(2) Rent Reasonableness

- (a) All rent reasonableness requirements apply to SV units, regardless of whether the PHA has established an alternative or exception SV payment standard.

(3) Increases in Payment Standards

- (a) The requirement that the PHA apply increased payment standards at the family's first regular recertification on or after the effective date of the increase does not apply to SV. The PHA may, but is not required to, establish an alternative policy on when to apply the increased payment standard, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change.

(i) Opportunity Home will not establish an alternative policy for increases in the payment standard. Opportunity Home's policy in Section 11.3.B governing increases in payment standards will apply to SV.



60-Day Abatement Period

Administrative Plan | Chapter 8

8.2.G Enforcing Owner Compliance

(3) **Abatements Due to Non-Compliance with Housing Quality Standards (HQS)**

- (a) An abatement is a cessation of housing assistance payments to an owner.
- (b) When an owner's housing assistance payment is abated due to the owner's failure to comply with HQS, the abated monies are not repaid to the owner, but are forfeited.
- (c) During any abatement period the family continues to be responsible for its share of the rent.
- (d) An abatement is released and housing assistance payment resumes on the date Opportunity Home determines that the unit is free from those HQS deficiencies that resulted in the abatement and which are the owner's responsibility.
- (e) If the inspector determines that corrections have not been made at the time of the scheduled re-inspection, Opportunity Home shall abate the unit beginning the first day of the month following the reinspection date.
- (f) A HAP contract can be abated for a maximum of 60 days. If the owner pays the re-inspection fee, and the unit passes its reinspection, the abatement will be lifted effective the date that the unit passed reinspection.



Income-Based Housing Assistance Administrative Plan | Chapter 20

20.9 Income-Based Housing Assistance

20.9.A OVERVIEW

- (1) On August 15, 2011, HUD issued Notice PIH 2011-45 which described HUD’s authorization to PHA’s with MTW Agreements to implement local, nontraditional activities (LNT) outside of the Housing Voucher Program and Public Housing Programs established in Sections 8 & 9 of the Housing Act of 1937.
- (2) Opportunity Home’s Income-Based Housing Assistance (IBHA) will serve families at or below 80% Area Median Income (AMI) and use MTW funds for activities that meet one of the three required MTW statutory objectives.
- (3) If Opportunity Home uses MTW funds for acquisition, renovation, or construction of local, non-traditional affordable units, the organization must ensure that the units remain affordable for a specified amount of time. The time restriction may vary from project to project, given the goals of Opportunity Home, the project economics, market conditions, and other factors.
- (4) IBHA units must remain affordable for the longer of either the term of the loan or 30 years, unless otherwise approved by HUD.

20.9.B PROGRAM ADMINISTRATION

- (1) Except as otherwise noted or unless specifically prohibited by LNT program regulations, Opportunity Home policies for the Public Housing Program contained in the Admissions and Continued Occupancy Plan (ACOP) also apply to the IBHA program and its residents.
- (2) **Rent Calculation**
 - (a) Families admitted to this program will follow the Agency’s standard calculation for Public Housing residents. See 6.3.A of the ACOP for rent calculation requirements under the program.
 - (b) Opportunity Home has authority to suspend and exempt families from minimum rent when a financial hardship exists, as defined in section 6.3.B of the ACOP.
- (3) **Eligibility**
 - (a) Applicants must meet Opportunity Home’s eligibility criteria in accordance with Chapter 3 of the ACOP.





(b) Applicants will be screened at or below 80% AMI income level.

(4) Organization of Waiting List

(a) Opportunity Home will maintain a separate waiting list for IBHA.

(b) IBHA residents will receive property-based housing assistance at designated properties.

(i) Assistance will be limited to the property for which the applicant has been drawn.

(c) Waiting List Preferences

(i) **Public Housing Resident - By Proximity (100 Points)** - A Public Housing resident may request to move to an IBHA property if they meet the following eligibility requirements:

(1) Must be a Public Housing resident currently residing in a Public Housing development(s) closest to the IBHA property for at least two years;

(a) Radius of proximity will be determined by each IBHA property.

(2) Must have a good rental history;

(3) Must meet additional eligibility requirements for the designated property, if applicable.

(5) Reexaminations

(a) Opportunity Home families participating in income-based rent assistance must conduct a reexamination of income and family composition at least annually in accordance with 24 CFR 960.257(a)(1).

(b) See 9.1.A(3), (4) and (5) of the ACOP for additional reexamination requirements outlined for income-based rent assistance programs.

(6) Over-Income Limit

(a) After a family's adjusted income has exceeded 140% over 60% AMI for 12 consecutive months (grace period), Opportunity Home must terminate the family's tenancy no later than six months after the final notice confirming that the family has been over-income for 12 consecutive months.

(b) If Opportunity Home becomes aware, through an annual/interim reexamination, that a family has reached the over-income limit, that will be the starting point for the 12-month grace period.





- (i) Opportunity Home must provide written notice to the family no later than 30 days after Opportunity Home's initial determination. The notice must state that:
 - (1) The family has exceeded the over-income limit, and
 - (2) Continuing to exceed the over-income limit for a total of 12 consecutive months will result in termination of assistance.
- (c) If the family submits a decrease in income which demonstrates that the family's income has dropped below the over-income limit, the family is no longer considered over-income.
 - (i) If Opportunity Home becomes aware that the family's income has increased, through an interim/annual reexamination, to an amount that exceeds the over-income limit, the family would begin a new 12 consecutive month grace period.
- (d) After an over-income family has exceeded the grace period, the family may request an interim reexamination, but a decrease in income and the family's rent will not reset the period before termination or enable the family to avoid termination.

(7) Program Termination

- (a) See ACOP 13.2 [Termination by Opportunity Home - Mandatory] for the HUD-required mandatory termination of the lease for certain actions or inactions of the resident or family.

(8) Moves

- (a) IBHA families may not move with their project-based assistance as the assistance is tied to the unit.

(9) VAWA

- (a) If a family makes an emergency transfer request, Opportunity Home must give the family priority to receive the next available unit in an IBHA property that meets their needs.
 - (i) If an IBHA unit that meets the family's needs is not immediately available, Opportunity Home will place the family on the Public Housing Waitlist with an Opportunity Home Program Displacement preference.

(10) Reasonable Accommodation

- (a) See Chapter 2 for additional information about fair housing and equal opportunity requirements.



Interim Administrative Plan and Admissions and Continued Occupancy Policy Updates

December 2023

ACOP

Proposed Interim Updates

Public Housing

Updated Waitlist Preference

In accordance with 24 CFR 960.206(a)(1), Opportunity Home has the authority to adopt preferences based on local housing needs and priorities as determined by the agency.

- Since implementation of the Public Housing waitlist preference currently called the Single Family Preference, the need for an expanded preference has been identified.
- Opportunity Home is proposing updating the preference to allow for households comprised of up to two individuals who are homeless, displaced, elderly (age 62 or older), or are persons with disabilities to qualify.
- The name of the preference will be updated at a later time to reflect the change.

Public Housing

Updated Preference Policy

ACOP § 4.3.B(2)(g)(i)

(g) Waiting List Preferences

Applicants will retain the assigned points throughout the waiting list, eligibility, and offer process.

- (i) **Single-Family Referral (100 Points)** - ~~Single persons~~ Families composed of up to two individuals certified by a designated social service agency as eligible based on the criteria below and referred to Opportunity Home under the terms and conditions of a Memorandum of Agreement with a certifying social service agency, such as Haven for Hope, to receive an available efficiency or one-bedroom unit [24 CFR 960.206(b)(5)]. Individuals must meet at least one of the following criteria:
 - (A) Elderly (age 62 or older);
 - (B) Displaced;
 - (C) Homeless; or
 - (D) Persons with disabilities.

Administrative Plan

Proposed Interim Updates

Assisted Housing Programs

Abatement Period Policy

Opportunity Home is revising the abatement period policy in Section 8.2.G(3)(f) of the Administrative Plan to increase the current 30-day period to **60 days**.

The 60-day abatement period would allow Residents additional time to search for a new unit, if necessary, when their current unit has received a Final Fail rating on a Housing Quality Standards (HQS) Inspection.

Assisted Housing Programs

Abatement Period Policy

8.2.G Enforcing Owner Compliance

(3) Abatements Due to Non-Compliance with Housing Quality Standards (HQS)

- (f) A HAP contract can be abated for a maximum of 60 days. If the owner pays the re-inspection fee, and the unit passes its reinspection, the abatement will be lifted effective the date that the unit passed reinspection.

Assisted Housing Programs

Stability Vouchers

Opportunity Home was recently awarded **41 Stability Vouchers**.

Chapter 20 of the Administrative Plan would include policies for the administration of the program.

Stability Vouchers assist individuals and families experiencing or at-risk of homelessness; those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking; and veterans and families that include a veteran family member that meet one of the proceeding criteria.

Assisted Housing Programs

Stability Vouchers

Opportunity Home has established a referral partnership with **Close to Home** (formerly SARAH).

Close to Home will provide wrap-around services to families and individuals referred to Opportunity Home for a Stability Voucher.

- Close to Home must verify a referred family or individual meets one of the eligible categories for SV assistance.
- Opportunity Home will post information about the SV program for families who are on the HCV waiting list and may be eligible for assistance through this program.

Assisted Housing Programs

Income-Based Housing Assistance (IBHA)

Chapter 20 of the Administrative Plan would include policies for the administration of the IBHA program.

References related to the administration of the program will also be incorporated in the Admissions and Continued Occupancy Policy.

The IBHA program will serve families **at or below 80% of Area Median Income (AMI)** and use MTW funds for activities that meet one of the three required MTW statutory objectives.

Assisted Housing Programs


Income-Based Housing Assistance

- Eligibility, rent calculation, and lease requirements for the IBHA Program are determined using **Public Housing rules**.
- Current Public Housing Residents may receive a preference to move to an IBHA property if they meet specific eligibility requirements, including proximity to an IBHA property, rental history, and meeting eligibility requirements set by the IBHA property.
- **IBHA assistance is project-based.** Families are not eligible to move with their assistance as it is tied to the unit. Families who require an emergency transfer are given priority to receive the next available IBHA unit.

Questions?

**BOARD OF COMMISSIONERS
Regular Board Meeting**

RESOLUTION 6408, APPROVING THE 2024 SMALL AREA FAIR MARKET RENTS (SAFMR) PAYMENT STANDARD AND THE PROJECT-BASED VOUCHER (PBV) PROGRAM PAYMENT STANDARD SCHEDULES

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Ed Hinojosa, Jr.
President and CEO

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Stephanie Rodriguez
Director of Assisted Housing Programs

REQUESTED ACTION:

Consideration and approval regarding Resolution 6408, approving the 2024 Small Area Fair Market Rents (SAFMR) payment standard and the Project-Based Voucher (PBV) Program payment standard schedules.

SUMMARY:

I. SAFMR Payment Standards

The U.S. Department of Housing and Urban Development (HUD) requires housing authorities to establish voucher payment standards within the basic range of 90%-110% of each SAFMR for each unit size. Staff requests approval of the proposed payment standard schedule for all bedroom sizes, which complies with HUD requirements.

Table 1. Current and Proposed Opportunity Home SAFMR Payment Standards Comparison

| | 0 BR | 1 BR | 2 BR | 3 BR | 4 BR | 5 BR | 6 BR |
|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 2022 SAFMR Payment Standard Schedule at 96% to 107% (Current) | | | | | | | |
| Group 1 | 704 | 825 | 1001 | 1287 | 1584 | 1822 | 2059 |
| Group 2 | 743 | 875 | 1062 | 1370 | 1683 | 1936 | 2188 |
| Group 3 | 836 | 979 | 1188 | 1529 | 1881 | 2163 | 2445 |
| Group 4 | 902 | 1067 | 1293 | 1661 | 2052 | 2360 | 2667 |
| Group 5 | 957 | 1122 | 1364 | 1760 | 2167 | 2492 | 2817 |
| Group 6 | 1023 | 1210 | 1463 | 1881 | 2321 | 2669 | 3017 |
| Group 7 | 1089 | 1287 | 1562 | 2013 | 2475 | 2846 | 3218 |
| Group 8 | 1144 | 1342 | 1628 | 2101 | 2585 | 2973 | 3361 |
| Group 9 | 1260 | 1480 | 1799 | 2316 | 2855 | 3283 | 3711 |
| Group 10 | 1342 | 1584 | 1920 | 2475 | 3047 | 3504 | 3961 |

**2024 SAFMR Payment Standard Schedule at 90% to 105%
(Proposed)**

| | | | | | | | |
|----------|------|------|------|------|------|------|------|
| Group 1 | 747 | 855 | 1017 | 1287 | 1584 | 1822 | 2059 |
| Group 2 | 828 | 927 | 1134 | 1440 | 1719 | 1977 | 2235 |
| Group 3 | 927 | 1044 | 1269 | 1611 | 1917 | 2205 | 2492 |
| Group 4 | 990 | 1107 | 1350 | 1710 | 2052 | 2360 | 2667 |
| Group 5 | 1026 | 1152 | 1404 | 1782 | 2167 | 2492 | 2817 |
| Group 6 | 1071 | 1210 | 1467 | 1881 | 2321 | 2669 | 3017 |
| Group 7 | 1170 | 1314 | 1602 | 2025 | 2475 | 2846 | 3218 |
| Group 8 | 1242 | 1386 | 1692 | 2142 | 2585 | 2973 | 3361 |
| Group 9 | 1269 | 1480 | 1799 | 2316 | 2855 | 3283 | 3711 |
| Group 10 | 1440 | 1620 | 1971 | 2493 | 3047 | 3504 | 3961 |

The proposed FY2024 SAFMR Payment Standard Schedule, included in the table above, shows an increase in payment standards across several zip code groups and bedroom sizes. The increases vary by unit size from \$43 (Group 1, 0 BR) to \$18 (Group 10, 3BR). There is an estimated monthly impact of \$404,994 in additional Housing Assistance Payments, a 4.7% increase after full implementation.

The proposed payment standards for 2024 will be effective with all Housing Choice Vouchers issued after January 1, 2024 and recertifications effective April 1, 2024.

II. PBV Payment Standards

The U.S. Department of Housing and Urban Development (HUD) publishes Fair Market Rents (FMRs) annually for each area of the United States and requires each housing authority to adopt a payment standard schedule for each FMR area in its jurisdiction. Payment standard is defined as “the maximum assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family)” [24 CFR 982.4(b)]. HUD permits the housing authority to establish a payment standard amount for each unit size at any level between 90% and 110%—referred to as the “basic range”—of the FMR for the unit size [24 CFR 982.503(b)(1)(i)].

In November 2016, the Small Area Fair Market Rent (SAFMR) Final Rule (Federal Register Notice FR-5855-F-03) mandated certain metropolitan areas, including the San Antonio-New Braunfels metro area, to use SAFMRs in the Housing Choice Voucher (HCV) program. The Final Rule provided an exception for Project-Based Vouchers, allowing PHAs the option to apply SAFMRs to PBV developments. Opportunity Home opted to apply the higher of SAFMRs or MAFMRs to the PBV program.

In August 2023, HUD published the 2024 FMRs. HUD allows housing authorities to establish

the payment standard amounts at any level between 90% and 110% of the published FMR. The 2024 FMRs represent an across-the-board increase for the San Antonio-New Braunfels Metropolitan Statistical Area (MSA).

Opportunity Home will implement the MAFMR proposed payment standards for PBVs in zip code groups 1, 2, and 3. Group 4 and higher will use the SAFMR payment standards. Staff believe that these increases are consistent with today’s current market trends and will expand the housing opportunities for our program participants. With these increases, there is an estimated annual impact of \$6,180 in Housing Assistance Payments or a 0.8% increase.

Opportunity Home Payment Standard and HUD Fair Market Rent Comparison

| | 0 BR | 1 BR | 2 BR | 3 BR | 4 BR | 5 BR | 6 BR |
|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 2024 Payment Standard Schedule (Proposed) | 960 | 1077 | 1312 | 1661 | 1985 | 2283 | 2581 |
| 2024 HUD Fair Market Rents | 1067 | 1197 | 1458 | 1846 | 2206 | 1537 | 2868 |
| Percentage of FMR | 90% | 90% | 90% | 90% | 90% | 90% | 90% |
| 2023 Payment Standard Schedule (Current) | 918 | 1057 | 1282 | 1631 | 1987 | 2285 | 2583 |
| 2023 HUD Fair Market Rents | 918 | 1057 | 1282 | 1631 | 1987 | 2285 | 2583 |
| Percentage of FMR | 100% | 100% | 100% | 100% | 100% | 100% | 100% |

The 2024 PBV payment standards will be effective on January 1, 2024.

CONTRACT OVERSIGHT:

N/A

STRATEGIC OUTCOMES:

Opportunity Home residents live in quality affordable housing.

Opportunity Home residents have a sufficient supply of affordable housing options.

ATTACHMENTS:

Resolution 6408

Presentation

**Opportunity Home San Antonio
Resolution 6408**

RESOLUTION 6408, APPROVING THE 2024 SMALL AREA FAIR MARKET RENTS (SAFMR) PAYMENT STANDARD AND THE PROJECT-BASED VOUCHER (PBV) PROGRAM PAYMENT STANDARD SCHEDULES

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) annually establishes fair market rents (FMRs) for each area in the United States; and

WHEREAS, HUD requires Opportunity Home to establish voucher payment standards for each unit size; and

WHEREAS, Opportunity Home staff request authorization to establish the 2024 Small Area Fair Market Rents (SAFMR) payment standard and the Project-Based Voucher (PBV) Program payment standard schedule to ensure payment standards comply with federal regulations.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Opportunity Home San Antonio hereby:

- 1) Approves Resolution 6408, approving the 2024 Small Area Fair Market Rents (SAFMR) payment standard and the Project-Based Voucher (PBV) Program payment standard schedules.
- 2) Authorizes the President and CEO or designee to execute all necessary documents and extensions.

Passed and approved the 6th day of December 2023.

Gabriel Lopez

Chair, Board of Commissioners

Attested and approved as to form:

Ed Hinojosa, Jr.

President and CEO

2024 Small Area Fair Market Rents (SAFMR) and Project-Based Voucher (PBV) Payment Standards

December 2023

Background

Payment Standards

Opportunity Home is an SAFMR-designated PHA, meaning required to use **Small Area Fair Market Rent (SAFMR)** to determine **Housing Choice Voucher (HCV)** payment standards.

Payment Standard

The maximum subsidy for a family assisted in the voucher program (before deducting the total tenant payment by the family).

Background

SAFMR Policy

Opportunity Home implemented SAFMRs through MTW Activity FY2019-1, which allows Opportunity Home to set payment standards **outside 90-110% of the SAFMRs**

Opportunity Home established its payment standard schedule through **10 zip code groups.**

The proposed 2024 Payment Standard Schedule will be effective for **recertifications effective April 1, 2024 or later**, and all **vouchers issued with effective dates January 1, 2024 or later.**

Assisted Housing Programs

2024 SAFMR Payment Standards

| | 0 BR | 1 BR | 2 BR | 3 BR | 4 BR | 5BR | 6BR |
|--|------|------|------|------|------|------|------|
| Current Payment Standards | | | | | | | |
| Group 1 | 704 | 825 | 1001 | 1287 | 1584 | 1822 | 2059 |
| Group 10 | 1342 | 1584 | 1920 | 2475 | 3047 | 3504 | 3961 |
| 2024 Proposed Payment Standards | | | | | | | |
| Group 1 | 747 | 855 | 1017 | 1287 | 1584 | 1822 | 2059 |
| Group 10 | 1440 | 1620 | 1971 | 2493 | 3047 | 3504 | 3961 |

Assisted Housing Programs

Financial Impact

There is an estimated monthly impact on the current Housing Assistance Payment for Housing Choice Vouchers of **\$404,994** or a **4.7% increase**.

2024 PBV Payment Standards

Assisted Housing Programs

Background

Project-Based Voucher

- In November 2016, the Small Area Fair Market Rent (SAFMR) Final Rule (Federal Register Notice FR-5855-F-03) mandated certain metropolitan areas, including the San Antonio-New Braunfels metro area, to use SAFMRs in the Housing Choice Voucher (HCV) program.
- The Final Rule **provided an exception for project-based vouchers**, allowing PHAs the option to apply SAFMRs to PBV developments.
 - **Opportunity Home opted to apply the higher of SAFMRs or MAFMRs to the PBV program.**

Assisted Housing Programs

2024 PBV Payment Standards

| | 0 BR | 1 BR | 2 BR | 3 BR | 4 BR | 5BR | 6BR |
|----------------------------------|------|------|------|------|------|------|------|
| Current Payment Standard | | | | | | | |
| YR 2023 | 918 | 1057 | 1282 | 1631 | 1987 | 2285 | 2583 |
| Proposed Payment Standard | | | | | | | |
| YR 2024 | 960 | 1077 | 1312 | 1661 | 1985 | 2283 | 2581 |

Assisted Housing Programs

Financial Impact

- Opportunity Home will implement the MAFMR proposed payment standards for PBVs in zip code groups 1, 2, and 3.
 - Group 4 and higher will use the SAFMR payment standards.
- There is an estimated annual impact on the current Housing Assistance Payment Contract of **\$6,180** or a **0.8% increase**.

Questions?

**BOARD OF COMMISSIONERS
Regular Board Meeting**

RESOLUTIONS 6410 AND 23FAC-12-06, AUTHORIZING THE SAN ANTONIO HOUSING FACILITY CORPORATION TO APPROVE A RESOLUTION AUTHORIZING THE SALE OF THE CULEBRA COMMONS PROJECT

DocuSigned by:
Ed Hinojosa Jr
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Ed Hinojosa, Jr.
President and CEO

DocuSigned by:
Muriel Rhoder
73853D8CC711474...
Miranda Castro
Director of Asset Management

REQUESTED ACTION:

Consideration and approval regarding Resolutions 6410 and 23FAC-12-06, authorizing the San Antonio Housing Facility Corporation to approve a resolution authorizing the sale of the Culebra Commons project.

SUMMARY:

Culebra Commons is a current PFC project that operates as a public/private partnership to expand access to affordable housing. A sale of the leasehold interest was approved by the Board with partnership between Lynd Company and NEF. Unfortunately due to the rising cost of capital, the deal did not close. Lynd Company has sought to acquire another investor and now is seeking approval from the Board to transfer leasehold interest to Origin Investments. The deal terms are very similar to those of the deal with NEF offering Opportunity Home a more advantageous position than the previous terms. The asset has cash flowed to a point that distributions have been made thus bringing the purchase price down and the anticipated return to Opportunity Home San Antonio an additional \$500,000. Opportunity Home will retain the ground lease of 75 years that was initiated in 2019. Opportunity Home will receive a 15% cash flow split in exchange for the tax abatement. The projected 5 year cash return projections are \$5,612,312.

STRATEGIC OUTCOME/S:

Opportunity Home San Antonio residents have a sufficient supply of affordable housing options. Opportunity Home San Antonio residents live in quality affordable housing.

ATTACHMENTS:

- Resolution 6410
- Resolution 23FAC-12-06
- Presentation

**Opportunity Home San Antonio
Resolution 6410**

RESOLUTION 6410, AUTHORIZING THE SAN ANTONIO HOUSING FACILITY CORPORATION TO APPROVE A RESOLUTION AUTHORIZING THE SALE OF THE CULEBRA COMMONS PROJECT

WHEREAS, one of the strategic goals of the Housing Authority of San Antonio a/k/a Opportunity Home San Antonio ("Opportunity Home San Antonio") is to expand the supply of affordable housing; and

WHEREAS, Opportunity Home San Antonio previously approved the financing of and participation in the Culebra Commons Apartments project (the "Project") by the San Antonio Housing Facility Corporation ("SAHFC"); and

WHEREAS, the developer of the Project proposes to sell the Project, which requires the consent of SAHFC, the amendment of the lease agreement, and other actions in connection therewith.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Opportunity Home San Antonio hereby:

1. Approves Resolutions 6410 and 23-FAC-12-06 of SAHFC, authorizing the sale of the leasehold interest in the Culebra Commons Project; and authorizing the execution of an amended and restated lease agreement in connection therewith; and other matters in connection therewith.
2. Authorizes the President and CEO, or designee, to execute all necessary documents associated therewith.

Passed and approved the 6th day of December 2023.

Gabriel Lopez
Chair, Board of Commissioners

Attested and approved as to form:

Ed Hinojosa, Jr.
President and CEO

**CERTIFICATE FOR RESOLUTION
RESOLUTION 23-FAC-12-06**

The undersigned officer of the San Antonio Housing Facility Corporation, a Texas nonprofit corporation created pursuant to the laws of the State of Texas (“SAHFC”) hereby certifies as follows:

1. In accordance with its bylaws, the Board of Directors of SAHFC (the “Board”) held a meeting on December 6, 2023, (the “Meeting”) of the duly constituted officers and members of the Board, at which a duly constituted quorum was present. Whereupon among other business transacted at the Meeting, a written

RESOLUTION 23FAC-12-06, AUTHORIZING THE SALE OF THE LEASEHOLD INTEREST IN THE CULEBRA COMMONS PROJECT; AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED LEASE AGREEMENT IN CONNECTION THEREWITH; AND OTHER MATTERS IN CONNECTION THEREWITH

(the “Resolution”) was duly introduced for the consideration of the Board and discussed. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of the Resolution, prevailed and carried by a majority vote of the Board.

2. A true, full, and correct copy of the Resolution adopted at the Meeting is attached to and follows this Certificate; the Resolution has been duly recorded in the Board’s minutes of the Meeting; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the Meeting; and the Meeting was held and conducted in accordance with the Bylaws of San Antonio Housing Facility Corporation.

SIGNED AND SEALED this 6th day of December 2023.



Ed Hinojosa, Jr.
Secretary/Treasurer

**San Antonio Housing Facility Corporation
Resolution 23FAC-12-06**

RESOLUTION 23-FAC-12-06 AUTHORIZING THE SALE OF THE LEASEHOLD INTEREST IN THE CULEBRA COMMONS PROJECT; AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED LEASE AGREEMENT IN CONNECTION THEREWITH; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the San Antonio Housing Facility Corporation (“SAHFC”) previously approved financing and participation in the Culebra Commons Project (the “Project”) [and SAHFC is the sole member of SAHFC Culebra Crossing LP, LLC (the “Company”), which serves as a member of the Tenant (as defined below)]; and

WHEREAS, under that certain Lease Agreement (the “Lease”) between SAHFC and Culebra Commons 2019, LLC (the “Tenant”), Tenant has the right to sell or otherwise transfer the leasehold interest in the Project (a “Sale”), and Tenant currently has a contract for such a Sale; and

WHEREAS, pursuant to the Sale, Company will be redeemed as a Member of Tenant in exchange for a portion of the proceeds received from the Sale; and

WHEREAS, pursuant to the Lease and that certain [Amended and Restated Company Agreement] of the Tenant (the “Partnership Agreement”), any Sale must be approved by SAHFC; and

WHEREAS, SAHFC and the Tenant must amend and restate the Lease (the “Amended and Restated Lease”) in connection with the sale of the Project leasehold in order to (a) remove several provisions that are no longer applicable to the Project, (b) reflect a new tenant, and (c) make any other changes deemed necessary and appropriate to achieve the foregoing purposes; and

WHEREAS, the Project has completed construction and the parties wish to terminate the Development Agreement entered into to construct the Project (the “Development Agreement”); and

WHEREAS, the Board has determined that it is in the public interest and to the benefit of the citizens and residents of San Antonio for the various entities to enter into the transactions described above; and

WHEREAS, this Board of Directors has reviewed the foregoing and determined that the action herein authorized is in furtherance of the public purposes of SAHFC.

BE IT THEREFORE RESOLVED by the Board of Directors of the San Antonio Housing Facility Corporation, that:

Section 1. The Sale, the termination of the Development Agreement, the Redemption of the Company's interest in the Tenant, and the Amended and Restated Lease are hereby authorized and approved.

Section 2. The President, any Vice President, the Secretary/Treasurer, any Assistant Secretary/Treasurer, or any of them, are hereby authorized to execute any and all documentation required for the Project, including, but not limited to, consents of SAHFC [and/or the Company] related to the Sale, the Amended and Restated Lease, and all other documents relating to such documents.

Section 3. The President, any Vice President, the Secretary/Treasurer, and any Assistant Secretary/Treasurer, or any of them, and, if required by the form of the document, the Secretary and any Assistant Secretary, or any of them, of SAHFC are authorized and directed to modify, execute and deliver any of the documents to be signed by or consented to by SAHFC [and/or the Company], and any and all certificates and other instruments necessary to carry out the intent thereof and hereof. The President, any Vice President, the Secretary/Treasurer, any Assistant Secretary/Treasurer, or any of them, are authorized to negotiate and approve such changes in, or additions to, the terms of any of the documents, including amendments, renewals, and extensions, as such officers shall deem necessary or appropriate upon the advice of counsel to SAHFC, and approval of the terms of any of the documents by such officers and this Board shall be conclusively evidenced by the execution and delivery of such documents.

Section 4. The officers of this Board, or any of them, are authorized to take any and all action necessary to carry out and consummate the transactions described in or contemplated by the documents approved hereby or otherwise to give effect to the actions authorized hereby and the intent hereof.

Section 5. If any section, paragraph, clause, or provisions of this Resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

Section 7. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 8. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 9. This Resolution shall be in force and effect from and after its passage.

Passed and approved the 6th day of December 2023.

Gabriel Lopez

Chair, Board of Directors

Attested and approved as to form:

Ed Hinojosa, Jr.

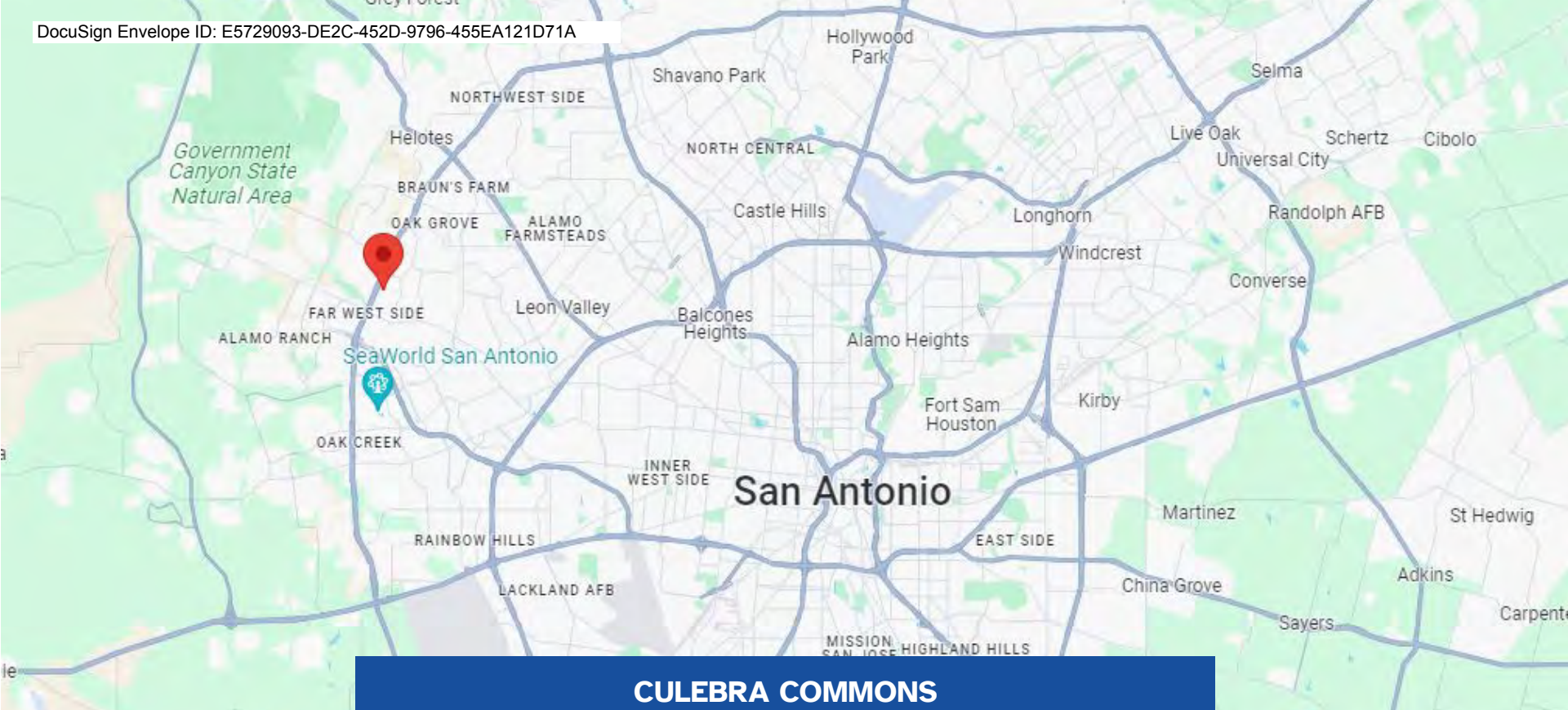
Secretary/Treasurer

Culebra Commons

Sale of Leasehold Interest and Amended Lease Agreement

—

Miranda Castro | Director of Asset Management



CULEBRA COMMONS
7106 Culebra Commons Rd., San Antonio, TX 78250

Culebra Commons



Culebra Commons

Project History

- The project is an existing **PFC deal** within the partnership portfolio. Current structure allows sale/transfer of leasehold interest.
- Board previously approved a sale of the leasehold interest to NEF. This **deal fell through due to rising interest rates.**
- A new equity investor, **Origin Investments**, has agreed to enter into the transaction with terms that are equitably as favorable for Opportunity Home.

Multifamily housing facility located at 7106 Culebra Commons, San Antonio, Texas 78250.

This is an existing partnership PFC deal.

Total Units: **327**

Unit Mix

198 - 1-bedroom

104 - 2-bedroom

25 - 3-bedroom

164 are income restricted to under **80% AMI.**

The Lynd Company operates as both the real estate developer and property management.

Total Development Cost

\$47,140,798

Deal Structure and Terms

NEF Partnership

- Opportunity Home will receive 15% of the purchase price-projected at \$6,250,000.
- 15% cash flow split
- Lynd Company and NEF (LISQ) Partnership

Origin Partnership

- Opportunity Home will receive 15% of the purchase price-projected at \$6,750,000.
- 15% cash flow split
- Lynd Company and Origin Investments Partnership

Key Points

- Opportunity Home maintains a 75 year ground lease with a 2019 effective date.
- Increase of \$500k due to revised deal structure.
- Opportunity Home receives 15% of project cash flow - 5 year projections of \$5,612,312 in exchange for property tax abatement.

ABOUT ORIGIN INVESTMENTS

What We Do

We help individual investors protect and grow their wealth by providing real estate solutions in the multifamily sector. Our regional acquisitions officers live in Charlotte, Dallas, Denver and Nashville to gain local knowledge and expertise. We believe this boots-on-the-ground strategy provides an advantage in acquisition sourcing and investment management.

\$2B

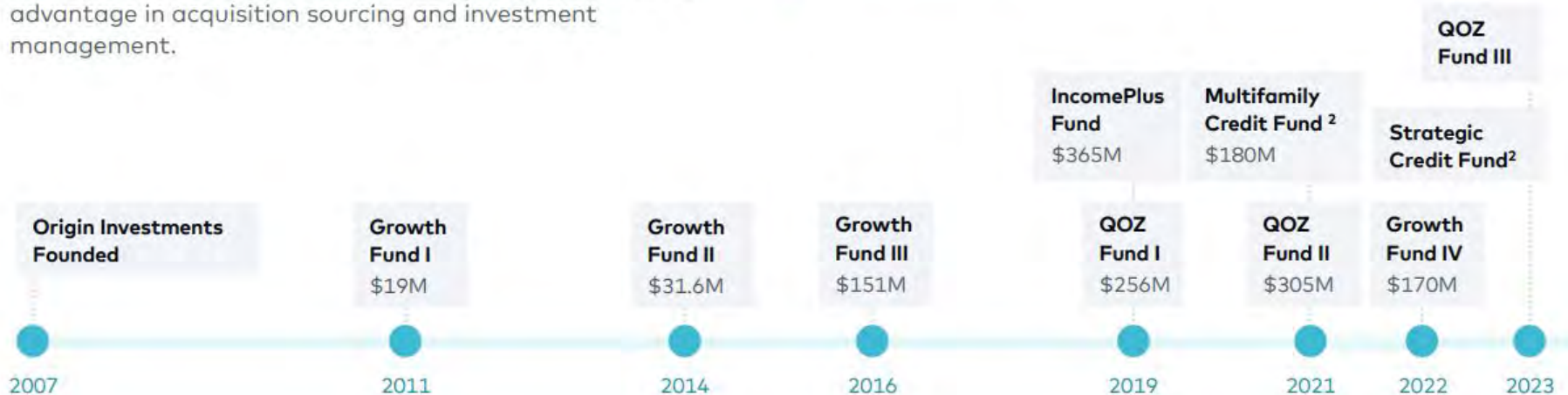
Assets Under Management¹

1,670

Units Under Management

5,217

Units Under Development





1) References to "assets under management" or "AUM" represent the real estate investments managed by Origin Investments as to which Origin is entitled to receive a fee, preferred return or carried interest. Origin's calculation of AUM may differ from the calculations of other real estate asset managers and, as a result, Origin's AUM may not be comparable to similar measures presented by other asset managers. AUM as of Q2 2023. 2) The Multifamily Credit Fund and Strategic Credit Fund are managed by Origin Credit Advisers LLC, an SEC registered investment adviser.

Questions?

BOARD OF COMMISSIONERS
Regular Board Meeting

RESOLUTIONS 6411 AND 23LVPFC-12-07, AUTHORIZING THE LAS VARAS PUBLIC FACILITY CORPORATION TO APPROVE AN INDUCEMENT RESOLUTION FOR THE PROPOSED TAX-EXEMPT BOND FINANCING OF PHASE I OF THE AUGUSTINE AT PALO ALTO APARTMENTS PROJECT

DocuSigned by:

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Ed Hinojosa, Jr.
President and CEO

DocuSigned by:

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Susan Ramos-Sossaman
Interim Director of Development Services
and Neighborhood Revitalization

REQUESTED ACTION:

Consideration and approval regarding Resolutions 6411 and 23LVPFC-12-06, authorizing the Las Varas Public Facility Corporation to approve an inducement resolution for the proposed tax-exempt bond financing of Phase I of the Augustine at Palo Alto Apartments Project.

SUMMARY:

Today we are seeking authority to file applications relating to Phase I of the proposed Augustine at Palo Alto Apartments 4% tax credit project. As you will recall, all 4% tax credit projects must be financed in part with tax-exempt bonds. In order to issue tax-exempt bonds, the issuer must obtain a volume cap allocation from the Texas Bond Review Board. This is time sensitive and can be competitive. We will be applying for a volume cap, which may not be awarded until next year, if any volume cap is available. We need to submit our applications as soon as we can. Additionally, the proposed project sites are located in a Qualified Census Tract (“QCT”), which will allow the developer to obtain a 30% boost in tax credits, provided that the project is induced by the end of the year, when the sites’ QCT statuses expire. Without the tax credit boost, the projects will not be feasible. Accordingly, we are asking you to authorize these actions so that we may get in line, but **we are not asking you to specifically approve or be bound to this project. This is a non-binding Resolution.** This will enable us to move forward, make an application for volume cap, and begin to put the financing together and negotiate the specific terms of the deal, which we will bring back for final approval.

The Augustine at Palo Alto Apartments project is a two-phase project proposed by Louis Poppoon Development and Consulting, Ltd, which will be located near the southeast corner of Palo Alto Road and Loop 410 Road, San Antonio, Texas 78224. Phase I is projected to contain 348 units, of which approximately 15% (or 52 units) will be reserved for tenants earning 30% or less of median income; approximately 50% (or 174 units) will be reserved for tenants earning 60% or less of median income; and approximately 35% (or 122 units) will be reserved for tenants earning 70% or less of median income.

The total project cost is estimated to be approximately \$82 million. Las Varas Public Facility Corporation will be the proposed issuer of the bonds.

The attached Resolution authorizes the inducement for the above project and certain actions described above.

STRATEGIC OUTCOMES:

Opportunity Home residents have a sufficient supply of affordable housing options.

ATTACHMENTS:

Resolution 6411

Resolution 23LVPFC-12-06

Presentation

**Opportunity Home San Antonio
Resolution 6411**

RESOLUTION 6411, AUTHORIZING THE LAS VARAS PUBLIC FACILITY CORPORATION TO APPROVE AN INDUCEMENT RESOLUTION FOR THE PROPOSED TAX-EXEMPT BOND FINANCING OF PHASE I OF THE AUGUSTINE AT PALO ALTO APARTMENTS PROJECT

WHEREAS, one of the strategic goals of the Housing Authority of San Antonio a/k/a Opportunity Home San Antonio ("Opportunity Home San Antonio") is to expand the supply of affordable housing; and

WHEREAS, a principal financing mechanism for new affordable housing is the 4% low income housing tax credit; and

WHEREAS, it is necessary to obtain volume cap allocations for tax-exempt bonds and applications for tax credits for Augustine at Palo Alto Apartments Phase I (the "Project"); and

WHEREAS, it is proposed that Las Varas Public Facility Corporation ("LVPFC") apply for volume cap allocation for the Project; and

WHEREAS, LVPFC will pass a non-binding resolution to induce the Project authorizing the applications needed to finance the Project and to negotiate the terms of such financing, which will be brought back to the Board for final consideration.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Opportunity Home San Antonio hereby:

1. Approves Resolutions 6411 and 23LVPFC-12-06 of LVPFC inducing Augustine at Palo Alto Apartments Phase I and authorizing the applications necessary therefore and the negotiation of the terms of the financing therefore.
2. Authorizes the President and CEO, or designee, to execute all necessary documents associated therewith.

Passed and approved the 6th day of December 2023.

Gabriel Lopez
Chair, Board of Commissioners

Attested and approved as to form:

Ed Hinojosa, Jr.
President and CEO

**CERTIFICATE FOR RESOLUTION
RESOLUTION 23LVPFC-12-06**

The undersigned officer of the Las Varas Public Facility Corporation (the “Issuer”) hereby certifies as follows:

1. In accordance with the bylaws of the Issuer, the Board of Directors of the Issuer (the “Board”) held a meeting on December 6, 2023 (the “Meeting”) of the duly constituted officers and members of the Board, at which a duly constituted quorum was present. Whereupon among other business transacted at the Meeting, a written

**RESOLUTION 23LVPFC-12-06, CONCERNING THE APPLICATION OF LOUIS
POPPOON DEVELOPMENT AND CONSULTING, LTD. OR AN AFFILIATE
THEREOF RELATING TO THE PROPOSED FINANCING OF NOT TO EXCEED
\$45,000,000 OF THE COSTS OF THE ACQUISITION, CONSTRUCTION, AND
EQUIPPING OF THE AUGUSTINE AT PALO ALTO APARTMENTS PHASE I
PROJECT, TO BE LOCATED NEAR THE SOUTHEAST CORNER OF PALO ALTO
ROAD AND LOOP 410, SAN ANTONIO, TEXAS; AND OTHER MATTERS IN
CONNECTION THEREWITH**

(the “Resolution”) was duly introduced for the consideration of the Board and discussed. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of the Resolution, prevailed and carried by a majority vote of the Board.

2. A true, full, and correct copy of the Resolution adopted at the Meeting is attached to and follows this Certificate; the Resolution has been duly recorded in the Board’s minutes of the Meeting; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the Meeting; and the Meeting was held and conducted in accordance with the Articles of Incorporation and the bylaws of the Issuer.

SIGNED this 6th day of December 2023.

Ed Hinojosa, Jr.
Secretary/Treasurer

**Las Varas Public Facility Corporation
Resolution 23LVPFC-12-06**

RESOLUTION 23LVPFC-12-06, CONCERNING THE APPLICATION OF LOUIS POPPOON DEVELOPMENT AND CONSULTING, LTD. OR AN AFFILIATE THEREOF RELATING TO THE PROPOSED FINANCING OF NOT TO EXCEED \$45,000,000 OF THE COSTS OF THE ACQUISITION, CONSTRUCTION, AND EQUIPPING OF THE AUGUSTINE AT PALO ALTO APARTMENTS PHASE I PROJECT, TO BE LOCATED NEAR THE SOUTHEAST CORNER OF PALO ALTO ROAD AND LOOP 410, SAN ANTONIO, TEXAS; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Housing Authority of the City of San Antonio a/k/a Opportunity Home San Antonio (“Opportunity Home San Antonio”), has, pursuant to the Texas Public Facility Corporation Act, Chapter 303, Texas Local Government Code, as amended (the “Act”), approved and created the Las Varas Public Facility Corporation, a nonstock, nonprofit public facility corporation (the “Issuer”); and

WHEREAS, the Issuer, on behalf of Opportunity Home San Antonio, is empowered to finance the costs of residential ownership and development that will provide decent, safe, and sanitary housing at affordable prices for residents of the City of San Antonio (the “City”) by the issuance of housing revenue bonds; and

WHEREAS, Louis Poppoon Development and Consulting, Ltd., or an affiliate thereof (the “User”), has filed an Application (the “Application”), requesting that (i) the Issuer finance the acquisition, construction and equipping of a 348-unit multifamily housing facility located on Loop 410 near the southeast corner of the intersection with Palo Alto Road (the “Project”); and (ii) the Issuer file 2024 and/or 2025 Allocation Application (defined hereafter) and/or any carryforward applications associated with such Allocation Application to the Texas Bond Review Board as described herein; and

WHEREAS, the User has advised the Issuer that a contributing factor that would further induce the User to proceed with providing for the acquisition, construction, equipping, and improvement of the Project would be a commitment and agreement by the Board of Directors of the Issuer (the “Board”) to issue housing revenue bonds pursuant to the Act (the “Bonds”) to finance and pay any Development Costs (as defined in the Act) for the Project; and

WHEREAS, in view of rising construction costs and the necessity of compliance with administrative regulations, it is considered essential that acquisition, construction, equipping, and improvement of the Project be completed at the earliest practicable date after satisfactory preliminary assurances from the Issuer that the proceeds of the sale of the Bonds or other

obligations of the Issuer in an amount necessary to pay the Development Costs of the Project will be made available to finance the Project; and

WHEREAS, this Resolution shall constitute the Issuer's commitment, subject to the terms hereof, to issue Bonds or other obligations pursuant to the Act in an amount prescribed by the User now contemplated at an amount not to exceed \$45,000,000, and to expend the proceeds thereof to pay Development Costs, including costs of acquisition, construction, equipping, and improvement of the Project, funding a debt service or other reserve fund for the Project, and paying expenses and costs in connection with the issuance of the Bonds, including costs of obtaining credit enhancement, if any; and

WHEREAS, the Bonds are "private activity bonds" as that term is defined in Subchapter A, Section 1372.001 of Chapter 1372, Texas Government Code, as amended, including the rules promulgated pursuant thereto in 34 Texas Administrative Code, Sections 190.1 through 190.8 (together, the "Allocation Act"), and various provisions of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Code requires that the applicable elected official of the City approve the issuance of the Bonds after a public hearing for which reasonable public notice shall have been given; and

WHEREAS, the Issuer is authorized by the provisions of the Act to issue the Bonds; and

WHEREAS, in order to issue the Bonds in the manner contemplated, the Issuer must seek an allocation of the State of Texas volume cap pertaining to private activity bonds in order to satisfy the provisions of the Code; and

WHEREAS, in order to satisfy, in part, the provisions of the Allocation Act, the Issuer must submit an "Application for Allocation of Private Activity Bonds" or a "Application for Carryforward for Private Activity Bonds" (the "Allocation Application") to the Texas Bond Review Board and adopt this Resolution authorizing the filing or refiling of the Allocation Application; and

WHEREAS, the Allocation Application and the Allocation Act require that the Issuer certify that the Bonds are not being issued for the same stated purpose for which the Issuer has received sufficient carryforward during a prior year or for which there exists unexpended proceeds from a prior issue or issues of bonds issued by the Issuer; and

WHEREAS, the User intends to make capital expenditures in connection with the acquisition, construction, equipping, and improvement of the Project (the "Expenditures") and expects to reimburse the Expenditures with proceeds of the Bonds; and

WHEREAS, in order to allocate under Treasury Regulation Section 1.150-2 (the “Regulation”) proceeds of the Bonds to the Expenditures, the Issuer must declare its reasonable expectation to reimburse the Expenditures; and

WHEREAS, the User has requested authorization to make all filings necessary to obtain and maintain debt financing and tax credits on the Project; and

WHEREAS, the Board has determined that it is in the public interest and to the benefit of the citizens and residents of San Antonio for the various entities to enter into the transactions described above so that the User may construct the Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Las Varas Public Facility Corporation, hereby:

Section 1. Subject to the terms hereof, the Issuer agrees that it will

(a) subject to the negotiation of mutually acceptable agreements, issue the Bonds, in an amount not to exceed \$45,000,000;

(b) cooperate with the User with respect to the issuance of the Bonds, and, if arrangements therefore satisfactory to the User and the Issuer can be made, take such action, authorize the execution of such documents, and take such further action as may be necessary or advisable for the authorization, execution, and delivery of any contracts or agreements deemed necessary and desirable by the User or the Issuer in connection with the issuance of the Bonds (collectively, the “Contracts”), providing, among other things, for payment of the principal of, interest on, redemption premiums on, and paying agents’ and trustee’s fees and charges, if any, on the Bonds; payment of fees, charges, and expenses of the Issuer and Opportunity Home San Antonio (including legal and financial advisory expenses); acquisition, construction, equipping, and improvement of the Project; and use, operation, and maintenance of the Project (and the execution of any necessary guaranty agreements), all as shall be authorized, required, or permitted by law and as shall be satisfactory to the Issuer, Opportunity Home San Antonio, and the User;

(c) if the proceeds from the sale of the Bonds are insufficient to complete the acquisition, construction, equipping, and improvement of the Project, take such actions and execute such documents as may be necessary to permit the future issuance of additional bonds from time to time on terms which shall be set forth therein, whether on a parity with other series of bonds or otherwise, for the purpose of paying the costs of completing the acquisition, construction, equipping, and improvement of the Project, as requested by the User and within then applicable limitations; and

(d) take or cause to be taken such other actions as may be required to implement the aforesaid undertakings or as it may deem appropriate in pursuance thereof.

The Bonds shall specifically provide that neither the State of Texas (the "State"), Opportunity Home San Antonio, nor any political issuer, subdivision, or agency of the State shall be obligated to pay the same or the interest thereon and that neither the faith and credit nor the taxing power of the State, Opportunity Home San Antonio, or any political issuer, subdivision, or agency thereof is pledged to the payment of the principal of, premium, if any, or interest on the Bonds.

Section 2. It is understood by the Issuer, and the User has represented to the Issuer, that in consideration of the Issuer's adoption of this Resolution and by filing the Application, and subject to the terms and conditions hereof, the User has agreed that

(a) prior to or contemporaneously with the sale of the Bonds in one or more series or issues from time to time as the Issuer and the User shall hereafter agree to in writing, the User will enter into the Contracts with the Issuer, under the terms of which the User will obligate itself, on a nonrecourse basis, to pay to the Issuer (or to a trustee, as the case may be) sums sufficient in the aggregate to pay the principal of, interest on, redemption premiums on, paying agents' and trustee's fees and charges, if any, on the Bonds, as and when the same become due and payable, with such Contracts to contain the provisions described in Section 1 hereof and such other provisions as may be required or permitted by law and mutually acceptable to the Issuer and the User;

(b) the User will (1) pay all Project costs which are not or cannot be paid or reimbursed from the proceeds of the Bonds and (2) at all times from and after the issuance of the Bonds, indemnify and hold harmless the Issuer and Opportunity Home San Antonio against all losses, costs, damages, expenses, and liabilities of whatsoever nature (including but not limited to reasonable attorneys' fees, litigation and court costs, amounts paid in settlement, and amounts paid to discharge judgments) directly or indirectly resulting from, arising out of, or related to the issuance, offering, sale, or delivery of the Bonds, or the design, construction, equipping, installation, operation, use, occupancy, maintenance, or ownership of the Project (other than claims arising from the gross negligence or willful misconduct of the Issuer or Opportunity Home San Antonio) and prior to or contemporaneously with the sale of the Bonds will agree to provide indemnification on terms satisfactory to the Issuer; and

(c) no Bonds will be issued without the approval of Opportunity Home San Antonio.

Section 3. The User is hereby authorized to make all filings necessary to obtain and maintain tax credits on the Project.

Section 4. Except as expressly extended by the Issuer, it is understood by the Issuer and the User that all commitments of the Issuer with respect to the Project and the Bonds are subject to

the condition that the Bonds shall have been issued no later than two years from the date of this Resolution.

Section 5. It is recognized and agreed by the Issuer that the User may exercise its rights and perform its obligations with respect to the financing of the Project either through (i) itself in its own name; (ii) any “related person” as defined in section 144(a)(3) of the Code; (iii) any legal successor thereto; (iv) an entity in which any of the above is a general partner or sole member; or (v) or any entity approved by the Issuer, provided that suitable guaranties necessary or convenient for the marketability of the Bonds shall be furnished, if required by the Issuer, and all references herein to the User shall be deemed to include the User acting directly through itself or any such approved entities.

Section 6. This Resolution shall be deemed to constitute the acceptance of the User’s proposal that it be further induced to proceed with providing the Project. The Allocation Application and this Resolution shall constitute an agreement between the Issuer and the User effective on the date that this Resolution is adopted. This Resolution is affirmative official action taken by the Issuer towards the issuance of the Bonds in order to comply with the requirements of the Code. **Neither the User nor any other party is entitled to rely on this Resolution as a commitment to issue bonds or loan funds, and the Issuer reserves the right not to issue the Bonds either with or without cause and with or without notice, and in such event the Issuer shall not be subject to any liability or damages of any nature. Neither the User nor anyone claiming by, through or under the User, nor any investment banking firm or potential purchaser of the Bonds shall have any claim against the Issuer whatsoever as a result of any decision by the Issuer not to issue the Bonds.**

Section 7. The Issuer hereby adopts this Resolution in order to satisfy the requirements of the Allocation Act pertaining to the issuance of the Bonds and authorizes any officer or designee of the Issuer to prepare and file a 2024 and/or 2025 Allocation Application and/or any carryforward applications associated with such Allocation Application, together with all required attachments (including obtaining the Issuer’s Certificate of Good Standing from the Comptroller of Public Accounts for the State of Texas) in the form required by the Texas Bond Review Board.

Section 8. The Issuer respectfully requests that the Allocation Application be accepted and approved by the Texas Bond Review Board.

Section 9. Any officer of the Issuer (or his designee) is hereby authorized to execute the Allocation Application, to pay (or cause the User to pay) the Application Fee of \$5,000 for each Allocation Application (submitted to the Issuer by the User) to the Texas Bond Review Board, and to submit any additional information or make any necessary corrections or revisions requested by the Texas Bond Review Board in order to satisfy the requirements of the Allocation Act in connection with the Allocation Application.

Section 10. The Board certifies that the Bonds are not being issued for the same stated purpose for which the Issuer has received sufficient carryforward during a prior year or for which there exists unexpended proceeds from a prior issue or issues of bonds issued by the Issuer.

Section 11. In connection with the issuance of the Bonds, the Board hereby authorizes its bond counsel to arrange for the publication of notice of public hearing in the City of San Antonio, Texas regarding the Bonds for the purpose of complying with section 147(f) of the Code. The form of notice of such hearings and the date, place, and manner of their publication shall be acceptable to the Issuer's bond counsel. The hearing shall be held by the Issuer's bond counsel.

Section 12. Based upon representations from the User, the Issuer reasonably expects to reimburse the Expenditures with proceeds of the Bonds in a principal amount not to exceed \$45,000,000. This Resolution shall constitute a declaration of official intent under Treasury Regulation Section 1.150-2.

Section 13. The Board authorizes the President, Vice President, Secretary/Treasurer, or any Assistant Secretary of the Board to execute any documents or certificates necessary to seek the approval of the Bonds by the Texas Attorney General.

Section 14. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

Section 15. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 16. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Resolution would have been enacted without such invalid provision.

Section 17. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 18. This Resolution shall be in force and effect from and after its passage.

Passed and approved the 6th day of December 2023.

Gabriel Lopez
Chair, Board of Directors

Attested and approved as to form:

Ed Hinojosa, Jr.
Secretary/Treasurer

Augustine at Palo Alto

—

Susan Ramos-Sossaman

Interim Director of Development Services
and Neighborhood Revitalization

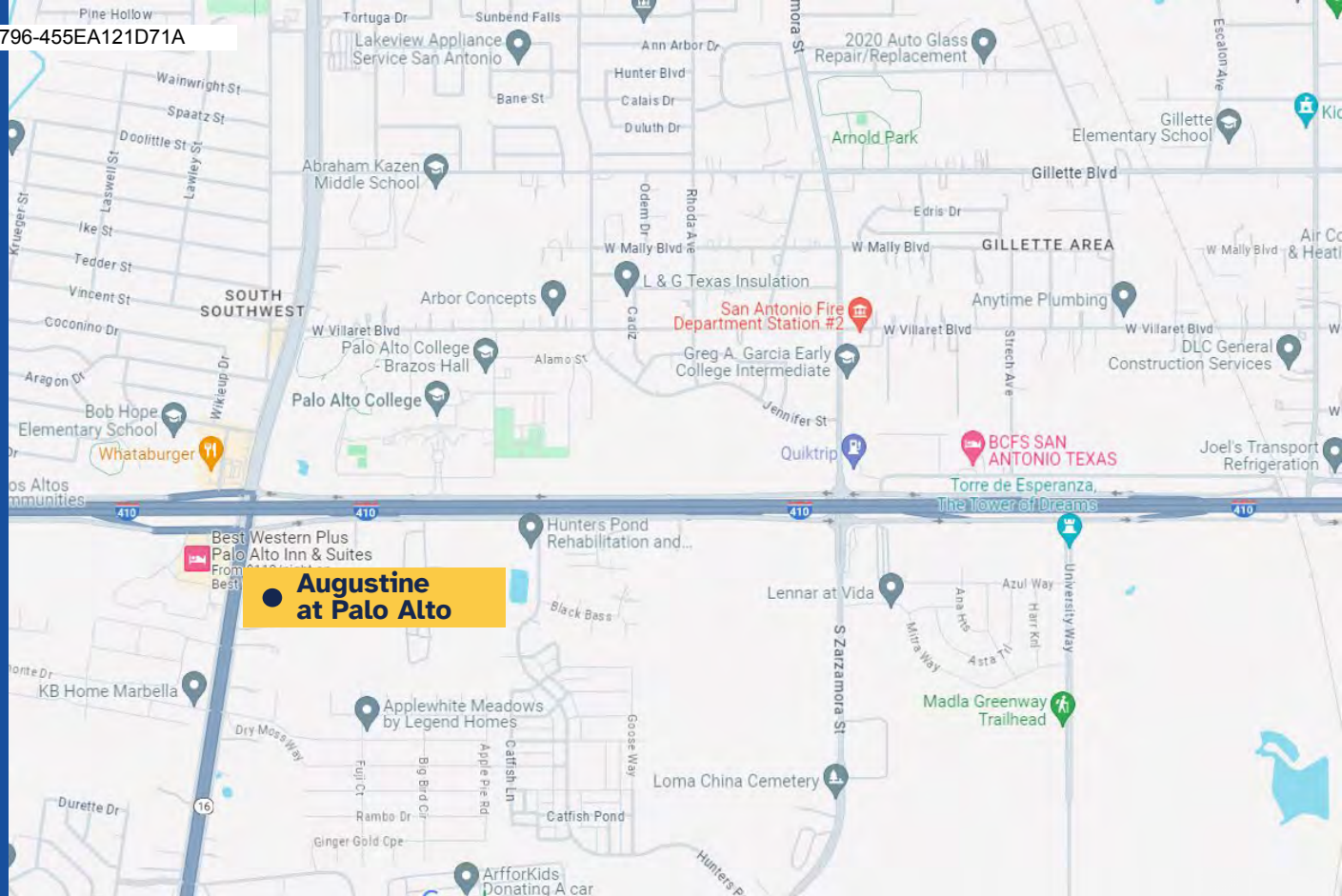
Overview

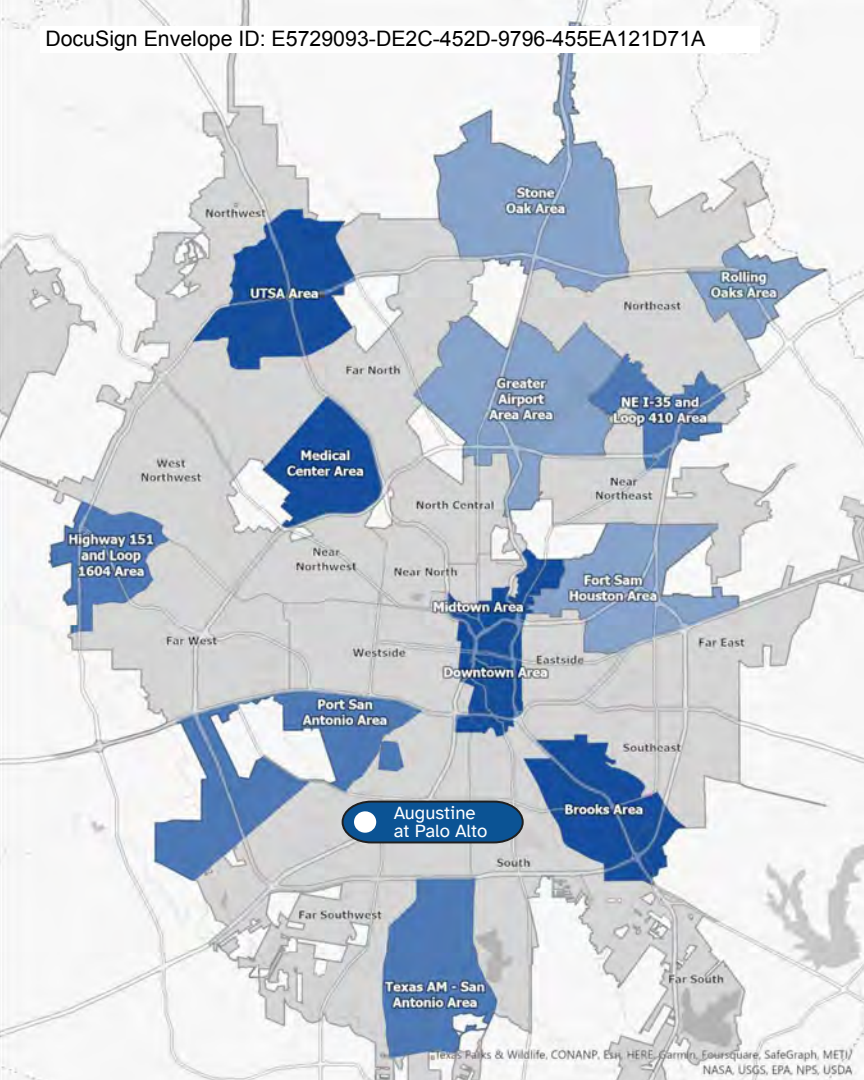
- Today we are **requesting approval for bond inducement** for Phase 1 and Phase 2 of the Augustine at Palo Alto development.
 - The proposed development will add approximately **720 affordable units** on a total of **34.007 acres**.
 - Approval will allow this project get in line for a bond reservation. Anticipated action will occur in 2024.
- If successful, the developer will get a bond reservation letter that specifies the amount and trigger date and the developer will have 180 days to close.
- Approval will also **preserve the 30% tax credit boost** that is a benefit of the development's Qualified Census Tract (QCT) status.
- At this point Opportunity Home has no financial obligation in the project or participation commitment except for bond inducement. **Opportunity Home will have the option to take a larger role** to include serving as a General Partner.
- The developer will complete a financial package and submit to Opportunity Home for final approval.

Augustine at Palo Alto Location

Located near the southeast corner of SH 16 and Loop 410

West of the Texas A&M San Antonio Campus, directly across from Palo Alto College.





Regional Centers

PHASE 1 CENTERS

- Downtown
- Medical Center
- UTSA
- Midtown
- Brooks

PHASE 2 CENTERS

- NE I-35 and Loop 410
- Highway 151 and Loop 1604
- Texas A&M – San Antonio
- Port San Antonio

PHASE 3 CENTERS

- Greater Airport Area
- Fort Sam Houston
- Rolling Oaks
- Stone Oak

Phase I Overview



City Council District 4

Southwest ISD

6.234 acres

Approximate Units: **348**

Bedroom Mix

134 - 1 bedrooms

186 - 2 bedrooms

22 - 3 bedrooms

6 - 4 bedrooms

Unit Mix

52 units at 30% AMI

174 units at 60% AMI

122 units at 70% AMI

4% Tax Credits/Bonds

Total Development Cost:

\$81,179,517

Phase I Proforma Breakdown (Approximate)

| | |
|---------------------------------------|---------------------|
| Construction Costs | \$51,024,857 |
| Impact Fees | \$1,261,823 |
| Other Soft Costs Fees | \$24,796,019 |
| Per Unit Cost | \$233,274.47 |
| Rentable per Square Foot Cost | \$255.79 |
| Acquisition Costs | \$4,096,818 |
| Total Development Cost Approx. | \$81,179,517 |

Phase II Overview



City Council District 4

Southwest ISD

17.773 acres

Approximate Units: **372**

Bedroom Mix

143 - 1 bedrooms

198 - 2 bedrooms

24 - 3 bedrooms

7 - 4 bedrooms

Unit Mix

56 units at 30% AMI

186 units at 60% AMI

130 units at 70% AMI

4% Tax Credits/Bonds

Total Development Cost:

\$84,260,546

Phase II Proforma Breakdown (Approximate)

| | |
|---------------------------------------|---------------------|
| Construction Costs | \$54,128,850 |
| Impact Fees | \$1,261,823 |
| Other Soft Costs Fees | \$25,145,593 |
| Per Unit Cost | \$226,506.84 |
| Rentable per Square Foot Cost | \$248.14 |
| Acquisition Costs | \$3,724,280 |
| Total Development Cost Approx. | \$84,260,546 |


Questions?


OPPORTUNITY HOME SAN ANTONIO

December 6, 2023

BOARD OF COMMISSIONERS
Regular Board Meeting

RESOLUTIONS 6412 AND 23LVPFC-12-07, AUTHORIZING THE LAS VARAS PUBLIC FACILITY CORPORATION TO APPROVE AN INDUCEMENT RESOLUTION FOR THE PROPOSED TAX-EXEMPT BOND FINANCING OF PHASE II OF THE AUGUSTINE AT PALO ALTO APARTMENTS PROJECT

DocuSigned by:

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Ed Hinojosa, Jr.
 President and CEO

DocuSigned by:

 D7D46F73613F4FA...
Susan Ramos-Sossaman
 Interim Director of Development Services
 and Neighborhood Revitalization

REQUESTED ACTION:

Consideration and approval regarding Resolutions 6412 and 23LVPFC-12-07, authorizing the Las Varas Public Facility Corporation to approve an inducement resolution for the proposed tax-exempt bond financing of Phase II of the Augustine at Palo Alto Apartments Project.

SUMMARY:

Today we are seeking authority to file applications relating to Phase II of the proposed Augustine at Palo Alto Apartments 4% tax credit project. As you will recall, all 4% tax credit projects must be financed in part with tax-exempt bonds. In order to issue tax-exempt bonds, the issuer must obtain a volume cap allocation from the Texas Bond Review Board. This is time sensitive and can be competitive. We will be applying for a volume cap which may not be awarded until next year, if any volume cap is available. We need to submit our applications as soon as we can. Additionally, the proposed project sites are located in a Qualified Census Tract ("QCT"), which will allow the developer to obtain a 30% boost in tax credits, provided that the project is induced by the end of the year, when the sites' QCT statuses expire. Without the tax credit boost, the projects will not be feasible. Accordingly, we are asking you to authorize these actions so that we may get in line, but ***we are not asking you to specifically approve or be bound to this project. This is a non-binding Resolution.*** This will enable us to move forward, make an application for volume cap and begin to put the financing together and negotiate the specific terms of the deal, which we will bring back for final approval.

The Augustine at Palo Alto Apartments project is a two-phase project proposed by Louis Poppoon Development and Consulting, Ltd, which will be located near the southeast corner of Palo Alto Road and Loop 410 Road, San Antonio, Texas 78224. Phase II is projected to contain 372 units, of which approximately 15% (or 56 units) will be reserved for tenants earning 30% or less of median income; approximately 50% (or 186 units) will be reserved for tenants earning 60% or less of median income; and approximately 35% (or 130 units) will be reserved for tenants earning 70% or less of median income.

The total project cost for Phase II is estimated to be approximately \$85 million. Las Varas Public Facility Corporation will be the proposed issuer of the bonds.

The attached Resolution authorizes the inducement for the above project and certain actions described above.

STRATEGIC OUTCOMES:

Opportunity Home residents have a sufficient supply of affordable housing options.

ATTACHMENTS:

Resolution 6412

Resolution 23LVPFC-12-07

Presentation

**Opportunity Home San Antonio
Resolution 6412**

RESOLUTION 6412, AUTHORIZING THE LAS VARAS PUBLIC FACILITY CORPORATION TO APPROVE AN INDUCEMENT RESOLUTION FOR THE PROPOSED TAX-EXEMPT BOND FINANCING OF PHASE II OF THE AUGUSTINE AT PALO ALTO APARTMENTS PROJECT

WHEREAS, one of the strategic goals of the Housing Authority of San Antonio a/k/a Opportunity Home San Antonio ("Opportunity Home San Antonio") is to expand the supply of affordable housing; and

WHEREAS, a principal financing mechanism for new affordable housing is the 4% low income housing tax credit; and

WHEREAS, it is necessary to obtain volume cap allocations for tax-exempt bonds and applications for tax credits for and Augustine at Palo Alto Apartments Phase II ("Project"); and

WHEREAS, it is proposed that Las Varas Public Facility Corporation ("LVPFC") apply for volume cap allocation for the Project; and

WHEREAS, LVPFC will pass a non-binding resolution to induce the Project authorizing the applications needed to finance the Project and to negotiate the terms of such financing, which will be brought back to the Board for final consideration.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Opportunity Home San Antonio hereby:

1. Approves Resolutions 6412 and 23LVPFC-12-07 of LVPFC inducing Augustine at Palo Alto Apartments Phase II and authorizing the applications necessary therefore and the negotiation of the terms of the financing therefore.
2. Authorizes the President and CEO, or designee, to execute all necessary documents associated therewith.

Passed and approved the 6th day of December 2023.

Gabriel Lopez
Chair, Board of Commissioners

Attested and approved as to form:

Ed Hinojosa, Jr.
President and CEO

**CERTIFICATE FOR RESOLUTION
RESOLUTION 23LVPFC-12-07**

The undersigned officer of the Las Varas Public Facility Corporation (the “Issuer”) hereby certifies as follows:

1. In accordance with the bylaws of the Issuer, the Board of Directors of the Issuer (the “Board”) held a meeting on December 6, 2023 (the “Meeting”) of the duly constituted officers and members of the Board, at which a duly constituted quorum was present. Whereupon among other business transacted at the Meeting, a written

**RESOLUTION 23LVPFC-12-07, CONCERNING THE APPLICATION OF LOUIS
POPOON DEVELOPMENT AND CONSULTING, LTD. OR AN AFFILIATE
THEREOF RELATING TO THE PROPOSED FINANCING OF NOT TO EXCEED
\$45,000,000 OF THE COSTS OF THE ACQUISITION, CONSTRUCTION, AND
EQUIPPING OF THE AUGUSTINE AT PALO ALTO APARTMENTS PHASE II
PROJECT, TO BE LOCATED NEAR THE SOUTHEAST CORNER OF PALO ALTO
ROAD AND LOOP 410, SAN ANTONIO, TEXAS; AND OTHER MATTERS IN
CONNECTION THEREWITH**

(the “Resolution”) was duly introduced for the consideration of the Board and discussed. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of the Resolution, prevailed and carried by a majority vote of the Board.

2. A true, full, and correct copy of the Resolution adopted at the Meeting is attached to and follows this Certificate; the Resolution has been duly recorded in the Board’s minutes of the Meeting; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the Meeting; and the Meeting was held and conducted in accordance with the Articles of Incorporation and the bylaws of the Issuer.

SIGNED this 6th day of December 2023.

Ed Hinojosa, Jr.
Secretary/Treasurer

**Las Varas Public Facility Corporation
Resolution 23LVPFC-12-07**

RESOLUTION 23LVPFC-12-07, CONCERNING THE APPLICATION OF LOUIS POPPOON DEVELOPMENT AND CONSULTING, LTD. OR AN AFFILIATE THEREOF RELATING TO THE PROPOSED FINANCING OF NOT TO EXCEED \$45,000,000 OF THE COSTS OF THE ACQUISITION, CONSTRUCTION, AND EQUIPPING OF THE AUGUSTINE AT PALO ALTO APARTMENTS PHASE II PROJECT, TO BE LOCATED NEAR THE SOUTHEAST CORNER OF PALO ALTO ROAD AND LOOP 410, SAN ANTONIO, TEXAS; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Housing Authority of the City of San Antonio a/k/a Opportunity Home San Antonio (“Opportunity Home San Antonio”), has, pursuant to the Texas Public Facility Corporation Act, Chapter 303, Texas Local Government Code, as amended (the “Act”), approved and created the Las Varas Public Facility Corporation, a nonstock, nonprofit public facility corporation (the “Issuer”); and

WHEREAS, the Issuer, on behalf of Opportunity Home San Antonio, is empowered to finance the costs of residential ownership and development that will provide decent, safe, and sanitary housing at affordable prices for residents of the City of San Antonio (the “City”) by the issuance of housing revenue bonds; and

WHEREAS, Louis Poppoon Development and Consulting, Ltd., or an affiliate thereof (the “User”), has filed an Application (the “Application”), requesting that (i) the Issuer finance the acquisition, construction and equipping of a 372-unit multifamily housing facility located on Loop 410 near the southeast corner of the intersection with Palo Alto Road (the “Project”); and (ii) the Issuer file 2024 and/or 2025 Allocation Application (defined hereafter) and/or any carryforward applications associated with such Allocation Application to the Texas Bond Review Board as described herein; and

WHEREAS, the User has advised the Issuer that a contributing factor that would further induce the User to proceed with providing for the acquisition, construction, equipping, and improvement of the Project would be a commitment and agreement by the Board of Directors of the Issuer (the “Board”) to issue housing revenue bonds pursuant to the Act (the “Bonds”) to finance and pay any Development Costs (as defined in the Act) for the Project; and

WHEREAS, in view of rising construction costs and the necessity of compliance with administrative regulations, it is considered essential that acquisition, construction, equipping, and improvement of the Project be completed at the earliest practicable date after satisfactory preliminary assurances from the Issuer that the proceeds of the sale of the Bonds or other

obligations of the Issuer in an amount necessary to pay the Development Costs of the Project will be made available to finance the Project; and

WHEREAS, this Resolution shall constitute the Issuer's commitment, subject to the terms hereof, to issue Bonds or other obligations pursuant to the Act in an amount prescribed by the User now contemplated at an amount not to exceed \$45,000,000, and to expend the proceeds thereof to pay Development Costs, including costs of acquisition, construction, equipping, and improvement of the Project, funding a debt service or other reserve fund for the Project, and paying expenses and costs in connection with the issuance of the Bonds, including costs of obtaining credit enhancement, if any; and

WHEREAS, the Bonds are "private activity bonds" as that term is defined in Subchapter A, Section 1372.001 of Chapter 1372, Texas Government Code, as amended, including the rules promulgated pursuant thereto in 34 Texas Administrative Code, Sections 190.1 through 190.8 (together, the "Allocation Act"), and various provisions of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Code requires that the applicable elected official of the City approve the issuance of the Bonds after a public hearing for which reasonable public notice shall have been given; and

WHEREAS, the Issuer is authorized by the provisions of the Act to issue the Bonds; and

WHEREAS, in order to issue the Bonds in the manner contemplated, the Issuer must seek an allocation of the State of Texas volume cap pertaining to private activity bonds in order to satisfy the provisions of the Code; and

WHEREAS, in order to satisfy, in part, the provisions of the Allocation Act, the Issuer must submit an "Application for Allocation of Private Activity Bonds" or a "Application for Carryforward for Private Activity Bonds" (the "Allocation Application") to the Texas Bond Review Board and adopt this Resolution authorizing the filing or refiling of the Allocation Application; and

WHEREAS, the Allocation Application and the Allocation Act require that the Issuer certify that the Bonds are not being issued for the same stated purpose for which the Issuer has received sufficient carryforward during a prior year or for which there exists unexpended proceeds from a prior issue or issues of bonds issued by the Issuer; and

WHEREAS, the User intends to make capital expenditures in connection with the acquisition, construction, equipping, and improvement of the Project (the "Expenditures") and expects to reimburse the Expenditures with proceeds of the Bonds; and

WHEREAS, in order to allocate under Treasury Regulation Section 1.150-2 (the “Regulation”) proceeds of the Bonds to the Expenditures, the Issuer must declare its reasonable expectation to reimburse the Expenditures; and

WHEREAS, the User has requested authorization to make all filings necessary to obtain and maintain debt financing and tax credits on the Project; and

WHEREAS, the Board has determined that it is in the public interest and to the benefit of the citizens and residents of San Antonio for the various entities to enter into the transactions described above so that the User may construct the Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Las Varas Public Facility Corporation, hereby:

Section 1. Subject to the terms hereof, the Issuer agrees that it will

(a) subject to the negotiation of mutually acceptable agreements, issue the Bonds, in an amount not to exceed \$45,000,000;

(b) cooperate with the User with respect to the issuance of the Bonds, and, if arrangements therefore satisfactory to the User and the Issuer can be made, take such action, authorize the execution of such documents, and take such further action as may be necessary or advisable for the authorization, execution, and delivery of any contracts or agreements deemed necessary and desirable by the User or the Issuer in connection with the issuance of the Bonds (collectively, the “Contracts”), providing, among other things, for payment of the principal of, interest on, redemption premiums on, and paying agents’ and trustee’s fees and charges, if any, on the Bonds; payment of fees, charges, and expenses of the Issuer and Opportunity Home San Antonio (including legal and financial advisory expenses); acquisition, construction, equipping, and improvement of the Project; and use, operation, and maintenance of the Project (and the execution of any necessary guaranty agreements), all as shall be authorized, required, or permitted by law and as shall be satisfactory to the Issuer, Opportunity Home San Antonio, and the User;

(c) if the proceeds from the sale of the Bonds are insufficient to complete the acquisition, construction, equipping, and improvement of the Project, take such actions and execute such documents as may be necessary to permit the future issuance of additional bonds from time to time on terms which shall be set forth therein, whether on a parity with other series of bonds or otherwise, for the purpose of paying the costs of completing the acquisition, construction, equipping, and improvement of the Project, as requested by the User and within then applicable limitations; and

(d) take or cause to be taken such other actions as may be required to implement the aforesaid undertakings or as it may deem appropriate in pursuance thereof.

The Bonds shall specifically provide that neither the State of Texas (the "State"), Opportunity Home San Antonio, nor any political issuer, subdivision, or agency of the State shall be obligated to pay the same or the interest thereon and that neither the faith and credit nor the taxing power of the State, Opportunity Home San Antonio, or any political issuer, subdivision, or agency thereof is pledged to the payment of the principal of, premium, if any, or interest on the Bonds.

Section 2. It is understood by the Issuer, and the User has represented to the Issuer, that in consideration of the Issuer's adoption of this Resolution and by filing the Application, and subject to the terms and conditions hereof, the User has agreed that

(a) prior to or contemporaneously with the sale of the Bonds in one or more series or issues from time to time as the Issuer and the User shall hereafter agree to in writing, the User will enter into the Contracts with the Issuer, under the terms of which the User will obligate itself, on a nonrecourse basis, to pay to the Issuer (or to a trustee, as the case may be) sums sufficient in the aggregate to pay the principal of, interest on, redemption premiums on, paying agents' and trustee's fees and charges, if any, on the Bonds, as and when the same become due and payable, with such Contracts to contain the provisions described in Section 1 hereof and such other provisions as may be required or permitted by law and mutually acceptable to the Issuer and the User;

(b) the User will (1) pay all Project costs which are not or cannot be paid or reimbursed from the proceeds of the Bonds and (2) at all times from and after the issuance of the Bonds, indemnify and hold harmless the Issuer and Opportunity Home San Antonio against all losses, costs, damages, expenses, and liabilities of whatsoever nature (including but not limited to reasonable attorneys' fees, litigation and court costs, amounts paid in settlement, and amounts paid to discharge judgments) directly or indirectly resulting from, arising out of, or related to the issuance, offering, sale, or delivery of the Bonds, or the design, construction, equipping, installation, operation, use, occupancy, maintenance, or ownership of the Project (other than claims arising from the gross negligence or willful misconduct of the Issuer or Opportunity Home San Antonio) and prior to or contemporaneously with the sale of the Bonds will agree to provide indemnification on terms satisfactory to the Issuer; and

(c) no Bonds will be issued without the approval of Opportunity Home San Antonio.

Section 3. The User is hereby authorized to make all filings necessary to obtain and maintain tax credits on the Project.

Section 4. Except as expressly extended by the Issuer, it is understood by the Issuer and the User that all commitments of the Issuer with respect to the Project and the Bonds are subject to

the condition that the Bonds shall have been issued no later than two years from the date of this Resolution.

Section 5. It is recognized and agreed by the Issuer that the User may exercise its rights and perform its obligations with respect to the financing of the Project either through (i) itself in its own name; (ii) any “related person” as defined in section 144(a)(3) of the Code; (iii) any legal successor thereto; (iv) an entity in which any of the above is a general partner or sole member; or (v) or any entity approved by the Issuer, provided that suitable guaranties necessary or convenient for the marketability of the Bonds shall be furnished, if required by the Issuer, and all references herein to the User shall be deemed to include the User acting directly through itself or any such approved entities.

Section 6. This Resolution shall be deemed to constitute the acceptance of the User’s proposal that it be further induced to proceed with providing the Project. The Allocation Application and this Resolution shall constitute an agreement between the Issuer and the User effective on the date that this Resolution is adopted. This Resolution is affirmative official action taken by the Issuer towards the issuance of the Bonds in order to comply with the requirements of the Code. **Neither the User nor any other party is entitled to rely on this Resolution as a commitment to issue bonds or loan funds, and the Issuer reserves the right not to issue the Bonds either with or without cause and with or without notice, and in such event the Issuer shall not be subject to any liability or damages of any nature. Neither the User nor anyone claiming by, through or under the User, nor any investment banking firm or potential purchaser of the Bonds shall have any claim against the Issuer whatsoever as a result of any decision by the Issuer not to issue the Bonds.**

Section 7. The Issuer hereby adopts this Resolution in order to satisfy the requirements of the Allocation Act pertaining to the issuance of the Bonds and authorizes any officer or designee of the Issuer to prepare and file a 2024 and/or 2025 Allocation Application and/or any carryforward applications associated with such Allocation Application, together with all required attachments (including obtaining the Issuer’s Certificate of Good Standing from the Comptroller of Public Accounts for the State of Texas) in the form required by the Texas Bond Review Board.

Section 8. The Issuer respectfully requests that the Allocation Application be accepted and approved by the Texas Bond Review Board.

Section 9. Any officer of the Issuer (or his designee) is hereby authorized to execute the Allocation Application, to pay (or cause the User to pay) the Application Fee of \$5,000 for each Allocation Application (submitted to the Issuer by the User) to the Texas Bond Review Board, and to submit any additional information or make any necessary corrections or revisions requested by the Texas Bond Review Board in order to satisfy the requirements of the Allocation Act in connection with the Allocation Application.

Section 10. The Board certifies that the Bonds are not being issued for the same stated purpose for which the Issuer has received sufficient carryforward during a prior year or for which there exists unexpended proceeds from a prior issue or issues of bonds issued by the Issuer.

Section 11. In connection with the issuance of the Bonds, the Board hereby authorizes its bond counsel to arrange for the publication of notice of public hearing in the City of San Antonio, Texas regarding the Bonds for the purpose of complying with section 147(f) of the Code. The form of notice of such hearings and the date, place, and manner of their publication shall be acceptable to the Issuer's bond counsel. The hearing shall be held by the Issuer's bond counsel.

Section 12. Based upon representations from the User, the Issuer reasonably expects to reimburse the Expenditures with proceeds of the Bonds in a principal amount not to exceed \$45,000,000. This Resolution shall constitute a declaration of official intent under Treasury Regulation Section 1.150-2.

Section 13. The Board authorizes the President, Vice President, Secretary/Treasurer, or any Assistant Secretary of the Board to execute any documents or certificates necessary to seek the approval of the Bonds by the Texas Attorney General.

Section 14. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

Section 15. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 16. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Resolution would have been enacted without such invalid provision.

Section 17. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 18. This Resolution shall be in force and effect from and after its passage.

Passed and approved the 6th day of December 2023.

Gabriel Lopez
Chair, Board of Directors

Attested and approved as to form:

Ed Hinojosa, Jr.
Secretary/Treasurer

Beacon Communities Overview

Melissa Garza | Director of Beacon Communities



Beacon Communities

Meet the Team

Total of 127
Employees



Melissa Garza

Director of Beacon
Communities



Gary McLaurin

Assistant Director of
Beacon Communities



Noermila Cardenas

Assistant Director of
Beacon Communities

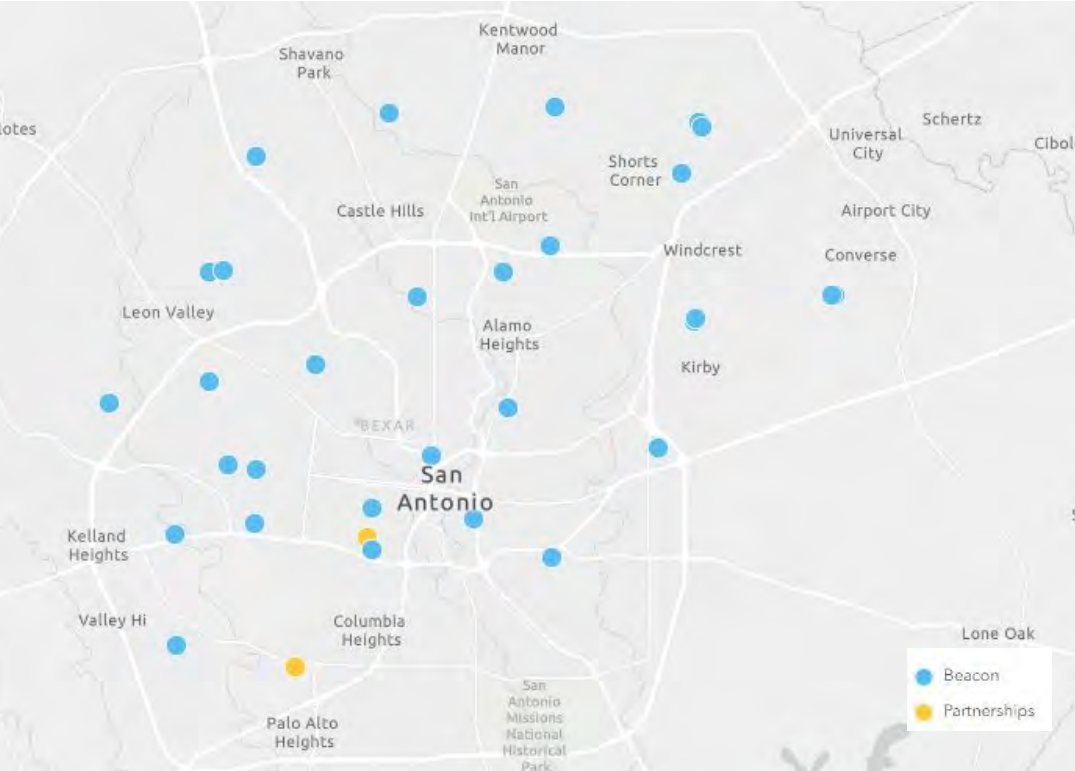


Beacon Communities

Who We Are

Beacon Communities is responsible for the professional management of Opportunity Home's mixed-income affordable housing portfolio. In this role, it provides comprehensive management services that include leasing, maintenance, compliance oversight, and financial management.

Beacon Communities*



4,962
multifamily units

34
communities

*Includes two partnership communities managed by Beacon. Alhambra Apartments provides 140 units and San Juan I provides 143 units to the Beacon portfolio.

Data Sources: Opportunity Home GIS; Beacon owned and / or managed communities in operations as of February 2023



What Makes Beacon Unique

Case Study: San Juan Square II

- Complies with layered affordable programs:
 - **90** Tax Credit units
 - **48** units Tax Credit layered with PH
 - **6** units Market
- Reports to four regulatory agencies: HUD, IRS, TDHCA, and Bexar County
- 144 units at 30% Extremely Low Income, 60% Very Low Income, and 80% Low Income

Beacon Management



Management



Leasing



Maintenance



Compliance

Management

Beacon Communities are comprised of properties within Beacon's portfolio, or in partnership with Asset Management

Direct Management

- Owns and manages 27 mixed-income properties
- Manages San Juan II and Alhambra, two mixed-income properties

Oversight

- Owns and oversees the third-party management of four mixed-income properties
- Transition and Portfolio Manager, Jason Gonzales, responsible for transitioning partnership properties into Beacon portfolio at the end of the initial 15-year compliance period

Leasing

Provides several affordable housing options in San Antonio to reach more vulnerable populations

- Leases to market-rate renters as well as populations in as many as **seven affordable housing programs**:
 - HOME Investment Partnerships Program (HOME),
 - Low-Income Housing Tax Credit Program (Tax Credit),
 - Project Based Rental Assistance Program (PBRA),
 - Public Housing (PH),
 - Affordable Housing Program (AHP),
 - Housing Choice Voucher (HCV) Program, and
 - Multifamily Bond Programs (Bond)

Maintenance

Conducts periodic maintenance through work order requests and physical inspection

- Maintains an in-house heating, ventilation, and air conditioning (HVAC) Team
- Ensures compliance with HUD's Real Estate Assessment Center (REAC) Inspections for PH and Tax Credit units, which issues an overall score based on the physical condition of a property's buildings, common areas, and interior of units

Compliance

In-house Compliance Team adheres to regulatory requirements in all programs

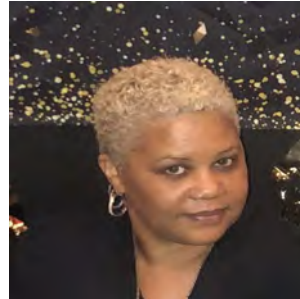
- Meets lender requirements for three banks
- Reports to six regulatory agencies (HUD, IRS, FDIC, TDHCA, Bexar County, and the City of San Antonio)
- Responsible for the coordination of contract renewals and implementation of new requirements
- Conducts annual file reviews to ensure compliance with regulatory requirements



Ashley Santos
Regulatory Compliance
Analyst



Stephane Blount
Regulatory Compliance
Analyst



Victoria Harris
Regulatory Compliance
Coordinator

Affordable Programs

Affordable Programs

PH Program

- Administered by HUD
- Two separate funding streams: Operating Subsidy for each development's cost to operate, excluding utilities and taxes; and Capital Fund for development, financing, modernization, and management improvements
- PH houses **low-income families** at Beacon properties
- Calculates Total Tent Payment (TTP) for rent based on 30% of monthly adjusted income

350
PH Units

Affordable Programs

PBRA Program

- Administered by HUD
- Funded through private financing, private equity, and/or equity raised from the sale of LIHTC
- PBRA is assistance for **very and extremely-low income families**, which is attached to a specific property
- TTP is the greatest of either 30% of monthly adjusted income, 10% of the family's monthly income, or a minimum rent of \$25

557
PBRA Units

Affordable Programs

HOME Program

- Administered by HUD
- HUD allocates federal block grants to state and local governments to create affordable housing for **low and very-low income** families by strengthening public-private partnerships
- HOME units are set at Low HOME (50% AMI and below) and High HOME (80% AMI and below)

11
HOME Units

Data Sources: Yardi | Waiting List report as of Feb. 27, 2023

Affordable Programs

LIHTC Program

- Administered by Internal Revenue Service (IRS)
- TDHCA receives and allocates credit through the Housing Tax Credit (HTC) Program to direct private capital to develop and preserve affordable rental housing for **low-income** households
- LIHTC rents are set by HUD annually at 30% AMI and below, 50% AMI and below, or 60% AMI and below

1,273
Tax Credit Units

Data Sources: Yardi | Waiting List report as of Feb. 27, 2023

Affordable Programs

Bond Program

- Administered by IRS
- Developers use the amount borrowed from investors to build affordable housing and agree to set aside a certain percentage of units for **low and very-low income** households.
 - The mortgage payments on the loans are used to repay the investors.
- Rent for Bond is calculated based on market rent, unless another program rule applies

2,685
Bond Units

Affordable Programs

AHP Program

- Administered by the Federal Deposit Insurance Corporation (FDIC)
- FDIC sells properties at or above the property's net realizable market value, established by FDIC (FDIC may provide a loan at market interest rates)
- Purchasers must agree to make units available to **low and very-low income** households at affordable rent limits for a period of 50 years
- FDIC sets rent limits for AHP at 50% AMI or below and 80% AMI and below

150
AHP Units

Eligibility

- The family's annual income must not exceed program income limits
 - HUD establishes income limits annually for all affordable programs
 - Income limits are based on Average Median Income (AMI) of an area and are adjusted for family size
- Successful pre-screening for criminal history, bad debts, citizenship status, residential history, employment history and current income

Income Limits

| | |
|---------------------------------------|---------------------|
| Low Income | At or below 80% AMI |
| Very Low Income | At or below 50% AMI |
| Extremely Low Income | At or below 30% AMI |
| 60% AMI (only applicable to LIHTC) | At or below 60% AMI |

FY 2022 Income Limits

San Antonio-New Braunfels | TX HUD Metro Area
Median Family Income is \$85,500

| AMI | 1 Person | 2 Person | 3 Person | 4 Person | 5 Person | 6 Person | 7 Person | 8 Person |
|----------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| 30% Income Limit | \$17,400 | \$19,900 | \$23,030 | \$27,750 | \$32,470 | \$37,190 | \$41,910 | \$46,630 |
| 50% Income Limits | \$29,050 | \$33,200 | \$37,350 | \$41,450 | \$44,800 | \$48,100 | \$51,400 | \$54,750 |
| 60% Income Limit | \$34,860 | \$39,840 | \$44,820 | \$49,740 | \$53,760 | \$57,720 | \$61,680 | \$65,700 |
| 80% Income Limit | \$46,450 | \$53,050 | \$59,700 | 66,300 | \$71,650 | \$76,950 | \$82,250 | \$87,550 |

Affordable Programs

Income Eligibility

| Program | Income Limit | Limits Accepted by Beacon Currently |
|---------|---|--|
| PH | Low Income, Very Low Income, and Extremely Low Income | 50% AMI and Below and 30% AMI and Below |
| PBRA | Low Income | 80% AMI and Below |
| HOME | Low Income (High Home) and Very Low Income (Low Home) | 80% AMI and Below and 50% AMI and Below |
| LIHTC | Extremely Low and At or Below 60% AMI | 30% AMI and Below, and at or Below 60% AMI |
| Bond | None Unless Layered with Other Program(s) | 80% AMI and Below |
| AHP | Low Income and Very Low Income | 80% AMI and Below |

Questions?



President's Report | December 2023

8th Annual San Antonio's Kick Childhood Cancer Soccer Camp

Residents between the ages of 3 and 18 brought out their soccer skills and participated in the San Antonio Kick Childhood Cancer Soccer Camp in honor of Nico's Dream on December 2 at Our Lady of the Lake University.

Winter Holiday Observance

In observance of the winter holidays, all Opportunity Home offices will be closed on December 22 through January 1. Normal business hours will resume on January 2.

Housing Choice Voucher Open Enrollment

Opportunity Home conducted open enrollment for the Housing Choice Voucher Program (HCV), commonly known as Section 8, and accepted preliminary applications from November 1 through 15 receiving more than 15,000 applicants.

The program offers the opportunity for eligible low-income families to rent from a landlord in the private rental market.

Close to Home Press Conference

Opportunity Home President and CEO Ed Hinojosa, Jr. joined Mayor Ron Nirenberg and representatives from Close to Home, SAMMinistries, the San Antonio Food Bank, and Haven for Hope on the steps of City Hall for a press conference on November 11 as part of Hunger and Homelessness Awareness Week.

Honoring Our Veteran Employees

Opportunity Home held a special Veterans Appreciation Luncheon to honor and commemorate all employees who have selflessly served our country on November 9 at the Liberty Bar's Scholastica Room.

Veterans enjoyed a complimentary meal and interacted with colleagues who also served in the military.





Landlord Workgroup

The Assisted Housing Programs (AHP) department hosted a quarterly virtual landlord workgroup with participating landlords of the Housing Choice Voucher (HCV) Program on November 7. The department provided program updates and answered questions directly from representatives who lease to HCV participants.

District 3 Turkey Distribution

Opportunity Home received 32 turkeys from the office of District 3 City Councilwoman Phyllis Viagran and The Gonzaba Foundation that were distributed to eight of the organization's communities on November 6.





Reframing Housing Advocate Training

Commissioner Leilah Powell and Public Affairs Officer Michael Reyes participated in a Reframing Housing Advocate Training at the San Antonio Area Foundation on November 7 and 8. The training focused on framing a strategy to build public understanding of affordable housing and community development.

HalloEast 2023

The organization joined the community at the San Antonio for Growth on the Eastside's HalloEast 2023 on October 29 and donated 300 books to attendees.



Halloween BOO-nanza

Employees and their families had a fang-tastic time at our Halloween BOO-nanza on October 27, an event filled with food, music, movies, and creatively decorated office spaces.





Día de Los Muertos Altar

Employees celebrated the tradition of Día de los Muertos, or Day of the Dead, by honoring and celebrating the memories of departed loved ones from October 26 to November 3 at Opportunity Home's Central Office.

