

AGENDA

SAN ANTONIO HOUSING TRUST FINANCE CORPORATION

A MEETING OF THE OF THE SAN ANTONIO HOUSING TRUST
FINANCE CORPORATION BOARD OF DIRECTORS WILL BE HELD VIA ZOOM:

ZOOM LINK:

<https://us02web.zoom.us/j/83132662163?pwd=ZlhnZ05iYTFFL3BjWFdUVnQ1NTNCZz09>

DIAL-IN NUMBER 1-346-248-7799 MEETING ID:831 3266 2163 PASSWORD:830696
ON TUESDAY, NOVEMBER 24, 2020

AT 10:00 A.M., TO CONSIDER THE FOLLOWING MATTERS:

Briefing and Possible Action on:

1. Approval of minutes
2. Public Comment
3. Resolution acknowledging and confirming the receipt of a complete application for the Crosswinds Apartments Project for purposes of Internal Revenue Code Section 42(h); and other matters in connection therewith

SAN ANTONIO HOUSING TRUST FINANCE CORPORATION BOARD MEMBERS:

Council Member Roberto C. Trevino (District 1), Council Member Rebecca J. Viagran (District 3), Council Member Dr. Adriana Rocha Garcia (District 4), Council Member Shirley Gonzales (District 5), Council Member John Courage (District 9)

San Antonio Housing Trust Finance Corporation

Agenda Memorandum

File Number _____

Agenda Item Number: 1

Agenda Date: 11-24-2020

In Control: San Antonio Housing Trust Finance Corporation

DEPARTMENT: San Antonio Housing Trust Finance Corporation

DEPARTMENT HEAD: Pedro Alanis

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Approval of minutes

SUMMARY:

This item includes the approval of minutes from the October 21, 2020 meeting

SAN ANTONIO HOUSING TRUST FINANCE CORPORATION

OFFICIAL MEETING MINUTES

October 21, 2020

- The Finance Corporation met in session at 2:04 p.m., via zoom
- The meeting was called to order by Councilwoman Rebecca Viagran and the roll was called by Maria Bradley.

PRESENT: Councilwoman Rebecca Viagran, Councilman Roberto Treviño, Councilwoman Shirley Gonzales, Councilwoman Dr. Adriana Rocha Garcia and Councilman John Courage

ABSENT:

Staff/Visitors Present:

Pedro Alanis- Interim Executive Director San Antonio Housing Trust Public Facility Corporation; Nicole Collazo- Assistant Director San Antonio Housing Trust Public Facility Corporation; JD Hernandez – Asset Manager San Antonio Housing Trust Public Facility Corporation; Sharon Jennings-Contract Officer San Antonio Housing Trust Public Facility Corporation; Maria Bradley - Administrative Assistant, San Antonio Housing Trust Public Facility Corporation; James Plummer- Bracewell LLP; Summer Greathouse-Bracewell LLC; Allison Shae- NHSD, Edward Mungia- District 4, Teresa Menendez Myers- District 5, Jean Latsha- NRP Group, Ileana Sandoval-District 9, Ben Olivo- San Antonio Heron, Mitchell Parton- San Antonio Business Journal, Derek Roberts- D9

1. Approval of minutes September 30, 2020.

MINUTES COMMISSION ACTION:

The motion was made by Councilman Courage and seconded by Councilwoman Dr. Rocha Garcia to approve the meeting minutes from September 30, 2020.

AYES: 5

NAYS: 0

ABSTAIN: 0

THE MOTION CARRIED.

2. **Public Comment-**

NONE.

3. **Resolution authorizing San Antonio Housing Trust Finance Corporation Multifamily Housing Revenue Bonds (Canyon Pass Apartments Project), Series 2020; and other matters in connection therewith**

Pete Alanis stated the item is an approval of a bond issuance up to \$35 Million Dollars to support Canyon Pass Apartments.

COMMISSION ACTION:

The motion was made by Councilman Courage and seconded by Councilwoman Gonzales to approve the resolution concerning the application of The Arbors at West Avenue, LP.

AYES:5

NAYS: 0

ABSTAIN: 0

THE MOTION CARRIED.

Adjournment

The meeting was adjourned by Councilwoman Viagran at 2:07p.m.

San Antonio Housing Trust Finance Corporation

Agenda Memorandum

File Number _____

Agenda Item Number: 2

Agenda Date: 11-24-2020

In Control: San Antonio Housing Trust Finance Corporation

DEPARTMENT: San Antonio Housing Trust Finance Corporation

DEPARTMENT HEAD: Pedro Alanis

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Public Comment

SUMMARY:

This item will allow 3 minutes each for interested speakers to address the Board

San Antonio Housing Trust Finance

Corporation Agenda Memorandum

File Number _____

Agenda Item Number: 3

Agenda Date: 11-24-2020

In Control: San Antonio Housing Trust Finance Corporation

DEPARTMENT: San Antonio Housing Trust Finance Corporation

DEPARTMENT HEAD: Pedro Alanis

COUNCIL DISTRICTS IMPACTED: District 9

SUBJECT:

Resolution acknowledging and confirming the receipt of a complete application for the Crosswinds at Bulverde Apartments Project for purposes of Internal Revenue Code Section 42(h); and other matters in connection therewith.

SUMMARY:

This item includes a briefing and possible action regarding a Resolution acknowledging and confirming the receipt by SAHTFC of a completed application for the Crosswinds at Bulverde Apartments Project for purposes of Internal Revenue Code Section 42(h); and other matters in connection therewith.

ISSUE:

This Pedcor project is a 312-unit multifamily 4% tax credit project located in District 9, which was induced by this Board in July 2020. The project did not receive volume cap for the 2020 program year and is line to receive 2021 volume cap. Unfortunately the project will lose its HUD Difficult to Develop (DDA) designation in 2021, which means it will not be eligible to receive the 30% increase in tax credits for projects located in DDAs or Qualified Census Tracts (QCTs). Losing the opportunity for this 30% boost in tax credits results in a significant funding gap, meaning the project will not be developed.

However, if the Issuer certifies its receipt of a completed application in a year in which the project has its DDA designation, the laws allow for the project to maintain eligibility for the 30% boost even if the DDA designation is lost in the subsequent year.

ALTERNATIVES:

If the San Antonio Housing Trust Finance Corporation board does not confirm its receipt of the application this year, then the 312 affordable units will not be constructed.

FISCAL IMPACT:

The Issuer anticipates receiving a 1% Bond Issuance Fee of the bond issuance amount and the SAHTPFC will receive fees in connection with its participation in the tax credit partnership upon closing of the transaction next year.

RECOMMENDATION:

Staff recommends approval of the attached Resolution

ATTACHMENT:

Resolution

CERTIFICATE FOR RESOLUTION

The undersigned officer of the San Antonio Housing Trust Finance Corporation (the “Issuer”) hereby certifies as follows:

In accordance with the bylaws of the Issuer, the Board of Directors of the Issuer (the “Board”) held a meeting on November 17, 2020 (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 ACKNOWLEDGING AND CONFIRMING THE RECEIPT OF A COMPLETE APPLICATION FOR THE CROSSWINDS AT BULVERDE PROJECT IN 2020 FOR PURPOSES OF INTERNAL REVENUE CODE SECTION 42(h); 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.

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 AND SEALED November 17, 2020.

Pedro A. Alanis, Assistant Secretary



RESOLUTION ACKNOWLEDGING AND CONFIRMING THE RECEIPT OF A COMPLETE APPLICATION FOR THE CROSSWINDS AT BULVERDE PROJECT IN 2020 FOR PURPOSES OF INTERNAL REVENUE CODE SECTION 42(h); AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the San Antonio Housing Trust Finance Corporation (the “Issuer”) has developed a program of issuing bonds and loaning their proceeds to defray, in whole or in part, all reasonable or necessary costs incidental to the acquisition, renovation, construction, and improvement of land, improvements, and related property at least 90% of which is intended to be occupied by persons of low or moderate income, as determined by the Issuer, all in order to alleviate a shortage of affordable rental housing within San Antonio, Texas, for such persons of low or moderate income, and to refund such bonds;

WHEREAS, in 2020 Pedcor Investments-2020-CLXXVIII, a Texas limited partnership (the “User”), filed a complete application for financing (the “Application”), requesting that (i) the Issuer finance the acquisition, construction, and equipping of a proposed 312-unit multifamily housing facility to be located at approximately the 4000 Block of N Loop 1604 E and to be known as the Crosswinds at Bulverde Apartments (the “Project”); and (ii) the Issuer file and/or refile a 2020 and/or 2021 allocation application and/or any carryforward applications to the Texas Bond Review Board as described herein;

WHEREAS, the Project has received 2021 allocation from the Texas Bond Review Board and is anticipated to close in 2021;

WHEREAS, the real property where the Project is to be located (the “Property”) was designated by HUD in 2020 as a Difficult to Develop Area (“DDA Designation”), which allows for a thirty percent (30%) increase in the amount of tax credits eligible to be awarded to the Project (the “Tax Credit Boost”);

WHEREAS, the Property will lose its DDA Designation in 2021 and will no longer be eligible for the Tax Credit Boost upon the financial closing for the Project;

WHEREAS, Section 42(h) of the Internal Revenue Code allows for a project to maintain its Tax Credit Boost if the issuer for such project has received a complete application for financing during the year in which the DDA Designation was still active;

WHEREAS, this Board of Directors has reviewed the foregoing and determined that the action herein authorized is in furtherance of the corporate purposes of the Issuer;

BE IT THEREFORE RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN ANTONIO HOUSING TRUST FINANCE CORPORATION THAT:

Section 1. The Issuer hereby acknowledges and confirms the receipt of a complete application for the Project in 2020 for purposes of Section 42(h) of the Code.

Section 2. All action and resolutions, not inconsistent with provisions of this Resolution heretofore taken by this Board of Directors and the officers of the Issuer directed toward the confirmation of receipt of a complete application for financing in 2020 shall be and the same hereby is extended, ratified, approved, and confirmed. 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 instruments approved hereby or otherwise to give effect to the actions authorized hereby and the intent hereof.

Section 3. If any section, paragraph, clause, or provision 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. In case any obligation of the Issuer authorized or established by this Resolution or the Bonds is held to be in violation of law as applied to any person or in any circumstance, such obligation shall be deemed to be the obligation of the Issuer to the fullest extent permitted by law.

Section 4. The recitals of this Resolution are hereby found to be true and are incorporated herein for all purposes.

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San Antonio Housing Trust Finance Corporation

Agenda Memorandum

File Number _____

Agenda Item Number: 4.

Agenda Date: 11-24-20

In Control: San Antonio Housing Trust Finance Corporation

SUBJECT:

Possible action authorizing a Resolution confirming and ratifying Pedro A. Alanis as Assistant Secretary of San Antonio Housing Trust Finance Corporation

PEDRO A. ALANIS, ASSISTANT SECRETARY

CERTIFICATE FOR RESOLUTION

The undersigned officer of the San Antonio Housing Trust Finance 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 November 24, 2020 (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 CONFIRMING AND RATIFYING THE APPOINTMENT
OF PEDRO A. ALANIS AS ASSISTANT SECRETARY 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 AND SEALED November 24, 2020.



Pedro A. Alanis, Executive Director
and Assistant Secretary

RESOLUTION CONFIRMING AND RATIFYING THE APPOINTMENT OF PEDRO A. ALANIS AS ASSISTANT SECRETARY AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, on July 29, 2020 at a duly called and noticed meeting, the Board found it advisable to appoint, and did appoint, Pedro A. Alanis as an Assistant Secretary of the Corporation; and

WHEREAS, the Board desires to confirm and ratify by formal written resolution the appointment of Pedro A. Alanis as an Assistant Secretary of the Corporation;

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN ANTONIO HOUSING TRUST FINANCE CORPORATION THAT:

Section 1. The appointment of Pedro A. Alanis on July 29, 2020 as an Assistant Secretary of the Corporation with the authority to undertake the actions of an Assistant Secretary as authorized by the Board and to act as an officer of the Corporation, including the authority to execute documents on behalf of the Corporation when an Assistant Secretary is authorized to do so, is hereby confirmed and ratified.

Section 2. 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 3. 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 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. This Resolution shall be in force and effect from and after its passage.

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