

**RESOLUTION NO. 14-01**

**RESOLUTION APPROVING FINANCIAL STATEMENTS FOR THE HARRIS  
COUNTY HOUSING AUTHORITY**

**WHEREAS**, the Department of Housing and Urban Development requires that HCHA submit annual financial statements and audit information; and


**WHEREAS**, financial statements for the fiscal year ending March 31, 2013 have been prepared by independent auditors from the firm of CliftonLarsonAllen, LLP;

**NOW THEREFORE BE IT RESOLVED**, that that the Board of Commissioners of the Harris County Housing Authority approves the financial statements as presented by representatives from CliftonLarsonAllen.

This resolution shall be in full force and effect from and upon its adoption.

**PASSED**, by the Board of Commissioners this 15th day of January 2014.

Chairman: 

Secretary: 

**RESOLUTION NO. 14-02**

**RESOLUTION ADOPTING A FIXED ASSET POLICY**

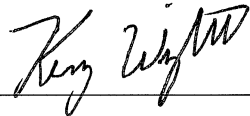
**WHEREAS**, the Harris County Housing Authority (HCHA) Board of Commissioners approved a Fixed Asset Policy on October 16, 2013; and


**WHEREAS**, HCHA staff has recommended that the policy be changed so that depreciation expenses are recorded on an annual basis rather than monthly basis;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Harris County Housing Authority hereby adopts the revisions to the Fixed Asset Policy attached to this resolution.

This resolution shall be in full force and effect from and upon its adoption.

**PASSED**, by the Board of Commissioners this 15th day of January 2014.

Chairman: 

Secretary: 

Attachment: HCHA Fixed Asset Policy Revision

**RESOLUTION NO. 14-03**

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE  
HOUSTON HOUSING AUTHORITY TO PERFORM INSPECTIONS AND/OR RENT  
REASONABLENESS CALCULATIONS FOR EACH OTHER AT THE PARTNER  
AGENCY'S REQUEST**

**WHEREAS**, the US Department of Housing and Urban Development requires housing authorities to inspect units to ensure they meet Housing Quality Standards and to perform rent reasonableness calculations; and

**WHEREAS**, in some instances, circumstances exist where it is required or preferred that an independent party perform these inspection and calculations; and

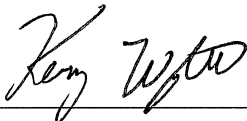
**WHEREAS**, the Harris County Housing Authority and the Houston Housing Authority have agreed to perform these duties for the partner agency upon request for a set fee when such action is either required or preferred;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Harris County Housing Authority hereby authorizes the CEO to negotiate and execute the attached memorandum of understanding with the Houston Housing Authority for the purpose of providing a framework for HHA and HCHA to perform inspections and rent reasonableness calculations for each other at the partner agency's request.

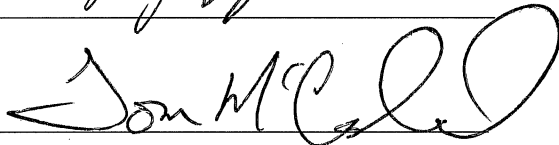
This resolution shall be in full force and effect upon its adoption.

**PASSED**, by the Board of Commissioners this 15th day of January 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_



**RESOLUTION NO. 14-04**

**RESOLUTION APPROVING AND AUTHORIZING TRAVEL EXPENSES FOR THE  
CEO**

**WHEREAS**, the National Association of Housing and Redevelopment Officials Annual Legislative Conference in Washington, DC, will be held March 9-12, 2014; and

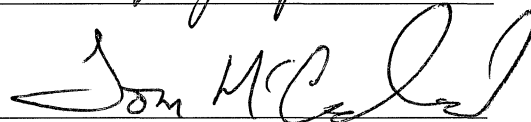
**WHEREAS**, the CEO may attend this conference in order to meet with HUD officials regarding HCHA corrective action items;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Harris County Housing Authority that the Chairman of the Board of Commissioners is authorized to approve travel expenses for the above stated conference.

This resolution shall be in full force and effect from and upon its adoption.

**PASSED**, by the Board of Commissioners this 15th day of January 2014.

Chairman: 

Secretary: 



**RESOLUTION NO. 14-05**

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS TO COVER MONTHLY AFFORDABLE HOUSING EXPENSES**

**WHEREAS**, Harris County Housing Authority (HCHA) maintains a separate checking account for affordable housing activities; and

**WHEREAS**, some monthly affordable housing expenses are incurred jointly with HCHA's other lines of business; and


**WHEREAS**, the attached expenses and descriptions were incurred for affordable housing activities within HCHA's main checking account for the following months and amounts:

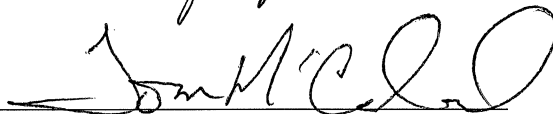
December 2013: \$34,913.18

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Harris County Housing Authority that the Chief Executive Officer is hereby authorized to transfer \$34,913.18 to the main HCHA checking account to cover the above cited affordable housing expenditures.

This resolution shall be in full force and effect from and upon its adoption.

**PASSED**, by the Board of Commissioners this 15th day of January 2014.

Chairman: 

Secretary: 

Attachments: Detailed expenditures for December 2013 affordable housing expenses

**RESOLUTION NO. 14-06**

**RESOLUTION APPROVING A SECOND REVISION TO THE FY 2014 BUDGET**

**WHEREAS**, the Harris County Housing Authority (HCHA) Board of Commissioners approved the FY 2104 budget on March 26, 2013; and

**WHEREAS**, the HCHA Board of Commissioners approved a revision to the FY 2014 budget on June 18, 2013; and

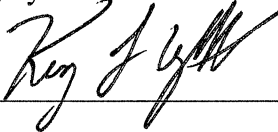
**WHEREAS**, HCHA staff members have recommended a second revision of the FY 2014 budget to address the effects of creating GAAP-based books of account and the corresponding interfund transfers between the various HCHA lines of business; and

**WHEREAS**, HCHA staff members have also recommended revisions relating to minor adjustments due to changes in the allocation process;

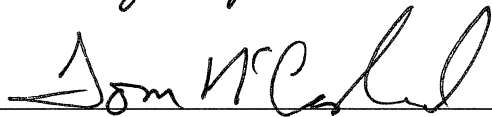
**NOW, THEREFORE BE IT RESOLVED**, that HCHA Board of Commissioners hereby approves and adopts the revised FY 2014 budget as attached to this resolution.

**PASSED**, by the Board of Commissioners this 26th day of February 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_



Attachment: Revised FY 2104 budget

**RESOLUTION NO. 14-07**

**RESOLUTION ADOPTING THE HCHA FIVE YEAR AND 2015 ANNUAL PLAN**

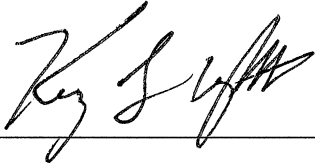
**WHEREAS**, the Harris County Housing Authority (HCHA) held a Resident Advisory Board meeting on October 21, 2013; and

**WHEREAS**, HCHA held a public hearing on the revised HCHA Five Year and Annual Plan and the revised HCHA Administrative Plan on January 6, 2014;

**NOW, THEREFORE BE IT RESOLVED**, that HCHA hereby adopts the HCHA Five Year and Annual Plan attached to this Resolution.

**PASSED**, by the Board of Commissioners this 26th day of February 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_



Attachment: HCHA Five Year and Annual Plan

**RESOLUTION NO. 14-08**

**RESOLUTION APPROVING REVISIONS TO THE HCHA EMPLOYEE HANDBOOK**

**WHEREAS**, the Harris County Housing Authority (HCHA) provides its employees with an Employee Handbook outlining important policies and procedures; and

**WHEREAS**, staff has recommended eliminating the longevity pay policy included in this handbook; and

**WHEREAS**, staff has recommended formally incorporating a compressed time policy and inclement weather policy into the Employee Handbook; and


**WHEREAS**, staff has recommended condensing the “drug and alcohol free workplace” section of the handbook; and

**WHEREAS**, staff has recommended other changes as attached to clarify and codify procedures already in place;

**NOW, THEREFORE BE IT RESOLVED**, that HCHA hereby adopts the updated Employee Handbook attached to this resolution and the policies included therein.

**PASSED**, by the Board of Commissioners this 26th day of February 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_



Attachment: HCHA Employee Handbook Revisions

**RESOLUTION NO. 14-09**

**RESOLUTION ADOPTING A REVISED HCHA ADMINISTRATIVE PLAN**

**WHEREAS**, the Harris County Housing Authority (HCHA) held a Resident Advisory Board meeting on October 21, 2013; and

**WHEREAS**, HCHA held a public hearing on the revised HCHA Annual Plan and the revised HCHA Administrative Plan on January 6, 2014; and

**WHEREAS**, HCHA staff has recommended the following changes regarding:

- Extensions for correcting emergency fail items; and
- A \$75 fee for second re-inspections; and
- Guidelines limiting rental increases to once every 12 months; and
- Guidelines allowing HCHA staff to serve as hearing officers for informal hearings; and
- Requirements that families copy documents related to an informal hearing at their own expense; and
- Access to the HCHA file room; and

**WHEREAS**, HCHA staff has made various other edits to the Administrative Plan to improve its clarity and reduce redundant, contradictory or extraneous information, and to move citations to the footnotes; and

**WHEREAS**, the recommended changes do not reflect significant amendments or substantial deviations or modifications to the HCHA Administrative Plan;

**NOW, THEREFORE BE IT RESOLVED**, that HCHA hereby adopts the updated HCHA Administration Plan attached to this resolution.

**PASSED**, by the Board of Commissioners this 26th day of February 2014.

Chairman: \_\_\_\_\_

Secretary: \_\_\_\_\_

Attachment: HCHA Administrative Plan Revisions

**RESOLUTION NO. 14-10**

**RESOLUTION AUTHORIZING THE HARRIS COUNTY HOUSING AUTHORITY (THE "AUTHORITY") TO TAKE THE FOLLOWING ACTIONS WITH REGARD TO THE DEVELOPMENT BY HARRIS COUNTY HOUSING AUTHORITY PUBLIC FACILITY CORPORATION, A SPONSORED AFFILIATE OF THE AUTHORITY (THE "CORPORATION"), OF THE NINE PERCENT TAX CREDIT APPLICATION FOR THE PROPERTY TO BE KNOWN AS TIDWELL LAKES RANCH (THE "PROJECT") IN ORDER TO PROVIDE FINANCING FOR THE DEVELOPMENT, CONSTRUCTION, AND OPERATION OF THE PROJECT: (A) APPROVE AND MEMORIALIZE THE TAX CREDIT TRANSACTION, INCLUDING THE TAX CREDIT APPLICATION TO BE SUBMITTED TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (THE "AGENCY"); (B) APPROVE ALL DOCUMENTS, AGREEMENTS, AND ACTIONS EVIDENCING THE PROJECT TRANSACTIONS AS APPROVED BY THE AGENCY, INCLUDING THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CORPORATION AND THE DEVELOPER PARTNER (THE "MOU"); (C) APPROVE THE EXECUTING OFFICER FOR THE TAX CREDIT DOCUMENTS AND (D) AUTHORIZE, APPROVE, AND EXECUTE ALL DOCUMENTS, AGREEMENTS, AND ACTIONS FOR THE DEVELOPMENT AND OPERATION OF THE PROJECT AND ALL MATTERS RELATED THERETO**

**WHEREAS**, the Authority, through its sponsored affiliate, the Corporation, shall submit a tax credit application to the Agency, for the construction and development of the mixed income project to be known as Tidwell Lakes Ranch (the "Project"), in order to gain an award of tax credits under the Low Income Housing Tax Credit ("LIHTC") Program for nine percent (9%) tax credits;

**WHEREAS**, the Corporation will form a limited liability company that will serve as general partner (the "General Partner") of Tidwell Lakes Ranch, Ltd., the Texas limited partnership that will own the Project ("Owner"), as evidenced in its tax credit application to the Agency during the application period;

**WHEREAS**, the Authority desires to grant authority for, approve, and memorialize the tax credit transaction, in order to obtain a Notice of Commitment (the "Commitment Letter") from the Agency for the tax credits for the Project;

**WHEREAS**, the financing resources to develop and construct the Project will require loans and/or grants from financial institutions and/or governmental entities;

**WHEREAS**, the Authority desires to grant authority for the transaction, and for the funds for the Project;

**WHEREAS**, the Authority desires to grant signatory authority to an officer of the Authority, over all actions and agreements with, or relating to, the Agency and of all correspondence with Agency;

**NOW THEREFORE**, the Board of Commissioners of the Authority hereby approves, grants authority for, authorizes, ratifies, and memorializes, acting in its own capacity and in its capacity as the sponsor of the sole member of the General Partner, the following Resolutions, at a duly-called meeting of the Authority;

**BE IT RESOLVED**, that the Board of Commissioners hereby approves, grants authority for, authorizes, ratifies, and memorializes the development of and operation of the Project; and it is

**RESOLVED FURTHER**, that the Board of Commissioners hereby approves, grants authority for, authorizes, and memorializes, on its own behalf and on behalf of the Owner, the MOU to be executed and set forth the agreement to develop the Project; the tax credit application to be submitted to the Agency, including any and all documents, agreements, financing commitments and actions (the foregoing inclusive of the MOU, the "Documents") evidencing the transaction as approved by the Agency in its Commitment Letter or in any correspondence related to the tax credits, including related financing deemed necessary to close the transaction, all in form and substance approved by the Executing Officer (defined below), his approval of each such instrument to be conclusively evidenced by his signature thereon; and it is

**RESOLVED FURTHER**, that the form, terms and provisions of the Documents are hereby in each and every respect approved, ratified, and confirmed; and it is

**RESOLVED FURTHER**, that the Board of Commissioners hereby approves, authorizes, and ratifies actions by the Authority as sponsor of the sole member of the General Partner to negotiate, review, approve, and execute all documents, agreements, and actions for the Project; and it is

**RESOLVED FURTHER** that either of the following officers (the "Executing Officer"), of the Authority in the office indicated below, until the election or appointment and qualification of his/her successor or until his/her earlier resignation, removal from office or death, shall have the signatory authority specified in these Resolutions:

<u>Name</u>	<u>Office</u>
Kerry Wright	Chairman of the Board
Tom McCasland	CEO & Executive Director

**RESOLVED FURTHER**, that the Executing Officer is authorized to negotiate, execute, and/or approve the Documents and/or all other documents necessary to effectuate the foregoing Resolution, all on such terms and containing such provisions as the Executing Officer of the Authority executing same shall deem appropriate, and the

approval of the terms of each such instrument herein described by the Executing Officer shall be conclusively evidenced by his/her execution and delivery thereof; and

**RESOLVED FURTHER**, that to the extent any of the actions authorized by this Resolution have already been taken on behalf of the Authority, such actions are hereby ratified and confirmed as the valid actions of the Authority, effective as of the date such actions were taken;

**RESOLVED FURTHER**, that the execution by the Executing Officer of any document or instrument authorized by the foregoing Resolutions or any document or instrument executed in the accomplishment of any action or actions authorized, or the execution of any amendment or modification of any such document or instrument shall be deemed to be conclusive approval thereof by the Authority;

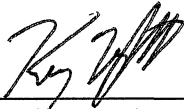
**RESOLVED FURTHER**, that the authorization of the Authority and/or the Owner to enter into the Documents is hereby approved and granted, and that execution and delivery in the name and on behalf of the Authority and/or the Owner, by any of the officers of Authority of the Documents, in the form as so executed and delivered is hereby approved, ratified and confirmed; and it is further

**RESOLVED FURTHER**, that to the extent any of the actions authorized by these Resolutions have already been taken on behalf of Authority or the Owner (both individually and in a representative capacity as identified in these Resolutions), or by any employee, officer, or director of the Authority on direction from an officer or director, toward completion of the transactions contemplated by these Resolutions or performance of the obligations of Authority under the Documents in connection with the Project and/or these Resolutions, and any related actions for the development and operation of the Project, such actions are hereby ratified and confirmed as the valid actions of the Authority, effective as of the date such actions were taken; and it is further

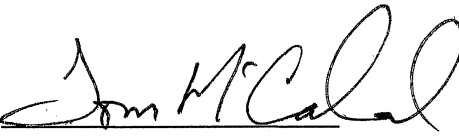
**RESOLVED FURTHER**, that this Resolution shall be in full force and effect from and upon its adoption.



**IN WITNESS WHEREOF**, this Resolution has been adopted as of the 26th day of February 2014, in multiple counterparts, each of which shall be deemed an original hereof for all purposes.

By:   
Name: Kerry Wright  
Title: Chairman of the Board

ATTEST:

By:   
Name: Tom McCasland  
Title: Secretary

**RESOLUTION NO. 14-11**

**RESOLUTION APPROVING THE HARRIS COUNTY HOUSING AUTHORITY  
INVESTMENT POLICY AND APPOINTING AN INVESTMENT OFFICER**

**WHEREAS**, the Harris County Housing Authority (HCHA) is subject to the Public Funds Investment Act (Texas Government Code, Chapter 2256, Subchapter A); and

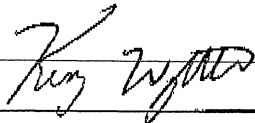
**WHEREAS**, HCHA's Investment Policy authorizes the HCHA Board of Commissioners to delegate investment authority to one or more officers or employees as the HCHA Investment Officer;

**NOW, THEREFORE BE IT RESOLVED**, that HCHA hereby adopts the attached Investment Policy for FY 2015; and

**BE IT FURTHER RESOLVED**, that HCHA designates Julie Guyton of Amegy Bank as its duly authorized Investment Officer with all powers and responsibilities described in the attached Investment Policy.

**PASSED**, by the Board of Commissioners this 19th day of March 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_



Attachment: Investment Policy

**RESOLUTION NO. 14-12**

**RESOLUTION APPROVING THE FY2015 BUDGET**

**WHEREAS**, David Cornwell and staff members of Harris County Housing Authority (HCHA) have drafted a budget for the fiscal year beginning April 1, 2014 and ending December 31, 2014; and

**WHEREAS**, each of HCHA's five active Lines of Business are projected to have positive cash flows for FY2015; and

**WHEREAS**, the Board of Commissioners of Harris County Housing Authority has reviewed the proposed budget and has found that the anticipated revenues as reflected in the proposed budget are sufficient to meet all proposed expenses for HCHA;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Harris County Housing Authority hereby adopts the attached budget for the fiscal year beginning April 1, 2014 and ending December 31, 2014; and

**BE IT FURTHER RESOLVED**, that the CEO is authorized to take all action necessary to implement this budget subject to HCHA's approved Procurement Policy and Check Writing Policy.

**PASSED**, by the Board of Commissioners this 19th day of March 2014.

Chairman: \_\_\_\_\_

Secretary: \_\_\_\_\_

Attachment: FY2015 Budget

**RESOLUTION NO. 14-13**

**RESOLUTION APPROVING REVISIONS TO THE HCHA ADMINISTRATIVE  
PLAN**

**WHEREAS**, the Harris County Housing Authority (HCHA) held a Resident Advisory Board meeting on October 21, 2013; and

**WHEREAS**, HCHA held a public hearing on the revised HCHA Annual Plan and the revised HCHA Administrative Plan on January 6, 2014; and

**WHEREAS**, the Board of Commissioners approved a revised 2014 Administrative Plan on February 26, 2014; and

**WHEREAS**, HCHA staff has recommended revisions to the current plan to address hardship exemptions, self-certification inspection procedures, and a proposed Family Self Sufficiency Program; and

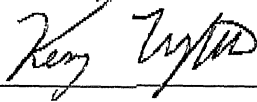
**WHEREAS**, the recommended changes do not reflect significant amendments or substantial deviations or modifications to the HCHA Administrative Plan or the Annual Plan;

**NOW, THEREFORE BE IT RESOLVED**, that HCHA hereby adopts the revised HCHA Administration Plan attached to this resolution.

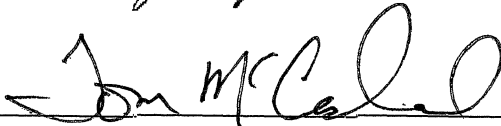
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**PASSED**, by the Board of Commissioners this 19<sup>th</sup> day of March 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_



Attachment: HCHA Administrative Plan Revisions

**RESOLUTION NO. 14-14**

**RESOLUTION APPROVING THE DEVELOPMENT OF A FAMILY SELF SUFFICIENCY (FSS) PROGRAM, AUTHORIZING THE NEGOTIATION AND EXECUTION OF AGREEMENTS WITH FAMILY SELF SUFFICIENCY SERVICE PROVIDERS AND FURTHER AUTHORIZING THE INITIAL FUNDING OF FSS CASE MANAGERS**

**WHEREAS**, the Harris County Housing Authority (HCHA) proposes to implement a Family Self Sufficiency Program in April 2014; and

**WHEREAS**, HCHA expects this program to receive funding from governmental entities and private foundations; and

**WHEREAS**, the FSS program requires the coordination and cooperation of service providers within Harris County to provide services to FSS clients; and

**WHEREAS**, HCHA may need to establish formal agreements with these service providers and to provide initial funding for case managers to serve its FSS clients;

**NOW, THEREFORE, BE IT RESOLVED**, that HCHA Board of Commissions approves the development of a Family Self Sufficiency program, and authorizes the CEO to negotiate and execute agreements as necessary with FSS service providers; and

**BE IT FURTHER RESOLVED**, that the HCHA Board of Commissioners authorizes expenditures related to the initial payment of FSS case manager salaries as long as these costs do not exceed the amount budgeted for salaries and benefits for the COCC, when combined with the COCC's actual salaries and benefits.

**PASSED**, by the Board of Commissioners this 19th day of March 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_



Attachment: Draft FSS Action Plan

**RESOLUTION NO. 14-15**

**RESOLUTION ADOPTING A REVISED COST ALLOCATION POLICY**

**WHEREAS**, the Harris County Housing Authority (HCHA) approved a Cost Allocation Policy on October 16, 2013; and

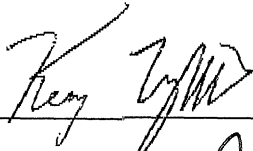
**WHEREAS**, staff has recommended revisions to this policy to address internal transfers between HCHA lines of business;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Harris County Housing Authority hereby adopts the attached revised Cost Allocation Policy.

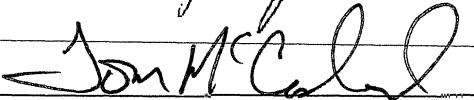
This resolution shall be in full force and effect from and upon its adoption.

**PASSED**, by the Board of Commissioners this 19th day of March 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_



Attachment: Revised Cost Allocation Policy

**RESOLUTION NO. 14-16**

**RESOLUTION ADOPTING THE HCHA FIVE YEAR AND 2015 ANNUAL PLAN**

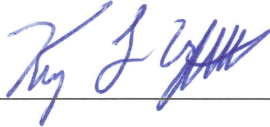
**WHEREAS**, the Harris County Housing Authority (HCHA) held a Resident Advisory Board meeting on October 21, 2013; and

**WHEREAS**, HCHA held a public hearing on the revised HCHA Five Year and Annual Plan and the revised HCHA Administrative Plan on January 6, 2014;

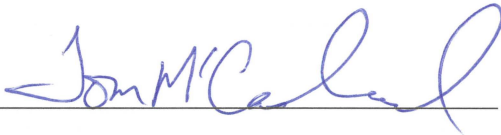
**NOW, THEREFORE BE IT RESOLVED**, that HCHA hereby adopts the HCHA Five Year and Annual Plan attached to this Resolution.

**PASSED**, by the Board of Commissioners this 7th day of April 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_



Attachment: HCHA Five Year and Annual Plan

**RESOLUTION NO. 14-17**

**RESOLUTION REGARDING THE DISPOSITION OF PROPERTY**

**WHEREAS**, the Harris County Housing Authority (HCHA) acquired a 91.93-acres West Lake Houston property on or about February 2009; and

**WHEREAS**, this property became known as the Patriots by the Lake, with a partial development of this property known as Humble Lakes;

**WHEREAS**, since February 2012, Harris County Commissioners Court has appointed a completely new Board of Commissioners to HCHA's board;

**WHEREAS**, since March 21, 2012, no construction activity occurred relating to this property, and on or prior to September 19, 2012, the HCHA Board of Commissioners ordered staff to halt all construction relating to Patriots by the Lake and Humble Lakes;

**WHEREAS**, on October 24, 2012, the HCHA Board of Commissioners resolved that the Construction in Progress (CIP) expenses relating to Patriots by the Lake and Humble Lakes would not be completed;

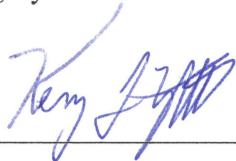
**WHEREAS**, on October 24, 2012, the HCHA Board of Commissioners directed staff to remove from HCHA's balance sheet CIP expenses totaling \$783,999.52 for Patriots by the Lake and \$167,372.84 for Humble Lakes;

**NOW, THEREFORE BE IT RESOLVED**, that HCHA hereby finds that it is in the best interest of HCHA to sell the West Lake Houston property known as Patriots by the Lake.

**BE IT FURTHER RESOLVED**, that HCHA Board of Commissioners authorizes HCHA's CEO, consulting with HCHA's disposition broker and attorney, to negotiate and execute a Letter of Intent and subsequently to negotiate a Contract for Sale subject to the terms and instructions provided by the board in executive session, provided the Contract for Sale is presented to the board for final approval after it has been negotiated.

**PASSED**, by the Board of Commissioners this 7th day of April 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_





## **RESOLUTION NO. 14-18**

### **RESOLUTION APPROVING AND AUTHORIZING THE HARRIS COUNTY HOUSING AUTHORITY (THE “AUTHORITY”) TO EXECUTE THE THIRD AMENDMENT BETWEEN HARRIS COUNTY AND HARRIS COUNTY HOUSING AUTHORITY FOR THE CYPRESSWOOD ESTATES PROJECT**

**WHEREAS**, Harris County, a body corporate and politic under the laws of Texas, hereinafter referred to as the “Grantee”, and Harris County Housing Authority, herein called the “Subrecipient,” entered into an Agreement on May 5, 2009 to administer Neighborhood Stabilization Program (NSP) funds for the purpose of granting such funds to the Subrecipient for the acquisition of foreclosed land for the development of an 88-unit apartment complex (the “Project”) for very low and low-income senior citizens age 55 or older and maintain ownership of the Project at the completion of construction; and

**WHEREAS**, on August 11, 2009, Commissioners Court approved an Amendment to said Agreement of May 5, 2009 adding additional NSP funds in the amount of \$3,152,859.00 and additionally approved an Agreement that utilized Community Development Block Grant (CDBG) Program and Disaster Recovery Program (DRP) funds in the amount of \$5,574.826.00 to partially fund costs associated with the acquisition, development and construction of the Project; and

**WHEREAS**, on October 25, 2011, Commissioner’s Court approved a Second Amendment to said Agreements in order that the NSP Agreement of May 5, 2009 and subsequent Amendment on August 11, 2009 be made a part of the CDBG-DRP Agreement of August 11, 2009; and

**WHEREAS**, the Second Amendment to said Agreements revised the Project Budget by adding Home Investment Partnerships (HOME) Program funds and additional NSP funds, and increased the amount of leveraged funds; modified the designated Harris County-assisted units to a fixed unit designation; and incorporated the HOME regulations; and

**WHEREAS**, the Grantee and the Subrecipient now desire to amend said Agreement in order to modify the assisted units from a designation of fixed to floating and correct the income and rent targeting requirements by executing a Third Amendment Between Harris County and Harris County Housing Authority for the Cypresswood Estates Project (the “Amendment”); and

**WHEREAS**, it is in the best interest of Subrecipient to amend the Agreement by executing the Amendment as aforesaid;

**NOW, THEREFORE**, the Authority hereby adopts the following resolutions on behalf of itself at a duly called meeting; and

**IT IS HEREBY RESOLVED**, that the Board of Commissioners of the Authority hereby approves the execution of the Amendment and any ancillary documents associated therewith; and it is further

**RESOLVED**, that the authorization of the Authority to enter into the Amendment and any ancillary documents associated therewith and that execution and delivery thereof, by Thomas McCasland (the "Executing Officer") as the Authority's Chief Executive Officer, is hereby approved, ratified, and confirmed; and it is further

**RESOLVED** that the Executing Officer is hereby authorized and directed for and on behalf of, and as the act and deed of, the Authority, to take such other action in the consummation of the transactions herein contemplated and to do any and all other acts and things necessary or proper in furtherance of the transactions contemplated by these Resolutions, as the Executing Officer shall deem to be necessary or desirable, and all acts heretofore taken by the Executing Officer to such end are hereby expressly ratified and confirmed as the acts and deeds of the Authority; and it is further

**RESOLVED**, that the past lawful actions of the Commissioners and Officers related to these resolutions, taken on behalf of the Authority, are hereby ratified, approved, and adopted.

This resolution shall be in full force and effect from and upon its adoption.

**PASSED**, by the Board of Commissioners this 15th day of April 2014.

By: \_\_\_\_\_

Chair

Secretary

**RESOLUTION NO. 14-19**

**RESOLUTION APPROVING REVISIONS TO THE HCHA ADMINISTRATIVE PLAN**

**WHEREAS**, the Harris County Housing Authority (HCHA) held a Resident Advisory Board meeting on October 21, 2013; and

**WHEREAS**, HCHA held a public hearing on the revised HCHA Annual Plan and the revised HCHA Administrative Plan on January 6, 2014; and

**WHEREAS**, the Board of Commissioners approved a revised 2014 Administrative Plan on February 26, 2014; and

**WHEREAS**, HCHA staff has recommended creating a new local preference for homeless individuals referred to HCHA by Harris County's Mental Health Jail Diversion Program; and

**WHEREAS**, staff has recommended changes to the current plan to revise HCHA's mission statement, procedures for purging the waiting list, documentation requirements for landlords/owners, and policies regarding informal hearing; and

**WHEREAS**, staff members have made other changes to the Administrative Plan to comply with the 2013 Violence Against Women Act; and

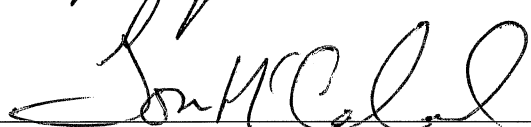
**WHEREAS**, the recommended changes do not reflect significant amendments or substantial deviations or modifications to the HCHA Administrative Plan or the Annual Plan;

**NOW, THEREFORE BE IT RESOLVED**, that HCHA hereby adopts the revised HCHA Administration Plan revisions attached to this resolution; and

**BE IT FURTHER RESOLVED**, that HCHA leave the waiting list open for referrals for its first three local preferences.

**PASSED**, by the Board of Commissioners this 15th day of April 2014.

Chairman:  \_\_\_\_\_

Secretary:  \_\_\_\_\_

Attachment: HCHA Administrative Plan Revisions

**RESOLUTION NO. 14-20**

**RESOLUTION AUTHORIZING THE CEO TO EXECUTE A LESSEE  
ESTOPPEL AGREEMENT AND A SUBORDINATION, NON-DISTURBANCE,  
AND ATTORNMENT AGREEMENT**

**WHEREAS**, the Harris County Housing Authority (HCHA) leases office space from SL Interchange, LP; and

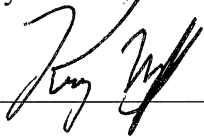
**WHEREAS**, SL Interchange is refinancing its properties; and

**WHEREAS**, as part of the refinance process, representatives from SL Interchange have requested that all tenants complete a lessee estoppel agreement and a subordination, non-disturbance, and attornment agreement;

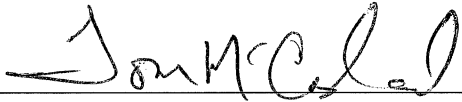
**NOW, THEREFORE BE IT RESOLVED**, that Board of Commissioners authorizes the CEO to execute the lessee estoppel agreement and subordination, non-disturbance, and attornment agreement attached to this resolution.

**PASSED**, by the Board of Commissioners this 15th day of April 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_



Attachments:

Lessee Estoppel Agreement

Subordination, Non-Disturbance, and Attornment Agreement

## **RESOLUTION NO. 14-21**

### **RESOLUTION AUTHORIZING THE SUBMISSION OF AN UNSOLICITED PROPOSAL AND THE NEGOTIATION OF A MEMORANDUM OF AGREEMENT WITH METRO FOR BERNICIA PLACE**

**WHEREAS**, the Harris County Housing Authority (HCHA) desires to develop a Transit Oriented Development (TOD) (Bernicia Place) on the Southeast Transit Center site; and

**WHEREAS** the Southeast Transit Center site is located at 6000 Scottcrest; and

**WHEREAS**, the site presents a favorable housing and commercial development opportunity due to its proximity to downtown, public institutions, area services, public transportation, redevelopment and reinvestment in the area, etc.; and

**WHEREAS**, the site is partially vacant, available for redevelopment and owned by METRO; and

**WHEREAS**, HCHA has conducted a preliminary feasibility analysis of the site and determined that it could develop up to 120 units of senior housing with 5000 square feet of commercial space on the site; and

**WHEREAS**, staff desires submit an unsolicited proposal and enter into negotiations with the METRO to acquire/ground lease the site and to develop a 120 unit mixed use/income senior development;

**NOW, THEREFORE BE IT RESOLVED**, that the Authority hereby adopts the following resolutions on behalf of itself at a duly called meeting:

**IT IS HEREBY RESOLVED**, that the Board of Commissioners of the Authority hereby approves the submission of an unsolicited proposal and the negotiation and execution of a Memorandum of Agreement, (and any ancillary documents related thereto), to acquire/ground lease portions of the Southeast Transit Center site for the development of a mixed use/income senior development with the METRO (collectively, the "Metro Submission and Documents"); and it is further

**RESOLVED**, that the submission of the Metro Submission and Documents and the execution and delivery of such documents by Thomas McCasland (the "Executing Officer") as the Authority's Chief Executive Officer, is hereby approved, ratified, and confirmed; and it is further

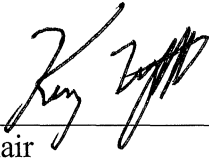
**RESOLVED** that the Executing Officer is hereby authorized and directed for and on behalf of, and as the act and deed of, the Authority, to take such other action in the consummation of the transaction herein contemplated and to do any and all other acts and things necessary or proper in furtherance of the transactions contemplated by these resolutions, as the Executing Officer shall deem to be necessary or desirable, and all acts heretofore taken by the Executing Officer to such end

are hereby expressly ratified and confirmed as the acts and deeds of the Authority; and it is further

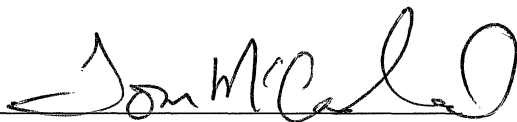
**RESOLVED**, that the past lawful actions of the Commissioners and Officers related to these resolutions, taken on behalf of the Authority, are hereby ratified, approved, and adopted;

This resolution shall be in full force and effect from and upon its adoption.

**PASSED**, by the Board of Commissioners this 15th day of April 2014.

  
Chair

ATTEST:

  
Secretary

**RESOLUTION NO. 14-22**

**RESOLUTION OF THE HARRIS COUNTY HOUSING AUTHORITY (THE  
“AUTHORITY”) APPROVING THE HARRIS COUNTY HOUSING  
AUTHORITY PUBLIC FACILITY CORPORATION, A SPONSORED  
AFFILIATE OF THE AUTHORITY (THE “CORPORATION”), TO SECURE  
INDEBTEDNESS AND AMEND LOAN DOCUMENTS IN ORDER TO  
FACILITATE ADDITIONAL FINANCING FOR RETREAT AT WESTLOCK IN  
TOMBALL, TEXAS; AND AUTHORIZING THE CORPORATION TO TAKE  
SUCH OTHER STEPS AS THE CORPORATION DEEMS NECESSARY OR  
CONVENIENT TO CARRY OUT THESE RESOLUTIONS**

**WHEREAS**, the Authority, through its sponsored affiliate, the Corporation heretofore submitted a tax credit application to TDHCA for the construction and development of the mixed income project to be known as Retreat at Westlock in Tomball, Texas (the “Project”), in order to gain an award of tax credits under the Low Income Housing Tax Credit (“LIHTC”) Program for nine percent (9%) tax credits; and

**WHEREAS**, the development of the Project requires additional public and private financing in addition to the LIHTCs; and

**WHEREAS**, the Corporation is the sole member of HCHA Westlock, LLC (the “Company”), which in turn serves as the sole general partner of Retreat at Westlock, Ltd. (the “Partnership”); and

**WHEREAS**, to facilitate financing of the acquisition and development of the Project, the Corporation approved and the Partnership entered into certain loan documents (the “Loan Documents”) relating to a \$1,133,000 (the “Loan”) loan from Harris County (the “Lender”), which is a loan secured by the Project; and

**WHEREAS**, the parties to the loan documents now desire to amend the Loan Documents to increase the Loan from \$1,133,000 to \$1,933,000 (the “Increased Loan”); and

**WHEREAS**, it is in the best interest of Partnership, the Company, the Corporation, and the Authority to increase the loan amount and execute any and all documents necessary to evidence and secure the Increased Loan;

**NOW THEREFORE**, be it resolved by the Board of Commissioners of the Authority:

**RESOLVED**, that the Corporation, in its own capacity and in its capacity as the sole member of the Company; and the Company, in its own capacity and in its capacity as sole member of the general partner of the Partnership, in connection (i) with the acquisition and construction loan by Lender, in an increased amount of \$1,933,000

encumbered by the Project, and (ii) the related transactions contemplated thereby, the Corporation and the Company, in the aforementioned capacities, as applicable, each is authorized to execute and deliver all such amendments, allonges, agreements, affidavits, security agreements, notes, subordination agreements, deeds of trust, assignments, financing statements, documents, consents, assurances, supplements, instruments and other writings of every nature whatsoever as the Corporation and/or the Company, in the aforementioned capacities, as applicable, deems necessary to consummate the closing of the transactions contemplated by these resolutions (collectively, the "Amended Loan Documents") and each are hereby in each and every respect authorized, ratified and confirmed; and be it

**FURTHER RESOLVED**, that the Executing Officer (defined below) as representative of the Corporation and/or the Company is severally authorized and directed, for and on behalf of, and as the act and deed of, the Corporation and/or the Company, in the aforementioned capacity, to execute and deliver to the Lender the Amended Loan Documents and such other notices, requests, demands, directions, consents, approvals, orders, undertakings, amendments, further assurances or other instruments as may be necessary or appropriate in order to cause the Corporation and/or Company to carry into effect the intent of the foregoing resolutions and/or required in connection therewith and to make such modifications thereto as shall be conclusively evidenced by the execution of such documents; and such other instruments are hereby approved, ratified and confirmed in all respects; and be it

**FURTHER RESOLVED**, that Tom McCasland (the "Executing Officer"), the Executive Director / Secretary of the Corporation, is authorized, empowered, and directed to negotiate and execute the Amended Loan Documents and any other necessary documents, agreements, and/or certifications for the Increased Loan; and be it

**FURTHER RESOLVED**, that to the extent any of the actions authorized by these Resolutions have already been taken on behalf of the Corporation, in its own capacity or in its capacity as the sole member of the Company, such actions are hereby ratified and confirmed as the valid actions of the Company, effective as of the date such actions were taken; and be it

**FURTHER RESOLVED**, that to the extent any of the actions authorized by these Resolutions have already been taken on behalf of the Company, in its own capacity or in its capacity as the sole member of the general partner of the Partnership, such actions are hereby ratified and confirmed as the valid actions of the Company, effective as of the date such actions were taken; and be it

**FURTHER RESOLVED**, that the Corporation, acting in its own capacity and in its capacity as the sole member of the Company, the general partner of the Partnership, in order to provide acquisition and construction loan financing for the Project, has the authority to enter into the Increased Loan, for the purpose of funding the Project; and be it

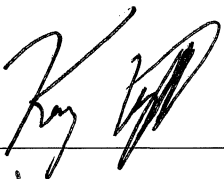


**FURTHER RESOLVED**, that any and all action previously taken by the Corporation, Company, and/or the Partnership with the respect to the Loan and Loan Documents are hereby ratified and confirmed as the valid actions of the Authority, Corporation, Company, and/or the Partnership, as the case may be, effective as of the date such actions were taken; and be it

**FURTHER RESOLVED**, that the execution by the Executive Director of any document or instrument authorized by the foregoing Resolutions or any document or instrument executed in the accomplishment of any action or actions authorized, or the execution of any amendment or modification of any such document or instrument shall be deemed to be conclusive approval thereof by the Authority, Corporation, Company or the Partnership, as the case may be, and the binding act and obligation of the Authority, Corporation, Company or the Partnership, as the case may be.

These Resolutions shall be in full force and effect from and upon their adoption.

**PASSED**, by the Board of Commissioners of the Authority this 15th day of April 2014.

Chairman: 

Secretary: 

**RESOLUTION NO. 14-23**

**RESOLUTION APPROVING THE SUBMISSION OF THE SECTION EIGHT  
MANAGEMENT ASSESSMENT PROGRAM (SEMAP) CERTIFICATION TO  
THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**WHEREAS**, the Department of Housing and Urban Development (HUD) requires housing authorities to submit an annual SEMAP report; and

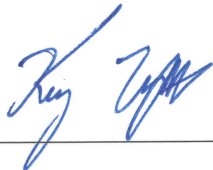
**WHEREAS**, this report is due to HUD 60 days after the close of the authority's fiscal year; and

**WHEREAS**, staff members have prepared and reviewed a draft of the SEMAP report and recommend its submission;

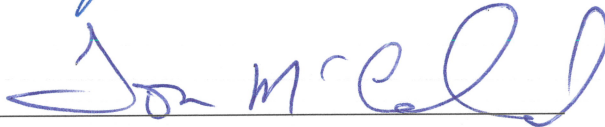
**NOW, THEREFORE, BE IT RESOLVED**, that the HCHA Board of Commissioners approves the submission of the 2014 SEMAP certification report to HUD.

**PASSED**, by the Board of Commissioners this 14th day of May 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_



Attachment: SEMAP summary

**RESOLUTION NO. 14-24**

**RESOLUTION APPROVING A NEW SIGNATORY FOR HCHA'S CHECKING ACCOUNTS**

**WHEREAS**, the Harris County Housing Authority Board of Commissioners approved a Check Writing Policy on March 26, 2013; and

**WHEREAS**, this policy authorizes the Chairman and Vice Chairman of the Board of Commissioners to sign checks on behalf of the authority; and

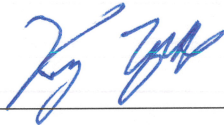
**WHEREAS**, the Board of Commissioners held elections to nominate new officers on April 15, 2014; and

**WHEREAS**, the Board re-elected Kerry Wright as Chairman and elected Joe Ellis as Vice Chairman;

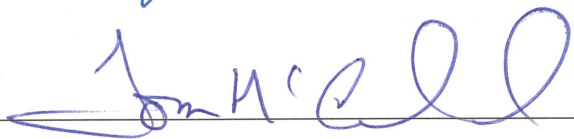
**NOW, THEREFORE, BE IT RESOLVED**, that the HCHA Board of Commissioners authorizes the Board's Vice Chairman, Joe Ellis, as to serve as a signatory for HCHA's checking accounts.

**PASSED**, by the Board of Commissioners this 14th day of May 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_



**RESOLUTION NO. 14-25**

**RESOLUTION APPROVING AND AUTHORIZING THE REIMBURSEMENT OF  
TRAVEL EXPENSES FOR AFFORDABLE HOUSING STAFF**

**WHEREAS**, the Texas Department of Housing and Community Affairs ("TDHCA"), in conjunction with the Austin Tenants Council, the Fair Housing Council of Greater San Antonio, and the Civil Rights Division of the Texas Workforce Commission, will sponsor a free Fair Housing Accessibility Training on Thursday, May 29, 2014 in Austin, TX; and

**WHEREAS**, the training is designed to promote compliance with the Fair Housing Act design and construction requirements; and

**WHEREAS**, TDHCA will sponsor another free training on new construction/2010 Americans with Disabilities ("ADA") Act standards on Friday, May 30, 2014 in Austin, TX; and

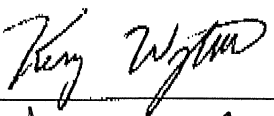
**WHEREAS**, these standards apply to new construction and reconstruction HOME and Neighborhood Stabilization Program ("NSP") Multifamily Housing Developments that began construction after March 12, 2012; rehabilitation HOME and NSP Multifamily Housing Developments that submitted a full application for funding after January 1, 2014; and all Housing Tax Credit and Tax Exempt Bond developments that submitted a full application for funding after January 1, 2014; and


**WHEREAS**, Horace Allison and Paula Burns will attend these two days of training and request per diem travel expenses in the approximate amount of \$214.50 per person;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Harris County Housing Authority that the Chairman of the Board is authorized to approve the reimbursement of the above stated expenses.

This resolution shall be in full force and effect from and upon its adoption.

**PASSED**, by the Board of Commissioners this 14th day of May 2014.

Chairman: 

Secretary: 

Attachments: Detailed travel expenditures

**RESOLUTION NO. 14-26**

**RESOLUTION REGARDING THE DISPOSITION OF PROPERTY**

**WHEREAS**, the Harris County Housing Authority (HCHA) acquired a 91.93-acres West Lake Houston property on or about February 2009; and

**WHEREAS**, this property became known as the Patriots by the Lake, with a partial development of this property known as Humble Lakes; and

**WHEREAS**, since February 2012, Harris County Commissioners Court has appointed a completely new Board of Commissioners to HCHA's board; and

**WHEREAS**, since March 21, 2012, no construction activity occurred relating to this property, and on or prior to September 19, 2012, the HCHA Board of Commissioners ordered staff to halt all construction relating to Patriots by the Lake and Humble Lakes; and

**WHEREAS**, on October 24, 2012, the HCHA Board of Commissioners resolved that the Construction in Progress (CIP) expenses relating to Patriots by the Lake and Humble Lakes would not be completed; and

**WHEREAS**, on October 24, 2012, the HCHA Board of Commissioners directed staff to remove from HCHA's balance sheet CIP expenses totaling \$783,999.52 for Patriots by the Lake and \$167,372.84 for Humble Lakes; and

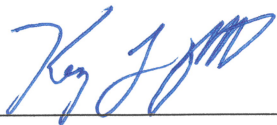
**WHEREAS**, on April 7, 2014, the HCHA Board of Commissioners authorized the CEO to negotiate and execute a Letter of Intent and negotiate a Contract for Sale, provided the Contract for Sale is presented to the Board for final approval;

**NOW, THEREFORE BE IT RESOLVED**, that HCHA hereby finds that it is in the best interest of HCHA to sell the West Lake Houston property known as Patriots by the Lake.

**BE IT FURTHER RESOLVED**, that HCHA Board of Commissioners authorizes HCHA's CEO, consulting with HCHA's disposition broker and attorney, to finalize negotiations and execute a Sales Contract subject to the terms and instructions provided by the HCHA Board of Commissioners in executive session.

**PASSED**, by the Board of Commissioners this 14th day of May 2014.

Chairman: \_\_\_\_\_



Secretary: \_\_\_\_\_

