

**CITY OF NEW BRAUNFELS HOUSING AUTHORITY  
BOARD of COMMISSIONERS**

**AGENDA ITEM D1**

**SUBJECT:**

Discussion and possible action approving a **RESOLUTION 202505290001 INDUCING THE LYNDON RANCH APARTMENTS IN PARTNERSHIP WITH AN AFFILIATE OF PARAVEL CAPITAL, TO BE LOCATED AT APPROXIMATELY 1801 LOOP 337 IN NEW BRAUNFELS, TEXAS; AND AUTHORIZING THE NEGOTIATION AND EXECUTION OF A TERM SHEET; AND OTHER MATTERS IN CONNECTION THEREWITH**

**BACKGROUND AND RATIONAL:**

Paravel Capital, has requested the participation of the New Braunfels Housing Authority (NBHA) to create a development partnership to develop three hundred and three (303) affordable housing (“workforce”) units commonly called the “Lyndon Ranch Apartments”. The developer has proposed the following terms:

- Closing Fee – \$750,000 to NBHA
- Sales Tax Savings – 25% to NBHA (estimated \$350,000 paid ½ at closing and ½ at CofO)
- Annual PILOT – \$150,000 with 3% escalator (50% to City of New Braunfels / 50% to NBHA)
- Sale Proceeds – 1.5% of gross sales price
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NBHA’s goals are to provide affordable housing in perpetuity. The current proposed terms reflects the affordability of fifty percent (50%) of units (151 units) at eighty percent (80%) area medium income (AMI). NBHA believes this scenario meets its goals of providing this affordable housing opportunity in perpetuity. Additionally, NBHA will develop a Payment In Lieu of Taxes (“Pilot”) payment to Comal County and the City of New Braunfels.

**FISCAL IMPACT:**

The Development will provide a new affordable housing opportunity for citizens at 80% of the Area Medium Income (AMI), in relationship to family size. Additionally, the proposed Development may create non federal revenue up to \$1M.

**STAFF RECOMMENDATION:**

Staff recommends approval.

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**RESOLUTION NO. 202505290001**

**RESOLUTION INDUCING THE LYNDON RANCH APARTMENTS IN  
PARTNERSHIP WITH AN AFFILIATE OF PARAVEL CAPITAL, TO BE  
LOCATED AT APPROXIMATELY 1801 LOOP 337 IN NEW BRAUNFELS,  
TEXAS; AND AUTHORIZING THE NEGOTIATION AND EXECUTION  
OF A TERM SHEET; AND OTHER MATTERS IN CONNECTION  
THEREWITH**

WHEREAS, the Housing Authority of the City of New Braunfels, Texas is empowered to finance the costs of public facilities that will provide decent, safe, and sanitary housing at affordable prices for residents of New Braunfels, Texas (the “City”);

WHEREAS, Paravel Capital or its affiliate (the “User”), has requested that the Authority or an affiliate thereof finance the acquisition, construction, and equipping of a proposed 303-unit multifamily housing facility to be located at approximately 1801 Loop 337, New Braunfels, Texas, and to be known as the Lyndon Ranch Apartments (the “Project”);

WHEREAS, this Resolution shall constitute the Authority’s preliminary, non-binding commitment, subject to the terms hereof, to proceed;

WHEREAS, the Authority and the User or an affiliate or affiliates thereof will define their mutual relationship in a Term Sheet (the “Term Sheet”);

WHEREAS, the User has requested authorization to make all filings necessary to obtain and maintain equity and debt financing for the Project; and

WHEREAS, the Board of Commissioners of the Authority (the “Board”) has determined that it is in the public interest and to the benefit of the citizens and residents of the City 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 COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF NEW BRAUNFELS, TEXAS THAT:

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

- (a) cooperate with the User with respect to the Project, and, if arrangements therefor satisfactory to the User and the Authority can be made, take such action and 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 Authority in connection with the Project (collectively, the “Contracts”), providing among other things for financing, acquisition, construction, equipping, and improvement of the Project; and use, operation, and maintenance of the Project, all as shall be authorized, required, or permitted by law and as shall be satisfactory to the Authority and the User; and

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(b) 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.

Neither the State of Texas (the “State”), the City, the Authority, nor any political subdivision or agency of the State shall be obligated to pay any debt or other obligation of the User or the Project and that neither the faith and credit nor the taxing power of the State, the City, the Authority, or any political subdivision or agency thereof is pledged to any obligation relating to the Project.

Section 2. It is understood by the Authority, and the User has represented to the Authority, that in consideration of the Authority’s adoption of this Resolution, and subject to the terms and conditions hereof, the User has agreed that the User will (1) pay all Project costs which are not or cannot be paid or reimbursed from the proceeds of any debt and (2) indemnify and hold harmless the Authority 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 Project, 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 Authority).

Section 3. 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. **Neither the User nor any other party is entitled to rely on this Resolution as a commitment to enter into the proposed transaction, and the Authority reserves the right not to enter into the proposed transaction either with or without cause and with or without notice, and in such event the Authority 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 shall have any claim against the Authority whatsoever as a result of any decision by the Authority not to enter into the proposed transaction.**

Section 4. The Board authorizes the negotiation and execution by the Chairman or President, Vice Chairman or Vice President, Secretary, Treasurer, any Assistant Secretary or Assistant Treasurer, or any officers of the Board of a Term Sheet in substantially the form presented to the Board.

Section 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.

Section 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.

Section 7. 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

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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 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** 29<sup>th</sup> **of**  
May  
                    , **2025**

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**Attested and approved as to form:**

Docusigned by:  
*Henry Alvarez*

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**CITY OF NEW BRAUNFELS HOUSING AUTHORITY  
BOARD of COMMISSIONERS**

**LYNDON RANCH APARTMENTS  
Inducement**

**CERTIFICATE FOR RESOLUTION**

The undersigned officer of New Braunfels Housing Authority, a public housing authority created pursuant to the laws of the State of Texas (the “Authority”) hereby certifies as follows:

1. In accordance with the governing documents of the Authority, the Board of Commissioners of the Authority (the “Board”) held a meeting on 6/2/2025, 2025 (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

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(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 governing documents of the Authority.

SIGNED May 6/2/2025, 2025.

DocuSigned by:  
  
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Secretary

(SEAL)