

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

nbha

THE CITY OF NEW BRAUNFELS HOUSING AUTHORITY



NBHA REGULAR BOARD MEETING

Thursday, October 17, 2024, 5:15 pm

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the NBHA's Administrative Office at 830.625.6909 x202 at least two (2) workdays prior to the meeting so that appropriate arrangements can be made.

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS
AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. CITIZENS' COMMUNICATION

This time is for citizens to address the Board on issues and items of concern. Pursuant to the Texas Open Meetings Act, there will be no Board discussion or action on items not on the agenda. Each citizen will be given five (5) minutes to speak.

D. MINUTES

1. Discussion and approval of minutes of the New Braunfels Housing Authority Board of Commissioners meeting of July 18, 2024.

E. INDIVIDUAL ITEMS FOR CONSIDERATION

1. Financials
 - a. Discussion and resolution to approve the Third Quarter (Q3) payables.
 - b. Discussion and resolution to approve the New Braunfels Housing Authority's 2023-2024 Year to Date Financial Reports.
2. Public Housing Budget
 - a. Discussion and resolution to approve the New Braunfels Housing Authority 2024-2025 Operating Budget.
3. Audit Report
 - a. Discussion and resolution to approve the Audit Report for FYE 2022-2023.
4. 2025 Fair Market Rents (FMR) and Payment Standards
 - a. Discussion and resolution to approve the 2025 Fair Market Rent (FMR) and Payment Standards.
5. Resolution and inducement authorizing the execution of all filings and agreements with Texas Department of Housing and Community Affairs in connection with applications for Low Income Housing Tax Credits for The Villa Serena Phase 1 Apartments transaction; and other matters in connection therewith.

CITY OF NEW BRAUNFELS HOUSING AUTHORITY

BOARD of COMMISSIONERS

6. Resolution and inducement authorizing the execution of all filings and agreements with Texas Department of Housing and Community Affairs in connection with applications for Low Income Housing Tax Credits for The Park At Dogwood transaction; and other matters in connection therewith.

F. EXECUTIVE DIRECTOR REPORT

Operations Update

G. ADJOURNMENT.

NOTE: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the NBHA's Administrative Office at 830.625.6909 x202 at least two (2) workdays prior to the meeting so that appropriate arrangements can be made.

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

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

Cinderella Brown • Sara Dixon • Sharon Samples • Christopher Willis • Barry Williams

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at New Braunfels City Hall on October 11th, 2024 at 4:19 pm.



A handwritten signature in blue ink, which appears to read "Matthew Schwarz", is written over a horizontal line.

Matthew Schwarz, Assistant City Secretary

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

D. DRAFT MINUTES

The Board of Commissioners of the Housing Authority of the City of New Braunfels, Texas, met in a Regular Session, on July 18, 2024, at 5:15 pm.

COMMISSIONERS PRESENT:

Vice-Chair Person Sarah Dixon
Commissioner Cinderella Brown
Commissioner Raymond Marquez
Chairperson Sharon Samples

COMMISSIONERS ABSENT:

Commissioner Justin Botter

STAFF:

Henry Alvarez, Executive Director
Irene Cantu, Administrative Assistant
Mickey Lloyd, Programs Manager
Stacy Howard, Administrative Assistant
Isabel Lee MBA
Doug Poneck,
Jeff Darby, Senior Counsel
Nathan Brown, Assistant City Attorney

- **MEETING CALLED TO ORDER**

Ms. Samples called the meeting to order at 5:20 pm

- **ROLL CALL**

Mrs. Cantu called Roll. A quorum was present.

- **Public Hearing**

Hearing to receive comments on the PHA 2024-2028 Five-Year Plan.

No public comment.

- **Citizens' Communication**

Three (3) citizens were heard.

- **MINUTES**

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

Discussed and approved the minutes of the Regular Board of Commissioners meeting of April 18, 2024.

Commissioner Marquez motioned to accept the minutes. Commissioner Dixon seconded the motion which passed unanimously.

INDIVIDUAL ITEMS FOR CONSIDERATION:

1. Discussion and resolution to approve the PHA 2024-2028 Five-Year Plan for the New Braunfels Housing Authority.

Mrs. Lee provided the item. Executive Director Alvarez spoke on the item.

Commissioner Marquez moved to approve the item. Commissioner Dixon seconded which passed unanimously.

2. Discussion and resolution to approve the Second Quarter (Q2) Payables

Mrs. Lee provided the reports.

Commissioner Marquez moved to approve the item. Commissioner Dixon seconded which passed unanimously.

3. Discussion and resolution to approve the New Braunfels Housing Authority's 2023-2024 Year to Date Financial Reports.

Mrs. Lee provided the reports. Commissioner Marquez moved to approve the report. Commissioner Dixon seconded, which passed unanimously.

4. Discussion and resolution to approve New Braunfels Housing Authority Tenant Account Receivables Write-Off.

Ms. Lee presented the item. Additionally, Executive Director Alvarez spoke on the item. Commissioner Marquez motioned to approve the items. Commissioner Dixon seconded the motion which passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

1. Master Developer Update

Executive Director Alvarez provided the updates.

Commissioner Marquez moved to approve the update. Dixon seconded the motion which passed unanimously.

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

EXECUTIVE SESSION-Closed Session

- a. Tex. Loc. Gov't Code Section 551.071—Consultation with attorney and consideration of proposal regarding Case No. C2022-1609B; *Housing Authority of the City of New Braunfels v. Ellis Townhomes Inc., et al.*

CONVENE INTO EXECUTIVE SESSION

Convened into Executive session at 5:28 p.m.

RECONVENE INTO OPEN SESSION

Reconvened into open session at 6:08 p.m.

Commissioner Cinderella Brown moved to authorize amending the NBCR legal action be amended to add The Heart of the Family Assistance, Inc., as a party to the existing NBCR legal matter as discussed during Closed-Session. Commissioner Dixon provided a second to the motion. All Commissioners were in Favor. The motion was adopted.

ADJOURNMENT:

Without objections, the meeting was adjourned at 6:08 p.m.

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

Attest:

Sharon Samples, Chairperson

Date

**Henry Alvarez,
Executive Director**

Date

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

AGENDA ITEM E1A

SUBJECT:

Consideration and approval regarding Resolution No. 202410170001A approval of the Authority's Third (3) Quarters Payables.

BACKGROUND AND RATIONAL:

The payables report captures operational expenditure at the end of the third (3rd) quarter. The New Braunfels Housing Authority (NBHA) reports \$402,208 at month end of June 2024.

FISCAL IMPACT:

Reflects the accounts/vendors paid for referenced quarters. These include payments such as,

Pickett Pest Control	\$16,395
The City of New Braunfels (PILOT) Payment in Lieu of Taxes	\$86,055
Escamilla & Poneck (Legal)	\$87,352
HD Supplies (Maintenance Supplies)	29,901
M&M (Unit Make Readies)	30,606
MEDA (Temporary Staffing for Maintenance)	23,725

STAFF RECCOMENDATION:

Staff recommends approval of the third (3rd) Quarter payables.

ATTACHMENT:

Accounts Payable Reports – Third (3rd) Quarter

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

Payables Report Q3

New Braunfels Housing Authority
Accounts Payable Invoice Listing
April, May, June 2024

Page 1 of 3

100185	AT&T 6909			
Totals for Vendor:		Paid Invoices:	3	1,557.06
101184	AT&T MOBILITY			
Totals for Vendor:		Paid Invoices:	2	214.34
101980	BRIDGEHEAD IT, INC			
Totals for Vendor:		Paid Invoices:	7	3,532.00
100996	CARRIER CORPORATION			
Totals for Vendor:		Paid Invoices:	2	1,786.50
100203	CHAMBER OF COMMERCE			
Totals for Vendor:		Paid Invoices:	1	315.00
101732	CHRIS PICKETTS PEST CONTROL			
Totals for Vendor:		Paid Invoices:	14	16,395.00
100168	CINTAS FIRE PROTECTION, INC.			
Totals for Vendor:		Paid Invoices:	3	2,015.90
100289	CITY OF NEW BRAUNFELS			
Totals for Vendor:		Paid Invoices:	2	86,055.86
101892	CJ ENVIRONMENTAL CONSULTING, LLC			
Totals for Vendor:		Paid Invoices:	1	7,295.00
100161	COMAL COUNTY GLASS INC.			
Totals for Vendor:		Paid Invoices:	2	2,208.00
101102	CULPEPPER PLUMBING SERV INC			
Totals for Vendor:		Paid Invoices:	1	214.76
17331	Christopher D Campbell			
Totals for Vendor:		Paid Invoices:	1	100.00
101847	ESCAMILLA & PONECK, LLP			
Totals for Vendor:		Paid Invoices:	10	87,352.15
100157	GULF COAST PAPER CO.			
Totals for Vendor:		Paid Invoices:	2	627.80
100159	HD SUPPLY FACILITIES MAINTENANCE, LTD			
Totals for Vendor:		Paid Invoices:	19	29,901.14
100750	KNIGHT OFFICE SOLUTIONS INC			
Totals for Vendor:		Paid Invoices:	4	1,137.55
101815	LANDSCAPE COMMANDER, LLC			
Totals for Vendor:		Paid Invoices:	3	8,850.00
101358	LARRY McKENZIE			
Totals for Vendor:		Paid Invoices:	6	1,200.00
100165	LUX APPLIANCE			
Totals for Vendor:		Paid Invoices:	1	398.28
101920	Leal & Carter			
Totals for Vendor:		Paid Invoices:	3	7,500.00
100601	Lowe's Credit Services			
Totals for Vendor:		Paid Invoices:	3	4,158.14

CITY OF NEW BRAUNFELS HOUSING AUTHORITY

BOARD of COMMISSIONERS

Payables Report Q3

New Braunfels Housing Authority

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Accounts Payable Invoice Listing

April, May, June 2024

101836	Lowry Electrical			
Totals for Vendor:		Paid Invoices:	3	1,595.54
101874	M&M CONTRACTOR			
Totals for Vendor:		Paid Invoices:	17	30,606.00
101654	MEDA Limited			
Totals for Vendor:		Paid Invoices:	17	23,725.68
101747	MEYER HEATING AND AIR			
Totals for Vendor:		Paid Invoices:	11	10,755.45
101922	MRI Software LLC			
Totals for Vendor:		Paid Invoices:	1	13,754.12
101977	NETCOMM SYSTEMS, LLC			
Totals for Vendor:		Paid Invoices:	3	265.98
100210	NEW BRAUNFELS HOUSING AUTHORITY			
Totals for Vendor:		Paid Invoices:	3	1,800.00
101515	Nova 401(k) Associates			
Totals for Vendor:		Paid Invoices:	1	317.90
100279	OTT PLUMBING COMPANY INC			
Totals for Vendor:		Paid Invoices:	22	9,155.74
100184	QUILL			
Totals for Vendor:		Paid Invoices:	12	1,516.54
101960	QuickAlign			
Totals for Vendor:		Paid Invoices:	2	2,701.01
101810	READY REFRESH			
Totals for Vendor:		Paid Invoices:	3	352.84
101856	SHELL FLEET PLUS			
Totals for Vendor:		Paid Invoices:	3	944.12
100237	SHERWIN WILLIAMS CO INC			
Totals for Vendor:		Paid Invoices:	12	966.87
100194	SHRED-IT USA, LLC			
Totals for Vendor:		Paid Invoices:	1	420.09
101331	SOUTHWEST NAHRO SERVICE OFFIC			
Totals for Vendor:		Paid Invoices:	1	156.20
101933	Spectrum Enterprise			
Totals for Vendor:		Paid Invoices:	1	211.08
101967	Spectrum Enterprise			
Totals for Vendor:		Paid Invoices:	1	487.55
101933	Spectrum Enterprise			
Totals for Vendor:		Paid Invoices:	1	213.11
101967	Spectrum Enterprise			
Totals for Vendor:		Paid Invoices:	1	487.56
101933	Spectrum Enterprise			
Totals for Vendor:		Paid Invoices:	1	213.11

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

Payables Report Q3

New Braunfels Housing Authority
Accounts Payable Invoice Listing
April, May, June 2024

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101967	Spectrum Enterprise			
Totals for Vendor:		Paid Invoices:	1	487.56
101938	Spectrum Window Tinting			
Totals for Vendor:		Paid Invoices:	1	1,512.00
15688	TANYA LYNN			
Totals for Vendor:		Paid Invoices:	1	600.00
100329	TEXAS MUNICIPAL LEAGUE			
Totals for Vendor:		Paid Invoices:	1	49.00
101702	THE KEY DEPOT			
Totals for Vendor:		Paid Invoices:	11	2,260.00
101459	TIME WARNER CABLE			
Totals for Vendor:		Paid Invoices:	4	1,475.94
100827	United Healthcare Ins Co			
Totals for Vendor:		Paid Invoices:	3	30,587.73
100626	Waste Management/Comal Landfil			
Totals for Vendor:		Paid Invoices:	5	1,775.19
Grand Totals:		Paid Invoices:	234	402,208.39

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

RESOLUTION NO. 202410170001A

CONSIDERATION AND APPROVAL OF THIRD (3RD) QUARTER PAYABLES REPORT.

WHEREAS, the Board of Commissioners of the Housing Authority of the City of New Braunfels, Texas, a public instrumentality created pursuant to the laws of the State of Texas (“NBHA”) recognizes the importance of responding to the housing and support needs of its residents in times of emergency or calamity; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires Housing Authority Boards to review and approves Authority expenditures; and

WHEREAS, The HUD required auditors to recommend a similar Authority review of its operational expenditures.

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF NEW BRAUNFELS, TEXAS, THAT:

Section 1. The Board hereby accepts and approves the City of New Braunfels Housing Authority Board of Commissioners hereby accepts and approves the Third (3rd) Quarter Payables Reports.

Section 2. 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.

Section 3. 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 4. 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 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. This Resolution shall be in force and effect from and after its passage.

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

CERTIFICATE FOR RESOLUTION

The undersigned officer of the Housing Authority of the City of New Braunfels, Texas, a public instrumentality created pursuant to the laws of the State of Texas {"NBHA"} hereby certifies as follows:

1. In accordance with the bylaws of NBHA, the Board of Commissioners of NBHA {the "Board"} held a meeting on October 17, 2024 {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

APPROVAL OF THIRD (3RD) QUARTER PAYABLES REPORT

(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 NBHA.

SIGNED AND SEALED _____, 2024.

Henry Alvarez, Secretary/Executive Director

(SEAL}

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

AGENDA ITEM E1B

SUBJECT:

Consideration and approval regarding Resolution No. 202410170001B approval of the Authority's 2023-2024 Year to Date Financial Reports.

BACKGROUND AND RATIONAL:

Low Rent Public Housing:

At month end August 31, 2024, the Operating Account has a remaining balance of **\$100,067**. With an operating revenue of \$47,438 and (\$90,060) operating expenses, a total income loss of (\$42,621). Year to date, the Low Rent Program ("Public Housing") at the end of August 2024, has a Net Operating loss of (\$58,746) mainly as a result of uncollected rent. However, Assets remain at \$2,130,596.

Housing Choice Voucher (Formerly Section Eight)

At month end August 31, 2024, the Section 8 Operating Account has a remaining balance of **\$30,097**. With an operating revenue of \$209,443 and (\$206,687) operating expenses, a total income of 2,755. Year to date, the Section 8 Housing Choice Voucher Program at the end of August 2024, has a Net Operating loss of (82,469) consisting of uncollected Port In rents from other Housing Authorities. (Please note Section 8 is operated on a calendar basis).

FISCAL IMPACT:

Generally, reflects the overall financial health of the Authority. Low Rent Public Housing is trending toward \$42k, which is equivalent to the Tenant Account Receivables total.

STAFF RECCOMENDATION:

Staff recommends approval of the 2023-2024 Year to Date Financial Reports.

ATTACHMENT:

2023-2024 Year to Date Financial Reports

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

New Braunfels Housing Authority
Comparative Balance Sheet Standard

Low Rent

As of Date: 8/31/2024

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			8/31/2024	8/31/2023	Variance		
Assets							
Cash and Cash Equivalents							
1	01	1111.11	0	FCB # 6393	39,018.74	319,691.72	(280,672.98)
1	01	1111.12	0	General Fund	(130.75)	0.00	(130.75)
1	01	1111.4	0	Cash-unrestricted #7166	0.00	320.60	(320.60)
1	01	1111.40	0	Cash-unrestricted	0.00	(211.05)	211.05
1	01	1111.6	0	Cash-other restricted	68,000.00	68,000.00	0.00
1	01	1111.11R	0	Security Deposits Held	300.00	2,696.00	(2,396.00)
1	01	1114	0	Security Deposit Fund	35,050.00	34,569.00	481.00
1	01	1114.11R	0	Security Deposits Held	(300.00)	(3,146.00)	2,846.00
Total Cash and Cash Equivalents				141,937.99	421,920.27	(279,982.28)	
Accounts and Notes Receivables							
1	01	1125	0	Accounts Receivable - HUD	27,000.00	27,000.00	0.00
1	01	1125	ZX	CFP23 Accounts Receivable	0.00	(78,000.00)	78,000.00
1	01	1122	0	Tenants	71,609.15	40,296.37	31,312.78
1	01	1122.11	0	Accounts Receivable - Formal Agreem	43,599.94	19,825.50	23,774.44
1	01	1122.111	0	Allowance for Formal Agreements	(18,205.50)	(22,808.50)	4,603.00
1	01	1690.02	0	Returned Check Clearing Account	0.00	(204.00)	204.00
1	01	1690.06	0	Refunds to Tenants Clearing Account	200.00	150.00	50.00
1	01	1690.1	0	Clearing Account	566.29	(768.71)	1,335.00
1	01	1122.1	0	Allowance for doubtful accounts-ten	(5,553.64)	(17,559.50)	12,005.86
Total Accounts and Notes Receivables				119,216.24	(32,068.84)	151,285.08	
Investments and Other Current Assets							
1	01	1162	0	Investments - General Fund	487,267.15	487,267.15	0.00
1	01	1211	0	Prepaid Insurance	9,738.16	6,751.31	2,986.85
1	01	1213	0	Prepaid Software	9,169.40	7,904.69	1,264.71
1	01	1260	0	Deferred Charges - Materials Invent	0.00	(46.00)	46.00
1	01	1129	0	INTERCOMPANY RECEIVABLE ACCOUNT	60.99	0.00	60.99
1	01	1129.07	0	Intercompany Receivables - Voucher	8,512.95	(12,251.86)	20,764.81
Total Investments and Other Current Assets				514,748.65	489,625.29	25,123.36	
Capital Assets, Net of Accumulated Depreciation							
1	01	1440	4	Site Acquisition	165,168.60	165,168.60	0.00
1	01	1460	4	Dwelling Structures	6,432,864.72	6,432,864.72	0.00
1	01	1460.1	4	Dwelling Structures AJE	(7,029.78)	(7,029.78)	0.00
1	01	1465.1	4	Dwelling Equipment - Nonexpendable	1,196,233.30	1,182,551.30	13,682.00
1	01	1475	4	Furn, Equip & Mach Non - Dwelling	794,091.21	794,091.21	0.00
1	01	1475.1	4	Office Furniture & Equipment	63,682.01	63,682.01	0.00
1	01	1475.2	4	Maintenance Equipment	6,715.45	6,715.45	0.00
1	01	1475.3	4	Community Space Equipment	9,849.81	9,849.81	0.00
1	01	1450	4	Site Improvement	633,482.88	633,482.88	0.00
1	01	1400.5	4	Acc. Depreciation-structures & Equi	(7,940,364.92)	(7,769,403.45)	(170,961.47)
Total Capital Assets, Net of Accumulated Depreciation				1,354,693.28	1,511,972.75	(157,279.47)	
Total Assets				2,130,596.16	2,391,449.47	(260,853.31)	
Liabilities							
Current Liabilities							
1	01	2111	0	Accounts Payable - Vendors	29,607.51	19,182.16	10,425.35
1	01	2135.1	0	Accrued Compensated Absences	2,170.74	1,329.17	841.57
1	01	2137.01	0	Accrual - PILOT	39,424.00	0.00	39,424.00
1	01	2137.22	0	PILOT - 09.30.2022	0.00	43,044.09	(43,044.09)
1	01	2137.23	0	PILOT - 09.30.2023	0.00	39,457.11	(39,457.11)
1	01	2114	0	Tenant Security Deposits	27,959.00	29,072.00	(1,113.00)
1	01	2290	0	Deferred Credits - Other	0.00	96,530.59	(96,530.59)
1	01	2119.07	0	Intercompany Payables - Voucher	12,251.86	0.00	12,251.86
Total Current Liabilities				111,413.11	228,615.12	(117,202.01)	
Non-Current Liabilities							
1	01	2135.2	0	Accrued Compensated Absences	19,536.68	11,962.53	7,574.15

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

New Braunfels Housing Authority
Comparative Balance Sheet Standard

Low Rent

As of Date: 8/31/2024

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	8/31/2024	8/31/2023	Variance
Total Non-Current Liabilities	<u>19,536.68</u>	<u>11,962.53</u>	<u>7,574.15</u>
Total Liabilities	<u>130,949.79</u>	<u>240,577.65</u>	<u>(109,627.86)</u>
Net Position			
Net Position			
1 01 2701 0 Net Capital Assets	0.00	1,426,112.73	(1,426,112.73)
1 01 2841.1 0 Net Assets - Restricted	0.00	153,729.79	(153,729.79)
1 01 2810 0 Unreserved Surplus	2,056,248.89	688,509.17	1,367,739.72
1 01 6010 0 Prior Adjustments Affecting Residua	143.93	143.93	0.00
Total Net Position	<u>2,056,392.82</u>	<u>2,268,495.62</u>	<u>(212,102.80)</u>
Net Income (Loss)	<u>(56,746.45)</u>	<u>(117,407.41)</u>	<u>60,660.96</u>
Total Net Position	<u>1,999,646.37</u>	<u>2,151,088.21</u>	<u>(151,441.84)</u>
Total Liabilities and Net Position	<u>2,130,596.16</u>	<u>2,391,665.86</u>	<u>(261,069.70)</u>
Variance		<u>(216.39)</u>	<u>216.39</u>

CITY OF NEW BRAUNFELS HOUSING AUTHORITY

BOARD of COMMISSIONERS

09/26/2024 07:59 PM

New Braunfels Housing Authority Comparative Income Statement Standard

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					Start: 10/01/2023 End: 08/31/2024	Start: 10/01/2022 End: 08/31/2023	Variance
Operating Revenue							
Tenant Revenue							
Dwelling Rental	1	01	3110	5	532,457.27	475,362.00	57,095.27
Other Income	1	01	3690	5	53,987.40	2,488.96	51,498.44
Total Tenant Revenue					586,444.67	477,850.96	108,593.71
Fee Revenue							
Operating Subsidy - Current Ye	1	01	8020	0	360,946.00	401,879.00	(40,933.00)
Total Fee Revenue					360,946.00	401,879.00	(40,933.00)
Other Revenue							
Excess Utilities	1	01	3120	5	887.24	1,203.56	(316.32)
Nondwelling Rental	1	01	3190	5	323.00	0.00	323.00
Other Income - Misc Other Reve	1	01	3690.1	5	6,251.97	10,161.51	(3,909.54)
Operating Transfer In From CFP	1	01	3690.99	5	352,474.00	350,000.00	2,474.00
Operating Transfer In From CFP	1	01	3690.99	OP	0.00	77,603.00	(77,603.00)
Casualty Losses	1	01	4620.4	5	0.00	52,461.40	(52,461.40)
Other Income - CDBG Grant	1	01	8029.4	0	0.00	87,214.05	(87,214.05)
Total Other Revenue					359,936.21	578,643.52	(218,707.31)
Total Operating Revenue					1,307,326.88	1,458,373.48	(151,046.60)
Operating Expenses							
Administrative Expenses							
Administrative Salaries	1	01	4110	5	156,875.26	151,276.29	(5,598.97)
Legal Expense	1	01	4130	5	97,176.42	79,847.83	(17,328.59)
Staff Training	1	01	4140	5	299.00	60.20	(238.80)
Travel	1	01	4150	5	547.31	0.00	(547.31)
Travel - Local	1	01	4150.1	5	0.00	1,055.29	1,055.29
Accounting Fees	1	01	4170	5	12,458.25	1,500.00	(10,958.25)
Audit Fees	1	01	4171	5	21,050.00	18,000.00	(3,050.00)
Employee Benefit Contributions	1	01	4182	5	71,869.08	72,341.29	472.21
1425/4190 Sundry	1	01	4190	3	(95.00)	89.97	184.97
Publications	1	01	4190.11	5	1,224.00	1,433.00	209.00
Membership Dues and Fees	1	01	4190.12	5	936.99	1,199.49	262.50
Telephone	1	01	4190.13	5	9,944.37	11,374.95	1,430.58
Forms & Office Supplies	1	01	4190.17	5	218.00	1,422.48	1,204.48
Postage and Misc Sundry Expens	1	01	4190.18	5	4,421.69	11,421.62	6,999.93
Administrative Contracts	1	01	4190.19	5	32,867.17	62,404.05	29,536.88
Other Administrative Expense	1	01	4190.6	5	18,334.42	23,711.39	5,376.97
Admin Contracts CFP	1	01	4190.6CF	5	4,527.67	0.00	(4,527.67)
Total Administrative Expenses					432,654.63	437,137.85	4,483.22
Tenant Services Expense							
Tenant Services - Salaries	1	01	4210	5	20,921.40	17,081.54	(3,839.86)
Tenant Services	1	01	4210.4	5	10,508.61	5,557.07	(4,951.54)
Ten Services - Recreation, Pub	1	01	4220	5	4,467.97	10,385.66	5,917.69
Employee Benefit Contribution-	1	01	4222	5	8,052.88	2,314.98	(5,737.90)
Ten Serv - Con Cost - Training	1	01	4230	5	0.00	733.47	733.47
Tenant Services-Other	1	01	4231	5	0.00	1,597.42	1,597.42
Total Tenant Services Expense					43,950.86	37,670.14	(6,280.72)
Utilities Expense							
Water	1	01	4310	5	27,971.61	36,187.92	8,216.31
Electricity	1	01	4320	5	42,427.25	36,892.29	(5,534.96)
Natural Gas	1	01	4330	5	10,101.71	10,408.98	307.27
Total Utilities Expense					80,500.57	83,489.19	2,988.62
Ordinary Maintenance and Operations							
Labor	1	01	4410	5	79,628.73	123,565.01	43,936.28
Materials and Other	1	01	4420	5	100,062.12	101,036.08	973.96
Materials - Capital Fund	1	01	4420.CF	5	7,565.55	71.10	(7,494.45)

Report Criteria PHA: 1 Project: '01','12'

Include Unapproved: False Include Zero Balance: False Custom 1:

Custom 2:

Custom 3: PHA

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

New Braunfels Housing Authority
Comparative Income Statement Standard
Low Rent

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					Start: 10/01/2023 End: 08/31/2024	Start: 10/01/2022 End: 08/31/2023	Variance
Operating Revenue							
Tenant Revenue							
Dwelling Rental	1	01	3110	5	532,457.27	475,362.00	57,095.27
Other Income	1	01	3690	5	53,987.40	2,488.96	51,498.44
Total Tenant Revenue					586,444.67	477,850.96	108,593.71
Fee Revenue							
Operating Subsidy - Current Ye	1	01	8020	0	360,946.00	401,879.00	(40,933.00)
Total Fee Revenue					360,946.00	401,879.00	(40,933.00)
Other Revenue							
Excess Utilities	1	01	3120	5	887.24	1,203.56	(316.32)
Non dwelling Rental	1	01	3190	5	323.00	0.00	323.00
Other Income - Misc Other Reve	1	01	3690.1	5	6,251.97	10,161.51	(3,909.54)
Operating Transfer In From CFP	1	01	3690.99	5	352,474.00	350,000.00	2,474.00
Operating Transfer In From CFP	1	01	3690.99	OP	0.00	77,603.00	(77,603.00)
Casualty Losses	1	01	4620.4	5	0.00	52,461.40	(52,461.40)
Other Income - CDBG Grant	1	01	8029.4	0	0.00	87,214.05	(87,214.05)
Total Other Revenue					359,936.21	578,643.52	(218,707.31)
Total Operating Revenue					1,307,326.88	1,458,373.48	(151,046.60)
Operating Expenses							
Administrative Expenses							
Administrative Salaries	1	01	4110	5	156,875.26	151,276.29	(5,598.97)
Legal Expense	1	01	4130	5	97,176.42	79,847.83	(17,328.59)
Staff Training	1	01	4140	5	299.00	60.20	(238.80)
Travel	1	01	4150	5	547.31	0.00	(547.31)
Travel - Local	1	01	4150.1	5	0.00	1,055.29	1,055.29
Accounting Fees	1	01	4170	5	12,458.25	1,500.00	(10,958.25)
Audit Fees	1	01	4171	5	21,050.00	18,000.00	(3,050.00)
Employee Benefit Contributions	1	01	4182	5	71,869.08	72,341.29	(472.21)
1425/4190 Sundry	1	01	4190	3	(95.00)	89.97	184.97
Publications	1	01	4190.11	5	1,224.00	1,433.00	209.00
Membership Dues and Fees	1	01	4190.12	5	936.99	1,199.49	262.50
Telephone	1	01	4190.13	5	9,944.37	11,374.95	1,430.58
Forms & Office Supplies	1	01	4190.17	5	218.00	1,422.48	1,204.48
Postage and Misc Sundry Expens	1	01	4190.18	5	4,421.69	11,421.62	6,999.93
Administrative Contracts	1	01	4190.19	5	32,867.17	62,404.05	29,536.88
Other Administrative Expense	1	01	4190.6	5	18,334.42	23,711.39	5,376.97
Admin Contracts CFP	1	01	4190.6CF	5	4,527.67	0.00	(4,527.67)
Total Administrative Expenses					432,654.63	437,137.85	4,483.22
Tenant Services Expense							
Tenant Services - Salaries	1	01	4210	5	20,921.40	17,081.54	(3,839.86)
Tenant Services	1	01	4210.4	5	10,508.61	5,557.07	(4,951.54)
Ten Services - Recreation, Pub	1	01	4220	5	4,467.97	10,385.66	5,917.69
Employee Benefit Contribution-	1	01	4222	5	8,052.88	2,314.98	(5,737.90)
Ten Serv - Con Cost - Training	1	01	4230	5	0.00	733.47	733.47
Tenant Services-Other	1	01	4231	5	0.00	1,597.42	1,597.42
Total Tenant Services Expense					43,950.86	37,670.14	(6,280.72)
Utilities Expense							
Water	1	01	4310	5	27,971.61	36,187.92	8,216.31
Electricity	1	01	4320	5	42,427.25	36,892.29	(5,534.96)
Natural Gas	1	01	4330	5	10,101.71	10,408.98	307.27
Total Utilities Expense					80,500.57	83,489.19	2,988.62
Ordinary Maintenance and Operations							
Labor	1	01	4410	5	79,628.73	123,565.01	43,936.28
Materials and Other	1	01	4420	5	100,062.12	101,036.08	973.96
Materials - Capital Fund	1	01	4420.CF	5	7,565.55	71.10	(7,494.45)

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

Low Rent Cont'd

New Braunfels Housing Authority
Comparative Income Statement Standard
Low Rent

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					Start: 10/01/2023	Start: 10/01/2022	
					End: 08/31/2024	End: 08/31/2023	Variance
Contract Costs	1	01	4430	5	186,345.50	72,264.28	(114,081.22)
Contract Costs - Extermination	1	01	4430.01	5	30,029.00	33,402.75	3,373.75
Contract Costs - Other Repairs	1	01	4430.03	5	939.43	3,678.09	2,738.66
Contract Costs - Auto/Truck Al	1	01	4430.08	5	2,701.01	2,329.09	(371.92)
Auto/Truck Allow - 1406	1	01	4430.08P	5	0.00	8.50	8.50
Contract Costs - Maintenance	1	01	4430.09	5	0.00	840.88	840.88
Contract Costs - Other	1	01	4430.13	5	999.05	655.88	(343.17)
Contract Costs-Heating & Coolin	1	01	4430.17	5	0.00	1,458.00	1,458.00
Contract Costs-Landscapping CF	1	01	4430.1CF	5	11,040.00	18,400.00	7,360.00
Contract Costs-Plumbing	1	01	4430.20	5	21,904.59	19,680.95	(2,223.64)
Contract Costs-Plumbing CFP	1	01	4430.3CF	5	0.00	617.58	617.58
Contract Costs-Elevator CFP	1	01	4430.4CF	5	2,135.49	0.00	(2,135.49)
Contract Costs-Operations CFP	1	01	4430.6CF	5	7,590.25	0.00	(7,590.25)
Contract Costs-Cleaning CFP	1	01	4430.7CF	5	20,052.00	0.00	(20,052.00)
Contract Costs - Unit Turnarou	1	01	4430.92C	5	1,975.00	0.00	(1,975.00)
Contract Costs-Routine Maint C	1	01	4430.9CF	5	12,135.00	0.00	(12,135.00)
Garbage and Trash Collection	1	01	4431	5	9,260.85	12,241.93	2,981.08
Employee Benefit Cont.-Ordinar	1	01	4433	5	57,852.06	57,663.86	(188.20)
Total Ordinary Maintenance and Operations					552,215.63	447,913.98	(104,301.65)
Insurance Premiums							
Insurance	1	01	4510	5	49.00	1,000.00	951.00
Insurance - F&EC	1	01	4510.01	5	94,191.13	63,227.45	(30,963.68)
Insurance - OL&T/Comprehensive	1	01	4510.02	5	1,546.93	1,049.29	(497.64)
Insurance - Automobile	1	01	4510.03	5	2,536.05	2,129.93	(406.12)
Insurance - Workmans Comp	1	01	4510.04	5	6,941.43	5,895.52	(1,045.91)
Insurance - Public Officials L	1	01	4510.05	5	1,595.44	1,519.10	(76.34)
Total Insurance Premiums					106,859.98	74,821.29	(32,038.69)
Other General Expenses							
Payments in Lieu of Taxes	1	01	4520	5	39,424.00	39,457.11	33.11
Collection Losses	1	01	4570	5	33,046.86	0.00	(33,046.86)
Total Other General Expenses					72,470.86	39,457.11	(33,013.75)
Other Expenses							
Extraord Maint - Contract Cost	1	01	4610.3	5	0.00	1,548.61	1,548.61
Casualty Losses - Contract Cos	1	01	4620.3	5	0.00	53,911.92	53,911.92
Replacement of Nonexp Equipmen	1	01	7520	5	13,682.00	0.00	(13,682.00)
Replacement Of Non-Expend Equi	1	01	7520.CF	5	65,928.06	61,114.92	(4,813.14)
Prop Bett and Additions - Labo	1	01	7540.1	5	0.00	3,469.00	3,469.00
Property Better & Add CFP	1	01	7540.CF	5	3,066.34	316,496.36	313,430.02
Operating Exp for Property - C	1	01	7590	5	(13,682.00)	0.00	13,682.00
Operating Exp For Property - C	1	01	7590.CF	5	8,359.40	18,750.52	10,391.12
Total Other Expenses					77,353.80	455,291.33	377,937.53
Housing Assistance Payments							
HAP Payments - Rent	1	01	4715.1	5	(1,933.00)	0.00	1,933.00
Total Housing Assistance Payments					(1,933.00)	0.00	1,933.00
Total Operating Expenses					(1,364,073.33)	(1,575,780.89)	211,707.56
Net Income (Loss)					(56,746.45)	(117,407.41)	60,660.96

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

New Braunfels Housing Authority
Sectin 8
Balance Sheet

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As of Date: 8/31/2024

	8/31/2024	8/31/2023	Variance
Assets			
Cash and Cash Equivalents			
7 01 1111.11 0 FCB # 8575	20,743.45	90,826.62	(70,083.17)
7 01 1111.CON0 Operating Funds - HAP Contra	77,258.04	46,731.90	30,526.14
Total Cash and Cash Equivalents	98,001.49	137,558.52	(39,557.03)
Accounts and Notes Receivables			
7 01 1125.P 0 Accounts receivable,HUD portability	60,369.63	25,820.45	34,549.18
7 01 1122 0 Tenants	(38,946.26)	(25,219.45)	(13,726.81)
7 01 1122.11 0 Formal Agreements	26,610.62	1,719.62	24,891.00
7 01 1122.111 0 Allowance for Formal Agreements	(1,719.62)	(1,899.62)	180.00
7 01 1690.1 0 Closing Account	0.00	(5,024.40)	5,024.40
Total Accounts and Notes Receivables	46,314.37	(4,603.40)	50,917.77
Investments and Other Current Assets			
7 01 1129.01 0 Intercompany Receivables - PHA	12,251.86	0.00	12,251.86
Total Investments and Other Current Assets	12,251.86	0.00	12,251.86
Capital Assets, Net of Accumulated Depreciation			
7 01 1475.1 4 Office Furniture & Equipment	47,295.56	47,295.56	0.00
7 01 1475.7 4 Automotive Equipment	36,400.10	36,400.10	0.00
7 01 1450 4 Site Improvement	4,657.00	4,657.00	0.00
7 01 1400.5 4 Acc. Depreciation-Structures & Equi	(81,022.37)	(79,099.66)	(1,922.71)
Total Capital Assets, Net of Accumulated Depreciation	7,330.29	9,253.00	(1,922.71)
Total Assets	163,898.01	142,208.12	21,689.89
Liabilities			
Current Liabilities			
7 01 2111 0 Accounts Payable - Vendors	9,197.08	9,241.14	(44.06)
7 01 2134 0 Utilities	0.00	(410.00)	410.00
7 01 2117.1 0 Federal Income Tax Withheld	(289.58)	0.00	(289.58)
7 01 2135.1 0 Accrued Compensated Absences	538.10	350.98	187.12
7 01 2119.P 0 Port-In Overpayment	0.00	1,199.91	(1,199.91)
7 01 2119.01 0 Intercompany Payables - PHA	8,512.95	(12,251.86)	20,764.81
Total Current Liabilities	17,958.55	(1,869.83)	19,828.38
Non-Current Liabilities			
7 01 2135.2 0 Accrued Compensated Absences	4,842.88	3,158.83	1,684.05
Total Non-Current Liabilities	4,842.88	3,158.83	1,684.05
Total Liabilities	22,801.43	1,289.00	21,512.43
Net Position			
Net Position			
7 01 2701 0 Net Capital Assets	0.00	582.13	(582.13)
7 01 2826.1 0 Net Restricted Position	146,307.67	205,120.29	(58,812.62)
Total Net Position	146,307.67	205,702.42	(59,394.75)
Net Income (Loss)	(5,211.09)	(64,783.30)	59,572.21
Total Net Position	141,096.58	140,919.12	177.46
Total Liabilities and Net Position	163,898.01	142,208.12	21,689.89
			0.00

CITY OF NEW BRAUNFELS HOUSING AUTHORITY

BOARD of COMMISSIONERS

Section 8 Contn'd

New Braunfels Housing Authority Section 8 Balance Sheet As of Date: 8/31/2024

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	8/31/2024	8/31/2023	Variance
Assets			
Cash and Cash Equivalents			
7 01 1111.HAP 0 Restricted HAP Funds	(77,258.04)	(46,731.90)	(30,526.14)
Total Cash and Cash Equivalents	<u>(77,258.04)</u>	<u>(46,731.90)</u>	<u>(30,526.14)</u>
Total Assets	<u>(77,258.04)</u>	<u>(46,731.90)</u>	<u>(30,526.14)</u>
Net Position			
Net Position			
7 01 2841.1 0 Net Assets - Unrestricted	0.00	12,346.38	(12,346.38)
Total Net Position	<u>0.00</u>	<u>12,346.38</u>	<u>(12,346.38)</u>
Net Income (Loss)	<u>(77,258.04)</u>	<u>(59,078.28)</u>	<u>(18,179.76)</u>
Total Net Position	<u>(77,258.04)</u>	<u>(46,731.90)</u>	<u>(30,526.14)</u>
Total and Net Position	<u>(77,258.04)</u>	<u>(46,731.90)</u>	<u>(30,526.14)</u>
			0.00

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

New Braunfels Housing Authority
Section 8
Comparative Income Statement UNP

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					Start: 10/01/2023 End: 08/31/2024	Start: 10/01/2022 End: 08/31/2023	Variance
Operating Revenue							
Tenant Revenue							
Other Income	7	01	3690	5	35,362.50	589.00	34,773.50
Total Tenant Revenue					35,362.50	589.00	34,773.50
Fee Revenue							
Administrative Fees Earned	7	01	3112	5	215,385.00	213,293.00	2,092.00
Total Fee Revenue					215,385.00	213,293.00	2,092.00
Other Revenue							
Admin Fees Earned for Portabil	7	01	3300.P	5	10,464.89	2,314.45	8,150.44
Housing Assistance Port In Rev	7	01	4590.PID	5	83,260.59	23,506.00	59,754.59
Total Other Revenue					93,725.48	25,820.45	67,905.03
Total Operating Revenue					344,472.98	239,702.45	104,770.53
Operating Expenses							
Administrative Expenses							
Non-Technical Salaries	7	01	4110	5	183,367.26	186,659.11	3,291.85
Employee Benefit Contributions	7	01	4182	5	83,079.46	73,155.17	(9,924.29)
Sundry	7	01	4190	5	10.00	0.00	(10.00)
Postage	7	01	4190.03	5	0.00	883.80	883.80
Publications	7	01	4190.11	5	239.00	0.00	(239.00)
Membership Dues and Fees	7	01	4190.12	5	846.26	419.03	(427.23)
Forms & Office Supplies	7	01	4190.17	5	166.18	0.00	(166.18)
Postage and Misc Sundry Expens	7	01	4190.18	5	64.00	190.00	126.00
Administrative Contracts	7	01	4190.19	5	941.07	1,011.88	70.81
Sundry	7	01	4190.6	5	1,292.56	5,357.52	4,064.96
Total Administrative Expenses					270,005.79	267,676.51	(2,329.28)
Tenant Services Expense							
Ten Services - Recreation Pubs	7	01	4220	5	0.00	204.00	204.00
Total Tenant Services Expense					0.00	204.00	204.00
Ordinary Maintenance and Operations							
Contract Costs	7	01	4430	5	0.00	2,423.02	2,423.02
Total Ordinary Maintenance and Operations					0.00	2,423.02	2,423.02
Other General Expenses							
Admin Fees Paid for Portabilit	7	01	4590.P	5	6,334.28	2,772.45	(3,561.83)
Total Other General Expenses					6,334.28	2,772.45	(3,561.83)
HAP Port In							
HAP Port In	7	01	4590.PIE	5	73,344.00	31,409.77	(41,934.23)
Total HAP Port In					73,344.00	31,409.77	(41,934.23)
Total Operating Expenses					(349,684.07)	(304,485.75)	(45,198.32)
Net Income (Loss)					(5,211.09)	(64,783.30)	59,572.21

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

Section 8 Con'd

New Braunfels Housing Authority
Section 8
Comparative Income Statement NRP

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					Start: 10/01/2023 End: 08/31/2024	Start: 10/01/2022 End: 08/31/2023	Variance
Operating Revenue							
Fee Revenue							
HAP Earned Income	7	01	4902	5	2,018,160.00	1,741,049.00	277,111.00
Total Fee Revenue					<u>2,018,160.00</u>	<u>1,741,049.00</u>	<u>277,111.00</u>
Total Operating Revenue					<u>2,018,160.00</u>	<u>1,741,049.00</u>	<u>277,111.00</u>
Operating Expenses							
Housing Assistance Payments							
HAP Payments - Rents	7	01	4715.1	5	1,945,577.91	1,762,187.28	(183,390.63)
HAP Payments - Utilities	7	01	4715.4	5	214.00	16.00	(198.00)
HAP Payments - Portability	7	01	4715.P	5	149,626.13	37,924.00	(111,702.13)
Total Housing Assistance Payments					<u>2,095,418.04</u>	<u>1,800,127.28</u>	<u>(295,290.76)</u>
Total Operating Expenses					<u>(2,095,418.04)</u>	<u>(1,800,127.28)</u>	<u>(295,290.76)</u>
Net Income (Loss)					<u>(77,258.04)</u>	<u>(59,078.28)</u>	<u>(18,179.76)</u>

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

RESOLUTION NO. 202410170001B

RESOLUTION APPROVING THE NBHA 2023-2024 YEAR TO DATE FINANCIAL REPORTS.

WHEREAS, the Board of Commissioners of the Housing Authority of the City of New Braunfels, Texas, a public instrumentality created pursuant to the laws of the State of Texas (“NBHA”) recognizes the importance of responding to the housing and support needs of its residents in times of emergency or calamity; and

WHEREAS, the Board of Commissioners believes it serves the public interest and is in the best interest of NBHA to accept the 2023-2024 Year To Date Financial Reports; and

WHEREAS, the Board of Commissioners desires to approve and accept the 2023-2024 Year To Date Financial Reports;

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF NEW BRAUNFELS, TEXAS, THAT:

Section 1. The Board hereby accepts and approves the NBHA 2022-2023 Year To Date Financial Reports;

Section 2. 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.

Section 3. 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 4. 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 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. This Resolution shall be in force and effect from and after its passage.

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

CERTIFICATE FOR RESOLUTION

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

1. In accordance with the bylaws of NBHA, the Board of Commissioners of NBHA (the “Board”) held a meeting on October 17, 2024 (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 APPROVING THE NBHA 2023-2024 YEAR TO DATE FINANCIAL REPORTS

(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 NBHA.

SIGNED AND SEALED _____, 2024.

Henry Alvarez, Secretary/Executive Director

(SEAL)

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

AGENDA ITEM E2

SUBJECT:

Consideration and approval regarding Resolution No. 202410170002 to approve the New Braunfels Housing Authority 2024-2025 Operating Budget.

BACKGROUND AND RATIONAL:

HUD provides annual operating subsidies to Public Housing Agencies (PHAs) to assist with operations and management expenses. The New Braunfels Housing Authority has completed an application to receive \$531,183 which has consistently been near a ten percent (10%) proration to cover anticipated operational and management expenses for the Fiscal Year Beginning October 1, 2024, through September 30, 2025.

FISCAL IMPACT:

The New Braunfels Housing Authority 2024-2025 Operating Budget of \$531,183 will provide the funding needs to operate and manage the Public Housing Low Rent Program.

STAFF RECCOMENDATION:

Staff recommends approval of the New Braunfels Housing Authority 2024-2025 Operating Budget.

ATTACHMENT:

Board Resolution (HUD-52574)

Form (HUD-52723)

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

PHA Board Resolution
Approving Operating Budget

**U.S. Department of Housing
and Urban Development**
Office of Public and Indian Housing

OMB Approval No. 2577-0029
(exp. 04/30/2027)

Public reporting burden for this collection of information is estimated to average 136.2 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, completing the operating budget and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information including suggestions for reducing this burden, to the Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410. When providing comments, please refer to OMB Approval No. 2577-0029. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is required by Section 6(c)(4) of the U.S. Housing Act of 1937. The information is the operating budget for the low-income public housing program and provides a summary of the proposed and budgeted receipts and expenditures, approval of budgeted receipts and expenditures, and justification of certain specified amounts. HUD reviews the information to determine if the operating budget adopted by the public housing agency (PHA) and the amounts are reasonable, and that the PHA complies with HUD prescribed procedures. PHA boards must approve the operating budget and HUD requires boards to certify their approval through this form. Responses are required to obtain benefits. This information does not lend itself to confidentiality.

PHA Name: **New Braunfels Housing Authority** PHA Code: **TX343**

PHA Fiscal Year Beginning: **10/01/2024**

Board Resolution Number: **202410170002**

Acting on behalf of the Board of Commissioners of the above-named PHA as its Chairperson, I make the following certifications and agreement to the Department of Housing and Urban Development (HUD) regarding the Board's approval of (check one or more as applicable):

DATE

- ☒ Operating Budget approved by Board resolution on: **10/17/2024**
- ☐ Operating Budget submitted to HUD, if applicable, on:
- ☐ Operating Budget revision approved by Board resolution on:
- ☐ Operating Budget revision submitted to HUD, if applicable, on:

I certify on behalf of the above-named PHA that:

1. All statutory and regulatory requirements have been met;
2. The PHA has sufficient operating reserves to meet the working capital needs of its developments;
3. Proposed budget expenditure are necessary in the efficient and economical operation of the housing for the purpose of serving low-income residents;
4. The budget indicates a source of funds adequate to cover all proposed expenditures;
5. The PHA will comply with the wage rate requirement under 24 CFR 968.110(c) and (f); and
6. The PHA will comply with the requirements for access to records and audits under 24 CFR 968.110(i).

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct.

WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012; 31 U.S.C. §3729, 3802).

Board Chairperson's Name:	Signature:	Date:
Sharon Samples		

Identification: TX343-New Braunfels Housing Authority PHA Board Resolution form HUD-52574 (ID - 6739) for CY 2024 printed by Isabel Lee in HUD Secure Systems/Public Housing Portal at 10/09/2024 01:59PM EST

Previous editions are obsolete

Form HUD-52574

CITY OF NEW BRAUNFELS HOUSING AUTHORITY
BOARD of COMMISSIONERS

Operating Fund Grant: Calculation of Total Program Expense Level PHA-Owned Rental Housing As of 09/16/2024 09:52AM - Form ID: 29370 - Status: Created		U.S. Department of Housing and Urban Development Office of Public and Indian Housing OMB Approval No. 2577-0029 (exp. 1/31/2027)													
Public Reporting Burden for this collection of information is estimated to average .75 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. This information is required by Section 9(e) of the U.S. Housing Act of 1937, as amended, and by 24 CFR Part 990 HUD regulations. HUD makes payments for the operation and maintenance of low-income housing projects to PHAs/projects. The Operating Fund determines the amount of Operating Fund grant to be paid to PHAs/projects. PHAs/projects provide information on the Project Expense Level (PEL), Utilities Expense Level (UEL), Other Formula Expenses (Add-ons) and Formula Income – the major Operating Fund components. HUD reviews the information to determine each PHA's/project's Formula Amount and the funds to be obligated for the Funding Period to each PHA/project based on the appropriation by Congress. HUD also uses the information as the basis for requesting annual appropriations from Congress. Responses to the collection of information are required to obtain a benefit. The information requested does not lend itself to confidentiality.															
Total number of ACC units for this PHA:		170													
Section 1															
1. Name and Address of Public Housing Agency: New Braunfels Housing Authority 300 LAUREL LANE New Braunfels TX 78130		2. Funding Period: 1/1/2025 to 12/31/2025 3. Type of Submission: Initial Submission													
4. ACC Number: FW-1411	5. Fiscal Year End: 09-30-2025 <input type="checkbox"/> 12/31 <input type="checkbox"/> 3/31 <input type="checkbox"/> 6/30 <input checked="" type="checkbox"/> 9/30	6. Operating Fund Project Number: <table style="width: 100%; text-align: center; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 20px;">T</td> <td style="border: 1px solid black; width: 20px;">X</td> <td style="border: 1px solid black; width: 20px;">3</td> <td style="border: 1px solid black; width: 20px;">4</td> <td style="border: 1px solid black; width: 20px;">3</td> <td style="border: 1px solid black; width: 20px;">0</td> <td style="border: 1px solid black; width: 20px;">0</td> <td style="border: 1px solid black; width: 20px;">0</td> <td style="border: 1px solid black; width: 20px;">0</td> <td style="border: 1px solid black; width: 20px;">0</td> <td style="border: 1px solid black; width: 20px;">0</td> <td style="border: 1px solid black; width: 20px;">1</td> </tr> </table>		T	X	3	4	3	0	0	0	0	0	0	1
T	X	3	4	3	0	0	0	0	0	0	1				
7. UEL: T6GTMZFCMJK4		<div style="text-align: center; font-size: small;">HUD Use Only</div> 8. ROFO Code: 0659 9. HUD Staff:													
Section 2															
Line No.	Category	Column A Unit Months	Column B Eligible Unit Months (EUMs)	Column C Resident Participation Unit Months											
Categorization of Unit Months: <input checked="" type="checkbox"/> First of Month <input type="checkbox"/> Last of Month															
Occupied Unit Months															
01	Occupied dwelling units - by public housing eligible family under lease	2,023	2,023	2,023											
02	Occupied dwelling units - by PHA employee, police officer, or other security personnel who is not otherwise eligible for public housing	0		0											
03	Occupied new units - eligible to receive Operating Funds during the funding period but not included on Lines 01, 02, or 05-13 of this section	0	0	0											
04	Occupied new units - eligible to receive funds from 10/1 to 12/31 of previous funding period but not included on previous Calculation of Operating Fund Grant	0	0	0											
Vacant Unit Months															
05	Units undergoing modernization	2	2												
06	Special use units	0	0												
06a	Units on Line 02 that are occupied by police officers and that also qualify as special use units		0												
07	Units vacant due to litigation	0	0												
08	Units vacant due to disasters	0	0												
09	Units vacant due to casualty losses	0	0												
10	Units vacant due to changing market conditions	0	0												
11	Units vacant and not categorized above	15													
Other ACC Unit Months															
12	Units eligible for asset repositioning fee and still on ACC (occupied or vacant)	0													
13	All other ACC units not categorized above	0													

Form
HUD-
52723

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

		Operating Fund Project Number: TX343000001	
Calculations Based on Unit Months:			
14	Limited vacancies		15
15	Total Unit Months	2,040	2,040
16	Units eligible for funding for resident participation activities (Line 15C + 12)		169
Special Provision for Calculation of Utilities Expense Level:			
17	Unit months for which actual consumption is included on Line 01 of form HUD-52722 and that were removed from Lines 01 through 11, above, because of removal from inventory, including eligibility for the asset repositioning fee		0
Section 3			
Line No.	Description	Requested by PHA	HUD Modifications
Part A. Formula Expenses			
Project Expense Level (PEL)			
01	PUM project expense level (PEL)	\$448.00	
02	Inflation factor	1.0330	
03	PUM inflated PEL (Part A, Line 01 x Line 02)	\$462.78	
04	PEL (Part A, Line 03 x Section 2, Line 15, Column B)	\$944,071	
Utilities Expense Level (UEL)			
05	PUM utilities expense level (UEL) (from Line 26 of form HUD-52722)	\$43.95	\$.00
06	UEL (Part A, Line 05 x Section 2, Line 15, Column B)	\$89,658	
Add-Ons			
07	Self-sufficiency		
08	Add-on-subsidy (AOS) incentive energy performance contract (EPC)	\$0	
09	Payment in lieu of taxes (PILOT)	\$43,012	
10	Cost of independent audit	\$21,050	
11	Funding for resident participation activities	\$4,225	\$0
12	Asset management fee		
13	Information technology fee	\$4,080	\$0
14	Asset repositioning fee	\$0	
15	Costs attributable to changes in federal law, regulation, or economy		
16	Total Add-Ons (Sum of Part A, Lines 07 through 15)	\$72,367	\$0
17	Total Formula Expenses (Part A, Line 04 + Line 06 + Line 16)	\$1,106,096	\$0
Part B. Formula Income			
01	PUM formula income	\$281.82	
02	Resident paid utility (RPU) incentive energy performance contract (EPC)	\$.00	
03	PUM adjusted formula income (Sum of Part B, Lines 01 and 02)	\$281.82	\$.00
04	Total Formula Income (Part B, Line 03 x Section 2, Line 15, Column B)	\$574,913	\$0
Part C. Other Formula Provisions			
01	Moving-to-Work (MTW)		
02	Transition funding	\$0	\$0
03	Other	\$0	
04	Total Other Formula Provisions (Sum of Part C, Lines 01 through 03)	\$0	\$0
Part D. Calculation of Formula Amount			
01	Formula calculation (Part A, Line 17 - Part B, Line 04 + Part C, Line 04)	\$531,183	\$0
02	Cost of independent audit (same as Part A, Line 10)	\$21,050	\$0
03	Formula amount (greater of Part D, Lines 01 or 02)	\$531,183	\$0
Part E. Calculation of Operating Fund Grant (HUD Use Only)			
01	Formula amount (same as Part D, Line 03)		\$0
02	Adjustment due to availability of funds		
03	HUD discretionary adjustments		
04	Funds Obligated for Period (Part E, Line 01 - Line 02 - Line 03) Appropriation symbol(s):		\$0

Form
HUD-
52723

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

	Operating Fund Project Number: TX343000001
Section 4 - Comments	
Section 5	
Certifications:	
<p><input checked="" type="checkbox"/> In accordance with 24 CFR 990.215, I hereby certify that <u>New Braunfels Housing Authority</u> Housing Agency is in compliance with the annual income reexamination requirements and that rents and utility allowance calculations have been or will be adjusted in accordance with current HUD requirements and regulations.</p> <p><input type="checkbox"/> In accordance with § 213 of Title II of Division L of the Consolidated Appropriations Act, 2023, Pub. L. 117-328 (approved December 29, 2022) and subsequent acts containing the same provisions, I hereby certify that <u>New Braunfels Housing Authority</u> Housing Agency has 400 or fewer units and is implementing asset management.</p> <p><input type="checkbox"/> In accordance with 24 CFR 990.255 through 990.290 – Compliance of Asset Management Requirements, I hereby certify that <u>New Braunfels Housing Authority</u> Housing Agency has 250 units or more and is in compliance with asset management. I understand in accordance with 24 CFR 990.190(f), PHAs that are not in compliance with asset management will forfeit the asset management fee.</p> <p><input checked="" type="checkbox"/> I hereby certify the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement up to 5 years, fines, and civil and administrative penalties (18 U.S.C. §§ 287, 1001, 1010, 1012; 31 U.S.C. §§ 3729, 3802).</p>	

Form

HUD-52723

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

RESOLUTION NO. 202410170002

RESOLUTION APPROVING THE NEW BRAUNFELS HOUSING AUTHORITY 2024-2025 OPERATING BUDGET

WHEREAS, the Board of Commissioners of the Housing Authority of the City of New Braunfels, Texas, a public instrumentality created pursuant to the laws of the State of Texas (“NBHA”) recognizes the importance of responding to the housing and support needs of its residents in times of emergency or calamity; and

WHEREAS, the Board of Commissioners believes it serves the public interest and is in the best interest of NBHA to accept the approval of the New Braunfels Housing Authority 2024-2025 Operating Budget.; and

WHEREAS, the Board of Commissioners desires to approve and accept the New Braunfels Housing Authority 2024-2025 Operating Budget.

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF NEW BRAUNFELS, TEXAS, THAT:

Section 1. The Board hereby accepts and approves the New Braunfels Housing Authority 2024-2025 Operating Budget.

Section 2. 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.

Section 3. 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 4. 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 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. This Resolution shall be in force and effect from and after its passage.

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

CERTIFICATE FOR RESOLUTION

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

1. In accordance with the bylaws of NBHA, the Board of Commissioners of NBHA (the “Board”) held a meeting on October 17, 2024 (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 APPROVING THE NEW BRAUNFELS HOUSING AUTHORITY 2024-2025 OPERATING BUDGET

(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 NBHA.

SIGNED AND SEALED _____, 2024.

Henry Alvarez, Secretary/Executive Director

(SEAL)

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

AGENDA ITEM E3

SUBJECT:

Consideration and approval regarding Resolution No. 202410170003 to approve the New Braunfels Housing Authority Audit Report for FYE 2022-2023.

BACKGROUND AND RATIONAL:

Pursuant to the Code of Federal Regulations (CFR), Title 2, Subtitle A, Chapter II, Part 200, Subpart F; *Audit Requirements*, non-Federal entities that expend \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year.

Reporting is done in accordance with Generally Accepted Accounting Principles (GAAP) as promulgated by the Government Accounting Standards Board Reporting (GASB). All PHAs report the results of their audits electronically through HUD's FASS-PH system. The FASS-PH system was developed under an "entity-wide" concept; that is, PHAs report all the programs and activities that are administered by the PHA. Under this concept, HUD is generally able to obtain a higher level of assurance on the accuracy of the financial data as the financial data is directly comparable to the audit required under Code of Federal Regulations (CFR), Title 2, Subtitle A, Chapter II, Part 200, Subpart F - *Audit Requirements*.

The Audit was conducted by Leal & Carter, PC. The Audit reports no finding.

FISCAL IMPACT:

All NBHA programs are subject to these Audit Requirements to receive continued funding from HUD.

STAFF RECCOMENDATION:

Staff recommends acceptance of the Audit Report

ATTACHMENT:

NBHA 2023 FISCAL YEAR AUDIT REPORT SUMMARY

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

NEW BRAUNFELS HOUSING AUTHORITY

NEW BRAUNFELS, TEXAS

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

FOR THE YEAR ENDED SEPTEMBER 30, 2023

A. Summary of the Auditor's Results:

1. The auditors' report expresses an unmodified opinion on whether the financial statements of the PHA were prepared in accordance with GAAP.
2. No significant deficiencies or material weaknesses in internal control were disclosed by the audit of the financial statements of the PHA.
3. No instances of noncompliance material to the financial statements of the PHA which would be required to be reported in accordance with *Government Auditing Standards*, were disclosed during the audit.
4. No significant deficiencies or material weaknesses in internal control over the major programs were disclosed by the audit of the PHA.
5. The auditors' report issued on compliance for major programs expresses an unmodified opinion.
6. The audit disclosed no audit findings that are required to be reported in accordance with 2 CFR section 200.516 (a).
7. Major programs of the PHA are:
Housing Voucher Cluster –
Section 8 Housing Choice Vouchers – Assistance Listing No. 14.871
8. Dollar threshold used to distinguish between Type A and Type B programs was \$750,000 or larger.
9. The auditee did qualify as a low risk auditee.

B. Findings Relating to the Financial Statements Which Are Required to be Reported in Accordance with *Generally Accepted Government Auditing Standards*.

None

C. Findings and Questioned Costs for Federal Awards Programs, which must include audit findings as defined by the Uniform Guidance [2 CFR 200.516 (a)]

None

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

RESOLUTION NO. 202410170003

**RESOLUTION APPROVING THE NEW BRAUNFELS HOUSING AUTHORITY
AUDIT REPORT FOR FYE 2022-2023**

WHEREAS, the Board of Commissioners of the Housing Authority of the City of New Braunfels, Texas, a public instrumentality created pursuant to the laws of the State of Texas (“NBHA”) recognizes the importance of responding to the housing and support needs of its residents in times of emergency or calamity; and

WHEREAS, the Board of Commissioners believes it serves the public interest and is in the best interest of NBHA to accept the approval of the New Braunfels Housing Authority Audit Report for FYE 2022-2023.; and

WHEREAS, the Board of Commissioners desires to approve and accept the New Braunfels Housing Authority FYE 2022-2023 Audit Report.

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF NEW BRAUNFELS, TEXAS, THAT:

Section 1. The Board hereby accepts and approves the New Braunfels Housing Authority Audit Report for FYE 2022-2023.

Section 2. 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.

Section 3. 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 4. 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 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. This Resolution shall be in force and effect from and after its passage.

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

CERTIFICATE FOR RESOLUTION

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

1. In accordance with the bylaws of NBHA, the Board of Commissioners of NBHA (the “Board”) held a meeting on October 17, 2024 (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 APPROVING THE NEW BRAUNFELS HOUSING AUTHORITY
AUDIT REPORT FOR FYE 2022-2023**

(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 NBHA.

SIGNED AND SEALED _____, 2024.

Henry Alvarez, Secretary/Executive Director

(SEAL)

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

AGENDA ITEM E4

SUBJECT:

Consideration and approval regarding Resolution No. 202410170004 authorizing the revised Housing Choice Voucher Fair Market Rents and Payment Standards and Public Housing Flat Rent for Fiscal Year 2025.

BACKGROUND AND RATIONAL:

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 Voucher payment standard schedule for each FMR area in its jurisdiction and FLAT Rent for its Public Housing portfolios. 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 voucher 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)]. The Public Housing Flat rent must be set to lower of 80% of the FMR or the Small area Fair Market Rent (SAFMR). 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. NBHA utilizes the lower metro area FMR for the Flat rent calculation.

HUD has recently published the FMRs for Fiscal Year 2025. HUD allows housing authorities to establish the payment standard amounts at any level between 90% and 110% of the published FMR. The 2025 Voucher payment standards have been set to 90% of the associated FMR. This methodology allows the NBHA to absorb the increase in the payment standard over time and to maximize the number of families that can participate in the Voucher program.

The proposed payment standards for 2025 will be effective for all Housing Assistance Payment Contracts with an effective date of January 1, 2025, or later.

FISCAL IMPACT:

The Voucher Program is a budget-based subsidy program provided by the Department of Housing and Urban Development (HUD). Increases in Voucher Payment Standards, generally increase rent subsidy to private landlord participants. The Voucher Program budget is currently \$2.2M with 231 program participants.

STAFF RECCOMENDATION:

Staff recommends approval of the Fiscal Year 2025 Voucher Payment Standards and Public Housing Flat Rent.

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

ATTACHMENT:

2025 Fair Market Rents

Voucher Payment Standards and Public Housing Flat Rent

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

2025 PAYMENT STANDARDS

ZIP Code	Area	Efficiency	1BDRM	2BDRM	3BDRM	4BDRM
78006	Boerne	\$1,206	\$1,364	\$1,683	\$2,133	\$2,574
78070	Spring Branch	\$1,221	\$1,408	\$1,705	\$2,167	\$2,640
78108	Cibolo	\$1,507	\$1,738	\$2,112	\$2,684	\$3,278
78130	New Braunfels	\$1,100	\$1,265	\$1,540	\$1,958	\$2,387
78131	New Braunfels	\$1,134	\$1,298	\$1,573	\$2,002	\$2,442
78132	New Braunfels	\$1,144	\$1,320	\$1,595	\$2,024	\$2,475
78133	Canyon Lake	\$1,012	\$1,166	\$1,419	\$1,804	\$2,200
78154	Schertz	\$1,287	\$1,474	\$1,782	\$2,266	\$2,761
78163	Bulverde	\$1,170	\$1,298	\$1,575	\$2,002	\$2,442
78266	San Antonio	\$1,507	\$1,738	\$2,112	\$2,684	\$3,278
78606	Blanco	\$759	\$913	\$1,111	\$1,375	\$1,716
78623	Fischer	\$1,122	\$1,276	\$1,529	\$1,947	\$2,321
78666	San Marcos	\$1,098	\$1,199	\$1,408	\$1,804	\$2,101
78676	Wimberley	\$1,320	\$1,463	\$1,716	\$2,200	\$2,552
78015	Fair Oaks	\$1,386	\$1,521	\$1,863	\$2,385	\$2,709

2025 FLAT RENTS (80% OF FMR)

ZIP Code	Area	Efficiency	1BDRM	2BDRM	3BDRM	4BDRM
78130	Laurel Plaza	\$976	\$1,080			
78130	Villa Serena			\$1,312	\$1,664	\$1,960

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

RESOLUTION NO. 202410170004

**RESOLUTION APPROVING THE NEW BRAUNFELS HOUSING AUTHORITY 2025
FAIR MARKET RENT (FMR) PAYMENT STANDARDS AND PUBLIC HOUSING
FLAT RENT.**

WHEREAS, the Board of Commissioners of the Housing Authority of the City of New Braunfels, Texas, a public instrumentality created pursuant to the laws of the State of Texas (“NBHA”) recognizes the importance of responding to the housing and support needs of its residents in times of emergency or calamity; and

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 the Public Housing Authority to establish voucher payment standards for each unit size; and.

WHEREAS, NBHA staff request authorization to establish the 2025 Fair Market Rent and Payment standard be set at 90% of the 2025 HUD published Small Area FMR schedule to ensure current flat rent and the payment standard schedules are compliant with federal regulations.

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF NEW BRAUNFELS, TEXAS, THAT:

Section 1. The Board hereby accepts and approves the 2025 Flat Rent and Voucher Payment Standards consistent with HUD regulations, attached hereto;

Section 2. 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.

Section 3. 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 4. 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 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. This Resolution shall be in force and effect from and after its passage.

CERTIFICATE FOR RESOLUTION

The undersigned officer of the Housing Authority of the City of New Braunfels, Texas, a public instrumentality created pursuant to the laws of the State of Texas ("NBHA") hereby certifies as follows:

1. In accordance with the bylaws of NBHA, the Board of Commissioners of NBHA (the "Board") held a meeting on October 17, 2024 (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

APPROVAL OF THE CITY OF NEW BRAUNFELS HOUSING AUTHORITY PUBLIC HOUSING FLAT RENT AND VOUCHER PROGRAM PAYMENT STANDARDS

(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 NBHA.

SIGNED AND SEALED _____, 2024.

Henry Alvarez, Secretary/Executive Director

(SEAL)

AGENDA ITEM E5

SUBJECT:

Consideration and approval regarding resolution no. 202410170005 and inducement authorizing the execution of all filings and agreements with Texas department of housing and community affairs in connection with applications for low-income housing tax credits for the Villa Serena Phase 1 apartments transaction; and other matters in connection therewith

BACKGROUND AND RATIONAL:

The NBHA has been presented with an opportunity to partner with HRI Communities, LLC (“HRI”) to redevelop the Villa Serena and Laurel Plaza properties. Commencing with the Villa Serena Phase I’s proposed conceptual design, preliminary unit mix and site plan.

The proposed development anticipates seven five (75) apartment units, with a proposed unit mix of:

<u>Income Designation</u>	<u>Unit Type</u>	<u>Total Numbre of Units</u>
Affordable – 30% AMI (Section 811 PRA*)	1B	10
Affordable - 30% AMI (Replacement RAD)	2B	7
Affordable - 30% AMI (Replacement RAD)	3B	8
Affordable - 50% AMI (Replacement RAD)	2B	8
Affordable - 50% AMI (Replacement RAD)	3B	7
Affordable - 60% AMI	1B	20
Workforce - 60% AMI	2B	7
Market Rate	1B	6
Market Rate	2B	2

* Section 811 Project Rental Assistance Program

Eighty nine percent of units will be affordable at 60% to 30% of Area Media Income (AMI).

FISCAL IMPACT:

Expenditures will be reimbursed from project development.

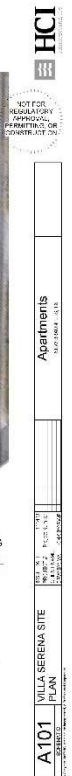
STAFF RECCOMENDATION:

Staff recommends approval authorizing resolution and inducement authorizing the execution of all filings and agreements with and inducement authorizing the execution of all filings and agreements with Texas Department of Housing and Community Affairs in connection with applications for Low Income Housing Tax Credits for The Villa Serena Phase 1 Apartments transaction; and other matters in connection therewith.

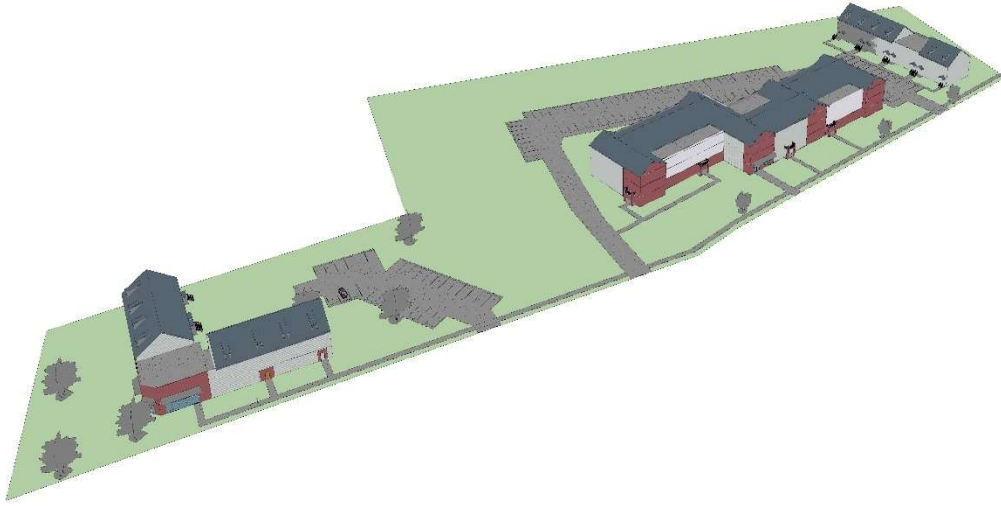
ATTACHMENT:

Villa Serena Phase I Site Plan

THE UNIVERSITY OF CHICAGO



10/10/2020 10:00 AM



3D View 2 Copy 1



NOTICE
HAWTHORNE CONSTRUCTION
INCORPORATED
PERMITTING OR
CONSTRUCTION

Apartment Proposal

10/10/2020 10:00 AM

A202



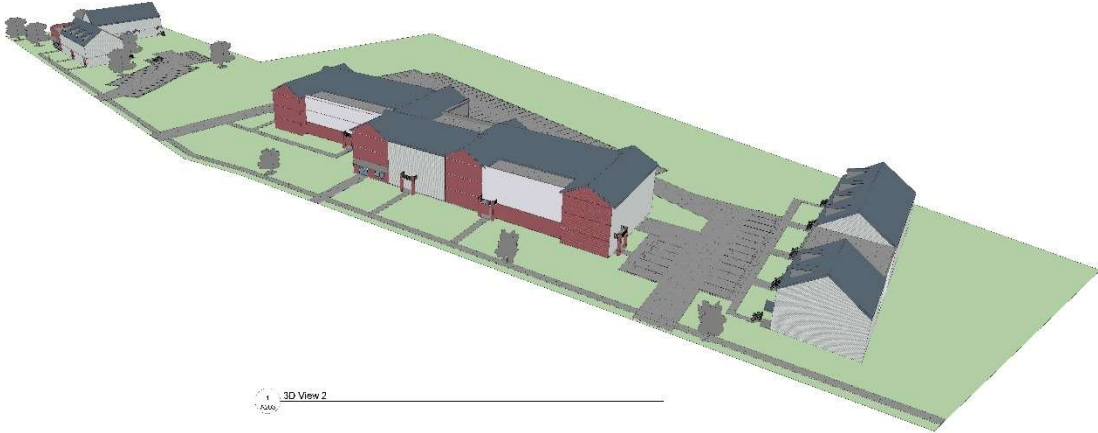
NOTICE
HAWTHORNE CONSTRUCTION
INCORPORATED
PERMITTING OR
CONSTRUCTION

Apartment Proposal

10/10/2020 10:00 AM

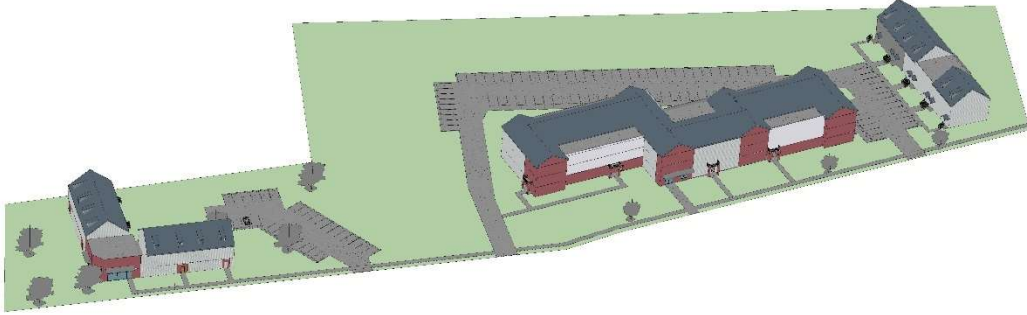
A203

10/10/2020 10:00 AM



3D View 2

10/10/2019 10:10:10 AM



3D View 4



A204	3D View	Apartment Proposal	
		10/10/2019 10:10:10 AM	

Representative Images of Proposed Townhouses



Representative Images of Proposed Mid-Rise Multifamily Building



RESOLUTION NO. 202410170005

RESOLUTION NO. 202410170005 AND INDUCEMENT AUTHORIZING THE EXECUTION OF ALL FILINGS AND AGREEMENTS WITH TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS IN CONNECTION WITH APPLICATIONS FOR LOW INCOME HOUSING TAX CREDITS FOR THE VILLA SERENA APARTMENTS TRANSACTION; AND AUTHORIZING THE NEGOTIATION OF A MEMORANDUM OF UNDERSTANDING; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the New Braunfels Housing Authority (the “Authority”) was created to address the need for creation and preservation of safe and sanitary housing at affordable prices for persons of low and moderate income who are residents of the City of New Braunfels (the “City”);

WHEREAS, a to-be-formed affiliate of the Authority and HRI Communities (the “User”), are contemplating an Application for financing (the “Application”), requesting that the Authority or an affiliate thereof participate in the acquisition, rehabilitation, construction, and equipping of a proposed 85-unit multifamily housing facility to be located at the intersection of S Seguin Road and Rosa Parks Drive, New Braunfels, Texas and to be known as the Villa Serena Apartments (the “Project”);

WHEREAS, the User intends to finance the Project in part with 9% housing tax credits competitively procured from the Texas Department of Housing and Community Affairs (“TDHCA”) and one or more loans;

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 Memorandum of Understanding (the “MOU”);

WHEREAS, the User has requested that the Authority create a nonprofit and/or single-member limited liability company subsidiary of the Authority or of the nonprofit to serve as a general partner of the User;

WHEREAS, the User has requested authorization to make all filings necessary to obtain and maintain equity and debt financing for the Project, including 9% tax credits from the TDHCA;

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

<u>Name of Director/Officer</u>	<u>Position</u>
Sharon Navarre Samples	Chairperson/Commissioner
Sarah Dixon	Vice-Chairperson/Commissioner
Justin Botter	Commissioner
Cinderella Brown	Commissioner
Raymond Marquez	Commissioner

WHEREAS, the Board has determined that it is in the public interest and to the benefit of the citizens and residents of New Braunfels for the various entities to enter into the transactions described above so that the User 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 the Authority; now, therefore,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE NEW BRAUNFELS HOUSING AUTHORITY THAT:

Section 1. Subject to the terms hereof, the Authority agrees that it will, acting in either its own capacity, through an affiliate thereof or as the party controlling the general partner of the User:

(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 applications, notices, contracts or agreements deemed necessary and desirable by the User or the Authority in connection with the Project, specifically including any applications, agreements, documents, certificates and instruments necessary to obtain tax credits from the TDHCA (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;

(b) if required, work with a historically underutilized business (“HUB”) or qualified nonprofit sharing ownership of the general partner of the User, sharing developer fees and cash flow of the User to enable the Project to be competitive in its tax credit

(c) own the real estate and serve as the general contractor for the Project to obtain tax exemptions;

(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.

Neither the State of Texas (the “State”), the City, nor any political Authority, 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, 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:

Section 3.

(a) pay all Project costs which are not or cannot be paid or reimbursed from the proceeds of any debt; and

(b) indemnify and hold harmless the Authority and the City 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 or the City).

Section 4. 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. **Provided that 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 5. The Board authorizes the Chairperson, Vice-Chairperson, Executive Director, or any Commissioner of the Board to execute any contracts and take any and all actions required to obtain tax credits, equity financing and debt financing, and to execute any applications and submissions to TDHCA for its 9% housing tax credit program.

Section 6. The Board authorizes the negotiation and execution by any officer(s) of the Board of the MOU setting forth the details of the Project.

Section 7. The Chairperson, Vice-Chairperson, Executive Director, or any Commissioner of the Board 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 8. 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 9. 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 10. 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 11. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 12. This Resolution shall be in force and effect from and after its passage.

* * *

VILLA SERENA APARTMENTS

CERTIFICATE FOR RESOLUTION

The undersigned officer of the New Braunfels Housing Authority (the “Authority”) hereby certifies as follows:

1. In accordance with the bylaws of the Authority, the Board of Commissioners of the Authority (the “Board”) held a meeting on October 17, 2024 (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 NO. 202410170005 AND INDUCEMENT AUTHORIZING THE EXECUTION OF ALL FILINGS AND AGREEMENTS WITH TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS IN CONNECTION WITH APPLICATIONS FOR LOW INCOME HOUSING TAX CREDITS FOR THE VILLA SERENA APARTMENTS TRANSACTION; AND AUTHORIZING THE NEGOTIATION OF A MEMORANDUM OF UNDERSTANDING; 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 Authority.

SIGNED AND SEALED October 17, 2024.

Henry Alvarez
Executive Director

AGENDA ITEM E6

SUBJECT:

Consideration and approval regarding Resolution No. 202410170006 on resolution and inducement authorizing the execution of all filings and agreements with Texas Department of Housing and Community Affairs in connection with applications for Low Income Housing Tax Credits for The Park At Dogwood transaction; and other matters in connection therewith.

BACKGROUND AND RATIONAL:

The NBHA has been presented with an opportunity to participate and Partner in the Development of the Park At Dogwood in Partnership with The Park Companies. The proposed development of eighty-five (85) multi-family affordable housing units, located at Old McQueeney Road, in the City of New Braunfels, Comal County, Texas, to be commonly known as Park at Dogwood.

The proposed unit mix and affordability is as follows:

PROJECT SELECTIONS		
Bedrooms	AMI %	# of Units
1 Bedroom (30%)	30%	4
1 Bedroom (50%)	50%	10
1 Bedroom (60%)	60%	11
2 Bedroom (30%)	30%	5
2 Bedroom (50%)	50%	24
2 Bedroom (60%)	60%	31
Totals		85

All of the units are proposed to be affordable at 60% to 30% of Area Medium Income (AMI).

FISCAL IMPACT:

No fiscal impact

STAFF RECCOMENDATION:

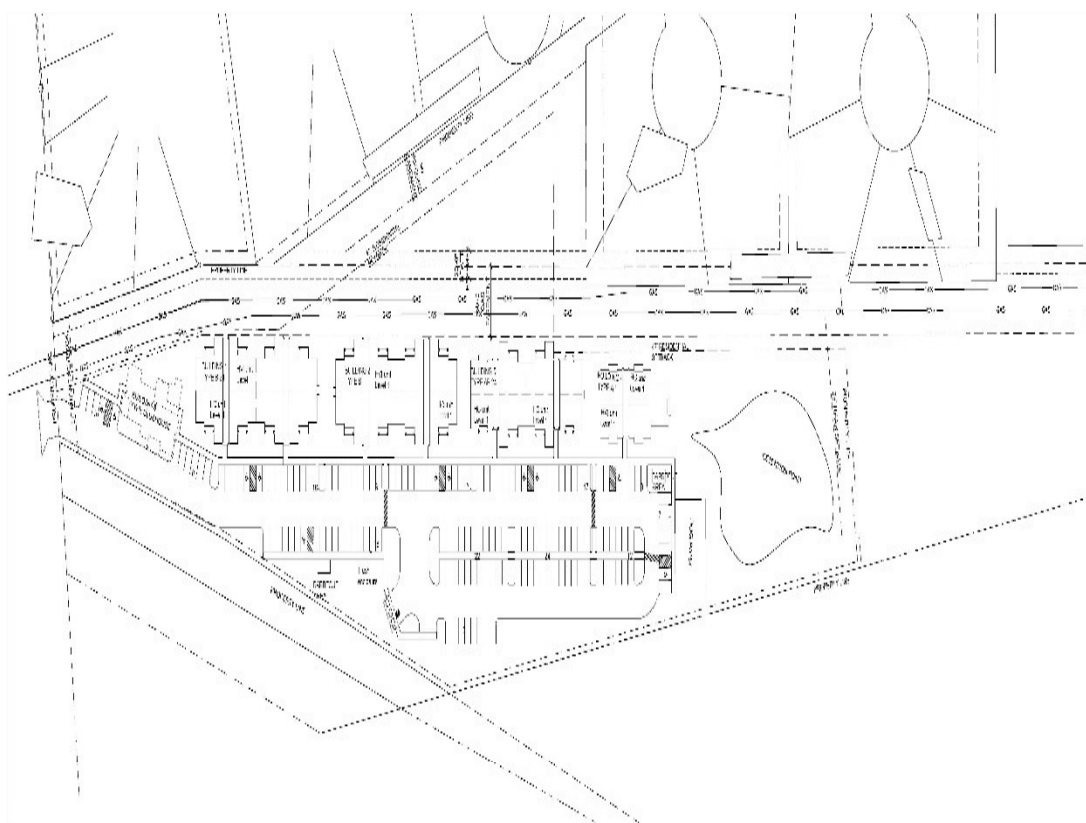
Staff recommends approval authorizing the resolution and inducement authorizing the execution of all filings and agreements with Texas Department of Housing and Community Affairs in connection with applications for Low Income Housing Tax Credits for The Park At Dogwood transaction; and other matters in connection therewith.

ATTACHMENT:

Conceptual Design and Site Plan

Conceptual Design and Site Plan





RESOLUTION NO. 202410170006

RESOLUTION NO. 202410170006 AND INDUCEMENT AUTHORIZING THE EXECUTION OF ALL FILINGS AND AGREEMENTS WITH TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS IN CONNECTION WITH APPLICATIONS FOR LOW INCOME HOUSING TAX CREDITS FOR THE PARK AT DOGWOOD APARTMENTS TRANSACTION; AND AUTHORIZING THE NEGOTIATION OF A MEMORANDUM OF UNDERSTANDING; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the New Braunfels Housing Authority (the “Authority”) was created to address the need for creation and preservation of safe and sanitary housing at affordable prices for persons of low and moderate income who are residents of the City of New Braunfels (the “City”);

WHEREAS, Comal Partners, L.P., a Mississippi limited partnership (the “User”), has filed an Application for financing (the “Application”), requesting that the Authority or an affiliate thereof participate in the acquisition, construction, and equipping of a proposed 85-unit multifamily housing facility to be located on 0 Old McQueeney Road, New Braunfels, Texas and to be known as the Park at Dogwood Apartments (the “Project”);

WHEREAS, the User intends to finance the Project in part with 9% housing tax credits competitively procured from the Texas Department of Housing and Community Affairs (“TDHCA”) and one or more loans;

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 Memorandum of Understanding (the “MOU”);

WHEREAS, the User has requested that the Authority create a nonprofit and/or single-member limited liability company subsidiary of the Authority or of the nonprofit to serve as a general partner of the User;

WHEREAS, the User has requested authorization to make all filings necessary to obtain and maintain equity and debt financing for the Project, including 9% tax credits from the TDHCA;

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

<u>Name of Director/Officer</u>	<u>Position</u>
Sharon Navarre Samples	Chairperson/Commissioner
Sarah Dixon	Vice-Chairperson/Commissioner
Justin Botter	Commissioner
Cinderella Brown	Commissioner
Raymond Marquez	Commissioner

WHEREAS, the Board has determined that it is in the public interest and to the benefit of the citizens and residents of New Braunfels for the various entities to enter into the transactions described above so that the User 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 the Authority; now, therefore,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE NEW BRAUNFELS HOUSING AUTHORITY THAT:

Section 1. Subject to the terms hereof, the Authority agrees that it will, acting in either its own capacity, through an affiliate thereof or as the party controlling the general partner of the User:

(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 applications, notices, contracts or agreements deemed necessary and desirable by the User or the Authority in connection with the Project, specifically including any applications, agreements, documents, certificates and instruments necessary to obtain tax credits from the TDHCA (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;

(b) if required, work with a historically underutilized business ("HUB") or qualified nonprofit sharing ownership of the general partner of the User, sharing developer fees and cash flow of the User to enable the Project to be competitive in its tax credit

(c) own the real estate and serve as the general contractor for the Project to obtain tax exemptions;

(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.

Neither the State of Texas (the "State"), the City, nor any political Authority, 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, 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:

(a) pay all Project costs which are not or cannot be paid or reimbursed from the proceeds of any debt; and

(b) indemnify and hold harmless the Authority and the City 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 or the City).

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. **Provided that 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 Chairperson, Vice-Chairperson, Executive Director, or any Commissioner of the Board to execute any contracts and take any and all actions required to obtain tax credits, equity financing and debt financing, and authorizes Mark B. Willson or R. McKie Edmonson, each as a representative of the User, to execute any applications and submissions to TDHCA for its 9% housing tax credit program.

Section 5. The Board authorizes the negotiation and execution by any officer(s) of the Board of the MOU setting forth the details of the Project.

Section 6. The Chairperson, Vice-Chairperson, Executive Director, or any Commissioner of the Board 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 7. 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 8. 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 9. 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 10. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 11. This Resolution shall be in force and effect from and after its passage.

* * *

PARK AT DOGWOOD APARTMENTS

CERTIFICATE FOR RESOLUTION

The undersigned officer of the New Braunfels Housing Authority (the “Authority”) hereby certifies as follows:

1. In accordance with the bylaws of the Authority, the Board of Commissioners of the Authority (the “Board”) held a meeting on October 17, 2024 (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 NO. 202410170006 AND INDUCEMENT AUTHORIZING THE EXECUTION OF ALL FILINGS AND AGREEMENTS WITH TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS IN CONNECTION WITH APPLICATIONS FOR LOW INCOME HOUSING TAX CREDITS FOR THE PARK AT DOGWOOD APARTMENTS TRANSACTION; AND AUTHORIZING THE NEGOTIATION OF A MEMORANDUM OF UNDERSTANDING; 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 Authority.

SIGNED AND SEALED October 17, 2024.

Henry Alvarez
Executive Director

E. EXECUTIVE DIRECTOR REPORT

1. Operations Update

F. ADJOURNMENT.