

**Synopsis of the Minutes**  
**WACO PUBLIC FACILITY CORPORATION**  
**4400 Cobbs Dr.**  
**May 11, 2023**  
**12:00 Noon**

- I. Call to Order  
Vice President Jon Ramos called the meeting to order at 12:38 pm.
- II. Establishment of Quorum  
Directors Present: Jon Ramos, LaTonya Lewis, John Bible  
Directors Absent: Melli Wickliff, Brad Kinkeade
- III. Approval of Minutes  
Vice President Jon Ramos asked for approval of the minutes of the April 2023 meeting. Director John Bible made the motion and Director LaTonya Lewis seconded the motion. President Jon Ramos called for a vote and the motion passed unanimously.
- IV. New Business
- RESOLUTION NO. 118 RESOLUTION AUTHORIZING THE WACO PUBLIC FACILITY CORPORATION (THE "CORPORATION") TO (A) WORK COOPERATIVELY WITH VERSATILE DEVELOPMENTS, LLC, OR ITS AFFILIATE TO DEVELOP STUDIOS AT 19TH (THE "PROJECT") BY NEGOTIATING AND EXECUTING A MEMORANDUM OF UNDERSTANDING WITH REGARD TO THE PROJECT; AND (B) SUCH OTHER ACTIONS NECESSARY OR CONVENIENT TO CARRY OUT THIS RESOLUTION.
- Resolution No. 118  
A copy of this resolution may be found in the resolution file.
- V. Adjournment  
Vice President Jon Ramos adjourned the meeting at 12:41pm.

Signature by  
*Milet Hopping* 6/13/2023

Secretary

Seal

Signature by  
*Melli Wickliff, JD* 6/13/2023

President of the Board



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## Certificate of Completion

### Document Information

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### Signatures/Initials

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RESOLUTION NO. 3867

RESOLUTION BY THE BOARD OF COMMISSIONERS OF WACO HOUSING AUTHORITY & AFFILIATES APPROVING THE WACO HOUSING AUTHORITY 2023 HUD ANNUAL PLAN

WHEREAS, Waco Housing Authority & Affiliates is required by HUD to submit an annual plan, and

WHEREAS, a part of this annual plan is an update of the obligations and expenditures of the Capital Fund Program, and

WHEREAS, the Modernization Department updated the required forms for these obligations and expenditures

WHEREAS, the Modernization Department will utilize these funds on improvements to the development sites, as required in the Housing Act of 1937, Section 9 (j), and

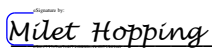
WHEREAS, any changes to agency policies and all other requirements of the Annual Plan are in the attached documentation, and


WHEREAS, all components of the plan have been filled out and updated and the plan is ready for submission, and

WHEREAS, this plan must be approved by the Board of Commissioners, and

WHEREAS, this resolution was considered at a regular meeting open to the public as required by law and notice of the time, place and purpose of said meeting was given as required by Chapter 551 of the Texas Government Code:

NOW, THEREFORE, BE IT RESOLVED THAT the above resolution was adopted by the Board of Commissioners of Waco Housing Authority & Affiliates on this the 13th day of June 2023.

 6/13/2023  
Secretary

 6/13/2023  
Chairperson of the Board

(SEAL)



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**WACO HOUSING AUTHORITY**

**RESOLUTION NO. 3870**

**A RESOLUTION BY THE BOARD OF COMMISSIONERS OF THE WACO HOUSING AUTHORITY AND AFFILIATES APPROVING THE DEVELOPMENT OF STUDIOS AT 19TH AND ANY OTHER ACTIONS NECESSARY OR CONVENIENT TO CARRY OUT THIS RESOLUTION.**

**WHEREAS**, pursuant to the provisions of the Public Facility Corporation Act, Chapter 303, Texas Local Government Code (the “Act”), Waco Housing Authority, a public body corporate and politic organized under the laws of the State of Texas (the “Authority”), has sponsored and created Waco Public Facility Corporation, a Texas public facility corporation (the “PFC”); and

**WHEREAS**, the PFC has approved its participation in the development of the Studios at 19th (the “Project”), including acting as lessor to the Project and participating in the ownership structure of Studios at 19th, LLC, a Texas limited liability company (the “Owner”) as the sole member of WHA Studios 19 SLM, LLC (or other such similar name), a to be formed limited member of the Owner; and

**WHEREAS**, it is contemplated that the Project shall be exempt from ad valorem taxation; and

**WHEREAS**, Section 303.042 of the Texas Local Government Code requires that the sponsor of the PFC holds a public hearing, at a regular meeting of the sponsor’s governing body to approve the development of the Project; and

**WHEREAS**, at least 50 percent of the units in the Project shall be reserved for occupancy by individuals and families earning less than 80 percent of the area median family income.

**NOW THEREFORE IT BE RESOLVED BY THE BOARD OF COMMISSIONERS OF THE AUTHORITY THAT:**

The Board of Commissioners of the Authority hereby acknowledges the public hearing held concurrently with consideration of this resolution, approves the development of the Project, and authorizes the Chief Executive Officer of the Authority and/or his/her designee to undertake any such actions as may be necessary and/or desirable in the consummation of the transactions herein contemplated and to do any and all other acts and things necessary or proper in furtherance thereof, as the Chief Executive Officer shall deem to be necessary or desirable, and all acts heretofore taken by the Chief Executive Officer to such end are hereby expressly ratified and confirmed as the acts and deeds of the Authority.

This Resolution shall be in full force and effect from and upon their adoption.

*[Remainder of page intentionally left blank for signature]*

PASSED this 13th day of June, 2023.

Signature by  
*Melli Wickliff, JD* 6/13/2023

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CHAIR

ATTEST:

Signature by  
*Milet Hopping* 6/13/2023

Secretary



## Certificate of Completion

### Document Information

Document Number: bf65335f-06ce-413c-a556-4b4944f885a3

Document Name: 19. Res No. 3870 WHA - Studio at 19th - Resolution (Approve Public Hearing and Development)

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Document Owner: Jonathan Young

Signatures: 2

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**Synopsis of the Minutes**  
**WACO HOUSING AUTHORITY & AFFILIATES**  
**4400 Cobbs Drive**  
**Waco, Texas**  
**May 11, 2023**  
**12:00 Noon**

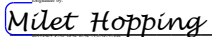
- I. Chair Melli Wickliff called the meeting to order at 12:02 p.m.
  - II. Establishment of Quorum  
Commissioner's present: Jon Ramos, John Bible, LaTonya Lewis  
  
Commissioners absent: Melli Wickliff, Brad Kinkeade
  - III. Hearing from Visitors
    - Recognition of Officials
  - IV. Approval of Minutes  
Board Vice Chair Jon Ramos asked for a motion to approve the minutes of the April 2023 Board Meeting. Commissioner John Bible made the motion and Commissioner Latonya Lewis seconded the motion. Board Vice Chair Jon Ramos called for a vote and the motion passed unanimously.
  - V. Updates  
President/CEO provided an update to the South Terrace RAD project and advised they we have an anticipated completion date of June 2023.  
President/CEO and Art Schultz updated the board on the progress for Melody Grove (Estella Maxey) RAD Development and we are still on track.  
President CEO provided an update to the board regarding Trendwood and they are still on track with renovations.  
President/CEO provided an update to the board on Sandstone Apartments.  
President/CEO provided an update to the board on the Avila project.
- I. Reports
- Administrative Services**  
Everything for the Admin Dept. was usual business.
- Information Technology**  
Everything for the I.T. was usual business.
- OPERATIONS –Vice President Gloria Dancer**  
Rising Images  
The nonprofit properties continue to do well with rent collection and leasing. All properties are in compliance.
- MOD**  
Everything for MOD was usual business.
- PUBLIC HOUSING**  
There are 1639 applicants on the WHA Public Housing Waiting list.
- MAINTENANCE**  
The Maintenance Department continues to work on making readies.
- SECTION 8 - Milet Hopping**  
The Section 8 department currently is leasing 2509 vouchers and has 1430 total applicants on the combined waiting lists. There are 55 veterans in the VASH program.
- COMMUNITY SERVICES - Milet Hopping**  
Our Community Services Department continues to work with the residents and community.
- FINANCE – Vice President Edwina Viera**  
A summary of the financial statements and Consolidated Financial Report was provided.




II. Consideration of Future Agenda Items

III. Adjournment

Vice Chair, Jon Ramos, adjourned the meeting at 12:58 p.m.

 6/13/2023  
Secretary

 6/13/2023  
Chair of the Board

Seal



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## Certificate of Completion

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## WACO PUBLIC FACILITY CORPORATION

### RESOLUTION NO. 119

Resolutions of the Board of Directors of the Waco Public Facility Corporation authorizing the execution of any and all documents, and the taking of any and all actions, that are necessary or desirable to:

1. Acquire and operate the apartment community known as Studios at 19<sup>th</sup> located at 2810 N. 19th Street, Waco, TX 76708, McLennan County, Texas (the "**Property**") and providing additional affordable units therein;
2. Purchase the Property;
3. Execute a Lease (the "**Lease**") with Waco Public Facility Corporation, as landlord, and Studios at 19th, LLC, a Texas limited liability company to-be-created by the Developer (the "**Owner**"), as tenant, to facilitate the acquisition and operation of the Property by the Owner, including the placement of affordable housing units at the Property;
4. Serve as the sole member of the special member of the Owner and execute a Limited Liability Company Agreement governing Owner (the "**Operating Agreement**"), with an affiliate of the Developer as the managing member of the Owner, and the investor member of the Owner (the "**Investor Member**"); and
5. Execute any such further documentation as necessary or desirable, including any financing documentation, to facilitate the development and operation of the Property.

WHEREAS, the Waco Housing Authority, a public body corporate and politic organized under the laws of the State of Texas (the "**Authority**"), has been duly created and organized for the purpose of promoting and furthering opportunities for affordable housing in the City of Waco, Texas (the "**City**");

WHEREAS, the Authority desires to partner with Versatile Developments, LLC or its affiliate ("**Developer**"), further its mission by partnering to develop affordable housing opportunities in the City;

WHEREAS, the Waco Public Facility Corporation, a Texas non-profit public facility corporation (the "**PFC**"), is an instrumentality of the Authority;

WHEREAS, to facilitate the acquisition, development and operation of the Property, the Authority will execute the MOU;

WHEREAS, in connection with the acquisition of the Property, the PFC and/or the Special Member will execute certain documents, including without limitation, a deed, a bill of sale and a settlement statement (collectively, the "**Acquisition Documents**");

WHEREAS, to facilitate the acquisition, development and operation of the Property, the PFC will form WHA Studios 19 SLM, LLC or other such similar name, a Texas limited liability

company to be wholly-owned by the PFC (the "**Special Member**"), to serve as the special member of the Owner;

WHEREAS, to finance the acquisition, development and operation of the Property, the Owner proposes to obtain debt financing from a commercial lender, which may include leveraged funds from private non-governmental sources or a governmental-sponsored enterprise such as Freddie Mac or Fannie Mae, which financing is anticipated to be in an amount not to exceed approximately \$1,400,000.00 (the "**Loan**") and equity financing from the Investor Member (the "**Equity**;" and together with the Loan, the "**Financing**"), all in accordance with the MOU;

WHEREAS, in connection with the Financing, the PFC and/or the Special Member may be required to execute certain documents, including without limitation a deed of trust (collectively, together with the MOU, the Lease, the Operating Agreement, and the Acquisition Documents, and any other documents necessary or advisable to the consummation of the transaction, the "**Transaction Documents**");

NOW THEREFORE, BE IT RESOLVED, by the Board of Directors of the PFC, that said PFC is authorized to (i) negotiate and enter into the Transaction Documents, (ii) acquire the Property and lease the Property to the Owner, and (iii) form the Special Member;

FURTHER RESOLVED, that any officer of the PFC and/or the Special Member as applicable (the "**Executive Officer**"), acting alone without the joinder of any other officer, is authorized to (i) negotiate and to execute the Transaction Documents, (ii) acquire the Property and lease the Property to the Owner, and (iii) form the Special Member, and to execute such documents and take such actions as the Executive Officer deems necessary or desirable to effectuate the intent of this Resolution, the execution of any document, or taking of any action to be conclusive evidence of the necessity thereof and of the PFC's and/or the Special Member's, as applicable, approval thereof;

FURTHER RESOLVED, that the PFC and/or the Special Member, as applicable, be, and it hereby is, authorized to do any and all acts and things and to execute any and all documents, consents, and instruments as in its opinion, or in the opinion of counsel to the PFC and/or the Special Member, as applicable, may be necessary or appropriate in order to carry out the purposes and intent of any of the foregoing Resolutions;

FURTHER RESOLVED, that the PFC and/or the Special Member, as applicable, is authorized to take such other actions as the PFC and/or the Special Member as applicable, shall consider necessary or appropriate toward completion of the transactions contemplated by these Resolutions.

FURTHER RESOLVED, that any and all action taken by the Executive Officer, acting on behalf of the PFC and/or the Special Member, as applicable, prior to the date of these Resolutions is actually executed in effecting the purposes of the foregoing Resolutions is hereby approved, ratified and adopted in all respects.

[Remainder of this page intentionally blank]

PASSED by the Board of Directors of the WPFC this 13th day of June, 2023.

Approved by  
*Melli Wickliff, JD* 6/13/2023  
Digitally signed by Melli Wickliff, DN: cn=Melli Wickliff, o=WPFC, email=Melli.Wickliff@wpfc.com

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Chair

ATTEST:

Approved by  
*Milet Hopping* 6/13/2023  
Digitally signed by Milet Hopping, DN: cn=Milet Hopping, o=WPFC, email=Milet.Hopping@wpfc.com

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Secretary



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## Certificate of Completion

### Document Information

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Document Name: 22. Res No. 119 WPFC - Studios at 19th - Resolution (Closing)

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Signatures: 2

### Signatures/Initials

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RESOLUTION NO. 3869


RESOLUTION BY THE BOARD OF COMMISSIONERS OF WACO HOUSING AUTHORITY & AFFILIATES APPROVING REQUIRING PUBLIC HOUSING FAMILIES WHOSE INCOMES EXCEED THE "OVER- INCOME" LIMITS FOR 24 MONTHS TO FIND OTHER HOUSING AND MOVE OUT OF PUBLIC HOUSING WITHIN SIX MONTHS OF THE END OF THE 24-MONTH OVER-INCOME PERIOD.

- WHEREAS, one of the statutory amendments made by HOTMA adds an income limit to the Public Housing program; and,
- WHEREAS, federal law and HUD regulations require the Housing Authority to amend its Admissions and Continued Occupancy Policy to address the issue of "Over-Income" tenants; and
- WHEREAS: under the new rule, Public Housing households with adjusted household income exceeding 120% of area median income (AMI) for two (2) consecutive years are considered over-income; and
- WHEREAS, the HUD regulation gives every over income tenant 24 months of "grace period" during which, if their income should fall below the Over-income limit, these provisions do not apply; and
- WHEREAS, if the tenant family's income later exceeds the Over Income limit the 24-month grace period starts over; and
- WHEREAS, the Waco Housing Authority has determined that the most judicious course of action in this situation is to notify the affected over-income families when they first become over-income, again 12 months after they first become over-income and, finally, 24 months after they become over-income, that they will be required to find other housing and move out of public housing six months after the 24 month grace period;
- WHEREAS, that the Waco Authority will require all public housing tenants whose incomes exceed the Over-income Limit for 24 consecutive months to sign a Non-public housing Lease and pay a rent equal to the greater of the HUD Fair Market Rent or the HUD subsidy for their unit.
- WHEREAS, this resolution was considered at a regular meeting open to the public as required by law and notice of the time, place, and purpose of said meeting was given as required by Chapter 551 of the Texas Government Code:

NOW, THEREFORE, BE IT RESOLVED THAT the above resolution was approved by the Board of Commissioners of Waco Housing Authority & Affiliates on this the 13th day of June 2023.

 6/13/2023

Secretary

 6/13/2023

Chairperson of the Board

(SEAL)



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## Certificate of Completion

### Document Information

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RESOLUTION NO. 3868

RESOLUTION BY THE BOARD OF COMMISSIONERS OF WACO HOUSING AUTHORITY & AFFILIATES APPROVING THE ANNUAL REPORT TO BE SUBMITTED TO THE CITY COUNCIL OF THE CITY OF WACO.

WHEREAS, the policy governing the City of Waco Board & Commissions provides that an annual report be submitted to the City Council, and

WHEREAS, the Board of Commissioners of Waco Housing Authority & Affiliates falls into the category of boards that are approved by the Board of Commissions of the City of Waco, and

WHEREAS, the annual report has been compiled according to the guidelines and is ready for submission upon approval by the Board of Commissioners of Waco Housing Authority & Affiliates, and

WHEREAS, this resolution was considered at a regular meeting open to the public as required by law and notice of the time, place, and purpose of said meeting was given as required by Chapter 551 of the Texas Government Code:

NOW, THEREFORE, BE IT RESOLVED THAT the above resolution was approved by the Board of Commissioners of Waco Housing Authority & Affiliates on this the 13th day of June 2023.

Signature by  
Milet Hopping 6/13/2023

Secretary

Signature by  
Melli Wickliff, JD 6/13/2023

Chairperson of the Board

(SEAL)



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## Certificate of Completion

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