

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

PUBLIC HEARING

FOR COMMENT ON

2017 COMPETITIVE HOUSING TAX CREDIT APPLICATIONS

William B. Travis Building
Room 1-104
1701 N. Congress
Austin, Texas

6:00 p.m.

Tuesday,
April 11, 2016

PRESIDING: SHARON GAMBLE, 9% Competitive Housing
Tax Credit Program
Administrator

ON THE RECORD REPORTING
(512) 450-0342

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P R O C E E D I N G S

1
2 MS. GAMBLE: We're going to go on the record.
3 Good evening. Let the record show that it is six o'clock
4 p.m. My name is Sharon Gamble, and I'm here to conduct a
5 hearing on behalf of the Texas Department of Housing and
6 Community Affairs.

7 The Department's mission is to administer its
8 assigned programs efficiently, transparently and lawfully,
9 and to invest its resources strategically and develop high
10 quality affordable housing, which allows Texas communities
11 to thrive. Through our rental housing programs, the
12 Department encourages the new construction or
13 rehabilitation of high quality housing, primarily through
14 private developers. These developers benefit Texans by
15 providing qualified families and individuals with safe,
16 affordable, quality housing.

17 The Department considers public comment very
18 important, and to support the significance of the comment,
19 the Department is conducting six hearings around the State
20 of Texas in order to receive public comment for any of the
21 2017 Competitive Housing Tax Credit Applications. This
22 public hearing is being held in Austin at the William B.
23 Travis Building.

24 You may provide comment for any 2017
25 Competitive Housing Tax Credit Application. All comment

1 that you provide today will be recorded and a summary of
2 that comment will be presented to the Department's Board
3 prior to the final award recommendations.

4 If you wish to speak but haven't completed a
5 witness affirmation form, please be sure and complete one
6 and hand it to Marni during this meeting. Also, if you do
7 not wish to speak but would like to provide comment, your
8 witness affirmation form may also serve as comment and
9 will be included in the public comment summary presented
10 to the Department's Board. If you've not signed in,
11 please do so, so the Department will have a record of
12 attendance for this hearing.

13 If you're speaking on behalf of a group, feel
14 free to indicate this by asking all persons in the group
15 to stand. Each person will count as either support or
16 opposition based on your comments.

17 If there are any elected public officials here,
18 we would ask that they be given the courtesy of coming to
19 the microphone first. We will try and organize the
20 remaining witness affirmations so that folks wishing to
21 speak to the same development are heard at the same time.

22 When you come to the microphone, please state
23 your name clearly for the record, as well as the
24 development name and application number for which you are
25 speaking. You must come to the microphone to speak. Each

1 person will be given three minutes to make their comments.
2 Please take this into account when providing your comments
3 so as to provide everyone the opportunity to speak if they
4 want to.

5 Are there any questions before I begin?

6 (No response.)

7 MS. GAMBLE: Okay. And just so we're on the
8 record, I believe the majority of the crowd here is here
9 regarding Application Number 17024, Vista Bella. Correct?
10 Okay. Excellent.

11 So our first speaker will be Tom Monahan.

12 MR. MONAHAN: Good evening. My name is Tom
13 Monahan. I'm a resident of Lago Vista, Texas, located on
14 the upper end of Lake Travis. I'm here on behalf of the
15 concerned citizens of Lago Vista, of which many in the
16 group are here tonight, and if you'd like them to stand
17 and show themselves.

18 MS. GAMBLE: Thank you all for coming. I
19 noticed you got down here early to stay out of that
20 traffic.

21 MR. MONAHAN: And I believe they are conceding
22 their time to me to present the group comments.

23 We are supported by over 1,300 residents of
24 Lago Vista, as evidenced by a recent petition drive we
25 organized within the city. The following comments pertain

1 to the Vista Bell development project, Application Number
2 17204, in Region 7 Rural.

3 For the record, our group is supportive of a
4 low income housing tax credit project, just not this one.

5 Unlike Dripping Springs, with a low income housing tax
6 credit proposal of their own in our region, an affordable
7 workforce housing development, such as being proposed for
8 Lago Vista, was looked at but did not make into the city's
9 comprehensive plan which underwent a major revision just
10 last year. Instead, the plan's action items with respect
11 to affordable housing called for developing affordable
12 housing for 55 and over. Many seniors have moved to Lago
13 Vista for their retirement years.

14 While seniors needing low income housing would
15 be able to live in the proposed Vista Bella project, as
16 workforce housing, the project doesn't attempt to meet
17 Uniform Multifamily Rules, Section 10.101(b)(1)(B)(i),
18 design requirements for seniors, as there are no elevators
19 planned for this project, though it's a multistory design.

20 This will limit useful rental space available for
21 seniors, especially if units required to be set aside for
22 residents with special needs or disabilities must be on
23 the first level for accessibility.

24 As well, seniors would also prefer a dedicated,
25 single story, peaceful residence without the noise and

1 disturbances inherent to raising young families with small
2 children. In other words, they've already been there done
3 that, raising families in their younger years.

4 We appreciate TDHCA's recent thorough review of
5 the Vista Bella application for deficiencies in making the
6 notifications required by the QAP and Uniform Multifamily
7 Rules. While the outcome of the review resulted in the
8 technical determination that the LVPOA, Lago Vista POA,
9 was not required to be notified, this, as well as the
10 opportunity index scoring, would seem to point to a
11 deficiency in the rule, where the intent of the rule may
12 not be adequately addressed by the QAP language.

13 In Lago Vista, the LVPOA boundary is also the
14 property line boundary that completely encircles the Vista
15 Bella site, excluding the property from the POA. A visual
16 analogy is Vista Bell is the bull's-eye of a dart board
17 that is otherwise all part of the POA. It would seem
18 better rule language to require a property that is either
19 included, surrounded, encircled or otherwise contained by
20 a neighborhood organization boundary to require
21 notification rather than just included as current language
22 states. Development property neighbors should have a rule
23 more supportive of neighborhood organizations being able
24 to provide meaningful input on project support and
25 scoring.

1 The intent of opportunity index scoring would
2 seem to be scoring points for easy accessibility to
3 various services and facilities such as parks, recreation
4 facilities and medical services. The LVPOA owns and
5 operates the parks and recreational facilities in Lago
6 Vista that are closest to the Vista Bell site and well
7 within the four-mile radius, but the applicant cannot
8 claim any of them because the property is not part of the
9 POA, and residents will be unable to use any POA
10 facilities.

11 The most absurd, but apparently allowed by
12 rule, claims for opportunity index points by the applicant
13 is that for parks and outdoor recreational facilities.
14 The applicant is claiming points for both, though the park
15 is less than a mile as the crow flies from the development
16 site, it is on the other side of Lake Travis and about a
17 40-mile drive around the lake to get there. Green fees
18 for golf courses are \$40 per round, plus or minus, and it
19 would seem not many low income residents can afford to
20 spend their hard-earned money on any regular basis for
21 such an expensive outdoor recreational activity. Clearly
22 these claims should not be allowed for scoring, and if not
23 this year, a fix for next year's program would seem to be
24 in order.

25 Thank you for giving us this time. We know

1 this is your busy season, but we hope TDHCA could consider
2 our comments as they continue to review the Vista Bella
3 application. Thank you.

4 MS. GAMBLE: Our next speaker will be Melissa
5 Nagle.

6 MS. NAGLE: My name is Melissa Nagle. I'm a
7 resident of Lago Vista. I'm commenting on my own behalf
8 and not for the entire group. I'm commenting on Vista
9 Bell, Application 17204.

10 The application indicated four points for
11 community support, and I'm not sure how they can claim
12 community support since some of the community still has no
13 clue that the council even voted for this. I helped some
14 of the 1,300 signatures on the petition against the
15 workforce housing, and many people that I talked to had no
16 idea that our council even voted on this until after we
17 started the petition and social media communications.

18 An email in late January 2017, via open
19 records, shows three of our council members met with only
20 one of two developers, and at that meeting they had told
21 the developer they had the votes. In the same email, one
22 council member said they were going to post the agenda for
23 the meeting 72 hours of the meeting because they had to.
24 So how did they get all of the community support if they
25 waited 72 hours to post the agenda? I was there at the

1 February 2 council meeting, and for those that did know
2 about it, we sat there for 3-1/2 hours where the majority
3 of that meeting testified no to this. Again, how is that
4 community support? They did not properly notify the
5 citizens, ask or consider any community input, and had all
6 of this decided before the council meeting.

7 The application should be terminated for
8 misleading the Department of Housing and the citizens of
9 Lago Vista. This has divided our community and it will
10 not get better if you put this in our area. There are
11 huge debates on social media and a loss of confidence of
12 the Lago Vista City Council. It is a disservice to those
13 who might live there since this has become a largely
14 debated topic.

15 Let the records show that I have emailed Marni
16 a copy of this email that I'm referring to. Thank you for
17 your time.

18 MS. GAMBLE: Kevin Sullivan.

19 MR. SULLIVAN: My name is Kevin Sullivan. I'm
20 also a resident of Lago Vista; I'm also on the city
21 council, Place 2. I'm here talking about Vista Bella,
22 development number 17204.

23 So this has been discussed, as you can tell,
24 pretty vibrantly in our community. It's been all over the
25 map as far as people's opinions. I want to make a comment

1 relative to the 72 hours. We actually met two weeks prior
2 to the February 2 meeting. The other development was
3 there and spoke to us about their development. We
4 actively held that off and tabled it at that time so we
5 could come back two weeks later when both of them would
6 deliver their presentations at the same time. So bottom
7 line is the community knew about it two weeks prior to the
8 February 2 meeting. Anybody could have come to those
9 meetings to talk to us about it; we weren't hiding
10 anything. They came to us, those developers did, we did
11 not go to them. And in that meeting that we had, no one
12 said you have the vote. We went there in an information
13 gathering mode to hear what they had to say so we would
14 understand it so we could do our jobs as city council
15 people.

16 The folks that have put the petition together,
17 I admire their community spirit. The problem I have is
18 that when they went out to gather the signatures, they
19 misled people and they didn't provide enough information
20 so people could make a decision on their own. Recently I
21 went out and made a post on Facebook, tried to give as
22 much information -- it was a four-page post, okay? You
23 can't get many people to read a four-page post, it has had
24 1,316 views since I put it out less than two weeks ago.
25 They've spent two months getting 1,300 signatures by

1 giving false information. Okay?

2 The feedback I've received, both online, via
3 email, phone, in-person, the majority of it has been
4 positive. Have I received negative feedback? Absolutely.

5 But the majority of it has been positive. Okay?

6 Our chief of the fire department and EMS wrote
7 a letter in support of this. A lot of these folks will
8 come up and say it does nothing for our neighborhood. He
9 wrote a letter saying we need this because I'm having
10 trouble getting firefighters to come work in our
11 community. They can't afford to live here and they're not
12 going to take the drive to get out here. I had a city
13 employee that came to me and said, God bless you for
14 supporting this. We've got first responders, we've got
15 teachers, we've got city employees, we've got service
16 workers in our community. We're not talking about people
17 coming from outside of our community to come to use this,
18 people in our community need this.

19 And the biggest problem I'm having is at our
20 meeting at the very end, it was pretty obvious that a lot
21 of the detractors were beginning to warm to the 55-plus,
22 and I asked them point blank if the 55-plus could be moved
23 over to the place where it was zoned multifamily housing,
24 and overwhelmingly they said yes. So the bottom line is
25 that they are discriminating against people based on one

1 thing, and that is their age: we do not want young low
2 income people in our neighborhood, in our community. That
3 is what this is all about. Okay?

4 And what I've got here, I'm going to turn this
5 over to you, I have the four-page post that I made that
6 laid out all the information that I gathered during the
7 time period when I was investigating this, trying to find
8 out was this right for our community or not, and I also
9 have 39 pages worth of posts that some of these people
10 have made on social media, and you can judge for yourself
11 why they don't want it in our community.

12 And that's all I have to say. Thank you very
13 much. I appreciate the time.

14 MS. GAMBLE: Thank you, sir.

15 Dennis Bailey.

16 MR. BAILEY: (Speaking from audience.) They've
17 already said everything I was going to talk about

18 MS. GAMBLE: Excellent.

19 Larry Strelau.

20 MR. STRELAU: My name is Larry Strelau. I live
21 in Lago Vista, speaking about the Vista Bella, 17204.

22 I changed my mind as I walked up here because I
23 had something else to say, and I guess what bothers me
24 most, the points awarded by city council support and
25 community support, the 72-hour notice I believe is valid,

1 that's what happened. A mention of something happened two
2 weeks prior to that, I'm not sure if the citizens were
3 involved in that, but I think there was a ton of
4 information that happened after the council meeting. As
5 the councilman just said, there was a four-page post about
6 a lot of information. Why did it happen afterwards? This
7 should have taken place before the council meeting. The
8 citizens were not educated.

9 We have ten acres of land. We have a city
10 government, we have a state government and we have a
11 federal government, they're all involved in one way or
12 another. We have city councilmen, we have a state
13 representative. There's lots of players in this, lots of
14 money. There's a term how long it lasts. There's a lot
15 of information that the citizens should have been educated
16 on and we weren't.

17 That's all I have to say.

18 MS. GAMBLE: Thank you, sir.

19 That's all of the comment that I have for the
20 Vista Bella application. Does anyone else wish to speak
21 regarding that one?

22 We'll have you speak an then you can complete
23 the form afterwards. Just state your name, please.

24 MR. NAGLE: My name is Brad Nagle from Lago
25 Vista, Texas, looking at development 17204.

1 Some of our elected officials have been in a
2 conduct that is unbecoming of an elected official, in my
3 opinion. Again, this is my own personal statement, not on
4 behalf of my group.

5 A lot of what has been talked about up here on
6 the city council's side I would like to protest. 1,300
7 views on a post does not mean that they agree with the
8 post, it just means they saw the post, first off, so views
9 do not equal support. Also, we have open record requests
10 with everything that has to do with emails from the city
11 that me and my wife have done, and we have several points
12 that my wife has submitted to you on my behalf as well.

13 The conduct that I'm talking about is I
14 understand that there's been some discriminatory comments
15 that have been made on both sides of this, but I
16 definitely would hold the city council to a higher
17 standard since they're supposed to be the leaders of our
18 community. I just don't understand where this support is
19 coming from. As you can see, the people that represent
20 the opposition are here; I only see one, maybe two people
21 on the support of this, and I think if there was more
22 support for this, you would see it more in this crowd
23 that's here right now.

24 That's all I have to say.

25 MS. GAMBLE: Thank you.

1 Our next speaker, Henry Flores.

2 MR. FLORES: (Speaking from audience.) I don't
3 have a desire to speak.

4 MS. GAMBLE: Okay. Thank you, Henry.

5 In closing, a detailed log of all applications
6 is posted to the Department's website. Written and
7 emailed comments outside of this meeting are also
8 encouraged. Such comments must be submitted prior to five
9 o'clock p.m., Austin local time, by June 23, 2017. Public
10 comment is very important to the Department. Your
11 comments will be included in the Board summary for each
12 application considered for an award. The Board will make
13 final decisions for allocations in the 2017 Competitive
14 Housing Tax Credit Application round at the July 27, 2017
15 meeting.

16 For additional information, you may contact me.

17 Again, if you want my contact information, I have
18 business cards on the table, or you can visit the
19 program's website at www.tdhca.state.tx.us.

20 Thank you for your participation. This
21 concludes the public hearing. Let the record show it is
22 6:27 p.m. The hearing is now adjourned.

23 (Whereupon, at 6:27 p.m., the hearing was
24 adjourned.)

C E R T I F I C A T E

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3 IN RE: TDHCA Public Hearing on 2017 Competitive
4 Housing Tax Credit Applications

5 LOCATION: Austin, Texas

6 DATE: April 11, 2017

7 I do hereby certify that the foregoing pages,
8 numbers 1 through 17, inclusive, are the true, accurate,
9 and complete transcript prepared from the verbal recording
10 made by electronic recording by Nancy H. King before the
11 Texas Department of Housing and Community Affairs.
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Nancy H. King 4/18/2017
(Transcriber) (Date)

On the Record Reporting
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