

**Dawn Buckingham, M.D.**  
Commissioner, General Land Office  
Chairwoman

**James Rothfelder**  
Board Member



**Tony Dale**  
US Army Veteran  
Executive Secretary

**Judson Scott**  
Rear Admiral, US Navy (Retired)  
Board Member

## **TEXAS VETERANS LAND BOARD**

### **NOTICE OF SPECIAL CALLED MEETING, TEXAS VETERANS LAND BOARD**

The Texas Veterans Land Board will conduct a special called meeting to be held in person on February 13, 2024, at 10:00 A.M. at Stephen F. Austin Building, 1700 N. Congress Ave., Room 170, in accordance with the Texas Government Code §551 (Open Meetings Act).

Access to the meeting by members of the public will be published in advance in the Texas Register in accordance with the Texas Open Meetings Act. A link to access the meeting via video conference call will be posted on the Texas General Land Office's website on the morning of the meeting.

Any member of the public who wishes to address the Veterans Land Board on a matter within the authority of the Veterans Land Board should indicate so at the start of the meeting or during any public comment period.

### **AGENDA**

1. Call to order.
  - a. Roll call/quorum established.
  - b. Invocation.
  - c. Pledge of Allegiance to the US and Texas flags.
  - d. Presentation of Alamo flag by Board to Chaplain.
2. Approval of minutes from the meeting of October 19, 2023.
3. Citizen communication (Two Minutes each. No deliberations with the Board. The Board may respond only with factual statements, recitation of existing policy, and requests for an item to be placed on a future Agenda.)
4. Chair and Board Member Opening Comments.
5. Veterans Land Board Bond Funds Management.
  - a. Quarterly Veterans Land, Housing and Home Improvement Program Production Update for Fiscal Year 2024 1st Quarter.

6. Veterans Land Board Land and Housing.
  - a. Consideration and possible action to set aside bids received from the Online Bidding Forfeited Land Sale held January 25, 2024, on any tract where the account holder is making an appeal.
  - b. Consideration and possible action to accept and award all qualified high bids received from the Online Bidding Forfeited Land Sale held January 25, 2024.
  - c. Consideration and possible action on request to forfeit VLB delinquent land accounts and accounts involved in tax suits.
  - d. Consideration and possible action on request to Order for Sale land tracts that may be included in the next Online Bidding Forfeited Land Sale and to set the next Quarterly Electronic Forfeited Land Sale bidding period to begin March 4, 2024, through April 18, 2024.
  - e. Report on the Veterans Administration pause on foreclosures of VA-guaranteed loans and extension of the COVID-19 Refund Modification program through May 31, 2024.
7. Texas State Veterans Cemeteries.
  - a. Report on State Veterans Cemetery operations.
  - b. Presentation of Operational Excellence Award from the National Cemetery Administration.
8. Texas State Veterans Homes.
  - a. Report on State Veterans Homes.
  - b. Consideration and possible action to set resident room rates for the Tuskegee Airmen Texas State Veterans Home in Fort Worth and other related matters.
9. Contract Management.
  - a. Presentation and discussion on the Annual Report of VLB Contracts & Major Contracts.
10. Executive Secretary Report.
  - a. Consideration and possible action on Board policies.
  - b. Report on Veterans Land Board operations.

## **II. EXECUTIVE SESSION**

*In accordance with Chapter 551, Government Code, the Texas Veteran Land Board will now convene in Executive Session pursuant to the following provisions of the Texas Open Meetings Act, Chapter 551, of the Texas Government Code:*

- a. Section 551.071 - Consultation with attorney regarding issues concerning construction and warranty at the Richard A. Anderson Texas State Veterans Home in Houston, Texas.
- b. Section 551.071 - Consultation with attorney regarding issues concerning construction at the Tuskegee Airmen Texas State Veterans Home in Fort Worth, Texas.

### **III. RECONVIENE REGULAR AGENDA**

11. Consider Action, If Any, On Items Discussed in Executive Session.
12. Chair and Board Member Closing Comments.
13. Adjournment.

*An unscheduled Closed Executive Session may be called to discuss any item on this posted agenda provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.*

*The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. All agenda items are subject to final action by the Board. Separate agenda items may be combined and discussed together at the discretion of the Chair. Any final action, decision, or vote on a matter deliberated in Closed Executive Session shall be made in an open meeting pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code. Certain information may be presented to and by the Board, under the headings of "Citizen Communications", and "Board Comments" however, by law, the Board shall not discuss, deliberate, or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place. The General Counsel has approved the Executive Session Items on this agenda.*

*The Texas Veterans Land Board meeting room is wheelchair accessible and accessible parking spots are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact (800)998-4456 for further information.*

A handwritten signature in black ink that reads "Tony Dale". The signature is written in a cursive, flowing style with a horizontal line above the first few letters.

**ANTHONY W. DALE**  
Executive Secretary

# Texas Army National Guard

**Chaplain Captain Amanda Williams**

**2<sup>nd</sup> Battalion, 149<sup>th</sup> Aviation Regiment, 36<sup>th</sup> Combat Aviation Brigade**

Chaplain Amanda Williams is the Battalion Chaplain for the 2nd Battalion, 149th General Support Aviation Battalion (GASB) located in Grand Prairie, Texas. The unit's motto is "Beyond And Above." 2nd Battalion, 149th Aviation Regiment is under the 36th Combat Aviation Brigade. It operates several subordinate units within Texas and has many detachments located in partner states. Originally organized as the 149th Aviation Battalion, the 149th Aviation Regiment 2nd Battalion is classified as a General Support Battalion. In 2017 the 2nd General Service Aviation Battalion won the Army National Guard contest for Aviation Unit of the Year.



Captain Williams began her career as an enlisted soldier advancing to the rank of Staff Sergeant before transitioning to become a commissioned officer.

Recently promoted to the rank of Captain, Chaplain Williams has served in the military for 19 years. In May 2023 she returned to Texas from a nine-month deployment in the Middle East. When she is not serving the country and the great State of Texas, she works at GEICO, as an Auto Damage Supervisor. She volunteers at the Travis County Jail providing ministry and she volunteers at Victory City Church. She has a son (18), and daughter (14) that light up her life.



TEXAS VETERANS LAND BOARD  
SPECIAL CALLED MEETING  
Thursday, October 19, 2023, 10:00 a.m.  
1700 Congress Avenue, Room 170, Austin, TX 78701

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1. Opening

- a. Chairwoman Dawn Buckingham, M.D. called the meeting to order at 10:00 a.m.
- b. The Chair declared a quorum present.

Members present were:

Chairwoman Dawn Buckingham, M.D.  
Board Member Judson Scott  
Board Member James Rothfelder

Also present:

Executive Secretary Tony Dale  
General Counsel Jeff Gordon

- c. The Chair led the Pledge of Allegiance to the U.S. and Texas flags.
  - d. Invocation was led by Chaplain Mark George, U.S. Army veteran.
    - i. Presentation to Chaplain by Chairwoman Buckingham of a flag flown over the Alamo in honor of his contributions to veterans.
2. Approval of the minutes from the regular Board meeting of July 24, 2023. Approved with no objections.
3. Citizen Communications. No members of the public testified during citizen communications.
4. Chair and Board Member Opening Comments. Members Rothfelder and Scott made comments thanking staff for their help and support.
5. Veterans Land Board Land and Housing
- a. Consideration and possible action to set aside bids received from the Online Bidding Forfeited Land Sale held October 12, 2023, on any tract where the account holder is making an appeal. No action required; therefore, no action was taken.

- b. Consideration and possible action to accept and award all qualified high bids received from the Online Bidding Forfeited Land Sale held October 12, 2023. Motion was made by Mr. Scott and seconded by Mr. Rothfelder, to approve according to staff recommendations. The motion carried unanimously.
  - c. Consideration and possible action on request to forfeit Veterans Land Board delinquent land accounts and accounts involved in tax suits. Motion was made by Mr. Rothfelder and seconded by Mr. Scott, to approve according to staff recommendations. The motion carried unanimously
  - d. Consideration and possible action to set the next Quarterly Electronic Forfeited Land Sale bidding period to begin December 11, 2023, through January 25, 2024, at 5:00 p.m. Motion was made by Mr. Scott and seconded by Mr. Rothfelder, to approve according to staff recommendations. The motion carried unanimously.
  - e. Consideration and possible action on delegation of authority to the Executive Secretary to raise home loan maximum amount to match the Veterans Administration (VA) and Federal Housing Finance Agency (FHFA) limits. Motion was made by Mr. Rothfelder and seconded by Mr. Scott, to approve according to staff recommendations. The motion carried unanimously.
6. Veterans Land Board Bond Funds Management
- a. Quarterly financial report. For information only. No action required; therefore, no action was taken.
  - b. Consideration and possible action on revision of Investment Policy Statement and providing for other matters relating to the subject. Motion was made by Mr. Scott and seconded by Mr. Rothfelder, to approve according to staff recommendations. The motion carried unanimously.
  - c. Consideration and possible action on loan rates in the Veterans Housing Assistance Program and Veterans Land Program, and other matters in connection therewith. Motion was made by Mr. Rothfelder and seconded by Mr. Scott, to approve according to staff recommendations. The motion carried unanimously
7. Texas State Veterans Cemeteries
- a. Report on cemetery operations and introduction of program staff. No action required; therefore, no action was taken.
  - b. Consideration and possible action on eligibility for cemetery services to members of the Texas Military Forces killed on state active duty or during state training or other duty. Motion was made by Mr. Scott and seconded by Mr.

Rothfelder, to approve according to staff recommendations. The motion carried unanimously.

- c. Consideration and possible action on delegation of authority to the Executive Secretary to execute a contract with the City of Killeen for an operations and management contract for the Central Texas State Veterans Cemetery. Motion was made by Mr. Scott and seconded by Mr. Rothfelder, to approve according to staff recommendations. The motion carried unanimously.

#### 8. Texas State Veterans Homes

- a. Report on state veteran home operations to include status of construction and pending opening of the Tuskegee Airmen State Veterans Home in Fort Worth. No action required; therefore, no action was taken.

#### 9. Internal Audit

- a. Report on results of Texas State Veterans Cemetery Operations Contract Management audit. No action required; therefore, no action was taken.
- b. Consideration and possible action to delegate authority to the Executive Secretary to issue a solicitation for audit services and execute a contract for audit services and notification to the Board of FY2024 Audit Plan. Motion was made by Mr. Rothfelder and seconded by Mr. Scott, to approve according to staff recommendations. The motion carried unanimously.

#### 10. Construction Services

- a. Consideration and possible action on an amendment to the major contract policy. Motion was made by Mr. Scott and seconded by Mr. Rothfelder, to approve according to staff recommendations. The motion carried unanimously.
- b. Consideration and possible action on delegation of authority to the Executive Secretary to execute job order contracts for heating, ventilation, and air conditioning (HVAC) upgrades at Texas State Veterans Homes. Motion was made by Mr. Scott and seconded by Mr. Rothfelder, to approve according to staff recommendations. The motion carried unanimously.
- c. Consideration and possible action on a job order contract on Project #121008-COV4, in the amount of \$2,303,000 with Basic SDV for HVAC Upgrade/Isolation Wing & HEPA Filtration at Watkins-Logan Home in Tyler, Texas. Motion was made by Mr. Rothfelder and seconded by Mr. Scott, to approve according to staff recommendations. The motion carried unanimously.

## 11. Executive Secretary Report

- a. Report on Veterans Land Board operations. No action required; therefore, no action was taken.
- b. Consideration and possible action on board policies. Motion was made by Mr. Rothfelder and seconded by Mr. Scott, to approve according to staff recommendations. The motion carried unanimously.
- c. Consideration and possible action to select Robert Miri as Board Secretary. Motion was made by the Chair and seconded by Mr. Scott, to approve according to staff recommendations. The motion carried unanimously.
- d. Consideration and possible action to select Darren Fitz Gerald as Assistant Executive Secretary. Motion was made by the Chair and seconded by Mr. Scott, to approve according to staff recommendations. The motion carried unanimously.

## **II. EXECUTIVE SESSION**

In accordance with Section 551.071, Government Code, consultation with attorney regarding issues concerning construction and warranty at the Richard A. Anderson Texas State Veterans Home in Houston, the Texas Veterans Land Board went into executive session at 11:12 a.m. After the announcement of the executive session, but prior to convening for the executive session, Mark Havens, replaced Chairwoman Buckingham as Chair of the Special Called Meeting and remained the Chair for the remainder of the meeting.

The Board reconvened from executive session at 11:34am.

12. Chair and Board Member Closing Comments. No Comments.

13. Adjournment. There being no further business before the Veterans Land Board, the meeting was adjourned at 11:35am.

**ATTEST:**

**APPROVED:**

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Anthony Dale  
Executive Secretary

\_\_\_\_\_  
James Rothfelder  
Board Member





# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

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**Date:** February 13, 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** John Barton, Director of VLB Bond Funds Management

**Subject:** Agenda Item 5 a - Quarterly Veterans Land, Housing and Home Improvement Program Production Update for Fiscal Year 2024 1st Quarter.

**Recommendation:** This agenda item requires no action from the Board.

### Loan Demand – Housing

In 1983, the Legislature created the VLB Veterans Housing Assistance Program to assist Texas Veterans and Military Members in purchasing a home. Through this program, eligible Texas Veterans and Military Members have an opportunity to purchase a home with a low-interest loan with little or no money down.

Consumer demand for home loans is down across the country in response to rising interest rates. Loan interest rates are at a 20-year high. On average, the VLB closes loans that are valued at about \$40-\$50 million per month. Demand for FY2024 Q1 averaged \$31 million per month. Correspondingly, the VLB home loan program experienced a 52.3% decrease in FY 2024 Q1 versus FY 2023 Q1. The decrease was not unexpected as borrowers rushed to lock-in interest rates as they were rising during the previous year’s quarter and the historically high interest rates seen during the current quarter likely kept some borrowers on the sideline.

	FY2024 Q1	FY2023 Q1	Variance
Housing Loan Value	\$94,100,000	\$197,000,000	(\$102,900,000)
Housing Loans Closed	237	494	(257)

Loan reservations by veterans in FY2024 Q1 indicate demand in the average historical range of \$400-\$500 million for the full fiscal year. The expected demand is in line with VLB funding expectations and financials. Demand could increase as interest rates have decreased from their peak in October.

### Loan Demand – Home Improvement

VLB offers qualified veterans or military members loans to help pay for home repairs or upgrades through the Texas Veterans Home Improvement Program (VHIP). This program was introduced in 1986 and provides the same below-market interest rate as the housing loans.

	FY2024 Q1	FY2023 Q1	Variance
Home Improvement Loan Value	\$915,475	\$649,582	\$265,893
Home Improvement Loans Closed	39	28	11

Housing and Home Improvement Loan Rate Setting Process

VLB's current weekly rate-resetting process revolves around setting a "base" rate that is 15-150 basis points below our constructed market rate. A basis point is a unit of measurement for interest rates and other percentages in finance. For example, a 1% change is equal to 100 basis points. Eligible disabled borrowers are allowed a 50-basis point reduction to the "base" rate. FY2024 Q1 base rates averaged 7.10% while FY2023 Q1 base rates averaged 6.08%. Since the beginning of December base rates have averaged 6.22%.

Loan Demand - Land

The VLB Veterans Land Loan Program is the only one of its kind in the nation. It provides Texas Veterans and Military Members the opportunity to borrow money to purchase land at favorable interest rates and terms while only requiring a minimum 5% down payment.

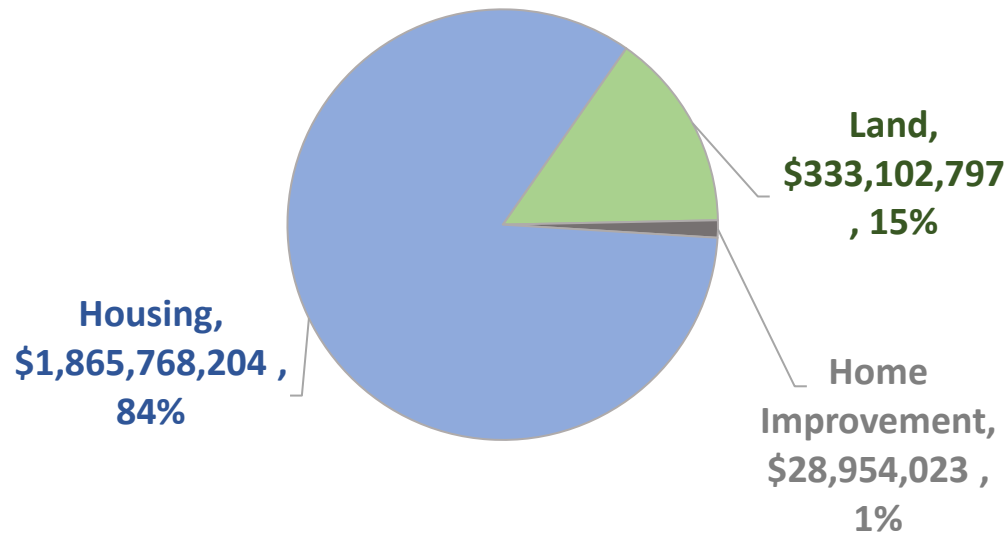
Demand for land loans remains strong. Comparing the same quarter year-over-year there is an increase of 51.5% more in loan value with a 51.8% increase in the number of loans closed.

The current loan interest rate for the land program is 7.25%.

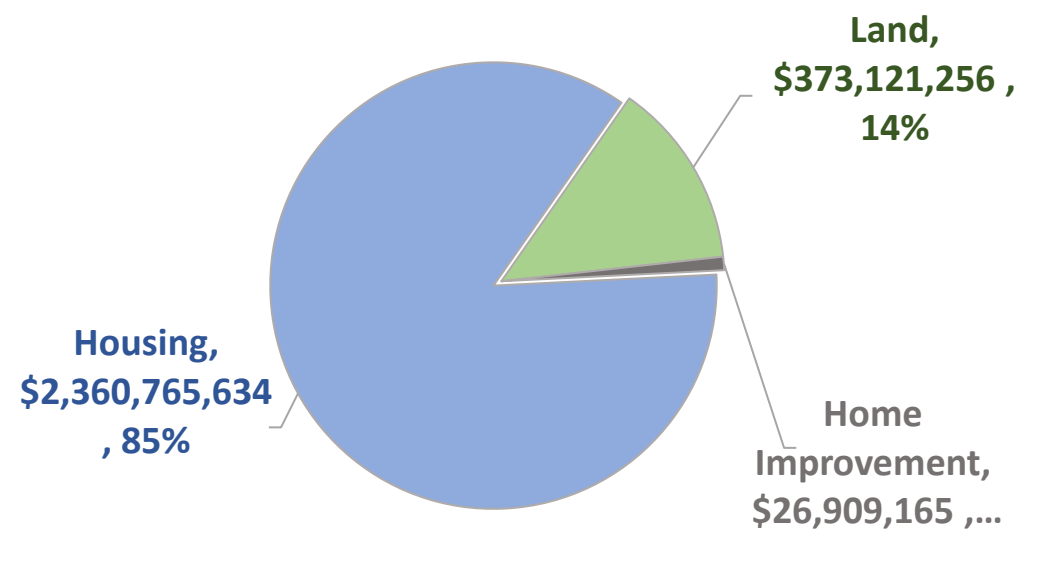
	FY2024 Q1	FY2023 Q1	Variance
Land Loan Value	\$27,400,000	\$18,100,000	\$9,300,000
Land Loans Closed	258	170	88

# Fiscal Year 2024-Q1 Loan Summary Report

LOAN PORTFOLIO- FY 2023 Q1

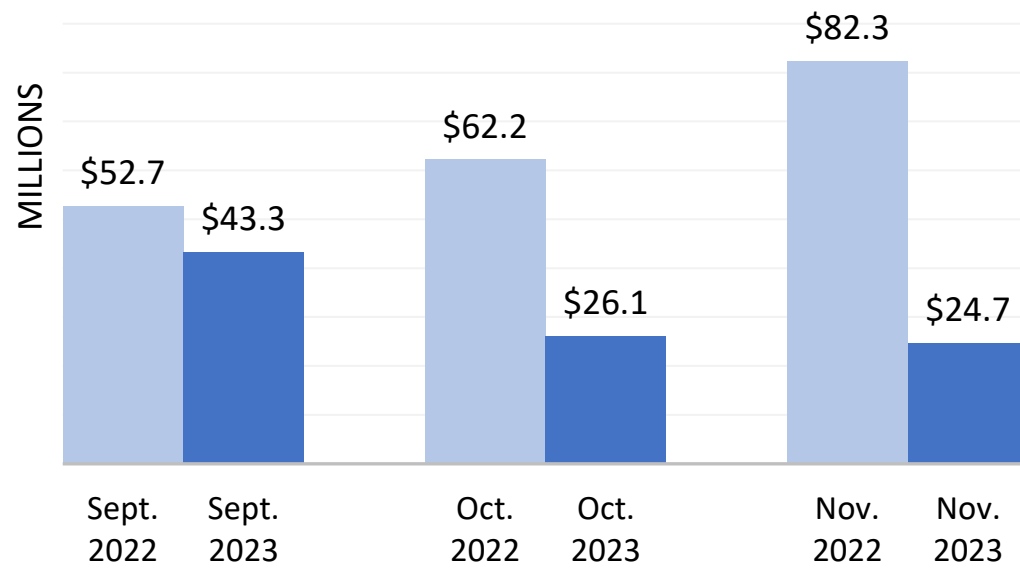


LOAN PORTFOLIO - FY 2024 Q1

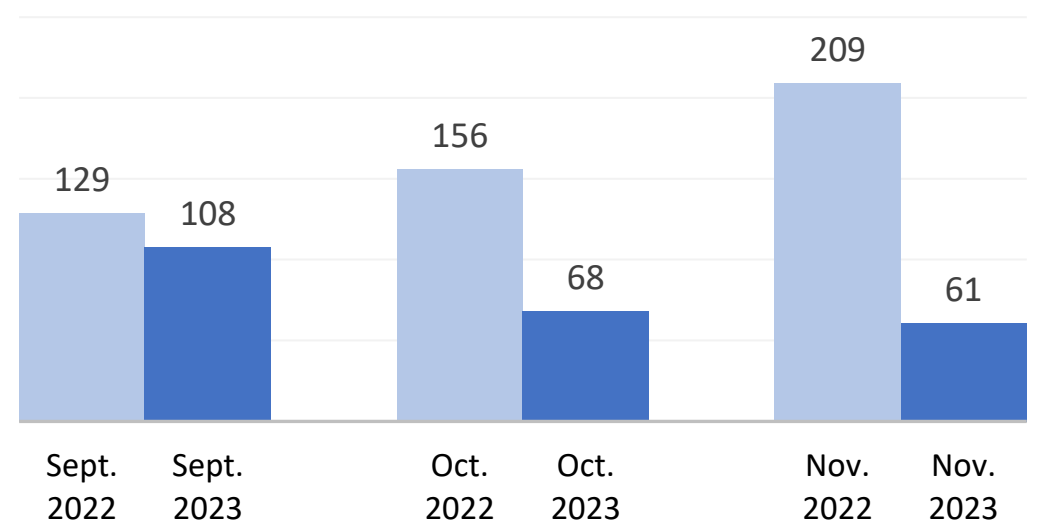


## Housing Loans

Housing Loans Purchased



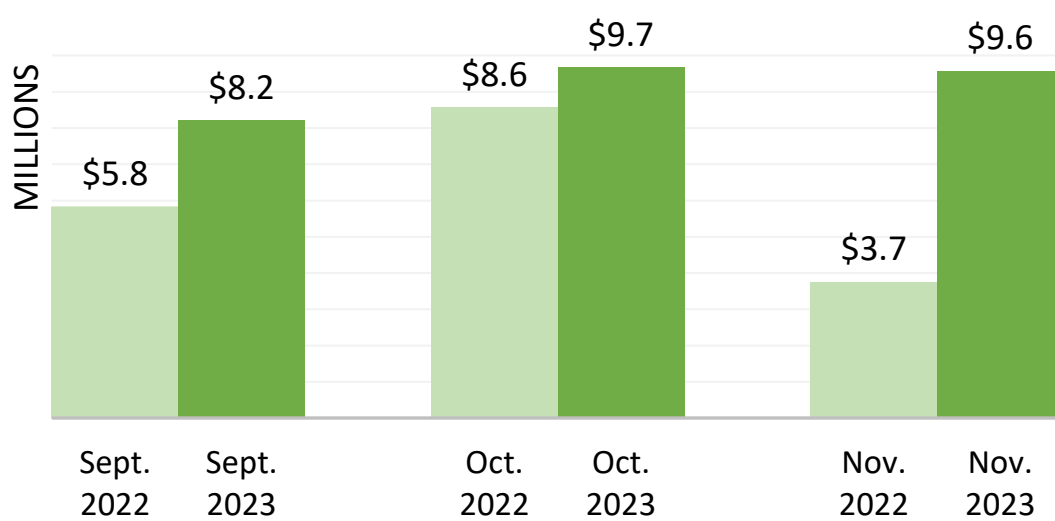
Number of Housing Loans



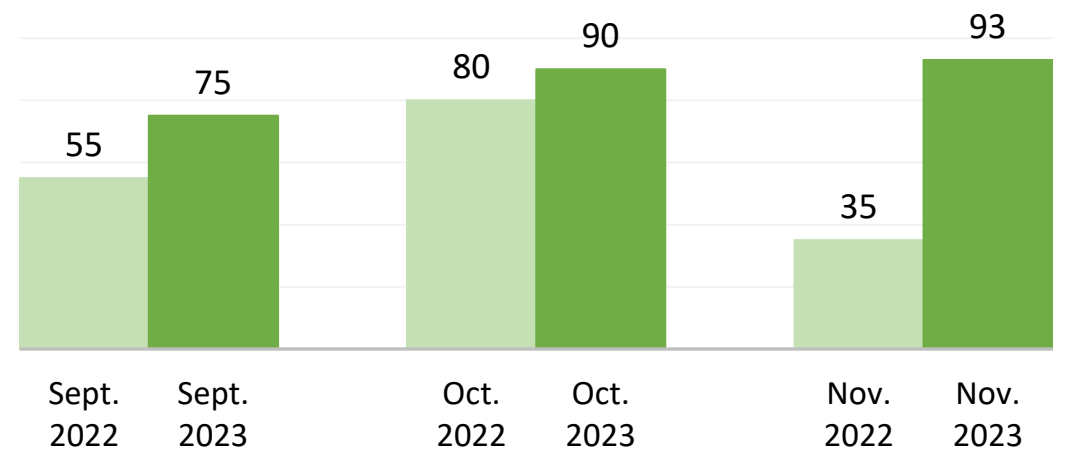
- \$94.1 Million in Housing Loans
- \$397,228 Average Housing Loan
- 6.60% Average Interest Rate

## Land Loans

Land Loans

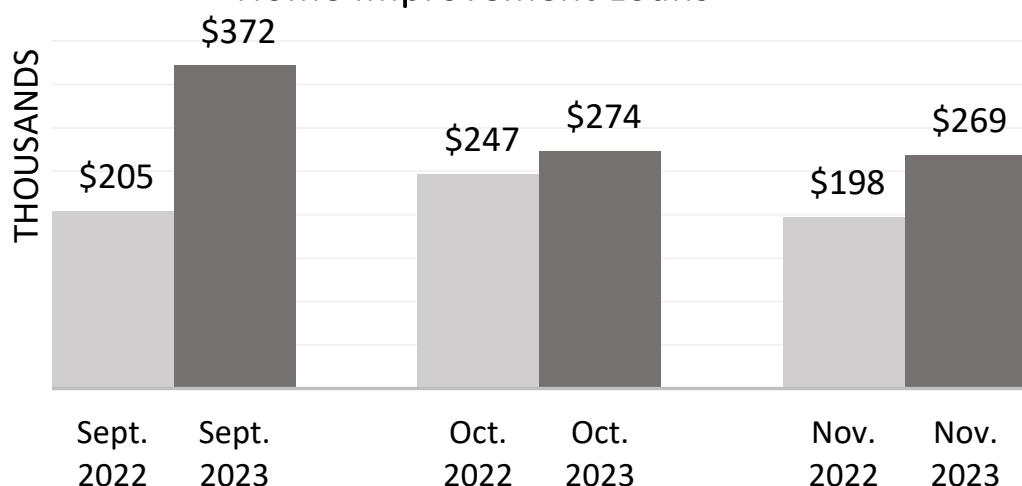


Number of Land Loans

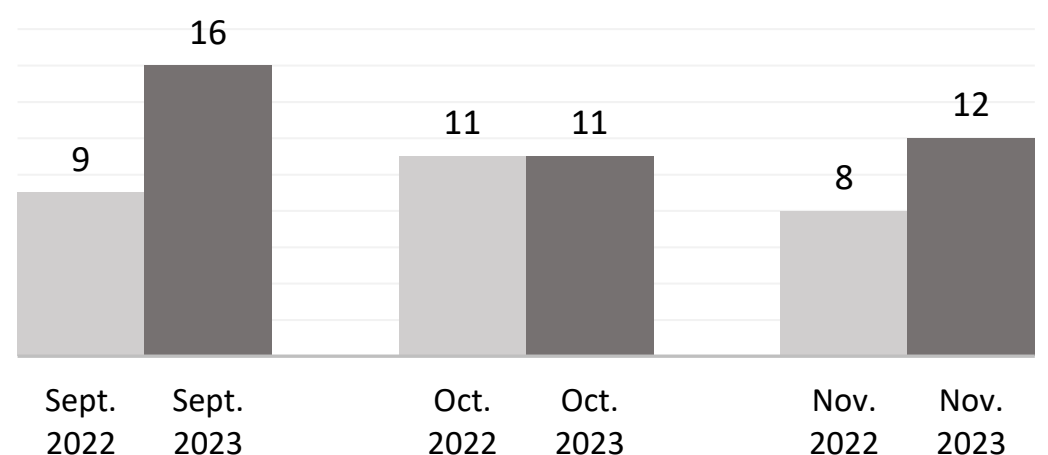


## Home Improvement Loans

Home Improvement Loans



Number of Home Improvement Loans



- \$915,475 in Home Improvement Loans
- \$24,473 Average Home Improvement Loan Amount



# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

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**Date:** February 13, 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** Raul Gonzales, Deputy Director of Land & Housing

**Subject:** Agenda Item 6 a - Consideration and possible action to set aside bids received from the Online Bidding Forfeited Land Sale held January 25, 2024, on any tract where the account holder is making an appeal.

**RECOMMENDATION:** There were no appeals submitted; therefore, Agenda Item 6 a is a non-action item.



# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

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**Date:** February 13, 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** Raul Gonzales, Deputy Director of Land & Housing

**Subject:** Agenda Item 6 b - Consideration and possible action to accept and award all qualified high bids received from the Online Bidding Forfeited Land Sale held January 25, 2024.

**RECOMMENDATION:** Staff recommends that the Board award all high bids that meet qualifications for the land program.

**BACKGROUND:** There were seven tracts offered during the Veteran's Land Sale online bidding period from December 11, 2023, through January 25, 2024. A total of 105 bids were received for the tracts listed resulting in seven high bids totaling \$797,304.53.

**January 25, 2024**  
**Veterans Land Sale**  
**Awarded Tracts Pending Review Of Bidder Qualifications**

<b>COUNTY</b>	<b>TRACT NUMBER</b>	<b>AMOUNT OF BID</b>	<b>NAME</b>
San Jacinto	14882	\$166,000.00	Keith Mcbride
Comal	14902	\$155,000.00	Mark Bourland
Freestone	14903	\$71,153.53	Keith Watts
Hill	14904	\$151,000.00	Harold Decluette
Henderson	14905	\$84,000.00	Raymundo Munoz
Jackson	14906	\$50,151.00	Ray Meyer
Walker	14907	\$120,000.00	Ericks King
<b>Total Count</b>	<b>7</b>	<b>\$797,304.53</b>	

**January 25, 2024  
Veterans Land Sale  
Summary Of All Bids**

<b>TRACT NUMBER</b>	<b>AMOUNT OF BID</b>	<b>MINIMUM BID</b>	<b>BID PREFERENCE</b>	<b>NAME</b>	<b>COUNTY</b>
14882	\$166,000.00	\$149,500.00	1	KEITH MCBRIDE	San Jacinto
	\$160,900.00	\$149,500.00	1	DANA SHADBOLT	San Jacinto
	\$160,000.00	\$149,500.00	1	DANIEL ANGELL	San Jacinto
	\$160,000.00	\$149,500.00	2	SAL PAKUTEH	San Jacinto
	\$160,000.00	\$149,500.00	1	MATTHEW SWANN	San Jacinto
	\$158,500.00	\$149,500.00	1	JOSEPH CRUZ	San Jacinto
	\$156,252.00	\$149,500.00	1	DEREK GUERIN	San Jacinto
	\$155,501.01	\$149,500.00	1	WILLIAM COWAN	San Jacinto
	\$155,000.00	\$149,500.00	1	MIGUEL DANIEL	San Jacinto
	\$151,500.50	\$149,500.00	1	MONICA MARTINEZ	San Jacinto
	\$151,500.50	\$149,500.00	1	JOSHUA FISHER	San Jacinto
	\$151,300.00	\$149,500.00	1	GERARD SWONKE	San Jacinto
	\$151,000.00	\$149,500.00	3	OSCAR JONES	San Jacinto
	\$151,000.00	\$149,500.00	2	GALA SAPP	San Jacinto
	\$150,999.00	\$149,500.00	4	KEITH NIMLO	San Jacinto
	\$150,500.00	\$149,500.00	1	LEON CHOVAN	San Jacinto
	\$150,101.00	\$149,500.00	1	CEDRIC FOSTER	San Jacinto
	\$150,000.00	\$149,500.00	1	BRANDON JONES	San Jacinto
	\$150,000.00	\$149,500.00	3	SUNIL SUDIGALA	San Jacinto
	\$150,000.00	\$149,500.00	2	CHARLIE SQUARE	San Jacinto
	\$150,000.00	\$149,500.00	1	JAMAL GONZALEZ	San Jacinto
	\$149,600.00	\$149,500.00	1	MARCO SANCHEZ	San Jacinto
	\$149,505.00	\$149,500.00	1	JAVAN WILLIAMSON	San Jacinto
	\$149,501.00	\$149,500.00	1	OLUWAKAYODE BAIYEWU	San Jacinto
	\$149,500.00	\$149,500.00	1	EDWARD LOPEZ	San Jacinto

**January 25, 2024  
Veterans Land Sale  
Summary Of All Bids**

	\$149,500.00	\$149,500.00	2	SURAJ ADEYEMO	San Jacinto
	\$149,500.00	\$149,500.00	1	JUSTIN FAUGHN	San Jacinto
	\$149,500.00	\$149,500.00	1	LISSETTE WALKER	San Jacinto
14902	\$155,000.00	\$150,000.00	2	MARK BOURLAND	Comal
	\$152,000.00	\$150,000.00	2	THOMAS HERMAN	Comal
	\$152,000.00	\$150,000.00	1	SAUNDRA MARTINEZ	Comal
	\$151,000.99	\$150,000.00	1	MILTON CONNALLY	Comal
14903	\$75,151.00	\$66,000.00	2	RAY MEYER	Freestone
	\$71,153.53	\$66,000.00	1	KEITH WATTS	Freestone
	\$70,007.00	\$66,000.00	1	EARL STEVENS	Freestone
	\$70,000.00	\$66,000.00	1	MICHAEL GARCIA	Freestone
	\$70,000.00	\$66,000.00	3	DEION BLACK	Freestone
	\$70,000.00	\$66,000.00	1	OSCAR JONES	Freestone
	\$70,000.00	\$66,000.00	1	SUNIL SUDIGALA	Freestone
	\$70,000.00	\$66,000.00	1	ERIC GREMP	Freestone
	\$69,000.00	\$66,000.00	2	JAMAL GONZALEZ	Freestone
	\$68,599.00	\$66,000.00	1	KEITH NIMLO	Freestone
	\$67,000.00	\$66,000.00	1	ALFRED JOHNSON	Freestone
	\$66,500.00	\$66,000.00	1	BRIAN REAUX	Freestone
	\$66,500.00	\$66,000.00	2	NAJA GOOLEY	Freestone
	\$66,200.00	\$66,000.00	4	CHARLIE SQUARE	Freestone
	\$66,100.00	\$66,000.00	1	ARNOLD BROWN	Freestone
	\$66,100.00	\$66,000.00	1	KENNETH QUIGLEY	Freestone
	\$66,000.00	\$66,000.00	1	SURAJ ADEYEMO	Freestone
	\$66,000.00	\$66,000.00	1	SUNSHINE WOODARD	Freestone
	\$66,000.00	\$66,000.00	1	ANTHONY JENNINGS	Freestone
14904	\$151,000.00	\$115,000.00	1	HAROLD DECLUETTE	Hill



**January 25, 2024  
Veterans Land Sale  
Summary Of All Bids**

\$150,000.00	\$115,000.00	1	ESTEVAN GUTIERREZ	Hill
\$135,000.00	\$115,000.00	1	SAL PAKUTEH	Hill
\$132,000.00	\$115,000.00	1	ANDREW AVILA	Hill
\$126,000.00	\$115,000.00	1	MARK BOURLAND	Hill
\$125,000.00	\$115,000.00	1	JARRETT VEREEN	Hill
\$120,600.00	\$115,000.00	1	CURTIS DAVIS	Hill
\$120,500.00	\$115,000.00	1	JOSHUA PINSON	Hill
\$120,151.00	\$115,000.00	4	RAY MEYER	Hill
\$120,000.00	\$115,000.00	3	JAMAL GONZALEZ	Hill
\$120,000.00	\$115,000.00	1	ANTHONY RIVES	Hill
\$119,065.00	\$115,000.00	2	OSCAR JONES	Hill
\$119,000.00	\$115,000.00	1	RICHEY CARLSON	Hill
\$118,118.00	\$115,000.00	1	VICKIE SMITH	Hill
\$118,000.00	\$115,000.00	2	SUNIL SUDIGALA	Hill
\$117,000.00	\$115,000.00	1	THOMAS HERMAN	Hill
\$117,000.00	\$115,000.00	1	CHARLIE SQUARE	Hill
\$116,500.00	\$115,000.00	3	KEITH NIMLO	Hill
\$116,000.00	\$115,000.00	2	DEION BLACK	Hill
\$116,000.00	\$115,000.00	2	ALFRED JOHNSON	Hill
\$116,000.00	\$115,000.00	1	GREGORY DANIELS	Hill
\$115,500.00	\$115,000.00	1	VLADISLAV MURAKHOVSKY	Hill
\$115,500.00	\$115,000.00	1	GERALD HAMPTON	Hill
\$115,233.00	\$115,000.00	1	FAWAZ NAYEEM	Hill
\$115,100.00	\$115,000.00	1	NAJA GOOLEY	Hill
\$115,100.00	\$115,000.00	1	JOHN TEAGUE	Hill
\$115,100.00	\$115,000.00	2	ARNOLD BROWN	Hill
\$115,017.00	\$115,000.00	1	BRIDGET SONSEL	Hill
\$115,015.00	\$115,000.00	1	ERIC WARD	Hill

**January 25, 2024  
Veterans Land Sale  
Summary Of All Bids**

	\$115,001.00	\$115,000.00	2	OLUWAKAYODE BAIYEWU	Hill
	\$115,000.00	\$115,000.00	1	AKEEM ADELAGUN	Hill
	\$115,000.00	\$115,000.00	1	ANDON RIORDAN	Hill
14905	\$84,000.00	\$60,000.00	1	RAYMUNDO MUNOZ	Henderson
	\$70,995.00	\$60,000.00	1	ANTHONY BENNETT	Henderson
	\$70,151.00	\$60,000.00	3	RAY MEYER	Henderson
	\$70,000.00	\$60,000.00	1	OLUSEGUN EBIFEMI	Henderson
	\$63,000.00	\$60,000.00	4	JAMAL GONZALEZ	Henderson
	\$61,000.00	\$60,000.00	2	AKEEM ADELAGUN	Henderson
	\$60,999.00	\$60,000.00	5	KEITH NIMLO	Henderson
	\$60,500.00	\$60,000.00	3	CHARLIE SQUARE	Henderson
	\$60,000.00	\$60,000.00	1	LANCE MCCOY	Henderson
14906	\$55,000.00	\$43,000.00	2	ERICKS KING	Jackson
	\$50,151.00	\$43,000.00	1	RAY MEYER	Jackson
	\$47,000.00	\$43,000.00	1	FREDRICK WATERS	Jackson
	\$46,225.00	\$43,000.00	1	JESUS ROMERO	Jackson
	\$46,000.00	\$43,000.00	1	ADAM ROMERO	Jackson
	\$46,000.00	\$43,000.00	1	GALA SAPP	Jackson
	\$46,000.00	\$43,000.00	1	OSCAR RUVALCABA	Jackson
	\$45,000.00	\$43,000.00	1	KOFI BINEY	Jackson
	\$45,000.00	\$43,000.00	1	DEION BLACK	Jackson
	\$43,901.00	\$43,000.00	1	ROBERTO VASQUEZ	Jackson
	\$43,599.00	\$43,000.00	2	KEITH NIMLO	Jackson
	\$43,507.00	\$43,000.00	1	RUBEN ONEAL	Jackson
14907	\$120,000.00	\$112,000.00	1	ERICKS KING	Walker
<b>Total</b>	<b>\$11,334,499.53</b>		<b>105</b>		



# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

---

**Date:** February 13, 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** Raul Gonzales, Deputy Director of Land & Housing

**Subject:** Agenda Item 6 c - Consideration and possible action on request to forfeit VLB delinquent land accounts and accounts involved in tax suits.

**RECOMMENDATION:** Staff recommends that the Board take forfeiture action on the Resolutions before you, except on accounts where sufficient funds are received to avoid that action.

**PURPOSE:** For consideration and approval of forfeiture on accounts that are being presented for forfeiture action today. Nine accounts are being recommended for forfeiture due to non-payment on principal and interest and two accounts are being recommended for forfeiture due to delinquent property taxes.

**BACKGROUND:** All account holders have been contacted and have been given an opportunity to either bring the account current or make payment arrangements. Up to this date, we have not been successful in reaching an agreement with the account holders being presented today.

**RESOLUTION OF FORFEITURE MONTHLY ACCOUNTS**

WHEREAS, the Veterans Land Board of the State of Texas made and entered into contracts, or approved the transfer thereof, under the provisions of Chapter 318, Acts of the 51st Legislature, 1949, as amended, with the following named contract-holders on the dates indicated:

CONTRACT HOLDER	ACCOUNT NUMBER	COUNTY OF LAND	SALE DATE	DELINQ AMOUNT	PAYMENTS DELINQ	LOAN AMOUNT	PRINCIPAL BALANCE
C. WALKER	148876	HOUSTON	5/19/1997	\$3020.00	10	\$38,000.00	\$6,490.09
J. ESPARZA	153454	HIDALGO	6/16/1999	\$844.00	4	\$34,200.00	\$10,477.34
D. WELCH	158587	NAVARRO	1/4/2003	\$1456.00	7	\$30,000.00	\$11,392.56
R. RICHARDSON	159263	JEFFERSON	10/22/2003	\$876.00	6	\$23,275.00	\$12,935.12
G. BREWER	159598	LAMPASAS	1/9/2004	\$1410.00	5	\$45,003.00	\$24,667.81
L. THOMPSON	161253	TRINITY	10/6/2005	\$1930.00	5	\$55,100.00	\$36,563.24
O. ROBINSON	161557	VAN ZANDT	1/30/2006	\$1184.00	4	\$46,075.00	\$29,556.38
J. RHEA	162534	HILL	1/11/2007	\$2321.00	11	\$27,645.00	\$22,276.94
K. BROOKS	162661	FORT BEND	1/12/2007	\$656.00	4	\$25,473.00	\$16,128.30

AND WHEREAS, these contract-holders have failed and refused to make payments of principal and interest due on such contracts,

AND WHEREAS, in compliance with the Statutes in such case made and provided, notice of such delinquency and/or default and impending forfeiture has been given to each of these contract-holders at his/her last-known address at least thirty days previous to this date;

NOW THEREFORE, BE IT RESOLVED by the Veterans Land Board of the State of Texas that the Chairman be and is hereby directed to endorse upon the wrappers containing the papers of each of the above-referenced sales or upon each purchase contract filed in the office of the Veterans Land Board the word 'Forfeited', with the date of this action, and to sign the same officially, effective February 13, 2024.

I, Anthony W. Dale, Executive Secretary, of the Texas Veterans Land Board, do hereby certify that the foregoing is a true and correct copy of a resolution appearing in the minutes of the Veterans Land Board meeting held February 13, 2024.

\_\_\_\_\_  
 Anthony W. Dale, Executive Secretary  
 Texas Veterans Land Board

\_\_\_\_\_ Legal

Sworn to and subscribed before me by the above party this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 Notary Public in and for Travis County, Texas

RESOLUTION OF FORFEITURE  
DELINQUENT TAXES AND  
CONTRACT VIOLATIONS

WHEREAS, the Veterans Land Board of the State of Texas made and entered into contracts, or approved the transfer thereof, under the provisions of Chapter 318, Acts of the 51<sup>st</sup> Legislature, 1949, as amended, with the following named contract-holders on the dates indicated:

NAME	ACCOUNT NUMBER VLB/DMI	COUNTY OF LAND	CONTRACT DATE	PRIN BAL	DELINQ TAX AMOUNT
C. Vargas	160713/3800220190	Wilson	04/01/2005	\$19,934.73	\$22,170.31
J. McKinney	162710/3800234076	Lampasas	02/15/2007	\$348.86	\$6,262.61

AND WHEREAS, these contract-holders have failed and refused to make payments of principal and interest due on such contracts,

AND WHEREAS, under Section 175.8 (g) of the rules of the Texas Veterans Land Board, all taxes (County, School, Water District, City or any other tax) shall be kept current. Evidence of their payment is to be submitted by May 1 of each year;

AND WHEREAS, in compliance with the Statutes in such case made and provided, notice of such delinquency and/or default and impending forfeiture has been given to each of these contract-holders at his last known address at least thirty days previous to this date;

NOW THEREFORE, BE IT RESOLVED by the Veterans Land Board of the State of Texas that the Chair be and is hereby directed to endorse upon the wrappers containing the papers of each of the above-referenced sales or upon each purchase contract filed in the office of the Texas Veterans Land Board the word "Forfeited", with the date of this action, and to sign the same officially, effective **February 13, 2024**.

I, Anthony W. Dale, Executive Secretary, of the Texas Veterans Land Board, do hereby certify that the foregoing is a true and correct copy of a resolution appearing in the minutes of the Veterans Land Board meeting held **February 13, 2024**.

\_\_\_\_\_  
Anthony W. Dale  
Executive Secretary  
Texas Veterans Land Board

\_\_\_\_\_ Legal

Sworn to and subscribed before me by the above party this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas



# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

---

**Date:** February 13, 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** Raul Gonzales, Deputy Director of Land & Housing

**Subject:** Agenda Item 6 d - Consideration and possible action on request to Order for Sale land tracts that may be included in the next Online Bidding Forfeited Land Sale and to set the next Quarterly Electronic Forfeited Land Sale bidding period to begin March 4, 2024, through April 18, 2024.

**RECOMMENDATION:** Staff recommends that the Board approve the Order for Sale of the five land tracts listed in the supporting documentation, and set the next quarterly land sale period to begin March 4, 2024, through April 18, 2024.

**PURPOSE:** For consideration and approval of listing the five accounts to be considered for the Order for Sale action. Staff requests the Board's authority to remove any account that reinstates prior to the sale date. In addition, staff is also requesting that the Board set the next Quarterly Land Sale bidding period to begin March 4, 2024, at 8:00 a.m. with a bidding deadline of April 18, 2024, at 5:00 p.m.

**BACKGROUND:** All account holders have been contacted and have been given an opportunity to either bring the account current or make payment arrangements. Up to this date, we have not been successful in reaching an agreement with the account holders presented today.

**RESOLUTION TO ORDER FOR SALE**

WHEREAS, the Veterans Land Board of the State of Texas made and entered into contracts, or approved the transfer thereof, under the provisions of Chapter 318, Acts of the 51st Legislature, 1949, as amended, with the following named contract-holders on the dates indicated:

<b>CONTRACT HOLDER</b>	<b>ACCOUNT NUMBER</b>	<b>COUNTY OF LAND</b>	<b>CONTRACT DATE</b>	<b>LOAN AMOUNT</b>	<b>PRINCIPAL BALANCE</b>
R. HAWTHORNE	120714	NAVARRO	12/30/1986	\$19,000.00	\$345.86
R. DE LOS SANTOS	150610	DUVAL	11/18/1997	\$38,000.00	\$8,433.10
D. GUYNES	152382	MATAGORDA	10/29/1998	\$23,750.00	\$8,447.92
P. LOWERY	154254	CHEROKEE	12/08/1999	\$17,575.00	\$6,525.20
J. SANCHEZ	158178	MEDINA	10/18/2002	\$35,150.00	\$12,606.52

AND WHEREAS, the Veterans Land Board has set a Forfeited Land Sale on February 13, 2024.

BE IT RESOLVED by the Veterans Land Board of the State of Texas that the listed tracts will be advertised for sale in the quarterly electronic Forfeited Land Sale, which bidding period will begin March 4, 2024, and end April 18, 2024, 5:00 p.m.

\_\_\_\_\_  
Anthony W. Dale, Executive Secretary  
Texas Veterans Land Board

\_\_\_\_\_ Legal

Sworn to and subscribed before me by the above party this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for Travis County, Texas



# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

---

**Date:** February 13, 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** Raul Gonzales, Deputy Director of Land & Housing

**Subject:** Agenda Item 6 e – Report on the Veterans Administration pause on foreclosures of VA-guaranteed loans and extension of the COVID-19 Refund Modification program through May 31, 2024.

**RECOMMENDATION:** For Information only. No action required.

## Veterans Administration (VA) Update

On November 30, 2023, the U.S. Department of Veterans Affairs issued Circular 26-23-25, announcing a foreclosure moratorium. The purpose of the circular is to update servicers on how to assist veterans.

- **Moratorium on Foreclosure:** VA has requested mortgage servicers to halt foreclosures on VA-guaranteed loans until May 31, 2024. This request does not apply to vacant or abandoned properties.
- **Credit Reporting:** In order to avoid damaging the credit records of veterans, where permissible under applicable law, servicers are encouraged to avoid negative credit reporting on affected loans.
- **COVID-19 Refund Modification Program:** The VA will extend its COVID-19 refund modification program to May 31, 2024. This allows veterans to access zero-interest, deferred-payment loans from the VA to cover missed payments and adjust their existing VA-guaranteed loans to more manageable monthly payments.
- **VA Servicing Program:** VA has also rolled out the VA servicing (VASP) program. This is a new option that will enable the VA to buy defaulted VA loans from servicers, modify them, and service them directly.
- **VA Disaster Extend Modifications:** VA will also be extending the Disaster Extend Modification program allowing a servicer to extend the loan's original maturity date for up to 18 months.

## BACKGROUND:

On December 6, 2023, Mr. Cooper, the Program Administrator and loan servicer, recommended that we participate in VA's moratorium as it is in the best interest of all parties involved. In addition, VA confirmed they will reimburse the servicer for expenses incurred as a result of these holds for amounts that are over and above the maximum guarantee.



From March 2020 through December 2023, a total of 827 loan modifications were approved. Below is a breakdown of the types of modifications that were approved:

Total Loan Modifications Approved	827
Total Loan Modifications Finalized	703
COVID-19 Modifications	577
Standard Modifications	126



# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

---

**Date:** 13 February 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** Dr. John Kelley, Director, Texas State Veterans Cemeteries

**Subject:** Agenda item 7 a - Report on State Veteran Cemetery operations.

**Recommendation:** For information only. No action required.

Beginning in 2006, the Texas Veterans Land Board opened the first Texas State Veterans Cemetery. The Texas State Veterans Cemeteries are special resting places where friends, family and fellow Texans can honor Texas Veterans. Texas currently has four cemeteries located in: Killeen, Corpus Christi, Abilene, and Mission. A fifth cemetery is under construction in Lubbock. Texas State Veterans Cemeteries are built through a partnership between the State of Texas and the U.S. Department of Veterans Affairs (VA) and are managed by the Texas Veterans Land Board. They complement the six national cemeteries in Dallas-Ft. Worth, El Paso, Houston, Kerrville and two in San Antonio. Eligibility for burial benefits at Texas State Veterans Cemeteries are identical to those for VA National Cemeteries.

## **Veterans Administration (VA) Developments:**

- The Coastal Bend State Veterans Cemetery expansion project in Corpus Christi is executing as planned. The Notice to Proceed was given on 15 November 2023 and much of the ground preparation work, including crypt excavation, is largely complete. The contractual finish date is 26 May 2025, and no delays are anticipated at this time. Photos are provided below and in your packets.
- The Groundbreaking for the West Texas State Veterans Cemetery in Lubbock completed on 17 November 23. The Notice to Proceed was given on 20 November 2023 and the ground preparation work, including scraping and grading, is well underway. The contractual finish date is 9 November 2025, and no delays are anticipated at this time. There are a significant number of pre-registrations already received which are indicative of public interest. Photos are provided below and in your packets.
- The VA grant expansion application for an \$11.853M expansion at the Central Texas State Veterans Cemetery in Killeen is pending funding decisions from the National Cemetery Administration (NCA).
- Every year, the VA surveys Next of Kin and Funeral Directors of services conducted at our Texas State Veterans Cemeteries to determine customer satisfaction rates. In 2021, the

Texas State Veterans Cemeteries attained an exceptional 97.48% score. In 2022, the score improved to an incredible 98.12%. For FY 23, the score increased to 99.03%. Certificates of appreciation were presented to the City of Mission, Nueces County, and the City of Abilene. Plaques were awarded to the staffs at all four cemeteries in recognition of their contributions to achieve this superb level of customer service for our Veterans and their families.

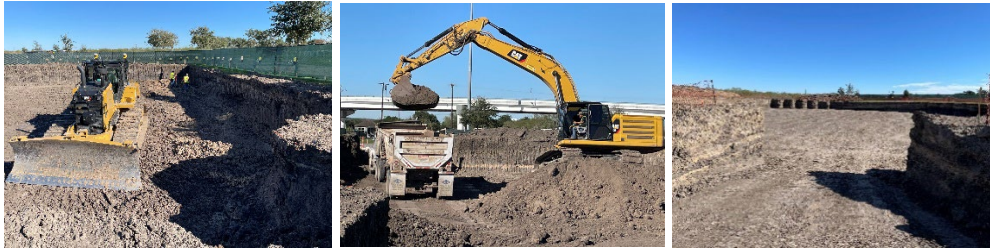
**VLB Initiatives:**

- VLB signed a contract with the City of Killeen to provide the staff and operating supplies at the Central Texas State Veterans Cemetery at Killeen for \$1,785,000 annually. The contract mirrors the contracts with the City of Mission, Nueces County and Abilene and will be in place for eight months as a test period. If successful, a longer duration contract will be sought.

**Other Items of Interest:**

- Memorial Day on 27 May 2024 will feature the changes successfully implemented in 2023. The cemeteries will be open 24 hours a day all weekend with the Avenue of Flags lit up as well as the headstones of those Missing in Action and Killed in Action interred at each cemetery. At the Memorial Day ceremonies, a traditional roll call will be held for all MIAs and KIAs, including the reading of each name three times. We encourage everyone to come to our State Veterans Cemeteries and honor those who gave their all for our Nation.

**TX-22-33 Corpus Christi Expansion**



TX-22-34 Lubbock Establishment





# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

---

**Date:** 13 February 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** Dr. John Kelley, Director, Texas State Veterans Cemeteries

**Subject:** Agenda item 7 b – Presentation of Operational Excellence Award from the National Cemetery Administration.

**Recommendation:** For information only. No action required.

## Operational Excellence Award

Every three years, the National Cemetery Administration (NCA) of the United States Department of Veterans Affairs conducts a Compliance Review Program inspection of all VA grant-funded state veterans cemeteries with the purpose of ensuring that states are continuing to comply with NCA standards. A team of experts from the NCA conducts the inspection and focuses on 94 standards ranging from Customer Satisfaction to Grounds Maintenance to Interment Operations.

When a cemetery significantly exceeds the standards of the Compliance Review Program, it is awarded the designation of Operational Excellence. Based on an inspection conducted from 14 to 16 November 2023, the Central Texas State Veterans Cemetery in Killeen earned the Operational Excellence award in honor and recognition of superb service to our Veterans and their families.

The award will be presented by Mr. James Earp, the Director of the Veterans Cemetery Grant Program of the National Cemetery Administration in the VA. Mr. Earp oversees the veterans cemetery grant program and 122 state and tribal cemeteries across the United States and its territories. He previously served in the state veterans cemeteries program in Idaho and is a 20-year veteran of the United States Army.

Representatives from the VLB will join the Board to receive the award. They include On-Site Representative, Douglas Gault, the Cemetery Director, Ronda Benson, the Chief of Cemetery Operations, David Sanchez, and the Chief of Program Operations, Shane Hernandez.

# Department of Veterans Affairs

**James Earp**  
**Director, Veterans Cemetery Grants Program**  
**National Cemetery Administration**

James Earp currently serves as the Director, Veterans Cemetery Grants Program in the Department of Veterans Affairs (VA) National Cemetery Administration (NCA). In this role, he is responsible for oversight of NCA's Veterans cemetery grant program and 122 State and Tribal Veterans cemeteries located throughout the continental United States (U.S.), Alaska, Hawaii, Guam, Saipan, and Puerto Rico. James leads the programs project specialists and analysts in support of NCA's mission.



From December 2013 to July 2022, James served the State of Idaho as the Bureau Chief of the Idaho State Veterans Cemetery at Boise and the Idaho State Veterans Cemetery at Blackfoot. Until his assignment with the NCA in Washington D.C. he served as a member of the Veterans Affairs, Advisory Committee on Cemeteries and Memorials (ACCM). In this role with his fellow committee members, he worked to furnish consultation and advice to the Secretary of Veterans Affairs regarding the administration of the national cemeteries, soldier's lots and plots which are the responsibility of the Secretary, and regarding the selection of new national cemetery construction sites, the erection of appropriate memorials and the adequacy of Federal funding for operation of the National Cemetery Administration.

James retired in 2011 from the United States Army as a Sergeant Major after 20 years of active-duty service. He served as a paratrooper for 13 years with the 82<sup>nd</sup> Airborne Division and U.S. Army Special Operations Command at Fort Bragg, North Carolina. His overseas assignments include duty in Germany, Korea, and peacekeeping operations in Kosovo. He is a combat Veteran, serving in 9 deployments, one to Afghanistan and eight to Iraq from 2002 to 2009.

For his distinguished service in the U.S. Army, James' military decorations include the Legion of Merit, 3 Bronze Star Medals, the Defense Meritorious Service Medal, two Meritorious Service Medals, and the Joint Service Commendation Medal.



# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

---

**Date:** February 13, 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** Kathy Johanns, Deputy Director of Texas State Veterans Home Program

**Subject:** Agenda item 8 a - Report on State Veterans Homes.

**Recommendation:** Agenda item requires no action from the Board.

## Texas State Veterans Home (TSHV) Overview

The Texas Veterans Land Board owns nine skilled nursing homes that provide long-term care for qualified Veterans, their spouses, and Gold Star parents. A tenth home is under construction in Fort Worth. To be eligible, applicants must have a doctor's note stating the need for skilled nursing care and have resided in the state for at least a day. Veterans must have served at least 90 days, have a Department of Defense issued form DD214 and be honorably discharged.

The Texas State Veterans Homes are regulated by the Texas Health and Human Services Commission (HHSC) and the U.S. Department of Veterans Affairs (VA). Third-party operators manage the day-to-day operations of the homes. The Texas Veterans Land Board oversees the operators and has an on-site representative in each home.

The nine homes have the capacity to serve 1,300 residents. The daily occupancy is referred to as a daily census. The goal of the VLB is to maintain a high daily census to serve the maximum number of veterans and to ensure the financial stability of the home. The nine homes currently average around a 92% daily census. That equates to about 1,196 residents served. While the daily number fluctuates, there are about 104 beds available.

## Census and Marketing Update:

One home is below a 90% daily census.

1. Big Spring
  - a. Capacity 160
  - b. Census as of January 31, 2024: 110
  - c. Percentage full as of January 31, 2024: 69%
  - d. Additional residents required to hit 80%: 18
  - e. Additional residents required to hit 90%: 34

The Big Spring home is about 40 miles east of Midland. The VLB has a strategic plan goal to get Big Spring to at least 80% daily census (128 residents) by the end of the fiscal year. In June 2023 the VLB started a marketing campaign targeting veterans and family members to attract more residents. The campaign did not result in measurable increases in daily census.

On January 22, 2024, the combined operational and marketing teams from the VLB and the operator, Touchstone, met in San Antonio to modify the plan. The revised plan entails a review of resident rates, community engagement, relationships with referral sources, how to engage with community groups and veterans service organizations and all aspects of resident care and quality of life. As the plan is implemented, staff will update the Board on results.

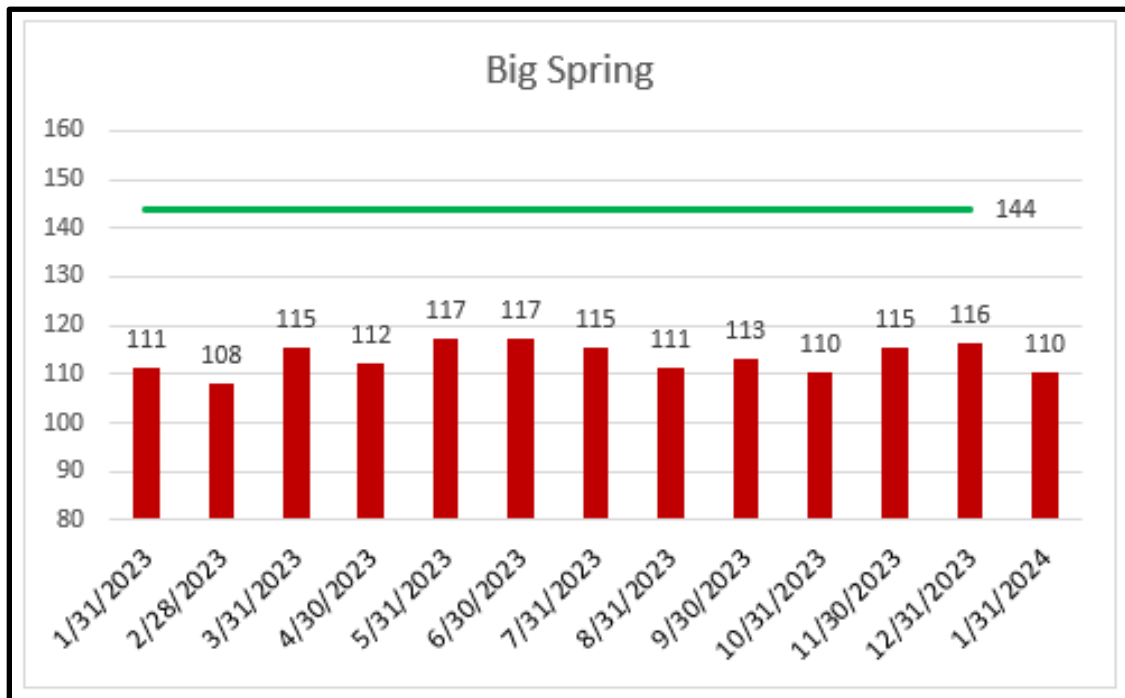


Figure 1. Big Spring trailing twelve-month census at month end. The green line labeled 144 is the number of residents required to achieve 90% census.

### Quality of life for our Veterans

The enrichment of Veterans lives is a priority for the VLB. During the holiday season between Thanksgiving and Christmas there were numerous events at each home. These events include parties, several homes hosted carolers and local community members and veterans service organizations donated gifts at several homes. We have received positive feedback from many residents and the VLB wished to thank everyone who took time out of their day to recognize



our residents. Four of our homes, Houston, El Paso, Bonham, and Tyler received the Pinnacle Customer Service Experience Award for 2024 and McAllen won the Workplace Excellence Award from Align. Each month, Pinnacle and Align conduct thousands of phone-based satisfaction interviews to residents and their families to evaluate them on up to 16 different service categories, to include dignity, safety, food quality and communication to name a few. These four homes ranked in the top 15% across the nation during a 12-month average. This shows the level of pride and honor our staff displays daily to ensure our veterans are taken care of.

### Post-Traumatic Stress (PTS) Training

Post-Traumatic Stress is not uncommon among our residents. The Veterans Land Board provides PTS training for 100% of the staff in each home on an annual basis. The purpose of the training is to ensure the quality of life for our residents, and to enable staff to identify issues and address concerns in a way that leads to better outcomes for our residents.

Training in Amarillo and Big Spring is complete. The remainder of the homes will complete training by the end of May 2024. Once staff is hired in Fort Worth, they will receive the training.

### On Site Representative Introductions

Each home has an On-Site Representative (OSR) who is an employee of the Veterans Land Board. Their role is to ensure the operator is providing excellent care to our Veterans, spouses, and Gold Star Parents. They attend daily staff meetings, clinical meetings and entrance and exit meetings with inspectors from the Health and Human Services Commission and the VA. They are the primary point of contact for the VA. OSRs are expected to do daily rounds in the buildings. They conduct weekly rounds with the Administrator, and they ensure any complaints are handled properly. They sign off on all admissions, report the daily and monthly census and report the monthly census to the VA and VLB accounting.

The OSRs are listed here:

1. Amarillo TSVH: Ameka Mobley
2. Big Spring TSVH: Kim Coates, Army Veteran
3. Bonham TSVH: Amanda Gilbreath
4. El Paso TSVH: Don Parrott, Army Veteran
5. Floresville TSVH: Levi Koepp, Navy Veteran
6. Ft. Worth TSHV: Susan Culp
7. Houston TSVH: Eric Tillman, Army Veteran
8. McAllen TSVH: Melina Ramos
9. Temple TSVH: Sue Nelson
10. Tyler TSVH: Troy Turner, Air Force Veteran



# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

---

**Date:** February 13, 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** Kathy Johanns, Deputy Director of Texas State Veterans Home Program

**Subject:** Agenda Item 8 b - Consideration and possible action to set resident room rates for the Tuskegee Airmen Texas State Veterans home in Fort Worth and other related matters.

**Recommendation:** Staff recommends the Board adopt the proposed room rates in the supporting document for the Tuskegee Airmen Texas State Veterans Home.

## Background

The Board has the authority to set room rates for Texas State Veterans Homes in accordance with Board Policy 110, Authority and Responsibilities, section 110.30, item D.

Staff conducted a market survey of skilled nursing homes in the Dallas/Fort Worth area. In cooperation with the operator, the VLB Bonds Fund Management Team performed a financial analysis. Results were provided to the Executive Secretary. The Executive Secretary reviewed the recommendation and concurs with the staff.

In anticipation of admitting residents to the Tuskegee Airmen Texas State Veterans Home in Fort Worth in June of 2024, the staff prepared a rate matrix that is in the attached supporting documentation. The staff recommends adoption of the attached rates.

## Rate Setting Process

Determining the proper rates for the Fort Worth home requires an understanding of current rates and how differences in contracts affected the finances of the home. The fees that the VLB pays Operators have increased due to a higher fixed fee being implemented in contracts post-COVID. 2018 was the last time the VLB voted on overall daily room rates where the VLB action affected the out-of-pocket expense paid by veterans. VLB has been able to maintain daily room rates for Veterans at current levels due to increased federal funding and a general revenue appropriation by the Legislature for the current biennium. Additionally, as the nursing home industry recovers from the COVID-19 pandemic, we have seen an increase in the daily census in each home. A higher census equates to more revenue. In 2023 the VA increased the daily per

diem paid to the VLB. Per diem is the daily rate of reimbursement for care the VA provides for eligible veterans. The per diem amount is paid directly to the VLB and VLB uses it in support of paying the room and board charges of our qualified veterans. As federal and state legislative funding ceases, a review of daily rates will be completed to ensure that the homes continue operating successfully.

Daily room rates for the Fort Worth home were determined by projecting the operator costs, which account for over 90% of operating expenses of Veterans homes, and other expenses. Operator contracts generally have two components: a flat fixed fee and a daily room fee per resident in the home. Compared to other Texas veterans homes, the daily operator fee the VLB pays in Fort Worth is, on average, nearly \$90 higher than what the VLB pays in other homes.

Financial assumption for the Fort Worth home estimated an occupancy rate of 95%. The staff also projected that at least 40% of the residents would be a 70% Service-Connected Disabled (70% SCD) veteran. The daily room rates provided in the attached table are sufficient to cover the operator contract costs and other expenses. The proposed rates result in a revenue stream that is 110% of estimated expenses. The proposed room rates do not account for cost recovery of construction and expenditures for furniture and equipment. Adding the construction cost recovery into the rate would result in out-of-pocket costs that are not beneficial to veterans and residents.

The 70% SCD veteran population is a significant factor in the assumptions as the VA reimbursements for 70% SCD residents are higher than the daily room rates. This allows the VLB to maintain the daily room rates for non-70% SCD veterans below market rate. The current projected 70% SCD veteran population is based on the initial waiting list and the percentage of 70% SCD veterans served in other VLB homes. An increase or decrease in the number of SCD 70% residents will affect the homes' financial performance.

VLB staff conducted a market survey of daily room rates of other skilled nursing homes in the area. The daily rates proposed are comparable to the other non-VLB homes and when considering the actual out-of-pocket costs incurred by residents, a significant benefit is provided to the veterans. Veterans who are classified as 70% SCD pay \$0 out-of-pocket and veterans non-70% SCD veterans will see their out-of-pocket costs approximately half the listed daily room rate.

## Texas State Veterans Home Program Proposed Rates for Fort Worth

Fort Worth	
<b>VETERANS</b>	
Private Room, Non-A&A	309.00
Private Room, A&A	297.00
Private Room, Alzheimer Unit, Non-A&A	323.00
Private Room, Alzheimer Unit, A&A	311.00
Private Room, Medicaid	259.00
Semi-Private, Non-A&A	259.00
Semi-Private, A&A	247.00
Semi-Private, Alzheimer Unit, Non-A&A	273.00
Semi-Private, Alzheimer Unit, A&A	261.00
Semi-Private, Medicaid	259.00
<b>NON-VETERANS</b>	
Private Room	309.00
Semi-Private Room	259.00
Semi-Private Alzheimer Unit	273.00
Semi-Private Medicaid	259.00
Semi-Private Medicaid Alzheimer	259.00
Semi-Private Medicaid Hospice Alzheimer	259.00

## Texas State Veterans Home Program Rates Effective June 1, 2023

	Amarillo	Big Spring	Bonham	El Paso	Floresville	Houston	McAllen	Temple	Tyler
<b>VETERANS</b>									
Private Room, Non-A&A	202.80	202.80	202.80	200.00	200.00	260.80	200.00	200.00	246.80
Private Room, A&A	190.80	190.80	190.80	188.00	188.00	248.80	188.00	188.00	234.80
Private Room, Alzheimer Unit, Non-A&A	216.80	216.80	216.80	214.00	214.00	272.80	214.00	214.00	258.80
Private Room, Alzheimer Unit, A&A	204.80	204.80	204.80	202.00	202.00	260.80	202.00	202.00	246.80
Private Room, Medicaid	149.80	149.80	149.80	147.00	147.00	260.80	147.00	147.00	246.80
Semi-Private, Non-A&A	149.80	149.80	149.80	147.00	147.00	-	147.00	147.00	-
Semi-Private, A&A	137.80	137.80	137.80	135.00	135.00	-	135.00	135.00	-
Semi-Private, Alzheimer Unit, Non-A&A	163.80	163.80	163.80	161.00	161.00	-	161.00	161.00	-
Semi-Private, Alzheimer Unit, A&A	151.80	151.80	151.80	149.00	149.00	-	149.00	149.00	-
Semi-Private, Medicaid	149.80	149.80	149.80	147.00	147.00	-	147.00	147.00	-
<b>NON-VETERANS</b>									
Private Room	200.00	200.00	200.00	200.00	200.00	258.00	200.00	200.00	244.00
Semi-Private Room	147.00	147.00	147.00	147.00	147.00	-	147.00	147.00	-
Semi-Private Alzheimer Unit	161.00	161.00	161.00	161.00	161.00	-	161.00	161.00	-
Semi-Private Medicaid	149.80	149.80	149.80	147.00	147.00		147.00	147.00	
Semi-Private Medicaid Alzheimer	149.80	149.80	149.80	147.00	147.00		147.00	147.00	
Semi-Private Medicaid Hospice Alzheimer	149.80	149.80	149.80	147.00	147.00		147.00	147.00	



# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

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**Date:** February 13, 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** Kelly McBride, Director of Contract Management

**Subject:** Agenda Item 9 a - Presentation and Discussion of Annual Report of VLB Contracts & Major Contracts.

**Recommendation:** Agenda item requires no action from the Board.

The Veterans Land Board (the "Board") approved the "VLB Policy on Review and Approval of Major Contracts" to address recommendations by the Sunset Commission. This policy requires any major contract, defined as a contract for goods or services between the Board and a vendor, valued at \$1 million or more, be approved by the Board. All contracts under \$1 million are administratively managed by the Texas General Land Office.

The Contract Management Division ("CMD") of the Texas General Land Office is responsible for managing the Board's contracts. CMD uses a Contract Lifecycle Management software for the day-to-day development and management of all contracts, including those of the Board. The development and management of the Board's contracts are administered in the same manner as GLO managed Board contracts.

In accordance with the Board adopted VLB Policy on Review and Approval of Major Contracts, Section E, CMD provides an annual report to the Board regarding the status of all Board contracts. The attached report provides details of the Board's contracts, as of January 17, 2024, including:

- 73 Executed Contracts
- 28 Designated as Major Contracts; and
- 20 Major Contracts will expire during FY24 & FY25

## MAJOR CONTRACTS

Contract Number	Company Name	Designation	Contract Description	Effective Date	Expiration Date	Expiring	Pending Action
20-083-000-C002	Bartlett Coker General Contractors, LLC	VLB - Major	Fort Worth TSVH - Construction Vet Home	11/14/2019	06/12/2024	*	
22-009-000-C948	MLCares LLC	VLB - Major	Amarillo TSVH - Management & Operations	12/30/2021	08/31/2024	*	
23-016-001-E366	Falkenberg Construction Co., Inc	VLB - Major	Houston & McAllen TSVH - HVAC Upgrades	10/31/2023	08/31/2024	*	
24-131-000-E457	B&H Total Office Solutions Inc.	VLB - Major	Ft. Worth TSVC - Furniture Package & Install		08/31/2024	*	Contract in Progress
24-057-000-E115	Direct Supply Inc.	VLB - Major	Ft. Worth TSVC - Furniture Package & Install		08/31/2024	*	Contract in Progress
22-004-047-D966	Baeza Engineering, PLLC	VLB - Major	Lubbock TSVC - Eng. & Dsg - Phase 1	03/31/2023	08/31/2024	*	
22-008-000-C938	Omnicare Pharmacy of Texas 1, LP	VLB - Major	Pharmacy Services for the Texas State Veterans Homes	11/01/2021	08/31/2024	*	
23-016-003-E340	Basic SDV, Inc.	VLB - Major	Tyler TSVH - HVAC Upgrades	10/24/2023	09/04/2024	*	
24-128-000-E452	City of Killeen	VLB - Major	Killeen TSVC - Management & Operation	02/05/2024	09/30/2024	*	
21-049-000-C607	City of Mission	VLB - Major	Rio Grande Valley TSVC - Management & Operations	10/01/2020	09/30/2024	*	
23-016-001-D716	Falkenberg Construction Co., Inc	VLB - Major	Big Spring, Bonham, Temple & Floresville TSVH - HVAC upgrades	11/03/2023	04/05/2025	*	
24-007-000-D908	Emerson Construction Company, Inc.	VLB - Major	Corpus Christi TSVC - Columbarium and Crypt field Exp	11/03/2023	05/26/2025	*	
22-076-000-D190	Texas VSI, LLC	VLB - Major	El Paso TSVH - Management & Operations	06/01/2022	05/31/2025	*	
22-077-000-D191	Texas VSI, LLC	VLB - Major	Tyler TSVH - Management & Operations	06/01/2022	05/31/2025	*	
20-049-000-B825	Care Inns of Texas - Temple, LTD	VLB - Major	Temple TSVH - Management & Operations	11/01/2019	08/31/2025	*	
23-009-000-D472	Care Inns of Texas, LTD.	VLB - Major	Floresville TSVH - Management & Operations	09/01/2022	08/31/2025	*	
23-001-000-C952	Touchstone Veterans Management, LTD.	VLB - Major	McAllen TSVH - Management & Operations	09/01/2022	08/31/2025	*	
23-063-000-D797	Texas VSI, LLC	VLB - Major	Houston TSVH - Management & Operations	02/01/2023	08/31/2025	*	
23-002-000-C953	Touchstone Veterans Management, LTD.	VLB - Major	Big Spring TSVH - Management & Operations	09/01/2022	08/31/2025	*	
22-075-000-D189	Texas VSI, LLC	VLB - Major	Bonham TSVH - Management & Operations	06/01/2022	08/31/2025	*	
23-016-004-E367	F.H. Paschen, S.N. Nielsen & Associates LLC	VLB - Major	Amarillo & El Paso TSVH - HVAC Upgrades	11/01/2023	09/24/2025		
24-018-000-D981	Emerson Construction Company, Inc.	VLB - Major	West Texas TSVC - Construction of Cemetery in Lubbock	11/03/2023	11/09/2025		
23-027-000-D644	Texas VSI, LLC	VLB - Major	Fort Worth TSVH - Management & Operations	08/08/2023	08/31/2026		
21-111-000-C750	Nueces County	VLB - Major	Coastal Bend TSVC - Management & Operations	10/01/2021	09/30/2026		
22-015-000-D019	MeridianLink, Inc.	VLB - Major	Loan Origination System Land & Housing Loan Prog.	12/22/2021	12/22/2026		
17-455-000-A581	Gateway First Bank	VLB - Major	Admin of VHAP Loan Originations and VHAP Servicing	07/01/2017	08/31/2027		
07-325-000-1082	Dovenmuehle Mortgage, Inc.	VLB - Major	VLB Loan Servicing - contracts for deed in the Veterans' Land Prog.	03/22/2007	11/30/2027		
08-121-000-1263	Dovenmuehle Mortgage, Inc.	VLB - Major	VLB Loan Servicing - land mortgages in the Veterans' Land Prog.	12/01/2007	08/31/2028		

## MINOR CONTRACTS

Contract Number	Company Name	Designation	Contract Description	Effective Date	Expiration Date	Expiring	Pending Action
21-055-000-C629	TALX Corporation	VLB - Minor	Employment & Income Verification	05/01/2021		*	Amendment in Progress
23-035-000-D714	DMD America, Inc.	VLB - Minor	Web based pharmacy pricing tool for monthly audits	01/15/2023		*	Amendment in Progress
23-054-000-D753	FIRETROL Protection Systems, Inc.	VLB - Minor	Amarillo TSVH - Fire Alarm Replc	02/08/2023	01/25/2024	*	
22-004-047-D637	Baeza Engineering, PLLC	VLB - Minor	Lubbock TSVH - Eng Dsg of New Cemetery (Grant Application)	06/10/2022	02/28/2024	*	
22-004-047-D464	Baeza Engineering, PLLC	VLB - Minor	Abilene TSVH - Eng Dsg - In Ground Cremains	02/28/2022	02/28/2024	*	
22-004-047-D463	Baeza Engineering, PLLC	VLB - Minor	Corpus Christi TSVH - Eng Dsg - In Ground Cremains	02/28/2022	02/28/2024	*	
22-004-047-D465	Baeza Engineering, PLLC	VLB - Minor	Killeen TSVH - Eng Dsg - In Ground Cremains	02/28/2022	02/28/2024	*	
22-004-024-D396	PRDG, LLC	VLB - Minor	9 TSVH - Architectural Svcs for Storage Buildings	01/13/2022	02/29/2024	*	
18-127-045-C977	IMEG Corp	VLB - Minor	Amarillo & McAllen TSVH - Eng Dsg - Fire Alarm	06/16/2021	03/31/2024	*	
23-055-000-D754	FIRETROL Protection Systems, Inc.	VLB - Minor	McAllen TSVH - Fire Alarm Replc	02/08/2023	05/16/2024	*	
15-234-002-C585	Foster CM Group, Inc.	VLB - Minor	Fort Worth TSVH - Constr Management Svcs	07/13/2020	05/31/2024	*	
18-127-060-D040	Terracon Consultants, Inc.	VLB - Minor	Fort Worth TSVH - Constr Materials Obs & Test Svcs	07/06/2021	08/31/2024	*	
24-059-000-E133	Direct Supply TELS	VLB - Minor	Web-based System to manage Constr Svcs Ops	09/01/2023	08/31/2024	*	
18-127-045-C620	IMEG Corp	VLB - Minor	El Paso TSVH - Eng Dsg - Fire Alarm/Sewage Station	08/17/2020	08/31/2024	*	
22-004-013-D840	Robert J. Gilpin, DBA Gilpin Engineering Co.	VLB - Minor	Corpus Christi TSVH - Eng Dsg - Crypt, Field & Columbarium	12/09/2022	08/31/2024	*	
22-004-048-D647	Gonzalez Shah Smith, Inc.	VLB - Minor	Amarillo & El Paso TSVH - Eng Dsg - HVAC Upgrade (COVID)	08/07/2022	08/31/2024	*	
22-004-024-D441	PRDG, LLC	VLB - Minor	Fort Worth TSVH - Eng Dsg - HVAC Upgrade (COVID)	02/07/2022	08/31/2024	*	
22-004-024-D451	PRDG, LLC	VLB - Minor	Fort Worth TSVH - Architectural Svcs	02/14/2022	08/31/2024	*	
24-092-001-E357	Touchstone Veterans Management, LTD.	VLB - Minor	Hiring & Retaining Nurses - Big Spring	12/21/2023	09/30/2024	*	
24-092-004-E360	Texas VSI, LLC	VLB - Minor	Hiring & Retaining Nurses - Bonham	11/28/2023	09/30/2024	*	
24-092-006-E362	Care Inns of Texas, LTD.	VLB - Minor	Hiring & Retaining Nurses - Floresville	12/21/2023	09/30/2024	*	
24-092-005-E361	Texas VSI, LLC	VLB - Minor	Hiring & Retaining Nurses - El Paso	11/28/2023	09/30/2024	*	
24-092-002-E358	Touchstone Veterans Management, LTD.	VLB - Minor	Hiring & Retaining Nurses - McAllen	12/21/2023	09/30/2024	*	
24-092-003-E359	MLCares LLC	VLB - Minor	Hiring & Retaining Nurses - Amarillo	12/21/2023	09/30/2024	*	
24-092-008-E364	Care Inns of Texas - Temple, LTD	VLB - Minor	Hiring & Retaining Nurses - Temple	12/21/2023	09/30/2024	*	
24-081-000-E326	City of Abilene	VLB - Minor	Abilene TSVH - Management & Operation	09/28/2023	09/30/2024	*	
24-092-009-E365	Texas VSI, LLC	VLB - Minor	Hiring & Retaining Nurses - Tyler	11/28/2023	09/30/2024	*	
24-092-007-E363	Texas VSI, LLC	VLB - Minor	Hiring & Retaining Nurses - Houston	11/28/2023	09/30/2024	*	
17-282-000-A261	Constellation Mortgage Solutions Inc	VLB - Minor	Loan Origination System Land and Housing Loan Program	04/27/2017	10/31/2024	*	



Contract Number	Company Name	Designation	Contract Description	Effective Date	Expiration Date	Expiring	Pending Action
22-004-048-D668	Gonzalez Shah Smith, Inc.	VLB - Minor	McAllen TSVH - Eng Dsg - HVAC Upgrade (COVID)	08/07/2022	12/31/2024	*	
22-004-020-D675	Lockwood, Andrews & Newnam, Inc.	VLB - Minor	Tyler TSVH - Eng Dsg - HVAC Upgrade (COVID)	08/24/2022	12/31/2024	*	
22-004-048-D910	Gonzalez Shah Smith, Inc.	VLB - Minor	Fort Worth TSVH - Commissioning Eng. Svcs	03/13/2023	12/31/2024	*	
21-048-000-C605	Corelogic Credco, LLC	VLB - Minor	Credit Reporting Services	12/13/2021	03/31/2025	*	
11-128-000-4670	Secretary of State	VLB - Minor	Applications - Veterans Land Board Logos and slogans	12/27/2010	12/27/2025	*	
22-196-005-D616	Care Inns of Texas, LTD.	VLB - Minor	COVID-19 Healthcare Relief Grant - Floresville	05/10/2022	12/31/2025	*	
22-196-002-D612	Touchstone Veterans Management, LTD.	VLB - Minor	COVID-19 Healthcare Relief Grant - Big Spring	05/10/2022	12/31/2025	*	
22-196-007-D618	Touchstone Veterans Management, LTD.	VLB - Minor	COVID-19 Healthcare Relief Grant - McAllen	05/10/2022	12/31/2025	*	
22-196-009-D620	Texas VSI, LLC	VLB - Minor	COVID-19 Healthcare Relief Grant - Tyler	05/10/2022	12/31/2025	*	
22-196-001-D613	MLCares LLC	VLB - Minor	COVID-19 Healthcare Relief Grant - Amarillo	05/10/2022	12/31/2025	*	
22-196-004-D615	Texas VSI, LLC	VLB - Minor	COVID-19 Healthcare Relief Grant - El Paso	05/10/2022	12/31/2025	*	
22-196-008-D619	Care Inns of Texas - Temple, LTD	VLB - Minor	COVID-19 Healthcare Relief Grant - Temple	05/10/2022	12/31/2025	*	
22-196-006-D617	Touchstone Veterans Management, LTD.	VLB - Minor	COVID-19 Healthcare Relief Grant - Houston	05/10/2022	12/31/2025	*	
22-196-003-D614	Texas VSI, LLC	VLB - Minor	COVID-19 Healthcare Relief Grant - Bonham	05/10/2022	12/31/2025	*	
22-196-010-E120	Texas VSI, LLC	VLB - Minor	COVID-19 Healthcare Relief Grant - Houston	02/01/2023	12/31/2025	*	
22-004-040-D476	IMEG Corp	VLB - Minor	Houston & McAllen TSVH - HVAC Upgrade (COVID)	02/28/2022	08/31/2026		
22-004-008-D490	DBR Engineering Consultants, Inc.	VLB - Minor	BS, Bonham, Floresville & Temple TSVH - Eng Dsg - HVAC Upgrade (COVID)	03/11/2022	08/31/2026		
07-391-000-1139	City of Abilene	VLB - Minor	Water supply/reclamation Abilene TSVH	08/14/2007	08/14/2032		
23-016-003-E346	Basic SDV, Inc.	VLB - Minor	El Paso TSVH - Fire Alarm and Sewer Station				Contract in Progress
24-134-000-E464	Texas General Land Office - Solicitations	VLB - Minor	Verification of Employment and Income Services				Contract in Progress
24-093-000-E371	Texas General Land Office - Solicitations	VLB - Minor	VLB Social Media Data Analytics Services				Contract in Progress



# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

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**Date:** February 13, 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** Tony Dale, Executive Secretary

**Subject:** Agenda Item 10 a – Consideration and Possible Action on Board policies.

## RECOMMENDATION

The Staff recommends approval of amendments to the Ethics Policy and the Major Contract Policy.

Background:

### Proposed amendment to the Ethics Policy

At the October 19, 2023, VLB meeting the Board adopted numerous board policies to include the Board's Ethics Policy. Upon consultation with the Office of General Counsel the staff recommends amending the previously adopted Ethics Policy.

The purpose for the proposed amendment is to ensure the policy is clearly aligned with state statute.

The current Ethics policy states in part:

### **120.30 Conflicts of Interest**

Directors will avoid conflicts of interest and conduct themselves so as to avoid even the appearance of conflicts of interest in the discharge of their official duties.

- A. Before any vote or decision on a business entity or real property in which a director has a substantial interest, a director will publicly disclose the interest during a meeting of the Board, file an affidavit with the Secretary of the Board, and abstain from further participation in the matter if:
  - a. The action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or

- b. It is reasonably foreseeable that a board action on the matter will have an economic effect on the value of the property.
- c. The Board must take a separate vote on any item specifically dedicated to a contract in which a director has a substantial interest.

The proposed amendment recommends removing the word “substantial” in line 120.30, A. and removal of paragraph C. If adopted by the Board the new policy would state:

**120.30 Conflicts of Interest**

Directors will avoid conflicts of interest and conduct themselves so as to avoid even the appearance of conflicts of interest in the discharge of their official duties.

- A. Before any vote or decision on a business entity or real property in which a director has a **substantial** interest, a director will publicly disclose the interest during a meeting of the Board, file an affidavit with the Secretary of the Board, and abstain from further participation in the matter if:
  - a. The action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or
  - b. It is reasonably foreseeable that a board action on the matter will have an economic effect on the value of the property.
  - ~~c. The Board must take a separate vote on any item specifically dedicated to a contract in which a director has a substantial interest.~~

Proposed Amendments to the Major Contract Policy

In June 2019 the Sunset Commission published a Staff Report with Final Results for the 2018-2019 review cycle of the Veterans Land Board. Recommendation 1.4 was adopted by the Sunset Commission, and it directs the “VLB to develop and adopt written policies establishing criteria for all levels of contract review, including board review of contracts over \$1 million.” Additionally, it directs VLB to “receive briefings from the GLO Director of Contract Management at least once a year regarding the status of all contracts under \$1 million.”

In response to the Sunset Commission recommendation, the VLB adopted a policy related to Major Contracts. The existing policy contains dated references to various staff positions, is in a format different from other Board policies and in addition to policy statements, it contains numerous procedural steps that can better be addressed separately from a Board policy.

At the October 19, 2023, VLB Meeting, in response to numerous questions by Director Scott, the Board postponed consideration of amendments to the Major Contract Policy until the February 13, 2024, special called meeting.

The proposed revision of the existing policy seeks to 1. Ensure the revised policy meets the spirit of the Sunset Commission recommendations, 2. Revise the current policy to remove procedural items while communicating the Board's high-level intent for staff and, 3. Reformat the policy into the template adopted by the Board on October 19, 2023.

Supporting documents:

Draft Ethics Policy

Draft Major Contract Policy



## VETERANS LAND BOARD (VLB) POLICIES

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### 150 – CONTRACT POLICY

February 13, 2024

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#### 150.10 PURPOSE

The purpose of this policy is to ensure the Board is informed of, and approves, Major Contracts and to provide guidance to the staff on delegation of authority and reporting.

#### 150.20 Contract definition

A "Contract" means any written agreement of the Board for goods or services provided by a vendor or government entity, including agreements, binding letters of intent, memoranda of understanding, interagency agreements, amendments, renewals, revisions, and extensions.

#### 150.30 Major Contract Definition

The Board approves Major Contracts. A Major Contract means any of the following: a Contract valued at or above \$1,000,000.00, and any amendment, contemplated amendment, extension, change order, or renewal that increases the present value of a Contract to \$1,000,000.00 or more, whether automatic or by written agreement.

#### 150.40 Material Change Definition

The Board must approve a material change to a Major Contract. A "Material Change" means any change that would cause a Major Contract to not substantially comply with the terms contained in a written solicitation for the Major Contract and the terms considered in awarding the Major Contract, including terms regarding cost of materials or labor, duration, price, schedule, or scope. A Material Change shall also include (1) extending the length of or postponing the completion of a contract for six months or more; or (2) increasing the total consideration to be paid under a contract by at least 10%, including substituting certain goods, materials, products, or services.

If a Material Change is required after a Major Contract has been awarded, the Board must consider, review, and approve such Material Change.

#### 150.50 Contracts not requiring Board approval

Any Contract that is not a "Major Contract" does not require Board review and approval. The Chair hereby designates the Executive Secretary of the Board to execute contracts on their behalf.



## VETERANS LAND BOARD (VLB) POLICIES

### **150.60 Execution of Contracts**

Only the Chair, Acting Chair, or if delegated by the Chair, the Executive Secretary or Assistant Executive Secretary, may execute Contracts. The Chair hereby designates the Executive Secretary to execute contracts on their behalf.

### **150.70 Report to Board**

At least one time per fiscal year, during a public meeting of the Board, the Executive Secretary shall ensure that the Board receives a report on the status of all current Contracts. The report shall include:

- A. The number of Contracts in place as of the date of the report;
- B. A listing of all Contracts, with each Contract's expiration date and renewal date, if applicable;
- C. The number of Contracts designated as Major Contracts;
- D. Identification of a Major Contract awarded, approved and executed
- E. Major Contracts expiring within the then-current or following fiscal year, as of the date of the report;
- F. Major Contracts pending renewal or extension, including each such Major Contract's renewal date and term length; and
- G. Other information necessary for the Board to perform its duties.

### **150.80 AUTHORITY**

Natural Resources Code, Title 7, Chapter 161, Subchapter A. Sec. 161.061 GENERAL DUTIES OF THE BOARD

**EFFECTIVE: February 13, 2024**



## VETERANS LAND BOARD (VLB) POLICIES

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### 120- ETHICS

February 13, 2024

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#### 120.10 PURPOSE

The purpose of this policy is to provide guidance to the Veterans Land Board Directors regarding standards of ethical conduct and conflicts of interest.

#### 120.20 Ethical Standards of Conduct

VLB Directors must conduct themselves so as to bring continued respect to the VLB and avoid any questionable conduct that would bring discredit to the VLB. In accordance with state law, no director should:

- A. Accept or solicit any gift, favor or service that might reasonably tend to influence him or her in the discharge of his or her official duties, or that he or she knows or should know is being offered to him or her with the intent to influence his or her official conduct;
- B. Accept or solicit employment or engage in any business or professional activity that he or she might reasonably expect would require or induce him or her to disclose confidential information acquired by reason of his or her official position;
- C. Accept or solicit other employment or compensation that could reasonably be expected to impair his or her independence of judgment in the performance of his or her official duties;
- D. Make personal investments that could reasonably be expected to create substantial conflicts between his or her private interest and the public interest;
- E. Intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised his or her official powers or performed his or her official duties in favor of another; or
- F. Misapply or misuse VLB property, services, or personnel for personal benefit.

#### 120.30 Conflicts of Interest

Directors will avoid conflicts of interest and conduct themselves so as to avoid even the appearance of conflicts of interest in the discharge of their official duties.

- A. Before any vote or decision on a business entity or real property in which a director has a **substantial** interest, a director will publicly disclose the interest during a meeting of the Board, file an affidavit with the Secretary of the Board, and abstain from further participation in the matter if:
  - a. The action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or
  - b. It is reasonably foreseeable that a board action on the matter will have an economic effect on the value of the property.
  - ~~c. The Board must take a separate vote on any item specifically dedicated to a contract in which a director has a substantial interest.~~
- B. Regarding hiring, no director will appoint, confirm the appointment, or vote for the appointment of any individual if that individual:
  - a. Is related to that director or any other director within the third degree of consanguinity or second degree of affinity (defined as a spouse, parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, great-grandparent, great-grandchild, brother-in-law, sister-in-law, mother-in-law, father-in-law, son-in-law, or daughter-in-law); and



## VETERANS LAND BOARD (VLB) POLICIES

- b. That individual will receive or be compensated from VLB funds.
- C. Directors also must file a conflicts disclosure statement whenever a director becomes aware that a vendor or contractor of VLB, or a potential vendor or contractor, has an employment or business relationship with a director or a family member of the director (defined as the director's spouse, parent, child, father-in-law, mother-in-law, sons-in-law, and daughters-in-law). The disclosure statement also must be filed in the following circumstances:
  - a. When a director or a family member of a director receives taxable income from an VLB vendor or contractor or a potential vendor or contractor, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date a contract is signed or first considered by VLB;
  - b. When a vendor has given to a director or a family member of a director one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date a contract is signed or first considered by VLB; or
  - c. When a director has a family relationship with an VLB vendor. A director must sign the disclosure statement (available from the general counsel) before a notary, under oath, acknowledging that it applies to the director's family members, then file it with the VLB records custodian by the seventh business day after the director becomes aware of facts requiring the form to be filed.

### **120.40 Annual Financial Disclosures**

The Directors shall file an annual financial statement with the Texas Ethics Commission in accordance with Texas Government Code, Chapter 572.

### **102.60 Executive Secretary Authority**

The Executive Secretary is authorized to develop and enforce a written policy of ethical conduct, which may be more restrictive than state law, applicable to employees of the VLB.

### **120.70 Donations Received by the VLB**

The authority to accept grants, gifts, devises, trusts, and requests, for programs outside of Natural Resources Code, Title 7. Resources Program, Chapter 164. Veterans' Financial Assistance Program is reserved for the Chair of the Veterans Land Board, in his or her capacity as Commissioner of the General Land Office as specified in Natural Resources Code, Title 2. Public Domain, Subtitle C. Administration, Chapter 31. General Land Office, Subchapter A. General Provision, Section 31.065.

### **120.80 AUTHORITY**

Natural Resources Code, Title 2. Public Domain, Subtitle C. Administration, Chapter 31. General Land Office, Subchapter A. General Provision, Section 31.065

Natural Resources Code, Title 7. Resources Program, Chapter 164, Section 164.005 RIGHTS AND POWERS OF BOARD

**EFFECTIVE:** February 13, 2024





# MEMORANDUM

TEXAS VETERANS LAND BOARD • CHAIRWOMAN DAWN BUCKINGHAM, M.D.

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**Date:** February 13, 2024

**To:** Dawn Buckingham, M.D., Chairwoman  
Judson Scott, Member  
James Rothfelder, Member

**From:** Tony Dale, Executive Secretary

**Subject:** Agenda Item 10 b - Report on Veterans Land Board operations.

**RECOMMENDATION:** This agenda item requires no action from the Board.

## Personnel Activity

### New Hires:

**Matt Howe** - Multimedia Specialist – VLB Marketing (U.S. Marine Corps Veteran)

### Transfers:

**Susan Culp** - On Site Representative at the Ambrosio Guillen Texas State Veterans Home in El Paso transferred to Fort Worth to become the first On Site Representative at the Tuskegee Airmen Texas State Veterans Home.

### Promotions:

**April Solis-Cabana** – promotion from Jr. Loan Processor to Senior Loan Processor

**John Tomme** – promotion from Portfolio Manager to Assistant Director – VLB Bond Funds Management

**Douglas Gault** – (US Army Veteran) promotion from Chief On-Site Representative at the Central Texas State Veterans Cemetery in Killeen cemetery to Manager overseeing all On Site Representatives

**Dr. John Kelley** – (US Army Veteran) promotion from Director IV to Director V. Dr. Kelley will continue to lead the cemetery program.

**Don Parrott** - (US Army Veteran) Marketing Specialist III in VLB Marketing is the new On-Site Representative at the Ambrosio Guillen Texas State Veterans Home in El Paso.

### Reorganization:

Effective December 1, 2023, the VLB Accounting Team, that previously reported to Financial Management in the General Land Office, is transferred to Assistant Executive Secretary Darren Fitz Gerald.

## Construction Update

### HVAC upgrades at Veteran Homes

During the October 2023 meeting the Board delegated authority to the Executive Secretary to execute job order contracts for heating, ventilation, and air conditioning (HVAC) upgrades at Texas State Veterans Homes. Those contracts were successfully executed on time. The next step is to complete the work.

### Roof repairs at Richard A. Anderson Texas State Veterans Home, Houston

On November 9, 2023, a "Settlement Agreement and Release of Claims" was entered into between GLO and the contractor that built the home (Kitchell) to complete the work in the "Breeze Report."

Repairs were scheduled to begin in early January 2024, but due to temperatures below 40 degrees Fahrenheit and rain, the scheduled start date was moved to January 29, 2024. Materials were delivered to the home on January 29, 2024. As of February 5, 2024, no work was conducted and the VLB and Kitchell are communicating on next steps.

### Construction and Capital Improvements:

The VLB is currently managing over \$110,000,000 in construction projects across the state. The three largest projects are the veterans home in Fort Worth, the construction of the Lubbock state veterans cemetery and the expansion of the Corpus Christi cemetery. These three projects represent \$46,000,000 of the total \$110,000,000. Examples of other work includes heating, ventilation, and cooling upgrades at all veteran homes, upgrading fire and security systems and replacement of beds, mattresses, flooring, and similar items. In November 2023 the Executive Secretary approved \$3,000,000 to address deferred maintenance in the veteran homes and an additional \$1,385,554 for capital expenditures in all veterans homes during FY24

### Home Loan Limit Increased:

At the October 2023 meeting the Board delegated authority to the Executive Secretary to raise the home loan maximum amount to match the Veterans Administration (VA) and Federal Housing Finance Agency (FHFA) limits. In accordance with Board guidance, the change is effective January 1, 2024. The new maximum home loan amount is \$766,550, up from \$726,200.

### Burial Benefits for Texas Military Forces killed in the line of duty:

During the October 2023 meeting the Board authorized burial benefits for members of the Texas Military Forces killed in the line of duty. The VLB staff is actively working with the Texas Military Department on a memorandum of understanding to ensure eligible personnel can take advantage of the benefit.

#### Cemetery Grant Update:

During federal Fiscal Year 2023, the Texas State Veterans Cemeteries secured \$22.3 million in VA grants for the expansion at the Coastal Bend cemetery in Corpus Christi and the establishment of a new cemetery in Lubbock. A total of \$51 million was awarded nationwide by the Veterans Administration, meaning that Texas secured almost 44% of the Veterans Cemetery Grant Program's grant funds. We thank all those on the teams that worked tirelessly on the grant submissions.

#### Board Webpage Updated:

The main page for the Board is at this link: <https://www.glo.texas.gov/the-glo/boards-commissions/veterans-land-board/index.html>

The page now includes pictures and biographies of all Board members.

During the October 2023 board meeting, the board adopted rules that required agendas, packets, minutes, and meeting recordings to be posted on the webpage. This update is complete and all meeting documents from May 2023 to present are now available online.

#### Upcoming Dates of Importance:

March 4 – April 18 Online Forfeited Land Sale

April 30, 2024 - Quarterly Veterans Land Board Meeting

TBD – Grand Opening Event at Tuskegee Airmen Texas State Veterans Home – Fort Worth

May 27, 2024 – Memorial Day

June 25, 2024 - Quarterly Veterans Land Board Meeting