



## HOUSING DEVELOPMENT ASSISTANCE (RHDA/OHDA)

Application for Housing Development Financing

**PLEASE NOTE:** AHFC Reserves the right to fund projects at a lower amount than requested, and the right to deny applications that do not coincide with the [Austin Strategic Housing Blueprint](#) and policy direction from the Austin City Council.

### Applicant Information

(If the developer involves multiple entities, is a partnership or joint venture, please provide the requisite information for each and identify the entity that will serve as the "lead" organization.)

**Developer Name**

Guadalupe Neighborhood Development Corporation

**Owner Name**

Guadalupe Neighborhood Development Corporation

**Street Address**

813 E. 8th St, Austin TX 78702

**City**

Austin

**State**

TX

**Zip**

78702

**Contact Name**

Mark C. Rogers

**Contact Telephone**

5124796275

**Contact Email**

**Federal Tax ID Number**

74-2247265

**D-U-N-S Number (visit [www.dnb.com](http://www.dnb.com) for free DUNS#.)**

15287795

The applicant/developer certifies that the data included in this application and the exhibits attached hereto are true and correct. *Unsigned/undated submissions will not be considered.*

**Legal Name of Developer/Entity**

Guadalupe Neighborhood Development Corporation

**Title of Authorized Officer**

Executive Director

  
Signature of Authorized Officer

  
Date

**INSTRUCTIONS:** Applications will be reviewed on a quarterly basis. All applications submitted in the review period that achieve the minimum threshold score will be reviewed by an internal panel of NHCD staff. All awards will be made by the AHFC Board of Directors. To be considered for an award, please complete this application electronically, print, sign, and deliver to:

Department of Neighborhood  
Housing and Community  
1000 East 11th Street  
Austin, Texas 78702  
Attn: James May  
Community Development Manager

City of Austin

JAN 31 2019

NHCD / AHFC

## Project Summary Form

1) Project Name La Vista de Lopez	2) Project Type 100% Affordable	3) New Construction or Rehabilitation? New Construction
4) Location Description (Acreage, side of street, distance from intersection) 809 East Ninth Street, adjacent to the Lopez House at the same		5) Mobility Bond Corridor
6) Census Tract 9.01	7) Council District District 1	8) Elementary School MATHEWS EL
9) Affordability Period 99 Years		
10) Type of Structure Multi-family	11) Occupied? Yes	12) How will funds be used? Pre-development Only

### 13) Summary of Rental Units by MFI Level

Income Level	Efficiency	One Bedroom	Two Bedroom	Three Bedroom	Four (+) Bedroom	Total
Less than 20% MFI						0
Less than 30% MFI		6				6
Less than 40% MFI						0
Less than 50% MFI		14				14
Less than 60% MFI		4				4
Less than 80% MFI						0
Less than 120% MFI						0
No Restrictions						0
<b>Total Units</b>	<b>0</b>	<b>24</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>24</b>

### 14) Summary of Units for Sale at MFI Level

Income Level	Efficiency	One	Two	Three	Four (+)	Total
Less than 60% MFI						0
Less than 80% MFI						0
Less than 120% MFI						0
No Restrictions						0
<b>Total Units</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 15) Initiatives and Priorities

Initiative	# of Units	Initiative	# of Units
Accessible Units for Mobility Impairments	24	Continuum of Care Units	
Accessible Units for Sensory Impairments	24		

Use the City of Austin GIS Map to Answer the questions below

- 16) Is the property within 1/2 mile of an Imagine Austin Center or Corridor? ☐ Yes
- 17) Is the property within 1/4 mile of a High-Frequency Transit Stop? ☐ Yes
- 18) Is the property within 3/4 mile of Transit Service? ☐ Yes
- 19) The property has Healthy Food Access? ☐ No

### 20) Estimated Sources and Uses of funds

#### Sources

Debt	1050000
Third Party Equity	745,000
Grant	1313305
Deferred Developer Fee	700000
Other	1700000
<b>City of Austin</b>	<b>300,000</b>

**Total \$ 5,808,305**

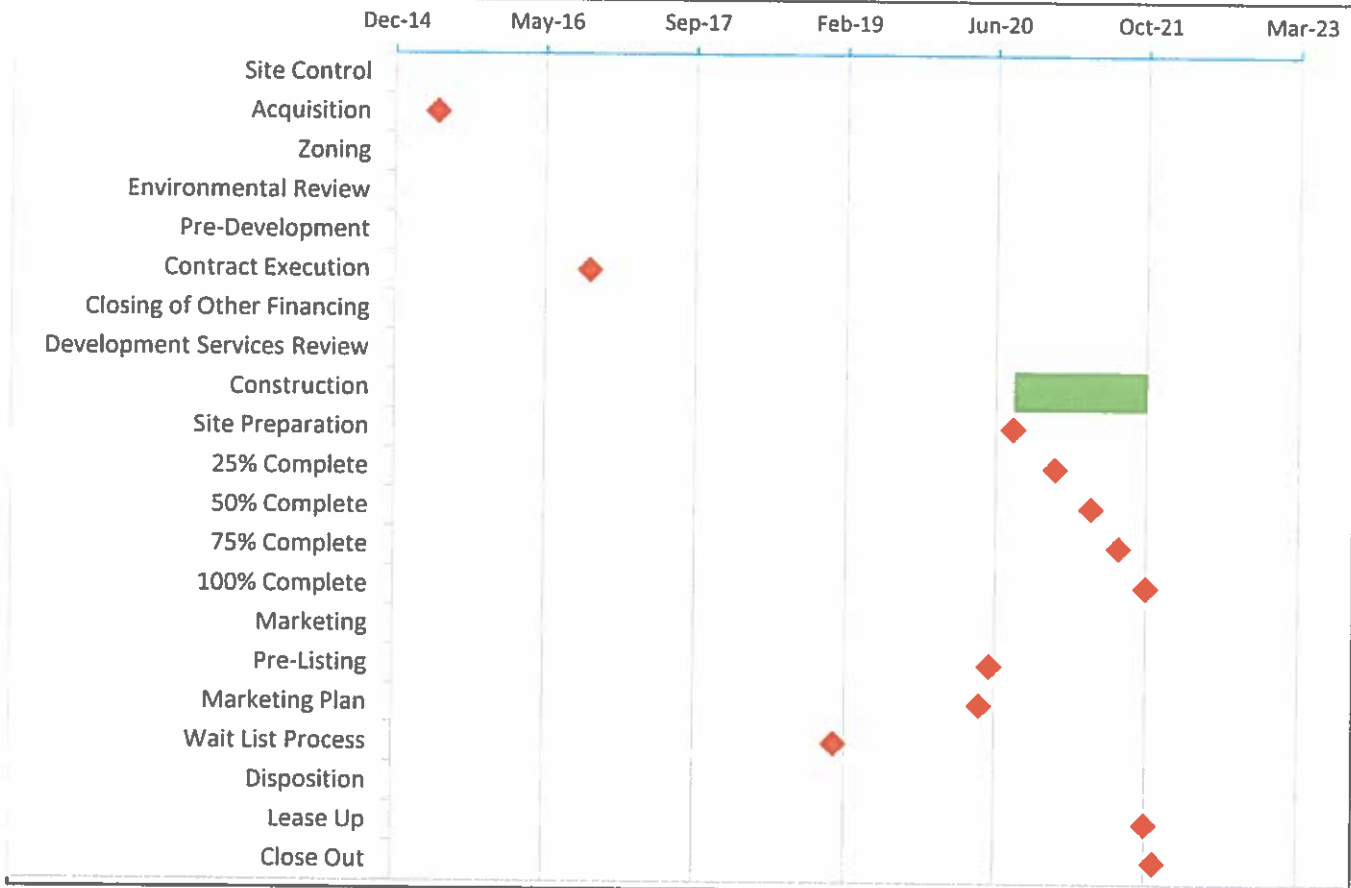
#### Uses

Acquisition	671,616
Off-Site	
Site Work	410025
Site Amenities	
Building Costs	4,582,850
Contractor Fees	135,314
Soft Costs	\$ 8,500
Financing	
Developer Fees	

**Total \$ 5,808,305**

## Development Schedule

	Start Date	End Date
<b>Site Control</b>	Jun-01	Jan-00
Acquisition	May-15	
Zoning	Jun-01	
Environmental Review	Mar-15	
<b>Pre-Development</b>	Oct-16	Jan-00
Contract Execution	Oct-16	
Closing of Other Financing	Jun-20	
Development Services Review	May-20	
<b>Construction</b>	Aug-20	Nov-21
Site Preparation	Aug-20	
25% Complete	Jan-21	
50% Complete	May-21	
75% Complete	Aug-21	
100% Complete	Nov-21	
<b>Marketing</b>	Jan-19	Jan-00
Pre-Listing	Jun-20	
Marketing Plan	May-20	
Wait List Process	Jan-19	
<b>Disposition</b>	Nov-21	Jan-00
Lease Up	Nov-21	
Close Out	Dec-21	



## Development Budget

	Total Project Cost	Requested AHFC Funds	Description
<b>Pre-Development</b>			
Appraisal	1,500		
Environmental Review			Completed by ABRO: Phase I, Lead & Asbestos
Engineering	185,725	128,000	Partially completed
Survey	25,600		
Architectural	197,200	172,000	Partially completed
<b>Subtotal Pre-Development Cost</b>	<b>\$410,025</b>	<b>\$300,000</b>	
<b>Acquisition</b>			
Site and/or Land	510,000		Acquired by GNDC with private loan 2015
Structures	161,616		Includes \$50,000 AHFC Loan
Other (specify)			
<b>Subtotal Acquisition Cost</b>	<b>\$671,616</b>	<b>\$0</b>	
<b>Construction</b>			
Infrastructure	192,000		
Site Work	422,027		
Demolition			
Concrete	484,305		
Masonry	78,042		
Rough Carpentry	81,008		
Finish Carpentry			
Waterproofing and Insulation	33,509		
Roofing and Sheet Metal	96,081		
Plumbing/Hot Water	315,563		
HVAC/Mechanical	241,526		
Electrical	290,414		
Doors/Windows/Glass	129,099		
Lath and Plaster/Drywall and Acoustical	806,822		
Tiel Work	93,793		
Soft and Hard Floor	980		
Paint/Decorating/Blinds/Shades	667,540		
Specialties/Special Equipment	18,963		
Cabinetry/Appliances	8,245		
Carpet			
Other (specify)			
Construction Contingency	758,247		Includes Developer Fee
<b>Subtotal Construction Cost</b>	<b>\$4,718,164</b>	<b>\$0</b>	
<b>Soft &amp; Carrying Costs</b>			
Legal	5,000		
Audit/Accounting	500		
Title/Recordin			
Architectural (Inspections)			
Construction Interest			
Construction Period Insurance			
Construction Period Taxes			
Relocation	1,000		
Marketing	1,000		
Davis-Bacon Monitoring	1,000		
Other (specify)			
<b>Subtotal Soft &amp; Carrying Costs</b>	<b>\$8,500</b>	<b>\$0</b>	
<b>TOTAL PROJECT BUDGET</b>	<b>\$5,808,305</b>	<b>\$300,000</b>	



## 15 Year Rental Housing Operating Pro Forma (RHDA)

The pro forma should be based on the operating income and expense information for the base year (first year of stabilized occupancy using today's best estimates of market rents, restricted rents, rental income and expenses), and principal and interest debt service. The Department uses an annual growth rate of 2% for income and 3% for expenses. Written explanation for any deviations from these growth rates or for assumptions other than straight-line growth made during the proforma period should be attached to this exhibit.

INCOME	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 10	YEAR 15
POTENTIAL GROSS ANNUAL RENTAL INCOME	197,760	\$201,715	\$205,750	\$209,864	\$214,062	236341.5	260940.1
Secondary Income	1,714	\$1,748	\$1,783	\$1,819	\$1,855	2048.389	2261.587
POTENTIAL GROSS ANNUAL INCOME	\$199,474	\$203,463	\$207,533	\$211,683	\$215,917	\$238,390	\$263,202
Provision for Vacancy & Collection Loss	5,933	\$6,052	\$6,173	\$6,296	\$6,422	7090.484	7828.468
Rental Concessions	-\$11,866	-\$12,103	-\$12,345	-\$12,592	-\$12,844	-\$14,181	-\$15,657
EFFECTIVE GROSS ANNUAL INCOME	\$193,541	\$197,412	\$201,360	\$205,387	\$209,495	\$231,299	\$255,373
EXPENSES							
General & Administrative Expenses		\$0	\$0	\$0	\$0	0	\$0
Management Fee	\$14,400	\$14,832	\$15,277	\$15,735	\$16,207	18788.73	21781.29
Payroll, Payroll Tax & Employee Benefits		\$0	\$0	\$0	\$0	0	0
Repairs & Maintenance	\$15,840	\$16,315	\$16,805	\$17,309	\$17,828	20667.61	23959.42
Electric & Gas Utilities	\$8,564	\$8,821	\$9,086	\$9,358	\$9,639	37269.54	43205.61
Water, Sewer & Trash Utilities	\$11,440	\$11,783	\$12,137	\$12,501	\$12,876	1878.873	2178.129
Annual Property Insurance Premiums	\$20,160	\$20,765	\$21,388	\$22,029	\$22,690	26304.23	30493.81
Property Tax	\$8,000	\$8,240	\$8,487	\$8,742	\$9,004	10438.19	12100.72
Reserve for Replacements	\$8,640	\$8,899	\$9,166	\$9,441	\$9,724	11273.24	13068.78
Other Expenses	\$5,000	\$5,150	\$5,305	\$5,464	\$5,628	13152.11	15246.9
TOTAL ANNUAL EXPENSES	\$92,044	\$94,805	\$97,649	\$100,579	\$103,596	\$139,773	\$162,035
NET OPERATING INCOME	\$101,497	\$102,607	\$103,711	\$104,808	\$105,899	\$91,527	\$93,339
DEBT SERVICE							
First Deed of Trust Annual Loan Payment	69,878	65,000	65,000	65,000	65,000	65,000	65,000
Second Deed of Trust Annual Loan Payment	\$12,524	\$17,400	\$17,400	\$17,400	\$17,400	\$17,400	\$17,400
Third Deed of Trust Annual Loan Payment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other Annual Required Payment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other Annual Required Payment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
ANNUAL NET CASH FLOW	\$19,097	\$20,207	\$21,311	\$22,408	\$23,499	\$9,127	\$10,939
CUMULATIVE NET CASH FLOW	\$19,097	\$39,304	\$60,614	\$83,022	\$106,521	\$188,085	\$238,249
Debt Coverage Ratio	1.23	1.25	1.26	1.27	1.29	1.11	1.13

Project Name	La Vista de Lopez	
Project Type	100% Affordable	
Council District	District 1	
Census Tract	9.01	
AHFC Funding Request Amount	\$300,000	
Estimated Total Project Cost	\$5,808,305	
High Opportunity	NO	
High Displacement Risk	YES	
High Frequency Transit	Yes	
Imagine Austin	Yes	
Mobility Bond Corridor	0	
SCORING ELEMENTS		Description
UNITS		
< 20% MFI	0	# of rental units at < 20% MFI
< 30% MFI	6	# of rental units at < 30% MFI
District Goal	0.85%	% of annual goal reached with units
High Opportunity	0.00%	% of annual goal reached with units
Displacement Risk	1.41%	% of annual goal reached with units
High Frequency Transit	2.19%	% of annual goal reached with units
Imagine Austin	2.19%	% of annual goal reached with units
Geographic Dispersion	0.00%	% of annual goal reached with units
Mobility Bond Corridor	0.00%	% of annual goal reached with units
SCORE	1	% of Goals * 20
< 40% MFI	0	# of rental units at < 40% MFI
< 50% MFI	14	# of rental units at < 50% MFI
District Goal	1.98%	% of annual goal reached with units
High Opportunity	0.00%	% of annual goal reached with units
Displacement Risk	3.29%	% of annual goal reached with units
High Frequency Transit	5.11%	% of annual goal reached with units
Imagine Austin	5.11%	% of annual goal reached with units
Geographic Dispersion	0.00%	% of annual goal reached with units
Mobility Bond Corridor	0.00%	% of annual goal reached with units
SCORE	2	% of Goals * 15
< 60% MFI	0	# of units for purchase at < 60% MFI
< 80% MFI	0	# of units for purchase at < 80% MFI
District Goal	0.00%	% of annual goal reached with units
High Opportunity	0.00%	% of annual goal reached with units
Displacement Risk	0.00%	% of annual goal reached with units
High Frequency Transit	0.00%	% of annual goal reached with units
Imagine Austin	0.00%	% of annual goal reached with units
Geographic Dispersion	0.00%	% of annual goal reached with units
Mobility Bond Corridor	0.00%	% of annual goal reached with units
SCORE	0	% of Goals * 15
Unit Score	4	MAXIMUM SCORE = 350
INITIATIVES AND PRIORITIES		
Continuum of Care	0	Total # of units provided up to 100 per year
Permanent Supportive Housing Score	0	(total CoC Units/100 + HF Units/50)*20
Access to Healthy Food	No	Within 1 Mile of Healthy Food (City GIS)
Permanent Supportive Housing Weighted Score	0	Mobility, Access to Jobs, Community Institutions, Social Cohesion
2 Bedroom Units	0	Total Affordable 2 Bedroom units
3 Bedroom Units	0	Total Affordable 3 Bedroom units
4 Bedroom Units	0	Total Affordable 4+ Bedroom units
Family Friendly Score	0	Multi-bedroom Unit/Total Units * 20
TEA Grade	91	Elementary School Rating from TEA
Family Friendly Weighted Score	0	Educational Attainment, Environment, Community Institutions, Social Cohesion, E
Accessible Units	48	mobility and sensory units
Non-PSH, Non-Voucher Under 20% MFI	0	Total units under 20% MFI
Accessibility Score	48	Accessible Unit/Total Units * 20
Metro Access Service	Yes	Within 3/4 mile of fixed route transit
Accessibility Weighted Score	23	Housing Stability, Health, Mobility, Community Institutions
Initiatives and Priorities Score	71	MAXIMUM SCORE = 200
UNDERWRITING		
AHFC Leverage	6%	% of total project cost funded through AHFC request
Leverage Score	23	25 - (% leverage * 25)
AHFC Per Unit Subsidy	\$15,000.00	Amount of assistance per unit
Subsidy per unit score	23	(\$200,000 - per unit subsidy)*25/\$200,000
AHFC Per Bedroom Subsidy	\$15,000.00	Amount of assistance per bedroom
Subsidy per Bedroom Score	23	(\$200,000 - per bedroom subsidy)*25/\$200,000
Debt Coverage Ratio (Year 5)	1.29	Measured at the 5 Year mark
Debt Coverage Ratio Score	21.48219688	Minimum = 1.0; Maximum = 1.5; 1.25 = best score
Underwriting Score	91	MAXIMUM SCORE = 100
APPLICANT		
FINAL QUANTITATIVE SCORE	166	THRESHOLD SCORE = 50
Previous Developments		
Compliance Score		
Proposal		
Supportive Services		
Development Team		
Management Team		
Notes		

## **GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION BRIEF DESCRIPTION AND RELEVANT EXPERIENCE**

Guadalupe Neighborhood Development Corporation (“GNDC”) is a non-profit, community based organization created in 1981. The organization began as an initiative to revitalize the Guadalupe Neighborhood, which had been losing housing and residents since the early 1960’s. After defeating the French Legation Park project in 1980, which would have displaced 20 households from the neighborhood, residents formed the Guadalupe Neighborhood Area Association (GNAA). In April 1981, GNAA produced the Guadalupe Community Development Program: Phase I Plan proposing use of Community Development Block Grant (CDBG) funds that had been set aside for the French Legation Park. Following City approval of the Phase I Plan and funding, the team purchased and renovated 10 housing units.

Mark Rogers began working as a Project Director for GNDC in 1994, and became Executive Director in 2001. Since its inception, GNDC has developed 64 single-family rental units, and enabled over 52 families to become home owners, many of which were supported with City funding. In August of 2008, GNDC completed its first affordable multi-family housing project, La Vista de Guadalupe, a twenty two unit project financed primarily through Texas Department of Housing and Community Affairs, which awarded GNDC over three million dollars in tax credits, and the Austin Housing Finance Corporation (AHFC). In 2017, GNDC developed the Jeremiah Program Moody Campus in partnership with Jeremiah Program Austin, which offers 35 units of supportive and affordable housing to Jeremiah Program participants, as well as a 4-classroom pre-k school and daycare. This project was also supported by \$2 million in forgivable loans from the AHFC. GNDC is currently developing the 11-acre Guadalupe-Saldana Net-Zero Subdivision with a mix of multi-family, townhomes, duplex and single-family homes. At this time 59 units have been completed and, at final build-out, the innovative subdivision will provide 125 permanently affordable homes.

GNDC owns and manages all of its rental properties, and uses a Community Land Trust model to sell homes for homeownership, keeping them permanently affordable. GNDC is committed to respect the people it serves and is dedicated to improve the quality of life in the neighborhoods where it works. The organization has a long and successful history of working with the City of Austin to fund, develop, construct and manage its affordable housing for East Austin residents.

**Certificate of Status, See Exhibit A**

**Developer Curriculum Vitae, See Exhibit B**

**Attached:**

- 1) CV of Mark C. Rogers, Executive Director**
- 2) CV of Rachel Stone, Assistant Executive Director**

**Financial Capacity**

GNDC has been developing affordable housing since the 1980s and has maintained a 30+ year relationship with the Austin Housing Finance Corporation throughout those projects. GNDC is well versed and experienced in multiple funding sources including, but not limited to, Low Income Housing Tax Credits, HUD's Neighborhood Stabilization Program, General Obligation Bonds, Community Development Block Grants, HOME funds as well as private Foundation support for its affordable housing developments. Some of GNDC's projects include a mix of AHFC funds with grant funding, such as the 35-unit Jeremiah Project, while others have CHDO, LIHTC, and other HUD funds layered into the project. GNDC has successfully developed 64 single-family rental units, 57 multifamily units, and over 52 homeownership units utilizing city, state, and foundation funding.

**See Exhibit C****Attached:**

- 1) IRS Tax Exemption Certification**
- 2) Certified Audit for 2017**
- 3) Board Resolution**

**List and Contact Info for Development Team**

- 1) Guadalupe Neighborhood Development Corporation, Developer (CV attached)  
Mark C. Rogers  
813 E. 8<sup>th</sup> St, Austin TX 78702  
(512) 479-6275
- 2) hatch + ulland owen, Architects (CV attached)  
Tom Hatch  
1010 E.11th Street, Austin, TX 78702  
(512) 474-8548
- 3) APTUS, Mechanical engineering  
Sujay Regmi, PE  
1919 S 1st Street, Bldg B  
Austin, Texas 78704  
(512) 872-5059
- 4) Civilitude, Subdivision  
Fayez Kazi, PE, LEED AP President  
5110 Lancaster Ct, Austin, TX 78723  
(512) 761-6161
- 5) Structures, Structural Engineering  
6926 N Lamar Blvd, Austin, TX 78752  
(512) 499-0919

**Exhibit D, Attached:**

**Curriculum Vitae for Development Team**

**Property Management Team**

GNDC owns and manages affordable housing properties. Yolanda Alemán-Limón has overseen Property Management activities for 15 years, and is responsible for training and onboarding new Property Management staff, with the assistance of the Executive Director and Assistant Executive Director.

**See Exhibit E:****Attached:**

- 1) Resume of Yolanda Alemán-Limón
- 2) Compliance reports from NHCD indicating no open violations

## Project Description

GNDC is working on the pre-development and design for an ADA compliant senior housing property with 24 units in a multi-story structure. This project will be built at 809 E. 9th Street, a property acquired by GNDC in 2015 when it appraised for \$510,000 (land value only). The house, known as the Lopez House, was severely damaged by fire in 2010 yet, because of its historic merit, the Preservation Office of the City of Austin initiated historic zoning in 2012. The owner agreed to the zoning and the property was designated a City of Austin historic landmark in 2013. Using its own funds and a \$50,000 loan from the Austin Housing Finance Corporation, GNDC completed rehabilitation of the Lopez House in 2016. It currently provides one affordable unit to a household with income below 50% of the Austin MFI.

The project proposes constructing a 6-story tower that will adjoin the restored Lopez House. The original house will then serve as a community gathering space that may also be used on occasion as a GNDC office, and for such things as a live-in aid or service providers to assist the residents. This project will be very similar to a congregate living arrangement, allowing seniors to stay in their community, easily access health and human services, and allow the resident to age affordably with dignity. GNDC has designed the renderings and a site plan for this project, and has spent approximately \$70,000 on pre-development work. The site plan is currently in development review with the City's planning departments and has received its first set of comments. GNDC is requesting \$300,000 to complete pre-development work.

La Vista de Lopez is in the Central East Austin Neighborhood Plan area, which was adopted in 2001. The site is zoned NCCD which, for this tract, allows a 70 foot height and 100% impervious. Because congregate living is not included as a permitted use within the NCCD, the project is seeking a variance for reduced parking. Otherwise, the 6 spaces being provided would be sufficient for the 24 units.

The project intends to serve 24 senior households, at or over the age of 62, and especially people with disabilities who are very low income – 50% and 30% MFI and below. All units will have approximately 625 square feet, one-bedrooms, and will be accessible for people with mobility and sensory impairments.

There is currently only one housing development dedicated to seniors in the Central East Austin Neighborhood, several blocks to the east with 12 units that was built by the East Austin Economic Development Corporation in 1996.

GNDC's wait list and current tenant population indicates there is a serious demand for senior housing, especially that which is accessible to persons with disabilities. Based on 2016 data, at GNDC's La Vista de Guadalupe mid-rise multi-family project, 31.8% of the tenant households are themselves senior or have a senior living within the household. Of La Vista tenants 36.4% included at least one person with a disability. In all of GNDC's rental units, 27.8% include a senior and 22.2% include a person with a disability. GNDC has approximately 156 applicants who are at or above the age of 62.

## Market Assessment

The 24-unit La Vista de Lopez rental project located at 809 East 9<sup>th</sup> Street proposes to serve seniors and persons with disabilities 62 years of age or older. All units will be fully accessible and ADA compliant. The project is in the 78702 zip code area of Austin, Texas.

In 2010 approximately 14% of the population in the 78702 zip code area was over 60 years of age. By 2017, this had increase slightly to just under 15%. Data shows that the over 55 demographic has seen the largest expansion of any age group in Austin. Based on our February 2018 wait list, GNDC has 156 applicants who are 62 years of age or older. GNDC also has 124 applicants who disclosed having a disability on their application.

ii. The majority of a GNDC's tenants and buyers are likely to come from the 78702, 78721 and 78741 zip code areas. Because GNDC gives priority to those households from areas where displacement has occurred and where it continues to cost-burden long-time residents, the primary market/geographic area, based on neighborhood boundaries and zip code area is 78702, 78721 and 78741. These include the Central East Austin, East Cesar Chavez, Holly, Govalle and Montopolis Neighborhoods.

iii. GNDC made an effort in 2017 to contact every household on its Rental Housing Wait List. GNDC was unable to make contact with less than 5% of over 782 applicants remain on GNDC's waitlist. The average monthly income of the applicants is \$1,736.56.

MFI LEVEL: Of the 782 applicants, 418 applicants (54%) of the total number of households on the wait list have income at or below 30% of the MFI. 268 applicants (34%) have income between 30% and 50% MFI. 52 (6%) applicants have income between 50% and 60% of the MFI, and 38 (5%) residents have income above 60% of the MFI.

One Bedroom Units: The result of this outreach show that 269 applicants are in need of a 1-bedroom unit. Of these, 165 applicants have income below 30% of the MFI; 70 applicants have income between 30% and 50% MFI; 20 had income between 50% and 60% MFI and only 14 applicants had income above 60% MFI.

**iv. Analyze the Competition:** There are a few existing senior housing projects that are providing affordable rental for seniors over 62 years of age in the market area. The Rebekah Baines Johnson development is the only high-rise senior project in the area and it is over 40 years old. We are able to identify two comparable projects based on location, year of construction, target population, property condition, unit mix, unit amenities, and occupancy and turnover. These are Lyons Gardens and Franklin Gardens. Neither of those developments offer a similar proximity to Austin's Central Business District, the Dell-Seton Medical Center, the abundance of services and shopping nearby, or the views of the Austin skyline.

Nearby senior projects include:

- Rebekah Baines Johnson. Completed 1972. 250 units 100 of which are Section 8 units
- Lyons Gardens. 54 units.



- Wildflower Terrace. 55 years of age and older. Relatively few units for below 30% MFI.
- Oaks Springs Villas. 56 1-bedroom units.
- Franklin Gardens. 22 units. 50% MFI

**v. Market Demand.** Our wait list, created without a need for marketing, clearly demonstrate the demand for the planned units. There is sufficient demand to rent/sell the units without incentives or marketing.

**vi. Effective Demand and Capture Rate.**

The Project will create 24 1-bedroom rental units. GNDC has 156 applicants who are at or above the age of 62. The effective demand and capture rate therefore is 15%.

**vii. Absorption Period.** All 24 units can be successfully leased or sold within a month of completion and stabilized occupancy for the project as a whole will take place as units are completed.

## **Good Neighbor Policy**

GNDC began developing infill single-family and duplex housing in the Guadalupe Neighborhood in 1983 and established a Board of Directors comprised entirely of residents and property owners from the neighborhood. By 1988, GNDC began working in the East Cesar Chavez and Holly Neighborhoods and, for that reason, added board members who lived within or owned property within those neighborhoods. Since then, GNDC always has a seat on its Board of Directors for residents/property owners who live in the neighborhoods where GNDC develops housing. These Directors are able to serve as liaisons to the neighborhoods and help GNDC engage residents on affordable housing development.

GNDC has a Policy for Public Input which it adopted in 2002. In conformity with this policy, GNDC holds open meetings at accessible, public locations, such as libraries, to gather input regarding the location, design and program of the projects. GNDC typically publicizes these meetings via emails to residents and associations, and flyers throughout the neighborhood.

La Vista de Lopez will be built in the Central East Austin Neighborhood. Currently, Michael Guajardo, who serves as GNDC's Vice President, is also the President of the Guadalupe Association for an Improved Neighborhood, GAIN. Mr. Guajardo also serves as GAIN's representative to the Central East Austin Neighborhood P contact team, named OCEAN.

GNDC began designing La Vista de Lopez in late 2015 and has presented concept renderings of the project to the membership of the Guadalupe Association for an Improved Neighborhood, GAIN on at least two occasions between early 2016 and mid-2018. The project is currently in site plan review with the City and once we have determined a final concept for La Vista de Lopez, it will be presented to the membership of GAIN via that organizations list serve, which has over 80 members. Once input has been gathered from the immediate neighborhood residents and property owners, GNDC will present the project to OCEAN.

GNDC has a Policy for Public Input which it adopted in 2002. In conformity with this policy, GNDC typically publicizes public meeting via emails and flyers, and holds them accessible public locations. The purpose of the meeting is for GNDC to present new projects and to gather input regarding the location, design and program of the projects.

Because La Vista de Lopez will be far enough along in the site plan review process in the next 30 to 60 days to complete the conceptual design, it is anticipated that GNDC will begin the process of gathering public input in about 60 days.

### **S.M.A.R.T. Housing**

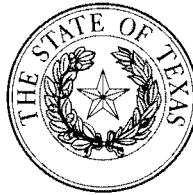
The S.M.A.R.T. Housing letter is attached as **Exhibit F**.

### **General Services**

At this time, GNDC had not determined general services.

### **Property**

- a. Maps referencing the geographic priorities established in the Strategic-Housing Blueprint are attached as **Exhibit G**.
- b. The land has already been acquired.
- c. The Zoning Verification letter is underway and will be sent upon receipt.
- d. The deeds to the property are attached as **Exhibit H**.
- e. Phase I Environmental Site Assessments is attached as **Exhibit I**.



## Office of the Secretary of State

### Certificate of Fact

The undersigned, as Secretary of State of Texas, does hereby certify that the document, Articles of Incorporation for GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION (file number 55666001), a Domestic Nonprofit Corporation, was filed in this office on April 06, 1981.

It is further certified that the entity status in Texas is in existence.

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in Austin, Texas on January 22, 2019.



A handwritten signature in black ink, appearing to read "David Whitley".

David Whitley  
Secretary of State

# Mark C. Rogers, Ph.D.

Mark@guadalupependc.org

## Areas of expertise

Nonprofit residential development, affordable housing, green building, partnership development

## Experience

**Executive Director, Guadalupe Neighborhood Development Corporation** 1994-Present

- Leads the growth of Guadalupe Neighborhood Development Corporation while focusing on its mission of preserving the residential character of, and prioritizing the households with ties to, the neighborhoods where it works.
- Oversees the operations and growth of the corporation while minimizing debt. 78% of GNDC's operating budget is generated by rental income.
- Oversees the development projects which include the 11-acre Guadalupe-Saldana Net-Zero Subdivision planned for 125 units of affordable, green housing, a growing portfolio of Community Land Trust homes, and the management of 105 rental units, and a variety of scattered site development initiatives.
- Coordinates partnerships and collaborations for various initiatives, including the Alley Flat Initiative with the University of Texas School of Architecture's Center for Sustainable Development and the Austin Community Design and Development Center and the Jeremiah Program Moody Campus with the Jeremiah Program Austin.
- Supervises development staff regarding grant and financing applications.
- Manages the design and programming of the development of new properties.
- Oversees compliance requirements to ensure the funding requirements for various projects.
- Manages the corporations and partnership assets and develops budgets for each.

## **Private Consultant**

**2004-Present**

Works with several nonprofit and for-profit developers on a variety of projects including small subdivisions and infill rental and ownership projects.

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## PROJECTS LIST & COMPLETION DATE

---

- |   |   |
|---|---|
| • GNDC Exterior Rehab Project, 16 rental units, 1994            | • 807 Waller Community Land Trust home, 2014                              |
| • Major Interior Rehab Project, 18 rental units, 1996           | • Guadalupe-Saldana Net-Zero, 125 units. Rental & ownership 2005-ongoing: |
| • Montopolis Good Neighbor Program, 6 lease-to-own Rehabs, 1999 | • 4 Duplex Project. 8 new rental units, 2013                              |
| • Guadalupe Area Infill Project, 17 new homes, 2004             | • Rainey Street Relocation, 4 rehab homes, 2014                           |
| • Guadalupe HIP 2000, 9 rental units, new and rehab, 2003       | • Jeremiah Program Moody Campus. 35 new multifamily rental units, 2017    |
| • RHDA Rental Infill Project, 7 new rental units, 2007          | • Father Joe Znotas Street Phase II, 8 CLT ownership, 2018                |
| • La Vista de Guadalupe, 22 LIHTC rental units, 2008            | • Father Joe Znotas Street Phase III, 4 CLT ownership, 2018               |
| • SOL Rental Project, 8 rental units, Acquisition, 2009         | • RHDA Scattered Infill. 7 rental units. 2019                             |
| • SOL Ownership Project, 6 Home ownership shared equity, 2010.  |   |
| • 1313 Willow Community Land Trust home, 2012                   |   |

**EMPLOYMENT  
EXPERIENCE:**

**Assistant Executive Director, GNDC, *Austin TX*, 2018-Present**

- Development of Strategic Partnerships and Fundraising Relationships.
- Development of Affordable housing through completion of SMART Housing and Zoning Applications.
- Community outreach and engagement.

**Program Development Manager, ICAST, *Austin TX/Denver CO*, 2015-Present**

- Developed and managed financing, youth development and clean energy programs for a 501(c)3 national nonprofit dedicated to green rehab and preservation of multifamily affordable housing;
- Provide legal, technical assistance, research, and policy analysis on best practices for executing energy, affordable housing, workforce development, health, and financing programs;

**Policy Coordinator, SPEER, *Austin TX*, 2014**

- Coordinated and streamlined collaboration between Austin and other local Texas governments' energy efficiency initiatives through a City Energy Leadership Council.
- Drafted and edited model resolution, contract, application and provided technical assistance for cities and counties to use in the establishment of local Property-Assessed Clean Energy (PACE) programs.
- Researched and drafted extensive policy papers; organized and led webinars, workshops, and panels.

**Clean Energy Attorney, Environment Texas, *Austin TX*, 2013–2014**

- Led advocacy efforts expanding policies to promote solar power, wind power, and energy efficiency at the local and state level in Texas.
- Drafted and published research and policy fact sheets, developed media campaigns and coalitions, provided outreach and coordination of grassroots organizing.

**Staff Attorney, U.S. Dept. Housing & Urban Development, *Fort Worth TX*, 2011-2013**

- Provided research, counseling and written memoranda to resolve legal and regulatory questions regarding fair housing, community development grants, and government ethics.
- Assisted FEMA on disaster response, improved collaboration with outside agencies and government grantees, and proactively identified training and improvement needs within agency.

**RELATED  
CLINICS &  
INTERNSHIPS:**

**Student Attorney, UT Community Development Clinic, *Austin TX*, 2010–2011**

**Law Clerk, Lower River Colorado Authority, *Austin TX*, 2010**

**Law Clerk, Texas Civil Rights Project, *Austin TX*, 2009**

**GIS Technician, City of Austin Watershed Protection, *Austin TX*, 2006–2007**

**Intern for the Mayor's Staff, City of New Haven City Hall, *New Haven CT*, 2005**

**Neighborhood Services Intern, Providence City Hall, Providence RI, 2004**

**COMMUNITY  
ENGAGEMENT:**

**Treasurer, Solar Austin Board of Directors, *Austin TX*, 2014-Present**

**Executive Committee Member, Austin Housing Coalition, *Austin TX*, 2017-Present**

**Vice President, Artstillery Board of Directors, *Dallas TX*, 2017-Present**

**Affordable Housing Group Chair, 2018 Bond Election Advisory Task Force, *Austin TX*, 2016-2018**

**LICENSURE &  
EDUCATION:**

**Texas State Bar Admission, 2011**

**J.D., The University of Texas School of Law, 2011 *Austin TX***

- Justice Center Award Recipient for Extraordinary Commitment to Public Service, 2011
- UT Center for Public Policy and Dispute Resolution Mediation Certification, 2010
- Related coursework: Administrative Law, Community Development Clinic, Regulation & Public Policy, Land Use Regulation, Property & Governance

**B.A., Brown University, 2006 *Providence RI***

- Double Major: Urban Studies & Literary Arts

Internal Revenue Service  
District Director

Department of the Treasury

FEB 9 1983

Date: FEB 04 1983

Employer Identification Number:

74-2247265

Accounting Period Ending:

OCTOBER 31

Foundation Status Classification:

170(b)(1)(A)(vi) and 509(a)(1)

Advance Ruling Period Ends:

OCTOBER 31, 1986

Person to Contact:

EO TECHNICAL ASSISTANT

Contact Telephone Number:

(214) 767-2728

EO:7215,WBJ

▷ GUADALUPE NEIGHBORHOOD DEVELOPMENT  
CORPORATION  
1212 EAST 9TH STREET  
AUSTIN, TX 78702

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably be expected to be a publicly supported organization described in section 170(b)(1)(A)(vi) and 509(a)(1).

Accordingly, you will be treated as a publicly supported organization, and not as a private foundation, during an advance ruling period. This advance ruling period begins on the date of your inception and ends on the date shown above.

Within 90 days after the end of your advance ruling period, you must submit to us information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, you will be classified as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, you will be classified as a private foundation for future periods. Also, if you are classified as a private foundation, you will be treated as a private foundation from the date of your inception for purposes of sections 507(d) and 4940.

Grantors and donors may rely on the determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you submit the required information within the 90 days, grantors and donors may continue to rely on the advance determination until the Service makes a final determination of your foundation status. However, if notice that you will no longer be treated as a section 509(a)(1) organization is published in the Internal Revenue Bulletin, grantors and donors may not rely on this determination after the date of such publication. Also, a grantor or donor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 509(a)(1) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section 509(a)(1) organization.



If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. Also, you should inform us of all changes in your name or address.

Generally, you are not liable for social security (FICA) taxes unless you file a waiver of exemption certificate as provided in the Federal Insurance Contributions Act. If you have paid FICA taxes without filing the waiver, you should call us. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

You are required to file Form 990, Return of Organization Exempt from Income Tax, only if your gross receipts each year are normally more than \$10,000.\* If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is reasonable cause for the delay.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter, we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

cc: JAMES W. PIPER

ENCLOSURE: 872-C

Sincerely yours,



R. C. Voskuil  
District Director

For tax years ending on and after December 31, 1982, organizations whose gross receipts are not normally more than \$25,000 are excused from filing Form 990. For guidance in determining if your gross receipts are "normally" not more than the \$25,000 limit, see the instructions for the Form 990.



**Department of the Treasury  
Director, Exempt Organizations**

**Internal Revenue Service  
P.O. Box 2508  
Cincinnati, OH 45201**

**Date:** MAY 24 2000

Guadalupe Neighborhood Development  
Corporation  
1113 E 9th St.  
Austin, TX 78702

**Employer Identification Number:**  
74-2247265

**Document Locator Number:**  
310069476EO

**Contact Person - ID Number:**  
Mr. Evans - 31-02826

**Contact Telephone Number:**  
(877) 829-5500 Toll-Free

**Our Letter Dated:**  
October, 1986

**Addendum Applies:**  
No

Dear Sir or Madam:

We have received your correspondence dated February 23, 2000, which includes Form 8734.

Since your organization was issued its determination letter, the Internal Revenue Code has been revised and organizations exempt under 501(c)(3) are classified as either private foundations or public charities described in 509(a). Our records do not indicate that we have made this determination for your organization.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

Steven T. Miller  
Steven T. Miller  
Director, Exempt Organizations

Letter 1050 Modified (DO/CG)



# Montemayor Britton Bender PC

CERTIFIED PUBLIC ACCOUNTANTS

## **GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION**

CONSOLIDATED FINANCIAL STATEMENTS  
AND  
INDEPENDENT AUDITOR'S REPORT

31 DECEMBER 2017 AND 2016



**Montemayor Britton Bender PC**  
CERTIFIED PUBLIC ACCOUNTANTS

Board of Directors and Management  
Guadalupe Neighborhood Development Corporation

**INDEPENDENT AUDITOR'S REPORT**

We have audited the accompanying consolidated financial statements of Guadalupe Neighborhood Development Corporation (GNDC), a nonprofit organization, which comprise the consolidated statement of financial position as of 31 December 2017 and 2016, and the related consolidated statements of activities and cash flows for each year then ended, and the related notes to the consolidated financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these consolidated financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the consolidated financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risk of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

2525 WALLINGWOOD DRIVE  
BUILDING 1, SUITE 200  
AUSTIN, TEXAS 78746  
PHONE: 512.442.0380  
FAX: 512.442.0817  
[www.montemayor.team](http://www.montemayor.team)





We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### Opinion

In our opinion, the consolidated financial statements referred to above present fairly, in all material respects, the financial position of GNDC as of 31 December 2017 and 2016, and changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

### Other Matters

Our audit was conducted for the purpose of forming an opinion on the consolidated financial statements taken as a whole. The accompanying schedule of expenditures of federal awards (page 24), as required by Title 2 *U.S. Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, is presented for additional analysis and is not a required part of the consolidated financial statements. The supplemental schedule of Community Land Trust sources and uses (page 27) is presented for additional analysis as required by Texas property tax code 11.1827, and is also not a required part of the consolidated financial statements. The supplemental financial statements of Guadalupe Jeremiah LP (pages 18-19) are presented for additional analysis, and are also not a required part of the consolidated financial statements. The schedule of expenditures of federal awards, the supplemental schedule of Community Land Trust sources and uses, and the supplemental financial statements of Guadalupe Jeremiah LP are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the consolidated financial statements. Such information has been subjected to the auditing procedures applied in the audit of the consolidated financials and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the consolidated financial statements or to the consolidated financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards, the supplemental schedule of Community Land Trust sources and uses, and the supplemental financial statements of Guadalupe Jeremiah LP are fairly stated in all material respects in relation to the consolidated financial statements taken as a whole.

### Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated 15 May 2018, on our consideration of GNDC's internal control over financial reporting on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering GNDC's internal control over financial reporting and compliance.

Montemayor Britton Bender PC

15 May 2108  
Austin, Texas

**GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION**  
**CONSOLIDATED STATEMENT OF FINANCIAL POSITION**  
**31 DECEMBER 2017 AND 2016**

	<u>2017</u>	<u>2016</u>
<b>ASSETS</b>		
<b>CURRENT ASSETS</b>		
Cash	\$675,776	\$1,991,394
Current portion of notes receivable	5,100	5,100
Prepaid insurance and other	<u>65,349</u>	<u>70,321</u>
	746,225	2,066,815
<b>NONCURRENT ASSETS</b>		
Fixed assets	10,036	0
Long-term portion of notes receivable	3,082,276	3,051,119
Long-term interest receivable	1,091,701	986,693
Construction in progress (including land of \$1,001,078)	3,482,651	9,532,201
Rental real estate	<u>11,397,618</u>	<u>3,725,122</u>
	<u>\$19,810,507</u>	<u>\$19,361,950</u>
<b>LIABILITIES AND NET ASSETS</b>		
<b>CURRENT LIABILITIES</b>		
Accounts payable	\$433,018	\$291,665
Accrued liabilities and deferred revenue	112,123	90,546
Retainage payable	144,173	598,884
Current portion of notes payable	<u>77,033</u>	<u>34,226</u>
	766,347	1,015,321
<b>LONG-TERM LIABILITIES</b>		
Minority interest liabilities	4,955,993	4,945,239
Long-term portion of notes payable	<u>11,410,888</u>	<u>10,359,200</u>
	<u>17,133,228</u>	<u>16,319,760</u>
<b>NET ASSETS</b>		
Unrestricted	2,595,426	2,916,790
Temporarily restricted	<u>81,853</u>	<u>125,400</u>
	<u>2,677,279</u>	<u>3,042,190</u>
	<u>\$19,810,507</u>	<u>\$19,361,950</u>

The accompanying notes are an integral part of this financial statement presentation.

# **GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION**

## **CONSOLIDATED STATEMENT OF ACTIVITIES**

**YEAR ENDED 31 DECEMBER 2017**

	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Total</u>
<b>REVENUE</b>			
Rent	\$451,904	\$0	\$451,904
Foundation and corporate contributions	101,631	59,800	161,431
Interest	105,008	0	105,008
Forgiveness of debt	10,368	0	10,368
Other	28,881	2,775	31,656
Net assets released from restriction	<u>106,122</u>	<u>(106,122)</u>	<u>0</u>
	<u>803,914</u>	<u>(43,547)</u>	<u>760,367</u>
<b>EXPENSES</b>			
Depreciation	355,523	0	355,523
Payroll	264,584	0	264,584
Loss on notes receivable	155,596	0	155,596
Repairs and maintenance	81,657	0	81,657
Insurance	69,522	0	69,522
Utilities	65,139	0	65,139
Professional services	29,296	0	29,296
Interest	25,037	0	25,037
Property taxes	19,671	0	19,671
Loss on disposal of houses	16,080	0	16,080
Other	<u>43,173</u>	<u>0</u>	<u>43,173</u>
	<u>1,125,278</u>	<u>0</u>	<u>1,125,278</u>
<b>CHANGE IN NET ASSETS</b>	<u>(321,364)</u>	<u>(43,547)</u>	<u>(364,911)</u>
<b>BEGINNING NET ASSETS</b>	<u>2,916,790</u>	<u>125,400</u>	<u>3,042,190</u>
<b>ENDING NET ASSETS</b>	<u><u>\$2,595,426</u></u>	<u><u>\$81,853</u></u>	<u><u>\$2,677,279</u></u>

The accompanying notes are an integral part of this financial statement presentation.

## CONSOLIDATED STATEMENT OF ACTIVITIES

YEAR ENDED 31 DECEMBER 2016

	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Total</u>
REVENUE			
Rent	\$412,403	\$0	\$412,403
Foundation contributions	21,932	113,000	134,932
Contributions including \$111,960 in contributed services	119,460	0	119,460
Interest	105,458	0	105,458
Forgiveness of debt	21,100	0	21,100
Other	30,784	0	30,784
Net assets released from restriction	<u>3,000</u>	<u>(3,000)</u>	<u>0</u>
	<u>714,137</u>	<u>110,000</u>	<u>824,137</u>
EXPENSES			
Payroll	229,002	0	229,002
Depreciation	174,622	0	174,622
Legal services	111,960	0	111,960
Repairs and maintenance	60,756	0	60,756
Insurance	49,491	0	49,491
Professional services	21,298	0	21,298
Utilities	21,071	0	21,071
Interest	20,590	0	20,590
Other	<u>37,586</u>	<u>0</u>	<u>37,586</u>
	<u>726,376</u>	<u>0</u>	<u>726,376</u>
CHANGE IN NET ASSETS	(12,239)	<u>110,000</u>	97,761
BEGINNING NET ASSETS	<u>2,929,029</u>	<u>15,400</u>	<u>2,944,429</u>
ENDING NET ASSETS	<u>\$2,916,790</u>	<u>\$125,400</u>	<u>\$3,042,190</u>

The accompanying notes are an integral part of this financial statement presentation.



**GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION**  
**CONSOLIDATED STATEMENT OF CASH FLOWS**  
**YEARS ENDED 31 DECEMBER 2017 AND 2016**

22 of 147

CASH FLOWS FROM OPERATING ACTIVITIES	<u>2017</u>	<u>2016</u>
Change in net assets	(\$364,911)	\$97,761
Depreciation	355,523	174,622
Amortization	7,297	7,297
Forgiveness of debt	(10,368)	(21,100)
Discount on note receivable	155,596	0
Loss on disposal of asset	16,080	0
Change in prepaid insurance and other	4,972	(52,524)
Change in interest receivable	(105,008)	(105,458)
Change in accrued liabilities and deferred revenue	21,577	5,663
Change in retainage payable	(454,711)	598,884
Change in accounts payable	<u>141,353</u>	<u>291,665</u>
	<u>(232,600)</u>	<u>996,810</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Notes receivable principal payments received	72,150	34,820
Notes receivable funded	(258,903)	0
Additions to construction in progress	(1,780,520)	(6,050,370)
Purchase of housing units and fixed assets	<u>0</u>	<u>(292,554)</u>
	<u>(1,967,273)</u>	<u>(6,308,104)</u>
CASH FLOWS FROM FINANCING ACTIVITIES		
Capital contribution to Guadalupe Jeremiah LP from limited partner	1,787	4,883,943
Distributions to Guadalupe Jeremiah LP limited partner	(215,098)	0
Principal payments on debt	(401,204)	(72,281)
Proceeds from debt	<u>1,498,770</u>	<u>2,050,000</u>
	<u>884,255</u>	<u>6,861,662</u>
NET CHANGE IN CASH	(1,315,618)	1,550,368
BEGINNING CASH	<u>1,991,394</u>	<u>441,026</u>
ENDING CASH	<u>\$675,776</u>	<u>\$1,991,394</u>
SUPPLEMENTARY INFORMATION:		
Cash paid for interest	<u>\$25,037</u>	<u>\$20,590</u>

The accompanying notes are an integral part of this financial statement presentation.



## NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

**NOTE 1: ORGANIZATION**

Guadalupe Neighborhood Development Corporation (GNDC) is a Texas nonprofit corporation set up to provide affordable housing to families in the Austin area with very low to moderate incomes. In 2005, GNDC established a new entity and became the sole member of GNDC GP, LLC. In turn, GNDC GP, LLC became the general partner of Guadalupe-Saldana Affordable Homes, LP. Because GNDC has 100% of the voting interest in GNDC GP, LLC, and GNDC GP, LLC has a controlling financial interest in Guadalupe-Saldana Affordable Homes, LP (as general partner), the financial statements consolidate the financial statements of the 3 entities. Inter-company balances have been eliminated in the consolidation. GNDC GP, LLC's sole purpose is to serve as general partner of Guadalupe-Saldana Affordable Homes, LP. Guadalupe-Saldana Affordable Homes, LP owns land where GNDC will build approximately 125 homes. The accompanying consolidated financial statements report all of the activity of various funding sources which includes rental and interest income, grants, and contributions.

During 2007, GNDC established La Vista de Guadalupe, LLC (La Vista) with GNDC as the sole member. La Vista is serving as the 0.01% general partner in a low income housing development and GNDC is serving as the developer of the development. The financial statements of La Vista are not material and have not been consolidated. In addition, although GNDC (La Vista) serves as the general partner in the development, other partners, as stipulated in the partnership agreements, retain the controlling financial interest in the development.

In 2015, GNDC established GNDC Saldana GP, LLC (GNDC Saldana GP), with GNDC being the sole member. GNDC Saldana GP and the Jeremiah Program Austin, LLC subsequently formed a partnership, Guadalupe Jeremiah LP (Guadalupe Jeremiah), with GNDC Saldana GP as the general partner, and Jeremiah Program Austin, LLC as a limited partner. As GNDC, through GNDC Saldana GP, has a controlling financial interest in and is the primary beneficiary of Guadalupe Jeremiah, the financial statements of Guadalupe Jeremiah are consolidated with GNDC. Inter-company balances have been eliminated in the consolidation. In 2017, Guadalupe Jeremiah constructed a residential rental facility with 35 units for single parents pursuing education and career opportunities.

**NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

## FINANCIAL STATEMENT PRESENTATION

GNDC is required to report information regarding its financial position and activities according to three classes of net assets: unrestricted net assets, temporarily restricted net assets, and permanently restricted net assets, as applicable.

## BASIS OF ACCOUNTING

GNDC uses the accrual method of accounting which recognizes revenue when earned and expenses when incurred.

## NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

**NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

## REVENUE

Unconditional grants and contributions received are recorded at fair value on the date of the award as unrestricted, temporarily restricted, or permanently restricted support depending on the existence and/or nature of any donor restrictions.

## SUBSEQUENT EVENTS

Management of GNDC has evaluated subsequent events for disclosure through the date of the Independent Auditor's Report, the date the consolidated financial statements were available to be issued.

## ESTIMATES

The preparation of consolidated financial statements in conformity with U.S. generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

## FUNCTIONAL EXPENSE ALLOCATION

The costs of providing various program, management and fundraising activities have been summarized on a functional basis. Accordingly, certain costs have been allocated among the functions benefitted.

## FIXED ASSETS

Acquisitions of property and equipment valued at \$1,000 or more and a useful life greater than one year are capitalized at cost, or estimated fair market value on the date of donation, if donated. Repairs and maintenance costs are expensed as incurred. Depreciation is computed using the straight-line method based on the estimated useful life of the asset, which is 5 years for furniture and equipment and 25 years for building.

## REAL ESTATE

Real estate consists of land, housing units and appliances. Real estate is capitalized at cost, which includes the cost of preacquisition, acquisition, development, and construction. Housing units leased and the appliances within are depreciated using the straight-line method based on an estimated useful life of 25 and 5 years, respectively. Housing units leased and held for sale are restricted for rental and sales to families with low incomes. Housing units held for sale were sold to families with low income during the year. Upon the sale of housing units, the difference between the cost and sale proceeds results in a net gain or loss.

## NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

**NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES****RENTAL OPERATIONS**

GNDC leases its real estate properties as single family residences under noncancellable operating leases. There were 58 available housing units for lease in 2017 and 2016. Generally, these leases have twelve month terms, automatically renewing on a month-to-month basis thereafter.

**INCOME TAXES**

In accordance with Section 501(c)(3) of the Internal Revenue Code, GNDC is exempt from federal income taxes. Consequently, no provision for Federal income taxes is included in the accompanying consolidated financial statements.

Guadalupe Saldana and Guadalupe Jeremiah have elected to be taxed as limited partnerships. Under such elections, federal taxable income or loss and tax credits are passed through to the individual partners. Texas state taxes are imposed at the entity level. Any federal taxes due by GNDC, as the general partner, or any state taxes due by the limited partnerships, are recognized in the financial statements when incurred, as tax expense and tax liability.

At 31 December 2017 and 2016, respectively, no interest, penalties, federal taxes, or state taxes have been or are required to be accrued. GNDC's policy is to record interest and penalties related to income taxes as interest and other expense and federal or state taxes as tax expense. GNDC, generally, is no longer subject to income tax examinations by federal authorities for years prior to 31 December 2015.

**NOTE 3: CONTINGENCY**

GNDC receives forgivable loans and cost reimbursement grants from the City of Austin to assist with implementation of its program. Should GNDC not comply with the terms of the loans and grants or should any costs be determined to be ineligible, GNDC will be responsible for reimbursing the grantor for these amounts. Management believes there will be no such disallowance.

As part of a development agreement, GNDC guaranteed to fund operating deficits, if any, of La Vista apartments up to \$85,000 via an unsecured loan to La Vista with interest at 8%. As of 31 December 2017 and 2016, no operating deficits have been incurred.

**NOTE 4: COMMITMENTS**

Under the terms of various agreements with funding agencies, GNDC is required to provide certain services including, but not limited to, using certain properties for low income housing and maintaining certain levels of insurance.

## NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

**NOTE 5: RELATED PARTY TRANSACTIONS**

As of 31 December 2017 and 2016, GNDC had interest receivable of \$1,091,701 and \$986,693, respectively, and notes receivable of \$2,820,626 and \$2,748,231, respectively, due from Guadalupe Family Community, L.P., an organization with common officers.

During the years ended 31 December 2017 and 2016, GNDC paid Saldana Homes, LLC, a related party, \$898,672 and \$87,304, respectively, to construct eight houses and for repairs to two houses. Saldana Homes, LLC invested \$63,000 in Guadalupe-Saldana to purchase land.

GNDC purchased a house from a board member for \$261,000 in 2015. As of 31 December 2017 and 2016, GNDC owed the board member \$253,100, which will be paid with a 0% interest 15 year note. Payments on the note were deferred for three years.

**NOTE 6: RENTAL REAL ESTATE**

<u>GNDC:</u>	<u>2017</u>	<u>2016</u>
58 housing units in 2017 and 2016 (with \$927,500 land)	\$5,275,028	\$5,282,377
Construction in progress	1,301,169	34,740
Closing costs	19,247	19,247
Land	409,147	409,147
Accumulated depreciation	<u>(2,153,515)</u>	<u>(2,020,389)</u>
	<u>4,851,076</u>	<u>3,725,122</u>
<u>Guadalupe Jeremiah:</u>		
17 housing units in service in 2017	6,749,012	0
Accumulated depreciation	<u>(202,470)</u>	<u>0</u>
	<u>6,546,542</u>	<u>0</u>
	<u>\$11,397,618</u>	<u>\$3,725,122</u>

**NOTE 7: CONCENTRATIONS**

92% and 93% of notes payable are due to one lender as of 31 December 2017 and 2016. See Note 13.

At 31 December 2016, GNDC had cash balances in excess of FDIC insurance amounted to \$1,430,300. GNDC has not experienced any losses due to this credit risk.



## NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

**NOTE 8: FINANCING RECEIVABLE**

GNDC has a financing receivable agreement with one borrower. The receivable is performing and current, and is fully collateralized by property. Thus, no allowance is needed.

**NOTE 9: CONTRIBUTED SERVICES**

During the year ended 31 December 2016, GNDC received \$111,960 in contributed legal services.

**NOTE 10: FUNCTIONAL EXPENSES**

	<u>2017</u>	<u>2016</u>
Program	\$848,172	\$644,812
Management	95,894	74,300
Fundraising	<u>9,536</u>	<u>7,264</u>
	<u>953,602</u>	<u>726,376</u>
Unallocated:		
Loss on note receivable	155,596	0
Loss on disposal of asset	<u>16,080</u>	<u>0</u>
	<u>\$1,125,278</u>	<u>\$726,376</u>

**NOTE 11: CONSTRUCTION CONTRACT COMMITMENT AND SUBSEQUENT EVENTS**

On 20 November 2017 GNDC entered into a contract with Saldana Homes, LLC to construct seven rental units. The total contract commitment is approximately \$1,243,000. Construction began subsequent to year-end.

On 2 February 2018 GNDC entered into a contract with Austin Habitat for Humanity to build four houses. The total commitment is \$300,000.

**NOTE 12: NOTES RECEIVABLE**

The notes are collateralized by real property as described in the note agreements. GNDC's access to the collateral is based on normal legal foreclosure processes. If the debtors fail to perform according to the terms of the agreements, and the collateral proves to be of no value, GNDC would incur a loss equal to the principal balance receivable.

# **GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION**

## **NOTES TO CONSOLIDATED FINANCIAL STATEMENTS**

### **NOTE 12: NOTES RECEIVABLE**

	<u>2017</u>	<u>2016</u>
Note receivable from Guadalupe Family Community, L.P., collateralized by real estate, bearing an interest rate of 4%. See note 13 for the related note payable to the City of Austin in the same amount.	\$2,138,239	\$2,138,239
Note receivable from Guadalupe Family Community, L.P., collateralized by real estate, note bears a 1.5% interest rate.	155,248	185,248
Note receivable from Guadalupe Family Community, L.P., collateralized by real estate, note bears a 0% interest rate.	78,399	77,457
Note receivable from Guadalupe Family Community, L.P., collateralized by real estate, note bears a 0% interest rate.	102,365	0
Note receivable from Guadalupe Family Community, L.P., collateralized by real estate, note bears a 4.9% interest rate	350,000	350,000
Notes receivable agreements (4 in 2017 and 5 in 2016), collateralized by real estate, note bears a 0% interest, monthly payments are scheduled to begin in 2040. In the event of default, the receivable will begin to accrue interest at 10%.	139,100	176,150
Note receivable from one borrower, collateralized by real estate, note bears an interest rate of 0%.	<u>124,025</u>	<u>129,125</u>
	3,087,376	3,056,219
Less current portion of notes receivable	<u>(5,100)</u>	<u>(5,100)</u>
Long-term portion of notes receivable	<u>\$3,082,276</u>	<u>\$3,051,119</u>

During 2010, GNDC entered into six note receivable agreements as the result of the sale of six properties. The properties were sold by an independent party at appraised fair market value, but with the seller accepting amounts less than fair market value. The cash portion of the sales were financed by the purchasers with bank mortgages and down payment assistance from the City of Austin. The difference between the appraised value sales price and the cash required at purchase was secured by a third lien held by GNDC. The third lien note also provided GNDC with a share of equity based on the percentage value of its lien relative to the appraised value of the property. Based on current market value estimates, GNDC's interest in any appreciated value over the recorded value of the third lien notes is not considered significant at year-end. One property was sold during 2016, and GNDC received the portion of the third lien used to acquire the property, \$21,615, plus \$12,585 for its share of equity based on the appreciated value, calculated as the difference between the initial property value and the appraised value at resale. One property was sold during 2017, and GNDC received the portion of the third lien used to acquire the property, \$37,050, plus \$9,447 for its share of equity based on the appreciated value, calculated as the difference between the initial property value and the appraised value at resale.

## NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

**NOTE 13: NOTES PAYABLE**

The carrying value of assets pledged as collateral on loans is as follows:

	<u>2017</u>	<u>2016</u>
Construction in progress (including land of \$1,001,078)	\$3,477,345	\$3,477,345
Land	339,147	409,147
Rental real estate (with \$785,250 and \$807,750 in land in 2017 and 2016, respectively)	2,930,265	3,053,300
Note receivable (see Note 12)	<u>2,138,339</u>	<u>2,138,239</u>
	<u>\$8,885,096</u>	<u>\$9,078,031</u>

	<u>2017</u>	<u>2016</u>
Various notes payable to the City of Austin, collateralized by rental real estate, with interest at 6%. Repayment is waived as scheduled, provided GNDC maintains this property for low income families. Repayment waived for the year is disclosed in the statement of activities as forgiveness of debt. The note matures 27 February 2021.	\$20,000	\$25,000
Note payable to Austin Housing Finance, with a 0% interest, collateralized by real estate. The note will be forgiven as each of the housing units are sold. The remaining balance will be forgiven in its entirety if on 31 August 2110, GNDC is in compliance with all terms and conditions of the Loan Agreement.	1,396,154	1,396,154
Note payable to Mary Helen Lopez (a board member), at 0% interest, payable in monthly payments of \$1,450 starting June 2018 until June 2033, discounted to present value at a rate of 6%.	133,039	135,134
Note payable to Austin Housing Finance, collateralized by rental real estate. The note bears a 0% interest rate until maturity and the principal and interest shall be forgiven in its entirety if on 31 March 2112, GNDC is in compliance with all terms and conditions of the Loan Agreements.	600,000	600,000
Note payable to the Austin Housing Finance, collateralized by rental real estate, bearing interest at 0%, due in monthly installments through 1 April 2023.	19,500	22,750

# **GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION**

## **NOTES TO CONSOLIDATED FINANCIAL STATEMENTS**

### **NOTE 13: NOTES PAYABLE**

	<u>2017</u>	<u>2016</u>
Notes payable to Austin Housing Finance, collateralized by rental real estate. The notes bear a 0% interest rate until maturity and the principal and interest shall be forgiven in its entirety if on 1 March 2107, GNDC is in compliance with all terms and conditions of the Loan Agreements.	102,354	102,354
Note payable to Austin Housing Finance, collateralized by rental real estate. The note bears a 0% interest rate until maturity and the principal and interest shall be forgiven in its entirety if on 23 April 2108, GNDC is in compliance with all terms and conditions of the Loan Agreement.	850,000	850,000
Note payable to Austin Housing Finance, collateralized by rental real estate. The note bears a 0% interest rate until maturity and the principal and interest shall be forgiven in its entirety on 11 November 2049 if GNDC is in compliance with all terms and conditions of the loan.	435,500	435,500
Note payable to Austin Housing Finance, collateralized by rental real estate. The note bears a 0% interest rate until maturity and the principal and interest shall be forgiven in its entirety on 1 February 2027. GNDC is in compliance with all terms and conditions for repayment.	395,000	395,000
Note payable to Austin Housing Finance, collateralized by GNDC's note receivable from Guadalupe Family Community, L.P. which in turn, is collateralized by the underlying rental real estate. The note bears a 0% interest rate until maturity and the principal and interest shall be forgiven in its entirety if on 1 September 2049, GNDC is in compliance with all terms and conditions of the Loan Agreement. See Note 12 for related note receivable.	2,138,239	2,138,239
Note payable to Austin Housing Finance, collateralized by rental real estate. The note bears a 0% interest rate until maturity and the principal and interest shall be forgiven in its entirety if on 31 January 2108, GNDC is in compliance with all terms and conditions of the Loan Agreement.	1,000,000	1,000,000
Note payable to Austin Housing Finance, collateralized by real estate. The note bears a 0% interest rate until maturity and the principal and interest shall be forgiven in its entirety if on 30 April 2049, GNDC is in compliance with all terms and conditions of the Loan Agreement.	60,000	60,000



# **GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION**

## **NOTES TO CONSOLIDATED FINANCIAL STATEMENTS**

### **NOTE 13: NOTES PAYABLE**

	<u>2017</u>	<u>2016</u>
Note payable to Austin Housing Finance, collateralized by real estate. The note bears a 0% interest rate until maturity and the principal and interest shall be forgiven in its entirety if on 20 December 2108, GNDC is in compliance with all terms and conditions of the Loan Agreement.	555,000	555,000
Note payable to Wells Fargo, collateralized by real estate. The note bears a 5.65% interest rate, payable in monthly installments. The balance was paid in full in 2017.	0	273,248
Note payable to Wells Fargo, collateralized by real estate. The note bears a 4.5% interest rate, payable in monthly installments until 1 September 2016. The loan was extended to 31 December 2016.	0	62,886
Notes payable to Texas Department of Housing and Community Affairs, at 0% interest, collateralized by real estate. \$162,000 is payable in monthly installments beginning 1 August 2014 until maturity 1 July 2044. \$161,000 is forgiven in annual increments of \$5,368, through maturity on 1 August 2043, provided GNDC is in compliance with all terms and conditions of the loan agreement.	283,082	292,161
Note payable to Austin Housing Finance, collateralized by real estate. The note bears a 0% interest rate until maturity and the principal and interest shall be forgiven in its entirety if on 31 December 2032, GNDC is in compliance with all terms and conditions of the Loan Agreement.	50,000	50,000
Note payable to Austin Housing Finance, collateralized by real estate. The note bears a 0% interest rate until maturity and the principal and interest shall be forgiven in its entirety if on 31 December 2114, GNDC is in compliance with all terms and conditions of the Loan Agreement.	2,000,000	2,000,000
Note payable to Frost, collateralized by real estate. The note bears a 4.75% interest rate, payable in monthly installments until 10 February 2027.	556,185	0
Note payable to Austin Housing Finance, uncollateralized. The note bears a 0% interest rate until maturity and the principal and interest shall be forgiven in its entirety if on 31 May 2021, GNDC is in compliance with all terms and conditions of the Loan Agreement.	893,868	0
	<u>\$11,487,921</u>	<u>\$10,393,426</u>

## GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION

## NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

**NOTE 13: NOTES PAYABLE**Maturities:

2018	\$77,033
2019	82,400
2020	84,986
2020	87,699
2021	85,571
Thereafter	<u>11,070,232</u>
	<u>\$11,487,921</u>

GNDC has eight available loans totaling \$800,000, which bear interest at a rate of prime plus 0.25%, and are payable monthly until maturity 5 June 2018.

**NOTE 14: MINORITY INTEREST LIABILITIES**

	<u>2017</u>	<u>2016</u>
Saldana LLP interest in Guadalupe-Saldana Affordable	\$61,296	\$61,296
Jeremiah Program Austin, LLC interest in Guadalupe-Jeremiah LP	<u>4,894,697</u>	<u>4,883,943</u>
	<u>\$4,955,993</u>	<u>\$4,945,239</u>

**NOTE 15: TEMPORARILY RESTRICTED NET ASSETS**

	<u>2017</u>	<u>2016</u>
Feasibility study	\$40,678	\$100,000
Home ownership	15,400	15,400
Affordable housing	20,000	10,000
Other projects	<u>5,775</u>	<u>0</u>
	<u>\$81,853</u>	<u>\$125,400</u>

**NOTE 16: FAIR VALUE DISCLOSURES**

	<u>Amount</u>	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
2017 discounted note receivable	<u>\$102,365</u>	N/A	<u>\$102,365</u>	N/A

**NOTES TO CONSOLIDATED FINANCIAL STATEMENTS****NOTE 16: FAIR VALUE DISCLOSURES**

The discount on a long-term related party note receivable was valued by management based on market rates for similar organizations (see Note 12).

## SUPPLEMENTAL BALANCE SHEET

## GUADALUPE JEREMIAH LP

31 DECEMBER 2017

## ASSETS

## CURRENT ASSETS

Cash	\$418,374
Accounts receivable and other	<u>23,181</u>
	441,555

## RENTAL REAL ESTATE

7,131,452\$7,573,007

## LIABILITIES AND PARTNERS' EQUITY

## CURRENT LIABILITIES

Due to limited partner- Jeremiah Program Austin, LLC	\$267,720
Due to general partner- GNDC	100,000
Accrued liabilities	<u>28,045</u>
	395,765

## PARTNERS' EQUITY

7,177,242\$7,573,007

**GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION****SUPPLEMENTAL STATEMENT OF NET INCOME AND CHANGES IN PARTNERS' EQUITY****GUADALUPE JEREMIAH LP****YEAR ENDED 31 DECEMBER 2017****INCOME**

Contributions and other	\$77,378
Rental income and other	<u>28,097</u>
	<u>105,475</u>

**EXPENSES**

Depreciation	220,560
Utilities	33,830
Repairs and maintenance	29,403
Management fees	15,750
Insurance	14,024
Other	<u>6,202</u>
	<u>319,769</u>

NET INCOME/(LOSS)	<u>(214,294)</u>
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BEGINNING PARTNERS' EQUITY, as previously reported	7,088,816
PRIOR PERIOD ADJUSTMENT-record partners' contributed capital	<u>404,965</u>
BEGINNING PARTNERS' EQUITY, restated	7,493,781
CAPITAL CONTRIBUTIONS- General partner- GNDC	111,066
CAPITAL CONTRIBUTIONS- Limited partner- Jeremiah Program Austin, LLC	1,787
CAPITAL DISTRIBUTIONS- Limited partner- Jeremiah Program Austin, LLC	<u>(215,098)</u>
ENDING PARTNERS' EQUITY	<u>\$7,177,242</u>

See Independent Auditor's Report



## Montemayor Britton Bender PC

CERTIFIED PUBLIC ACCOUNTANTS

Board of Directors and Management  
Guadalupe Neighborhood Development Corporation

### INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the consolidated financial statements of Guadalupe Neighborhood Development Corporation (GNDC) which comprise the consolidated statement of financial position as of 31 December 2017, and the related consolidated statements of activities and cash flows for the year then ended, and the related notes to the consolidated financial statements, and have issued our report thereon dated 15 May 2018.

#### Internal Control Over Financial Reporting

In planning and performing our audit of the consolidated financial statements, we considered GNDC's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the consolidated financial statements, but not for the purpose of expressing an opinion on the effectiveness of GNDC's internal control. Accordingly, we do not express an opinion of the effectiveness of GNDC's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.





Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

#### Compliance and Other Matters

As part of obtaining reasonable assurance about whether GNDC's consolidated financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of consolidated financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

#### Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the organization's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the organization's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Montemayor Brittan Bender PC

15 May 2018  
Austin, Texas



**Montemayor Britton Bender PC**  
CERTIFIED PUBLIC ACCOUNTANTS

Board of Directors and Management  
Guadalupe Neighborhood Development Corporation

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR  
EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER  
COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE**

Report on Compliance for Each Major Federal Program

We have audited Guadalupe Neighborhood Development Corporation's (GNDC) compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on each of GNDC's major federal programs for the year ended 31 December 2017. GNDC's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the requirements of federal statutes, regulations, and the terms and conditions applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of GNDC's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about GNDC's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of GNDC's compliance.





### Opinion on Each Major Federal Program

In our opinion, GNDC complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended 31 December 2017.

### Report on Internal Control Over Compliance

Management of GNDC is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered GNDC's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of GNDC's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of the internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of the testing based on the requirements of Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Montemayor Britton Bender PC

15 May 2018  
Austin, Texas

**GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION**

**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**

**YEAR ENDED 31 DECEMBER 2017**

Federal Grantor/ Pass-through Grantor/ Program Title	Federal CFDA Number	Agency or Pass-through Number	Original Loan Amount	Loan Balance at beginning of year	<u>Expenses</u>	<u>Total</u>
U.S. Department of Housing & Urban Development:						
HUD Section 8- Rental Assistance Passed Through the Austin Housing Finance Corporation:	14.195			N/A	<u>\$110,907</u>	<u>\$110,907</u>
Community Housing Development Organization	14.218		\$1,550,000	<u>1,396,154</u>		<u>1,396,154</u>
Home Investment Partnerships Program	14.239	GNDC 5-La Vista	2,138,239	2,138,239		2,138,239
Home Investment Partnerships Program	14.239	GNDC 6	395,000	395,000		395,000
Home Investment Partnerships Program	14.239	728LN000202-A	100,000	25,000		25,000
Home Investment Partnerships Program	14.239	SOL RENTAL	850,000	850,000		850,000
Home Investment Partnerships Program	14.239	728EX000308	22,750	22,750		22,750
Home Investment Partnerships Program	14.239	SOL RENTAL	200,000	200,000		200,000
Home Investment Partnerships Program	14.239		946,610	0	<u>893,868</u>	<u>893,868</u>
				<u>3,630,989</u>		<u>4,524,857</u>
Passed Through Texas Department of Housing and Community Affairs Neighborhood Stabilization Program	14.239		<u>323,000</u>	<u>293,850</u>		<u>293,850</u>
			<u>\$6,525,599</u>	<u>\$5,320,993</u>	<u>\$1,004,775</u>	<u>\$6,325,768</u>

This schedule is prepared on the same basis of accounting as described in the notes to the financial statements on pages 7 through 16. See Note 13 for ending loan balances. GNDC did not elect to use the 10% de minimis indirect cost rate.

See independent auditor's report.

## SCHEDULE OF FINDINGS AND QUESTIONED COSTS

FOR THE YEAR ENDED 31 DECEMBER 2017

## I. SUMMARY OF AUDITOR'S RESULTS

## A. FINANCIAL STATEMENTS

- |  |            |
|--|------------|
| 1. Type of auditor's report issued:  | Unmodified |
| 2. Internal control over financial reporting:  |            |
| a. Material weakness (es) identified?  | No         |
| b. Significant deficiency(ies) identified that are not considered material weaknesses? | None noted |
| c. Noncompliance material to financial statements?                                     | None       |

## B. FEDERAL AWARDS

- |   |              |
|---|--------------|
| 1. Internal controls over major programs:   |              |
| a. Material weakness(es) identified?  | No           |
| b. Significant deficiency(s) identified that are not considered material weakness(es)?                        | None noted   |
| 2. Type of auditor's report issued on compliance with major programs:   | Unmodified   |
| 3. Any audit findings disclosed that are required to be reported in accordance with 2 CFR Section 200.516(a)? | No           |
| 4. Major program: Home Investment Partnerships Program  | CFDA #14.239 |
| 5. Dollar threshold used to distinguish between Type A and Type B programs:                                   | \$750,000    |
| 6. Auditee qualified as a low-risk auditee?   | Yes          |

## II. FINANCIAL STATEMENT FINDINGS

- A. Current year – none
- B. Prior year – none

## III. FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

None noted.





Montemayor Britton Bender PC  
CERTIFIED PUBLIC ACCOUNTANTS

Board of Directors and Management  
Guadalupe Neighborhood Development Corporation

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH REQUIREMENTS  
OF THE TEXAS PROPERTY TAX CODE

We have audited the compliance of Guadalupe Neighborhood Development Corporation (GNDC) with types of compliance requirements described in Sections 11.182 and 11.1825 of the Texas Property Tax Code, *Organizations Constructing or Rehabilitating Low-Income Housing: Property Not Previously Exempt*, for the year ended 31 December 2017. Compliance with the requirements of the Texas Property Tax Code is the responsibility of GNDC's management. Our responsibility is to express an opinion on GNDC's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above occurred. An audit includes examining, on a test basis, evidence about GNDC's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on GNDC's compliance with those requirements.

In our opinion, GNDC complied, in all material respects, with the requirements referred to above for the year ended 31 December 2017.

This report is intended for the information of the Board of Directors, management, others within the organization and state or federal agencies and is not intended to be and should not be used by anyone other than these specified parties.

Montemayor Britton Bender PC

15 May 2018  
Austin, Texas

2525 WALLINGWOOD DRIVE  
BUILDING 1, SUITE 200  
AUSTIN, TEXAS 78746  
PHONE: 512.442.0380  
FAX: 512.442.0817  
[www.montemayor.team](http://www.montemayor.team)

**GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION****SUPPLEMENTAL SCHEDULE OF COMMUNITY LAND TRUST SOURCES AND USES****YEAR ENDED 31 DECEMBER 2017****Sources of funds:**

GNDC funds Father Joe Znotas Phase II	\$30,878
AHFC loan Father Joe Znotas Phase II	604,902
Horizon loans Father Joe Znotas Phase II (available to borrow)	533,026
1313 Willow mortgage principal	5,100
1313 Willow property tax & insurance escrow	2,940
1313 Willow maintenance escrow	1,440
1313 ground lease fee	300
807 Waller ground lease fee	300
3005 FJZontas ground lease fee	300
3001 FJZontas ground lease fee	300
3000 FJZontas ground lease fee	300
3004 FJZontas ground lease fee	<u>300</u>
	<u>\$1,180,086</u>

**Uses of funds:**

Father Joe Znotas Phase II	\$1,168,806
1313 Willow principal reduction	5,100
GNDC ground lease income	1,800
1313 Willow property taxes	1,898
1313 Willow escrow refund	394
1313 Willow insurance	1,243
1313 Willow escrow deposit	560
1313 Willow maintenance escrow expense	<u>285</u>
	<u>\$1,180,086</u>

See independent auditor's report.

**RESOLUTION OF THE  
GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION  
TO SUBMIT AN APPLICATION TO THE  
AUSTIN HOUSING FINANCE CORPORATION FOR FUNDING**

**WHEREAS**, the undersigned Officers of the Guadalupe Neighborhood Development Corporation (the "Corporation"), a Texas non-profit corporation, do hereby take the actions set forth below:

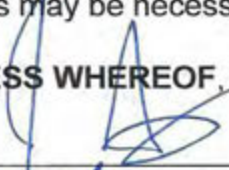


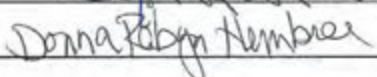
**WHEREAS**, the Corporation desires to undertake an affordable housing project in the Guadalupe Neighborhood with up to 24 units designed for seniors/people with disabilities with extremely low to moderate incomes, and

**WHEREAS**, the Corporation already has already financed design work for such a project, being called La Vista de Lopez, located at 809 East Ninth Street, but needs additional funding to complete the design work for the project, therefore

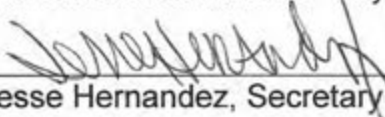
**BE IT RESOLVED THAT**, for the purpose of securing pre-development financing, at a meeting of the Board of Directors held on January 28, 2019, the Board of Directors hereby does authorize the Executive Director, on behalf of the Corporation, to submit an application to the Austin Housing Finance Corporation, in an amount not to exceed \$300,000.

**THEREFORE, BE IT FURTHER RESOLVED**, that the President, or Vice President, or Executive Director, and all other officers of the Corporation are hereby authorized and directed, to execute, attest, and deliver any and all applications, contracts, documents, certificates, instruments and writings necessary to secure said financing, and to take all other actions, as may be necessary or appropriate;

**IN WITNESS WHEREOF**, this Resolution is made this 28<sup>th</sup> day of January, 2019

  
\_\_\_\_\_, President  
  
\_\_\_\_\_, Vice President  
  
\_\_\_\_\_, Secretary  
  
\_\_\_\_\_, Treasurer

I, Jesse Hernandez, Secretary of the Guadalupe Neighborhood Development Corporation, do hereby certify the foregoing is a true and complete copy of the construction loan resolution of this organization as adopted by the Board of Directors on the 28<sup>th</sup> day of January, 2019.

  
\_\_\_\_\_  
Jesse Hernandez, Secretary





# **GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION RESUME**



**GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION**

The Guadalupe Neighborhood Development Corporation (GNDC) dedicates its resources to the development of high quality affordable housing for very low to moderate income persons. We work for the improvement, revitalization and preservation of the residential neighborhoods within our East Austin service area. GNDC is committed to respect the people it serves and is dedicated to improve the quality of life in the neighborhoods where it works. GNDC gives the highest priority to families with generational ties to the Guadalupe target neighborhoods.

**BUILDINGS/PROPERTIES**

For over 35 years, GNDC has been developing and managing high quality, affordable rental and ownership properties in East Austin. It currently owns and manages fifty-nine single-family properties, two multi-family family properties and operates six community land trust properties.

.....

## Under Construction, opening in 2017:

**Jeremiah Program Moody Campus:** 35 units of transition housing for single parent with preschool age children at 1200 Paul Teresa Saldana Street in the Guadalupe-Saldana Net-Zero Subdivision. In partnership with Jeremiah Program Austin, this development will provide highly affordable apartments, a fully licensed child development center and life-skills training and educational support in order to move families out of poverty two generations at a time.



## GNDC COMMUNITY LAND TRUST:

GNDC built and sold the first Community land Trust home in Texas in 2012 and brought the first CLT mortgage to Texas in 2014. Currently GNDC operates 6 CLT properties and has 24 planned for 2017-18. AIA Austin 2014 Community Vision Award winner.



Home owner Mary Ybarra and family at 1313 Willow Street, the first community land trust home in Texas



In 2014, GNDC's CLT program enabled the Hernandez Family, Jesse, Becky and their three sons, to purchase 807 Waller Street, which had a market value of \$565,000, for \$85,000. This was the first community land trust home in Texas to be purchased with a private mortgage.

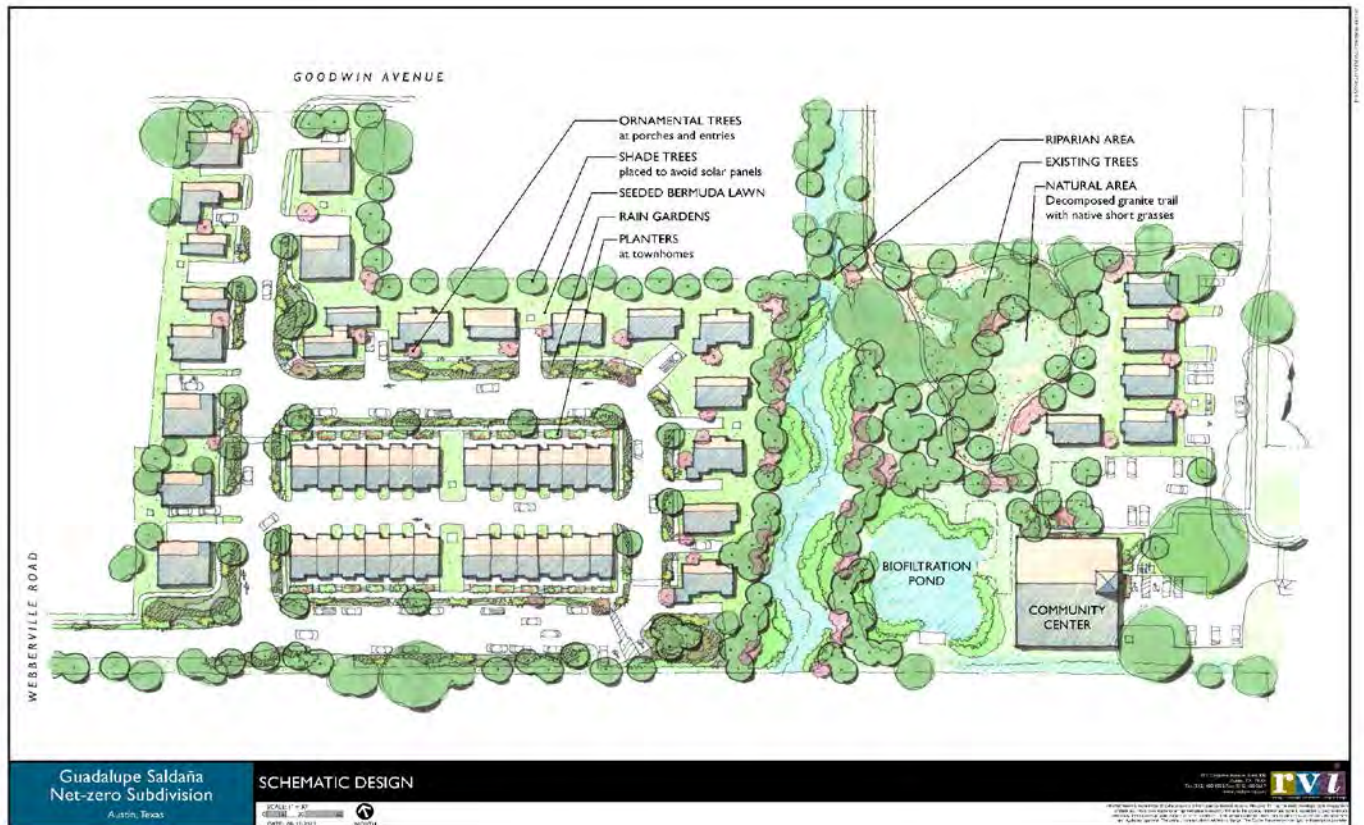


AISD teachers, Robert Aleman and Katie Heuer, with their daughter Evelyn on the porch their newly renovated CLT home that GNDC relocated from the Rainey Street National Register District in downtown Austin to the Guadalupe-Saldana Net-Zero Subdivision.

## GUADALUPE-SALDANA NET-ZERO SUBDIVISION:

125 units of "super-green homes are planned. GNDC's subdivision merges sustainable design and supportive social services with affordable rental and homeownership homes. The Enterprise Green Community certified development is transforming a former "brownfield" into one of the "greenest" developments in Austin. The subdivision is made possible through the support from the Austin Housing Finance Corporation, Texas Department of Housing and Community Affairs, Austin Energy, the Austin Brownfield Revitalization Office, Enterprise Community Partners, Kresge Foundation, Cynthia and George Mitchell Foundation, Wells Fargo Bank, Bank of America, BBVA Compass and Shelter with Spirit. Envision Central Texas Community Stewardship Award: Innovation Winner 2011.







**TOWNHOMES DESIGNED BY NELSEN PARTNERS FOR THE GUADALUPE-SALDANA NET-ZERO SUBDIVISION**

## **LA VISTA DE GUADALUPE:**



22 units of family housing opened in 2008. This Tax Credit development, prominently located on a hill overlooking downtown Austin, provides extremely affordable rents ranging from between \$330 per month for a one-bedroom unit to \$850 per month for a three-bedroom two-bath unit. One-bedroom market-rate units just one block away rent for over \$1,400 per month.

## **THE ALLEY FLAT INITIATIVE**

GNDC began building secondary apartments—also called alley flats, granny flats and ADUs in 1999, even before Austin's land development code was changed to add this building type. In 2005 GNDC, the University of Texas Center for Sustainable Development, and the Austin Community Design and Development Center joined to form The Alley Flat Initiative. GNDC has developed nine alley homes and has four more planned in 2017. 2009 Envision Central Texas Community Stewardship Award Winner: Redevelopment.





Rebecca Castillo and Daughter on the porch of the alley flat they rent from GNDC.



904-B Lydia Street is an alley flat designed and partially constructed by University of Texas architecture students. Margaret Renteria, grandmother of a tenant living in the main house, was the first tenant, making this a true Granny Flat.



# HATCH + ULLAND OWEN ARCHITECTS

## COMPANY HISTORY + EXECUTIVE SUMMARY



**About Us** - hatch + ulland owen architects (h+uo) is an Austin, Texas based architectural firm focused on creating visionary, sustainable and socially-responsible design. The firm was founded in .... by Tom Hatch, FAIA, with a commitment to help build strong, vibrant communities. It has evolved over several decades from its sole-proprietorship beginnings to its current partnership structure when, in 2006, Erik Ulland and Randall Owen joined him as partners. Our keen sense of community values has inspired a wide range of distinctive projects including, numerous multi-family communities for neighborhood non-profits, Foundation Communities, and market rate developers. Some noteworthy projects: 65 Whole Foods Markets across the country, including the original WFM Corporate Headquarters at 6th and Lamar; The Crossings (now Travaasa Experiential Resort and Spa); Threadgill's; Thundercloud Subs; Twin Oaks Library; Oak Point Park in Plano; McKinney Roughs Nature Park; a variety of Mueller Homes; numerous single-family residences; as well as farm worker housing in the valley and in the panhandle.



A dynamic design studio featuring a wealth of architectural expertise, h+uo prides itself on interpreting our clients' visions and delivering high quality, contextually responsive design in the Multi-family residential, Hospitality, Retail, Office, Community / Civic, Education, and Single-family residential markets. The culture of the firm, our reputation in Austin, throughout Texas and around the country, as well as the growing list of satisfied and repeat clients continues to thrive.



**Commitment to Our Community** - Going back to the inception of the firm in 1978, we have been committed to community-based design, as evidenced by the following:

- **People Places** - No matter what the project (whether park projects, public institutions, affordable housing or retail establishments), we believe that one of architecture's greatest contributions is to create places where people feel comfortable both alone and together, and where people can be enriched by interaction with each other. To that end, a common thread running through all of our work is the creation of "people places" that nurture the human spirit and respect the environment.
- **Civic Involvement** - Members of our firm currently serve or have in the past served on numerous boards and commissions, including the City of Austin Building and Standards Commission, Downtown Austin Alliance, Austin Energy Green Building Program, House the Homeless Task Force, and Meals on Wheels. Texas Low Income Housing Information Service, Housing Texas, Housing Works, Sharir Dance Company, Austin Woman's Club Advisory, and the Board of Planned Parenthood.
- **Crossing Social and Economic Boundaries** - We believe that architecture and sound planning should be available to all people, so we have intentionally reached across social, cultural, and economic boundaries to seek out opportunities where our talents may be of use to all parts of our community. As part of that effort, as we have noted, we have completed numerous successful affordable housing projects in Austin and beyond, most notably M Station, one the few LEED Platinum certified affordable housing developments in the country, as well as many civic projects including libraries, schools, and parks.
- Our ongoing and past projects with the City of Austin have substantiated our commitment to civic responsibility. Further, we received a perfect score on the Consultant Performance Evaluation Form for a number of our recently completed projects.





## COMPANY HISTORY + EXECUTIVE BACKGROUND *(continued)*



**Client Service** - Any architectural project involves a fine balance between the client's program, the opportunities and constraints of the site, available funding, building technologies, and greater societal interests. Achieving that balance and synthesizing the many interests is the essence of good client and environmental service. We pride ourselves on being good listeners and on being responsive and agile team players.



**Sustainable Design and Construction** - h+uo architects has long engaged in sustainable building, even before that practice became mainstream. It has always been part of the firm's philosophy that the act of building should be undertaken responsibly -- both with respect to other humans and the natural environment. We bring to every project our commitment and expertise in sustainable design. We were the architects for Austin's first large scale, commercial "green" building (Whole Foods Market's previous store and headquarters at 6th and Lamar) and we have subsequently designed 64 other Whole Foods Markets and numerous other commercial green projects:



- The new Foundation Communities' Michael and Susan Dell Foundation Learning Center at Lakeline Station was designed to meet the stringent criteria of The Living Building Challenge petal certification, which is a rating system that requires building to make positive contributions to the environment as opposed to minimizing the damage, per LEED. The Learning Center is the first non-industrial "net zero" commercial building in Austin, ultimately producing more energy than it consumes. It was the Austin Green Awards Project of the Year (2017).
- Foundation Communities' M Station in East Austin, an affordable housing community and learning center achieved the highest scoring LEED Platinum rating in the country which was the first such accreditation for multifamily housing in the U.S. at that time. It also achieved Austin Energy 5 Star Certification, won the 2012 Austin Business Journal Social Impact Award, and won the 2012 Envision Central Texas Community Stewardship Award for New Development.
- Foundation Communities' Homestead Oaks achieved Austin Energy Green Building 4-Star Rating in 2016. It is also seeking LEED Gold certification, currently pending.
- Franklin Gardens, a Chestnut Neighborhood Revitalization Corporation, affordable housing development for seniors received the ECT Community Stewardship Award for New Development, an Austin Energy Green Building , 4-Star Rating and the Livable Vision Award.
- The Crossings, now Travaasa, a holistic learning and conference center, including a conference building, dining hall, spa, and multiple lodges.
- All of the buildings at LCRA's McKinney Roughs Environmental Learning Center, including an administrative building, a classroom building, a dining hall, and three dormitories.
- Morris Williams Golf Pro Shop and Cart Barn LEED Silver rated.
- American YouthWorks downtown facility as well as their LEED certified Green Collar Training Facility in southeast Austin.

We are firm believers in following an "integrated" design approach, where the various members of the design team and the client work parallel with each other in a coordinated fashion from the very beginning, rather than sequentially in an autonomous fashion.

## RECENT RESIDENTIAL DESIGN PROJECTS

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### JEREMIAH PROGRAM

Austin, Texas

Size: 49,865 SF

Budget: \$6 Million

Scope: Architectural / Engineering services.

Description: The Jeremiah Program Moody Campus includes 35 two-bedroom apartments, an on-site accredited five-classroom child development center for up to 60 children, two covered playground areas, empowerment and life skills classrooms, gathering spaces, and staff offices. The unique complex is a safe home for mothers and their children who have escaped abusive situations.

*Client Reference:*

Mark Rogers

Guadalupe Neighborhood

Development Corporation

813 E. 8th Street

Austin, Texas 78702

phone: 512.479.6275, ext. 3





## RECENT RESIDENTIAL DESIGN PROJECTS

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### LAKELINE STATION APARTMENTS & LEARNING CENTER

Austin, Texas

Size (Apartments): 122,824 SF

Size (Learning Center): 6,874 SF

Budget: \$20 Million

Scope: Architectural / Engineering and Living Building Challenge.

Description: The Lakeline Station Learning Center is an activity and learning hub in the center of 128 affordable housing apartments. The Learning Center provides after school and summer education for children as well as exercise classes, tax preparation, and jobs training for adults.

This important project is at the top of its class in regards to sustainability. It was carefully designed to meet the rigorous green standards of the Living Building Challenge Petal Certification, a rating system which requires that a building be fully self-supporting for its energy production and contains no toxic materials. When complete the Lakeline Station Learning Center will be a beautiful, healthy, light-filled space for learning that will also grow its own food. It will be one of only a handful of Living Building Challenge Petal certified projects in the state of Texas.

**Austin Green Building Project of the Year Award, 2017.**

*Client Reference:*

Walter Moreau

Foundation Communities

3036 S. 1st Street, Ste. 200

Austin, TX 78704

phone: 512.447.2026





## RECENT RESIDENTIAL DESIGN PROJECTS

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### THE CHICON

Austin, Texas

Size: SE Bldg: 14,516 SF

Size: SW Bldg: 16,311 SF

Budget: \$8 Million

Scope: Architectural / Engineering services.

Description: A three-building multi-family, mixed-use development in East Austin aimed to preserve and support the history, legacy and culture of the Chestnut Neighborhood. The development offers residential units (both affordable and market rate condominiums) atop ground level retail, restaurant and office spaces.

The Chicon is currently under construction and on track to be complete Spring 2018.

*Client Reference:*

Sarah Andre

Chestnut Neighborhood

Revitalization Corporation

702 Rio Grande

Austin, TX 78701

phone: 512.689.3369



## RECENT RESIDENTIAL DESIGN PROJECTS

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### NET ZERO HOMES

Austin, Texas

Size: 1,200 - 1,600 SF Homes

Budget: \$1 Million

Scope: Architectural / Engineering services.

Description: The Guadalupe Neighborhood Development Corporation received funding to buy a sizable piece of land just off Tillery Street in East Austin. Their latest project on the land includes one and one, two, and three bedroom homes that are designed to be net zero in energy consumption. AHFH is building some of the homes along side of our designs built by Saldana Homes. The land is held in trust by GNDC and the homes are currently being sold at a very low point. Their property taxes reflect the low sales price. The new small very affordable subdivision is a jewel in East Austin.

#### *Client Reference:*

Mark Rogers

Guadalupe Neighborhood

Development Corporation

813 E. 8th Street

Austin, Texas 78702

phone: 512.479.6275, ext. 3



## RECENT RESIDENTIAL DESIGN PROJECTS

---

### CARDINAL POINT APARTMENTS & LEARNING CENTER

Austin, Texas

Size (Apartments): 117,168 SF

Size (Learning Center): 5,200 SF

Budget: \$16 Million

Scope: Architectural / Engineering.

Description: Multi-family community for Foundation Communities at Four Points in Northwest Austin. The affordable and environmentally friendly community includes a total of 5 three-story apartment buildings with a total of 120 units, a 2,300 SF leasing office, and a 5,200 SF learning center. Other amenities on site include a community playground, sport court, and covered bike shelter. A challenging 8.5 acre site required coordination with all consultants to incorporate Heritage trees, sufficient site drainage, a raingarden, and previously undiscovered caves. The project was completed with the Texas Department of Housing and Community Affairs (TDHCA) tax credit program. It began leasing units in early 2018.

*Client Reference:*

Walter Moreau

Foundation Communities

3036 S. 1st Street, Ste. 200

Austin, TX 78704

phone: 512.447.2026





## RESUME: PROJECT PRINCIPAL

### Thomas H. Hatch, FAIA

#### EDUCATION

Bachelor of Architecture (with Honors)  
Texas Tech University, 1969

#### REGISTRATION

Texas #5485 (1975)

#### EXPERIENCE

hatch + ulland owen architects (formerly Hatch Partnership)  
Austin, Texas (Jan. 1997 - Present)

Tom Hatch Architects  
Austin, Texas (March 1978 - December 1996)

3-D International  
Austin, Texas (1977 - 1978)

Independent Architects  
Austin, Texas (1973 - 1977)

U.S. Coast Guard  
Yorktown, Virginia, (1969 - 1971)



#### SAMPLE PROJECTS



##### **Lakeline Station • Austin, Texas**

A new affordable housing development for Foundation Communities with an onsite Learning Center. The Michael and Susan Dell Foundation Learning Center is pending Petal Certification for the Living Building Challenge.



##### **Cardinal Point • Austin, Texas**

A new affordable housing community for Foundation Communities with an onsite Learning Center. Like Lakeline Station, Cardinal Point is located in Northwest Austin where heretofore, there have been no affordable housing developments. Currently under construction.



##### **Homestead Oaks • Austin, Texas**

A Foundation Communities 140-unit affordable housing community with an onsite Learning Center. This is the first multi-family rental apartments in the City of Austin to pursue 134.16kW solar tied directly to residential units. The apartments also feature 18 - 10,000 gallon rainwater collection cisterns used for irrigation. *Recipient of the Austin Energy Green Building Award Four-Star Rating.*



##### **M Station • Austin, Texas**

A 150-unit eco-friendly affordable housing development for Foundation Communities with an on-site learning center. M Station is the first LEED for Homes multi-family project in Austin and the first multi-family LEED for Homes Platinum community in Texas. *Recipient of the Austin Business Journal's Social Impact Award.*

##### **Jeremiah Program Moody Campus • Austin, Texas**

New 49,865 sf building that includes 35 two-bedroom apartments, an on-site accredited fine-arts classroom child development center, two covered playground areas, empowerment and life skills classrooms, gathering spaces, and staff offices

##### **La Vista de Guadalupe • Austin, Texas**

A 22-unit downtown affordable housing project for the Guadalupe Neighborhood serving our very low income working community.

##### **Lyons Gardens • Austin, Texas**

54-unit elder housing community of Family Eldercare in East Austin.

##### **The Chicon • Austin, Texas**

A three-building multi-family mixed-use development in East Austin under construction. It was commissioned by neighborhood members as a revitalization effort for the Chicon Street corridor, and will include affordable housing units, market-rate condominiums, and ground floor retail space

##### **Pease Mansion • Austin, Texas**

Complete restoration of the Abner Cook Governor's Mansion in Pemberton Heights.

##### **Various New and Rehabilitated Homes • East Austin, Texas**

Numerous new construction and revitalization of homes for AHFC and the Guadalupe Neighborhood Housing Corporation.



## RELEVANT EXPERIENCE

Over the last nine years, Civiltude has provided design surveying, civil engineering, and/or construction services at 14 Foundation Communities properties, four GNDC properties, 2 LifeWorks properties, 1 Green Doors property and 1 AHA property in partnership with HACA. We have grown to appreciate affordable housing providers' service to Austin's low-income families and their perspective with regard to the pains, goals and challenges with maintaining and developing such properties. More specifically, we have learned that safety of tenants and their children, value for construction cost and timing of permitting rank high on their list of priorities. We are happy to have fulfilled those priorities and are excited to continue to partner on such projects.

## FIRM & HEADQUARTER ADDRESS

5110 Lancaster Ct. Austin, TX 78723

## Contact Person

Fayez Kazi, PE, LEED AP

## Office Telephon

1 512 761 6161

## Facsimile

1 512 761 6167

## Date of Organization

April 2010

## Type of Organization

Limited Liability Company

Our experience with TDHCA tax credit and City GO Bond funded projects, centrally located office, integrated design approach and success with permitting site plans, and exemptions through the City of Austin uniquely position Civiltude to continue to serve the vulnerable population in the Austin community.

## PRINCIPAL ATTENTION & INTEGRATED APPROACH

Unlike other firms, Civiltude provides senior level attention where Fayez Kazi, Nhat Ho, and Jim Schissler are fully involved with proposals, charettes, design, value engineering and construction phase services. Fayez's and Nhat's diverse background in Architectural Engineering allows for an integrated design approach where civil engineering decisions are integrated rather than performed in isolation.



## Civiltude LLC Personnel Experience



### Faye Kazi, PE, LEED AP

*President, Civiltude LLC Engineers & Planners Established 2010*

Mr. Kazi has over 23 years of experience providing public and private sector clients with entitlements and the design, management and construction of site development projects. Mr. Kazi has worked on projects as small as ADA improvement projects to complex site development and roadway projects. Mr. Kazi brings a unique combination of technological savvy, professional service, technical knowledge and enthusiastic commitment to his clients. His strengths also include a deep understanding of the permitting process, environmental sensitivities, grading and drainage as demonstrated by the list of selected projects below:

#### Project Experience

##### **Guadalupe-Saldana Netzero Subdivision – GNDC – Austin, Texas**

Project Principal & Project Manager for 90-unit fully affordable detached condominium and single-family Netzero development in East Austin. Design included flood plain modeling and modification, low-impact development techniques such as raingardens and biofiltration pond.

##### **Trails at Vintage Creek – Foundation Communities – Austin, Texas**

Project Principal on four separate contracts addressing stormwater inlet & drainage analysis to replace storm inlets; water utility design, construction documents and contract administration to upgrade water meter connections and provide adequate fire flow to site; structural retaining wall design of 700 LF at 9' height immediately adjacent to occupied units; and field survey of wastewater flow-lines to assist plumbing repairs. The water utility and retaining wall projects required Site Plan Exemptions and involved Fire Dept, Water Utility, and building review.

##### **Sierra Vista Apartments – Foundation Communities – Austin, Texas**

Project Principal on three separate contracts beginning with a tree & topographical survey of 9-acre tract with existing multi-family apartment units. The survey was used to provide a report with profiles of the accessible paths and sections at every 5' to help identify non-compliant slopes. Involvement led to preparation of well plugging plan and permitting through the Barton Springs Edwards Aquifer Conservation District for a 4' wide, 37' deep unrecorded well on the property. Currently developing construction plans for sidewalk & grading to provide ADA accessibility and improve drainage. Design includes 315 LF stormwater line & area inlets and site improvements for proposed Learning Center.

#### EDUCATION

MS Engineering  
BS Architectural Engineering  
The University of Texas at Austin

#### REGISTRATIONS

Licensed Professional Engineer  
Texas PE# 96489  
LEED Accredited Professional

#### AFFILIATIONS

Vice Chair, Planning Commission  
Associate Professor, Department of  
Civil, Architectural & Environmental  
Engineering at UT Austin  
Ex Vice Chair, Zero Waste Advisory  
Commission  
Real Estate Council of Austin Board  
Austin Asian Chamber Board  
Ex-chair South Congress Combined

## Civiltude LLC Personnel Experience



### Nhat M. Ho, PE, LEED Green Associate

*Vice President, Civiltude LLC Engineers & Planners*

Mr. Ho brings over seven years of versatile experience from different areas of architectural design, civil, and structural engineering, Revit modeling and production drafting. His integrated civil and structural knowledge ranges from stormwater management system, wet utilities, sports running track to retaining structures, buildings spatial arrangement and site integration. His land development experience includes site feasibility studies, zoning change, subdivisions, and commercial site plans. He has cultivated relationship and reputation with review staff, especially at City of Austin, for effective and responsible design. His indepth expertise includes utilities, innovative water quality management and site plan accelerated permitting. Specifically with RRISD & AISD, Mr. Ho has extensive knowledge with the interlocal agreement and dedicated review team that handles school projects at City of Austin.

#### EDUCATION

BS Architectural Engineering  
The University of Texas at Austin

#### REGISTRATIONS

Licensed Professional Engineer  
Texas PE #119194  
LEED Green Associate

#### AFFILIATIONS & INVOLVEMENT

Water & Wastewater Commissioner  
  
COA Joint Sustainability Committee  
  
Chair of Mueller Neighborhood Association  
  
City of Austin CodeNEXT  
  
Real Estate Council of Austin  
  
Greater Austin Asian Chamber of Commerce  
  
Downtown Austin Alliance  
  
South Congress Combined Neighborhood Contact Team

#### Project Experience

##### **Trails at Vintage Creek – Foundation Communities – Austin, Texas**

Design Engineer on two separate contracts for water utility improvement and construction documents to upgrade water meter connections and a structural retaining wall design. Responsibilities include working with Austin Fire Department, Austin Water Utility, and commercial building inspectors, preparing construction plans, spoils calculation, and specifications for reuse of elevated pathways.

##### **Sierra Vista Apartments – Foundation Communities – Austin, Texas**

Field Engineer responsible for quantifying soil volume and dynamic cost estimate for contract work required to plug a 4' wide, 37' deep unrecorded well discovered on the property. Work also included site investigation, coordination with licensed well driller, and on-field direct response regarding material and procedure of the plugging process.

##### **Greenwater Redevelopment – Trammel Crow – Austin, Texas**

Project Manager designing utility infrastructure to serve the redevelopment of the former Green Water Treatment Plant. Responsible for producing water, wastewater and chilled water construction documents and obtaining development permits with Austin Water Utility and Austin Energy on an ac-

## Civiltude LLC Personnel Experience



### James M. Schissler, PE, LEED AP

*Vice President, Civiltude LLC Engineers & Planners*

Mr. Schissler is a Vice President and Partner with Civiltude Engineers and Planners. Mr. Schissler has more than 30 years experience in design and project management of civil engineering projects in a variety of disciplines, including 20 years experience in Austin and Central Texas in land development for commercial, industrial, institutional and residential projects.

Mr. Schissler manages the design, submittal and permitting of site development projects in the Austin metropolitan area including conceptual design and feasibility, preliminary plans, subdivision platting, hydrologic and hydraulic studies, stormwater management facility design, roadway and utility layout, site grading and erosion control, design report and specifications writing, project budgeting and cost estimating. His site development project experience includes preparation of street and drainage improvement construction plans and specifications for numerous large site development projects, permit application and approvals for projects from local, county and state agencies, team building and coordination with other design professionals to ensure deadlines and budgets are met and his clients' goals are achieved.

#### EDUCATION

BS Civil Engineering  
The University of Maryland, College Park

#### REGISTRATIONS

Licensed Professional Engineer  
Texas PE #82472  
Maryland PE #17520  
Pennsylvania #PE04918R  
LEED AP

#### AFFILIATIONS & INVOLVEMENT

COA Planning Commission  
  
Real Estate Council of Austin  
  
Greater Austin Chamber of Commerce  
  
Violet Crown Trail Committee of Hill Country Conservancy

#### CURRENT WORKLOAD AVAILABILITY

50%

#### Project Experience

##### Land Development Project Experience – Austin, Texas

Mr. Schissler has more than 30 years of experience in overall project planning, platting, construction administration and overall engineering project management of land development projects. He is familiar with water, sanitary sewer, drainage, and paving design for numerous projects, some of which are described below:

#### Institutional/School Experience

##### School of the Hills Montessori Schools - Site Improvements – Austin, Texas

Designed the water, wastewater, drainage, and paving for this 15,800 SF preschool and elementary school campus on a 5-acre tract on the River Place Center Campus within the Edwards Aquifer Recharge Zone. Services provided included the rezoning of the property to obtain the necessary entitlements for the development. The design also included changes to an approved site plan permit from an office building to the school project with associated amenities.



## Gaston Place Apartments

Austin, Texas



### Gaston Place Apartments

1920 Gaston Place  
Austin, Texas

#### Name

Gaston Place Apartments

#### Location

Austin, Texas

#### Owner

Accessible Housing Austin!

#### Reference

Melissa Orren

Executive Director

Accessible Housing Austin!

1640A East 2nd Street

Austin Texas 78702

#### Completion Date

Summer 2020 (Expected)

#### Construction Cost

\$3 Million

Founded by leaders in Austin's disability rights community, Accessible Housing Austin! (AHA!) is excited to be breaking ground later this year for AHA! at Briarcliff. The 27-unit complex in northeast Austin will provide one and two-bedroom apartments for households with incomes below 50% of the median family income. Six of the units will be designated as "deeply affordable."

In keeping with its mission to provide affordable and accessible housing for tenants with disabilities, AHA! will exceed federal integration standards with half of the units being accessible and the other half adaptable.

Civiltude worked closely with AHA! & HACA to minimize public sidewalk improvements required by the City of Austin under subchapter E. We also assist the successful partnership with Public Works that built the missing section of sidewalk in front of the site which further reduced project construction cost. Civiltude assisted HACA in understanding and resolving issues related to the unified development agreement due to complex site ownership structure.



## Lakeline Station Apartments

Austin, Texas



### Lakeline Station Apartments

13635 Rutledge Spur  
Austin, Texas

#### Name

Lakeline Station Apartments

#### Location

Austin, Texas

#### Owner

Foundation Communities

#### Reference

Walter Moreou  
Executive Director  
Foundation Communities  
3036 South First Street  
Austin, Texas 78704  
512 447 2026

#### Completion Date

December 2016

#### Construction Cost

\$19 Million

128-unit SMART Housing multi-family development with Learning Center, Trail and Sidewalk to LakelineTOD Station in the northwest corner of Rudledge Spur and 620 North. The project was within the Northwest Park and Ride TOD district which required partial street and pedestrian improvements in both City and TxDOT public right of way.

The project also required a water main extension through private property.

Civiltude provided context sensitive site design and permitting which includes pavement repair and expansion, street parking and pedestrian path improvements along the southern most section of Rutledge Spur (one of eight local mobility areas to be studied by the City). The team resolved various challenges along this narrow street including above ground electrical infrastructure, topography, and existing trees.



## SUJAY REGMI, P.E., LEED AP PRINCIPAL

### PROFESSIONAL SUMMARY

Sujay has developed a diverse engineering background in mechanical, electrical and plumbing system design. His areas of design experience include HVAC systems, process piping, plumbing and electrical systems. His experience encompasses all phases of project development from initial concept design through construction on administration. He has applied his design skills to office buildings, healthcare facilities, educational buildings, laboratories, industrial facilities and power plants. Sujay has more than fifteen years of engineering design experience encompassing projects ranging from new construction to complete facility retrofits. He is responsible for many aspects of mechanical, electrical, and plumbing design, code compliance, preparation of design drawings and specifications and field coordination.



### EDUCATION

MS in Mechanical & Aerospace Engineering, Illinois Institute of Technology, Chicago, IL  
BS in Mechanical Engineering, Manipal Institute of Technology, Karnataka, India

### REGISTRATIONS

Professional Engineer,  
State of Texas No. 103727  
State of Alabama No. 32613  
State of Iowa No. 21664  
State of Kentucky No. 28235

LEED Accredited Professional, 2009

### YEARS OF EXPERIENCE

4 with current firm / 15 total

### EMPLOYMENT

APTUS Engineering, Austin, TX  
April 2014 - Present  
Principal

Bury Inc., Austin TX  
October 2009 – April 2014  
Senior Project Manager/Senior Associate

Jacobs/Carter & Burgess, Austin, TX  
January 2007 - October 2009  
Mechanical Engineer

Encotech Engineering Consultants Inc., Austin, TX  
October 2003 - January 2007  
Graduate Engineer

### PROJECT EXPERIENCE

#### Hilton Canopy - Austin, Texas

Provided MEP design for a new 6-story boutique hotel with 140 guest rooms. Hilton Canopy, located in the heart of downtown Austin, offers underground valet parking, a full bar and restaurant, pool deck and flexible event space overlooking the vibrant West 6th Street. Project includes a high efficiency Variable Refrigerant system, with dedicated energy recovery systems. Rain water collection is provided via sub-grade tanks which are pumped up for interior courtyard irrigation. Sub-grade lift stations are provided for stormwater and sanitary sewer service. A high efficiency domestic water heating system is provided with modulation instantaneous boilers with no thermal storage requirement. Project is designed to achieve a 3-Star AEGB rating.

#### Lakeline Station Apartments & Learning Center - Austin, Texas

Provide MEP design for a low-income housing project that includes 128 units for at-risk and homeless families through the Foundation Communities Children's Home Initiative Program. The complex consists of several small buildings connected by a series of common walkways and a contiguous roof, as well as a 7,000 SF learning center for community education and outreach. The learning center is designed to be a Net Zero Energy Building. Exposed MEP systems with color-coded ductwork can be used to explain building systems to tenants via educational programs. Classrooms have individual interfaces for power and lighting energy modeling, and can compete to see which room uses the least amount of power. The project achieved a 5-Star AEGB rating.

#### The Jordan at Mueller - Austin, Texas

Provided MEP design for the first phases of the Mueller District featured luxury apartment living; The Jordan will be the first low-income community in the neighborhood. The Jordan will provide 132 one, two, and three-bedroom options, as well as an on-site community learning center. The learning center will be host to Foundation Communities' signature afterschool and summer programs for children, as well as adult education programs like health/wellness and financial stability. Project is seeking for a 5 Start AEGB rating.

#### Northpoint Crossing – College Station, Texas \*

Northpoint Crossing - a wrap-style apartment complex design with three 5-story buildings with 375 units (1,100 beds). Each building includes an internal six-level parking garage. The project also consisted of 50,000sf of street level retail space along with fitness area, pool and spa, leasing office and clubhouse, internet café. MEP systems for this project included: heating ventilation and air conditioning system, domestic water and sanitary sewer distribution system, electrical power and lighting system, fire alarm system, site lighting and electrical distribution system and an access control system.

#### 3rd & Brazos Street High Rise Residential - Austin, Texas \*

Provided MEP engineering services for the 278-unit, 17-story, high rise multi-family residential project in downtown Austin. The project consists of ground floor leasing office and amenity center, retail and restaurant shell space; parking garage (floors two through five); residential-pool, and lounge area on the 6th floor; and residences on floors seven through 16. Engineering services included stairwell pressurization, fire alarm and fire protection, and emergency power generation as required for high-rise code. Performed an energy model and comparison of various HVAC systems, which included water source heat pumps, DX and chilled water. The project is LEED NC Silvercertified.

\* Work performed on these projects was completed while employed with other firms.







## Project Information

### FEATURES

128 units

7,000 SF learning center with exposed and color-coded MEP systems (to be used as an educational tool)

5 Star AEGB Certified

Seeking Living Building Challenge Petal Certification for Net Zero Energy Building Design

### CLIENT

HU+O Architects

### SIZE

128 units

### DESIGN SERVICES

MEP Engineering



## LAKELINE STATION APARTMENTS & LEARNING CENTER *AUSTIN, TX*

**Lakeline Station Apartments are unlike any other multifamily housing project in Austin. Comprised of multiple 4-story residential buildings, the complex is both affordable and environmentally friendly and the on-site learning center is designed with unique educational features.**

Situated in Northwest Austin, Lakeline Station is a low-income housing project that includes 128 units for at-risk and homeless families through the Foundation Communities Children's Home Initiative Program. The complex consists of several small buildings connected by a series of common walkways and a contiguous roof, as well as a 7,000 SF learning center for community education and outreach.

The learning center is designed to be a Net Zero Energy Building, meaning the total amount of energy consumed by the building is less than the amount of energy produced by the building's photovoltaic (solar panel) system. Exposed MEP systems with color-coded ductwork can be used to explain building systems to tenants via educational programs. Classrooms have individual interfaces for power and lighting energy modeling, and can compete to see which room uses the least amount of power.

The apartments are designed to be 5 Star AEGB Certified, the highest possible certification under the Austin Green Building program. The learning center is seeking Living Building Challenge Petal Certification for its Net Zero design; the Living Building program is the most rigorous proven performance standard currently available. The highly efficient MEP systems, including inverter-driven mini-splits and air temperature setback controls to minimize system energy consumption, save tenants up to 75% on utility bills.











## Project Information

### FEATURES

140 guest rooms  
Full bar and restaurant  
Pool deck  
Flexible event space  
Urban courtyard

### CLIENT

Design Architect: Lake Flato  
Architect of Record: STG Design

### SIZE

140 keys

### DESIGN SERVICES

MEP Engineering



## HILTON CANOPY *AUSTIN, TX*

**Hilton Canopy in downtown Austin will be a catalyst for future development of the dynamic arts scene of West 6th Street, furthering the city's identity as a creative urban oasis.**

Hilton Canopy, a new 6-story, 140 key boutique hotel in the heart of downtown Austin, has all of the amenities of a good hotel: a full bar and restaurant, a pool deck, and flexible event space that overlooks the vibrant West 6th Street below.

More than that though, the Hilton Canopy project will catalyze the future development of downtown Austin's West 6th Street region, further strengthening not only the dynamic arts scene of West 6th, but also the identity of Austin as a creative urban oasis. The heart of the site will be an urban courtyard, a relaxing oasis surrounded by lively spaces that engage and energize the West 6th Street corridor.

The project includes a high efficiency Variable Refrigerant system, with dedicated energy recovery systems. Rain water collection is provided via sub-grade tanks which are pumped up for interior courtyard irrigation. Sub-grade lift stations are also provided for stormwater and sanitary sewer service. A high efficiency domestic water heating system is provided with modulation instantaneous boilers with no thermal storage requirement. This project is designed to achieve a 3 star AEGB rating.





## Project Information

### FEATURES

High rise multi-family residential project  
Amenity center  
Retail/restaurant shell space  
Pool/lounge  
LEED NC Silver Certified

### CLIENT

GDA Architects  
Riverside Resources, Inc.

### SIZE

278 units

### DESIGN SERVICES

MEP Engineering



## THE WHITLEY LUXURY APARTMENTS AUSTIN, TX

**Situated in the heart of downtown Austin, the eco-friendly and modern Whitley Apartments are the quintessential luxury living experience.**

The Whitley Apartments offer luxury living with 278 units in a 17-story high rise in the midst of the historic grandeur of downtown Austin. The project consists of ground floor leasing office and amenity center, retail and restaurant shell space; parking garage located on floors two through five; and residential, pool, and lounge area on the 6th floor; and residential on floors seven through 16.

The engineering services included stairwell pressurization, fire alarm and fire protection, and emergency power generation as required for high-rise code. An energy model and system comparison of various HVAC systems was performed which included water source heat pumps, DX and chilled water. The project is LEED NC Silver certified.

\* Work performed on this project was completed by APTUS employees while employed with other firms.







## Project Information

### FEATURES

Wrap-style apartment complex  
Street level retail space  
Fitness area, pool and spa, clubhouse,  
internet café

### CLIENT

Humphreys & Partners Architects  
Capstone Collegiate Communities

### SIZE

375 units / 1,100 beds

### DESIGN SERVICES

MEP Engineering



## NORTHPOINT CROSSING COLLEGE STATION, TX

**Northpoint Crossing offers an amazing off campus experience for TAMU students, including fully furnished apartments, free concerts, and top-of-the-line amenities for life, work and play - all in one location.**

Northpoint Crossing is a wrap-style apartment complex design with three 5-story buildings with 375 units (1,100 beds). Each building includes an internal six-level parking garage.

The project also consisted of 50,000sf of street level retail space along with fitness area, pool and spa, leasing office and clubhouse, internet café. Sujay designed the MEP systems for this project including: heating ventilation and air conditioning system, domestic water and sanitary sewer distribution system, electrical power and lighting system, fire alarm system, site lighting and electrical distribution system and an access control system.

\* Work performed on this project was completed by APTUS employees while employed with other firms.





## Project Information

### FEATURES

132 units  
Two outdoor courtyards  
BBQ area, bike storage, community laundry, community learning center

### CLIENT

HU+O Architects  
Foundation Communities

### SIZE

132 units

### DESIGN SERVICES

MEP Engineering



## THE JORDAN AT MUELLER AUSTIN, TX

**Located in the burgeoning Muller neighborhood in East Austin, The Jordan will provide 132 affordable, service-rich apartment homes for low-income families.**

The new Mueller District in East Austin is adjacent to Downtown and just a few miles from the University of Texas at Austin, making it a prime location for new development. The vibrant neighborhood includes local shops and restaurants as well as several entertainment venues and an expansive open space park where residents meet for morning yoga, lay out picnics, and play. The first phases of the Mueller District featured luxury apartment living; The Jordan will be the first low-income community in the neighborhood.

The Jordan will provide 132 one, two, and three bedroom options, as well as an on-site community learning center. The learning center will be host to Foundation Communities' signature afterschool and summer programs for children, as well as adult education programs like health/wellness and financial stability.

Other planned amenities for The Jordan include two central courtyards to encourage community connectivity, a BBQ area, and bike storage.







## Project Information

### FEATURES

120 units  
1, 2, & 3 bedroom units  
Onsite Community Learning Center  
Play areas, pavilion, bike parking,  
sports fields

### CLIENT

HU+O Architects  
Foundation Communities

### SIZE

120 units / 5 buildings

### DESIGN SERVICES

MEP Engineering



## CARDINAL POINT APARTMENTS *AUSTIN, TX*

**Cardinal Point offers affordable and environmentally-friendly apartments in Northwest Austin, as well as signature on-site education and support programs.**

Located in the Four Points area of Northwest Austin, Cardinal Point is a refreshing housing solution that provides affordable living in a beautiful community. This housing project is one of Foundation Communities' properties offering units for at-risk and homeless families through the Children's Initiative Program.

The community consists of five apartment buildings, a learning center, and a leasing office. The learning center, in line with Foundation Communities' commitment to making Austin a better place to live, is host to afterschool and summer learning programs for children, as well as adult education offerings including health and financial stability programs.

The Cardinal Point apartments are built with sustainable initiatives in order to keep energy usage and tenant utility bills low.



**FOUNDING PRINCIPAL**

Jerry Garcia, PE

**PRINCIPALS**

Dante Angelini, PE

Heidi Cisneros

**SENIOR PROJECT MANAGERS**

Ryan Stoltz, PE, LEED AP

Tomás Quintero, PE

**PROJECT DIRECTOR**

Staci K. Chase, PE

**PROJECT ENGINEERS**

Chuck Cummings, PE

Nikki Wernli, PE

**GRADUATE ENGINEERS**

Jennifer Castilleja

Amanda Dees

Lam Nguyen

Hector Ortiz

Allan Scott

Jordan Cook

**DESIGNER**

Jeff McIntosh

**SENIOR BIM TECHNICIANS**

Sean Blanck

Luis Garcia

**ACCOUNTING ASSOCIATE**

Melissa Eason

**OFFICE MANAGER**

Pamela Martinez

## FIRM PROFILE

Structures is an Austin-based structural engineering design firm that was founded in 1990. Our engineering team works with owners, architects, contractors and consultants to realize project goals. We offer full design services including feasibility assessment, schematic design, design development, construction documents and construction administration for new structures, renovations, expansions and adaptations to existing structures. Our reputation for strong project coordination as well as our vast knowledge of building systems, offer our clients a fully integrated structural design that is efficient, economical and constructible. Throughout the design process, we are mindful of the architectural intent, the needs of other consultants, the contractor's assembly and the owner's goals. Our ability to respond to unique structural challenges on time and within budget has earned our firm great recognition and respect among our peers in the design and construction industry.

### HIGHLIGHTS

- Founded in 1990
- Certified as a State of Texas HUB
- Certified as a DBE, MBE and SBE
- Self Certified Federal SBE
- LEED experience, including, Platinum Certified Project
- BIM experience including REVIT software

### PROJECT TYPES

ADAPTIVE RE-USE

COMMERCIAL

CULTURAL CENTERS

DRINK AND DINE

GOVERNMENT

HEALTHCARE

HIGHER EDUCATION

HOSPITALITY

K-12

MULTI FAMILY

RESIDENTIAL

SPECIAL STRUCTURES

# YOLANDA ALEMÁN-LIMÓN

<b><u>EXPERIENCE:</u></b>	<b>Property Manager</b> <i>Guadalupe Neighborhood Development Corporation</i> <ul style="list-style-type: none"> <li>• Receive all correspondence in person, telephone, mail, e-mail and fax</li> <li>• Receive and record receipts for rental payments for 71 GNDC properties and La Vista de Guadalupe apartment complex</li> <li>• Receive and receipt payments for 3 mortgage properties.</li> <li>• Prepare and issue payments for all bills, including taxes, insurance premiums, maintenance and repair of properties, following the established procurement policies.</li> <li>• Files kept in appropriate settings and locations to accommodate access by authorized Board, Staff, Auditors, Funding Providers, and Investors.</li> <li>• Collect necessary income information from applicants and from new and existing tenants to determine eligibility for certification or re-certification in various programs.</li> <li>• Oversee compliance with Federal, State and City guidelines and regulations in accordance to Low-Income Housing Tax Credit; HOME and RHDA programs.</li> <li>• Prepare new and renewal leases.</li> <li>• Manage move-out and move-in process.</li> <li>• Prepare and deliver notices for late rent, late mortgage, lease violations and eviction.</li> </ul>	October 1, 2003 – Present
	<b>Senior Patient Account Representative</b> <i>City of Austin, Health and Human Services</i> <ul style="list-style-type: none"> <li>• Insured Billing and Collection of all first, second and third party billing.</li> <li>• Verified insurance data from Medicaid Software for accuracy and completeness.</li> <li>• Managed appeals for Medicaid, Medicare and HMO's in a timely manner</li> <li>• Managed patient accounts to verify insurance or guarantor payer paid for services rendered.</li> <li>• Contacted appropriate clinic sites by e-mail, fax or phone</li> <li>• Managed itemized billing statements for Law Firms and other professional agencies.</li> <li>• Collected and applied fees for the itemized statements.</li> <li>• Directed 6 co-workers, served as Acting-Supervisor when needed.</li> </ul>	February 1993 - September, 2009
	<b>Senior Administrative Clerk</b> <i>City of Austin, Woman and Children (WIC) Program</i> <ul style="list-style-type: none"> <li>• Interviewed clients to ensure eligibility for State and City guidelines.</li> <li>• Explained program to clients and issued WIC coupons.</li> <li>• Translated for Spanish-speaking clients.</li> <li>• Maintained and documented weekly inventory of coupons.</li> <li>• Prepared reports for State and Federal agency departments.</li> </ul>	October 1985 - February 1993
<b><u>EDUCATION:</u></b>	<b>G.E.D Austin Community College, Austin, Texas</b>	1985
<b><u>SKILLS:</u></b>	<b>Bilingual in Spanish, Proficient in Microsoft Word, bookkeeping, and accounting</b>	



## City of Austin

### Neighborhood Housing and Community Development

P.O. Box 1088, Austin, TX 78767 -1088

(512) 974-3100 ♦ Fax: (512) 974-3112 ♦ [www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

October 5, 2016

Mark Rodgers  
Executive Director  
Guadalupe Neighborhood  
Development Corporation  
813 E. 8<sup>th</sup> Street  
Austin, TX 78702

Re.: 2015 Rental Housing Development Assistance (RHDA) Monitoring  
904-B Lydia, Austin, TX 78702

Dear Mr. Rodgers:

On June 27, 2016, Neighborhood Housing and Community Development (NHCD) conducted an on-site review of records for the above referenced location(s) and a physical inspection of selected units. The purpose of the monitoring was to ensure compliance with local and federal regulatory requirements set forth in your RHDA loan agreement with the Austin Housing Finance Corporation (AHFC).

I am pleased to inform you that Guadalupe Neighborhood Development Corporation has cleared all deficiencies and is now compliant with the terms of the loan agreement.

If you have any questions or need additional information, please contact me at 512-974-3110 or [Susan.Kinel@austintexas.gov](mailto:Susan.Kinel@austintexas.gov).

Regards,

Susan Kinel  
Sr. Contract Compliance Specialist  
Neighborhood Housing and Community Development

Attachment: Physical Inspection Report

XC: Yolanda Alemon-Limon, Property Manager, GNDC  
Joseph A. Martinez, President, GNDC Board of Directors  
Chase Clements, NHCD





## City of Austin

### Neighborhood Housing and Community Development

P.O. Box 1088, Austin, TX 78767 -1088

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October 5, 2016

Mark Rodgers  
Executive Director  
Guadalupe Neighborhood  
Development Corporation  
813 E. 8<sup>th</sup> Street  
Austin, TX 78702

Re.: 2015 Rental Housing Development Assistance (RHDA) Monitoring  
5908 Ventus, 5921 Ventus, 5916 Lux, 5929 Lux, 1129 A&B Altum  
and 1133 A&B Altum

Dear Mr. Rodgers:

On June 27, 2016, Neighborhood Housing and Community Development (NHCD) conducted an on-site review of records for the above referenced location(s) and a physical inspection of selected units. The purpose of the monitoring was to ensure compliance with local and federal regulatory requirements set forth in your RHDA loan agreement with the Austin Housing Finance Corporation (AHFC).

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Regards,

Susan Kinel  
Sr. Contract Compliance Specialist  
Neighborhood Housing and Community Development

Attachment: Physical Inspection Report

XC: Yolanda Alemon-Limon, Property Manager, GNDC  
Joseph A. Martinez, President, GNDC Board of Directors  
Chase Clements, NHCD



## City of Austin

### Neighborhood Housing and Community Development

P.O. Box 1088, Austin, TX 78767-1088

(512) 974-3100 ♦ Fax (512) 974-3112 ♦ [www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

October 5, 2016

Mark Rodgers  
Executive Director  
Guadalupe Neighborhood  
Development Corporation  
813 E. 8<sup>th</sup> Street  
Austin, TX 78702

Re.: 2015 Rental Housing Development Assistance (RHDA) Monitoring  
110 Chicon, Units A & B, Austin, TX 78702

Dear Mr. Rodgers:

On June 27, 2016, Neighborhood Housing and Community Development (NHCD) conducted an on-site review of records for the above referenced location(s) and a physical inspection of selected units. The purpose of the monitoring was to ensure compliance with local and federal regulatory requirements set forth in your RHDA loan agreement with the Austin Housing Finance Corporation (AHFC).

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Regards,

Susan Kinel  
Sr. Contract Compliance Specialist  
Neighborhood Housing and Community Development

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Joseph A. Martinez, President, GNDC Board of Directors  
Chase Clements, NHCD



## City of Austin

### Neighborhood Housing and Community Development

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Austin, TX 78702

Re.: 2015 Rental Housing Development Assistance (RHDA) Monitoring  
La Vista de Guadalupe Apts., 813 E. 8<sup>th</sup> Street, Austin, TX 78702

Dear Mr. Rodgers:

On June 27, 2016, Neighborhood Housing and Community Development (NHCD) conducted an on-site review of records for the above referenced location(s) and a physical inspection of selected units. The purpose of the monitoring was to ensure compliance with local and federal regulatory requirements set forth in your RHDA loan agreement with the Austin Housing Finance Corporation (AHFC).

I am pleased to inform you that Guadalupe Neighborhood Development Corporation has cleared all deficiencies and is now compliant with the terms of the loan agreement.

If you have any questions or need additional information, please contact me at 512-974-3110 or [Susan.Kinel@austintexas.gov](mailto:Susan.Kinel@austintexas.gov).

Regards,

Susan Kinel  
Sr. Contract Compliance Specialist  
Neighborhood Housing and Community Development

Attachment: Physical Inspection Report

XC: Yolanda Alemon-Limon, Property Manager, GNDC  
Joseph A. Martinez, President, GNDC Board of Directors  
Chase Clements, NHCD



## City of Austin

### Neighborhood Housing and Community Development

P.O. Box 1088, Austin, TX 78767-1088

(512) 974-3100 ♦ Fax (512) 974-3112 ♦ [www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

October 5, 2016

Mark Rodgers  
Executive Director  
Guadalupe Neighborhood  
Development Corporation  
813 E. 8<sup>th</sup> Street  
Austin, TX 78702

Re.: 2015 Rental Housing Development Assistance (RHDA) Monitoring  
809-B San Marcos St., 907-B Spence St., 1009-B E. 10<sup>th</sup> St.,  
2320 Santa Rita St., 303 San Saba St., and 1002 Wheelless

Dear Mr. Rodgers:

On June 27, 2016, Neighborhood Housing and Community Development (NHCD) conducted an on-site review of records for the above referenced location(s) and a physical inspection of selected units. The purpose of the monitoring was to ensure compliance with local and federal regulatory requirements set forth in your RHDA loan agreement with the Austin Housing Finance Corporation (AHFC).

I am pleased to inform you that Guadalupe Neighborhood Development Corporation has cleared all deficiencies and is now compliant with the terms of the loan agreement.

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Sr. Contract Compliance Specialist  
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Attachment: Physical Inspection Report

XC: Yolanda Alemon-Limon, Property Manager, GNDC  
Joseph A. Martinez, President, GNDC Board of Directors  
Chase Clements, NHCD





## City of Austin

P.O. Box 1088, Austin, TX 78767  
[www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

### Neighborhood Housing and Community Development Department

September 25, 2018

#### S.M.A.R.T. Housing Certification

Guadalupe Neighborhood Development Corporation (GNDC) – 809 East 9th Street (ID# 623)

#### TO WHOM IT MAY CONCERN:

Guadalupe Neighborhood Development Corporation (development contact Mark Rogers, (512-479-6275 (o)); [gndc@sbcglobal.net](mailto:gndc@sbcglobal.net)) is planning to develop a 22-24 unit multi-family residential development called La Vista de Lopez at 809 East 9th Street, Austin TX 78702. The project is subject to a 5 year affordability period after issuance of certificate of occupancy, unless project funding requirements are longer.

This development will include the preservation of the Routon-Alvarez-Lopez House, a Historic Landmark that is currently located at the site. The house will be converted for use as community space for the needs of the residents in the new multi-family development.

NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 20% (5) units will serve households with incomes at or below 30% of Austin's Median Family Income level (MFI), 60% (14) units will serve households with incomes at or below 50% MFI and 20% (5) units will serve households with incomes at or below 60% MFI, the development will be eligible for 100% waiver of all fees listed in the City of Austin's Land Development Code, Chapter 25-1-704, as amended. The expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees  
 Building Permit  
 Concrete Permit  
 Electrical Permit  
 Mechanical Permit  
 Plumbing Permit  
 Site Plan Review

Misc. Site Plan Fee  
 Building Plan Review  
 Construction Inspection  
 Subdivision Plan Review  
 Misc. Subdivision Fee  
 Zoning Verification  
 Demolition Permit Fee

Move House onto Lot  
 Move House onto City Right –  
 of-Way Fee  
 Land Status Determination  
 Board of Adjustment Fee  
 Parkland Dedication (by  
*separate ordinance*)

#### Prior to issuance of building permits and starting construction, the developer must:

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Austin Energy: Contact Austin Energy Green Building: 512-482-5300 or [greenbuilding@austinenergy.com](mailto:greenbuilding@austinenergy.com)).
- ◆ Submit plans demonstrating compliance with visitability and transit-oriented standards.

#### Before a Certificate of Occupancy will be granted, the development must:

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ◆ Pass a final inspection to certify that visitability and transit-oriented standards have been met.
- ◆ An administrative hold will be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter

from project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the completion of the units, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Please contact me by phone 512.974.3128 or by email at [Sandra.harkins@austintexas.gov](mailto:Sandra.harkins@austintexas.gov) if you need additional information.

Sincerely,



Sandra Harkins, Project Coordinator  
Neighborhood Housing and Community Development

Cc: Rosa Gonzales, AE  
Jonathan Orenstein, AWU  
Mashell Smith, ORS

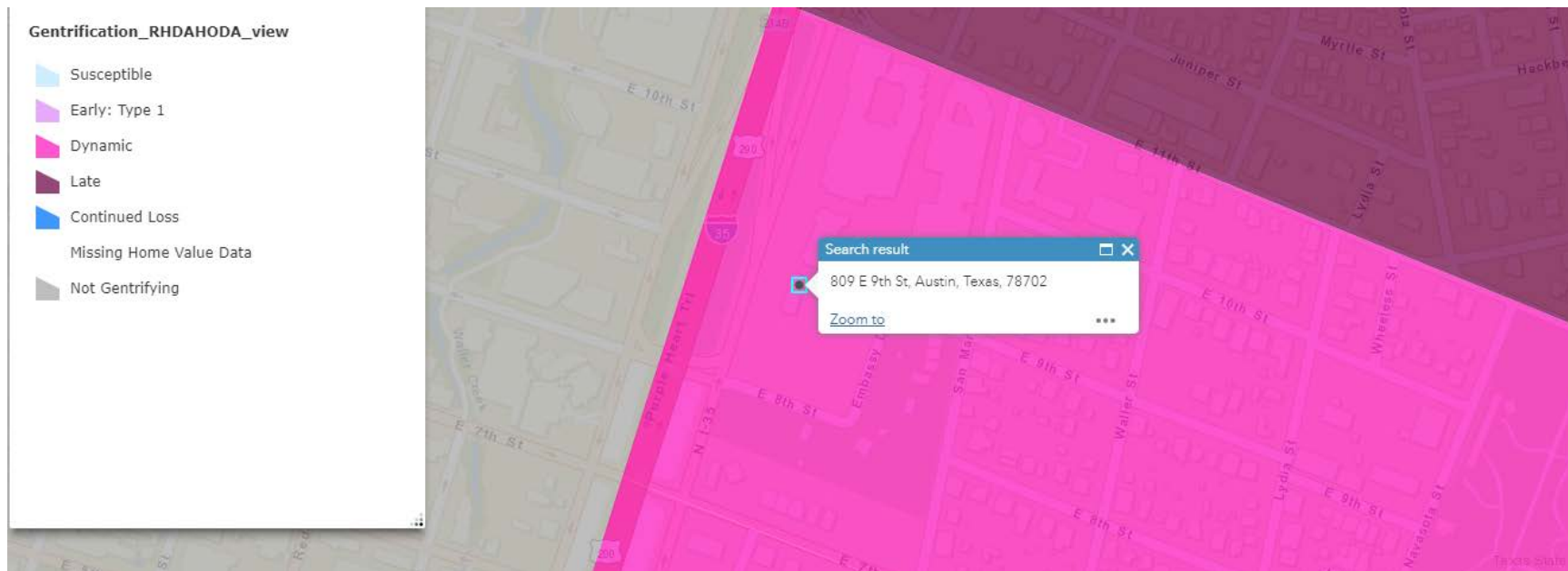
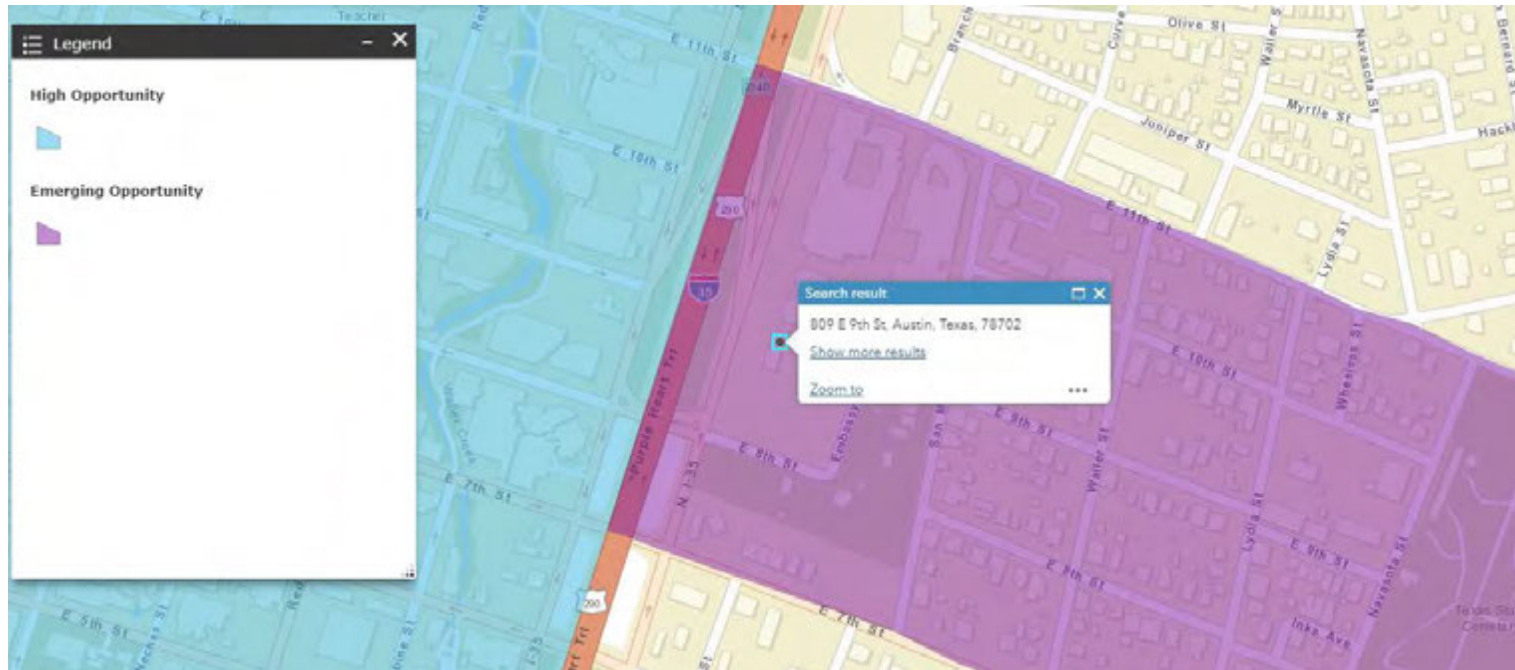
Gina Copic, NHCD  
Marilyn Lamensdorf, PARD

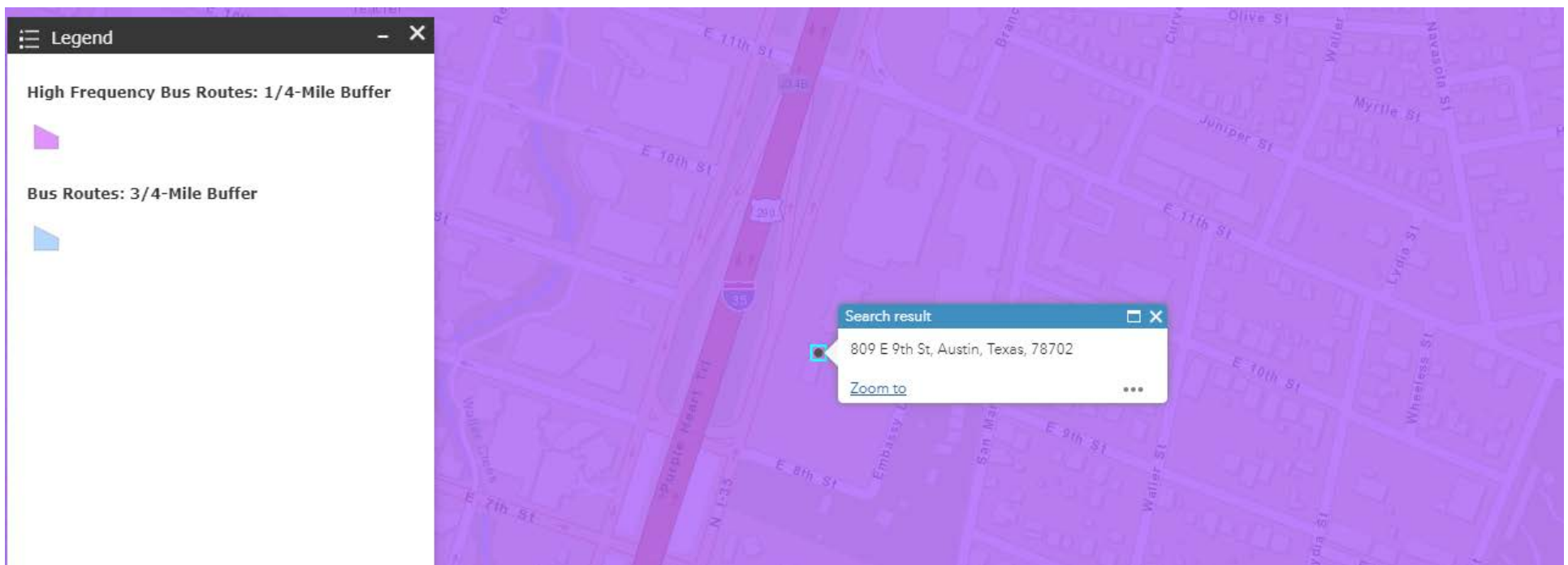
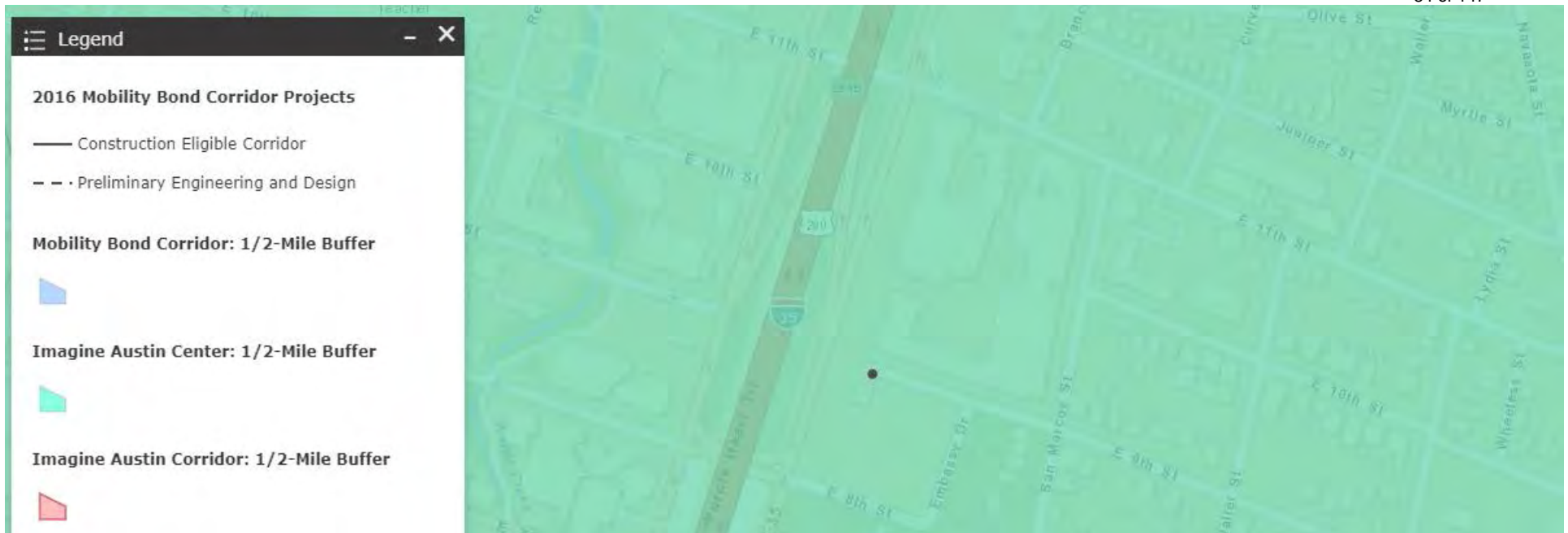
Ellis Morgan, NHCD  
Melanie Montez, ORS

## Exhibit G

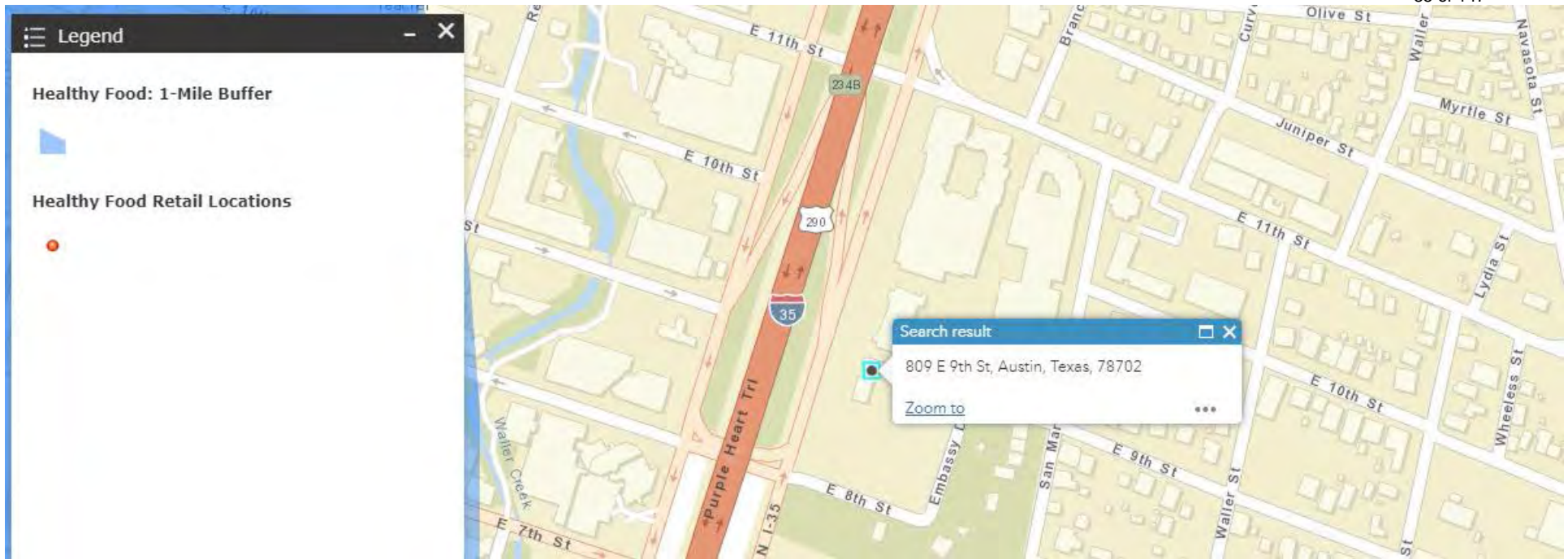
Maps of 809 E. 9<sup>th</sup> St 78702

83 of 147









#### General Information

Address: 809 E 9TH ST  
 Tax ID: 0206050308  
 Appraisal District: Travis

#### FEMA Floodplain

Flood Zone: X  
 Community Number: 490624  
 Panel Number: 48453C0465J  
 Effective Date: 1/6/2016  
 100-Year Flood Elevation: N/A  
 500-Year Flood Elevation: N/A

#### City of Austin Floodplain

25-Year Flood Elevation: N/A  
 100-Year Flood Elevation: N/A

[Print Floodplain Report](#)



ELECTRONICALLY RECORDED

2015088336

TRV

2

PGS

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**General Warranty Deed**

9-2009317  
STATE OF TEXAS

COUNTY OF TRAVIS

MARY HELEN LOPEZ, hereinafter called Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration, to the undersigned in hand paid by GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION, whose address is 813 East 8<sup>th</sup> Street, Austin, Texas 78702, hereinafter called Grantee, the receipt of which is hereby acknowledged and for which no lien either express or implied is retained or shall exist.

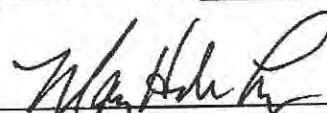
Grantor HAS GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto Grantee, all of the following described real property in Travis County, Texas, to-wit:

**Being: The East One-half of Lot Sixteen (16) and the West Thirty-four feet (W. 34') of Lot 17, in Outlot 1, Division "B", of the Sarah and Lydia M. Robertson Subdivision, in the City of Austin, Travis County, Texas, according to the map or plat of the said subdivision of record in Volume or Plat Book 2, Page 232, Plat Records of Travis County, Texas, and being the same property conveyed in deed dated August 18, 1954, executed by Carlotta Resendez, recorded in Volume 1488, Pages 367 - 370, of the Deed Records of Travis County, Texas. The Property is known locally as 809 East 9th Street, Austin, Travis County, Texas, 78702.**

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, Grantee's heirs, successors and assigns forever. Grantor hereby binds herself, her heirs, executors, and administrators to WARRANT AND FOREVER DEFEND, all and singular the said premises unto the said Grantee, Grantee's heirs, successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

This conveyance is subject, however, to all easements, restrictions, conditions, covenants, and reservations related to the real property described herein and on record in Travis County.

EXECUTED this 19th day of May, 2015

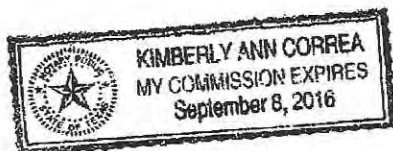
  
 \_\_\_\_\_  
 Mary Helen Lopez, GRANTOR

STATE OF TEXAS §

# ACKNOWLEDGEMENT

COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 19th day of May, 2015  
 by Mary Helen Lopez.




  
 \_\_\_\_\_  
 NOTARY PUBLIC, State of Texas

Printed Name

2



FILED AND RECORDED  
 OFFICIAL PUBLIC RECORDS

  
 DANA DEBEAUVOIR, COUNTY CLERK  
 TRAVIS COUNTY, TEXAS

June 05 2015 03:19 PM

FEE: \$ 30.00 2015088336

**PHASE I  
ENVIRONMENTAL SITE ASSESSMENT**

**809 EAST 9<sup>TH</sup> STREET  
AUSTIN, TEXAS 78702**

**25 FEBRUARY 2015**

**Prepared for:**

City of Austin - Austin Resource Recovery  
P.O. Box 1088  
Austin, Texas 78767

**Prepared by:**

Cook-Joyce, Inc.		INTERA, Inc.
812 West Eleventh Street		1812 Centre Creek Drive,
Suite 205	&	Suite 300
Austin, Texas 78701		Austin, TX 78745



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### APPENDIX

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## EXECUTIVE SUMMARY

Cook-Joyce, Inc. (CJI), as part of the team led by INTERA, Inc. under its contract to provide services to the City of Austin's Brownfields Revitalization Office, has conducted a Phase I Environmental Site Assessment (ESA) of a 0.1675 acre parcel of real property, hereafter referred to as the subject property or site, located at 809 East 9<sup>th</sup> Street, Austin, Texas. This Phase I ESA was performed to identify, to the extent feasible, any recognized environmental conditions that could potentially impact future property transfer and/or development, and to make a diligent inquiry into the environmental condition of the site, consistent with good commercial and customary practice, to allow future development of the property under the City of Austin's Brownfields Program, and to qualify the Guadalupe Neighborhood Development Corporation (GNDC) of the property for statutory limitations on potential liability under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The location of the subject property is depicted on Figure 1.

CJI conducted this ESA in accordance with Standard Practice E 1527-13 of ASTM International (ASTM), entitled *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The Phase I ESA activities included review of site-specific information provided by the City of Austin's Brownfields Revitalization Office, research for environmental liens and activity/use limitations, and collection and review of environmental and historical records. In addition, a site visit was conducted with the objective of identifying any indications of releases, past releases, or material threat of releases of hazardous substances or petroleum products, to the extent that they may be visually or physically observed as set forth in ASTM E 1527-13. The ESA effort also included interviews with individuals having knowledge of past and/or present uses of the subject property. Information from these interviews was used in conjunction with that obtained from the site visit and the records review to identify the uses and conditions of the subject property in accordance with ASTM E 1527-13. The Phase I ESA was performed by environmental professional(s) as defined in 40 CFR §312.10 and as identified in this report.

This assessment has revealed evidence of two recognized environmental conditions in connection with the subject property. They are:



1. An approximately 115-year old house is located on the subject property. In addition, an apartment constructed prior to 1950 and demolished in 2013 was formerly located on the property. Due to the age of the structures, it is likely they could have been constructed with asbestos-containing materials and that lead based paint may have been used on the exterior surfaces. In the absence of analytical data for asbestos and lead in the near-surface, on-site soils, CJI cannot rule out the possibility that asbestos and/or lead could be present in on-site soils at levels that pose a hazard. As a result, CJI has concluded that this possibility constitutes a condition that represents a recognized environmental condition in connection with the subject property. (NOTE: It is CJI's understanding that the potential presence of asbestos and/or lead at the subject property is being investigated by another firm and will be addressed in a separate report to be issued by that firm.)
2. Sixty-one sites were identified as historical automotive stations, UST or historical UST sites, and/or LPST sites within 0.5 mile of the subject property. Twenty LPST sites and twenty-six UST sites were listed within 0.5 mile of the site. Thirty-nine historical automotive stations were identified within 0.25 mile of the subject property. In addition, Phase II ESA investigations in close proximity to the subject property have documented soil and groundwater impacts from petroleum sources (see Section 4.1 – Brownfield Sites of this report). Characteristics of on-site groundwater such as depth to groundwater, groundwater flow direction, groundwater classification, and groundwater quality are not available. Therefore, because of known groundwater impacts from petroleum sites in close proximity to the subject property and the unknown subsurface conditions at the site and its immediate vicinity, CJI cannot exclude the possibility of petroleum impacts to on-site groundwater from surrounding sites. Groundwater that may exist beneath the site also has the potential to be impacted from other releases that may have occurred from the aforementioned facilities. Vapors from contaminated groundwater beneath the subject property (if present) or in close proximity to the subject property could also impact air quality within existing or future site structures. Therefore, CJI has concluded that the potential for impacted groundwater at the site and/or vapor intrusion from on or off-site groundwater contamination constitutes a condition that represents a recognized environmental condition in connection with the subject property.

This assessment has revealed evidence of environmental issues at the subject property that, while they do not represent recognized environmental conditions, do warrant mention in this summary. Those issues are:

1. Two small piles of debris/trash were noted to the south of the on-site house. Bricks and shingles were noted in the piles.

## 1.0 INTRODUCTION

Cook-Joyce, Inc. (CJI), as part of the team led by INTERA, Inc. under its contract to provide services to the City of Austin's Brownfields Revitalization Office, has conducted a Phase I Environmental Site Assessment (ESA) of a 0.1675-acre parcel of real property, hereafter referred to as the subject property or site, located at 809 East 9<sup>th</sup> Street, Austin, Texas. This report documents the findings, opinions, and conclusions of the Phase I ESA effort. A site location map is provided as Figure 1.

### 1.1 PURPOSE

This Phase I ESA was performed to identify, to the extent feasible, any recognized environmental conditions that could potentially impact future property transfer and/or development, and to make a diligent inquiry into the environmental condition of the site, consistent with good commercial and customary practice, to allow future development of the property under the City of Austin's Brownfields Revitalization Office and to qualify the GNDC for statutory limitations on potential liability under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

### 1.2 SCOPE OF SERVICES

A Phase I ESA is the process by which a person or entity seeks to evaluate a parcel of real property (including improvements) for environmental conditions that could pose potential liability. This process is also referred to as an All Appropriate Inquiry (AAI). The U.S. Environmental Protection Agency (EPA) has issued requirements for conducting an AAI, which are found at 40 CFR Part 312 and became effective on 1 November 2006. The AAI requirements are applicable to any party who may potentially claim protection from CERCLA liability as an innocent landowner, a bona fide prospective purchaser, or a contiguous property owner. As noted in the December 30, 2013 final rulemaking, EPA amended the AAI requirements allowing for the use of ASTM E1527-05 (a prior version of the standard) or ASTM E1527-13 (the current version) as consistent with the requirements of AAI. On October 6, 2014, EPA again amended the AAI requirements, this time removing the reference to ASTM E1527-05 to reduce any confusion associated with the regulatory reference to a historical standard that is no longer recognized by its originating organization as meeting its standards for good customary business practice.

This Phase I ESA was performed in accordance with ASTM E 1527-13, with exception of any deviations listed in Section 8.0. The ASTM methodology establishes a good commercial and customary practice for conducting an environmental assessment of a parcel of real property with the goal of identifying recognized environmental conditions. The term **recognized environmental condition** is defined in ASTM E 1527-13 as:

*“The presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.”*

ASTM E 1527-13 also defines three related terms. They are:

**“de minimis condition** – a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis conditions are not recognized environmental conditions nor controlled recognized environmental conditions.”

**“controlled recognized environmental condition** – a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). (See Note 2.) A condition considered by the environmental professional to be a controlled recognized environmental condition shall be listed in the findings section of the Phase I Environmental Site Assessment report, and as a recognized environmental condition in the conclusions section of the Phase I Environmental Site Assessment report. (See Note 3.)

**Note 2** – For example, if a leaking underground storage tank has been cleaned up to a commercial use standard, but does not meet unrestricted residential cleanup criteria, this would be considered a controlled recognized environmental condition. The “control” is represented by the restriction that the property use remain commercial.

**Note 3** – A condition identified as a controlled recognized environmental condition does not imply that the environmental professional has evaluated or confirmed the adequacy, implementation, or continued effectiveness of the required control that has been, or is intended to be, implemented.



***“historical recognized environmental condition*** – a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). Before calling the past release a historical recognized environmental condition, the environmental professional must determine whether the past release is a recognized environmental condition at the time the Phase I Environmental Site Assessment is conducted (for example, if there has been a change in the regulatory criteria). If the EP [environmental professional] considers the past release to be a recognized environmental condition at the time the Phase I ESA is conducted, the condition shall be included in the conclusions section of the report as a recognized environmental condition.

The Phase I ESA process consisted of the following key elements:

- Collection and review of information related to the site location, site and vicinity characteristics, current uses of the subject and adjoining properties, and site improvements (see Section 2.0);
- Review of site-specific information provided by Mark Rogers (Executive Director of the Guadalupe Neighborhood Development Corporation (see Section 3.0);
- Collection and review of standard and supplemental environmental records, physical setting source information, and other historical records such as fire insurance maps, aerial photographs, historical topographic maps, activity and land use limitations, and environmental liens (see Section 4.0);
- A site visit with the objective of identifying any indications of releases, past releases, or material threat of releases of hazardous substances or petroleum products at the subject property, to the extent that they may be visually or physically observed as prescribed in ASTM E-1527-13 (see Section 5.0);
- Interviews with individuals who may have knowledge of past and/or present uses and conditions at the site to obtain information indicating any recognized environmental conditions in connection with the site (see Section 6.0);
- Evaluation of the information obtained through the ESA to develop findings regarding the presence or absence of any recognized environmental conditions, controlled

recognized environmental conditions, historical recognized environmental conditions, and *de minimis* conditions and professional opinion(s) regarding the impact on the property of any conditions so noted (see Section 7.0);

- Discussion of any significant data gaps that affect the ability of the environmental professional(s) to identify recognized environmental conditions and any limiting conditions, deletions, and deviations from the ASTM E 1527-13 practice (see Section 8.0); and
- Conclusions that summarize all recognized environmental conditions connected with the property and, if applicable, any opinion regarding additional appropriate investigation to detect the presence of hazardous substances or petroleum products (see Section 9.0).

Non-scope environmental considerations such as those identified in ASTM E 1527-13 (including but not limited to cultural and historical resources, ecological resources, endangered species, health and safety, indoor air quality unrelated to releases of hazardous substances or petroleum products, industrial hygiene, asbestos-containing building materials, lead-based paint, lead in drinking water, mold, radon, regulatory compliance, and wetlands) were not evaluated as part of this ESA. However, it is CJI's understanding that the potential presence of asbestos and/or lead at the subject property is being investigated by another firm and will be addressed in a separate report to be issued by that firm.

### 1.3 LIMITATIONS AND EXCEPTIONS

Any Phase I ESA is by nature limited and qualitative in scope, being based predominantly on examination of selected maps, agency records, interviews, and visual and/or physical observations made during the site visit. As such, this ESA should not be construed to be a complete characterization of environmental regulatory compliance or conditions above or below ground surface at the subject property. Instead, the ESA process is designed to provide information regarding apparent existing or potential adverse environmental conditions related to the subject property in accordance with good commercial and customary practice.

This Phase I ESA is limited to the information available or known to CJI as of the date of this report. Consistent with ASTM E 1527-13, no intrusive testing or sampling of concealed or subsurface conditions was performed at the site. The information obtained for this ESA is

believed to be reliable, but the accuracy and completeness of agency lists and other historical information have not been verified or confirmed. CJI has accepted as true the information provided by interviewees on current and historical uses of the subject property and surrounding area. CJI does not warrant or guarantee the accuracy or completeness of information provided by other sources.

CJI represents that the ESA was performed in a competent manner by environmental professionals consistent with the practices and procedures contemplated under ASTM E 1527-13. However, even with proper application of the ASTM methodology, environmental conditions may be present that cannot be identified within the scope of the ESA or that may not be reasonably identifiable from the available information. As such, no warranty is expressed or implied as to the findings, conclusions, and/or recommendations presented in this report beyond matters amenable to empirical review and visual confirmation within the limits under ASTM E 1527-13 and/or the specified scope of work.

#### 1.4 SPECIAL TERMS AND CONDITIONS

No special terms or conditions were imposed on this Phase I ESA.

#### 1.5 RELIANCE

This Phase I ESA has been prepared for the use of City of Austin's Brownfields Revitalization Office and the GNDC, who has applied for assistance from the Brownfields Revitalization Program. There are no third party rights or benefits conferred under this report. Use or reliance of this report by any third party is at the sole risk of that party.

## 2.0 SITE DESCRIPTION

### 2.1 LOCATION AND LEGAL DESCRIPTION

The subject property is located at 809 East 9<sup>th</sup> Street adjacent to and east of Interstate Highway 35 (IH-35) in downtown Austin, Texas. A site location map is provided as Figure 1. The legal description for the subject property is recorded at the Travis County Appraisal District as “E 23ft of Lot 16 \*& W 34ft of Lot 17 OLT 1 Div B Robertson S & L M South Part”. The most recent Special Warranty Deed for the subject property is included in the *Environmental Lien Search* in Appendix A.

### 2.2 DESCRIPTIONS AND CURRENT USES OF SUBJECT PROPERTY

The subject property is a 0.1675-acre parcel of real property currently owned by Ms. Mary Helen Lopez. A one-story house that was originally built around the year 1900 is located on the north side of the property, and an apartment was formerly located on the southern part of the property. The apartment, demolished in 2012, was constructed prior to 1950 according to the current property owner.

The existing house has a pier and beam foundation with a dirt crawl-space located beneath the house. The house has been vacant since 2010. A fire damaged the south side of the house in April 2010, and in 2012 a portion of the fire damaged house was demolished. The remaining property is now covered with vegetation. Temporary security fencing currently divides the northern portion of the property containing the house from the “backyard” and the location of the former apartment. There is evidence of soil or other material used to level the ground surface in the backyard, in the area between the house and the former apartment, in the southern portion of the site.

Electricity and water to the site is provided by the City of Austin. Wastewater services are also provided by the City of Austin. Gas service is provided by Texas Gas Service. Utilities are not currently connected or in use.

A site layout map depicting the subject property is provided as Figure 2.

### 2.3 DESCRIPTION AND CURRENT USES OF ADJOINING PROPERTIES

Figure 2 depicts the surrounding property uses and identifies the property boundaries with respect to the cardinal directions. The subject property is bound by undeveloped cleared



property adjacent to its south and east boundaries. Adjacent to the west of the subject property is a grassy embankment that slopes steeply down to the northbound access road for IH-35. To the north of the property is East 9<sup>th</sup> Street, and to the north of the street is the AMLI Eastside apartment development.

### **3.0 USER-SUPPLIED INFORMATION**

On 10 February 2015, Mr. Mark Rogers, the Executive Director of the Guadalupe Neighborhood Development Corporation (GNDC), provided responses to questions asked by the environmental professional under Sections 6.0, 10.8, and 10.9 of ASTM E 1527-13. The following discusses the user information supplied by Mr. Rogers.

#### **3.1 ENVIRONMENTAL LIENS AND ACTIVITY/USE LIMITATIONS**

Mr. Rogers was not aware of any environmental cleanup liens that are filed or recorded against the site. He did provide information regarding activity/use limitations that are in-place on the property. Mr. Rogers believes that the house on the property cannot be legally occupied due to the fire that occurred in 2010 and subsequent Austin Code Compliance violations concerning its repair.

#### **3.2 SPECIALIZED KNOWLEDGE**

Mr. Rogers does have specialized knowledge or experience related to the historic uses of the subject property and nearby properties. He responded that he knows the owner and that she personally occupied the property for several decades. He has lived nearby the subject property for 29 years. He is also aware of the property being a residence since the house was built around the year 1900. Mr. Rogers stated he oversaw the development of the nearby property at 813 East 8<sup>th</sup> Street, and has done personal research relating to the history of the specific area that includes the subject property.

#### **3.3 COMMONLY KNOWN OR REASONABLE ASCERTAINABLE INFORMATION**

Mr. Rogers did provide some commonly known or reasonably ascertainable information about the subject property. He indicated that he personally knows the owner of the residence and that she lived in the house from around 1960 to 2010. He stated that the property has been a residence since the house was built around the year 1900. He was aware of the fire that damaged the south end of the house in April 2010.

Mr. Rogers was not aware of specific chemicals that are present or once were present at the property. He did not know of any spills or other chemical releases that may have taken place at the property. He also had no knowledge of any environmental cleanups that have taken place at the property.

### 3.4 VALUATION REDUCTION FOR ENVIRONMENTAL ISSUES

Mr. Rogers acknowledged that the asking price for the subject property was below its fair market value, based on an independent appraisal. According to Mr. Rogers, the reduced asking price was not due to any potential environmental issues at the site, but rather was in consideration of the buyer's commitment to repair and maintain the house in accordance with the requirements of the City of Austin for historic properties.

### 3.5 OTHER INFORMATION

Based on his knowledge and experience related to the property, Mr. Rogers was aware of potential contamination at the property. He responded that since the house was built before 1973, lead based paint was likely used on the house. He also stated that due to the subject property being adjacent to Interstate Highway 35, the lead may have been deposited on the property from historic auto emissions when gasoline contained lead as an additive. He was not aware of any pending, threatened, or past litigations or administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the site. Mr. Rogers also had no knowledge of notices from any governmental entity regarding possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products at the site. In addition, he was not aware of the availability of any of the potentially helpful documents listed in Section 10.8.1 of ASTM E 1527-13 or any other environmental information that might be useful to CJI during the Phase I ESA effort.

## 4.0 RECORDS REVIEW

As part of this Phase I ESA, CJI performed a records review of environmental and historical data for the subject property and surrounding area. This effort included obtaining and reviewing a federal and state environmental database search, which identifies recorded environmental threats within the vicinity of the subject property. Available physical setting sources, a building permit report, a city directory search, fire insurance maps, aerial photographs, and historical topographic maps were also obtained and reviewed. In addition, an environmental liens search was performed to determine if any environmental liens or activity/use limitations are recorded in the land title records for the subject property.

### 4.1 ENVIRONMENTAL RECORD SOURCES

Environmental Data Resources, Inc. (EDR) provided database search services for federal and state standard environmental record sources for this Phase I ESA. These database records were obtained directly from government sources and include all of the standard environmental sources specified in the ASTM standard, plus other additional environmental record sources that can be useful in identifying potential environmental conditions. The search was performed to the ASTM approximate minimum search distances from the boundary of the subject property. The results of the database search, including detailed information regarding the databases searched, are provided in the EDR Radius Map Report with Geocheck in Appendix B.

The EDR Report includes computer-generated maps that depict the locations of any facilities identified as having potential environmental risks within the specified approximate search distances for each source. These maps are provided on pages 17 and 18 of the radius report. For each facility identified, a description of the potential environmental risks is typically provided. The database search revealed the following nearby facilities with potential environmental risks.

#### Leaking Petroleum Storage Tanks (LPSTs)

Twenty LPST sites were listed within 0.5 mile of the subject property, the closest being approximately 400 feet to the west/northwest. This site, the Signature 9 facility located at 900 East Avenue, was reported on July 3, 1990. It was determined the release from this LPST was limited to soil only and final concurrence was issued. Seven LPST sites were identified within 1,000 feet of the site.



### Underground Storage Tanks (USTs)

Twenty-six UST or historical UST sites were listed within 0.5 mile of the subject property. None are on the subject property but two UST sites are located on adjoining properties. Signature 9 and Walker Tire, the closest UST sites, are reported to be 404 feet west-northwest and 452 feet west, respectively, of the subject property. None of the other UST sites are located on the subject property or on adjoining properties, which is the ASTM specified approximate minimum search distance.

### Historical Automotive Stations

Thirty-nine historical automotive stations (HAS) were listed within 0.25 miles of the subject property. None are on the subject property but two are located on adjoining properties. Signature 9 and Walker Tire, the closest HAS sites, are reported to be 404 feet west-northwest and 452 feet west, respectively, of the subject property. None of the other HAS sites are located on the subject property or on adjoining properties, which is the ASTM specified approximate minimum search distance. The Ritter's gas station, formerly located at 1001 East 11<sup>th</sup> Street, was located approximately 820 feet to the northeast of the subject property. This facility is believed to have impacted groundwater in the area.

### Historical Dry Cleaning Sites

Nine potential historical dry cleaning sites were listed within 0.25 miles of the subject property. The closest listed site is the Otto Hinke Laundry located at 1008 East 9<sup>th</sup> Street, approximately 0.103 miles to the east/southeast of the subject property. Four potential dry cleaners were listed on East 11<sup>th</sup> Street. Two cleaners were listed on Red River Street and two were listed on East 6<sup>th</sup> Street.

### Brownfield Sites

Twenty-one Brownfield sites were listed within 0.5 miles of the subject property, the closest site being approximately 0.149 miles away to the northeast. Brownfield sites are properties which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Since prior investigation of these properties may have revealed specific information about environmental conditions in the area of the site, each Brownfield site or group of sites is briefly described below, ordered by their relative distance from the subject property.

1. Brownfield sites on the 900 block of East 11<sup>th</sup> Street and those found on Juniper Street are believed to be impacted by a release from the Ritter's (historical) gas station formerly located at 1001 East 11<sup>th</sup> Street. Because of the proximity of the release to the subject property and the reported groundwater impact, CJI requested any reports available from City of Austin Brownfields Revitalization Office, as Phase II ESAs for this area had reportedly been prepared for this City office. In response, the City provided CJI with three Phase II ESAs.

CJI first reviewed the Phase II report titled *Phase II Environmental Site Assessment East 11<sup>th</sup> Street Corridor Improvement Project Block 11-1 @ E. 11<sup>th</sup> Street and Branch Street and Block 11-8 @ E. 11<sup>th</sup> Street and Lydia Street, Austin, Travis County, Texas* prepared in April 2004 by Shaw Environmental, Inc. (Shaw). The Phase II investigation, conducted in December 2003, found soils and groundwater to be impacted with volatile organic compounds (VOCs) and hydrocarbons. Soil contamination was determined to be below Texas Risk Reduction Program (TRRP) 0.5-acre Residential Protective Concentration Limits (PCLs) but some groundwater contamination in Block 11-1 was found above TRRP 0.5-acre Residential PCLs for Class I groundwater. This Phase II recommended further groundwater assessment in the area, which was conducted by Shaw and documented in the report titled *Additional Phase II Environmental Site Assessment at Block 11-1 @ E. 11<sup>th</sup> Street and Branch Street Corridor Improvement Project, Austin, Travis County, Texas*, initially dated April 2004, with the final report issued on June 17, 2004.

The 2004 Shaw report identified soil contamination for some constituents of concern (COCs) above TRRP PCLs. Concentrations of certain COCs were also reported to exceed TRRP Residential PCLs for Class I groundwater. This report also stated groundwater gradient appeared to be north-northwest but qualified the uncertainty of this statement because some or all of the groundwater measurements collected from the monitoring wells may not have equilibrated due to the tight clay formation in which they were set. The 2004 Shaw report recommended further investigation to conduct vapor assessment and determine TRRP beneficial groundwater category classification of the shallow groundwater.

Subsequently, Shaw prepared the report titled *Limited Phase II Environmental Site Assessment Brownsfields Investigation at the Block 11-1 Site Located Along East 11<sup>th</sup>*

*Street Between Branch Street and Curve Street East 11<sup>th</sup> Street Corridor Improvement Project, Austin, Travis County, Texas* dated December 28, 2006. This report found that groundwater at the site met criteria for Class 3 groundwater, and that contaminant levels present in groundwater samples collected from monitoring wells at the site did not exceed TRRP PCLs applicable to this groundwater categorization.

2. The site located at 901 East 12th Street contained a house that was remediated of lead based paint and asbestos shingles.
3. The site located at 1201 East 11<sup>th</sup> Street was a former gas station. A Phase II investigation found no impacted media.
4. Six sites, including four listed on Lydia Street and two listed on Navasota Street, were grouped together as part of the Phase II investigation conducted in December 2003 (see discussion of Phase II ESA results in first item of this section). Groundwater was reported to be impacted with petroleum hydrocarbons and solvents. The source of the release is believed to be the Quickie Pickie (historical gas station) located at 1208 East 11<sup>th</sup> Street.
5. The site located at 1205 East 11<sup>th</sup>, just to the southeast of the Lydia Street sites, was reported to be used to store large construction equipment. Soils were reported to be impacted with VOCs.
6. In June 1997, a limited Phase II investigation was conducted at the site located at 800 East 4<sup>th</sup> Street. Only surface soil sampling was reported to have been conducted, Additional inquiry into this site (part of a Capitol Metro Brownfield site), found mention of areas of lead impacted soils but no significant groundwater contamination.
7. A Phase II investigation at the 1000 East 4<sup>th</sup> Street site indicated that soils were impacted with lead and other metals.

#### Additional Listed Sites

A single site, Austin Gas Light Company, was listed as a federal CERCLIS-NFRAP (CERCLIS No Further Remedial Action Planned) site. This site is located at 300 Medina Street, approximately 0.429 miles away. A single site, CVS Pharmacy #6863, was listed as a federal RCRA generator. The CVS pharmacy is located at 1105 North IH-35 (approximately 0.146 mile

away), which is outside the applicable ASTM minimum search distance but is noted herein since it was included in the radius report. The Austin Metal & Iron site was listed an Activity and Use Limited (AUL) site and a Voluntary Cleanup Program (VCP) site. The Austin Metal & Iron site is located at 301 San Marcos Street, approximately 0.432 miles away. Two manufactured gas plants were listed under high risk historical records. These sites are both located over 0.5 miles away from the subject property.

## 4.2 PHYSICAL SETTING SOURCES

### 4.2.1 Topography and Watershed

Based on CJI's review of the USGS 7.5-minute *Austin East* topographic map (1988), the subject property has an elevation between approximately 530 and 540 feet above mean sea level and the general direction of surface water runoff is to the north (towards East 9<sup>th</sup> Street) from the northern end of the property, to the south from the south portion of the property, and to the west from the western edge of the property. Surface water appears to run onto the subject property from the adjacent property to the east. Stormwater from the site appears to drain to Waller Creek which ultimately discharges into Ladybird Lake (the Colorado River) approximately 0.82 mile southwest of the subject property. The site is located within the Colorado River Basin.

### 4.2.2 Geology

CJI reviewed the *Geologic Atlas of Texas, Austin Sheet (Reprinted in 1981)* to determine the geologic formation(s) that outcrop across the subject property. The entire site appears to be located within fluvial terrace deposits that overlie the Austin Chalk formation. The terrace deposits are observed along streams and consist of gravel, sand, silt, and clay in various proportions. The Austin Chalk consists of chalk and marl. The chalk is mostly microgranular, ledge forming, and grayish white to white in color. The chalk alternates with the marl. The thickness of the Austin Chalk is reported to be between 325 and 420 feet. The geologic map also revealed the presence of extensive faulting to the west of the site that is associated with the Balcones Fault Zone. The nearest fault appears to be located approximately one mile to the west of the site.

Information provided in the EDR Report (see Appendix B) reveals one near surface soil type that is present at the site. As shown in the soil survey map on page 61 of the database report,



the site contains Travis gravelly sandy loam. The Travis gravelly sandy loam reportedly has slow infiltration rates, with fine grained soil layers impeding downward water movement.

#### 4.2.3 Groundwater

CJI reviewed the TWDB Report 293, Geohydrology of the Edwards Aquifer in the Austin Area, Texas (1986) to determine if the site is located over any major or minor aquifers. The TWDB report indicated the site is located over the Edwards Aquifer (major aquifer). The site is not located over or within close proximity to any minor aquifers.

CJI also reviewed the TCEQ online Edwards Aquifer mapping system to determine if the subject property is located within the Edwards Aquifer recharge zone. The mapping system revealed the site is not located within the recharge zone.

The data researched for this ESA did not provide any information related to the uppermost groundwater bearing zone at the site. Any shallow groundwater encountered at the site is expected to follow surface topography to the south/southwest. Determination of the actual depth of groundwater occurrence and direction of groundwater flow in the area of the subject property would require installation of on-site groundwater monitoring wells.

#### 4.3 BUILDING PERMIT REPORT

CJI reviewed an EDR Building Permit Report for the subject property and adjoining properties. No environmental issues for the subject property or adjoining properties were identified during this review. The building permit report is provided in Appendix C.

#### 4.4 CITY DIRECTORIES

CJI reviewed the EDR City Directory Abstract of city directories listing for the subject property and adjoining properties between 2013 and 1896. No environmental issues for the subject property or adjoining properties were identified during this review. The city directory abstract is provided in Appendix D.

#### 4.5 FIRE INSURANCE MAPS

CJI reviewed an EDR Certified Sanborn Map Report that provided historical fire insurance maps of the subject property and surrounding area. Fire insurance maps were available for years 1900, 1916, 1935, 1962, and 1971. The maps depict the subject property and surrounding area

properties as residential sites, or vacant lots that once contained one or more residences. Fire insurance maps are provided in Appendix E.

#### 4.6 AERIAL PHOTOGRAPHS

EDR conducted a search for aerial photographs of the subject property and surrounding area. Aerial photographs were available for 1940, 1951, 1966, 1973, 1981, 1988, 1995, 2000, 2008, 2010, and 2012. These photographs are provided in Appendix F. The following provides information obtained from review of the aerial photographs that was used to develop a history of prior uses of the subject property and surrounding area.

1940 Photograph – The subject property and surrounding area are largely developed and appear to be residential properties. The on-site house is difficult to distinguish due to the scale of the photograph. IH-35 is not observed to the west of the site but its precursor is seen (East Avenue). Waller Creek is observed to the west of East Avenue.

1951 Photograph – The subject property and surrounding area remain similar to the 1940 photo. However, fewer residences are observed in close proximity and to the east of the subject property. East Avenue remains unchanged.

1966 Photograph – The site and surrounding area remain similar to the 1951 photo, however, IH-35 is now seen just west of the site. Downtown Austin (west of the Interstate) appears more developed with fewer apparent residential properties.

1973 Photograph – The subject property and surrounding area remain similar to the 1966 photo. The house on the subject property is clearly observed. Three other houses on the same block are also seen. More development is observed along IH-35 and within downtown Austin.

1981 Photograph – The subject property and adjoining properties remain similar to the prior photos. Larger buildings are now present to the west in downtown Austin.

1988 Photograph – The subject property and adjoining properties remain similar to the prior photos.

1995 Photograph – The subject property appears similar, however, it appears that most of the remaining houses on the block are now gone. Additionally, the property to the north (across East 9<sup>th</sup> Street) and beyond appears to have been cleared of any

structures. Downtown Austin to the west of IH-35 continues to grow by the addition of larger buildings.

2005 Photograph – The subject property remains similar to previous photos. The surrounding properties to the south, east, and north appear undeveloped.

2008 Photograph – The subject property remains similar to previous photos. Surrounding properties remain vacant, however, a large development is now observed across East 9<sup>th</sup> Street to the north. This is the AMLI Eastside apartments. A smaller apartment complex, the GNDC La Vista de Guadalupe, is now seen to the south of the site, just south of East 8<sup>th</sup> Street.

2010 Photograph – The site and surrounding area remain similar to the 2008 photo.

2012 Photograph - The site and surrounding area remain similar to the 2010 photo.

#### 4.7 HISTORICAL TOPOGRAPHIC MAPS

EDR conducted a search for historical topographic maps of the subject property and surrounding area. Historical topographic maps were available for 1896, 1910, 1954, 1955, 1966, and 1973. These maps are provided in Appendix G. The following provides information obtained from review of the historical topographic maps that were used to develop a history of prior uses of the subject property and surrounding area.

1896 Topographic Map – Waller Creek is observed on the eastern side of the City of Austin, and the railroad to the south of East 6<sup>th</sup> Street is also seen. The subject property appears to be on the eastern edge of downtown Austin and within a possible residential area.

1910 Topographic Map – The site and surrounding area are similar to the 1896 map.

1954 Topographic Map – East 9<sup>th</sup> Street is observed, as is East Avenue (the precursor to IH-35). The French Embassy (current French Legation Museum) is depicted to the east of the site, and a church is seen to the northeast of the subject property (Ebenezer Baptist Church). Residential properties are not depicted on this map.

1955 Topographic Map – The site and surrounding area appear similar to the 1954 map.

1966 Topographic Map – Interstate Highway 35 is visible adjacent and to the west of the subject property.

1973 Topographic Map – The site and surrounding area appear similar to the 1966 map.

#### 4.8 ENVIRONMENTAL LIENS AND ACTIVITY/USE LIMITATIONS

EDR provided an environmental liens search for the subject property. A copy of the environmental liens search report is provided in Appendix A. The report indicates that no environmental liens or activity/use limitations were found for the subject property.



## 5.0 SITE RECONNAISSANCE

This section discusses site reconnaissance activities performed by CJI to obtain visual and/or physical evidence of existing or potential environmental conditions in connection with the subject property.

### 5.1 METHODOLOGY AND LIMITATIONS

Mr. Kevin Lonseth of CJI conducted reconnaissance of the subject property and surrounding area on 12 and 18 February 2015. The reconnaissance consisted of a pedestrian survey that included visual and physical observations of the subject property and its on-site structures. Adjacent off-site properties were not entered, but observed from a distance. All of the uses and conditions specified in Sections 9.4.1 through 9.4.4.7 of ASTM E 1527-13 were considered during the site reconnaissance activities, unless otherwise specified in Section 9.0 (Deviations and Data Gaps) of this report. No conditions or obstacles were encountered during the site reconnaissance that limited visual and/or physical observation of the subject property.

Representative photographs of the site and surrounding area taken during the site reconnaissance are provided in Appendix H.

### 5.2 GENERAL SITE SETTING

#### Subject Property

The subject property is currently a residential lot with a one-story house being the only structure on the site. The house is boarded up and has been vacant since 2010 after an electrical fire damaged the south end of the residence. A dirt crawl-space is located beneath the house. The house is believed to have been built around the year 1900.

Access to the subject property is provided by East 9<sup>th</sup> Street. The subject property is located on the south side of East 9<sup>th</sup> Street where the street dead ends into the easternmost IH-35 right-of-way. To the west of the subject property is a grassy embankment that slopes steeply down to the IH-35 access road. No other public thoroughfares adjoin the site. A short asphalt driveway connected to East 9<sup>th</sup> Street was observed on the north side of the property. The remainder of the property is covered in grasses/vegetation. According to the property owner (Ms. Lopez), a second structure (an apartment) was formerly located on the south half of the property. This building was reportedly torn down in 2012.

Electricity and water are provided to the site by the City of Austin. The City of Austin also provides sanitary sewer service. Gas is provided to the house by Texas Gas Service. No utilities appear to be turned on or in use.

The surface topography across the site varies. The north side of the property slopes to the north toward East 9<sup>th</sup> Street. The property slopes to the south and west to the south of the on-site structure.

#### Adjoining Properties and Surrounding Area

Adjoining properties to the east of the site remain undeveloped and appear to have been former residential lots. An area identified by the property owner as an alley is located immediately south of the site; this area is currently covered with vegetation. Undeveloped property that appears to be former residential lots is seen to the south of the alley. Adjoining property on the west boundary is a grassy highway embankment that slopes steeply down to an interstate access road. East 9<sup>th</sup> Street is observed adjacent to the north of the subject property, with the AMLI Eastside apartment complex observed to the north of the road. Past uses of these adjoining properties appear to have been residential in nature and no indications of potential environmental conditions were noted on these adjoining properties.

Other surrounding properties include residential dwellings, the French Legation Museum, and the GNDC La Vista de Guadalupe apartment complex. No indications of potential environmental conditions were noted on these surrounding properties.

### 5.3 OBSERVATIONS

The following observations were noted by Mr. Lonseth during the site visit:

#### General Observations (Interior and Exterior)

- The site house is built on a pier and beam foundation. A dirt floor crawl-space is located beneath the house.
- No hazardous substances or petroleum products appear to be in current use at the site.
- No above-ground storage tanks and no indications of any underground storage tanks were observed at the site.

- No strong, pungent, or noxious odors were noted at the site.
- No pools or sumps with potentially hazardous substances or petroleum products were observed at the site.
- No standing water or stressed vegetation was observed at the site.
- One empty 5-gallon bucket was observed under the house in the crawl-space. No staining or evidence of a spill was observed near this bucket.
- No electrical or hydraulic equipment was observed at the site that would contain PCBs.

#### Interior Observations (On-site Structures)

- Gas furnaces had been installed to heat the house, and window units had been installed for cooling. The property owner indicated that electricity is provided by the City of Austin and that gas is provided by Texas Gas Service.
- Staining was observed on the wood floor inside the house. These stains appear to be a result of roof leaks during rain events.
- No floor drains or sumps were observed.
- The interior of the house is in very poor condition. The floors were covered in debris (apparent wall paper, paint chips, and insulation). The kitchen area on the south side of the house showed damage from the 2010 house fire. A large hole in the floor of one of the rooms in the house was observed.

#### Exterior Observations (Site and Adjoining Properties)

- No pits, ponds, or lagoons were noted at the site or on adjacent properties.
- No significantly stained soils, concrete, or pavement was observed.
- No stressed vegetation was noted at the site or on adjoining properties.
- There was no evidence suggesting disposal of trash, construction/demolition debris, or other waste materials, either at the site or on adjoining properties. Leveling fill appears to have been added to the backyard at some point, as the southern portion of the

property slopes considerably to the west. A small pile of debris (mostly bricks) was observed to the south of the house in the backyard along the eastern fence line. Another small pile of debris was observed against the house on its south side. This pile consisted of plywood, shingles, and painting supplies. The shingles appeared to be more recently-manufactured asphalt shingles.

- Two stormwater control structures (apparent catch basins) are located near the subject property on its west side. Water from the north side of the site would drain onto East 9<sup>th</sup> Street and then down to the structure located just beyond the road's dead end. The other stormwater structure is located to the west/southwest of the site. This structure would catch most of the stormwater running off of the south half of the property.
- No wells (water wells, irrigation wells, monitoring wells, oil wells, etc) were observed on the subject property.
- The City of Austin provides sanitary sewer services to the subject property, indicating that a septic system has not been in use at the property for an extended period of time. It is unknown if a septic system was ever used on-site.



## 6.0 INTERVIEWS

CJI interviewed individuals having knowledge of current and/or past uses of the site to identify potential environmental conditions in connection with the subject property. The individuals interviewed consisted of: Ms. Mary Lopez (current property owner); Mr. Mark Rogers (GNDC). As applicable, the interviews attempted to obtain information about uses and conditions described in Section 9 of ASTM E 1527-13, as well as the information described in Sections 10.8 and 10.9 of ASTM E 1527-13, unless otherwise noted in Section 8.0 (Deviations and Data Gaps) of this report. The following summarizes the information obtained during these interviews related to potential environmental conditions at the site. In addition, CJI filed an information request with the City of Austin Fire Department, and the information provided is included in the discussion below.

### Ms. Mary Helen Lopez – Property Owner

Ms. Lopez was interviewed by CJI on 16 February 2015. She is the current owner of the property and was raised in the site house. According to Ms. Lopez, her parents began living at the site house in 1950. To her knowledge, the site property and surrounding property has only been used residentially. She confirmed that the site house contains an unfinished, dirt “basement” (identified elsewhere herein as a crawl-space). Ms. Lopez stated that this area was used for storage. According to Ms. Lopez, a separate structure (an apartment) previously located on the south half of the subject property had been removed in 2013. She stated that the apartment had mainly been used for storage. Ms. Lopez stated that the southern portion of the house was torn down in 2012 due to damage from an electrical fire that occurred in 2010. Ms. Lopez was not aware of any spills or leaks at the subject property. Ms. Lopez stated that she was not aware of any environmental conditions on the subject property or adjoining properties.

### Mr. Mark Rogers – Executive Director of the Guadalupe Neighborhood Development Corporation

On 18 February 2015, Mr. Rogers provided additional information regarding the adjacent, undeveloped properties to the east and south of the subject property. He stated that these lots had been vacant for over 15 years. He believed that Momark Development had plans to construct a large housing unit on the property. He had no knowledge of any environmental issue with these properties.

### Austin Fire Department Information

On 9 February 2015, CJI submitted a public information request with the City of Austin regarding the subject property. The City responded with information concerning the house fire that occurred in April 2010. The incident detail report is provided in Appendix I.

## 7.0 FINDINGS AND OPINIONS

Based on the information gathered and reviewed for this Phase I ESA, three potential environmental conditions were identified for the subject property. These potential environmental conditions are described below and opinions are provided whether these constitute recognized environmental conditions.

### **IH-35 Leaded Gasoline Emissions**

The subject property is located adjacent to Interstate Highway 35 in downtown Austin, Texas. In the absence of any analytical data for lead in the near-surface soils at the property, it is CJI's opinion that historical emissions from vehicles using leaded gasoline could have elevated lead concentrations of on-site soils. However, the potential presence of elevated lead concentrations in on-site soils as a result of historical use of leaded gasoline in the vicinity of the site is only a recognized environmental condition for the subject property if that historic activity is deemed to be a "release" as that term is defined under CERCLA. Section 101 of CERCLA states that "*The term "release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant), but excludes... (B) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine,...*" Given this specific exclusion in the statutory definition of a "release", the potential presence of elevated lead concentrations in on-site soils as a result of historical use of leaded gasoline in the vicinity of the site does **not** represent a recognized environmental condition.

### **~115 Year Old House**

An approximately 115 year old house is located on the subject property. An apartment that was constructed prior to 1950 and demolished in 2013 was also formerly located on-site. Due to the age of these structures, it is likely that lead based paints and asbestos-containing materials were used in their construction or upkeep. However, in accordance with ASTM E 1527-13, the presence of lead based paint or asbestos in a structure is identified as a non-scope consideration and evaluation of lead-based paint or asbestos in the house on the subject property was not added to CJI's scope of services for this ESA. Based upon the ASTM standard and the CERCLA statute, the presence of such materials in the house does not appear to be eligible for cost recovery under CERCLA, although EPA has used its CERCLA authority to

conduct response actions for soils contaminated by a release of lead-contaminated paint chips from the exterior of houses that pose a lead hazard. Information currently available to CJI about the subject property does not include any information on the potential for soils to be contaminated by a release of lead-contaminated paint chips from the exterior of the structures or a release of asbestos to soil resulting from the demolition of the apartment. Therefore, the potential exists that lead-based paint chips from the exterior of the structures or asbestos from demolition of the apartment could be present in on-site soils at levels that pose a hazard. As such, it is CJI's opinion that these potential conditions represent a recognized environmental condition in connection with the subject property. It is CJI's understanding that the potential presence of asbestos and/or lead is being investigated, both inside the house and in soil on the property, by another firm and their findings will be presented in a separate report.

#### **Area LPST/UST/Historical Automotive Station Sites**

Sixty-one sites were identified as historical automotive stations, UST or historical UST sites, and/or LPST sites within 0.5 mile of the subject property. These include twenty leaking underground storage tank sites, twenty-six UST or historical UST sites, and thirty-nine historical automotive stations. Phase II ESA investigations in close proximity have documented soil and groundwater impacts from petroleum sources (see Section 4.1 – Brownfield Sites of this report). Characteristics of on-site groundwater such as depth to groundwater, groundwater flow direction, groundwater classification, and groundwater quality are not available. Therefore, because of known groundwater impacts from petroleum sites in close proximity to the subject property and the unknown subsurface conditions at the site, CJI cannot exclude petroleum impacts to on-site groundwater from surrounding site. Groundwater that may exist beneath the site also has the potential to be impacted from other releases associated with these facilities. Therefore, the numerous historic automotive stations, UST sites, and LPST sites are a recognized environmental condition in connection with the subject property. The potential for contaminated groundwater beneath the site and/or vapor migration from potential groundwater contamination, beneath or in close proximity to the site, are recognized environmental conditions for the subject property.

This assessment has revealed evidence of environmental issues at the subject property that, while they do not represent RECs, do warrant mention in this report. Those issues are:

**Debris Piles and Trash** - Two small piles of debris/trash were noted to the south of the on-site home. Bricks and shingles were noted in the piles. These piles should be appropriately disposed of during site development.



## **8.0 DEVIATIONS AND DATA GAPS**

This Phase I ESA was performed in accordance with ASTM E1527-13. No additions, deletions, and/or deviations from this practice were performed. There are two sites identified on the standard environmental records review that constitute adjoining properties in accordance with the ASTM Standard. The first site is the Walker Tire Company, a UST site reported to be 452 feet west of the subject property. The second site is the Signature 9 gas station, listed as both a UST site and a LPST site, reported to be 404 feet to the west/northwest of the subject site. This LPST is stated to have only impacted soil from the release associated with this facility and final concurrence was issued in 1990. Both of the adjoining properties are located across IH-35 from the subject property. Because of known groundwater impacts from other petroleum sites in close proximity to the subject property, the unknown subsurface conditions at the subject property, and the fact that the Signature 9 site was reported to have only impacted soil, additional regulatory file review was deemed unnecessary.

No significant data gaps were identified during the ESA process that could affect the ability of CJI to identify recognized environmental conditions in connection with the subject property.

## 9.0 CONCLUSIONS

CJI has completed a Phase I ESA in conformance with the scope and limitations of ASTM E 1527-13 for a 0.1675-acre parcel of real property located at 809 East 9<sup>th</sup> Street, Austin, Texas. This assessment has revealed evidence of **two** recognized environmental conditions in connection with the subject property.

**1. On-site House** – The house located on the subject property is approximately 115 years old. Due to the age of the structure, it is likely that lead based paint was used on the exterior of the house. In the absence of analytical data for lead in the near-surface, on-site soils, CJI has concluded that the potential presence of lead in on-site soils at levels that pose a lead hazard constitutes a condition that represents a recognized environmental condition in connection with the subject property.

**2. Area LPST Sites, UST Sites, and Historical Automotive Stations** – Sixty-one sites were identified as historical automotive stations, UST or historical UST sites, and/or LPST sites within 0.5 mile of the subject property. These include twenty leaking underground storage tank sites, twenty-six UST or historical UST sites, and thirty-nine historical automotive stations. Additionally, Phase II ESA investigations in close proximity have documented soil and groundwater impacts from petroleum sources (see Section 4.1 – Brownfields Sites of this report). Groundwater that may be present beneath the site has the potential to be impacted from releases (known or unknown) associated with these facilities. Vapors from contaminated groundwater beneath the subject property or in close proximity to the subject property could also impact air quality within site structures. Therefore, CJI has concluded that the potential for impacted groundwater at the site and/or vapor intrusion from on or off-site groundwater contamination constitutes a condition that represents a recognized environmental condition in connection with the subject property.

## 10.0 REFERENCES

- American Society for Testing and Materials (ASTM), Standard E-1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, December 26, 2013.
- Bureau of Economic Geology, *Geologic Atlas of Texas, Austin Sheet*, (reprinted 1981).
- Correspondence with Mr. Mark Rogers, Executive Director of the Guadalupe Neighborhood Development Corp., February 10, 2015.
- EDR, *EDR Building Permit Report*, February 6, 2015.
- EDR, *EDR Environmental Lien and AUL Search*, February 11, 2015.
- EDR, *EDR Historical Topographic Map Report*, February 6, 2015.
- EDR, *The EDR Aerial Photo Decade Package*, February 10, 2015.
- EDR, *The EDR-City Directory Abstract*, February 6, 2015.
- EDR, *The EDR Property Tax Map Report*, February 6, 2015.
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- Interview with Ms. Mary Helen Lopez, Property Owner, February 16, 2015.
- Shaw Environmental, Inc., Phase II Environmental Site Assessment – East 11<sup>th</sup> Street Corridor Improvement Project – Block 11-1 @ E. 11<sup>th</sup> Street and Branch Street and Block 11-8 @ E. 11<sup>th</sup> Street and Lydia Street, Austin, Travis County, Texas, April 12, 2004.
- Shaw Environmental, Inc., Additional Phase II Environmental Site Assessment at Block 11-1 @ East 11<sup>th</sup> Street and Branch Street – East 11<sup>th</sup> Street Corridor Improvement Project, Austin, Travis County, Texas, June 17, 2004.
- Shaw Environmental, Inc., Limited Phase II Environmental Site Assessment – Brownsfields Investigation at Block 11-1 Site Located along East 11<sup>th</sup> Street between Branch Street and Curve Street – East 11<sup>th</sup> Street Corridor Improvement Project, Austin, Travis County, Texas, December 28, 2006.
- Texas Commission on Environmental Quality (TCEQ), *Edwards Aquifer Map Viewer*, website, <http://www.tceq.texas.gov/field/eapp/viewer.html>.
- Texas Water Development Board, *Geohydrology of the Edwards Aquifer in the Austin Area, Texas (Report 293)*, 1986.
- Texas Water Development Board, *Water Information Integration & Dissemination (WIID) System*, website, <http://wiid.twdb.state.tx.us/>.
- United States Geological Survey (USGS), *Austin East, 7.5-Minute Topographical Map Series*, 1988.

## 11.0 ENVIRONMENTAL PROFESSIONAL QUALIFICATIONS AND STATEMENT

Mr. Kevin Lonseth of CJI performed this Phase I ESA. The professional resume for Mr. Lonseth is provided in Appendix J. The following environmental professional statement is provided in accordance with the ASTM standard.

*I declare that, to the best of my professional knowledge and belief, I meet the definition of an Environmental Professional as defined in §312.10 of 40 CFR § 312. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.*

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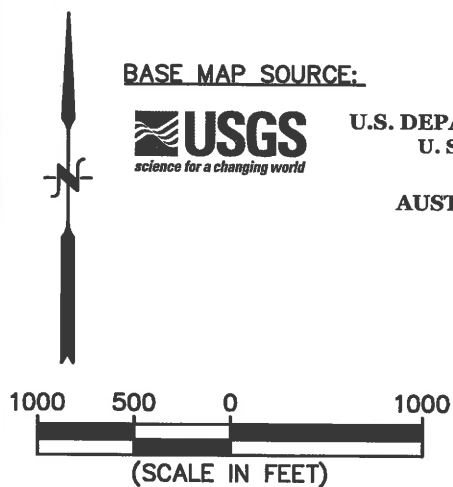
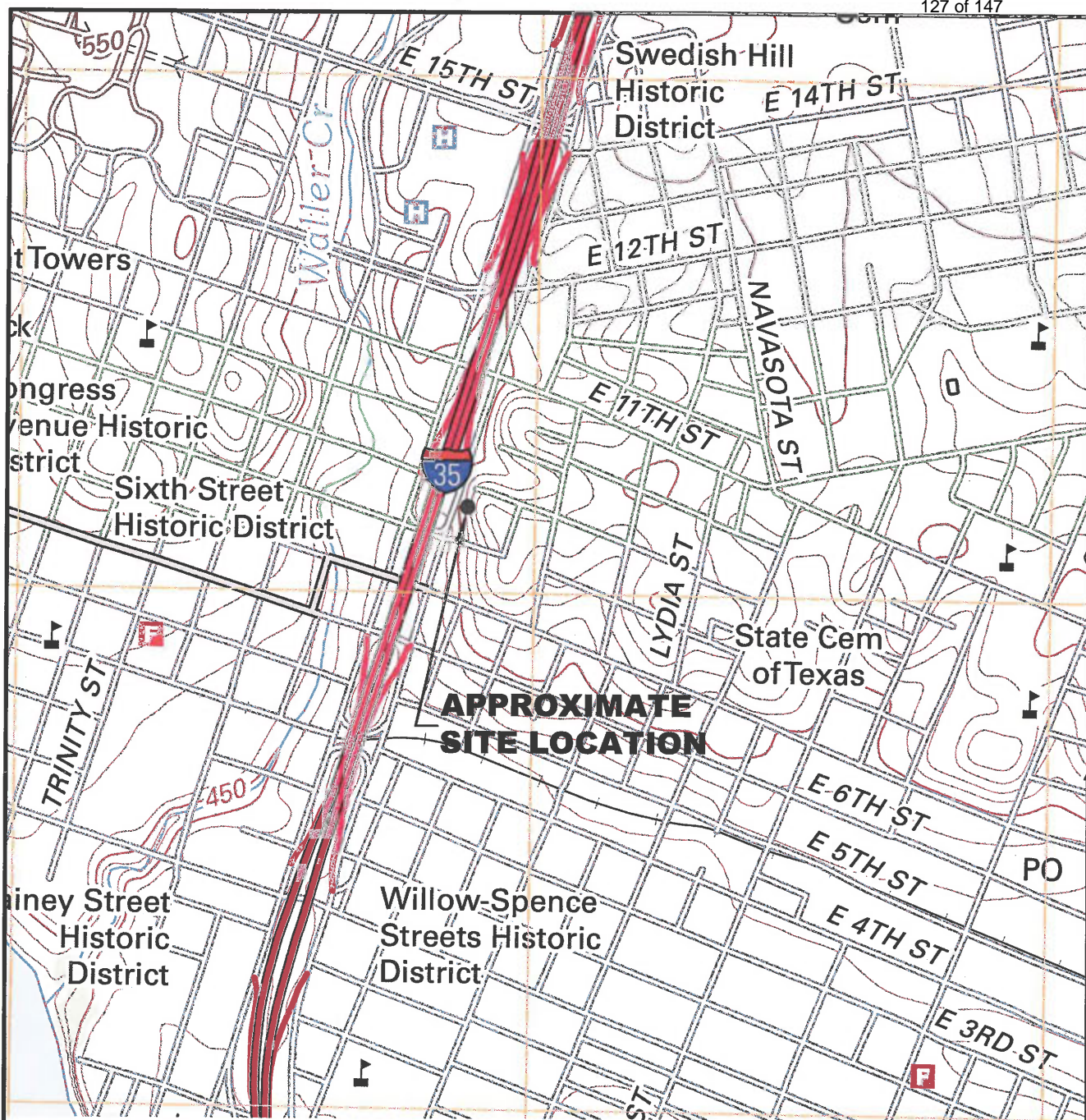
Kevin Lonseth, P.G. No. 10330  
Cook-Joyce, Inc. F-883

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Date

## FIGURES






BASE MAP SOURCE:

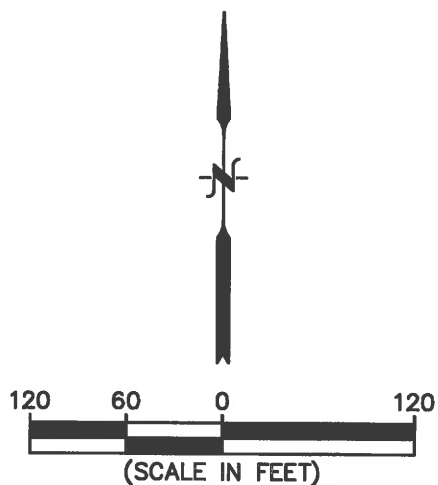
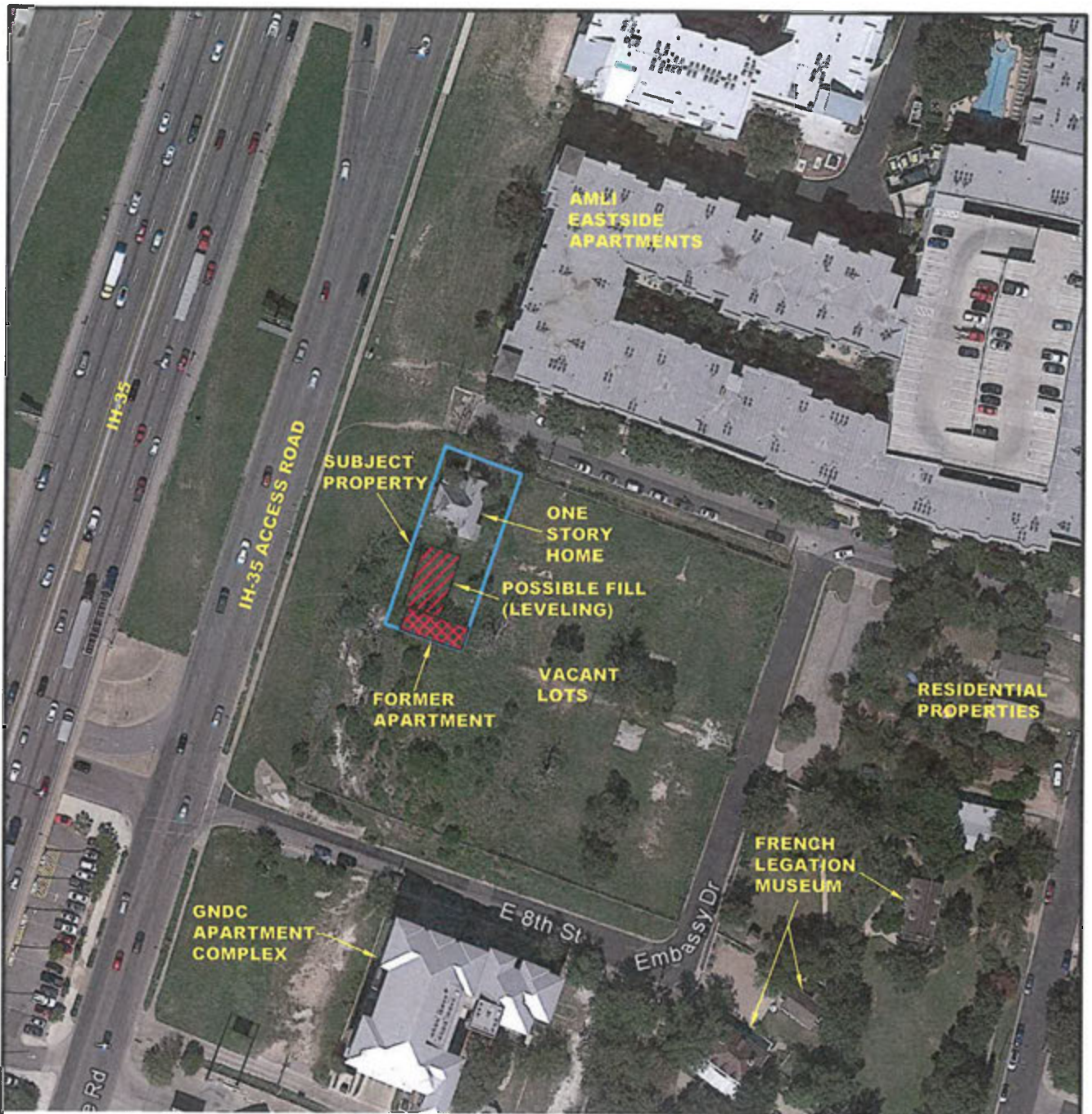


U.S. DEPARTMENT OF THE INTERIOR  
U. S. GEOLOGICAL SURVEY

AUSTIN EAST QUADRANGLE  
TEXAS-TRAVIS CO.  
7.5-MINUTE SERIES  
2013

REV.	DATE	DESCRIPTION	DR BY	APP BY
<div> <b>COOK-JOYCE INC.</b> ENGINEERING AND CONSULTING 812 WEST ELEVENTH 512-474-9097 AUSTIN, TEXAS 78701 HUB &amp; WBE CERTIFIED TEXAS REGISTERED ENGINEERING FIRM F-883</div>				
PROJECT: PHASE 1 ESA 809 EAST 9th STREET AUSTIN, TEXAS				
SHEET TITLE: SITE LOCATION MAP				
DES BY			SCALE: SEE BAR SCALE	
DR BY	SDB		PROJECT NO. 15005.02	
CHK BY	KLL		C/J NO. 15005001	
APP BY	KLL		SHEET 1 OF 1 SHEETS	
DATE ISSUED: 02-16-2015			FIGURE NO.	
PURPOSE: ESA			1	





AERIAL SOURCE:  
GOOGLE PRO EARTH  
10-02-2014

REV.	DATE	DESCRIPTION	DR BY	APP BY
<b>COOK-JOYCE INC.</b> ENGINEERING AND CONSULTING 812 WEST ELEVENTH 512-474-9097 AUSTIN, TEXAS 78701 HUB & WBE CERTIFIED TEXAS REGISTERED ENGINEERING FIRM F-883				
PROJECT: <b>PHASE 1 ESA</b> <b>809 EAST 9th STREET</b> <b>AUSTIN, TEXAS</b>				
SHEET TITLE: <b>SITE LAYOUT</b>				
DES BY		SCALE: SEE BAR SCALE		
DR BY	SDB	PROJECT NO. 15005.02		
CHK BY	KLL	CJI NO. 15005001		
APP BY	KLL	SHEET 1 OF 1 SHEETS		
DATE ISSUED: 02-16-2015		FIGURE NO.		
PURPOSE: ESA			2	

## APPENDICES

## **APPENDIX A**

### **ENVIRONMENTAL LIEN SEARCH**

## **APPENDIX B**

### **REGULATORY DATABASE REPORT**



## **APPENDIX C**

### **BUILDING PERMIT REPORT**

## **APPENDIX D**

### **CITY DIRECTORIES**

## **APPENDIX E**

### **FIRE INSURANCE MAPS**

## **APPENDIX F**

### **AERIAL PHOTOGRAPHS**

## **APPENDIX G**

### **TOPOGRAPHIC MAPS**



## **APPENDIX H**

### **SITE PHOTOGRAPHS**

**SITE PHOTOGRAPHS**  
**809 EAST 9<sup>TH</sup> STREET, AUSTIN, TEXAS**



Photo 1 – This photo shows the north side of the subject property, including an asphalt driveway and the one-story home.



Photo 2 – This photo shows the east side of the subject property.



**SITE PHOTOGRAPHS**  
**809 EAST 9<sup>TH</sup> STREET, AUSTIN, TEXAS**



Photo 3 – This photo shows the south side of the home.



Photo 4 – This photo shows the yard behind the home (southern half of the subject property).



**SITE PHOTOGRAPHS**  
**809 EAST 9<sup>TH</sup> STREET, AUSTIN, TEXAS**



Photo 5 – This photo shows a debris pile located in the backyard along the eastern fenceline.



Photo 6 – This photo shows debris (shingles, plywood, paint rollers) located against the house on its south side.



**SITE PHOTOGRAPHS**  
**809 EAST 9<sup>TH</sup> STREET, AUSTIN, TEXAS**



Photo 7 – This photo shows the crawl-space located under the house.



Photo 8 – This photo shows the interior ceiling of a room inside the house.



**SITE PHOTOGRAPHS**  
**809 EAST 9<sup>TH</sup> STREET, AUSTIN, TEXAS**



Photo 9 – This photo shows the fire damaged wall of the kitchen inside the house.



Photo 10 – This photo shows the debris covered floor and a hole to the crawl-space.



**SITE PHOTOGRAPHS**  
**809 EAST 9<sup>TH</sup> STREET, AUSTIN, TEXAS**



Photo 11 – This photo shows the adjacent property to the east of the subject property.



Photo 12 – This photo shows a small alley located to the south of the subject property. Undeveloped property continues to the south of the alley.



**SITE PHOTOGRAPHS**  
**809 EAST 9<sup>TH</sup> STREET, AUSTIN, TEXAS**



Photo 13 – This photo shows adjacent property to the west of the subject property. This includes a steep grassy embankment that extends down to a northbound feeder road of IH-35.



Photo 14 – This photo shows a homeless campsite located just to the southwest of the subject property. The camp appears to be located in a stormwater control structure.



**SITE PHOTOGRAPHS**  
**809 EAST 9<sup>TH</sup> STREET, AUSTIN, TEXAS**



Photo 15 – This photo shows the AMLI apartment complex located the north of East 9<sup>th</sup> Street across from the subject property.



Photo 16 – This photo shows East 9<sup>th</sup> Street (looking to the east). The subject property is located on the south side of this dead end street.

**APPENDIX I**

**AUSTIN FIRE DEPARTMENT INCIDENT DETAIL REPORT**



**APPENDIX J**

**RESUME OF ENVIRONMENTAL PROFESSIONAL(S)**