

Guadalupe Neighborhood Development Corporation  
RHDA Application Attachment Tabs

**APPLICATION CHECKLIST/ INFORMATION FORM**

DEVELOPER : Guadalupe Neighborhood Development Corporation	OWNER : Guadalupe Neighborhood Development Corporation
PROJECT : La Vista de Lopez	FUNDING CYCLE DEADLINE : November 6, 2020
FEDERAL TAX ID NO: 74-2247265	DUNS NO: 015287795
PROJECT ADDRESS: 809 E. 9th Street	PROGRAM : RHDA
CONTACT NAME : Rachel Stone	AMOUNT REQUESTED: \$2,133,000
CONTACT ADDRESS AND PHONE : 813 E. 8th Street, Austin TX 78702, 512-479-6275 x5	

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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.*

**SIGNATURE OF APPLICANT**

**PRINTED NAME**

**TITLE OF APPLICANT**

**DATE OF SUBMISSION**

**DATE AND TIME STAMP OF RECEIPT**

**Project Summary Form**

1) <b>Project Name</b> La Vista de Lopez	2) <b>Project Type</b> 100% Affordable	3) <b>New Construction or Rehabilitation?</b> New Construction
4) <b>Location Description</b> (Acreage, side of street, distance from intersection) 809 E. 9th Street Austin TX 78702		5) <b>Mobility Bond Corridor</b> East MLK/FM 969
6) <b>Census Tract</b> 9.01	7) <b>Council District</b> District 1	8) <b>Elementary School</b> MATHEWS EL
9) <b>Affordability Period</b> 40 years		10) <b>Type of Structure</b> Multi-family
11) <b>Occupied?</b> Yes		12) <b>How will funds be used?</b> Construction Only

13) Summary of Rental Units by MFI Level

Income Level	Efficiency	One Bedroom	Two Bedroom	Three Bedroom	Four (+) Bedroom	Total
Up to 20% MFI						0
Up to 30% MFI		8				8
Up to 40% MFI						0
Up to 50% MFI		19				19
Up to 60% MFI						0
Up to 80% MFI						0
Up to 120% MFI						0
No Restrictions						0
<b>Total Units</b>	<b>0</b>	<b>27</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>27</b>

14) Summary of Units for Sale at MFI Level

Income Level	Efficiency	One	Two	Three	Four (+)	Total
Up to 60% MFI						0
Up to 80% MFI						0
Up to 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 (of the Affordable Units)

Initiative	# of Units	Initiative	# of Units
Accessible Units for Mobility Impairments	27	Continuum of Care Units	
Accessible Units for Sensory Impairments	27		

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

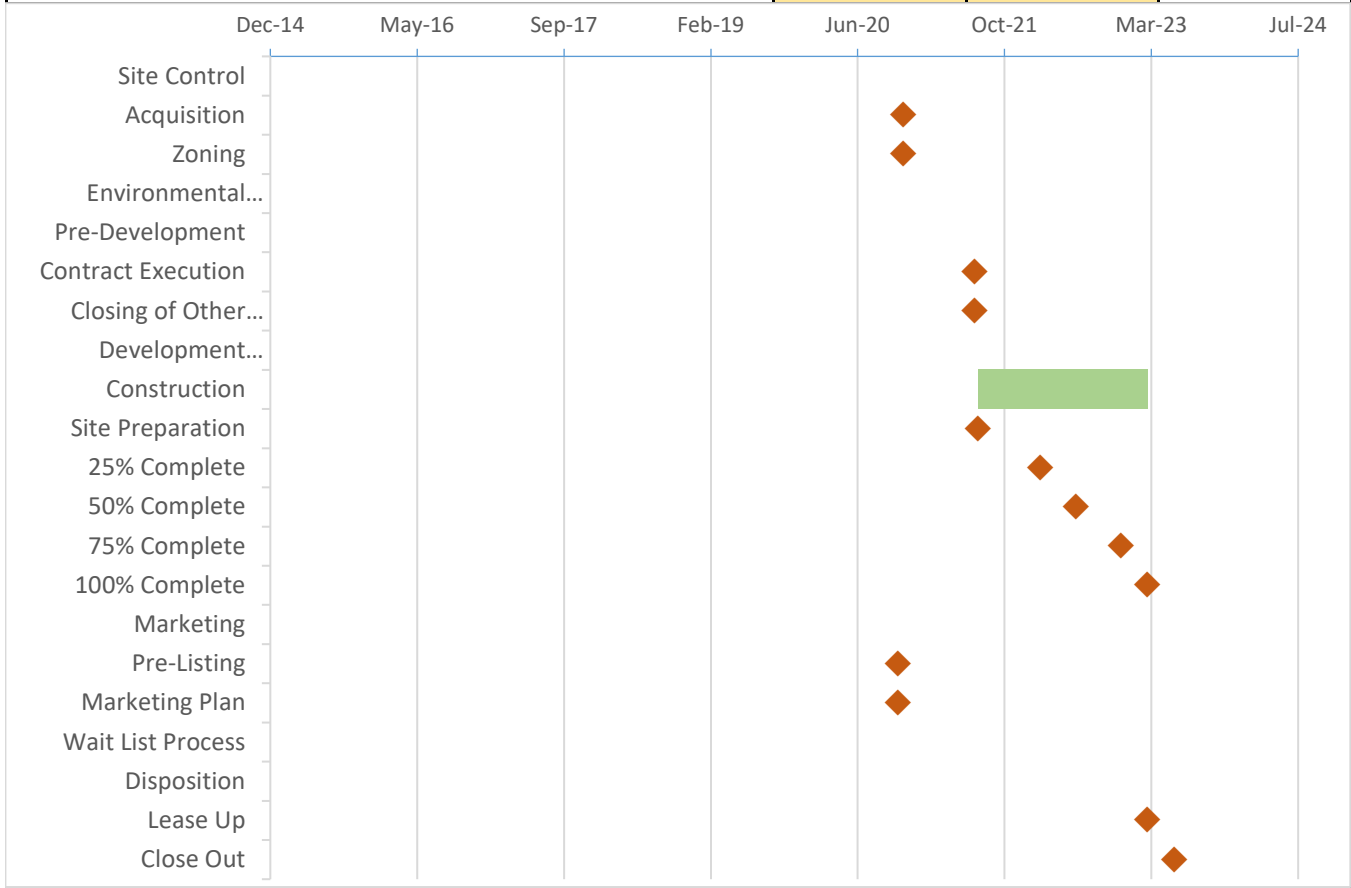
- 16) Is the property within 1/2 mile of an Imagine Austin Center or Corridor?  Yes
- 17) Is the property within 1/4 mile of a High-Frequency Transit Stop?  Yes
- 18) Is the property within 3/4 mile of Transit Service?  Yes
- 19) The property has Healthy Food Access?  Yes

20) Estimated Sources and Uses of funds

<u>Sources</u>		<u>Uses</u>	
Debt	2,280,488	Acquisition	617,588
Third Party Equity	4,583,906	Off-Site	
Grant	4,609,091	Site Work	935,728
Deferred Developer Fee	500,000	Sit Amenities	
Donated Land	617,588	Building Costs	9,915,185
<b>Previous AHFC Funding</b>		Contractor Fees	591,242
<b>Current AHFC Request</b>	<b>2,133,000</b>	Soft Costs	861,533
		Financing	1,002,797
		Developer Fees	800,000
<b>Total \$</b>	<b>14,724,073</b>	<b>Total \$</b>	<b>14,724,073</b>

## Development Schedule

	Start Date	End Date
<b>Site Control</b>	Nov-20	Jan-00
Acquisition	Nov-20	
Zoning	Nov-20	
Environmental Review	Nov-20	
<b>Pre-Development</b>	Nov-19	Jan-00
Contract Execution	Jul-21	
Closing of Other Financing	Jul-21	
Development Services Review	Nov-19	
<b>Construction</b>	Aug-21	Mar-23
Site Preparation	Aug-21	
25% Complete	Mar-22	
50% Complete	Jul-22	
75% Complete	Dec-22	
100% Complete	Mar-23	
<b>Marketing</b>	Jun-84	Jan-00
Pre-Listing	Nov-20	
Marketing Plan	Nov-20	
Wait List Process	Jun-84	
<b>Disposition</b>	Mar-23	Jan-00
Lease Up	Mar-23	
Close Out	Jun-23	





## Development Budget

	Total Project Cost	Requested AHFC Funds	Description
<b>Pre-Development</b>			
Appraisal	10,000		
Environmental Review	38,500		Phase I, Archaeological, Lead, Ground Water, Asbestos, Nois
Engineering	18,900		Site Plan Approved
Survey	10,000		
Architectural	341,750		Includes Structural, MEP, Soils
<b>Subtotal Pre-Development Cost</b>	\$419,150	\$0	
<b>Acquisition</b>			
Site and/or Land	312,500		
Structures	284,376		
Other (specify)	20,712		
<b>Subtotal Acquisition Cost</b>	\$617,588	\$0	
<b>Construction</b>			
Infrastructure			
Site Work	935,728	500000	Includes paving & landscape
Demolition			
Concrete	716,023	700,000	
Masonry	674,352		
Rough Carpentry	1,586,143	433,000	Steel Framing & Roofing
Finish Carpentry	273,700		
Waterproofing and Insulation	284,709		
Roofing and Sheet Metal	425,881		
Plumbing/Hot Water	1,270,590		Includes HVAC
HVAC/Mechanical	404,710		
Electrical	1,609,044		Includes Fire Alarm System
Doors/Windows/Glass	284,709		
Lath and Plaster/Drywall and Acoustical	130,891		
Tiel Work			
Soft and Hard Floor			
Paint/Decorating/Blinds/Shades	791,662		Includes floors & exterior finishes
Specialties/Special Equipment	409,945	500,000	Crane Elevators Fire Sprinkler
Cabinetry/Appliances	25,000		
Carpet			
Other (specify)	596,221		Finishes
Construction Contingency	1,299,371		
<b>Subtotal Construction Cost</b>	\$11,718,679	\$2,133,000	
<b>Soft &amp; Carrying Costs</b>			
Legal	240,000		
Audit/Accounting	35,000		
Title/Recordin	20,000		
Architectural (Inspections)	40,000		
Construction Interest	451,103		
Construction Period Insurance	25,000		
Construction Period Taxes			
Relocation	2,000		URA Notices delivered
Marketing			
Davis-Bacon Monitoring			Included in Construction costs
Other (specify)	1,155,553		Financing, Tax Credit & Developer fees, Reserves
<b>Subtotal Soft &amp; Carrying Costs</b>	\$1,968,656	\$0	
<b>TOTAL PROJECT BUDGET</b>	<b>\$14,724,073</b>	<b>\$2,133,000</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	\$314,868	\$321,165	\$327,589	\$334,140	\$340,823	\$376,296	\$415,462
Secondary Income	\$6,394	\$6,522	\$6,652	\$6,785	\$6,921	\$7,641	\$8,437
POTENTIAL GROSS ANNUAL INCOME	\$321,262	\$327,687	\$334,241	\$340,926	\$347,744	\$383,938	\$423,898
Provision for Vacancy & Collection Loss	-\$16,063	-\$16,384	-\$16,712	-\$17,046	-\$17,387	-\$19,197	-\$21,195
Rental Concessions	\$0	\$0	\$0	\$0	\$0	\$0	\$0
EFFECTIVE GROSS ANNUAL INCOME	\$305,199	\$311,303	\$317,529	\$323,880	\$330,357	\$364,741	\$402,704
EXPENSES							
General & Administrative Expenses	\$20,400	\$21,012	\$21,642	\$22,292	\$22,960	\$26,617	\$30,857
Management Fee	\$15,260	\$15,565	\$15,877	\$16,194	\$16,518	\$18,237	\$20,135
Payroll, Payroll Tax & Employee Benefits	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Repairs & Maintenance	\$34,200	\$35,226	\$36,283	\$37,371	\$38,492	\$44,623	\$51,731
Electric & Gas Utilities	\$35,705	\$36,776	\$37,879	\$39,016	\$40,186	\$46,587	\$54,007
Water, Sewer & Trash Utilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Annual Property Insurance Premiums	\$25,200	\$25,956	\$26,735	\$27,537	\$28,363	\$32,880	\$38,117
Property Tax	\$8,000	\$8,240	\$8,487	\$8,742	\$9,004	\$10,438	\$12,101
Reserve for Replacements	\$9,720	\$10,012	\$10,312	\$10,621	\$10,940	\$12,682	\$14,702
Other Expenses	\$5,080	\$5,232	\$5,389	\$5,551	\$5,718	\$6,628	\$7,684
TOTAL ANNUAL EXPENSES	\$153,565	\$158,019	\$162,604	\$167,324	\$172,181	\$198,694	\$229,334
NET OPERATING INCOME	\$151,634	\$153,284	\$154,925	\$156,556	\$158,176	\$166,047	\$173,370
DEBT SERVICE							
First Deed of Trust Annual Loan Payment	\$126,362	\$126,362	\$126,362	\$126,362	\$126,362	\$126,362	\$126,362
Second Deed of Trust Annual Loan Payment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
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	\$25,272	\$26,922	\$28,563	\$30,194	\$31,814	\$39,685	\$47,008
CUMULATIVE NET CASH FLOW	\$25,272	\$52,194	\$80,756	\$110,950	\$142,764	\$321,512	\$538,244
Debt Coverage Ratio	1.20	1.21	1.23	1.24	1.25	1.31	1.37

<b>Project Name</b>	La Vista de Lopez	
<b>Project Type</b>	100% Affordable	
<b>Council District</b>	District 1	
<b>Census Tract</b>	9.01	
<b>Prior AHFC Funding</b>	\$0	
<b>Current AHFC Funding Request Amount</b>	\$2,133,000	
<b>Estimated Total Project Cost</b>	\$14,724,073	
<b>High Opportunity</b>	No	
<b>High Displacement Risk</b>	YES	
<b>High Frequency Transit</b>	Yes	
<b>Imagine Austin</b>	Yes	
<b>Mobility Bond Corridor</b>	East MLK/FM 969	
<b>SCORING ELEMENTS</b>		Description
<b>UNITS</b>		
< 20% MFI	0	# of rental units at < 20% MFI
< 30% MFI	8	# of rental units at < 30% MFI
District Goal	1.13%	% of annual goal reached with units
High Opportunity	0.00%	% of annual goal reached with units
Displacement Risk	1.88%	% of annual goal reached with units
High Frequency Transit	2.92%	% of annual goal reached with units
Imagine Austin	2.92%	% of annual goal reached with units
Geographic Dispersion	0.00%	% of annual goal reached with units
Mobility Bond Corridor	9.42%	% of annual goal reached with units
<b>SCORE</b>	<b>4</b>	<b>% of Goals * 20</b>
< 40% MFI	0	# of rental units at < 40% MFI
< 50% MFI	19	# of rental units at < 50% MFI
District Goal	2.68%	% of annual goal reached with units
High Opportunity	0.00%	% of annual goal reached with units
Displacement Risk	4.46%	% of annual goal reached with units
High Frequency Transit	6.93%	% of annual goal reached with units
Imagine Austin	6.93%	% of annual goal reached with units
Geographic Dispersion	0.00%	% of annual goal reached with units
Mobility Bond Corridor	22.38%	% of annual goal reached with units
<b>SCORE</b>	<b>7</b>	<b>% of Goals * 15</b>
< 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
<b>SCORE</b>	<b>0</b>	<b>% of Goals * 15</b>
<b>Unit Score</b>	<b>10</b>	<b>MAXIMUM SCORE = 350</b>
<b>INITIATIVES AND PRIORITIES</b>		
Continuum of Care	0	Total # of units provided up to 100 per year
Continuum of Care Score	0	(total CoC Units/100 + HF Units/50)*20
Access to Healthy Food	Yes	Within 1 Mile of Healthy Food (City GIS)
Continuum of Care 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
Multi-Generational Housing Score	0	Multi-bedroom Unit/Total Units * 20
TEA Grade	91	Elementary School Rating from TEA
Multi-Generational Housing Weighted Score	0	Educational Attainment, Environment, Community Institutions, Social Cohesion, Ec
Accessible Units	54	mobility and sensory units
Non-PSH, Non-Voucher Under 20% MFI	0	Total units under 20% MFI
Accessibility Score	40	Accessible Unit/Total Units * 20
Metro Access Service	Yes	Within 3/4 mile of fixed route transit
Accessibility Weighted Score	19	Housing Stability, Health, Mobility, Community Institutions
<b>Initiatives and Priorities Score</b>	<b>59</b>	<b>MAXIMUM SCORE = 200</b>
<b>UNDERWRITING</b>		
AHFC Leverage	14%	% of total project cost funded through AHFC request
Leverage Score	21	25 - (% leverage * 25)
AHFC Per Unit Subsidy (including prior amounts)	\$79,000	Amount of assistance per unit
Subsidy per unit score	15	(\$200,000 - per unit subsidy)*25/\$200,000
AHFC Per Bedroom Subsidy	\$79,000	Amount of assistance per bedroom
Subsidy per Bedroom Score	15	(\$200,000 - per bedroom subsidy)*25/\$200,000
Debt Coverage Ratio (Year 5)	1.25	Measured at the 5 Year mark
Debt Coverage Ratio Score	24.82328384	Minimum = 1.0; Maximum = 1.5; 1.25 = best score
<b>Underwriting Score</b>	<b>76</b>	<b>MAXIMUM SCORE = 100</b>
<b>APPLICANT</b>		
<b>FINAL QUANTITATIVE SCORE</b>	<b>146</b>	<b>THRESHOLD SCORE = 50</b>
Previous Developments		
Compliance Score		
Proposal		
Supportive Services		
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Management Team		
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## Appendix

MOU with Family Eldercare

2019 Audited Financials

# 1. Applicant Entity

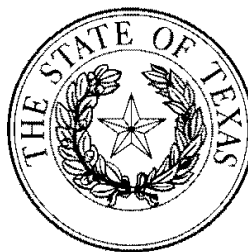
## Developers Experience

GNDC is a 501(c)(3) Texas non-profit corporation with nearly 40 years of service as an affordable housing provider to families from East Austin. Since its formation in 1981, GNDC has rehabilitated over 100 homes and has made home owners of over 60 families, including 18 homeowners in its Community Land Trust program. GNDC also offers an ongoing rental program that provide high quality, long-term affordable housing units to families from GNDC's service area. GNDC provides property management services for all of its rental housing and has done so since the organization's inception.

GNDC will be the developer, operator and manager of La Vista de Lopez. GNDC has successfully developed more than 180 affordable units and consistently serves special needs populations such as the elderly, disabled, and single parent households. A portion of GNDC's tenants meet the City of Austin's qualifications for permanent supportive housing, including the homeless, near homeless, and persons with incarceration records. In 2013, GNDC completed construction on the first phase of housing at the Guadalupe-Saldana Net-Zero Subdivision. The initial housing consisted of 8 "net zero" rental units that are currently providing affordable housing for 4 seniors, including 2 formerly homeless occupants, one of whom is a Vietnam Veteran. GNDC always builds its housing compliant with Austin's visitability guidelines to ensure residents have an accessible space for family and friends, and 10% of GNDC's housing is built to be fully accessible to people with physical, visual and hearing disabilities. GNDC is very familiar with all federal requirements and has developed projects in compliance with HOME and CDBG funding.

GNDC is widely regarded as the most effective and active neighborhood development corporation in Austin and has moved to a leading position among the builders of "green" housing in Austin. GNDC has received many awards in recognition of its benefits to Austin and Central Texas. GNDC's achievements are best exemplified by the successful preservation of community character and neighborhood integrity in light of dramatic changes that include commercial encroachment, steady gentrification and rising property taxes that are displacing the historically Hispanic and African American families that have lived in Central East Austin. GNDC is one of a handful of Community Housing Development Organizations (CHDO) in Austin that meets specific requirements for development expertise, board membership, and community representation. GNDC's skill in both building quality housing and helping keep the community aware of and involved in housing opportunities has allowed the blighted neighborhood of East Austin to grow and improve without displacing long-term residents.

GNDC has developed project management, market analysis, site selection and control, planning and construction experience and skills throughout its nearly forty years of existence. GNDC partners with equally experienced architects, engineers, and other development team members for its housing projects. All architects have extensive experience and are leaders in the field of green building and historic preservation. GNDC works to ensure projects are as energy efficient as possible and has worked with Austin Energy to receive rebates on solar panels and other green components for a significant portion of its new construction and rehab projects. GNDC is 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, and HOME funds, as well as private foundation support, and has an excellent compliance record with all sources.



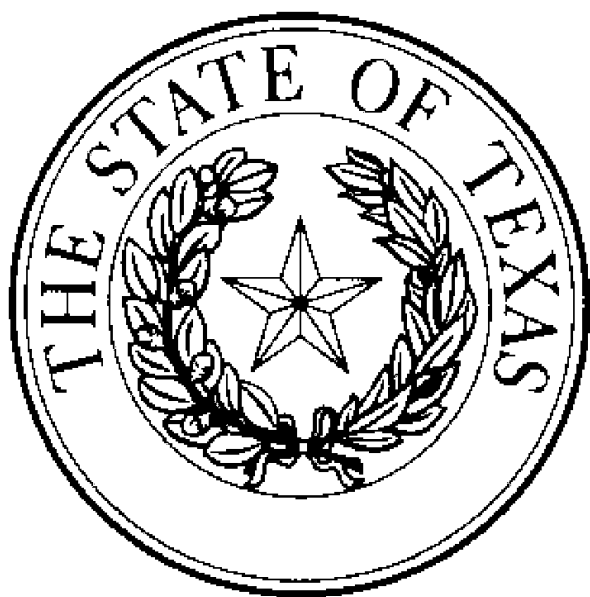
## Office of the Secretary of State

### 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 November 03, 2020.



A handwritten signature in black ink, appearing to read "Ruth R. Hughs".

Ruth R. Hughs  
Secretary of State

## 2. Principals' Information

Principals/Property Manager CVs

Executive Director Resume

Assistant Executive Director Resume

Property Manager CV

Assistant Property Manager CV

Corporate Resume



# Mark C. Rogers, Ph.D.



## 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

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

# Rachel R. Stone

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## 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

# YOLANDA ALEMÁN-LIMÓN

## **Property Manager**

October 1, 2003 – Present

### ***Guadalupe Neighborhood Development Corporation***

- Receive all correspondence in person, telephone, mail, e-mail and fax
- Receive and record receipts for rental payments for 71 GNDC properties and La Vista de Guadalupe apartment complex
- Receive and receipt payments for 3 mortgage properties.
- Prepare and issue payments for all bills, including taxes, insurance premiums, maintenance and repair of properties, following the established procurement policies.
- Files kept in appropriate settings and locations to accommodate access by authorized Board, Staff, Auditors, Funding Providers, and Investors.
- Collect necessary income information from applicants and from new and existing tenants to determine eligibility for certification or re-certification in various programs.
- Oversee compliance with Federal, State and City guidelines and regulations in accordance to Low-Income Housing Tax Credit; HOME and RHDA programs.
- Prepare new and renewal leases.
- Manage move-out and move-in process.
- Prepare and deliver notices for late rent, late mortgage, lease violations and eviction.

## **Senior Patient Account Representative**

February 1993 - September, 2009

### ***City of Austin, Health and Human Services***

- Insured Billing and Collection of all first, second and third party billing.
- Verified insurance data from Medicaid Software for accuracy and completeness.
- Managed appeals for Medicaid, Medicare and HMO's in a timely manner
- Managed patient accounts to verify insurance or guarantor payer paid for services rendered.
- Contacted appropriate clinic sites by e-mail, fax or phone
- Managed itemized billing statements for Law Firms and other professional agencies.
- Collected and applied fees for the itemized statements.
- Directed 6 co-workers, served as Acting-Supervisor when needed.

## **Senior Administrative Clerk**

October 1985 - February 1993

### ***City of Austin, Woman and Children (WIC) Program***

- Interviewed clients to ensure eligibility for State and City guidelines.
- Explained program to clients and issued WIC coupons.
- Translated for Spanish-speaking clients.
- Maintained and documented weekly inventory of coupons.
- Prepared reports for State and Federal agency departments.

**EDUCATION:** G.E.D Austin Community College, Austin, Texas

1985

**SKILLS:** Bilingual in Spanish, Proficient in Microsoft Word, bookkeeping, and accounting

# LINDA RODRIGUEZ

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## PROFESSIONAL EXPERIENCE

### Assistant Property Manager

Guadalupe Neighborhood Development Corporation - Austin, TX May 2018 - Present

- Receive and record rental and fee payments for the Guadalupe-Saldana Net Zero Subdivision duplexes, apartments and Community Land Trust homes.
- Coordinate and oversee vendor contracts for repairs, cleaning, and waste management.
- Income verification and eligibility certification for rental applications.
- Customer service and program coordination with the Jeremiah Program.
- Manage compliance with Federal, State, and City program guidelines and regulations
- Prepare new and renewal leases, manage move-in and move-out processes, and deliver all notices to tenants regarding the property and their lease contracts.

### Senior Claims Analyst/Appeals Adjustor

Covenant Management Systems - Austin, TX July 1998 - June 2017

- Researched and analyzed claims for potential recovery of claims paid in error.
- Processed medical claims for HMO/PP0/3rd party carriers, Government Chip & STAR.
- Responsible for refund checks and investigated causes of over payments.
- Assisted with cross training of new analysts regarding procedures and programs.
- Reviewed claims for appropriate for payment, denial, or requesting for information.
- Analyzed and provided timely responses to provider and member claims complaints.
- Documented, investigated and resolved member complaints regarding quality of care.
- Gathered and analyzed data to make quality improvement to policies and procedures.
- Provided performance metrics via auditing tools and reports.

### Accounts Payable/Receivable Department

Austin Regional Clinic - Austin, TX January 1998 - July 1998

- Responsible for processing of accounts payable invoices to ensure the prompt payment of vendor while compiling with Company's polices.
- Issued Payments within 30 days and utilized internal computer software (Oracle).
- Responsible for printing daily checks and mailing payments.
- Completed file management for all invoices within a timely manner.
- Software: Mediview, EZ Cap, Virtual Examiner and Grievance and Appeal software.
- Worked with Customer Service, Authorization, Contracting and Eligibility Departments.

## PROFESSIONAL SKILLS

HIPPA Compliance; Receiving Payments; Refund Checks; Billing; Eligibility Processing; Contracting; Clerical Support; Data Archiving; Customer Service; MS Excel/ Outlook.

## EDUCATION

Accounting Certification, Mansfield Business School –Austin, TX 1990





## 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.



## **Company Overview**

**TDI Engineering, LLC** is a full-service engineering company offering civil and structural engineering services for commercial and residential projects. TDI believes in an emphasis on quality engineering work and client interaction. Our focus as a company is to develop long-term relationships with active clients that share our desire to produce high quality projects. The combination of civil and structural engineering expertise allows TDI to offer clients bundled services, increasing project coordination and design efficiency. TDI is registered to provide engineering services nationwide, and is currently registered in over 30 states.

### **Company Background**

Originally founded in 2005 as Texas Design Interests, LLC and its sister company, TDI Foundation Engineering, LLC, these companies were reorganized as TDI Engineering, LLC in 2018. The founding members include Jeff Cloyd, P.E., Roger Meredith, P.E. and Jeff Shindler, P.E. The three partners bring years of varied and complementary professional expertise to the company. After gaining professional expertise in a wide variety of civil and structural engineering projects throughout Central Texas and across the nation, the three recognized an opportunity to provide professional engineering services to clients in a timely and professional manner while maintaining a level of personal customer interaction sometimes lacking in larger companies. The principals take pride in the fact that over 90% of clients of TDI are either repeat customers or referrals from existing clients.

### **Scope of Services**

#### **Civil Engineering Services**

TDI provides a wide range of Civil Engineering Services relating to land development. These services are offered to clients for the entire timeline of a project, from the feasibility and conceptual planning stage through construction and acceptance of the project. While the scope of each project, as well as the needs of each client, is unique; some of the standard services performed throughout a project include the following:

- Feasibility Reports/Determination of Entitlements
- Conceptual Site Planning
- Preliminary Cost Estimating
- Development of Site Plan/Construction Documents
- Coordination of Subcontractors (Surveyors, Geotechnical Engineers, Environmental Engineers, Transportation Engineers, etc.) as necessary
- Value Engineering/Review of Construction Plans

- Processing of Plans through appropriate regulatory agencies (City, County, State, Federal) to Permitting
- Project Bidding Services (Preparing bid packages and forms, Responding to questions, Coordinating bid meetings and reviewing bid submittals, etc.)
- Construction Phase Services (Pre-construction meetings, Periodic site visits/inspections, Review and approval of draw requests, Final concurrence inspection and approval, etc.)
- Litigation Support/Expert Witness Testimony

While these items are a general list of some common project services provided, TDI is always willing to work with the Client to provide a tailored scope of services that address the specific needs of the Client and the Project.

The principals of TDI have extensive professional civil engineering experience with local, national, and public sector clients. In addition, TDI has assisted large numbers of private individuals who are not professional developers that have been helped with small subdivisions, or tap plans, or grading plans who relied on our expertise to guide them through the sometimes daunting procedures of some regulatory agencies.

TDI has experience with civil engineering projects subject to jurisdictions of many governmental agencies across Texas. These include Cities, Counties, State Agencies and Utility Districts.

### Structural Engineering Services

TDI Engineering, LLC provides a full spectrum of structural engineering services to clients. Clients include commercial developers and general contractors as well as large-scale production and custom homebuilders. Typical structural engineering services include the following:

- Foundation Plans - Conventionally reinforced, post-tensioned, pier and beam and others.
- Structural Frame Plans utilizing various materials including wood, concrete, steel, ICF panels, light gauge steel, masonry, tilt-wall, etc.
- Shop Drawing Review
- Construction Phase Services including inspections, certifications, etc.
- Structural Performance Evaluation - Analyze existing structures to evaluate performance and provide repair recommendations

TDI has provided structural engineering services to a wide range of local and national clients. Projects have included Hilton Garden Inns, Firestone Tire Centers, Christian Brothers Automotive, Applebee's restaurants, various apartment complexes, numerous production home builders and custom homes ranging from 1,500 to over 10,000sf.

## Multi-Family Residential

**TDI Engineering, LLC** has performed structural engineering designs on a wide range of challenging multi-family projects. The projects we have worked on have had various sources of funding including conventional loans, private funds, tax credits, and HUD financing. Many projects included LEED and Smart Housing elements. We have worked on many projects that had to meet HUD and TDHCA regulations. Our experience in the design of multi-family residential projects includes the following:

Timber Village Apartments	Marshall, TX	Belterra Springs Apartments	Dripping Springs, TX
Mesa Vista Apartments	Donna, TX	Tecoma Apartments	Austin, TX
Poinsettia Apartments	Alamo, TX	River View at Calallen Apartments	Corpus Christi, TX
Figueroa Apartments	Robstown, TX	Vista Pointe at Wild Pine	San Antonio, TX
Sunset Way Apartments	Port Arthur, TX	Think East	Austin, TX
Crescent Village II	Elgin, TX	Santal Ph II Apartments	Austin, TX
Sandstone Apartments	Gulfport, MS	Crystal Falls Town Center	Leander, TX
Regency Way Apartments	Gulfport, MS	Waters at St James Apartments	Summerville, SC
Hillside Terrace Apartments	Gulfport, MS	Cesar Chavez Apartments	Edcouch, TX
Baywood Place Apartments	Gulfport, MS		
Village Place Apartments	Gulfport, MS		
Timber Grove Apartments	D'Iberville, MS		
Back Bay Villas	D'Iberville, MS		
Morrison Village Apartments	Pascagoula, MS		
Taylor Heights Apartments	Pascagoula, MS		
Highland Springs Apartments	Jackson County, MS		
Washington Village	Wichita Falls, TX		
Tuscan II Townhomes	Houston, TX		
Bouldin Lofts	Austin, TX		
Timber Village II Apartments	Marshall, TX		
Horizon Meadow Apartments	Lamarque, TX		
Amber Stone Apartments	Beeville, TX		
Trinity Place	Austin, TX		
Legacy Apartments	Austin, TX		
Cosmopolitan Apartments	Corpus Christi, TX		
Highland Villas Apartments	College Station, TX		
Heartland Village Apartments	Sulphur Springs, TX		
Pine Lake Estates Apartments	Nacogdoches, TX		
Palacio del Sol Apartments	Corpus Christi, TX		
Avenue Terrace Apartments	Houston, TX		
Barton Trails Apartments	Austin, TX		
Windy Ridge Apartments	Austin, TX		
Estates at Ellington Apartments	Houston, TX		
Emma Finke Apartments	Beeville, TX		
Bella Terra Apartments	Brownsville, TX		
Riverstone Apartments	Corpus Christi, TX		
Arbor at Centerbrook Apartments	Live Oak, TX		
Bella Vista Apartments	Alton, TX		
Aspen Heights UNC Apartments	Charlotte, NC		
Aspen Heights Austin Apartments	Austin, TX		
Waters at Magnolia Bay Apartments	Lincolville, SC		





## **SARAH H. ANDRÉ, MA, MSCRP**

*1301 Chicon, Suite 101; Austin, Texas 78702*

### **PROFESSIONAL EXPERIENCE**

#### **EAST 43<sup>RD</sup> ST, LLC DBA STRUCTURE DEVELOPMENT, AUSTIN, TX**

*Owner, 2011-Present*

Sole Owner of Real Estate Consulting Company. Specialize in financial analysis, deal structuring and project management for Low Income Housing Tax Credit funded developments. Experienced in use of public subsidies for affordable housing, including Section 202, Low Income Housing Tax Credits, Historic Tax Credits, HOME and CDBG funds. Projects include:

- Parmer Place Apartments, 252 units of affordable housing in Austin, TX
- Mason Senior Apartments, 120 units of affordable housing for Seniors in Katy, TX
- The Chicon, 43 condominium units and 9,000 square feet of commercial space in Austin, TX
- Oak Creek Village, full redevelopment of 173 unit HAP property in Austin, TX
- Wheatley Courts, full development of PHA housing in San Antonio, TX

#### **S2A DEVELOPMENT CONSULTING, AUSTIN, TX**

*Principal, 2005-2013*

Co-Owner of Real Estate Consulting Company. Specialized in financial analysis, deal structuring and project management for Low Income Housing Tax Credit funded developments. Experienced in use of public subsidies for affordable housing, including Section 202, Low Income Housing Tax Credits, Historic Tax Credits, HOME and CDBG funds. In seven years, S2A prepared and submitted successful applications for Federal Tax Credits valued at more than \$41 Million, resulting in the creation of more than 4,800 units of affordable housing. Specific tasks included:

- Developing pro formas, completing financing applications, completing due diligence and negotiating with lenders and investors;
- Completing all aspects of pre development work including variances, zoning, permitting, and re-platting;
- Coordination of the development team, including architect, engineers, consultants and contractors;
- Completing draw requests, monitoring loan funds, completing grant reports and compliance; and
- Under contract with Diana McIver and Associates, researched and co-wrote the City of Austin's TOD Affordable Housing Study. Provided site analysis for TOD areas, developed site selection criteria and provided recommendations for redevelopment opportunities.

#### **ADVOCATES FOR HUMAN POTENTIAL, INC., SUDBURY, MA**

*Program Associate, 2005-2008*

Responsibilities included research, data collection and analysis, technical assistance and training, and writing reports. Specific projects included:

- Author and trainer for Independent Living Research Utilization - *Get, Choose, Keep* - A guide for transition coordinators helping people with disabilities move into the community;
- Program Evaluator for CMHS Projects for Assistance in Transition from Homelessness (PATH); Program Site Visits; and

Pi Architects was founded over a quarter of a century ago with a senior living focus.

Pi Architects is a multi-disciplinary firm that specializes in the design of senior living communities. Our design team is comprised of highly qualified Architects, Planners, Landscape Architects, Interior Designers, Mechanical, Electrical, and Plumbing Engineers, and Low Voltage Experts, all of whom contribute years of experience in creating environments for elders. This concerted team approach, paired with exclusive specialization in senior living, sets us apart from other firms.

Pi Architects team has designed over 100 projects nationwide, including CCRCs, Independent Living, Active Adult, Assisted Living, Memory Care, Adult Day Care, Skilled Nursing, Short Term Rehabilitation, and Hospice.

List of representative projects from the last five years:

- Multiple renovation and expansion projects at Westminster – Austin, TX
- North Star Senior Living, Independent Living – Georgetown, TX
- Presbyterian Village North, Independent Living, Assisted Living, Memory Care, Nursing – Dallas, TX
- Baptist Community Services, Independent Living, Assisted Living, Memory Care, and Community Center – Amarillo, TX
- Legacy Oaks of Azle, Independent Living, Assisted Living, and Memory Care – Azle, TX
- Ariel Pointe, Independent Living, Assisted Living, and Memory Care – Sachse, TX
- The Pointe at Lifespring, Assisted Living and Memory Care – Knoxville, TN
- The Peaks at Old Laramie Trail, Assisted Living and Memory Care – Lafayette, CO



**BRYAN WARNE, RLA**

Director of Landscape Architecture, Pi Architects

**EDUCATION AND CERTIFICATION**

Bachelors of Landscape Architecture – Texas A&M University, 2003  
Washington / Alexandria Architecture Consortium

**AFFILIATIONS AND REGISTRATIONS**

- Member Council of Landscape Architectural Registration Boards
- American Society of Landscape Architects
- Licensed in: Texas, Tennessee, Colorado

**SENIOR LIVING EXPERIENCE**

- Baptist Community Service Campus Master Planning, Assisted Living, Memory Care, Skilled Nursing, and Renovations – Amarillo, Texas\*
- Capstone at Royal Palm Assisted Living and Memory Care – Royal Palm Beach Florida
- Civitas Sachse Independent Living, Assisted Living and Memory Care – Sachse, Texas\*
- Civitas Sunnyvale Assisted Living and Memory Care – Sunnyvale, Texas
- Civitas Wimberly Assisted Living and Memory Care – Wimberly, Texas
- Civitas, Trepex Construction, Azle Independent Living, Assisted Living and Memory Care – Azle, Texas
- Clifton Sunset Home Master Plan, Nursing, Alzheimer’s Care and Assisted Living – Clifton, Texas\*
- Concordis Assisted Living and Memory Care – Baton Rouge, Louisiana\*
- Crown Point Healthcare, Rehabilitation, Transitional Care & Assisted Living – Lubbock, Texas
- Heartis Assisted Living and Memory Care – Arlington, Texas
- Investcor Covington Assisted Living and Memory Care – Covington, Louisiana\*
- Investcor Denison Assisted Living and Memory Care – Denison, Texas\*
- Juliette Fowler Homes CCRC Master Plan and Nursing Home Renovations – Dallas, Texas
- Westminster CCRC Master Plan, Preston Entry Renovations & Addition – Austin, Texas\*
- Manchester Place Assisted Living and Community Center – Dallas, Texas
- Medistar Corporation Katy Assisted Living, Memory Care and Rehab – Katy, Texas\*
- Medistar Corporation, VibraLife of El Paso, Assisted Living, Memory Care and Rehabilitation – El Paso, Texas
- Meridian Realty Assisted Living & Memory Care – Metairie, Louisiana
- Meridian Realty, ISL Assisted Living and Memory Care – Nashville, Tennessee
- Meridian Realty, ISL Independent Living, Assisted Living and Memory Care–Clear Lake, Texas\*
- Meridian Realty, ISL Simi Valley – Simi Valley, California
- Meridian Realty, ISL The Peaks at Old Laramie Trail Assisted Living, Memory Care – Lafayette, Colorado
- Meridian Realty, ISL The Pointe at Lifespring – Knoxville, Tennessee
- Meridian, HMG Park Manor Nursing – Bee Cave, Texas
- Mt. Zion Master Plan – Concordia, North Carolina
- NorthPoint Development, ISL Stonecrest of Rochester Hills Assisted Living and Memory Care – Rochester, Michigan
- NorthPoint Development, ISL Stonecrest of Troy Assisted Living and Memory Care – Troy, Michigan
- Presbyterian Village North CCRC – Dallas, Texas
- SCI Cedar Park Nursing – Cedar Park, Texas
- Silverado Bee Cave Memory Care – Bee Cave, Texas

- SPJST CCRC Master Plan, Assisted Living Expansion and Nursing Renovation – Taylor, Texas
- Sundance at Cedar Park Memory Care – Cedar Park, Texas
- Sundance Towne Lake Memory Care – Cypress, Texas
- The Medical Resort at Pearland, Skilled Nursing and Rehabilitation – Pearland, Texas\*
- The Medical Resort at Sugar Land, Skilled Nursing and Rehabilitation – Sugar Land, Texas\*
- The Medical Resort at Willowbrook, Skilled Nursing and Rehabilitation– Willowbrook, Texas
- US Memory Care Cedar Park – Cedar Park, Texas
- Vision Health – Oklahoma City, Oklahoma
- Yew Tree Assisted Living and Memory Care – Sugarland, Texas

\*Project currently in progress

- Technical assistance and training on housing issues for “Money Follows the Person” grantees under contract with Ascillon Corporation.

### **AUSTIN REVITALIZATION AUTHORITY, AUSTIN, TX**

*Senior Project Manager, 2003-2005*

Oversight and coordination of an 18-unit single-family affordable redevelopment project that included re-subdivision, historic rehabilitation, variances, Green building, and multiple federal and local funding sources. Specific tasks included:

- Worked with architects, lender, builders and other members of the development team to ensure project complied with all guidelines.
- Created pro formas, monitored budget and completed draws;
- Wrote grants for a variety of projects including streetscape beautification and historic rehabilitation; and
- Worked with Board of Directors to develop housing policy.

### **THE ENTERPRISE FOUNDATION, AUSTIN, TX**

*Assistant Director/Program Director, Housing, 1997-2002*

Planned, developed and implemented programs for the Austin office. Tracked and responded to public policy changes related to office priorities. Developed budgets, tracked expenditures and coordinated with Director to complete quarterly reporting and monthly reimbursement submissions to funding sources. Managed contracts with consultants and grantees. Principal investigator and author for a wide variety of publications. Specific projects included:

- Operated two grant programs benefiting community development corporations (CDCs). Worked with CDCs to conceptualize, develop and fund affordable housing projects for persons with disabilities and other low-income target populations;
- Developed and delivered training statewide on affordable housing and community development with an emphasis on housing for persons with disabilities; and
- Developed and managed consumer-based housing coalitions in seven Texas communities.

### **DIANA M<sup>C</sup>IVER AND ASSOCIATES, INC., AUSTIN, TX**

*Manager, Special Projects, 1994-1996*

Responsible for a variety of special projects, including the development of purchaser qualification packages under the Title VI Preservation program and an Analysis of Impediments to Fair Housing Choice for the City of Austin, Texas.

- Responsible for outreach and technical assistance to nonprofit organizations across Texas.
- Researched federal, state and private funding sources for affordable housing development.
- Marketed resources to eligible organizations and assisted throughout the application process.
- Wrote and published *Housing Choices in Texas: Creating Opportunities for People with Disabilities*.

### **EDUCATION**

MS Community and Regional Planning. The University of Texas at Austin. 1995

MA Latin American Studies. The University of Texas at Austin. 1995

BA Anthropology and Sociology. Rhodes College. 1990

### **AFFILIATIONS**

Director, Austin Geriatric Center (RBJ Residential Tower)

Chair, Strategic Council on Affordability Urban Land Institute

### 3. Financial Information

IRS Letter

Audited Financials

Financial Statements

Board Member Resolution

Funding Commitment Letter



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 ASSISTOR  
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.

Letter 1045(DO) (6-77)



**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)

Please see Appendix for 2019 Audited Financials





**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Ms. Rachel Stone  
Assistant Executive Director  
Guadalupe Neighborhood Development Corporation  
813 E 8<sup>th</sup> St  
Austin, TX 78702-3282

February 07, 2020

**SUBJECT: Section 202 Supportive Housing for the Elderly Award – Agreement Letter**

**Project Name: La Vista de Lopez**  
**City and State: Austin, TX**  
**HUD Project Underwriter: Curt Baker**  
**Award Acceptance Deadline: 02/21/20 {14 calendar days from date sent}**

Dear Ms. Stone:

I am pleased to advise you that your application submitted under the FY 2018 Section 202 Notice of Funding Availability (“NOFA”) to develop 26 dwelling units of housing for the elderly to be supported by a Project Rental Assistance Contract (“PRAC”) under the Section 202 Supportive Housing Program for the Elderly has been approved.

Capital Advance authority in the amount of \$4,048,000 has been obligated for this Project. In the coming months, HUD will also provide budget authority for the PRAC(s), which, in accordance with the NOFA, will be based on 75 percent (rather than on 100 percent) of the Operating Cost Standards applicable to Section 202 projects in the Project’s geographic area.

Pursuant to 31 USC § 1552(a), all FY 2017 funding must be expended by September 30, 2025 and all FY 2018 funding must be expended by September 30, 2026. Any funds that are not expended by the applicable dates stated in the previous herein will be cancelled and recaptured by the Treasury and thereafter will not be available for obligation or expenditure for any purpose.

By signature below, I am approving the obligation of funds for the subject project. Your acceptance of this Agreement constitutes a certification and agreement by the Sponsor/Owner to the attached terms and conditions.

Mary V. Walsh  
Regional Director, Southwest Multifamily Region

02/07/20



## TERMS AND CONDITIONS

This Agreement is subject to:

<b>ARTICLE I.</b>	<b>General Program Requirements .....</b>	<b>2</b>
<b>ARTICLE II.</b>	<b>Ownership Entity .....</b>	<b>3</b>
<b>ARTICLE III.</b>	<b>Environmental Review .....</b>	<b>4</b>
<b>ARTICLE IV.</b>	<b>Delegated Processing .....</b>	<b>5</b>
<b>ARTICLE V.</b>	<b>Energy and Water Conservation.....</b>	<b>5</b>
<b>ARTICLE VI.</b>	<b>Conflict of Interest.....</b>	<b>6</b>
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<b>ARTICLE VIII.</b>	<b>Project Funds .....</b>	<b>7</b>
<b>ARTICLE IX.</b>	<b>Fair Housing.....</b>	<b>8</b>
<b>ARTICLE X.</b>	<b>Federal Compliance.....</b>	<b>8</b>
<b>ARTICLE XI.</b>	<b>Reporting Requirements .....</b>	<b>9</b>
<b>ARTICLE XII.</b>	<b>Point of Contact .....</b>	<b>9</b>
<b>ARTICLE XIII.</b>	<b>Enclosures.....</b>	<b>9</b>
<b>ARTICLE XIV.</b>	<b>Award Acceptance .....</b>	<b>10</b>

**Your acceptance of this Agreement constitutes a certification and agreement by the Sponsor/Owner to the following terms and conditions:**

**ARTICLE I. General Program Requirements**

- A. There will not be any sale, assignment, conveyance, or any other form of transfer of this Agreement, funding, the property or project, or any interest therein, except for a transfer from the Sponsor to an approved single-purpose Owner organized by it.
- B. The Section 202 Capital Advance funds available for the project identified herein may not be used in connection with any other Project.
- C. HUD will **not** amend the amounts approved herein for this project. **Therefore, based on HUD’s review of the Firm Commitment Application, the Sponsor will be liable for the cost of any front-end cash requirement should the cost to develop the project exceed the amount specified in this Agreement.**
- D. If the Project site is subject to a leasehold, the lease must conform to the wording of the Lease Addendum – Section 202 as contained in Appendix 14 of the Section



202 Handbook 4571.5. If approved, by this office, the terms of the Lease Addendum may be varied only to conform to the law of the jurisdiction in which the Project is located.

- E. **Design and Cost Standards.** You must comply with HUD's Section 202 Design and Cost Standards (24 CFR, Parts 891.120 and 891.210); Site and Neighborhood Standards of the regulations governing the Section 202 Supportive Housing for the Elderly program (24 CFR, Part 891.125(b); and (c)), Section 504 of the Rehabilitation Act of 1973 and HUD's implementing regulations at 24 CFR, Part 8, the Fair Housing Act and its implementing regulations at 24 CFR, Part 100, and where applicable, the Americans with Disabilities Act. You may receive helpful information with respect to the Fair Housing Act design and construction requirements on Fair Housing Accessibility FIRST's website at [www.fairhousingfirst.org](http://www.fairhousingfirst.org).
- F. You must undertake activities to create jobs and further local economic development, particularly for low-income populations and communities. Activities must be more comprehensive than those required to meet HUD's Section 3 "local hire" requirements. You are expected to undertake activities that focus on access to skills training and partnership with community-based organizations that will develop pathways to long-term career ladders for the target population.
- G. All other applicable Federal requirements, including but not limited to, those set forth in HUD's Fiscal Year 2017 and 2018 NOFA, General Section to HUD's FY 2017 and 2018 NOFAs for Discretionary Programs posted on [www.Grants.gov](http://www.Grants.gov).
- H. Project-Specific Requirements: TBD

## **ARTICLE II. Ownership Entity**

- A. The formation of a legally acceptable single-entity Owner corporation within **30 days** from the date of this Agreement is required.
- B. An attempt must be made to obtain exemption from State and/or local real and/or personal property taxes. Evidence of filing, together with the response received from the taxing authority, must be submitted with the Application for Firm Commitment in one of the following forms:
  - 1. Tax exemption;
  - 2. Payment in Lieu of Taxes ("PILOT");
  - 3. Tax abatement; and
  - 4. Ineligibility for any tax relief



**Evidence of Eligibility** for (1), (2), or (3) must be submitted with the Application for Firm Commitment.

- C. Capitalization of the Owner corporation, in a sufficient amount to permit the Owner to meet its obligations, in connection with the project is required. This includes the minimum capital investment, start-up costs, excess land costs, ineligible amenities, excessive construction costs and any other funds the Sponsor specifically commits to the project.
- D. At the time the Application for Firm Commitment is submitted, evidence that the site is under the **Owner's control** must be provided.
- E. Credit investigation clearance of the Owner's officers is required.
- F. In accordance with Federal Regulation 5350: I-01 Conforming Changes to Applicant Submission Requirements; Implementing Federal Financial Report and Central Contractor Registration Requirements, Owners are required to register in the Central Contractor Registry before funds can be disbursed.

### **ARTICLE III. Environmental Review**

- A. Section 202 Fund Reservation award constitutes preliminary approval of your site. Site approval will not occur until HUD completes its environmental review and finds the site environmentally acceptable. HUD will complete its environmental review prior to issuance of the Firm Commitment.
- B. Compliance with Environmental Assurance. You agree to assist HUD with its compliance with environmental review regulations in 24 CFR, Part 50 and you will be required to:
  - 1. Provide environmental reports to the HUD electronic system known as HUD Environmental Review Online System ("HEROS") as necessary for HUD to perform for each property any environmental review required by 24 CFR, Part 50. It is recommended that the professionals have prior HUD experience. The environmental professional preparing the Phase I ESA must meet all of the qualifications and license/certifications, education, and experience requirements of Appendix X2 of ASTM E 1527-13. When a Phase II study is conducted, the "Phase II Assessor" must meet all of the qualification requirements of Section 3.1.33 of ASTM E 1903-11. Professionals may be required to evaluate technical areas, such as lead-based paint, asbestos, radon, noise, wetlands, flooding, historic preservation or soil stability conditions and should meet professional standards and/or certifications in their respective fields, e.g., 36 CFR, Part 61 standards for historic preservation;
  - 2. Carry out mitigating measures required by HUD; and



3. Not acquire, rehabilitate, demolish, convert, enter into or close a leasehold agreement (you can continue to perform obligations to sustain an existing leasehold or option to lease agreement), repair or construct property, nor commit or expend HUD or local funds for these program activities with respect to any eligible property, from the time the Application is submitted until HUD approval of the site is received.
- C. **Environmentally Unacceptable Sites.** If upon completion of HUD's environmental review, the site is found acceptable but only with mitigation and the Owner/Sponsor cannot meet the mitigation requirements, or if HUD determines that even with mitigation, the site is unacceptable, the Section 202 Fund Reservation award will be withdrawn.

#### **ARTICLE IV. Delegated Processing**

- A. Pursuant to Section 2835(b) of the Housing and Economic Recovery Act of 2008, HUD is required to delegate the review and processing of certain Section 202 Supportive Housing for the Elderly projects to selected State or local housing agencies. Delegated processing *can only be used* where the Sponsor's Application, in response to a NOFA indicates that development funds for a proposed Section 202 project will be provided by a combination of capital advance funding and any other source of funding exclusive of the Sponsor's financial contribution.
- B. Within 30 calendar days of the date you sign the Agreement; HUD shall delegate review and processing to a State or local housing agency, as appropriate. However, HUD retains the authority to process projects where no State or local housing agency has applied to provide delegated processing or entered into an agreement with the Secretary to serve as a delegated processing agency. Complete information regarding the delegated processing procedures will be available in a forthcoming Notice.

#### **ARTICLE V. Energy and Water Conservation**

At a minimum, energy efficiency strategies and water conservation appliances and fixtures must be incorporated in the design, construction, and operation of all new construction and substantial (gut) rehabilitation projects.

**Energy Efficiency.** Owners of new construction and substantial rehabilitation low-rise (up to 3 stories) multifamily developments **must** meet the requirements of EPA's ENERGY STAR Qualified Homes. Mid-Rise & High-Rise developments (4 or more stories) must meet the ASHRAE 90.1 Appendix G Plus 15 percent standard for Energy Efficiency. Any state energy code requirements will take precedence over ENERGY STAR **or** ASHRAE specifications when the state code approximates or exceeds that standard.

- A. **Water Conservation Fixtures.** Installation of water-conserving fixtures is



required in all new and substantially rehabilitated developments (i.e. resource efficient plumbing and appliances such as low flow showerheads and faucet and high efficiency toilets). The materials used must be WaterSense or a greater water efficiency product. More information is available at [www.epa.gov/watersense](http://www.epa.gov/watersense).

- B. **Owners of Existing Developments that do not qualify as new construction or substantial (gut) rehabilitation** must perform pre- and post-construction energy audits and incorporate conservation techniques in their Projects. Owners of existing developments must also commit to future installation of WaterSense fixtures and ENERGY STAR appliances in the Project's required Operations and Maintenance plan.
- C. **Operations and Maintenance ("O&M")**. All Owners must develop an O&M manual that will address: a routine maintenance plan; operations and maintenance guidance for all appliances, HVAC operation, lighting equipment, paving materials and landscaping, pest control, and other systems that are part of each occupancy unit; an occupancy turnover plan that describes in detail the process of educating the tenant about proper use and maintenance of all building systems; and staff training needed to maintain the energy improvements and continue green building practices for the future. All O&M plans must commit to future installation of water-conserving fixtures and ENERGY STAR appliances. (O&M manual templates are available for use and customization on the Enterprise Green Communities website at [www.enterprisecommunity.org/solutions-and-innovation/green-communities](http://www.enterprisecommunity.org/solutions-and-innovation/green-communities)).

#### **ARTICLE VI. Conflict of Interest**

- A. This Agreement and fund reservation will be subject to cancellation, at HUD's option, in the event there comes into existence or HUD becomes aware of a pre-existing conflict of interest involving the Project on the part of its officers or directors of either the Sponsor or Owner organization (including affiliates).
- B. The Sponsor and Owner must submit Conflict of Interest and Disclosure Certifications for **each** officer and director of both the Sponsor and Owner and Identity of Interest and Disclosure Certifications for all development team members.

**NOTE:** When a new development team member is added or changed, an Identity of Interest Certification must be submitted. Likewise, at any time the Sponsor or Owner changes any officers or directors, a Conflict of Interest and Disclosure Certification must be submitted for the new person(s).

#### **ARTICLE VII. Milestones and Deliverable**

*Unless explicitly approved, the Owner must meet the following milestones in order to retain its award:*

**HUD - FY 2018 Section 202 Agreement Letter**



- A. Return two copies of this Agreement indicating acceptance **within 14 calendar days** of the date of this Agreement,
- B. Commence construction, rehabilitation or acquisition **within 18 months** from the date of this Agreement, unless limited extensions are approved by HUD. Such extensions will be based upon HUD's determination that the Owner has established a reasonable schedule and is making sufficient progress toward the start of construction. **The Agreement and fund reservation will be canceled if construction, rehabilitation or acquisition has not commenced within 18 months from the date of this Agreement, unless limited extensions are approved by HUD.**

In order to maintain on track with this schedule, HUD recommends:

- A. Submission of the land appraisal within **30 calendar days** from the date of this Agreement.
- B. Submission of Form HUD-2530, Previous Participation Certification through the Active Partners Performance System ("APPS") for all officers and directors of the Owner's board within **90 calendar days**. There must be subsequent clearance thereof.
- C. Submission of an Application for Firm Commitment in full compliance with HUD's design and cost standards and programmatic requirements within **180 calendar days** from the date of this Agreement. The design and cost standards apply to all projects regardless of the proposed operating cost level. The design must not include any prohibited features and must be cost efficient.

#### **ARTICLE VIII. Project Funds**

- A. Drawdown of Capital Advance through eLOCCS. After the formation of the Ownership entity, you are required to establish an electronic Line of Credit Control System ("eLOCCS") account by completing form HUD-27054, eLOCCS Access Authorization Request.
  - The LOCCS Program Area Code "CAH"
  - The three-digit program number is "105"
- B. Instructions. eLOCCS Instructions can be obtained from the following website [www.hud.gov/program\\_offices/cfo/loccs\\_guidelines](http://www.hud.gov/program_offices/cfo/loccs_guidelines)
- C. You, as the Sponsor, and the Owner, when formed, are subject to the provisions of Section 319 of Public Law 101-121 (approved October 23, 1989) (31 U.S.C. 1352) (the Byrd Amendment), which prohibits recipients of federal contracts, grants, or



loans from using appropriated funds for lobbying the executive or legislative branches of the federal government in connection with a specific contract, grant, or loan. In addition, the Owner, when formed, must disclose, using Standard Form LLL "Disclosure of Lobbying Activities," any funds, other than federally appropriated funds, that will be or have been used to influence federal employees, Members of Congress, and congressional staff regarding specific grants or contracts.

#### **ARTICLE IX. Fair Housing**

- A. Affirmatively Furthering Fair Housing ("AFFH"). Section 808(e)(5) of the Fair Housing Act imposes a duty on HUD to affirmatively further the purposes of the Fair Housing Act. Accordingly, you are required to take affirmative steps to further fair housing.
- B. Affirmative Fair Housing Marketing Plan ("AFHMP"). You must develop an AFHMP that will reach those applicants that are least likely to apply to your Project to promote diversity.
- C. Limited English Proficiency. You are required to take reasonable steps to provide meaningful access to persons with Limited English Proficiency ("LEP"). As part of your duty to affirmatively further fair housing, you should take proactive measures to inform eligible LEP persons of the housing, related activities and available language assistance.

#### **ARTICLE X. Federal Compliance**

- A. You are required to provide a drug-free workplace. Please see HUD Handbook 4571 Chapter 1.
- B. In accordance with 24 CFR, Part 24, no award of federal funds may be made to applicants that are presently debarred or suspended, or proposed to be debarred or suspended, from doing business with the federal government. This requirement applies not only to you, as the Sponsor, and the Owner, when formed, but also to all lower tier covered transactions and to all solicitations for lower tier covered transactions. The prohibition includes the following:
  - 1. Having principals who, within the previous three years, have been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction, violation of federal or state anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; and



2. Charges or indictments against the Sponsor, Owner and their principals by a governmental entity (federal, state and local) for commission of any of the above violations within the previous three years.
- C. You must comply with the labor standards provisions at 24 CFR 891.155(d). These include Davis-Bacon prevailing wage and reporting requirements and the overtime provisions of the Contract Work Hours and Safety Standards Act.

#### **ARTICLE XI. Reporting Requirements**

- A. For the purpose of determining your compliance with the requirements of Section 3, you must submit form HUD-60002, Section 3 Summary Report, through the Section 3 Performance Evaluation and Reporting System (“SPEARS”). Instructions for Use of SPEARS can be found at [www.hud.gov/sites/documents/1560002INSTRUCTIONS.PDF](http://www.hud.gov/sites/documents/1560002INSTRUCTIONS.PDF). Form HUD-60002 shall be submitted to HUD annually, no later than January 10<sup>th</sup> or the 10<sup>th</sup> day after Project completion, whichever is earlier. Section 3 regulations can be found at 24 CFR, Part 135, subpart E).
- B. The Regulatory Agreement (Form HUD-92466-CA) requires the Owner to submit an annual financial statement for the Project. This financial statement must be audited by an Independent Public Accountant who is a Certified Public Accountant or other person accepted by HUD and filed electronically with HUD’s Real Estate Assessment Center (“REAC”) through the Financial Assessment Subsystem for Multifamily Housing (MF-FASS). The submission of annual financial statements is required throughout the 40-year term of the mortgage.
- C. You are required to meet the requirements of the Federal Financial Assistance Accountability and Transparency Act of 2006, as amended. As a recipient of HUD funds, you are required to report subawards made either as pass-through awards, subrecipient awards, or vendor awards. To learn more about this requirement visit [www.fsrs.gov](http://www.fsrs.gov).

#### **ARTICLE XII. Point of Contact**

If you have any questions regarding the requirements for submission of the Application for Firm Commitment and to obtain information about your required attendance at the Office’s Project Planning Conference, please call the assigned HUD Underwriter identified on page 1 (or replacement as communicated to you by this office).

#### **ARTICLE XIII. Enclosures**

HUD has revised some of the handbook (4571.5) procedures applicable to the submission, review and processing of Section 202 Applications for Firm Commitment through Final

**HUD - FY 2018 Section 202 Agreement Letter**



Closing. Please see Notice H 2011-18, Updated Processing Guidance for the Section 202 Supportive Housing for the Elderly and Section 811 Supportive Housing for Persons with Disabilities Programs ([www.hud.gov/sites/documents/11-18HSGN.PDF](http://www.hud.gov/sites/documents/11-18HSGN.PDF)) as well as a copy of Notice H 96-102, Redesigned Section 202 Supportive Housing for the Elderly and Section 811 Supportive Housing for Persons with Disabilities Programs - Firm Commitment Processing to Final Closing ([www.hud.gov/sites/documents/96-102hsgn.doc](http://www.hud.gov/sites/documents/96-102hsgn.doc)). Please read the Notices very carefully because the revised procedures will affect not only your Project funding but also your responsibilities for project completion. If you have specific questions regarding the processing of this award, please contact the assigned HUD Underwriter.

**ARTICLE XIV. Award Acceptance**

Section 202 Capital Advance Funds and PRAC funds have been obligated for your Project, however the availability of these funds is contingent on you executing this Agreement no later than the **Award Acceptance Deadline shown above on Page 1**. By accepting this award and returning a signed copy of this Agreement to this HUD Office, you hereby certify that you will comply with all governing program requirements and statutes. Your acceptance also constitutes a certification and agreement of the terms and conditions detailed in this Agreement.

We look forward to working with you toward the successful completion of this Project.

Sincerely,

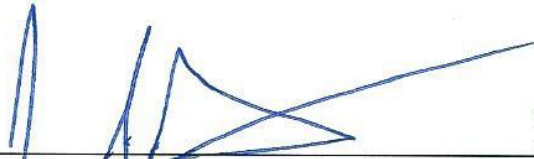


Mary V. Walsh  
Regional Director  
Southwest Multifamily Region

Enclosure

Please indicate by signing in the space provided whether or not you accept this Agreement including the special conditions or requirements that are specified herein, and certify to your understanding that the project must be developed in accordance with the terms set forth in this Agreement. **Return by Certified Mail - Return Receipt Requested, two signed copies of this Agreement, along with the resume for the consultant (if a consultant has been or will be used) to this Office within 14 days from the date of this letter.**

**ACCEPT:**

	<i>President</i>	<i>02/18/2020</i>
Signature of Authorized Officer (Sponsor)	Title	Date
<i>Mark Rogers</i>	<i>Executive Director</i>	<i>02/18/2020</i>
Signature of Authorized Officer (Co-Sponsor)	Title	Date

**DO NOT ACCEPT:**

_____ Signature of Authorized Officer (Sponsor)	Title	Date
_____ Signature of Authorized Officer (Co-Sponsor)	Title	Date



**From:** [do\\_not\\_reply@cybergrants.com](mailto:do_not_reply@cybergrants.com) [mailto:[do\\_not\\_reply@cybergrants.com](mailto:do_not_reply@cybergrants.com)]  
**Sent:** Friday, September 11, 2020 2:32 PM  
**To:** [gndc@sbcglobal.net](mailto:gndc@sbcglobal.net)  
**Cc:** Gray, Lillian D <[lillian.gray@bofa.com](mailto:lillian.gray@bofa.com)>; Graham, Nikki <[nikki.graham@bofa.com](mailto:nikki.graham@bofa.com)>  
**Subject:** Bank of America Charitable Foundation Application Update



Corporate Philanthropy

September 11, 2020

Dr. Mark Rogers  
Guadalupe Neighborhood Development Corporation  
813 East 8th Street  
Austin, TX 78702-2627

Dear Dr. Rogers:

The Bank of America Charitable Foundation, Inc. is pleased to provide a grant to Guadalupe Neighborhood Development Corporation in the amount of \$10,000.00 for the purposes outlined in your grant request dated 06/25/2020.

The funds awarded will be transferred to your bank account within three to five business days via Automated Clearing House (ACH) and will be reflected as Bank of America CashGrants in your account. Please communicate this gift to the person who manages the bank account you provided for ACH payments.

Bank of America is lending, investing and giving in local communities like yours in order to advance local economies and create positive change. Providing support to organizations like Guadalupe Neighborhood Development Corporation, that are providing critical services and programs is just one of the ways we are helping improve the quality of life in the communities we serve.

This grant is subject to the terms and conditions accepted through your application. In addition, the Foundation may request further information regarding your organization and this grant as agreed to in your grant application. Thank you for your commitment to the community.

Sincerely,

The Bank of America Charitable Foundation, Inc.

The reference code for this application is Request ID: 62164269

CG/JMAIL/191726801

## 4. Project Information

### Project Description

La Vista de Lopez is designed as a new high-rise senior housing community at 809 East 9th Street in Austin, Texas. La Vista de Lopez will be built on approximately 0.17 acres and will include one nine-story, 34-unit residential building over a one-story parking garage. All units will be fully accessible and adaptable for seniors with mobility, sight or hearing disabilities. The property will serve 26 PRAC/HUD-202 units, 8 of which will serve seniors earning up to 30% MFI. The remaining 18 units will serve seniors earning up to 50% MFI. All 34 units will be efficiencies of 500 sq feet, which is the HUD maximum for PRAC efficiencies.

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. Under Affordability Unlocked Type 2, the tower as designed is allowable under the zoning and Neighborhood Plan. The new residential tower will be built behind the existing on-site historic Lopez House. Currently, the historic house is occupied and serves one household with affordable rental housing. The household has been notified of the project under all Uniform Relocation Act (URA) requirements and will be relocating to another GNDC unit. The existing historic house will be repurposed as common area so that seniors can meet with health and wellness providers or other specialists and volunteers in rooms in a private home-like setting. The State Historic Preservation Office and Historic Landmark Commission have approved the plans regarding the historic property.

Outdoor space between the house and tower will include a courtyard with a view of Austin's downtown. It will have shade and picnic space and be designed for communal gathering to be accessible to the neighborhood's residents and other seniors for activities and events. There will be a laundry room and/or community space on the first floor of the new building. The community space would serve group activities, exercise, art, games, and group meals or celebrations, and will include access to ADA bathrooms, as well as to the two elevators to the housing units and a below-grade service garage with an accessible pathway to the sidewalk entry to the building and out to East 9th Street.

La Vista de Lopez will meet all S.M.A.R.T. housing requirements, as well as all mobility corridor, transit and healthy food goals. La Vista de Lopez is designed to meet the requirements of the Austin Energy Green Building Program for multifamily, EPA's ENERGY STAR Qualified Homes, and ASHRAE 90.1 Plus 15 percent standard for Energy Efficiency. As noted, the project will be affordable for a mix of incomes and will be fully accessible. La Vista de Lopez is 0.2 miles from East 11th Street, which provides access to many neighborhood amenities and transit. The high-frequency Rosewood Line bus stop is within a quarter mile from the property on E. 11th Street. La Vista de Lopez is less than a half mile (0.4 miles) from the Plaza Saltillo Development, which now includes a Whole Foods and Target with grocery. The site is also within a mile of the new Dell Seton Medical Center, close enough for GNDC staff to provide rides for resident appointments.

Total project cost for La Vista de Lopez is \$ 15,088,077, with the value of the land already owned by GNDC appraised by TCAD at \$ 617,588. This is a difficult site, as it abuts I-35 and will consist of a steel tower essentially in the downtown district. While senior housing is very needed in this area, particularly for seniors experiencing displacement, it presents some construction challenges. This project will be

funded with layered financing including \$4,048,000 in a Capital Advance from the HUD-202 Program, a \$375,000 forgivable loan from the Texas State Affordable Housing Corporation (TSAHC) Affordable Housing Partnership, \$3,812,131 in equity from the sale of 4% tax credits and \$2,617,982 in permanent debt\*<sup>1</sup> from a Bellweather Capital FHA loan. Grants from private foundations will total \$217,377, with proposals for \$175,000 from the Meadows Foundation (in process), \$25,000 from the Lola Wright Foundation (in process), \$10,000 from Bank of America Foundation (committed), and the remaining \$7,377 from the Donald D. Hammill Foundation (submitted). Funding commitments are included in the appendix. GNDC requests \$3,400,000 from AHFC for the remaining gap in financing. For construction financing, GNDC anticipates a bond issuance in the amount of \$10,614,177 that will be replaced with the sources above.

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<sup>1</sup> GNDC has confirmed with HUD that permanent debt can be repaid from PRAC unit operating funds on this project via a RAD for PRAC conversion.

## Market Study

The 34-unit La Vista de Lopez rental project located at 809 East 9th Street proposes to serve seniors and persons with disabilities 62 years of age or older. The project is in the 78702 zip code area of Austin, Texas. In 2010, approximately 14% of the population this 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.

Because GNDC gives priority to households with ties to the areas where it develops housing, well over 90% of its prospective tenants and home buyers have strong ties to the East Austin community. GNDC currently has a waitlist for rental housing at over 800. Remarkably, GNDC built this extensive waitlist with only word-of-mouth marketing, demonstrating the huge demand for affordable housing and GNDC's reputation for delivering it to households from East Austin.

GNDC also prioritizes households from areas where displacement has occurred and where it continues to cost-burden long-time residents. Therefore, the primary market/geographic area, based on neighborhood boundaries and zip code is 78702, 78721 and 78741. These include the Central East Austin, East Cesar Chavez, Holly, Govalle and Montopolis Neighborhoods. The majority of GNDC's renters come from the waitlist of people trying to remain in or return to the 78702 and 78721 zip code areas. GNDC has made an effort to contact every household on its Rental Housing Wait List and was able to reach 95% of the 853 applicants. The average household income of families on the waitlist is \$1,843/month, which is 26.6% of the Austin Median Family Income (MFI). Of the 853 applicants, 469 (54%) of the total number of households on the waitlist have income at or below 30% of the Austin MFI, and 218 applicants (34.5%) have income between 30% and 50% MFI. In addition, 252 applicants are in need of a 1-bdrm/efficiency, and 96 applicants are elderly. GNDC's waitlist clearly demonstrates the strong market for this proposed development.

There are 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. 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. Moreover, both are 100% occupied with a waiting list. Additional information about nearby senior housing is below:

- Rebekah Baines Johnson: Completed 1972, 250 units, 100 of which are Section 8 units, under rehab plan for 500 senior 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

**Economic and Market Analysis Division - HUD**  
**Special Tabulations of 2017 ACS 5-Year Survey Data**  
**Households by Income, Tenure, Age of Householder, and Housing Conditions**

**Geography : Austin-Round Rock, TX Metro Area**  
**Renters, Householder Age : 62 + Years**

WITH CONDITIONS

Income Intervals	TOTAL	1-person	2-persons	3-persons	4-persons	5+ persons
<b>TOTAL</b>	19,645	14,460	4,145	640	75	325
<b>Less than \$9,999</b>	3,325	2,755	540	24	0	10
<b>\$10,000 - \$14,999</b>	2,690	2,255	335	100	0	0
<b>\$15,000 - \$19,999</b>	2,930	2,450	415	50	0	15
<b>\$20,000 - \$24,999</b>	2,485	1,975	415	90	0	4
<b>\$25,000 - \$29,999</b>	1,790	1,205	460	60	20	40
<b>\$30,000 - \$34,999</b>	1,555	1,030	495	10	0	20
<b>\$35,000 - \$39,999</b>	1,605	980	485	90	30	15
<b>\$40,000 - \$44,999</b>	630	420	180	30	0	0
<b>\$45,000 - \$49,999</b>	625	315	250	50	10	4
<b>\$50,000 - \$59,999</b>	680	350	240	50	0	35
<b>\$60,000 - \$74,999</b>	790	505	140	75	15	60
<b>\$75,000 - \$99,999</b>	380	140	125	4	0	105
<b>\$100,000 - \$124,999</b>	125	65	55	0	0	10
<b>\$125,000 - \$149,999</b>	15	15	0	0	0	0
<b>\$150,000 - \$199,999</b>	0	0	0	0	0	0
<b>\$200,000 or more</b>	20	10	15	0	0	0

The Project will create 34 efficiency rental units for seniors. According to the Economic and Market analysis table above required by the HUD 202 application in 2019, there are 11,670 income eligible households (total of selected cells) aged 62 years old or older with server housing needs in the market area, making the absorption rate 3%. GNDC already has 96 applicants who are at or above the age of 62. In addition, the 5 units supported by the TSAHC funds will pull tenants off a waiting list of seniors transitioning out of nursing homes and needing affordable housing. GNDC has been assured by TSAHC that the need for 30% MFI units for seniors is very high. The absorption period anticipated is that all units will be rented within four months of completion and stabilized occupancy for the project as a whole will take place within seven months.



## 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 serve as liaisons to the neighborhoods and help GNDC engage residents on affordable housing development. GNDC also has a Policy for Public Input that 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 Plan contact team, named O.C.E.A.N. GNDC began designing La Vista de Lopez in late 2015 and has presented concept renderings of the project to the membership of GAIN on at least two occasions between early 2016 and mid-2018. The project completed site plan review, a right of way vacation, and sale of an adjacent remainder of alleyway to GNDC, and Historic Landmark review which each required official City of Austin public notification to nearby property owners and registered civic and neighborhood associations as well as several public hearings about the project.

A site plan application was submitted for La Vista de Lopez in November 2018 and City of Austin Notification of the project was sent to all property owners within 500 feet of the project as well as numerous registered neighborhood and civic associations. In November 2019, City of Austin Notification was sent regarding GNDC's request to obtain the remainder of an alleyway right-of-way adjacent to the south property line of the project. This request was heard by the Planning Commission Transportation Commission and finally by City Council at public hearings between November 2019 and February 2020. The same process of public notice and hearings was followed between March and August 2020. During this time, GNDC engaged in extensive communication with owners of units within the adjacent Tyndall condominiums and with property owners and residents within the Guadalupe Neighborhood. This included a virtual meeting with over one dozen Tyndall owners on July 31, 2020. City of Austin notices were sent out to nearby property owners and neighborhood associations regarding the Austin Historic Landmark Commission meeting held on August 10, 2020 at which GNDC received a Certificate of Appropriateness for La Vista de Lopez.

Few, if any projects that GNDC has developed during the past 40 years have had as much public review and discussion as La Vista de Lopez. 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 their listserv, 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.



# City of Austin

P.O. Box 1088, Austin, TX 78767  
www.cityofaustin.org/housing

## Neighborhood Housing and Community Development Department

February 27, 2020 (Revision to letter dated 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 an estimated 34-unit multi-family senior residential development called La Vista de Lopez at 809 East 9th Street, Austin TX 78702. The project is subject to a minimum 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 21% (7) units will serve households with incomes at or below 50% of Austin's Median Family Income level (MFI), 56% (19) units will serve households with incomes at or below 60% MFI and 24% (8) units will serve households with incomes at or below 80% 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	Misc. Site Plan Fee	Move House onto Lot
Building Permit	Building Plan Review	Move House onto City Right –
Concrete Permit	Construction Inspection	of-Way Fee
Electrical Permit	Subdivision Plan Review	Land Status Determination
Mechanical Permit	Misc. Subdivision Fee	Board of Adjustment Fee
Plumbing Permit	Zoning Verification	Parkland Dedication (by
Site Plan Review	Demolition Permit Fee	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: Kristin Martinez, AE

Jonathan Orenstein, AWU

Mashell Smith, ORS

## Resident Services

GNDC will offer multiple services to La Vista de Lopez residents. GNDC's office building, La Vista de Guadalupe, is across the street from the site. GNDC offers on-site financial and budgeting classes, and also provides necessary rides and assistance to residents that will all be available to residents at La Vista de Lopez. GNDC expects the seniors and family members from both buildings will engage in community activities on site at La Vista de Lopez.

GNDC will also ensure onsite supportive services to residents at La Vista de Lopez. The supportive services plan includes utilizing a part-time Service Coordinator and offering a menu of support services and healthy aging programs for residents. GNDC's plan will be implemented through contracting with Family Eldercare, a local community-based organization with 20 years' experience providing onsite supportive services in a variety of affordable housing programs in Travis County, Texas. Family Eldercare has developed an Enhanced Service Coordination model that addresses the issues of poverty, social isolation and loneliness, and provides older adults support to find resources to improve their lives.

Residents at La Vista de Lopez will live in a community with full access to services that will meet their specific needs, while encouraging independence, health, and quality of life. The supportive service program will follow Family Eldercare's enhanced service coordination model and will meet the resident's needs as they age in the community. The project will offer different levels of support, depending on the service needs of the household. Services will be offered through a coordinated effort among GNDC property management staff, Family Eldercare on-site service staff, and the residents themselves. All residents will be eligible to receive services, but none are required to participate in the supportive services program. The MOU with Family Eldercare is included in Appendix C

## 5. Property Information

TCAD Appraisal

Property Maps

High Opportunity Census Tracts

Tracts at risk of Displacement or Gentrification

Imagine Austin Centers and Corridors with 0.5 mile buffer

High-Frequency Transit Stops with 0.25 mile walk

Mobility Corridor with 0.5 mile buffer

Healthy Food Access with 1 mile buffer

100 year Flood Plain

Zoning Verification Letter

Proof of Site control

Phase I ESA

SHPO



**INCOME APPROACH FOR PROPERTIES WITH A  
COMMUNITY HOUSING DEVELOPMENT ORGANIZATION DESIGNATION**

**Only those items in the following charts in red should be changed.**

<b>Property Information</b>	
TCAD PID	194712
Property Location	809 E 9TH ST
Current Year TCAD Market Value	\$617,588
Improvements Size SF	1,448
Current Year	2019
Rent Restriction Ends	2114
Rent Restriction Years Remaining (Calculated)	95
<b>Income &amp; Expense Information</b>	
Contract Rent Per Month	\$675
Vacancy and Collection Loss	4.0%
Insurance Per SF	\$1.20
Maintenance Per SF	\$0.63
Management Fee % of EGR	10.00%
NOI and Value Inflation Annually	3.00%
Market NOI With Taxes from Next Page (1)	\$55,583
Contract NOI Without Taxes from Next Page (2)	\$4,349
<b>Real Estate Taxes</b>	
City Tax Rate Per \$100	\$0.4403
County Tax Rate Per \$100	\$0.3542
School Tax Rate Per \$100	\$1.1920
Travis County Healthcare District Per \$100	\$0.1052
ACC Tax Rate Per \$100	\$0.1048
Other Tax Rate Per \$100	\$0.0000
Total Annual Tax Rate Per \$100	\$2.1965
Tax Rate at 50% Exemption	1.0983%
<b>Discounting and Capitalization</b>	
Published Capitalization Rate (12)	9.00%
Annual Discount Rate (13)	9.00%
Loaded Capitalization Rate (14)	10.10%

<b>Valuation</b>			
<b>Calculated Value and Results</b>	<b>NOI Loss Method (D)</b>	<b>Direct Capitalization (E)</b>	
Present Value W/O Taxes (7) (A)	-\$75,115	Contract NOI W/O Taxes (2)	\$4,349
Weighted Average (9)	21.10%	Capitalization Rate (11)	9.00%
Weighted Value (10)	-\$15,849	+ Tax Rate at 50% Exemption	1.0983%
Present Value With Taxes (8) (B)	-\$121,844	= Loaded Capitalization Rate (14)	10.0983%
Weighted Average (9)	78.90%	Direct Capitalization Value	\$43,067
Weighted Value (10)	-\$96,135		
<b>Sum of the Two Weights (D)</b>	<b>-\$111,984</b>		
<b>Weighted PV (11) (C) (D)</b>	<b>-\$111,984</b>		

<b>RECONCILED VALUE (F)</b>	<b>\$43,067</b>
Calculated Discount From Current AV (10)	93.03%

**Description of Terms**

(1) Market NOI includes taxes and it is the current assessed value times the Published Capitalization Rate.

(2) Contract NOI does not include taxes and it is the current contract rent, less vacancy and operating expenses.

(3) Income Loss subtracts the Contract NOI without taxes from the Market NOI which includes taxes.

(4) PV of the NOI Loss is the NOI Loss W/O Taxes times the Present Value factor.

(5) Cumulative PV NOI Loss is the sum of all the PV NOI Losses W/O Taxes.

(6) Market Value is the current assessed value inflated annually at the Inflation Rate.

(7) PV W/O RE Tax is the Market Value minus the Cumulative PV NOI losses without taxes.

(8) PV With RE Tax is the Market Value minus the Cumulative PV NOI Loss with Taxes included.

(9) Weighted Average is the amount to weigh each of the first two value calculations.

(9) Weighted Value is the calculation of the \$ amount of the weight assigned to each method.

(10) Calculated Discount From Current AV is the value reduction from the current assessed value.

(11) The Weighted PV is the value conclusion of the NOI Loss Method shown on the following page.

(12) The Published Capitalization Rate is from TCAD applicable to properties with a Community Housing Development Organization designation. The current published capitalization rate is 8-9%

(13) The Annual Discount Rate is estimated to be same rate as the Published Capitalization Rate.

(14) The Loaded Capitalization Rate is the sum of the Published Capitalization Rate and the Tax Rate at 50% Exemption.

**Calculation Steps**

(A) The program calculates the PV of the property without any real estate taxes.

(B) The program also calculates the PV with real estate taxes using the value from the first set.

(C) The program then calculates the PV using the Weighted Average of the first two calculations.

(D) The NOI Loss Value is when the Sum of the Two Weights and the PV at the Two Weights are very close.

(E) The direct capitalization method is the Contract NOI W/O Taxes capitalized at the Loaded Capitalization Rate.

(F) The reconciled value is the higher of the NOI Loss method and the Direct Capitalization method. The reasoning is that the final reconciled value should not be less than the Direct Capitalization method since that method capitalizes net operating income into perpetuity. In general, when the remaining term of the rent restrictions are less than approximately 17 years, the NOI Loss method will be the higher value and when the remaining term is longer than approximately 17 years the Direct Capitalization will be the higher value. The 17 year breakpoint will vary from property to property depending on the input.



**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 Couty, 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*

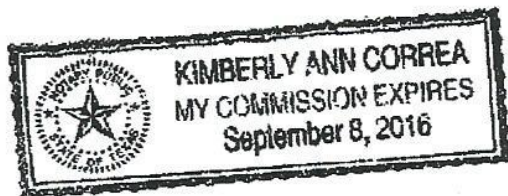
Mary Helen Lopez, GRANTOR

STATE OF TEXAS §

ACKNOWLEDGEMENT

COUNTY OF TRAVIS §

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



*[Signature]*

NOTARY PUBLIC, State of Texas

Printed Name

2



FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

*Dana Debeauvoir*

DANA DEBEAUVOIR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS

June 05 2015 03:19 PM

FEE \$ 30.00 Page 91 of 172 2015088336

# PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

FOR

**LOPEZ PROPERTY  
809 EAST 9<sup>TH</sup> STREET  
AUSTIN, TRAVIS COUNTY, TEXAS 78702**



Prepared for

**U.S. Environmental Protection Agency Region 6**

1201 Elm Street, Suite 500

Dallas, Texas 75270-2102

**EPA Contract No. EP-S5-17-02**

**Technical Direction Document No. 68HE0619F0031/19-283**

**WESTON Work Order No. 20600.012.031.6283**

**NRC No. N/A**

**SEMS ID N/A**

**FPN N/A**

**SSID: 0600**

**EPA TM Althea Foster**

Prepared by



**Weston Solutions, Inc.**

2600 Dallas Parkway, Suite 280

Frisco, Texas 75034

**October 2019**

## EXECUTIVE SUMMARY

The U.S. Environmental Protection Agency (EPA) Region 6, Land, Chemical, and Redevelopment Division tasked Weston Solutions, Inc., the EPA Region 6 Superfund Technical Assessment Response Team (START) contractor, to conduct a Targeted Brownfields Assessment (TBA), Phase I Environmental Site Assessment (ESA) of the Lopez Property, located at 813 East 9<sup>th</sup> Street in Austin, Travis County, Texas. The TBA Phase I ESA was conducted in accordance with *40 Code of Federal Regulations (CFR) Part 312 – Standards and Practices for All Appropriate Inquiries (AAI)*, and American Society for Testing and Materials (ASTM) International – *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E1527-13* (ASTM, 2013). Any exceptions to, or deletions from, this practice are described in Section 5 of this report. The Phase I ESA was prepared in response to a request from Guadalupe Neighborhood Development Corporation (GNDC), the current property owner, and from EPA Region 6 Land, Chemical, and Redevelopment Division.

The Phase I ESA was conducted under Contract No. EP-S5-17-02 and Technical Direction Document (TDD) No. 68HE0619F0031/19-283. On 25 September 2019, START performed the Phase I ESA site visit and met and interviewed Mr. Mark Rogers, Executive Director of the GNDC.

The subject property measures approximately 0.2 acre in size and includes a one-story house built in 1906. The building, a designated City of Austin Historic Landmark, is currently occupied as a residence. No bulk storage of chemical or petroleum products was observed on the subject property. The building was privately owned until it was sold to the GNDC in 2015. Based on a review of the Sanborn maps, the property was undeveloped until the current structure was built in 1906 (EDR, 2019e). Future plans for the property include redevelopment as senior housing. Surrounding properties are a multi-family residential and commercial properties.

### Findings and Opinions

- The subject property is located in an area developed with multi-family residential properties in Austin, Texas.
- The Environmental Data Resources, Inc. (EDR) *The Radius Report* identified the address 809 East 9<sup>th</sup> Street on U.S. Brownfield and Facility Index System/Facility Registry System (FINDS) databases. This is not considered a Recognized Environmental Condition (REC).



- The renovation in 2016 abated the asbestos containing material (ACM) and most of the lead based paint (LBP). LBP did remain on some of the wooden siding that was not replaced but is not considered a potential hazard. A signed affidavit stating that all new construction material was asbestos free is included in Appendix I – Supplemental Information.
- HUD 202 application requires identification of explosion hazards within a 1-mile radius. Based on *The Radius Report*, no potential explosions hazards are identified.

## **Conclusions**

- This assessment has revealed no evidence of RECs in connection with the subject property.

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Appendix E	EDR City Directory Report
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Appendix G	EDR Environmental Lien Search Report
Appendix H	EDR Building Permit and Tax Map Reports
Appendix I	Supplemental Information

**\*Appendices are provided as separate portable document format (PDF) files.**

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## LIST OF FIGURES\*

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Figure 1-1	Property Location Map
Figure 2-1	Property Layout Map
Figure 2-2	Property Vicinity Map

**\*Figures listed are provided as separate PDF files.**

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## LIST OF ACRONYMS

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<	less than
AAI	All Appropriate Inquiries
ACM	asbestos-containing material
ASTM	American Society for Testing and Materials
AUL	activity and use limitations
CFR	Code of Federal Regulations
DOQQ	Digital Orthophoto Quarter Quad
EDR	Environmental Data Resources, Inc.
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
FINDS	Facility Index System
ft	foot or feet
GNDC	Guadalupe Neighborhood Development Corporation
HIST UST	Historical underground storage tank
ID	Identification
LBP	lead-based paint
LPST	leaking petroleum storage tank
LUST	leaking underground storage tank
LSA	Limited Site Assessment
NAIP	National Agriculture Imagery Program
NonGen/NLR	RCRA Non-Generator/No Longer Regulated
NPL	National Priority List
PCB	polychlorinated biphenyl
pCi/L	picoCuries per liter
PHC	Petroleum hydrocarbons
PID	Photoionization Detector
REC	Recognized Environmental Condition
Sq ft	Square Feet
START	Superfund Technical Assessment and Response Team
TBA	Targeted Brownfield Assessment
TCAD	Travis Central Appraisal District

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## **LIST OF ACRONYMS (CONTINUED)**

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TDD	Technical Direction Document
USDA	U.S. Department of Agriculture
USGS	U.S. Geological Survey
UST	underground storage tank
VCP	Voluntary Cleanup Program
VOC	volatile organic compounds



# 1. INTRODUCTION

## 1.1 SCOPE OF WORK AND PURPOSE

The U.S. Environmental Protection Agency (EPA) Region 6, Land, Chemical, and Redevelopment Division tasked Weston Solutions, Inc., the EPA Region 6 Superfund Technical Assessment Response Team (START) contractor, to conduct a Targeted Brownfields Assessment (TBA), Phase I Environmental Site Assessment (ESA) of the Lopez Property, located at 809 East 9<sup>th</sup> Street in Austin, Travis County, Texas, under Contract No. EP-S5-17-02 and Technical Direction Document (TDD) No. 68HE0619F0031/19-283. A Property Location Map is provided as Figure 1-1. The TBA Phase I ESA was conducted in accordance with *40 Code of Federal Regulations (CFR) Part 312 – Standards and Practices for All Appropriate Inquiries (AAI)*, and American Society for Testing and Materials (ASTM) International – *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E1527-13* (ASTM, 2013). Any exceptions to, or deletions from, this practice are described in Section 5 of this report. This Phase I ESA was prepared in response to a request from Guadalupe Neighborhood Development Corporation (GNDC), the current property owner, and EPA Region 6 Land, Chemical, and Redevelopment Division. The purpose of an ESA is to identify Recognized Environmental Conditions (RECs). *ASTM E1527-13* defines RECs as follows:

*[...] the presence or likely presence of any hazardous substances or petroleum products in, on or at a property: (1) due to 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.*

A Phase I ESA consists of four general components: (1) a records review, (2) a site reconnaissance, (3) interviews, and (4) a report. The first three are conducted to identify environmental conditions related to the subject property. This Phase I ESA report provides the results of the first three components and fulfills the fourth.

This assessment report contains the results of reconnaissance of the subject property and surrounding properties (dates provided in each section) and a review of property, government, interviews, and historical records. Information used to complete this ESA was reasonably

ascertainable, and visually and physically observable. This ESA did not include any testing or sampling of materials (e.g., soil, water, sediment, building materials).

## **1.2 SPECIAL TERMS AND CONDITIONS**

This document has been prepared by Weston Solutions, Inc. solely for the use and benefit of EPA Region 6 and the requestor, GDNC, the current property owner. Any use of this document or information herein by persons or entities other than EPA Region 6 will be at the sole risk and liability of said person or entity. It is understood that this document may not include all information pertaining to the described site.

## **1.3 LIMITATIONS AND EXCEPTIONS OF ASSESSMENT**

*ASTM E1527-13* (Section 4.5.1) acknowledges that “No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property.” The ESA “[...] is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and this practice recognizes reasonable limits of time and cost.” Furthermore, the *ASTM E1527-13* (Section 4.5.2) states that “There is a point at which the cost of information obtained or the time required to gather it outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of transactions.”

## **1.4 PERSONNEL PERFORMING ESAS AND QUALIFICATIONS**

This ESA was completed by the following team of START personnel, whose qualifications are provided at the end of the report:

- Mike Grover P.G. – Senior Technical Reviewer and Environmental Professional
- Pamela Marshall – Technical Manager and Environmental Professional
- C. Daniel Tighe, PMP – Site Inspector, Research, and Report Preparer

Mike Grover, P.G. is considered an Environmental Professional as defined by 40 CFR Part 312.10, has undertaken the inquiry as defined in 40 CFR part 312.21(b), and has supervised the others above during the inquiry. The following is the Environmental Professional certification:

*I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 40 CFR Part 312.10 of this part. 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 inquires in conformance with the standards and practices set forth in 40 CFR part 312.*

**Mike Grover, P.G.**

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Certifying Environmental Professional (Print)

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Senior Technical Reviewer

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Title



---

Signature

---

11 October 2019

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Date

## **1.5 USER RESPONSIBILITIES**

Section 6 of *ASTM E1527-13* outlines the following responsibilities of the user of a Phase I ESA to assist in the identification of potential RECs:

- Communication to the environmental professional by the user of information relative to any environmental cleanup liens filed or recorded under federal, tribal, state, or local law of which the user is aware. (Section 6.1 and 6.4) *The user is not aware of environmental liens associated with the subject property. The scope of work included a search for environmental liens, and no environmental liens were identified. Deed information was provided for the subject property in The Environmental Data Resources (EDR) Lien Search Report and is summarized in Section 3.2.9. A copy is provided in Appendix G.*
- Communication to the environmental professional by the user of information relative to any activity and land use limitations (AULs)—such as engineering controls, land use restrictions or deed restrictions—that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state, or local law of which the user is aware. (Section 6.2) *The user is not aware of AULs associated with the subject property. The EDR Lien Search Report (summarized in Section 3.2.9) indicated no AULs were identified for the subject property. A copy is provided in Appendix G.*

- Communication to the environmental professional by the user of any specialized knowledge or experience, or other information that might be material to the identification of RECs. (Section 6.3). *The user indicated that they were a close personal friend of the previous owner and was involved in the repair of the existing house while it was owned by the previous owner. The house suffered a major fire in 2010 and was considered a total loss by the insurance company. After it was acquired by the GNDC in 2015, they oversaw the cleanup and renovation of the property in 2016. To their knowledge the property has always been residential. A Phase I was completed in February 2015, before the renovation in 2016.*
- Communication to the environmental professional by the user if the user believes the purchase price of the property is lower than the fair market due to contamination. (Section 6.5). *The user indicated that it is anticipated that the property will be transferred and that a promissory note reflecting the fair market value will be created. While it is known that the property had lead and asbestos contamination, it is assumed, but not confirmed, that it was remediated.*
- Communication to the environmental professional by the user of any commonly known or reasonably ascertainable information within the local community about the property that is material to the identification of RECs. (Section 6.6). *The user stated that they lived and worked near the property and knew the previous property owner for over 30 years. The home is designated a City of Austin Historic Landmark and has been a private residence since it was constructed in 1906. Assessments completed in 2015 for groundwater, lead, and asbestos determined that soil and groundwater, down to 30 feet below ground surface, were not contaminated. Lead and asbestos testing of the house showed contamination of both; however, asbestos contaminated material was reportedly removed during renovation and almost all of the lead paint was removed, except for some painted areas on the exterior of the structure that were not removed.*
- Communication to the environmental professional by the user of the obviousness of the presence or likely presence or threatened releases at the property of which the user is aware, that might be material to the identification of RECs. (Section 6.7). *The user was not aware of the presence or likely presence or threatened releases at the property.*

## **1.6 DISCLAIMERS**

The Phase I ESA was conducted in accordance with the scope and limitations of the ASTM Standard and subject to the conditions and limitations noted herein. The scope of work was conducted in accordance with the EPA Region 6 Land Division, Brownfield Section – TDD for the *Scope of Work for Performance of Phase I ESAs*. The information from the site reconnaissance



is based on the conditions existing on the date of the visit to the property. The findings and conclusions presented herein are professional opinions based solely on visual observations of the facility and vicinity, and interpretation of information provided or reasonably available. Past conditions were considered on the basis of observations, readily available records, interviews, and recollections.

START does not warrant or guarantee the correctness, completeness, and/or currentness of the information obtained from third parties contained in the environmental record sources and recollections used for this assessment. Such information is the product of independent investigation by other parties and/or information maintained by government agencies.

No samples were collected and no testing was performed during the property visit. It is possible that past contamination remains undiscovered or that property conditions will change in the future. START does not warrant or guarantee the property suitable for any particular purpose or certify the property as “clean.”

Detailed asbestos, indoor air quality, lead-based paint, vapor intrusion, occupational health and safety, radon, and wetland surveys were not requested, nor included, as part of this project.

Information, limitations, and disclaimers provided in this general section apply to all the sections included in the remaining report.

## 2. PROPERTY DESCRIPTION

### 2.1 PROPERTY DESCRIPTION, LOCATION, AND PROPERTY HISTORY

<b>Facility Name</b>	Lopez Property
<b>Address</b>	809 East 9 <sup>th</sup> Street, Austin, Travis County, Texas 78702
<b>Size of property (acres)</b>	0.2 acre
<b>Latitude/Longitude</b>	30.268113° / -97.732835° (EDR, 2019a)
<b>Site and Vicinity General Characteristics</b>	The subject property is located in a developed single-family and multi-family residential area. A Property Layout Map is provided as Figure 2-1. Surrounding properties include: multi-family residential to the north, across East 9 <sup>th</sup> Street, multi-family residential adjacent to the east and south, and an interstate highway adjacent to the west. A Property Vicinity Map is provided as Figure 2-2.
<b>Property Description</b>	The subject property was developed as a single-family residence in 1906 and purchased by GNDC in 2015. The property owner plans to redevelop the property into senior-living housing. Site photographs are provided in Appendix A.
<b>Size of building(s) (sq. ft.)</b>	Approximately 900 square feet
<b>Construction date of building(s)</b>	1906
<b>Renovation dates and description (if applicable)</b>	2016
<b>Building(s) description</b>	Single-family residence.
<b>No. of employees</b>	None currently.
<b>Owned or leased</b>	According to the Travis County Appraisal District, the property has been owned by the GNDC since August 2015.
<b>Current property operations</b>	The property is currently a single-family rental residence (See Figure 2-1, Property Layout Map).
<b>Date current operations commenced at facility</b>	The property has been leased as a residence after the renovation in 2016.
<b>Legal description</b>	E 23FT OF LOT 16 & W 34FT OF LOT 17 OLT 1 DIV B ROBERTSON S & L M SOUTH PART (Travis CAD, 2019)

<b>Summary of current and previous property uses, and dates of operation</b>		
Based on a review of available records including topographic maps, aerial photos, previous reports, Sanborn maps, and city directories, the current and previous uses are as follows:		
<b>Start</b>	<b>End</b>	<b>Description</b>
Prior to 1906		Vacant land.
1906-2010		Private single-family residence.
2010-2016		Burned and vacant.
2016-Present		Single-family rental residence.

## 2.2 SURROUNDING PROPERTIES

Surrounding properties are shown on Figure 2-2. Site photographs are provided in Appendix A. A summary of the surrounding properties, as observed during the 25 September 2019 site reconnaissance, is provided in the table below.

<b>Direction</b>	<b>Description</b>
North	AML I Eastside - Multi-family Residential Property – 1000 San Marcos Street
East & South	Multi-family Residential Property – 800 Embassy Drive
West	Interstate Highway 35/US 290

### 3. RECORDS REVIEW

#### 3.1 PREVIOUSLY PREPARED ENVIRONMENTAL REPORTS

A summary of previously prepared reports is provided below.

Report Title, Prepared For, Prepared By, Date	Description
<p>Comprehensive Asbestos Survey</p> <p>Fercam Group, 303 E. Main St., Humble, TX</p> <p>26 March 2019</p>	<p>The Comprehensive Asbestos Survey was conducted at the Lopez Property at 809 East 9<sup>th</sup> St. The report notes that the building was originally constructed 1906 and burned in 2015. The asbestos survey was conducted after the fire and identified asbestos-containing material (ACM) in the sheetrock and joint compound throughout the building, the linoleum flooring in a backroom closet, and the floor tile under the plywood in the kitchen. Details regarding historical use or environmental concerns associated with the property, including asbestos or asbestos remediation, were not provided in the report; however, it is noted that although it is likely ACM may have been removed during renovations in 2016, confirmation of assessment/removal/abatement of ACM should be completed. A copy of the Asbestos Survey report is included in Appendix I.</p>
<p>Groundwater Investigation Report</p> <p>Intera Incorporated, 1812 Centre Creek Drive, Suite 300, Austin, TX</p> <p>25 November 2015</p>	<p>The Groundwater Investigation Limited Site Assessment (LSA) was conducted at the Lopez Property at 809 East 9<sup>th</sup> St. for the City of Austin Brownfields Program. The LSA was intended to investigate (1) the potential for affected groundwater at the site due to off-site sources and (2) the potential for vapor intrusion if affected groundwater is present. Groundwater was not encountered in a 30-foot borehole, and field screening of the soil core during drilling did not indicate the presence of total volatile organics nor were visual impacts observed. Additionally, there was no indication of soil impacts either through visual observations or Photoionization Detector (PID) readings. A copy of the LSA is included in Appendix I.</p>
<p>Comprehensive Building Material Survey for Lead-Based Paint</p>	<p>The Comprehensive Building Material Survey for Lead-Based Paint (LBP) was conducted at the Lopez Property at 809 East 9<sup>th</sup> St. The report notes that the building was originally constructed 1906 and burned in 2015. LBP was identified throughout both the interior and exterior surfaces. According to Mark Rogers, Executive Director of GNDC, all of the LBP was abated except for several areas of exterior wood siding that was not affected by the fire; however, it is noted that although it is likely</p>



<b>Report Title, Prepared For, Prepared By, Date</b>	<b>Description</b>
Fercam Group, 303 E. Main St., Humble, TX  26 February 2019	LBP may have been removed during renovations in 2016, confirmation of assessment/removal/abatement of ACM should be completed. A copy of the Survey is included in Appendix I.
Phase I Environmental Site Assessment  Cook-Joyce, Inc., 812 West 11 <sup>th</sup> St., Austin, TX & Intera Incorporated, 1812 Centre Creek Drive, Suite 300, Austin, TX  19 March 2015	The Phase I ESA was conducted at the Lopez Property at 809 East 9 <sup>th</sup> Street for the City of Austin-Austin Resource Recovery in 2015. Two RECs were identified 1) The presence of ACM and LBP and, 2) The potential for vapor intrusion from groundwater beneath the subject property. A copy of the report is included in Appendix I.
Asbestos Prohibition Affidavit  Art Ramirez, Owner, A Vision Construction. State of Texas, County of Travis	Notarized affidavit stating that all new construction materials used during the 2016 renovations did not contain ACM. A copy of the Affidavit is included in Appendix I.

### 3.2 STANDARD ENVIRONMENTAL RECORD SOURCES

For the subject property, the following reports were provided by EDR for information:

- *The EDR Radius Map™ Report with GeoCheck® (The Radius Report)* – An electronic search of the standard environmental record sources. This report contains certain information obtained from a variety of public and other sources reasonable available to EDR. The Orphan Summary contains those sites that could not be mapped due to insufficient addresses. The *GeoCheck* portion of *The Radius Report* provides general soil,

groundwater, and geology information for the subject property and surrounding properties. A copy of the report is provided as Appendix B.

- *The EDR Aerial Photo Decade Package* – Aerial photographs for the following years 1940, 1951, 1966, 1973, 1981, 1988, 1995, 2005, 2008, 2012, and 2016 are provided for the subject property and are included in Appendix C.
- *EDR Historical Topographic Map Report* – Topographic maps for the years 1896, 1897, 1910, 1954, 1955, 1958, 1959, 1966, 1973, 1988, and 2013 are provided for the subject property and are included in Appendix D.
- *The EDR-City Directory Image Report* – The report is generally a summary of information from city directories reviewed at approximately 5-year intervals. A copy of the city directory report is provided as Appendix E.
- *Certified Sanborn<sup>®</sup> Map Report* – Sanborn maps for the years 1900, 1935, 1961, 1962, and 1971 were available for the subject property and are included as Appendix F.
- *1940 Chain of Title* – Conducting a chain of ownership was not included in the scope of work for this ESA, and no chain of title information was provided for review.
- *The EDR Environmental LienSearch<sup>™</sup> Report* – As part of the records search, EDR provides a search for environmental liens (EDR, 2019f). A copy of the lien search report is provided as Appendix G.
- *The EDR Property Tax Map Report* – As part of the records search, EDR provides a search for property taxes. A copy of the coverage report is provided in Appendix H.
- *EDR Building Permit Report* – As part of the records search, EDR provides a search for building permits (EDR, 2019h). A copy of the building permit report is provided in Appendix H.

Supplemental Information used in this report is included in Appendix I.

### **3.2.1 The Radius Report**

*The Radius Report* identified the address 809 East 9<sup>th</sup> Street on the following environmental databases:

- US Brownfields
- Facility Index System/Facility Registry System (FINDS)

*The Radius Report* identified the following sites near the subject property:

- One Federal CERCLIS NFRAP site within a 1/2-mile radius.

- Fourteen leaking petroleum storage tank (LPST) sites within a 1/4-mile radius.
- Sixteen underground storage tank (UST) sites within a 1/4-mile radius.
- One AUL site within a 1/2-mile radius.
- Three voluntary cleanup program (VCP) sites within a 1/2-mile radius.
- One State and Tribal Brownfields site within a 1/2-mile radius.
- Twenty-four US Brownfields sites within 1/2-mile radius.
- Fourteen historical underground storage tank (HIST UST) sites within 1/4-mile radius.
- Five RCRA Non-Generator/No Longer Regulated (NonGen/NLR) sites within a 1/4-mile radius.
- Six Industrial Hazardous Sites within 1/4-mile radius.
- Six EDR Historical Auto sites within a 1/8-mile radius.
- One EDR Historical Cleaner site within a 1/8-mile radius

Multiple sites were identified in *The Radius Report* within the search distances specified in the ASTM standard. Provided below are details for the nearby sites located within 1,000 feet for sites with potential releases of volatile organic compounds (VOCs) and within 500 feet for sites with potential petroleum hydrocarbons (PHC). The subject property is located on a topographic high relative to most of the surrounding properties. Based on the topographic gradient or distance from the subject property or the closure status of the sites listed in *The Radius Report*, many not have the potential for impact to the subject property. *The Radius Report* identifies the topographic elevation of the subject property at 537 feet above mean sea level. The sites listed below are identified at either a higher or lower topographic elevation of the subject property. According to information provided in *The Radius Report*, the groundwater gradient flow is to the southwest. The groundwater gradient is based on surface topography. No site-specific information regarding groundwater flow was available in documents reviewed for this report. A figure showing the locations of the sites is provided in Appendix B.

**Interagency Agreement  
Between  
Guadalupe Neighborhood Development Corporation and Family Eldercare, Inc.**

**I. Purpose:**

The Guadalupe Neighborhood Development Corporation (The Owner) is pursuing Capital Advance funds and Operating Subsidies associated with a HUD 202 Project. Dependent on whether such funds are granted, a certain portion will be provided to Family Eldercare (The Agency) to implement the supportive services at the project as described in the application. This Interagency Agreement serves to clarify the roles and responsibilities of both parties and confirm the establishment of this partnership to provide supportive services at the project.

The Owner is committed to providing onsite supportive services. The supportive services plan includes utilizing a part time Service Coordinator and offering a menu of support services and healthy aging programs for residents. The plan will be implemented through contracting with The Agency, which has developed an Enhanced Service Coordination model that addresses the issues of poverty, social isolation and loneliness, and provides older adults support to find resources which improve their lives.

The Agency employs individuals who are qualified to perform the functions of a Resident Service Coordinator. The Owner has chosen the Agency and the Agency has agreed to provide one or more employees to perform the Resident Service Coordinator functions for the Owner.

The Agency will also provide a qualified supervisor to provide monitoring and oversight of the Resident Service Coordinator(s) (“Quality Assurance”).

The Owner and the Agency desire to set forth the terms and conditions pursuant to which (a) the Agency will provide one or more employees to perform the functions of a Resident Service Coordinator and related services for the Owner and (b) the Agency will provide Quality Assurance for the Owner.

**II. Mutual Agreements:**

1. Each party agrees to a \$10,000 supportive services budget to support activities outlined in the proposal.
2. Each party agrees to participate in regular meetings to plan and coordinate supportive services under the project.
3. Each party shall secure the confidentiality of records and agree and acknowledge that all information provided to them by the other party is confidential by law and will only be used for the purposes set forth in the agreement.



4. Each party agrees to continuously improve the procedures and to work out the logistics of the program in order to ensure success of the program as described in this agreement and the 2019 HUD 202 proposal.
5. Each party will cooperate to develop methods for information sharing, evaluation, performance measurements and tracking, client follow-up and client satisfaction.
6. Each party will cooperate to develop process for payment schedule, invoicing, and reports documenting the service provided, evaluation conducted and the results of the evaluation.
7. Each party shall cooperate with monitoring and/or conducting audits or other reporting requirements established by project funders.
8. This Agreement shall commence within 3 months of notification of the Owner that the project is complete and in lease-up phase. The term shall continue in effect for a period of one year. Not later than Thirty (30) days prior to the end of the Term, the parties shall confer to determine whether they wish to enter into another one-year agreement. In the event that the parties are unable to agree in writing to extend this Agreement before the end of such one year period, this Agreement shall terminate.
9. In consideration of the Agency performing the Services, the Owner shall pay the Agency a monthly fee in accordance to the \$10,000 annual budget. This fee will provide for the cost of the Resident Service Coordinator, Supervision and Quality Assurance, database license, mileage, and Staff Development and Training time.

### **III. Additional Agreements:**

#### **A. The Owner:**

- 1) The Owner will provide, for the Resident Service Coordinator(s), a private office on site with appropriate office furniture (including a file cabinet that can be locked), a computer with internet capabilities, a phone and necessary office supplies, and program supplies. Otherwise, the Agency shall supply the necessary space, equipment, tools, supplies and other items necessary to perform the Services under the Agreement.
- 2) The Owner shall designate an employee as a main point of contact for the Agency. The Owner acknowledges that the supportive services program contract does not include property management functions.

#### **B. The Agency:**

- 1) The Agency shall be an independent contractor. The Agency's employees will receive instruction on the object(s) and goal(s) for which they are responsible, but will exercise their own discretion and professional judgment to attain those goals. The SC provided by the Agency to the Owner to perform services will be employees of the Agency and will at all times be subject to the direct supervision and control of the Agency, provided that the SC shall

observe the working rules and security regulations of the Owner and shall not perform his or her duties in a manner that unreasonably interferes with the Owner's business and operations.

- 2) The Agency agrees to conduct extensive investigations of the SC. Such investigation shall include, but shall not be limited to, the following (a) confirmation of personal data, education, and employment history; (b) checks on general reputation and character; (c) appraisal of ability to do the job based on past performance; (d) review of criminal history through Texas Department of Public Safety Secure site and sex offender registry check; and (e) determination of any existing or potential conflict of interest situations.
- 3) The Agency shall designate a quality assurance specialist.

IN WITNESS WHEREOFF, the parties have caused this Agreement to be executed by their duly authorized representatives on the date signed to be in effect until through the HUD 202 project approval and development. This Agreement will be replaced by a signed contract for supportive services once project completion and lease up has occurred.

Guadalupe Neighborhood Development Corp:

Family Eldercare, Inc.

\_\_\_\_\_  
Signature  
Title: CEO

\_\_\_\_\_  
Signature  
Title: CEO

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Date Signed





Montemayor Britton Bender PC  
CERTIFIED PUBLIC ACCOUNTANTS

Board of Directors and Management  
Guadalupe Neighborhood Development Corporation

COMMUNICATIONS WITH THOSE CHARGED WITH GOVERNANCE

We have audited the consolidated financial statements of Guadalupe Neighborhood Development Corporation (GNDC) for the year ended 31 December 2019, and have issued our report thereon dated 1 May 2020. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of the Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), as well as certain information related to the planned scope and timing of our audit. We have communicated information related to the planned scope and timing of our audit in our engagement letter to you dated 18 January 2019. Professional standards also require that we communicate to you the following information related to our audit.

Our Responsibility under U.S. Generally Accepted Auditing Standards and Uniform Guidance

As stated in our engagement letter, our responsibility, as described by professional standards, is to express an opinion about whether the consolidated financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles, *Government Auditing Standards* and Uniform Guidance. Our audit of the consolidated financial statements does not relieve you or management of your responsibilities.

Because an audit is designed to provide reasonable, but not absolute, assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Accounting Policies

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by GNDC are described in Note 2 to the consolidated financial statements. As described in Note 20, GNDC changed accounting policies related to whether a contribution is conditional

2525 WALLINGWOOD DRIVE  
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by implementing the Financial Accounting Standards Board (FASB) Accounting Standards Update (ASU) 2018-08, Not-For-Profit Entities (Topic 958) - *Clarifying the Scope and the Accounting Guidance for Contributions Received and Contributions Made* in 2019. Accordingly the accounting change has been prospectively applied for current and future periods. GNDC changed accounting policies related to revenue recognition by implementing the FASB ASU 2014-09 *Revenue from Contracts with Customers* in 2019. The accounting change has been retrospectively applied to prior periods presented as if the policy had always been used. We noted no transactions entered into by GNDC during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the consolidated financial statements in the proper period.

#### Accounting Estimates

Accounting estimates are an integral part of the consolidated financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the consolidated financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the consolidated financial statements were:

1. Management's estimate of the functional allocation of expenses is based on estimated time personnel spend on each functional area, and general knowledge of the expense accounts. We evaluated the key factors and assumptions used to develop the allocation of functional expenses in determining that they are reasonable in relation to the consolidated financial statements taken as a whole.
2. Management's estimate of useful lives of rental real estate is based on historical and practical expectations of the service lives of the particular asset classes. We evaluated the key factors and assumptions used to develop the estimate in determining that it is reasonable in relation to the consolidated financial statements taken as a whole.
3. Management's estimate of the discount rate used to value a non-interest bearing loan, and to calculate the related amortization expense of the discount is based on comparable market rates for long-term notes payable. We evaluated the key factors and assumptions used to develop the estimated discount rate in determining that it is reasonable in relation to the consolidated financial statements taken as a whole.

#### Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

#### Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. The





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attached schedule summarizes uncorrected misstatements of the consolidated financial statements. Management has determined that their effects are immaterial, both individually and in the aggregate, to the consolidated financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the consolidated financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated 1 May 2020.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to GNDC's consolidated financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other

With respect to the supplementary information accompanying the consolidated financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with U.S. generally accepted accounting principles, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the consolidated financial statements or to the financial statements themselves.

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as GNDC's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of the Board of Directors and Management of GNDC and is not intended to be and should not be used by anyone other than these specified parties.

Montemagn Britton Bender PC

1 May 2020  
Austin, Texas



**GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION**

**UNCORRECTED MISSTATEMENTS**

31 DECEMBER 2019

<u>Account</u>	<u>Debit</u>	<u>Credit</u>
Beginning net assets	50,660	
Unamortized premium		46,608
Interest revenue		4,052
Legal expense	17,500	
Contributions		17,500
Loss on note receivable	50,316	
Discount on note receivable		50,316
Discount on note receivable	10,374	
Interest revenue		5,187
Beginning net assets		5,187
Fixed assets	6,173	
Miscellaneous expense	1,800	
Property taxes	9,846	
Accounts payable		17,819
Jeremiah project advance	20,000	
Miscellaneous revenue		20,000