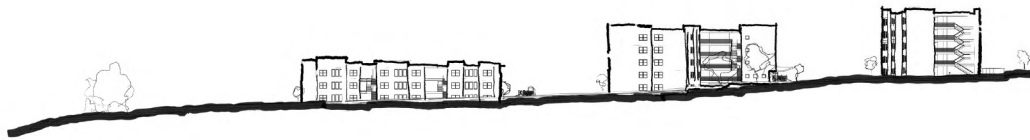


Juniper Creek

By Foundation Communities

2023 RHDA Application





- 01 - COMMUNITY TERRACE AND COVERED PORCH
- 02 - COMMUNITY DECK
- 03 - PICNIC TABLE AND BBQ
- 04 - PLAYGROUND
- 05 - CONNECTION TO LAUREL CREEK
- 06 - OUTDOOR FITNESS AREA
- 07 - COMMUNITY GARDEN
- 08 - DOG PARK

Executive Summary

Foundation Communities is an Austin nonprofit, developing affordable housing in our community for over 30 years, serving over 7,000 residents across 23 communities in Austin and three in North Texas, with seven more in construction and predevelopment. We provide beautifully designed, energy efficient homes and free on-site services for thousands of Austin families with kids, as well as veterans, seniors, and people with disabilities.

After receiving an award of \$3.3 million in 2022 for Juniper Creek, FC is submitting this second application for an additional \$3.3 million to support higher than anticipated construction costs and to fill a funding gap left by unavailable NHTF funds.

Even with what we thought at the time were conservative schematic construction cost assumptions in our February 2022 RDHA application, construction costs have continued to climb and the November 2022 preliminary contractor pricing added \$4.5 million, a 17% increase, to the budget.

Additionally, in early 2022 we still expected that Juniper Creek would be competitive for TDHCA's NHTF funds, based on our recent tract record. However, the 2023 TDHCA NOFA for NHTF funds prioritized a long list of 2022 projects that are struggling with construction costs increases. We hope that Juniper Creek will be eligible for the next NOFA, but given the number of previously-funded TDHCA projects that are now struggling with cost increases and funding gaps, NHTF funds are more competitive and less reliable than a year ago.

Juniper Creek already has a bond allocation, and anticipates having site and building permits in hand by May 2023. It is ready to go, but for this new budget gap. If this additional \$3.3 million in RHDA funding is awarded for Juniper, construction will start in the summer of 2023 and completed in late 2024. This request for additional RHDA funds provides the critical funding gap needed to make this 'ready to go' project financially feasible.

Juniper Creek is a unique opportunity for FC to build an additional 110 units in a transit-connected area of North Austin, adjacent to our newly opened Laurel Creek. With 110 affordable homes, a shared Learning Center and a host of other amenities and services, and on-site case management, this new community is envisioned to achieve the following goals:

- **Leveraging Multiple Funding Sources** - Juniper has been awarded \$6.5 million in ARPA funds, nearly \$3.5M in private funding, \$750K from FHLB Dallas, and has a 2023 bond allocation from TSAHC and is preparing to submit for reservation and 4% credits by the end of January 2023.

- **Deep Income Targeting** - 20% of units are reserved for households with incomes at or below 30% MFI, 40% for households at or below 50% MFI, and the remaining 40% for households at or below 60% MFI.
- **Family Friendly with a preference for Homeless Families** - 76% of homes will offer two or three bedrooms to accommodate larger families. 20% of units will prioritize homeless families making less than 30% of MFI and will receive supportive services through FC's Children's Home Initiative Program.
- **Long-Term Affordability and Non-profit ownership** - 100% of the units will be affordable to households at or below 60% AMI and will remain affordable even after the 40-year rent restriction expires. FC will remain the lifetime owner, manager, and service provider of the homes and Learning Center.
- **High Impact Community Services:** Residents will benefit from the shared Open Door Preschool and Learning Center at its sister site Laurel Creek next door. Related high impact community services, including on-site case management and a food pantry and after school program offered next door, will be available to meet the needs of our residents.
- **Green Building and Amenity-rich Green Space** - We will design and build the community to Austin Energy Green Building standards and are committed to the preservation of trees and green space and will design several kid- and pedestrian-friendly amenities for outdoor play.

Application

Juniper Creek

APPLICATION CHECKLIST/ INFORMATION FORM

DEVELOPER : Foundation Communities	OWNER/BORROWER NAME : FC Juniper Creek Housing, LP
DEVELOPMENT NAME : Juniper Creek	FUNDING CYCLE DEADLINE : February 3, 2023
FEDERAL TAX ID NO: 74-2563260	DUNS NO: 55-635-2268
PROJECT ADDRESS: 11630 N Lamar, Austin, TX 78758	PROGRAM : RHDA
CONTACT NAME : Sabrina Butler	AMOUNT REQUESTED: \$3,300,000
CONTACT ADDRESS AND PHONE : 3000 South Interstate 35 FR, Suite 300, Austin, TX 78704 510-452-7602	

APPLICATION TABS		INITIALS
A 1	EXECUTIVE SUMMARY/PROJECT PROPOSAL	SB
A 2	PROJECT SUMMARY FORM	SB
A 3	PROJECT TIMELINE	SB
A 4	DEVELOPMENT BUDGET	SB
A 5	OPERATING PRO FORMA	SB
A 6	SCORING SHEET	SB

ATTACHMENT TABS				INITIALS
1	ENTITY INFORMATION	1.a.	Detailed listing of developer's experience	SB
		1.b.	Certificate of Status	SB
		1.c.	Statement of Confidence	N/A
2	PRINCIPALS INFORMATION	2.a.	Resumes of principals	SB
		2.b.	Resumes of development team	SB
		2.c.	Resumes of property management team	SB
3	FINANCIAL INFORMATION	3.a.	Federal IRS Certification	SB
		3.b.	Certified Financial Audit	SB
		3.c.	Board Resolution	SB
		3.d.	Financial Statements	SB
		3.e.	Funding commitment letters	SB
4	PROJECT INFORMATION	4.a.	Market Study	SB
		4.b.	Good Neighbor Policy	SB
		4.c.	SMART Housing Letter	SB
		4.d.	MOU with ECHO	N/A
		4.e.	Resident Services	SB
5	PROPERTY INFORMATION	5.a.	Appraisal	SB
		5.b.	Property Maps	SB
		5.c.	Zoning Verification Letter	SB
		5.d.	Proof of Site control	SB
		5.e.	Phase I ESA	SB
		5.f.	SHPQ	SB

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

Sabrina Butler

PRINTED NAME

Sabrina Butler

TITLE OF APPLICANT

Director of Real Estate Development

DATE AND TIME STAMP OF RECEIPT

DATE OF SUBMISSION

1/24/2023

FOR AHFC USE ONLY

Project Summary Form

1) Project Name Juniper Creek	2) Project Type 100% Affordable	3) New Construction or Rehabilitation New Construction
4) Address(s) or Location Description New Construction		5) Mobility Bond Corridor North Lamar Blvd
6) Census Tract 18.45	7) Council District District 7	8) Elementary School RIVER OAKS EL
9) Affordability Period 40 years		
10) Type of Structure Multi-family	11) Occupied? No	12) How will funds be used? Pre-development

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		4	11	7		22
Up to 40% MFI						0
Up to 50% MFI		11	21	12		44
Up to 60% MFI		11	21	12		44
Up to 80% MFI						0
Up to 120% MFI						0
No Restrictions						0
Total Units	0	26	53	31	0	110

14) Summary of Units for Sale at MFI Level

Income Level	Efficiency	One	Two	Three	Four (+)	Total
Up to 60% MFI			1			1
Up to 80% MFI			1			1
Up to 120% MFI						0
No Restrictions						0
Total Units	0	0	2	0	0	2

15) Initiatives and Priorities (of the Affordable Units)

Initiative	# of Units	Initiative	# of Units
Accessible Units for Mobility Impairments	11	Continuum of Care Units	0
Accessible Units for Sensory Impairments	3		

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

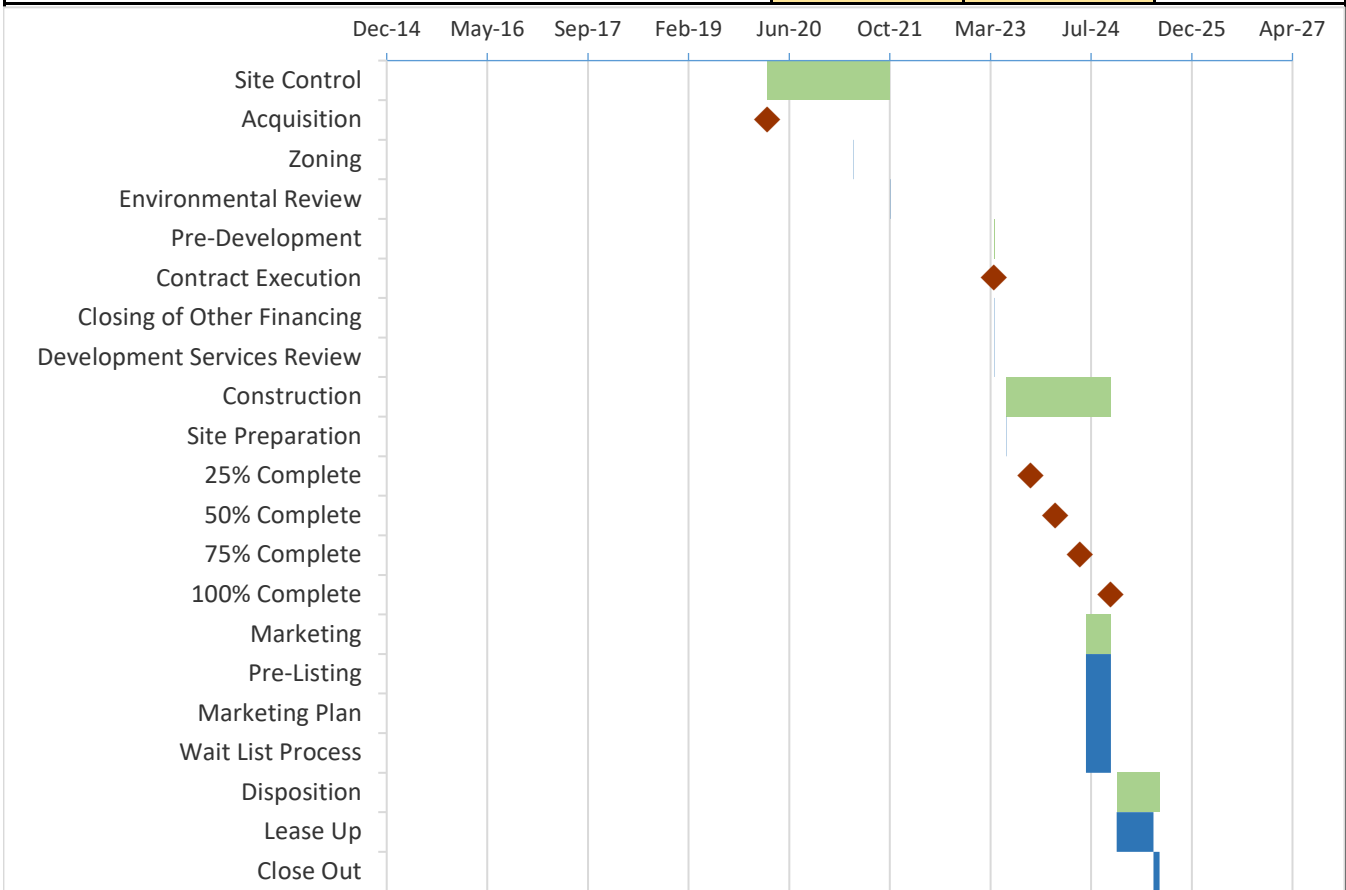
- 16) Is the property within 1/2 mile of an Imagine Austin Center or Corridor? Yes
- 17) Is the property within 1/4 mile of a High-Frequency Transit Stop? Yes
- 18) Is the property within 3/4 mile of Transit Service? Yes
- 19) The property has Healthy Food Access? Yes

20) Estimated Sources and Uses of funds

<u>Sources</u>		<u>Uses</u>	
Debt	10,519,132	Acquisition	2,862,531
Equity	14,932,029	Off-Site	-
Grant		Site Work	4,141,994
Other	10,750,000	Sit Amenities	459,928
Deferred Developer Fee (not applicable for OHDA)	1,978,996	Building Costs	25,845,384
Previous AHFC Funding	3,300,000	Contractor Fees	1,129,269
Current AHFC Request	3,300,000	Soft Costs	1,952,959
		Financing	3,088,092
		Developer Fees	5,300,000
Total \$	44,780,157	Total \$	44,780,157

Development Schedule

	Start Date	End Date
Site Control	Mar-20	Nov-21
Acquisition	Mar-20	
Zoning	May-21	May-21
Environmental Review	Nov-21	Nov-21
Pre-Development	Apr-23	Apr-23
Contract Execution	Apr-23	
Closing of Other Financing	Apr-23	Apr-23
Development Services Review	Apr-23	Apr-23
Construction	Jun-23	Nov-24
Site Preparation	Jun-23	Jun-23
25% Complete	Oct-23	
50% Complete	Feb-24	
75% Complete	Jun-24	
100% Complete	Nov-24	
Marketing	Jul-24	Nov-24
Pre-Listing	Jul-24	Nov-24
Marketing Plan	Jul-24	Nov-24
Wait List Process	Jul-24	Nov-24
Disposition	Dec-24	Jul-25
Lease Up	Dec-24	Jun-25
Close Out	Jun-25	Jul-25



Development Budget

	Total Project Cost	Requested AHFC Funds	Description
Pre-Development			
Appraisal	16,000		
Environmental Review	2,600		
Engineering	7,500		
Survey	16,500		
Architectural	787,575	500,000	
Subtotal Pre-Development Cost	\$830,175	\$500,000	
Acquisition			
Site and/or Land	2,750,000		land purchased in 2020
Structures			
Other (specify)	112,531		
Subtotal Acquisition Cost	\$2,862,531	\$0	
Construction			
Infrastructure			construction costs based on 100% DD drawings
Site Work	4,141,994	4,141,994	site concrete/ site work/ site amenities
Demolition			
Concrete	1,135,546	1,135,546	
Masonry	816,794	816,794	masonry/ steel
Rough Carpentry	6,050,067	5,666	
Finish Carpentry	943,117		
Waterproofing and Insulation	807,451		
Roofing and Sheet Metal	654,483		
Plumbing/Hot Water	2,022,270		
HVAC/Mechanical	2,183,032		
Electrical	1,885,662		
Doors/Windows/Glass	1,007,300		
Lath and Plaster/Drywall and Acoustical	1,493,558		
Tiel Work	408,029		
Soft and Hard Floor	231,529		
Paint/Decorating/Blinds/Shades	609,697		
Specialties/Special Equipment	1,246,042		
Cabinetry/Appliances	288,450		
Carpet			
Other (specify)	4,147,908		Contractor fee, general requirements, overhead, insurance
Construction Contingency	1,053,646		
Subtotal Construction Cost	\$31,126,575	\$6,100,000	
Soft & Carrying Costs			
Legal	50,000		
Audit/Accounting	14,000		
Title/Recordin	1,520,592		title/recording/loan fees/bond fees
Architectural (Inspections)	17,500		
Construction Interest	1,550,000		
Construction Period Insurance	115,000		
Construction Period Taxes	50,000		
Relocation	18,000		
Marketing			
Davis-Bacon Monitoring			
Developer Fee	5,300,000		developer fee is 15% of eligible basis
Other (specify)	1,325,784		reserves/ consultants/ FFE/ owner work/ city fees
Subtotal Soft & Carrying Costs	\$9,960,876	\$0	
TOTAL PROJECT BUDGET	\$44,780,157	\$6,600,000	

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	\$1,551,756	\$1,582,791	\$1,614,447	\$1,646,736	\$1,679,671	\$1,854,492	\$2,047,509
Secondary Income	\$23,817	\$24,293	\$24,779	\$25,275	\$25,780	\$28,464	\$31,426
POTENTIAL GROSS ANNUAL INCOME	\$1,575,573	\$1,607,084	\$1,639,226	\$1,672,011	\$1,705,451	\$1,882,956	\$2,078,935
Provision for Vacancy & Collection Loss	-\$108,623	-\$110,795	-\$113,011	-\$115,272	-\$117,577	-\$129,815	-\$143,326
Rental Concessions	\$0	\$0	\$0	\$0	\$0	\$0	\$0
EFFECTIVE GROSS ANNUAL INCOME	\$1,466,950	\$1,496,289	\$1,526,215	\$1,556,739	\$1,587,874	\$1,753,141	\$1,935,609
EXPENSES							
General & Administrative Expenses	\$98,359	\$101,310	\$104,349	\$107,480	\$110,704	\$128,336	\$148,777
Management Fee	\$71,679	\$73,829	\$76,044	\$78,326	\$80,675	\$93,525	\$108,421
Payroll, Payroll Tax & Employee Benefits	\$234,480	\$241,514	\$248,760	\$256,223	\$263,909	\$305,943	\$354,672
Repairs & Maintenance	\$149,843	\$154,338	\$158,968	\$163,737	\$168,650	\$195,511	\$226,651
Electric & Gas Utilities	\$12,014	\$12,374	\$12,746	\$13,128	\$13,522	\$15,676	\$18,172
Water, Sewer & Trash Utilities	\$57,061	\$58,773	\$60,536	\$62,352	\$64,223	\$74,452	\$86,310
Annual Property Insurance Premiums	\$39,450	\$40,634	\$41,853	\$43,108	\$44,401	\$51,473	\$59,672
Property Tax	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve for Replacements	\$27,500	\$28,325	\$29,175	\$30,050	\$30,951	\$35,881	\$41,596
Other Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL ANNUAL EXPENSES	\$690,386	\$711,098	\$732,431	\$754,403	\$777,036	\$900,797	\$1,044,271
NET OPERATING INCOME	\$776,564	\$785,191	\$793,784	\$802,336	\$810,838	\$852,344	\$891,339
DEBT SERVICE							
First Deed of Trust Annual Loan Payment	\$675,273	\$675,273	\$675,273	\$675,273	\$675,273	\$675,273	\$675,273
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	\$101,291	\$109,918	\$118,511	\$127,063	\$135,565	\$177,071	\$216,066
CUMULATIVE NET CASH FLOW	\$101,291	\$211,209	\$329,721	\$456,783	\$592,349	\$1,373,939	\$2,356,781
Debt Coverage Ratio	1.15	1.16	1.18	1.19	1.20	1.26	1.32

Project Name	Juniper Creek	
Project Type	100% Affordable	
Council District	District 7	
Census Tract	18.45	
Prior AHFC Funding	\$3,300,000	
Current AHFC Funding Request Amount	\$3,300,000	
Estimated Total Project Cost	\$44,780,157	
High Opportunity	Yes	
High Displacement Risk	NO	
High Frequency Transit	Yes	
Imagine Austin	Yes	
Mobility Bond Corridor	North Lamar Blvd	
SCORING ELEMENTS		Description
UNITS		
< 20% MFI	0	# of rental units at < 20% MFI
< 30% MFI	22	# of rental units at < 30% MFI
District Goal	11%	% of City's affordable housing goal
High Opportunity	15%	% of City's affordable housing goal for high opportunity areas
Displacement Risk	0%	% of City's affordable housing goal to reduce displacement
High Frequency Transit	15%	% of City's affordable housing goal near high frequency transit
Imagine Austin	15%	% of City's affordable housing goal in imagine austin corridors
Geographic Dispersion	9%	% of City's affordable housing goal to increase geographic dispersion
Mobility Bond Corridor	8%	% of City's affordable housing goal within mobility bond corridors
SCORE	8	% of annual goal * units * 50%, max of 75
< 40% MFI	0	# of rental units at < 40% MFI
< 50% MFI	44	# of rental units at < 50% MFI
District Goal	11%	% of City's affordable housing goal
High Opportunity	15%	% of City's affordable housing goal for high opportunity areas
Displacement Risk	0%	% of City's affordable housing goal to reduce displacement
High Frequency Transit	15%	% of City's affordable housing goal near high frequency transit
Imagine Austin	15%	% of City's affordable housing goal in imagine austin corridors
Geographic Dispersion	9%	% of City's affordable housing goal to increase geographic dispersion
Mobility Bond Corridor	8%	% of City's affordable housing goal within mobility bond corridors
SCORE	8	% of annual goal * units * 25%, max of 75
< 60% MFI	1	# of units for purchase at < 60% MFI
District Goal	11%	% of City's affordable housing goal
High Opportunity	15%	% of City's affordable housing goal for high opportunity areas
Displacement Risk	0%	% of City's affordable housing goal to reduce displacement
High Frequency Transit	15%	% of City's affordable housing goal near high frequency transit
Imagine Austin	15%	% of City's affordable housing goal in imagine austin corridors
Geographic Dispersion	9%	% of City's affordable housing goal to increase geographic dispersion
Mobility Bond Corridor	8%	% of City's affordable housing goal within mobility bond corridors
SCORE	0	% of annual goal * units * 50%, max of 75
< 80% MFI	1	# of units for purchase at < 80% MFI
District Goal	11%	% of City's affordable housing goal
High Opportunity	15%	% of City's affordable housing goal for high opportunity areas
Displacement Risk	0%	% of City's affordable housing goal to reduce displacement
High Frequency Transit	15%	% of City's affordable housing goal near high frequency transit
Imagine Austin	15%	% of City's affordable housing goal in imagine austin corridors
Geographic Dispersion	9%	% of City's affordable housing goal to increase geographic dispersion
Mobility Bond Corridor	8%	% of City's affordable housing goal within mobility bond corridors
SCORE	0	% of annual goal * units * 25%, max of 75
Unit Score	16	MAXIMUM SCORE = 300
INITIATIVES AND PRIORITIES		
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	34	Total Affordable 2 Bedroom units
3 Bedroom Units	19	Total Affordable 3 Bedroom units
4 Bedroom Units	0	Total Affordable 4+ Bedroom units
Multi-Generational Housing Score	16	Multi-bedroom Unit/Total Units * 20
TEA Grade	84	Elementary School Rating from TEA
Multi-Generational Housing Weighted Score	8	Educational Attainment, Environment, Community Institutions, Social Cohesion,
Accessible Units	14	mobility and sensory units
Non-PSH, Non-Voucher Under 20% MFI	0	Total units under 20% MFI
Accessibility Score	4	Accessible Unit/Total Units * 20
Metro Access Service	Yes	Within 3/4 mile of fixed route transit
Accessibility Weighted Score	2	Housing Stability, Health, Mobility, Community Institutions
Initiatives and Priorities Score	30	MAXIMUM SCORE = 200
UNDERWRITING		
AHFC Leverage	24%	% of total project cost funded through AHFC request
Leverage Score	18	3 points per 5% reduction in leverage below 50% (max 30)
AHFC Per Unit Subsidy (including prior amounts)	\$97,059	Amount of assistance per unit
Subsidy per unit score	13	(\$200,000 - per unit subsidy)*25/\$200,000
AHFC Per Bedroom Subsidy	\$47,143	Amount of assistance per bedroom
Subsidy per Bedroom Score	19	(\$200,000 - per bedroom subsidy)*25/\$200,000
Debt Coverage Ratio (Year 5)	1.20	Measured at the 5 Year mark
Debt Coverage Ratio Score	20.07563338	Minimum = 1.0; Maximum = 1.5; 1.25 = best score
Underwriting Score	70	MAXIMUM SCORE = 100
APPLICANT		
FINAL QUANTITATIVE SCORE	116	THRESHOLD SCORE = 50
Previous Developments		
Compliance Score		
Proposal		
Supportive Services		
Development Team		
Management Team		
Notes		

Attachments

Juniper Creek

1a. Applicant Entity Introduction

Foundation Communities (FC) is the applicant and is a nationally recognized nonprofit founded in 1990 with a mission to provide quality affordable housing and supportive services to low-income families and individuals. FC has 30 years of experience creating housing where individuals and families succeed. Our vision for strong families and communities involves more than just providing a roof over peoples' heads. By combining affordable housing and free on-site services, we empower low-income residents with the tools they need to achieve long-term stability and self-sufficiency. FC focuses on four main areas:

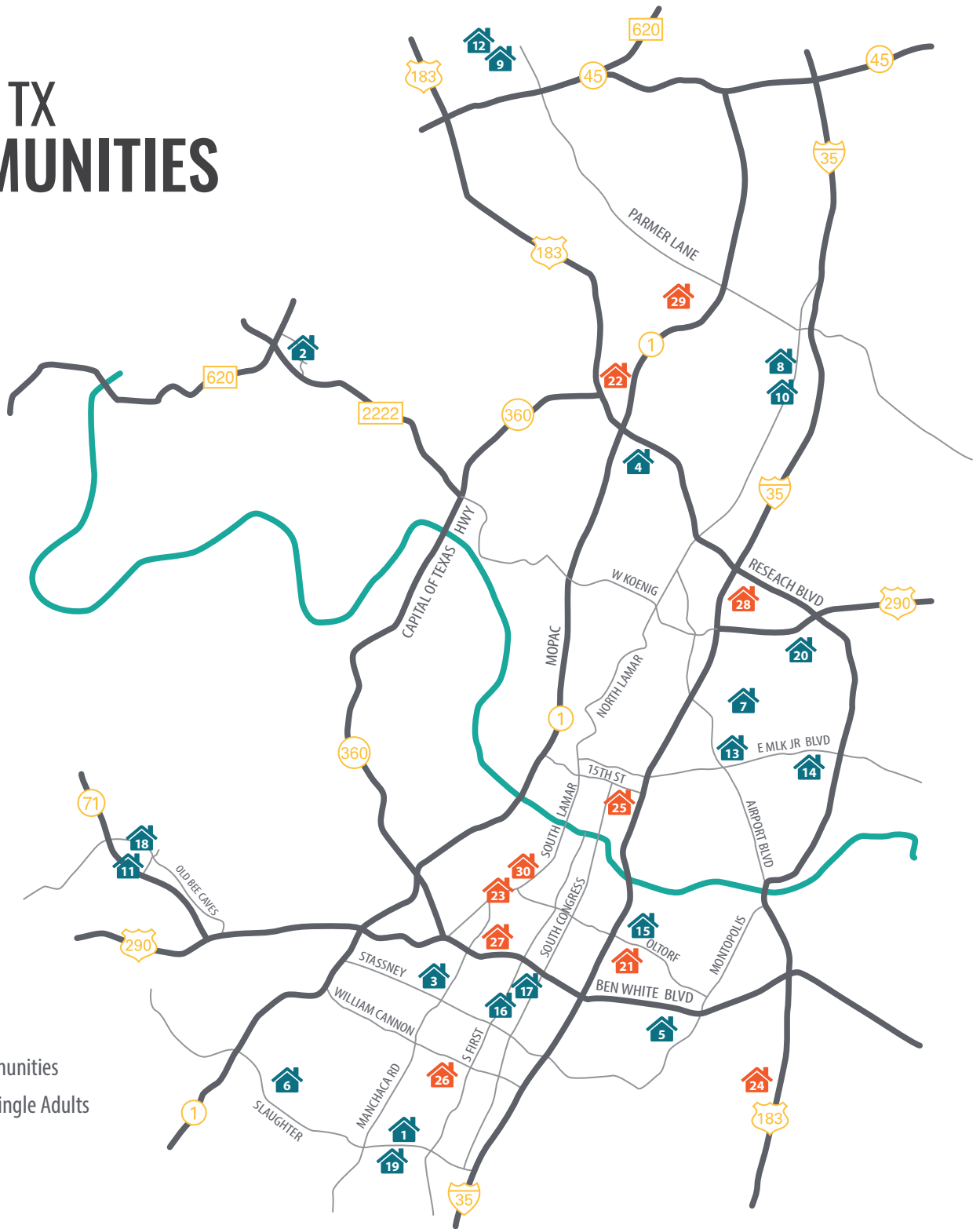
Opening Doors to Homes: We own and manage over 3,700 apartments across 23 properties in Austin and 3 in North Texas. Over 7,000 residents call our communities home. We are the life-time owner, developer, property manager, and services provider to our Austin portfolio. We invest upfront in high quality design, materials, green building strategies for our new properties and invest heavily in capital repairs, maintenance, and green upgrades at our older properties.


Healthy Communities: All FC residents have access to health amenities and resources including fitness, cooking and nutrition, food pantries, gardens, and disease management/prevention services. We have over 850 permanent supportive housing apartments where single adults who have chronic health problems and disabilities, have been homeless, or survive on fixed incomes receive intensive case management. To support families coming out of homelessness, we created the Children's HOME Initiative (CHI). These 157 units, integrated throughout our family properties, provide reduced rents and case management to help families move from crisis to long-term stability.

Learning in a Community: On-site Learning Centers give over 1,000 children of working parents academic and enrichment support, including the Green and Healthy Kids program. 85% of students maintain or improve their grades in our free out-of-school time programs. Adult education is also a priority and includes job and computer skills, English as a Second Language, and digital and financial literacy. College Hub deepens FC's decade-long commitment to serving non-traditional students, providing intensive support and academic opportunities for low income and first generation college students.

Financial Stability: Financial Centers provide free tax preparation to more than 32,000 low-income individuals each year with the help of 600+ IRS-certified volunteers. Annual refunds amount to more than \$35 million, and can equal 25% of a family's annual income. Each year, more than 600 families become smart consumers through financial coaching; at least 50% reduce their debt. Matched savings plans assist families to purchase a home, attend college, or start a business.

Austin, TX COMMUNITIES



-  Family Communities
-  Studios for Single Adults

1 Buckingham Place 166 UNITS	7 Jordan at Mueller 132 UNITS	13 M Station 150 UNITS	19 Trails At The Park 200 UNITS	25 Capital Studios 135 UNITS
2 Cardinal Point 120 UNITS	8 Juniper Creek 110 UNITS	14 Norman Commons 156 UNITS	20 Trails At Vintage Creek 200 UNITS	26 Garden Terrace 103 UNITS
3 Cherry Creek 122 UNITS	9 Lakeline Station 128 UNITS	15 Parker Lane 135 UNITS	21 Arbor Terrace 120 UNITS	27 Skyline Terrace 100 UNITS
4 Crossroads 92 UNITS	10 Laurel Creek 88 UNITS	16 Sierra Ridge 149 UNITS	22 Balcones Terrace 123 UNITS	28 Spring Terrace 142 UNITS
5 Daffodil 40 UNITS	11 Live Oak Trails 58 UNITS	17 Sierra Vista 238 UNITS	23 Bluebonnet Studios 107 UNITS	29 Waterloo Terrace 132 UNITS
6 Homestead Oaks 140 UNITS	12 The Loretta 137 UNITS	18 Southwest Trails 160 UNITS	24 Burleson Studios 100 UNITS	30 Zilker Studios 110 UNITS

BUILDING/PROPERTIES:

Foundation Communities builds and manages award-winning affordable housing. FC now has 26 properties and has developed 12 new affordable housing communities in the past 10 years. Our newest community, Laurel Creek opened in 2021, and we have three more opening in 2023, and one more in 2024



CARDINAL POINT:

120 units of family housing and new learning center in Northwest Austin. Opened in 2017.



THE JORDAN AT MUELLER:

132 units of family housing and new learning center in Mueller. LEED GOLD and AEGB 4-star



LAKELINE STATION:

128 units of family housing at 13635 Rutledge Spur; state of the art learning center, opened in 2016. Received the 2017 Austin Green Award – ‘Project of the Year.’



LIVE OAK TRAILS:

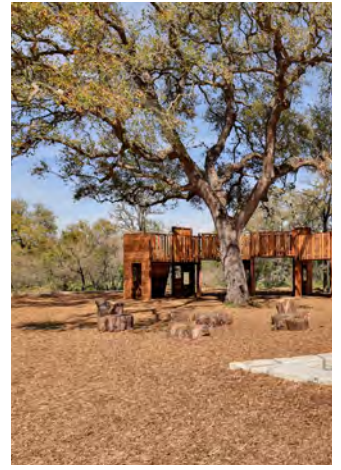
58 units of family housing at 8500 Highway 71; children will use the learning center at Southwest Trails, FC's property right next door, opening December 2016.





HOMESTEAD OAKS:

140 units of family housing in South Austin, new learning center. Opened 2015.



BLUEBONNET STUDIOS:

107 units of service-enriched permanent supportive housing on S Lamar. Opened 2016. Received a 2017 Austin Green Award.



M STATION:

150 units of family housing; opened 2011. New construction. LEED Platinum certification, Enterprise Green Communities certification, and Austin Energy Green Building 5-Star rated community. Numerous awards, including Austin Green Award; Reader's Choice Award/Affordable Housing Finance Magazine; Affordable Property of the Year/Austin Apartment Association; Social Impact Award/ABJ Commercial Real Estate Awards.



CAPITAL STUDIOS:

135 units of permanent supportive housing. The first affordable housing to be built in downtown Austin in more than 40 years. new construction, opened 2014. Austin Business Journal – 2015 Best Multifamily Project.





EDUCATION:

Foundation Communities has 13 on-site Learning Centers, with one more under construction, that serve 900 children each year with educational programming. Offerings range from pre-literacy for 3- and 4-year-olds to teen programs. 800 elementary school kids who live in our housing and the surrounding communities attend our year-round afterschool and summer program, where we work with local elementary schools to identify students' needs. This academically-focused program (3 hours each school day, 5-6 hours in the summer) includes reading, homework help, physical activity, and enrichment.

We also serve adults and entire families in our education programs. Free Minds is a year-long cooperative program with UT and ACC, designed for adults who have never attended college or are returning after a long absence; they receive six college humanities credits upon completion. Other adult classes include computer skills, English as a Second Language, exercise classes, and healthy cooking.



FINANCIAL STABILITY

Foundation Communities' Financial Stability programs help more than 30,000 people each year across our community.

- The Community Tax Centers prepare more than 20,000 tax returns each year in Central Texas, totaling more than \$35 million in refunds.
- Incentivized savings allow families to save for emergencies, higher education, or home purchase.
- Financial education and financial coaching give individuals and families the resources they need for economic stability and success, including credit repair and budgeting.
- College Hub helps students with FAFSA forms and figuring out how to apply for college and for scholarships. We work with the Mexican Consulate to administer scholarships to immigrant families.



HEALTH INITIATIVES:

Health Initiatives are fundamental to family success and bring healthy living education, activities, and resources to our residents and the community.

- We connect residents to local health resources, in addition to on-site programming: free health fairs, exercise classes (Zumba to yoga), healthy food pantries, gardens, support groups for substance abuse and recovery, and bilingual nutrition and cooking classes.
- Insure Central Texas has enrolled more than 34,000 people in marketplace insurance enrollment under the Affordable Care Act, MAP, CHIP, and Medicaid; Community Health Workers and Navigators help patients with complicated medical conditions (cancer, AIDS) find plans that work with their medical providers.
- The Sustainability Team is engaged from construction through instruction; whole families benefit from healthier products and cost savings. As lifetime owners of our properties, we create the greenest homes possible, using solar panels and other features to save money in the long run.



ORGANIZATIONAL STRENGTH:

We have an active board made up of residents and community leaders. Staff members are drawn from a wide variety of cultures and skills. The common thread: commitment to Foundation Communities' mission and to serving the community.

Community volunteers tutor students, serve as scholarship mentors, prepare taxes, work as financial coaches, and prepare "Welcome Home" baskets and supper club meals for Foundation Communities' residents.

Financing is fully diversified and, as much as possible, sustainable. 75% of our \$44 million budget comes from apartment rentals. The rest is grants and individual donations. We receive grants from governmental sources (federal, state, county, city), foundations, and corporations. Individual donors include "Homebuilders," who make multi-year pledges.

1b. Applicant Entity Certificate of Status



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 FOUNDATION COMMUNITIES, INC. (file number 114499001), a Domestic Nonprofit Corporation, was filed in this office on March 05, 1990.

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

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in Austin, Texas on January 28, 2022.



A handwritten signature in black ink, appearing to read "John B. Scott".

John B. Scott
Secretary of State

1c. Applicant Capacity

Foundation Communities Staff Experience

- **Walter Moreau, Executive Director:** During his 30+ year career, Walter has secured subsidy financing of more than \$500 million to create more than 3,700 units of service-enriched, nonprofit-owned affordable housing, and 15 onsite Learning Centers. Moreau was recognized as a 2007 James A. Johnson Community Fellow by the Fannie Mae Foundation. He was also awarded the 2005 Social Entrepreneur of the Year Award and the 2004 Texas Houser Award. He holds a Master's degree from UT's LBJ School of Public Affairs. He has been with Foundation Communities for more than 20 years.
- **Sabrina Butler, Director of Real Estate Development,** oversees FC's overall real estate development portfolio, from site selection through construction completion and stabilization. With a background in finance, Sabrina brings a particular strength in securing both public and conventional financing for FC's multi-family housing pipeline, and provides refinancing support to the existing portfolio as well. Sabrina joined Foundation Communities in 2017 with nearly 15 years of experience in nonprofit affordable housing portfolio management and community development finance. Sabrina has a Masters in Regional Planning.
- **Megan Matthews, Director of Design,** and licensed Architect in the State of Texas, oversees the programming, design, and construction management of all development projects. She focuses on green building and sustainability issues while seeking out the best design solutions for the end users. Before joining the Foundation Communities team, Megan worked for the architectural firm responsible for the design of four of our recent communities. Megan coordinates the RFQ and bid processes for the architect, engineers, and general contractor and is the direct link between the third party design and construction professionals and FC's Development team. Megan has a Bachelor of Architecture degree from The University of Texas at Austin.
- **Luis Contreras, Real Estate Project Manager,** supports the Development Team with numerous key functions. These include site selection, due diligence, selecting external partners, funding coordination, and most importantly overseeing the project is being built on time and to our specifications. Luis has over ten years of design and construction experience having worked in various markets throughout the country as a general contractor. Luis has a B.S. in Architecture from the University of Texas at San Antonio and predominantly focuses on the various construction processes as they relate to FC projects.

1c. Applicant Capacity

Foundation Communities Development experience

- **Development management:** FC has been managing affordable housing communities in house for over 30 years. Megan Matthews oversees the design and construction of our communities, and coordinates the RFQ and bid process for the architect, engineers, and general contractor. She also acts as the direct link between the third-party design and construction professionals and FC's Development team. She oversaw the successful completion of The Jordan at Mueller, Waterloo, and Laurel Creek and is currently overseeing two communities under construction.
- **Market Analysis:** FC engages a third-party firm to conduct market studies for each of our proposed projects. The market study is ordered in the contract feasibility period. Sabrina Butler receives bids and engages each project's market analyst.
- **Site selection and Control:** Walter Moreau has 30 years of site selection experience. Sites are selected based on a variety of factors including current funding priorities, cost of land, preservation of affordable housing opportunities, and availability of sites in close proximity to existing FC properties. FC contracts with a private, third-party land broker to find sites and negotiate with sellers.
- **Planning and Construction:** FC contracts with third-party general contractors and has been privileged to work with a number of quality ones. FC invites those firms to bid on all projects developed by Foundation Communities (in addition to other firms who might be interested). FC has an excellent working relationship with several general contractors.
- **Design, Architecture and Engineering:** Megan Matthews oversees the hiring of the design and engineering team. Typically, Megan issues an RFQ to an invited list of bidders (open to all interested parties.) The list is narrowed down based on responses; then, the FC development team, including Walter, Sabrina, and Megan, meet the finalists and make a selection based on presentations. FC has an excellent working relationship with several architectural firms and civil engineers.
- **Legal and Accounting:** All accounting is performed in-house by an accounting team led by Ann Clift, CFO. Tax returns, audits and cost certifications for tax credit properties are contracted out to Novogradac and Company, LLC. FC has engaged a third-party attorney.
- **Federal Funding Rules:** FC has extensive experience working with programs funded by HUD and their associated federal regulations including: Federal Labor Standards, Davis Bacon Reporting, Section 3, Affirmative Marketing, Environmental Clearances, Public Notices and Procurement Standards.
- **Other Funding Source Rules:** FC has a great track record for using multiple funding sources on each project. Funding stacks often include tax credits, state funds, FLHB, grants, and private fundraising. More details are in the Financial Capacity section.

1d. Statement of Confidence

This is not applicable as the majority of Foundation Communities portfolio is located within the City of Austin and monitored by HPD.

1e. Applicant Financial Capacity

Foundation Communities has 30 years of experience utilizing multiple funding tools in the development of affordable multifamily housing. We have an excellent track record of securing funding in competitive allocations of 9% tax credits, Federal Home Loan Bank AHP funds, and City of Austin RHDA funds as well as strong working relationships with multiple lenders and tax credit investors.

- **Tax Credits:** Over the past 20 years, Foundation Communities has applied for and been awarded 9% tax credits for 16 developments and 4% tax credits on 1 development, which utilized bonds from AHFC. The FC development team is well-versed in the LIHTC program and application process and closely follows the annual drafting of the Qualified Allocation Plan. FC has relationships with multiple tax credit investors and syndicators including Enterprise Community Investment, Bank of America, Wells Fargo, Raymond James, NEF, and BBVA Compass.
- **City of Austin:** The City of Austin has been a major contributor on 24 Foundation Communities' projects. The FC Development team follows the release of the City's application rules and NOFA and has a solid working relationship with City of Austin HPD/AHFC staff.
- **FHLB:** Foundation Communities has applied for and received 22 awards through the FHLB Affordable Housing Program.
- **Lenders:** Foundation Communities has excellent relationships with several lenders that allow for competitive rates and pricing. We currently have private mortgages with Compass BBVA, Bank of America, Wells Fargo, Capital One Bank, University Federal Credit Union, and Greater Texas Federal Credit Union.
- **Private Fundraising:** FC has a very strong track record of private fundraising and individual donations. Past large foundation donors include Meadows, Topfer, Kendeda, Enterprise, Home Depot, St. David's, and the Michael & Susan Dell Foundations. In the last five years, Foundation Communities has been successful in raising over \$16 million in private funds to help fund construction of 8 new communities.
- **Other:** FC has also utilized TDHCA's Multifamily Direct Loan Program (TCAP and National Housing Trust Fund loans), and the federal Capital Magnet Fund program.

Project Name	Address	City	PIS	Population	Type	Total Units	Aff Units
Parker Lane - construction	2105 Parker Ln	Austin, TX	2025	Family	New	135	135
Balcones Terrace - construction	10024 N Capital of TX Hwy	Austin, TX	2023	SRO	Rehab	123	123
Loretta - construction	13649 Rutledge Spur	Austin, TX	2023	Family	New	137	137
Zilker - construction	1508 S Lamar Blvd	Austin, TX	2023	SRO	New	110	110
Laurel Creek	11704 N Lamar Blvd	Austin, TX	2021	Family	New	88	88
Waterloo Terrace	12190 N Mopac Expwy	Austin, TX	2020	SRO	New	132	132
Jordan At Mueller	2724 Philomena Street	Austin, TX	2019	Family	New	132	132
Cardinal Point	11015 & 11017 Four Points Dr	Austin, TX	2017	Family	New	120	120
Garden Terrace Phase III	1015 West William Cannon	Austin, TX	2017	SRO	New	20	20
Bluebonnet Studios	2301 South Lamar Blvd	Austin, TX	2016	SRO	New	107	107
Lakeline Stations	13635 Rutledge Spur	Austin, TX	2016	Family	New	128	128
Live Oak Trails	8500 West HW 71	Austin, TX	2016	Family	New	58	58
Homestead Oaks	3226 West Slaughter Ln	Austin, TX	2015	Family	New	140	126
Capital Studios	309 East 11th	Austin, TX	2014	SRO	New	135	135
Arbor Terrace	2501 South I-35	Austin, TX	2013	SRO	Rehab	120	120
Sierra Vista	4320 S. Congress Ave	Austin, TX	2012	Family	Rehab	238	238
M Station	2906 E. Martin Luther King Jr. Blvd	Austin, TX	2011	Family	New	150	137
Garden Terrace Phase II	1015 West William Cannon	Austin, TX	2008	SRO	Rehab	15	15
Skyline Terrace	1212 West Ben White	Austin, TX	2006	SRO	Rehab	100	100
Spring Terrace	7101 North I-35	Austin, TX	2005	SRO	Rehab	142	142
Garden Terrace Phase I	1015 West William Cannon	Austin, TX	2003	SRO	Rehab	88	88
Southwest Trails	8405 Old Bee Caves Rd	Austin, TX	2001	Family	New	160	160
Trails at The Park	815 West Slaughter Ln	Austin, TX	2000	Family	New	200	200
Trails at Vintage Creek	7224 Northeast Dr	Austin, TX	2000	Family	Rehab	200	180
Daffodil	6009 Daffodil Dr	Austin, TX	1996	Family	Rehab	40	22
Peters Colony	1801 E Peters Colony	Carrollton, TX	1995	Family	Rehab	160	32
Shadow Brook	2020 S Cooper	Arlington, TX	1995	Family	Rehab	403	81
Sleepy Hollow	3903 Ichabod Circle	Arlington, TX	1995	Family	Rehab	128	26
Buckingham Duplexes	743-B Yarsa	Austin, TX	1991	Family	Rehab	166	48
Sierra Ridge	201 West St Elmo	Austin, TX	1991	Family	Rehab	149	149
Crossroads	88011 McCann	Austin, TX	1990	Family	Rehab	92	14
Cherry Creek Duplexes	5510 B Fernview	Austin, TX	1990	Family	Rehab	122	40

Project Name	Tax Credits	TDHCA	City of Austin	FHLB	Capital Magnet Funds	Misc Funding
Parker Lane - construction	9% LIHTC	NHTF	GO Bonds	FHLB Dallas		
Balcones Terrace - construction		NHTF	CDBG + GO Bonds	FHLB Dallas and NYC		
Loretta - construction	9% LIHTC		GO Bonds	FHLB Dallas		
Zilker - construction	9% LIHTC	NHTF	GO Bonds	FHLB Dallas		HACA PBV
Laurel Creek	9% LIHTC	NHTF	GO Bonds	FHLB Dallas + Atlanta		
Waterloo Terrace	9% LIHTC	NHTF	GO Bonds	FHLB San Francisco	CMF	
Jordan At Mueller	9% LIHTC		GO Bonds	FHLB San Francisco	CMF	
Cardinal Point	9% LIHTC		GO Bonds	FHLB San Francisco	CMF	
Garden Terrace Phase III		TCAP	GO Bonds	FHLB San Francisco	CMF	Department of Justice Funds
Bluebonnet Studios	9% LIHTC	TCAP	GO Bonds & HOME	FHLB San Francisco	CMF	Department of Justice Funds
Lakeline Stations	9% LIHTC		GO Bonds		CMF	
Live Oak Trails	9% LIHTC	TCAP	GO Bonds & HOME		CMF	HACA PBV
Homestead Oaks	9% LIHTC		GO Bonds	FHLB San Francisco		
Capital Studios	9% LIHTC		GO Bonds & CDBG	FHLB San Francisco		
Arbor Terrace		NSP	GO Bonds & CDBG	FHLB Atlanta		
Sierra Vista	9% LIHTC		GO Bonds	FHLB San Francisco		
M Station	9% LIHTC		GO Bonds	FHLB San Francisco		
Garden Terrace Phase II			HTF	FHLB San Francisco		
Skyline Terrace	9% LIHTC	HOME	HOME & HTF	FHLB San Francisco		HACA
Spring Terrace		HOME & HTF	HOME & CDBG	FHLB Dallas		
Garden Terrace Phase I		HOME	HOME & CDBG	FHLB Atlanta		
Southwest Trails	4% LIHTC	HTF	HOME & HTF	FHLB Dallas	CMF	
Trails at The Park	9% LIHTC					
Trails at Vintage Creek			CDBG			
Daffodil		RTC AHDP				
Peters Colony		RTC AHDP				
Shadow Brook		RTC AHDP				
Sleepy Hollow		RTC AHDP				
Buckingham Duplexes		RTC AHDP				
Sierra Ridge						
Crossroads			GO Bonds			
Cherry Creek Duplexes						

1f. Non-profit Developer

Foundation Communities is a Non-profit Developer

Foundation Communities, Inc. changed its name from Central Texas Mutual Housing Association (CTMHA) in 2000. CTMHA was originally formed March 5, 1990. In May 1990 the IRS issued a determination letter that recognized Central Texas Housing Mutual Corporation as a 501(c)(3). In June 2001, we received a letter from IRS reaffirming our 501(c)(3) status for Foundation Communities, Inc. and recognizing the group exemption for all the subordinate nonprofit affiliates. In 2019 Foundation Communities moved offices from 3036 S 1st St, Austin, TX 78704 to 3000 S IH 35, Suite 300, Austin, TX 78704 and submitted a change of address to form to IRS.

1f(i). IRS Letter

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
1100 COMMERCE STREET
DALLAS, TX 75242-0000

DEPARTMENT OF THE TREASURY

Date:

JUN 06 1995

CENTRAL TEXAS MUTUAL HOUSING
ASSOCIATION
C/O CINDY CHRISTIANSEN
2512 S IH 35 STE 350
AUSTIN, TX 78704-5751

Employer Identification Number:
74-2563260

Case Number:
755122043

Contact Person:
ANNETTE SMITH

Contact Telephone Number:
(214) 767-6023

Our Letter Dated:
May 23, 1990

Addendum Applies:
No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

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 section 509(a)(2).

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)(2) 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)(2) 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,



Bobby E. Scott
District Director

Internal Revenue Service

Department of the Treasury

**P.O. Box 2508
Cincinnati, OH 45201**

Date: June 6, 2001

Foundation Communities
3036 S 1st St 200
Austin, TX 78704-6382

Person to Contact:

Marion F Robinson- Baugh
Customer Service Representative

Toll Free Telephone Number:

8:00 A.M. to 9:30 P.M. EST
877-829-5500

Fax Number:

513-263-3756

Federal Identification Number:

74-2563260

Dear Sir or Madam:

This is in response to your request for affirmation of your organization's exempt status.

In May 1990, we issued a determination letter that recognized your organization as exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on the information supplied, we recognized the subordinates named on the list your organization submitted as exempt from federal income tax under section 501(c)(3) of the Code. Additionally, we have classified the subordinates your organization operates, supervises, or controls, and which are covered by written notification to us, as organizations that are not private foundations because they are organizations of the type described in sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code.

Donors may deduct contributions to your organization's subordinates as provided in section 170 of the Code. Bequests, legacies, devises, transfers or gifts to the subordinates or for their 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.

Your organization and its subordinates are required to file Form 990, Return of Organization Exempt from Income Tax, only if the gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

Your organization and its subordinates are not required to file federal income tax returns unless subject to the tax on unrelated business income under section 511 of the Code. If subject to this tax, the organization must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter, we are not determining whether any of your organization or its subordinates' present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

Foundation Communities
74-2563260

Unless specifically excepted, your organization and its subordinates are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each of its employees during a calendar year. Your organization and its subordinates are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Each year, at least 90 days before the end of your organization's annual accounting period, please send the following items to the Internal Revenue Service Center at the address shown below:

1. A statement describing any changes during the year in the purposes, character, or method of operation of your organization's subordinates;
2. A list showing the names, mailing addresses (including Postal ZIP Codes), actual addresses if different, and employer identification numbers of subordinates that:
 - a. Changed names or addresses;
 - b. Were deleted from the roster; or
 - c. Were added to the roster.
3. For subordinates to be added, attach:
 - a. A statement that the information on which your organization's present group exemption letter is based applies to the new subordinates;
 - b. A statement that each has given your organization written authorization to add its name to the roster;
 - c. A list of those to which the Service previously issued exemption rulings or determination letters;
 - d. A statement that none of the subordinates is a private foundation as defined in section 509(a) of the Code if the group exemption letter covers organizations described in section 501(c)(3);
 - e. The street address of subordinates where the mailing address is a P.O. Box; and

Foundation Communities
74-2563260

- f. The information required by Revenue Procedure 75-50, 1975-2 C.B. 587 for each subordinate that is a school claiming exemption under section 501(c)(3). Also include any other information necessary to establish that the school is complying with the requirements of Revenue Ruling 71-447, 1971-2 C.B. 230. This is the same information required by Schedule A, Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.
4. If applicable, a statement that your organization's group exemption roster did not change since the previous report.

The above information should be sent to the following address:

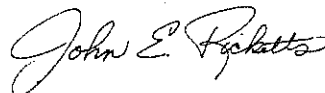
Internal Revenue Service Center
Attn: Entity Control Unit
Ogden, UT 84409

The law requires you to make your organization's annual return available for public inspection without charge for three years after the due date of the return. You are also required to make available for public inspection a copy of your organization's exemption application, any supporting documents and the exemption letter to any individual who requests such documents in person or in writing. You can charge only a reasonable fee for reproduction and actual postage costs for the copied materials. The law does not require you to provide copies of public inspection documents that are widely available, such as by posting them on the Internet (World Wide Web). You may be liable for a penalty of \$20 a day for each day you do not make these documents available for public inspection (up to a maximum of \$10,000 in the case of an annual return).

Your organization's Group Exemption Number is .

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



John E. Ricketts, Director, TE/GE
Customer Account Services

Change of Address or Responsible Party — Business

▶ Please type or print.
 ▶ See instructions on back. ▶ Do not attach this form to your return.
 ▶ Go to www.irs.gov/Form8822B for the latest information.

Before you begin: If you are also changing your home address, use Form 8822 to report that change.

If you are a tax-exempt organization (see instructions), check here

Check **all** boxes this change affects:

- 1 Employment, excise, income, and other business returns (Forms 720, 940, 941, 990, 1041, 1065, 1120, etc.)
- 2 Employee plan returns (Forms 5500, 5500-EZ, etc.)
- 3 Business location

4a Business name Foundation Communities, Inc	4b Employer identification number 74-2563260
--	--

5 Old mailing address (no., street, room or suite no., city or town, state, and ZIP code). If a P.O. box, see instructions. If foreign address, also complete spaces below, see instructions.
 3036 S 1st Street, Suite 200, Austin, TX 78704

Foreign country name	Foreign province/county	Foreign postal code
----------------------	-------------------------	---------------------

6 New mailing address (no., street, room or suite no., city or town, state, and ZIP code). If a P.O. box, see instructions. If foreign address, also complete spaces below, see instructions.
 3000 S IH-35, Suite 300, Austin, TX 78704

Foreign country name	Foreign province/county	Foreign postal code
----------------------	-------------------------	---------------------

7 New business location (no., street, room or suite no., city or town, state, and ZIP code). If a foreign address, also complete spaces below, see instructions.
 3000 S IH-35, Suite 300, Austin, TX 78704

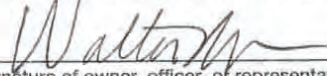
Foreign country name	Foreign province/county	Foreign postal code
----------------------	-------------------------	---------------------

8 New responsible party's name

9 New responsible party's SSN, ITIN, or EIN

10 Signature
 Daytime telephone number of person to contact (optional) ▶ _____

Sign Here

	1-2-2020
Signature of owner, officer, or representative	Date
Executive Director	
Title	

Where To File	
Send this form to the address shown here that applies to you.	
IF your old business address was in . . .	THEN use this address . . .
Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin	Internal Revenue Service Cincinnati, OH 45999-0023
Alabama, Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, any place outside the United States	Internal Revenue Service Ogden, UT 84201-0023

1f(ii). Audit

Foundation Communities, Inc.

**Consolidated Financial Statements with Report of Independent Auditors
December 31, 2021 and 2020**

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Report of Independent Auditors

To the Board of Directors of
Foundation Communities, Inc.:

Opinion

We have audited the accompanying consolidated financial statements of Foundation Communities, Inc., a Texas nonprofit corporation, and its affiliates, (collectively "Foundation Communities"), which comprise the consolidated statement of financial position as of December 31, 2021, the related consolidated statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the consolidated financial statements.

In our opinion, the consolidated financial statements referred to above present fairly, in all material respects, the financial position of Foundation Communities as of December 31, 2021, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America ("GAAS") and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Foundation Communities and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Prior Period Financial Statements

The consolidated financial statements of Foundation Communities as of and for the year ended December 31, 2020, were audited by other auditors whose report dated May 20, 2021, expressed an unmodified opinion on those statements.

Responsibilities of Management for the Consolidated Financial Statements

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

In preparing the consolidated financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Foundation Communities' ability to continue as a going concern within one year after the date that the consolidated financial statements are available to be issued.

Auditors' Responsibilities for the Audit of the Consolidated Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements, including omissions, are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the consolidated financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the consolidated financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Foundation Communities' internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the consolidated financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Foundation Communities' ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

Disclaimer of Opinion on Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the consolidated financial statements as a whole. The accompanying schedules of financial position by entity and activity by entity, which are the responsibility of management, are presented for purposes of additional analysis and are not a required part of the consolidated financial statements. Such information has not been subjected to the auditing procedures applied in the audit of the consolidated financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

Other Information

Our audit was conducted for the purpose of forming an opinion on the consolidated financial statements as a whole. The accompanying Community Housing Development Organization property tax reinvestment public expenditure test is presented for purposes of additional analysis and is not a required part of the consolidated financial statements. The accompanying schedule of expenditures of federal and state awards, as required by Title 2 *U.S. Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* and the State of Texas Uniform Grant Management Standards, which includes the State of Texas Single Audit Circular, is presented for purposes of additional analysis and is not a required part of the consolidated financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the consolidated financial statements. The information has been subjected to the auditing procedures applied in the audit of the consolidated financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the consolidated financial statements or to the consolidated financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the consolidated financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued a report dated June 14, 2022, on our consideration of Foundation Communities' internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Foundation Communities' internal control over financial reporting and compliance.

Novogrodac & Company LLP

Austin, Texas
June 14, 2022

1f(iii). Board Resolution

SECRETARY'S CERTIFICATE OF ADOPTION
OF RESOLUTION BY BOARD OF DIRECTORS
OF FOUNDATION COMMUNITIES

I, David Hart, certify that I am the duly qualified and acting Secretary of the Board of **FOUNDATION COMMUNITIES, INC.**, a duly organized and existing Texas non-profit corporation (the "*Corporation*").

I do hereby certify that said Corporation is duly organized and existing under the laws of the State of Texas; that all franchise and other taxes required to maintain its corporate existence have been paid when due and no such taxes are delinquent; that no proceedings are pending for the forfeiture of its Certificate of Formation or for its dissolution; that it is duly qualified to do business in the State of Texas and is in good standing in such state; and that there is no provision of the Certificate of Formation or Bylaws of said Corporation limiting the power of the Board of Directors to pass the resolutions set out below and that the same are in conformity with the provisions of said Certificate of Formation and Bylaws.

Attached as Exhibit "A" is a true and correct copy of the resolutions adopted by unanimous consent of the Board of Directors of the Corporation at our legally held meeting on October 13, 2021.

ADOPTED this 13th day of October, 2021.



DAVID HART, Secretary Foundation Communities
Board of Directors

EXHIBIT A

RESOLUTION OF THE BOARD OF DIRECTORS OF FOUNDATION COMMUNITIES, INC.

[to be attached]

RESOLUTION
BOARD OF DIRECTORS OF
Foundation Communities, Inc.
Juniper Creek Apartments

WHEREAS, **Foundation Communities, Inc.**, a non-profit Community Housing Development Organization (the “**Corporation**”), has determined that the actions set out in the following resolutions reasonably may be expected to benefit, directly or indirectly, the Corporation;

RESOLVED, that the Corporation apply for a loan for acquisition, predevelopment, and/or construction costs, from the Austin Housing Finance Corporation in Rental Housing Development Assistance Funding (the “**Loan**”) for a proposed affordable housing, rental community to be constructed at **11630 N Lamar Blvd, Austin, TX 78753** (the “**Property**”)

RESOLVED, that the Corporation apply for permitting and entitlements (collectively “**Entitlements**”) with the City of Austin related to the proposed affordable housing to be constructed on the Property;

RESOLVED, that either WALTER MOREAU, as Executive Director of the Corporation (the “**ED**”) or Julian Huerta, as Deputy Executive Director (the “**DED**”) may in his/her sole discretion execute all documents to effectuate the Loan and Entitlements;

RESOLVED, that the Corporation secure up to **\$6,000,000** of loan funds from the Austin Housing Finance Corporation (the “**Lender**”) and, whether by and through itself or by and through an entity under common control with Corporation, pledge the Property and other related assets as collateral therefore, all on such terms and conditions as the ED or DED of the Corporation may in his/her sole discretion, deem necessary or desirable, and that the Corporation execute any and all pertinent loan documents required by Lender in connection therewith, confirming and ratifying its liability under said loan, all on such terms and conditions as the ED or DED of the Corporation may, in his/her sole discretion, deem necessary or desirable;

RESOLVED, that the grant by the Corporation of liens on the Property described above may also secure any and all other indebtedness now or hereafter owing to Lender;

RESOLVED, that the Corporation act in the future to take any and all actions necessary to renew, extend or otherwise modify the terms of the above referenced loan and any other loan from Lender, all on such terms and conditions and for such consideration as the ED or DED of the Corporation may in his/her sole discretion, deem necessary or advisable;

RESOLVED, that the ED or the DED of the Corporation be, and he/she is hereby, authorized, empowered, and directed to execute, acknowledge, and deliver, for and on behalf and in the name of the Corporation, such loan applications, assumption agreements, affidavits, assignments, bills of sale, promissory notes, deeds of trust, financing statements, security agreements, guaranties, pledges, loan documents, licenses, easements, entitlement applications, affordability unlocked agreements, and other instruments, containing such terms and conditions as the ED or the DED may in his/her sole discretion, deem necessary or desirable, and that the attestation by the Secretary of the Corporation and the affixation of the seal of the Corporation shall not be necessary;

RESOLVED, that the Corporation whether by and through itself or by and through a specific purpose entity created for such and under common control with Corporation may transfer the Property to a limited partnership affiliated with the Corporation in the event that the ED or the DED

of the Corporation determines, in his/her sole discretion, that such a transfer is necessary or desirable;

RESOLVED, that the ED or the DED of the Corporation be, and he/she is hereby, authorized, empowered, and directed to execute, acknowledge, and deliver, for and on behalf and in the name of the Corporation, such deeds, bills of sale and other instruments, containing such terms and conditions as the ED or the DED may in his/her sole discretion, deem necessary or desirable, and that the attestation by the Secretary of the Corporation and the affixation of the seal of the Corporation shall not be necessary;

RESOLVED, that any instruments executed in connection with the above described transactions may contain such effective dates, whether prior to or after the date of adoption of these resolutions as set forth below, as the ED or the DED of the Corporation may in his/her sole discretion, deem necessary or advisable; and

RESOLVED, that any and all transactions by any of the officers or representatives of the Corporation with Lender and Seller prior to the adoption of these resolutions be, and they are hereby, ratified and approved for all purposes.

Adopted and approved by the Board of Directors on the 13th day of October, 2021.

FOUNDATION COMMUNITIES, INC.



Adriana Cuellar Rojas, Chair
Board of Directors of Foundation Communities, I

2. Development Team

Role	Info	Contact	MBE	WBE	NP
Owner	FC Juniper Housing, LP 3000 S IH-35, Suite 300 Austin, TX 78704	Walter Moreau, Executive Director (512) 610-4016 walter.moreau@foundcom.org			
Developer	Foundation Communities, Inc. 3000 S IH-35, Suite 300 Austin, TX 78704	Walter Moreau, Executive Director (512) 610-4016 walter.moreau@foundcom.org			X
Architect	Spring Architects 3005 S. Lamar Blvd, Ste D109-194 Austin, TX 78704	Jon Salinas, Principal + Founder (512) 872-6655 jsalinas@springarchitects.com		X	
Engineer	Kimley-Horn 10814 Jollyville Road, Bldg 4, Ste 200 Austin, Texas 78759	Kevin Burk (512) 418-4528 kevin.burk@kimley-horn.com			
Attorney	Rigby Slack Lawrence & Comerford, 6836 Austin Center Blvd., Suite 100 Austin, Texas 78731	Cathleen Slack, Partner (512) 782-2060 cslack@rigbyslack.com			
Accountant	Novogradac & Company LLP 11044 Research Blvd. Austin, TX 78759	Susan Wilson, CPA, Partner (512) 349-3232 susan.wilson@novoco.com			
General Contractor	BEC Austin 8320 Bee Caves Road, Suite 200 Austin, Texas 78746	Scott Wilson, President (512) 569-9569 swilson@becaustin.com			
Property Manager	Foundation Communities, Inc. 3000 S IH-35, Suite 300 Austin, TX 78704	Walter Moreau, Executive Director (512) 610-4016 walter.moreau@foundcom.org			X
Supportive Services	Foundation Communities, Inc. 3000 S IH-35, Suite 300 Austin, TX 78704	Walter Moreau, Executive Director (512) 610-4016 walter.moreau@foundcom.org			X

2. Development Team Experience

Developer - Foundation Communities has nearly 30 years of experience contracting for and overseeing the construction and rehabilitation of affordable housing. Twelve of our existing communities were new construction projects financed with tax credits with two communities under construction and three in permitting. The remaining fourteen communities in our portfolio were purchased as existing properties and greatly improved with renovations, green spaces and playscapes, learning centers, landscaping, signage, lighting and green building features (solar panels and rainwater harvesting). We have experience with the design and construction of structures that are zero lot VMU, 4-story elevator, 3-story walk up, and renovations of apartment complexes, hotels, nursing homes, and duplexes. We have a great track record of gaining neighborhood support, zoning changes, completing construction within tax credit deadlines, and achieving green certifications with AEGB, LEED, and Enterprise Green Communities.

Architect - Spring Architects has been engaged as the architect for Juniper Creek and has already started schematic design. Spring is a WBE and HUB certified architectural firm based in Austin, TX, specializing in the planning and design of commercial, multi-family residential/ high-density vertical mixed use, adaptive reuse and custom residential buildings. Spring has specialized experience with affordable housing, HUD, and TDHCA funding applications. Spring is currently performing design work for a Live/Work project in the City of Austin that will comply with the Austin Energy Green Building (AEGB) program. Two of Spring's tax credit communities were designed and constructed in compliance with the National Green Building Standard (NGBS.)

General Contractor – Based in Austin, Texas, BEC Austin has 50 years of experience building in Central Texas. BEC has built eight FC communities and completed all before the PIS deadline. They understand that affordable housing projects have stringent budget demands, which means closely tracking the variables of scope and cost as the design develops. With a deep dedication to sustainable building practices, BEC helped FC achieve LEED Gold and Platinum and Austin Energy Green Building 4- and 5-star ratings on our communities.

3a. Property Management Experience

Foundation Communities will be the Property Manager for Juniper Creek

We perform all leasing, maintenance, accounting, compliance and other property management functions for our 26 properties and earn property management and asset management fees that help support the overall nonprofit mission. Our team monitors portfolio health, tracks each project monthly, and aggregates detailed performance metrics at the portfolio level for review by the CFO. FC also has a well-funded Central Reserve and robust Asset Management program to keep properties in good condition and eliminate unforeseen capital/repair expenses that would undermine FC's organizational and financial strength. The success of our property management is demonstrated through its high occupancy (98% in 2021), low turnover, and healthy investment in capital repairs and upgrades to existing portfolio (\$1,479/unit in 2021).

Juniper Creek will be crewed and managed by Foundation Communities hirees: an on-site Community Manager, Assistant Community Manager, and Maintenance staff, who will collaboratively work to ensure the site's smooth operation and deliver optimal services to residents. Property management staff will coordinate resources to effectively manage Juniper Creek, provide excellent customer service while maintaining the highest standard for resident service, manage and perform leasing and maintenance activities that comply with policies, market the community, and accomplish other duties and objectives associated with running an affordable rental housing community. Property management staff must have practical experience with at least two years in the industry. All on-site staff will undergo OneSite and Fair Housing training.

Leadership Experience

- **Vicki McDonald, Chief Real Estate Officer**, oversees our entire real estate portfolio, monitoring annual operating budgets, major capital improvements, and management of a team of ten staff who are directly involved in the daily oversight of property operations, capital improvements, sustainability initiatives, supportive housing, safety and risk management and new construction. She links real estate operations and development through input and participation on the acquisition, design, and construction transition to operations. She is a CCIM Designee, a licensed Texas Real Estate Broker and has owned a real estate management and brokerage firm for 25 years before joining Foundation Communities.
- **Desiree Golden, Director of Family Property Management**, oversees 18 family properties within the FC portfolio as well as the Compliance Department. She works closely with District Managers on day-to-day operations along with evaluating the ongoing financial performance of each property. Desiree has 32 years of experience in Property Management (12 years with FC) and has her CAM and CAPS designations from NAA.
- **Valicia Nichols, Director of Compliance**, oversees compliance for the entire portfolio and is well-versed in guidelines and regulations for FC's compliance programs, such as

Low Income Housing Tax Credits (LIHTC), HOME, HUD Section 8 Voucher, Housing Trust Fund, Neighborhood Stabilization Program (NSP), Section 811 and older programs, e.g., Affordable Housing Program (AHP). She has been with FC since 2011 and maintains FC's good standing with compliance agencies, e.g TDHCA (state); City of Austin; FHLB as well as investors.

3b. Compliance Reports from Austin



City of Austin

Neighborhood Housing and Community Development

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

(512) 974-3100 ♦ Fax (512) 974-3112 ♦ www.cityofaustin.org/housing

November 30, 2020

Kristina Thompson
Foundation Communities
2906 E Martin Luther King Boulevard
Austin, TX 78702

Re: FY19-20 Monitoring Review of M Station

Dear Kristina Thompson:

The City of Austin, Neighborhood Housing and Community Development (NHCD) contracted UPCS Inspectors, LLC to perform an on-site monitoring review of the aforementioned property on September 4, 2020. The purpose of the review was to ensure program compliance with federal regulatory requirements set forth in the agreement between NHCD and Foundation Communities.

I am pleased to inform you that the property file reviews were completed and the property is in compliance with the terms of the agreement. Due to COVID-19 precautions, inspections were suspended for the current year, but NHCD reserves the right to complete the property inspections at a future date.

Should you have any questions or require additional information, please contact Jenilee.Ramirez@austintexas.gov or at 512-974-9379.

Sincerely,

Chase Clements, Financial Manager
City of Austin, NHCD



City of Austin

Neighborhood Housing and Community Development

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

(512) 974-3100 ♦ Fax (512) 974-3112 ♦ www.cityofaustin.org/housing

November 30, 2020

Kristina Thompson
Foundation Communities
3226 W Slaughter Lane
Austin, TX 78748

Re: FY19-20 Monitoring Review of Homestead Oaks

Dear Kristina Thompson:

The City of Austin, Neighborhood Housing and Community Development (NHCD) contracted UPCS Inspectors, LLC to perform an on-site monitoring review of the aforementioned property on September 03, 2020. The purpose of the review was to ensure program compliance with federal and local regulatory requirements set forth in the Rental Housing Development Assistance Program Loan Agreement (the “Loan Agreement”) with the Austin Housing Finance Corporation (AHFC).

I am pleased to inform you that the property file reviews were completed and the property is in compliance with the terms of the agreement. Due to COVID-19 precautions, property inspections were suspended for the current year, but NHCD reserves the right to complete the property inspections at a future date.

Should you have any questions or require additional information, please contact Jenilee.Ramirez@austintexas.gov or at 512-974-9379.

Sincerely,

Chase Clements, Financial Manager
City of Austin, NHCD



City of Austin

Neighborhood Housing and Community Development

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

(512) 974-3100 ♦ Fax (512) 974-3112 ♦ www.cityofaustin.org/housing

November 30, 2020

Kristina Thompson
Foundation Communities
4320 S. Congress Ave.
Austin, TX 78745

Re: FY19-20 Monitoring Review of Sierra Vista

Dear Kristina Thompson:

The City of Austin, Neighborhood Housing and Community Development (NHCD) contracted UPCS Inspectors, LLC to perform an on-site monitoring review of the aforementioned property on September 03, 2020. The purpose of the review was to ensure program compliance with federal and local regulatory requirements set forth in the Rental Housing Development Assistance Program Loan Agreement (the “Loan Agreement”) with the Austin Housing Finance Corporation (AHFC).

I am pleased to inform you that the property file reviews were completed and the property is in compliance with the terms of the agreement. Due to COVID-19 precautions, property inspections were suspended for the current year, but NHCD reserves the right to complete the property inspections at a future date.

Should you have any questions or require additional information, please contact Jenilee.Ramirez@austintexas.gov or at 512-974-9379.

Sincerely,

Chase Clements, Financial Manager
City of Austin, NHCD

3c. Compliance Reports from outside Austin

Valicia Nichols

From: Jeanette Rodriguez, COS <compliance@monitoringdataservices.org>
Sent: Thursday, August 26, 2021 3:01 PM
To: Walter Moreau; Valicia Nichols; Desiree Golden; ShadowBrook Manager; Kristina Thompson
Subject: MDSI: Shadow Brook Apartments - Confirmation of Compliance

CAUTION: This email originated from outside of the organization.

Monitoring Data Services, Inc. (MDSI) is the monitoring agency for the Affordable Housing Program (AHP). MDSI has completed a limited review of the program documents and the on-line **annual** compliance report for **Shadow Brook Apartments** reflecting the occupancy as of **July 6, 2021**.

The review did not assess compliance with all requirements of the AHP program. Rather, the review was intended to:

- Test for compliance with the program's rent restrictions
- Test for compliance with the program's income restrictions
- Test for timeliness of certifications and recertifications
- Test for compliance with the required set aside

Please note that the scope of the review was very limited and it did not test for many requirements that your property might have. It is the owner's responsibility to maintain compliance property wide.

Based on the limited scope of the review, **no** findings of noncompliance were identified.

Please note the following concerns identified during the desk review:

- Units **28, 47, 56, 102, 386** - Update the Unit Status Report (USR) to reflect the recertification information for each unit.
- Units **115, 237**- Based on the households' incomes indicated on the USR, the households qualify as Very Low-Income (VLI). Update the USR to reflect the correct qualifying unit designation.
- Units **328, 351**- Based on the households' incomes indicated on the USR, the households qualify as Low-Income (LI). Update the USR to reflect the correct qualifying unit designation.

The Land Use Restriction Agreement (LURA) requires a total of **84** Qualifying Units (QUs), of which **48** must be leased to Very Low-Income (VLI) households. The qualifying unit requirements have been met.

The Annual Compliance Fee is up-to-date.

Shadow Brook Apartments is required to report **annually**. The next **annual** report is due on **July 10, 2022** and should reflect occupancy as of **June 30, 2022**.

- The qualifying unit requirements of the LURA must be maintained at all times throughout the year.
- Recertification of annual income must be performed within one (1) year of the last certification. Notices should be sent to the residents requesting an updated application and income verification documents and the process completed prior to the due date.
- Income and asset verifications must be within 120 days of the Tenant Income Certification (TIC) effective date.
- While you are not required to submit monthly compliance reports to AHG, it is recommended that the on-line Unit Status Report (USR) be updated monthly in order to continue tracking the status of the AHP to ensure ongoing compliance. Additionally, MDSI may request a current report and/or copies of qualifying documents at any time.

If you have any questions or need assistance completing the report, please call us toll-free at (888) 637-4333.

Jeanette Rodriguez, COS
Senior Compliance Monitor

Monitoring Data Services, Inc.
P.O. Box 601769
Dallas, Texas 75360-1769

Valicia Nichols

From: Jeanette Rodriguez, COS <compliance@monitoringdataservices.org>
Sent: Wednesday, July 28, 2021 6:24 PM
To: Walter Moreau; Valicia Nichols; Desiree Golden; SleepyHollow Manager; Paul Mariani
Subject: MDSI: Sleepy Hollow Apartments - Confirmation of Compliance

CAUTION: This email originated from outside of the organization.

Monitoring Data Services, Inc. (MDSI) is the monitoring agency for the Affordable Housing Program (AHP). MDSI has completed a review of the sample program documents and the on-line **annual** compliance report for **Sleepy Hollow Apartments** reflecting the occupancy as of **May 31, 2021**. A sampling of the program documents received confirmed compliance.

The review did not assess compliance with all requirements of the AHP program. Rather, the review was intended to:

- Test for compliance with the program's rent restrictions
- Test for compliance with the program's income restrictions
- Test for timeliness of certifications and recertifications
- Test for compliance with the required set aside

Please note that the scope of the review was very limited and it did not test for many requirements that your property might have. It is the owner's responsibility to maintain compliance property wide.

Based on the limited scope of the review, **no** findings of noncompliance were identified. Please note that although there were no findings, only a sample of information provided was reviewed for the purposes of this report.

Please note the following concern identified during the desk review:

- Units **122, 133, 140, 211, 217** - The households' incomes were above the income limit at initial certification. Update the Unit Status Report (USR) to reflect the units as market. Remove the households' incomes and Tenant Income Certification (TIC) Effective Date.

The Annual Compliance Fee is currently up-to-date.

The Land Use Restriction Agreement (LURA) requires a total of **46** Qualifying Units (QU), of which **26** must be leased to Very Low-Income (VLI) households. The qualifying unit requirements have been met.

Sleepy Hollow Apartments is required to report **annually**. The next **annual** report is due on **June 10, 2022** and should reflect occupancy as of **May 31, 2022**.

Remember these guidelines while in annual compliance status:

- The qualifying unit requirements of the LURA must be maintained at all times throughout the year.
- Recertification of annual income must be performed within one (1) year of the last certification. Notices should be sent to the residents requesting an updated application and income verification documents and the process completed prior to the due date.
- Income and asset verifications must be within 120 days of the Tenant Income Certification (TIC) effective date.
- While you are not required to submit monthly compliance reports to MDSI, it is recommended that the on-line Unit Status Report (USR) be updated monthly in order to continue tracking the status of the AHP to ensure ongoing compliance. Additionally, MDSI may request a current report and/or copies of qualifying documents at any time.

If you have any questions, please call us toll-free at (888) 637-4333.

Deidra Young
Director of Compliance Monitoring

Monitoring Data Services, Inc.
P.O. Box 601769

Valicia Nichols

From: Vernita Frost, COS, CMH <compliance@monitoringdataservices.org>
Sent: Tuesday, October 26, 2021 3:49 PM
To: Walter Moreau; Valicia Nichols; Desiree Golden; PetersColony Manager; Kimberly Coldren
Subject: MDSI: Peters Colony Apartments - Confirmation of Compliance

CAUTION: This email originated from outside of the organization.

Monitoring Data Services, Inc. (MDSI) is the monitoring agency for the Affordable Housing Program (AHP). MDSI has completed a review of the program documents and the **annual** compliance report for **Peters Colony Apartments** reflecting the occupancy as of **September 30, 2021**. The required program documents were sufficient to confirm compliance.

The review did not assess compliance with all requirements of the AHP program. Rather, the review was intended to:

- Test for compliance with the program's rent restrictions
- Test for compliance with the program's income restrictions
- Test for timeliness of certifications and recertifications
- Test for compliance with the required set aside

Please note that the scope of the review was very limited and it did not test for many requirements that your property might have. It is the owner's responsibility to maintain compliance property wide.

Based on the scope of the review, **no** findings of non-compliance were identified.

The Land Use Restriction Agreement (LURA) requires a total of **56** Qualifying Units (QUs), of which **32** must be leased to Very Low-Income (VLI) households. The qualifying unit requirements have been met.

Please note the following concerns identified during the review:

- Please note the TAA application alone is not sufficient to properly screen for all sources of household income. TAA has a supplemental application that can be used for qualifying households, which has been used previously by the property. The TAA application and the supplemental application must be submitted together for newly qualified households. Or the application available on MDSI's website at www.monitoringdataservices.org can be used.

4. Development Description

Juniper Creek is a new construction of 110 units of Family Supportive Housing that will build on Foundation Communities' successful housing-plus-services model, proven highly effective for families and individuals with specialized needs, limited incomes, and housing instability. This project is a unique opportunity for Foundation Communities to develop a new community on a large, tree-filled site next door to our newly opened Laurel Creek Apartments, bridging the two communities. With this new development, FC will build 110 affordable homes that are sustainably and beautifully designed and enriched with FC's high-impact services. We are thrilled to bring our housing-plus-services model to this growing, transit-connected area of Austin.

Juniper Creek is designed as an apartment complex with three residential buildings (two five-story, elevator-served and one three-story) and several centrally located, tree-filled green spaces and common amenities. Residents will have quick access to an open-air community terrace and covered porch, a community deck, two playgrounds, a dog park, barbeque grills, picnic tables, a community garden, and an outdoor fitness area. Parking is provided along the exterior of the residential buildings with several pathways to pedestrian- and kid-friendly spaces. Package lockers, a mail kiosk, and offices for property management and service staff will be located on the first floor of the easternmost portion of Residential Building 2, which is located in the center of the lot. Multiple laundry rooms will be available on-site.

Residents will also have easy access to services and amenities next door at its connecting sister site: including the Open Door Preschool and state-of-the-art Learning Center, which comprises several classrooms, a community kitchen, reading nooks, staff offices, and a large gathering space designed to house FC's free afterschool and summer programs for children; a healthy food pantry for residents and the community; educational, financial, and health-oriented classes for adults; and outdoor spaces, including a basketball court, a dog park, playgrounds, and picnic tables and barbeque grills.

4a(i). Resident Population

- **Target Population** - Juniper Creek Apartments will target low-income households. 76% of the units are 2- and 3-bedroom floor plans to allow for larger families. 20% is reserved for households with incomes at or below 30% MFI, 40% for households at or below 50% MFI, and the remaining 40% for households at or below 60% MFI.
- **Preference for extremely low-income homeless families** - 20% of units will prefer homeless families making less than 30% of MFI and will receive supportive services through the Children's HOME Initiative (CHI) Program, an established FC program model that has been serving extremely low-income homeless families across Austin since 2003.
- **Special Needs** – as part the FHLB Dallas funding award, Juniper Creek Apartments is committing 40% of total units for persons with Special Housing Needs, defined by FHLB as households with elderly, persons with disabilities, persons recovering from physical abuse alcohol or drug abuse, persons with HIV/AIDS, formerly incarcerated persons, victims of domestic violence, dating violence, sexual assault or stalking, and unaccompanied youth.
- **Continuum of Care** – At this time we are not committing to COC units.
- **Rental Assistance Vouchers** – At this time there are no dedicated project-based subsidies. We will of course accept tenant vouchers.
- **Accessibility** - 10% of the total units will be made accessible for persons with mobility and 2% of total units will be made accessible for persons with hearing and visual impairments. In addition, all ground floor units will be made adaptable to persons with mobility disabilities.

4a(ii). Compatibility City Planning

The site is not located within a City of Austin Neighborhood Plan. The site is, however, located within three overlapping priority development areas specified in the City of Austin's Strategic Housing Blueprint: the North Lamar Mobility Bond Corridor, the Braker Lane/Blue Goose Imagine Austin Corridor, and the Lamar Boulevard Imagine Austin Corridor. This makes the Juniper Creek site well aligned with the Imagine Austin plan, the Austin Strategic Housing Blueprint, The Austin Strategic Mobility Plan, and The Austin Community Climate Plan.

4a(iii). Financial Summary

Construction Sources	Amount	Terms	Status
Tax Credit Equity	\$1,493,203	\$0.92 price	Term Sheet signed
Private Activity Bonds	\$26,000,000	\$0	Term Sheet signed
City of Austin	\$3,300,000	0% cash flow loan	Funds awarded in 2022
City of Austin	\$3,300,000	0% cash flow loan	New application
Travis County SLFRF	\$6,500,000	0% deferred forgivable loan	Funds awarded in 2022
FHLB Dallas	\$750,000	3% pass through cash flow loan	Funds awarded in 2022
Sponsor Loan	\$1,352,860	3% cash flow loan	Committed
Deferred Developer Fee	\$2,082,518	Repayable via cash flow	Committing up to 50%
TOTAL	\$44,778,581		

Permanent Sources	Amount	Terms	Status
Tax Credit Equity	\$14,932,029	\$0.92 price	Term Sheet signed
Mortgage	\$10,414,033	5.78% 40 year amortizing loan	Term Sheet signed
City of Austin	\$3,300,000	0% cash flow loan	Funds awarded in 2022
City of Austin	\$3,300,000	0% cash flow loan	New application
Travis County SLFRF	\$6,500,000	0% deferred forgivable loan	Funds awarded in 2022
FHLB Dallas	\$750,000	3% pass through cash flow loan	Funds awarded in 2022
Sponsor Loan	\$3,500,000	3% cash flow loan	Committed
Deferred Developer Fee	\$2,082,518	Repayable via cash flow	Committing up to 50%
TOTAL	\$44,778,581		

4a(iii). Financial Summary

Tax Credit Equity - In late January or early February 2023, FC will submit an application for 4% tax credits prior to our anticipated Bond Resolution. We have executed a term sheet with Wells Fargo as investor with \$0.92 tax credit pricing, 10% of which is available during construction.

Private Activity Bonds – Juniper received an inducement resolution in 2022 for TSAHC’s 2023 volume cap and we expect to receive a Bond Resolution in late January or early February 2023. FC also executed a term sheet with Wells Fargo to publicly issue the bonds use the cash collateralized bonds to lend funds to the project as a typical construction draw down loan.

Mortgage – FC has executed a term sheet with Wells Fargo as the perm lender with a current interest rate of 5.78% for a 18-year term to be amortized over a 40-year period. Interest rates will lock prior to closing.

Austin Housing Finance Corporation – AHFC awarded \$3.3 million to Juniper in 2022. FC is applying for additional funds to be used for increased construction costs. We request these funds from the City to be in the form of a 0% cash flow loan with a 40 year term.

Travis County SLFRF - Travis County awarded Juniper Creek \$6,500,000 in Coronavirus State and Local Fiscal Recovery Funds (SLFRF) in September 2021. Attached is the Preliminary Commitment Letter.

FHLB Dallas - Juniper was awarded \$750,000 from FHLB of Dallas in 2022 and will close on the funds with the partnership closing. The funds will be loaned from Wells Fargo to Foundation Communities via a 15 year deferred forgivable loan and then passed through to the Owner via a 40 year cash flow loan with 3% interest. The FHLB funds are passed through in this way because grants and deferred forgivable loans run the risk of being treated as taxable income on tax credit projects and adding significant costs to the partnership. Additionally, the interest rates of subordinate loans on tax credit projects can impact investor gains and is typically a point of negotiation.

Sponsor Loan - FC received \$3,500,000 in funding from the owner of the FC Soccer stadium, the majority of which will be invested in Juniper Creek (a small portion is expected to go to our Balcones Terrace project). This funding is paid over a 4 year period from 2022 – 2025. The equity will be loaned to the partnership at 3% interest for the same reasons as stated above for the FHLB funds.

Deferred Developer Fee - With increased construction costs, FC increased the developer fee from \$4.5 million at initial application to \$5.3 million, but also increased the deferred developer fee from \$1,125,000 to \$1,978,996. Increasing developer fee increases eligible basis and associated tax credits. FC is committed to deferring at minimum 25% of the developer fee payable through cash flow as required by the RDHA program; however, if FC is successful in securing additional sources of funds, we will first reduce the deferred developer fee down to 25%.

4a(iii). Financial Summary

Proposed Lien Order

1. Construction and Perm loan
2. Travis County
3. **AHFC**
4. Sponsor Loan
5. FHLB Dallas Loan

Proposed Application of Additional Sources of Funds

1. Development Cost increases
2. Reducing Deferred Developer Fee to 25% of Developer Fee
3. **Reducing AHFC Loan**
4. Reducing Sponsor Loan

Proposed Application of Cash flow

1. Standard investor required cash flow provisions
2. Investor Asset Management fee
3. Deferred Developer Fee
4. FC Below-The-Line Services Fee (typically \$60k to \$100K, will be determined in future negotiations with investor – a portion of total services costs shown in the enclosed budget may be paid as above-the-line fee)
5. Repayment of subordinate loans
 - a. **AHFC Loan – 50%**
 - b. FC Sponsor Loan - 50%

4b. Financial Commitments



Travis County Commissioners Court Voting Session Agenda Request

Meeting Date: Tuesday, September 14, 2021

Agenda Language:

Consider and take appropriate action to address homelessness and affordable housing in Travis County using LFRF/ARPA funds. (Commissioners Howard & Gómez)

Prepared By/Phone Number: David Salazar, Executive Assistant, 512-854-9280

Elected/Appointed Official or Department Head: Ann Howard, Margaret Gómez

Commissioners Court Sponsor(s): Commissioner Ann Howard and Commissioner Margaret J. Gomez

Press Inquiries: Hector Nieto, PIO, 512-854-8740

Background/Summary of Request:

Travis County and our community has been faced with a homelessness crisis that has been seemingly aggravated during the COVID-19 pandemic. Residents have communicated with County leaders to urge the investment of LFRF/ARPA funds to address homelessness. Recently, community groups have come together and set a goal to rehouse 3,000 people over the next 3 years. The Commissioners Court shares a commitment to use our partnerships to deepen affordability and increase community resources to address homelessness and housing across the County.

Staff Recommendations:

Staff recommends the Court consider, discuss and take action to earmark ARPA funding to address homelessness and affordable housing issues in Travis County.

Issues and Opportunities:

Travis County has been allocated \$247,450,630 in Local Fiscal Recovery Funds through the American Recovery Plan Act (LFRF/ARPA) which can be used to address public health needs including affordable housing and strategies to rehouse people experiencing homelessness.

Foundation Communities and Mobile Loaves and Fishes/Community First! Village have requested that Travis County invest \$50,000,000.00 of its available LFRF/ARPA funds, to create the Burleson Village, a new supportive housing community for approximately 700 new residents.

The Austin Area Urban League, Caritas, Family Eldercare, Integral Care, LifeWorks, and SAFE Alliance have formed the Travis County Supportive Housing Collaborative and have jointly requested that Travis County invest \$50,000,000 of its available LFRF/ARPA funds, to develop new affordable supportive housing communities at

different geographic locations across the County, for approximately 1000 new residents.

The Other Ones Foundation is in the process of constructing 200 additional tiny home units at Camp Esperanza near the corner of US Hwy 183 and Ben White Blvd. which will house 1 – 2 persons each. In addition, they are planning to include a community center to service this community where they will provide shelter for an estimated 300 persons at any given time which will include support services and rental assistance with a goal of rehousing 400 – 475 persons per year. The Foundation needs a total one-time capital investment of approximately \$3,000,000 to complete this project in partnership with Sunrise Church, Integral Care and Travis County Constable Precinct 3.

In addition to their project with Community First, Foundation Communities is in the process of design and construction on property acquired adjacent to the Laurel Creek Apartments near the corner of Lamar Blvd and Braker Ln. to establish their Juniper Creek Apartments to provide supportive housing to formerly homeless families with children which will consist of 100 new 100% affordable apartments with onsite case managers and parent support services, access to additional resources such as afterschool childcare, summer youth program, adult education classes, fitness classes, food pantry, and stabilizing services. Foundation Communities has budgeted \$20 million for the construction of this apartment complex and is in need of \$6.5 million to complete.

Fiscal Impact and Source of Funding:

Staff recommends earmarking approximately \$110,000,000 of LFRF/ARPA Funds to address the issue of Housing and Homelessness in the community.

Required Authorizations:

Attachments:

1. Burleson Village proposal
2. esperanza community 3D
3. Camp Esperanza Phase 1
4. TCSHC Fact Sheet REVISED
5. Supportive Housing Resolution 091321



Minutes for the Travis County Commissioners Court September 14, 2021 Voting Session

Minutes Prepared by the Travis County Clerk
512-854-4722 • www.traviscountytx.gov • PO Box 149325, Austin, TX 78714-9325

Call to Order

Meeting called to order on September 14, 2021, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX, Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

Present: County Judge Andy Brown
Commissioner Precinct 1 Jeffrey Travillion
Commissioner Precinct 2 Brigid Shea
Commissioner Precinct 3 Ann Howard
Commissioner Precinct 4 Margaret J. Gómez

Consent

- C1. Receive bids from County Purchasing Agent. (Commissioner Travillion)
- C2. Approve payment of claims by the County Treasurer. (Judge Brown)
- C3. Authorize the County Treasurer to invest County funds. (Judge Brown)
- C4. Approve the minutes for the Commissioners Court Voting Sessions of August 24 & 31, the Special Voting Session of August 26, and the Special Joint Sessions of August 24 & 31, 2021. (Judge Brown)
- C5. Approve changing the 2021 Travis County Commissioners Court Calendar to reflect November 2, 2021, as a "consent" day, and November 23, 2021, as a "skip" day. (Judge Brown)

MOTION: Approve Items C1-C5.
RESULT: **Passed (4-0)**
MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 2 Brigid Shea
AYES: Andy Brown, Brigid Shea, Ann Howard, Margaret Gómez
ABSENT: Jeffrey Travillion

Second Consent Motion

MOTION: Approve Items 9, 10, 11, 17.a-b, 19.a-e, 22.a-b, 23, 24, 25, 26, 27.a-b, 29, 30, 34.a-b, 35.a-b, 39, and 40.a-d.

RESULT: Passed (4-0)
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Brigid Shea, Ann Howard, Margaret Gómez
ABSENT: Jeffrey Travillion

Reconsider Consent Motions

MOTION: Amend the consent motions to show Commissioner Travillion voting in favor.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Clerk's Note: The Judge noted that there was a typo in the contract number for item 22 on August 31, 2021. The correct number is 4400005620.

Public Hearings

1. Receive comments regarding a request to authorize the filing of an instrument to vacate a portion of a drainage easement, recorded as Document #2019047203 of the Official Public Records of Travis County and located within The Mansions at Onion Creek Apartments, in Precinct Three. (Commissioner Howard)

MOTION: Open the Public Hearing.
RESULT: **Passed (4-0)**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Brigid Shea, Ann Howard, Margaret Gómez
ABSENT: Jeffrey Travillion

Members of the Court heard from:

Anna Bowlin, Division Director, Development Services and Long-Range Planning, Transportation and Natural Resources (TNR)

MOTION: Close the Public Hearing.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

2. Receive comments regarding a plat for recording: Resubdivision of Lot 4A, Easton Park Section 1B, Amended Plat (Resubdivision Final Plat – four total lots – 25.433 acres – 7401 E. William Cannon – City of Austin Limited Purpose) in Precinct Four. (Commissioner Gómez)

RESULT: NO ACTION NECESSARY

3. Receive comments regarding the Annual Written Plan for the 0108 Records Management Preservation Fund and 0129 County Clerk's Records Archival Fund. (Judge Brown)

MOTION: Open the Public Hearing.

RESULT: APPROVED - UNANIMOUS

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 4 Margaret Gómez

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

MOTION: Close the Public Hearing.

RESULT: APPROVED - UNANIMOUS

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

4. Receive comments regarding the Travis County Tax Rate for the FY 2022 County Budget. (Judge Brown)
(This public hearing will be held at 1 pm.)

MOTION: Open the Public Hearing.

RESULT: APPROVED - UNANIMOUS

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 3 Ann Howard

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Members of the Court heard from:

Jessica Rio, County Executive, Planning and Budget Office (PBO)

Zenobia Joseph, Travis County resident

MOTION: Close the Public Hearing.

RESULT: APPROVED - UNANIMOUS

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 3 Ann Howard

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Resolutions & Proclamations

5. Approve proclamation recognizing September 13–20, 2021, as "National Disability Voter Registration Week." (Commissioner Shea)

Members of the Court heard from:

Nicky Boyte, National Contact Person for Austin, ADAPT of Texas

MOTION: Approve Item 5.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Auditor

6. Consider and take action on the disposition of the Employee Enrichment Fund as of September 30, 2021. (Judge Brown)

Members of the Court heard from:

Patti Smith, Travis County Auditor
Cameron Von noy, Financial Audit Manager, County Auditor's Office
Barbara Wilson, Assistant County Attorney

MOTION: Dissolve the Employee Enrichment Fund.
RESULT: **APPROVED - UNANIMOUS**
MOVER: County Judge Andy Brown
SECONDER: Commissioner Precinct 2 Brigid Shea
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Emergency Services

7. Consider and take appropriate action regarding the following:
- A. Outdoor burning in the unincorporated areas of Travis County
 - B. County response to natural disaster or other emergency (Judge Brown)

Members of the Court heard from:

Chuck Brotherton, County Executive, Emergency Services

RESULT: DISCUSSED

8. Receive briefing and take appropriate action regarding items related to the County's response to and recovery from COVID-19, including but not limited to:
 - A. Periodic update from the Austin/Travis County Public Health Authority
 - B. Vaccine distribution, operations, and associated agreements
 - C. Rental & utility assistance programs and initiatives
 - D. Other necessary measures and actions, including any legal actions, steps, orders, policies, or communications related to COVID-19 and measures necessary to protect public health and safety of employees and residents (Judge Brown)

Members of the Court heard from:

Sherri Fleming, County Executive, Travis County Health and Human Services (HHS)
Patrick Howard, Executive Vice President; Strategic Housing Finance Corporation (SHFC)
Chuck Brotherton, County Executive, Emergency Services

RESULT: DISCUSSED

Health & Human Services

9. Consider and take appropriate action to revise the resolution and form designating authorized signatories for contractual and financial documents for the Community Development Block Grant – Disaster Recovery (CDBG-DR) Infrastructure and Housing Projects. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action to approve and ratify the Third Amendment to the Texas Department of Housing and Community Affairs (TDHCA) Community Development Block Grant CARES Act (CDBG-CV) Contract No. 70200001045 and to approve the amended subrecipient agreement with Meals on Wheels and More, Inc., Travis County Contract No. 4400005642. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action to approve the CDBG-CV-3 Grant Agreement, which was provided following HUD's approval of Travis County's second substantial amendment to the Program Year 2019 Action Plan, which included additional projects for the preparation, prevention, or response to COVID-19. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

Intergovernmental Relations

12. Consider and take appropriate action on legislative matters. (Commissioners Travillion & Shea)

Members of the Court heard from:

Julie Wheeler, Intergovernmental Relations Officer, Intergovernmental Relations Office (IGR)

RESULT: DISCUSSED

13. Consider and take appropriate action on Travis County redistricting processes. (Commissioners Travillion & Shea)

RESULT: NO ACTION NECESSARY

14. Consider and take appropriate action on an appointment to the Sobering Center Board of Directors. (Judge Brown)

Members of the Court heard from:

Julie Wheeler, Intergovernmental Relations Officer, IGR

MOTION: Appoint Jimmy Henderson to the Sobering Center Board of Trustees.

RESULT: APPROVED - UNANIMOUS

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

15. Consider and take appropriate action on appointments to the Boards of the Strategic Housing Finance Corporation and Housing Authority of Travis County. (Judge Brown)

RESULT: NO ACTION NECESSARY

Planning & Budget

16. Consider and take appropriate action on budget amendments, transfers and discussion items. (Commissioner Gómez)

Members of the Court heard from:

Travis Gatlin, Budget Director, PBO

Paul Hopingardner, Executive Director, Technology and Operations

MOTION: Approve Item 16.

RESULT: APPROVED - UNANIMOUS

MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 2 Brigid Shea
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

17. Consider and take appropriate action on the following grant programs, applications, contracts and related special budgets, and permissions to continue:
- A. Annual contract to the Texas Indigent Defense Commission for the Mental Health Public Defender Felony Expansion Grant in Justice Planning
 - B. Permission to continue the FY 2021 Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program in the Health and Human Services Department (Commissioner Gómez)

RESULT: ADDED TO CONSENT

18. Consider and take appropriate action on proposed Fiscal Year 2022 Budget Rules. (Commissioner Gómez)

Members of the Court heard from:

Katie Gipson, Senior Planning and Budget Analyst Sr., PBO
Travis Gatlin, Budget Director, PBO
Patti Smith, Travis County Auditor

RESULT: DISCUSSED

19. Consider and take appropriate action on a resolution relating to the Turner's Crossing Public Improvement District, including:
- A. Determining the costs of certain public improvements to be financed by the Turner's Crossing Public Improvement District
 - B. Approving a preliminary service and assessment plan, including a proposed assessment roll
 - C. Directing the filing of the proposed assessment roll with the Travis County Tax Assessor-Collector to make it available for public inspection
 - D. Setting a public hearing for October 5, 2021, to consider an order levying assessments on property located within Improvement Area #1 of the Turner's Crossing Public Improvement District, and other matters related thereto
 - E. Directing County staff to publish and mail notice of the October 5, 2021, public hearing (Commissioner Gómez)

RESULT: ADDED TO CONSENT

20. Consider and take appropriate action to:
 - A. Approve an order setting Calendar Year 2022 Sheriff's and Constables' civil fees
 - B. Approve updated fees for the Medical Examiner for Calendar Year 2022
 - C. Approve updated park user fees for the Transportation & Natural Resources Department for Calendar Year 2022

Members of the Court heard from:
 Alex Braden, Budget Analyst Sr., PBO

MOTION: Approve Items 20.a-c.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

- D. Receive an annual update on fees to be charged by towing companies called by the Sheriff's Office for non-consent towing (Commissioner Gómez)

RESULT: DISCUSSED

21. Consider and take appropriate action on the following related to negotiation of an economic development performance agreement with Samsung Austin Semiconductor, LLC:
 - A. Evaluation and development of potential terms of the agreement
 - B. Modeling of economic, social, and equitable impact of potential terms
 - C. Other related items
(This item may be taken into Executive Session under the Consultation with Attorney and Economic Development Negotiations exceptions.)
 (Commissioner Travillion)

Judge Brown announced that Items 21.a-c would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation and Gov't. Code Ann 551.087, Economic Development Negotiations.

RESULT: DISCUSSED

Purchasing

22. Approve contract awards for the 2021 HMAC Overlay Program, IFB No. 2104-003-RJ, to the following low bidders:
- A. Contract No. 4400005853, Asphalt Inc., LLC, for Groups A–F in the amount of \$7,255,751.84
 - B. Contract No. 4400005854, Bennett Paving, Inc., for Group G in the amount of \$205,457.75
(Transportation & Natural Resources)
(Commissioner Travillion)

RESULT: ADDED TO CONSENT

23. Approve Modification No. 2 to Contract No. 4400004916 with RVE, Inc., in the amount of \$620,435.56, for the design of the Gilleland Creek Greenway Improvements, Section1 Project. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

24. Approve Modification No. 7 to Contract No. 4400003760 with Stantec Consulting Services, Inc., in the amount of \$50,877.64, for the design of the Bee Creek Sports Complex. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

25. Approve Modification No. 1 to Interlocal Agreement No. 4400005243 with The University of Texas at Austin, in the amount of \$48,795.00, for internet connection services. (Information Technology Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

26. Declare used equipment as surplus and authorize trade-in for purchase of new equipment, pursuant to Texas Local Government Code § 263.152(a)(2). (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

27. Consider and take appropriate action on the following items for Human Resources Management Department:
- A. Routine personnel actions
 - B. Non-routine personnel actions
(Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

28. Receive adaptive workplace (telework) initiative update from consulting partner, Deloitte Consulting, LLP. (Commissioners Travillion & Gómez)

Members of the Court heard from:

Shannon Weidauer, Director, Human Resources Management Department (HRMD)

Liz Menard, Senior Consultant, Deloitte Consulting LLP

Mayra Marquez, Human Capitol Senior Manager, Deloitte Consulting LLP

Sarah Smith, Manager, Deloitte Consulting LLP

RESULT: DISCUSSED

29. Consider and take appropriate action on a license agreement with Austin-Travis County Mental Health and Mental Retardation Center DBA Integral Care to use space at the County-owned building located at 502 Highland Mall Boulevard, Austin, Texas 78752. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

30. Consider and take appropriate action on the First Amendment to the lease agreement with the Travis County Central Healthcare District to use space in the County facility located at 15822 Foothill Farms Loop, Pflugerville, Texas 78660. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Transportation & Natural Resources

31. Consider and take appropriate action on approving a memorandum of understanding with the Travis County Parks Foundation, a Texas nonprofit organization and an IRS-registered 501(c)(3), for the purpose of supporting the County's efforts in preservation, community outreach, engagement, and education at Travis County Parks. (Commissioners Travillion & Shea)

Members of the Court heard from:

Charles Bergh, Division Director, Parks, TNR

MOTION: Approve the MOU in Item 31.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 4 Margaret Gómez

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

32. Consider and take appropriate action on a request to authorize the filing of an instrument to vacate a portion of a drainage easement, recorded as Document #2019047203 of the Official Public Records of Travis County and located within TheMansions at Onion Creek Apartments, in Precinct Three. (Commissioner Howard)

MOTION: Approve Item 32.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

33. Consider and take appropriate action on:

- A. Plat for recording: Resubdivision of Lot 4A, Easton Park Section 1B Amended Plat (Resubdivision Final Plat – four total lots – 25.433 acres – 7401 E. William Cannon – City of Austin Limited Purpose) in Precinct Four
- B. Subdivision construction agreement with Carma Easton, LLC(Commissioner Gómez)

RESULT: NO ACTION NECESSARY

34. Consider and take appropriate action on:

- A. Longview Small Lot Subdivision Preliminary Plan (Preliminary Plan – 1,591 total lots – 1,506 single-family residences (small lots), 83 right-of-way, joint-use driveways, water quality, landscape, detention, open space, and two lift station and amenity center lots on 430.71 acres – Kellam Road –City of Austin two-mile ETJ) in Precinct Four.
- B. Phasing agreement with WLH Communities – Texas, LLC (Commissioner Gómez)

RESULT: ADDED TO CONSENT

35. Consider and take appropriate action on:

- A. Sun Chase South Section 7 Final Plat (Final Plat - 82 single-family lots and four greenbelt and drainage lots – 4,020 of proposed streets – 25.642 acres – Sun Chase Parkway – water and wastewater provided by the City of Austin – City of Austin two-mile ETJ) in Precinct Four
- B. Subdivision construction agreement with Qualico CR, LP (Commissioner Gómez)

RESULT: ADDED TO CONSENT

Other

36. Receive briefing and update from the Housing Authority of Travis County, the Strategic Housing Finance Corporation of Travis County, County staff, and others regarding mitigation efforts at Rosemont at Oak Valley, located at 2800 Collins Creek Drive, and at any other housing in response to the 2021 Natural Disaster/Catastrophe – Winter Storm that may impact the response to and recovery from COVID-19 and take appropriate action, including but not limited to:
- A. Directing staff to take appropriate steps to assist finding housing
 - B. Allocate necessary funding
 - C. Any other necessary steps
(This item may be taken into Executive Session under the Consultation with Attorney exception.)
(Judge Brown)

Members of the Court heard from:

Sherry Fleming, County Executive, HHS
Patrick Howard, Executive Vice President; SHFC
Keica Prince, Member, Neighbors at Rosemont Tenants Association
Gabby Garcia, Organizer, BASTA

RESULT: DISCUSSED

37. Consider and take appropriate action to address homelessness and affordable housing in Travis County using LFRF/ARPA funds. (Commissioners Howard & Gómez)

Members of the Court heard from:

Alan Graham, Founder and CEO, Mobile Leaves and Fishes
Walter Moreau, Executive Director, Foundation Communities
Susan McDowell, CEO, Lifeworks and Member, Travis County Housing Collaboration
Quincy Dunlap, President and CEO, Austin Urban League
Jo Kathryn Quinn, President and CEO, Caritas of Austin
Kent Herring, CEO, Family Eldercare
Dawn Healy, COO, Integral Care
Pete Daniels, Executive Director, A New Entry
Julia Spann, Co-CEO, SafeAlliance
Joao Paulo Connolly, Director, Housing and Community Development, Austin Justice Coalition
Chivas Watson, Founder, Working Group 512
Pamela Bryant, CEO, Walking By Faith Prison Ministry
Shuronda Robinson, Member, Back Leaders Collective
Phyllis Everett, Founder and CEO, Saffron Trust Women's Foundation
Ebonie Trice, Founder and CEO, Mission Accomplished
Miles Brandon, Reverend, St Julian of Norwich Episcopal Church, and member, Austin Interfaith

Eweiss Azher, Travis County resident
Terry Michell, Founder, Black Leaders Collective
Anthony Jackson, Founder and CEO, We Can Now
Yasmine Smith, Director, Austin Area Urban League
Laura Ludwig, Travis County resident
Daniela Silva, Travis County resident
Emily Sawyer, Travis County resident
Zenobia Joseph, Travis County resident
Katrina Meredith, Travis County resident
Chris Harris, Director, Criminal Justice Programs, Texas Appleseed
Elizabeth Campo, Travis County resident
Beverly Lazar, Member, Austin Justice Coalition
Summer Wright, Travis County resident
Mary Ann Ramirez, Travis County resident
Reedy Spigner, Board Member, Working Group 512
Michael Lofton, Founder and CEO, African American Youth Harvest
Foundation

MOTION: Approve the resolution to address homelessness and affordable housing in Travis County.

MOVER: Commissioner Precinct 4 Margaret Gómez

SECONDER: Commissioner Precinct 3 Ann Howard

**FRIENDLY
AMENDMENT:**

Add the following amendments:

- Whereas it is crucial to the success of our system that each of these projects engage stakeholders with lived experience and people who have been impacted by homelessness, community organizations, and the Leadership Council, which is the governing body of our continuum of care across Travis County, so as to collect adequate input and ensure equitable outcomes for all investment of public funds,
- Be it further resolved that prior to seeking final budget approval from the court, all of the projects shall complete our community engagement process in accordance with Exhibit A, so that we would engage in an inclusive process with stakeholders to ensure equitable outcomes for the clients and the community,
- Be it further resolved that projects must be culturally competent, equitable, and intentional in addressing racial and other disparities in treatment and service, including providing adequate infrastructure for people with disabilities, for elderly people, for trans and non-binary people, and people with special needs and formerly incarcerated people, and
- Be it further resolved that projects must coordinate with the Austin Travis County Continuum of Care and serve Continuum of Care clients in order to build out a community wide system and support ongoing work by Travis County to address homelessness.

MOVER: Commissioner Precinct 3 Ann Howard
RESULT: **FRIENDLY AMENDMENT ACCEPTED**

Clerk's Note: A Vote on the Standing Motion was taken

RESULT: **APPROVED – UNANIMOUS**

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

38. Consider and take appropriate action on the Annual Written Plan for the 0108 Records Management Preservation Fund and 0129 County Clerk's Records Archival Fund. (Judge Brown)

MOTION: Approve Item 38.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 4 Margaret Gómez

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

39. Receive Fiscal Year 2022 Forfeited Property Account budget from the District Attorney's Office in accordance with the provisions of Article 59.06(d) of the Texas Code of Criminal Procedure. (Judge Brown)

RESULT: ADDED TO CONSENT

40. Consider and take appropriate action to approve a request from the Tax Assessor-Collector to authorize printing by the County's print shop of the following items, to be included with 2021 statements:

- A. 240,000 newsletters
- B. 240,000 1/3-page inserts
- C. 200,000 Customer Moving Card (1/4-sheet)
- D. Various inserts (approximate total of 132,100)
(Judge Brown)

RESULT: ADDED TO CONSENT

Executive Session

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

- Note 1: Gov't Code Ann 551.071, Consultation with Attorney*
- Note 2: Gov't Code Ann 551.072, Real Property*
- Note 3: Gov't Code Ann 551.074, Personnel Matters*
- Note 4: Gov't Code Ann 551.076, Security*
- Note 5: Gov't Code Ann 551.087, Economic Development Negotiations*
- Note 6 Gov't Code Ann 551.089, IT Security*

41. Receive legal briefing and take appropriate action on report from County Attorney's Office regarding ways to strengthen protections and enforcement of civil rights within our community, including our LGBTQIA+ community.¹ (Judge Brown)

RESULT: NO ACTION NECESSARY

42. Receive legal briefing and take appropriate action regarding the lease between Travis County and Bank of America for 2501 South Congress Avenue, Austin, Texas, including authorizing the County Attorney to hire outside counsel.¹ (Judge Brown)

Judge Brown announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

MOTION: Authorize the County Attorney's Office to hire Richards, Rodriguez, and & Skeith LLP as additional counsel in this matter and authorize PBO to make any appropriate budget adjustments.

RESULT: APPROVED - UNANIMOUS

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

43. Receive briefing and take appropriate action on a request that Travis County join as a signatory to a proposed joint amicus brief to be filed in Case No. 19-1392 in the U.S. Supreme Court, *Dobbs. v. Jackson Women's Health*.¹ (Judge Brown)

Judge Brown announced that Item 43 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

MOTION: Approve Travis County joining as a signatory to a proposed joint amicus brief to be filed in Case No. 19-1392 in the U.S. Supreme Court, *Dobbs. v. Jackson Women's Health*, and delegating signature authority to County Attorney, Delia Garza.

RESULT: APPROVED - UNANIMOUS

MOVER: Commissioner Precinct 4 Margaret Gómez

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

44. Receive briefing and take appropriate action on a request that Travis County join as a signatory to a proposed joint amicus brief to be filed in Case No. 20-843 in the U.S. Supreme Court, *NY Rifle Association v. Bruen*.¹ (Judge Brown)

Judge Brown announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

MOTION: Approve Travis County joining as a signatory to a proposed joint amicus brief to be filed in Case No. 20-843 in the U.S. Supreme Court, *NY Rifle Association v. Bruen*., and delegating signature authority to County Attorney, Delia Garza.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 4 Margaret Gómez

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

45. Receive an update on the Colorado River Project, LLC (also referred to as Tesla), and consider and take appropriate action regarding:

- A. Agreement with Tesla to extend Harold Green Road and status ^{1 & 2}
- B. Agreement with Tesla to extend Harold Green Road and status ^{1 & 2}
- C. Amendment, modification, or extension of Economic Development Performance Agreement, Colorado River Project, LLC (Tesla) ¹
- D. Other related issues ^{1 & 2}
(Commissioner Travillion)

RESULT: NO ACTION NECESSARY

46. Consider and take appropriate action on offer to sell approximately 621 acres of land in Precinct Three in connection with the Balcones Canyonlands Conservation Plan and the associated transfer of funds from the BCP Fund Allocated Reserve.^{1 & 2} (Commissioner Howard)

Judge Brown announced that Item 46 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

MOTION: Accept offer to sell approximately 621 acres of land in Precinct Three as discussed.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 3 Ann Howard

SECONDER: Commissioner Precinct 4 Margaret Gómez

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

47. Consider and take appropriate action on offer to donate a conservation easement over approximately 341 acres in Precinct Three.^{1 & 2} (Commissioner Howard)

Judge Brown announced that Item 47 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

MOTION: Accept the donation of a conservation easement over approximately 341 acres in Precinct Three.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 3 Ann Howard

SECONDER: Commissioner Precinct 4 Margaret Gómez

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Added Items

- A1. Approve proclamation recognizing September 17–23, 2021, as "Constitution Week." (Judge Brown & Commissioner Travillion)

MOTION: Approve Item A1.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 4 Margaret Gómez

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge

4e. Resident Services

i. A description of the services to be provided to residents

Foundation Communities will provide free, supportive service programs that will educate, support, and improve health and financial standing for residents. As part of the tax credit application, Juniper Creek Apartments has committed to providing a combination of services from the QAP for 40 years. Actual services to be provided are expected to be much more extensive than what will be committed for tax credits. Supportive Service programs to be offered on site and next door include:

- **Free Afterschool and Summer Program** – All children living on-site will have access to Foundation Communities’ free afterschool and summer programs, which offer academic assistance, enrichment activities, fitness activities, nutrition lessons, and support services. We provide a structured, supervised environment with rewarding, hands-on educational, cultural, artistic, and recreational activities for youth ages 5-14 designed to develop important social skills and improve educational performance. FC maintains a strong relationship with nearby schools and partners with teachers to help each child succeed. We also provide free, nutritious snacks and lunches during the summer.
- **Children’s Home Initiative** – 20% of units will have preference for extremely low-income families experiencing homelessness, who will receive services through FC’s Children’s HOME Initiative (CHI) Program. A dedicated case manager will work one-on-one with families to develop and implement plans to guide them toward housing stability, economic independence, and accessing education—everything from budgeting and applying for benefits, to connecting with workforce and childcare options, to liaising with schools and other supportive service providers.
- **Adult Classes** – Foundation Communities believes it is important to offer “at your door” education opportunities to adults, especially families that may have limited access to child care outside of work hours that would allow for attendance at off-site programs. Actual offerings will depend on resident needs but may include classes in English as a Second Language, computer skills, and financial literacy.
- **Health Initiatives** – A variety of programming focused on health and wellness will be offered and tailored to the specific needs of the target population and residents. This will include access to healthy food through a food pantry, healthy cooking classes, Zumba and other exercise classes, and periodic health fairs that bring a variety of providers on-site for health screenings, immunizations, and similar services.

4e. Resident Services

Foundation Communities also offers the following free off-site services to residents and the community at our Prosper Centers located in North Austin at 5900 Airport Blvd and South Austin at 2900 South Interstate 35.

- **Financial Coaching** - Residents will have the opportunity to meet individually with a trained volunteer on a variety of personal finance issues which may include a credit report review, creating a credit repair plan or a debt reduction plan, establishing a household budget, establishing a Safety Net Savings Account, exploring ways to reduce expenses, or setting financial goals. Financial Coaching sessions may be a single one hour session up to eight hours of individual sessions, depending on the situation.
- **Microenterprise** - Community Tax Centers provide services to self-employed and small business owners with five employees or fewer (including the owner), helping them to file their taxes and educating them about tax and liability implications and best practices.
- **College Savings** - Trained staff are available at the Prosper Center and financial aid events to help students complete the Free Application for Federal Student Aid (FAFSA) to obtain grants and loans for college. We also conduct scholarship workshops and have one-to-one scholarship mentoring.
- **Tax preparation** – Residents will be able to get their taxes prepared for free at our Prosper Centers. Our IRS-trained and certified volunteers prepare over 20,000 tax returns annually and ensure that clients who are eligible for credits such as the Earned Income Tax Credit (EITC) and the Child Tax Credit (CTC) receive those benefits.

ii. **The number and types of residents/clients expected to be served**

Juniper Creek Apartments will house 110 households at any given time. 76% of the units are 2- and 3-bedroom floor plans to allow for larger families.

iii. **Developer's experience and qualifications in providing the services**

Foundation Communities, as the primary supportive service provider at Juniper Creek Apartments, has over 25 years of experience in the provision of supportive services to its residents. Supportive services are an integral part of all Foundation Communities properties and are included in the planning process for every new community from inception. FC is considered a national leader in the provision of service-enriched housing.

4e. Resident Services

All Foundation Communities service programs are developed to meet the particular needs of residents. Each program utilizes a Theory of Change approach to identify the particular resident outcomes that are desired, the resources that will be required and how progress towards outcomes achievement will be measured and evaluated. Foundation Communities utilizes and contributes to best practices in the fields of education, health, trauma-informed case management, and financial stability. Because our programs have a long and consistent record of achieving positive resident outcomes, numerous foundations and public agencies provide funding to establish and grow our programs.

iv. Description of the organization(s) providing the services

The majority of supportive services will be provided by Foundation Communities staff and volunteers. We do, however, partner with more than fifty nonprofits and community groups to provide additional services. Some significant partnerships include: Creative Action, Safe Place, Sustainable Food Center, Goodwill, Austin Public Health, CommUnity Care, and Life Works.

v. Resumes of key personnel actively involved in the delivery of services

- **CHI Case Manager:** We plan to hire one full-time CHI Case Manager for Juniper Creek. This case manager will be located on-site and dedicated to residents of the CHI program. The CHI Case Manager is available to work one-on-one with residents on a weekly basis to develop a self-sufficiency plan; connect residents with workforce services; provide information, guidance, and support in making critical healthcare decisions; assist in applying for public benefits such as Medicaid, act as an advocate with the resident in managing any problems that arise in these systems; and coordinate other supportive service providers and property management to maintain housing stability. Case Managers must have a Bachelor's degree in social work or related field and a minimum of 3 years of relevant experience.
- **General Case Manager** - We will also hire a full-time Case Manager to be shared between Juniper Creek and Laurel Creek. This person will provide case management support for families and individuals outside of the CHI program. FC expects that at least half of residents will have need for regular services support with varying intensity of engagement. The same level of service can be provided indefinitely or can change over time in response to the household's needs. A monthly meeting schedule will be encouraged initially. Depending on the household and their needs, the work may appear similar to services offered through the CHI Program, and the Case Manager may additionally provide referrals as needed for deeper career guidance, parenting support, and financial education.

4e. Resident Services

- **Sarah Sygal, Learning Center Manager at Laurel Creek**, has served the Education Department at Foundation Communities for seven years. During her tenure at FC, she started as a Youth Program Assistant and then a Data Specialist before transitioning into her current role as a Learning Center Manager. As the full-time Learning Center Manager at Juniper Creek's neighboring sister site Laurel Creek, Sarah coordinates services that include helping residents improve their job skills to expand employment opportunities, encouraging residents to participate in the on-site Adult Education classes and health programs, helping residents access public entitlements (e.g. SSI, Unemployment), and connecting interested residents to the Mental Health programs. She also leads resident services staff and volunteers, collaborates with community partners, works with FC's Health Initiatives team to coordinate the on-site Food Pantry, and works closely with property management to help residents maintain their housing. Sarah holds a degree in Biology from the University of Texas.
- **Daniell Rider, Director of Learning Center Programs**, oversees summer and after-school programs for 15 FC communities. Daniell brings more than 20 years of experience in Out-of-School-Time (OST) programming, including teaching, curriculum/program design, implementation, training, and evaluation. Her work includes several years contracting with Ft. Hood - SKIES Unlimited, mentoring for Killeen Independent School District and Bell County Juvenile Justice Center, serving as an AmeriCorps Lead Instructional Specialist, and serving as the Program Director for an accredited Before and After-School program. The majority of her professional journey has been in the non-profit sector, collaborating with various organizations throughout Central Texas as a mentor, motivational speaker, youth advocate, project manager, volunteer coordinator, and educational consultant. Additionally, she has over seven years of grant writing and fundraising event planning experience. She holds a Master of Education in K-12 Curriculum and Instruction from Concordia University and a Bachelor of Science in Psychology from the University of Phoenix.
- **Danette Lopez Garza, Director of Family Supportive Housing**, graduated from the University of Texas at Austin with a degree in Government. She has 17 years' experience working with Central Texas nonprofits serving the highest needs populations at The Capital Area Food Bank in Agency Relations, The Caring Place as Program Coordinator, and Foundation Communities for the last 12 years in the Children's HOME Initiative. She serves on the board of the Social Service Case Management Network and RBI Austin Mentoring board.
- **Kori Hattemer, Director of Financial Programs**, oversees Foundation Communities' free tax preparation, college support services, one-on-one financial coaching, and money management classes. Prior to joining Foundation Communities, Kori was the Associate Director of Savings & Financial Capability at CFED. Kori received her Master of Public

Affairs degree at the University of Texas, where she also completed her undergraduate degree.

- **Marisela Montoya, Chief Program Officer**, graduated from the University of Texas with a degree in Psychology. For 17 years, she has worked overseeing and implementing programs for youth and adults, including 8 years with Austin ISD as a program director and program specialist (Community Education; At Risk Youth Programs; afterschool, teen, and adult education programs). She has been with Foundation Communities for over 10 years, first as Lead Learning Center Coordinator, then as Director of Education. Since 2022, Marisela serves FC as the Chief Programs Officer and currently leads all resident and community services – developing and directing education, financial stability, and supportive housing programs that serve more than 30,000 working class households. She holds a certificate in Nonprofit Leadership and Management from Austin Community College and Texas Association of Nonprofit Organizations.

4e. Resident Services

vi. Financial capacity of the Services provider:

Foundation Communities has a strong track record of fundraising to cover these programs. Funding for the supportive services at Juniper Apartments will come from a combination of service fee, cash flow, grants and fundraising from private foundations, corporations and individuals. This is the same method used to fund the supportive service programs at all our existing properties. FC has raised approximately \$45 million over the past 5 years to fund services at our existing 23 properties in Austin. We have deep relationships with the donor community, a well-funded Central Reserve, and maintain a healthy portfolio contributing strong ongoing revenue to the organization, with all projects producing their targeted cash flow and reserves established by the Board. Below is the services budget.

Sources	Year 1	Year 2	Year 3
Grants, Foundations, Corporations and Individuals Donors	\$74,173	\$76,398	\$78,690
Service Fee in Operating Budget	\$30,000	\$30,900	\$31,827
Cash Flow after Deferred Developer fee	\$0	\$0	\$0
TOTAL SOURCES	\$104,173	\$107,298	\$110,517

Uses	Year 1	Year 2	Year 3
Full-time CHI Case Manager	\$49,920	\$51,418	\$52,960
General Case Manager (shared)	\$24,960	\$25,709	\$26,408
Taxes and Benefits	\$14,976	\$15,425	\$15,888
Supplies/ Admin	\$10,300	\$10,609	\$10,927
Training/Travel/Mileage	\$2,575	\$2,652	\$2,732
Direct Aid to Clients	\$1,442	\$1,485	\$1,530
TOTAL	\$104,173	\$107,298	\$110,517

4f. Affordability Unlocked



City of Austin

P.O. Box 1088, Austin, TX 78767
<https://www.austintexas.gov/department/housing-planning>

Housing and Planning Department

May 25th, 2022

Affordability Unlocked Development Bonus Certification
Juniper Creek, 11630 and 11616 N. Lamar Blvd. – (ID 769)

To Whom It May Concern:

Owner FC Austin Twelve Housing Corporation - (development contact: Anna Lake-Smith, ph: 512.610.0811; email anna.lake-smith@foundcom.org) is planning to develop a **110-unit multifamily rental** development at 11630 and 11616 North Lamar Boulevard, Austin TX 78753. The applicant has elected to participate in the City of Austin's Affordability Unlocked Development Bonus Program, Type 1, so the development can receive waivers or modifications from certain development regulations as described in Ordinance No. 20199509-027.

The Housing and Planning Department certifies that the project, at the site plan submittal stage, meets the affordability requirements to qualify as a Type 1 development and is eligible to receive waivers and modifications of development regulations as described in Ordinance No. 20199509-027.

If changes are made through the review process, the applicant must notify HPD and an amendment to the Affordability Unlocked Land Use and Restrictions Agreement must be made and a revised Affordability Unlocked Certification letter must be issued. An administrative hold will be placed on the building permits, 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 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

Please contact me by phone 512.974.3462 or by email at nathan.jones@austintexas.gov if you need additional information.

Sincerely,

Nathan Jones, Project Coordinator
Housing and Planning Department

4g. SMART Housing



City of Austin

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

Housing and Planning Department

1/25/2022 (Revision to letter dated December 16, 2020)

S.M.A.R.T. Housing Certification- Foundation Communities, Inc. – Juniper Creek – Project ID 769

TO WHOM IT MAY CONCERN:

Foundation Communities, Inc. (development contact: Walter Moreau: 512-610-4016 (o); walter.moreau@foundcom.org) is planning to develop Juniper Creek, a **110-unit, multi-family** development at **11630 North Lamar Blvd**, Austin TX 78753. The project is subject to a minimum 5-year affordability period after issuance of certificate of occupancy, unless project funding requirements are longer.

This revision updates the total unit count from 137 to 110 units and the unit mix to the numbers provided below.

The development is seeking a zoning change from LO & MH to GR-MU-CO and LO-MU. The applicant has submitted evidence that they have reached out to Gracywoods Neighborhood Association President advising them of their project but have yet to receive a response back. Foundation Communities is committed to working with the neighborhood and will address any concerns that may come up.

Housing and Planning Department (HPD) certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since **20% (22)** of the units will serve households at or below **30% MFI**, **40% (44)** of the units will serve households at or below **50% MFI** and **40% (44)** of the units will serve households at or below **60% MFI**, the development will be eligible for 100% waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance. The expected fee waivers include, but are not limited to, the following fees:

AWU Capital Recovery Fees	Site Plan Review	Land Status Determination
Building Permit	Misc. Site Plan Fee	Building Plan Review
Concrete Permit	Construction Inspection	Parkland Dedication (<i>by separate ordinance</i>)
Electrical Permit	Subdivision Plan Review	
Mechanical Permit	Misc. Subdivision Fee	
Plumbing Permit	Zoning Verification	

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. (Contact Austin Energy Green Building: 512-482-5300 or greenbuilding@austinenergy.com).
- Submit plans demonstrating compliance with the required accessibility or visitability 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 the required accessibility or visitability 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 after the certificate of occupancy has been issued or repay the City of Austin, in full, the fees waived for this S.M.A.R.T. Housing certification.

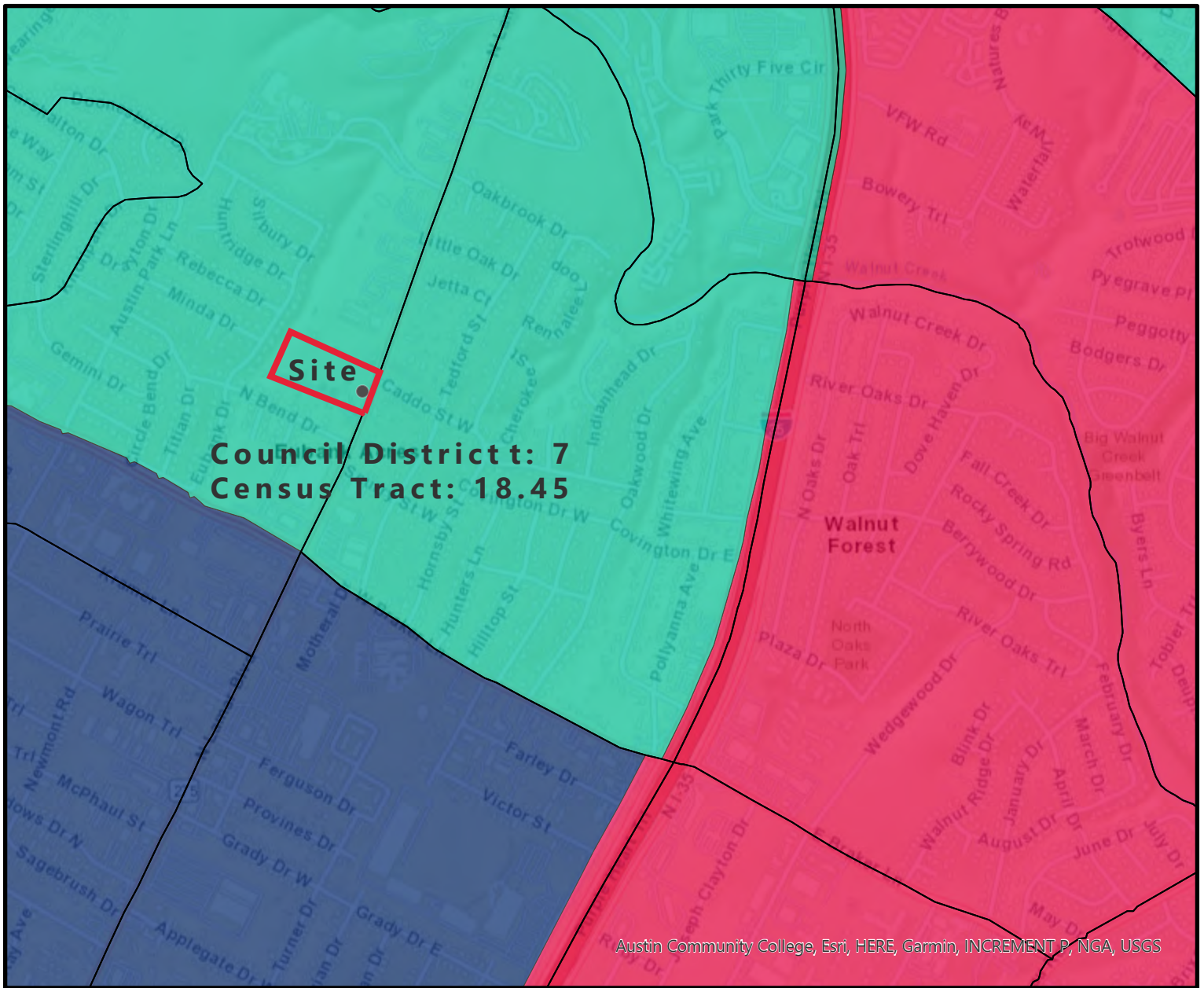
Please contact me by phone 512.974.2108 or by email at alex.radtke@austintexas.gov if you need additional information.

Sincerely,

Alex Radtke, Project Coordinator
Housing and Planning Department

Cc: Kristin Martinez, AE Ellis Morgan, HPD Jonathan Orenstein, AWU
Mashell Smith, ORS

5a. Property Maps



Property Label

- Steward Agency: Steward Label
- Managing Agency: Managing Label
- Address: Address Label
- Land Attributes: Land Label
- ORES Management ID: ORES ID Label
- ORES File Number: ORES File Label
- Restrictions: Restrictions Label
- Restrictions & Protection Comments: Comments Label

- Land Classification: Classification Label
- Land Category: Land Category Label
- Approximate Acreage: Acreage Label
- Appraisal District: Appraisal Label
- Appraisal District Property ID: Property ID Label
- Maximo Asset Tracking Number: Maximo Label



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



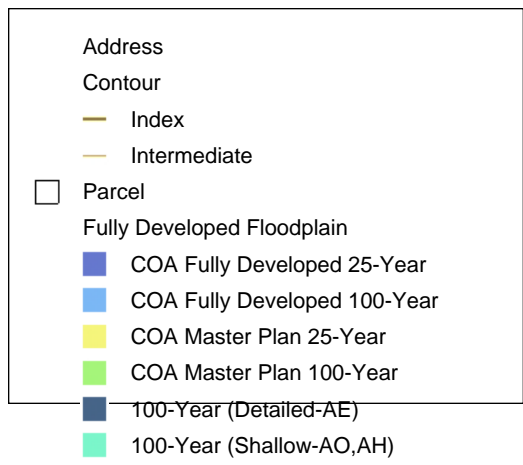
City of Austin Regulatory Floodplains

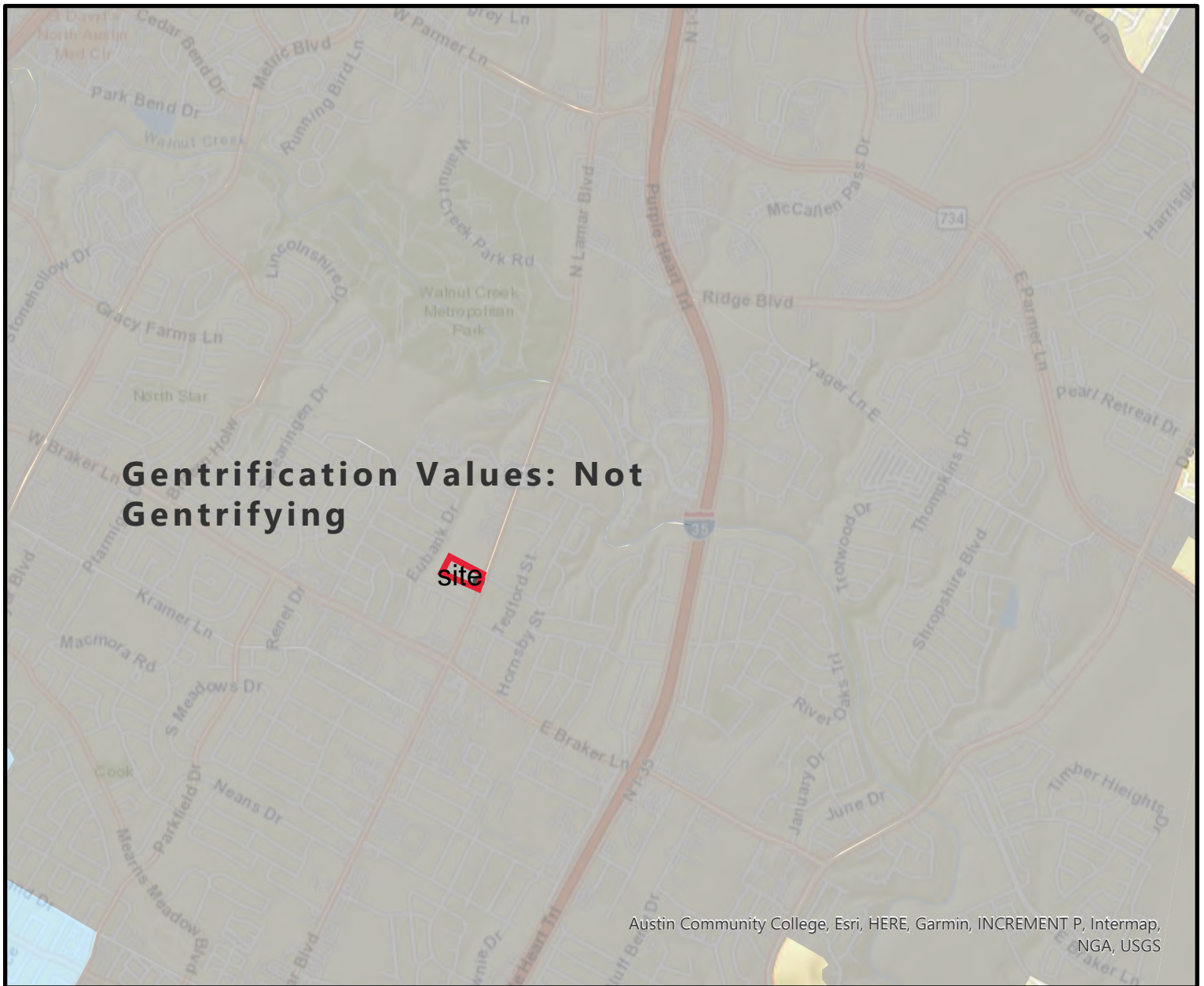
The City of Austin Watershed Protection Department produced this product for informational purposes. It is not intended for or suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative locations of property boundaries. No warranty is made by the City of Austin regarding specific accuracy or completeness. Final determination of the floodplain status for a property must be based on a topographic survey by a Texas registered professional. For regulatory purposes, 100-Year floodplain elevations must be determined from an engineering model created in accordance with the Drainage Criteria Manual and approved by the City of Austin.

0 200 400 Feet



Prepared: 1/27/2022





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Austin Community College, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

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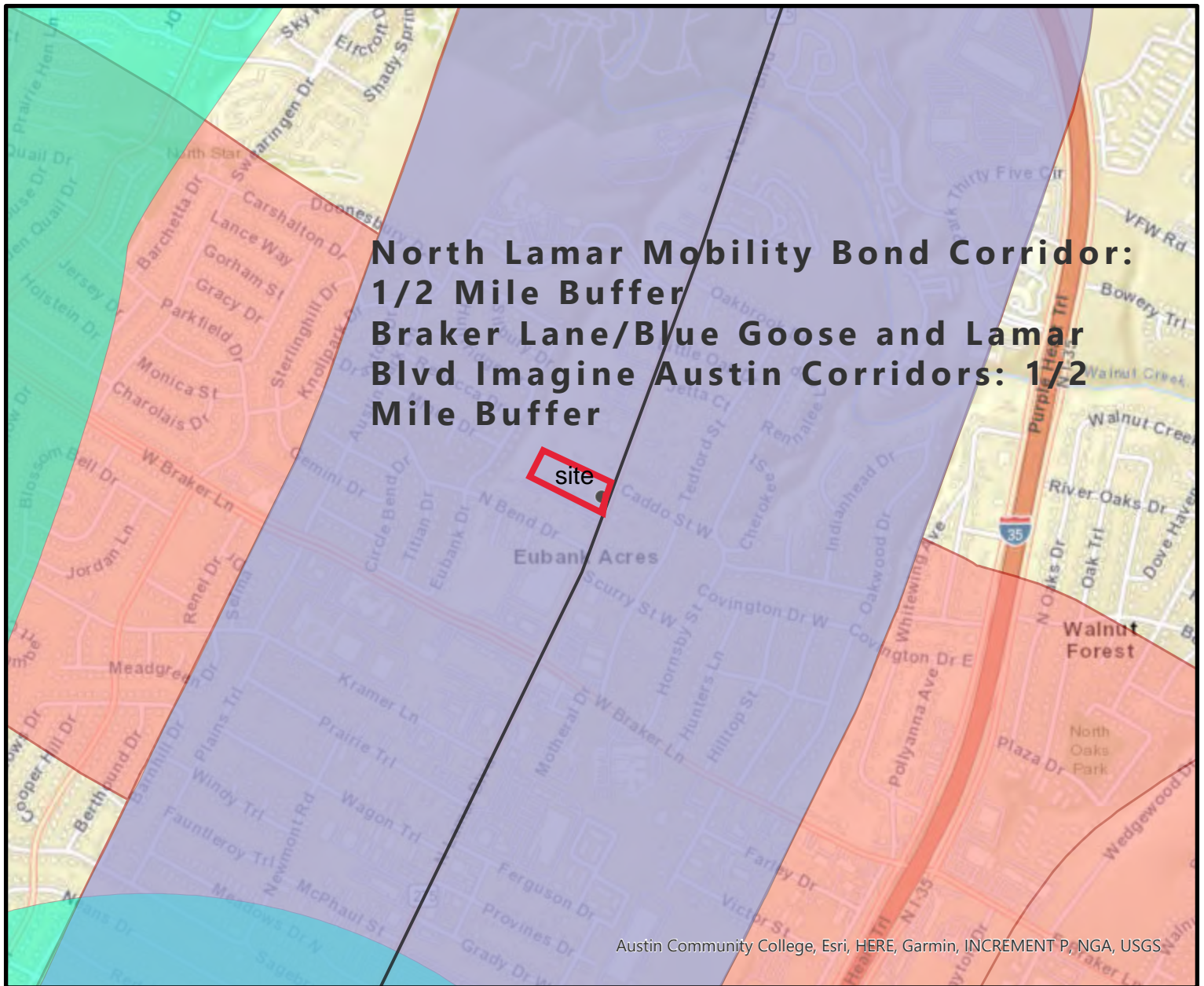
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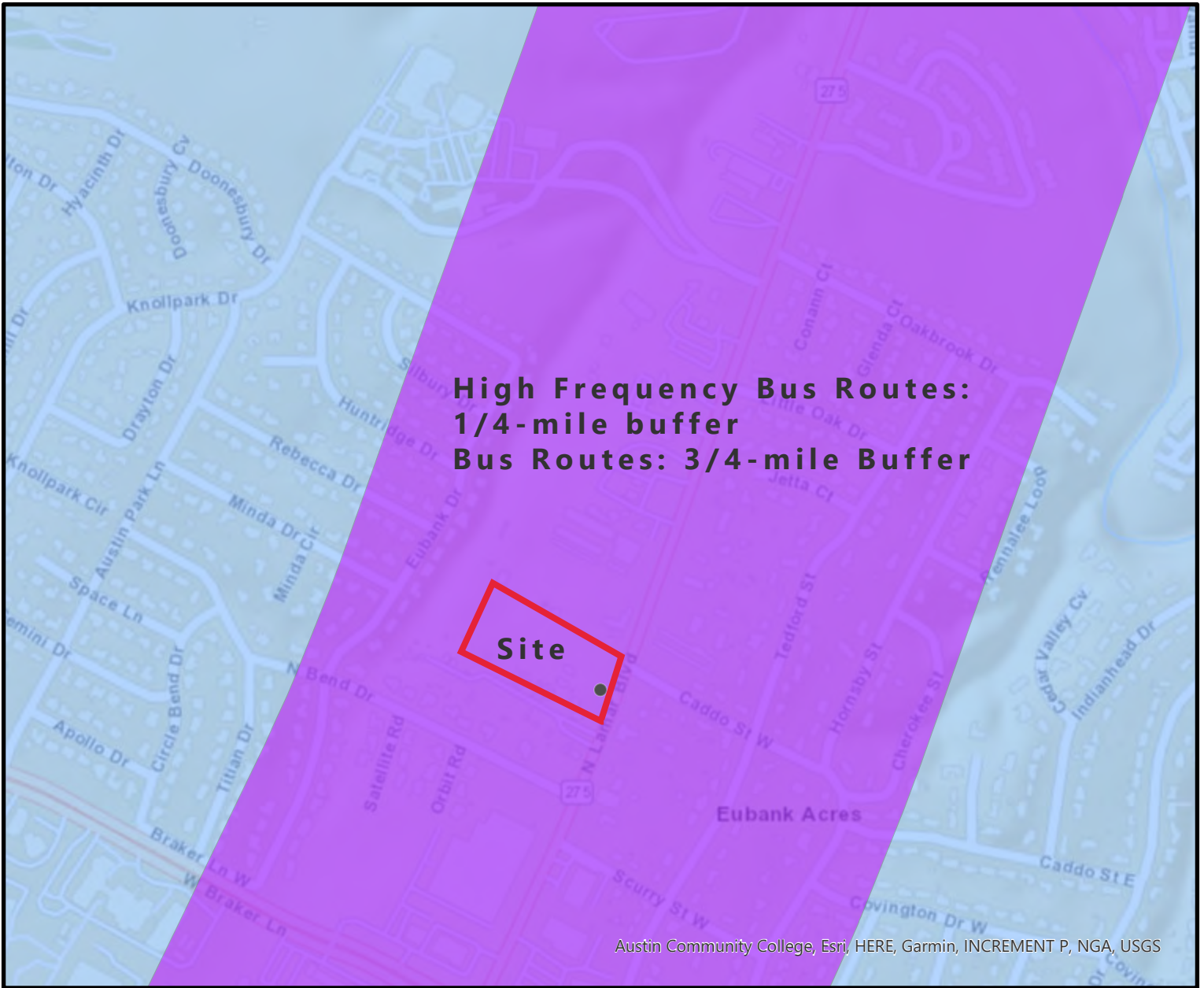
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5b. Appraisal

The attached is an excerpted summary from an appraisal we procured in connection with the acquisition of the property in 2020. The appraisal documented a market value of \$2,750,000, which matches the acquisition price paid. We are not requesting RHDA funding assistance for acquisition and are not contemplating that AHFC will purchase the land. For these reasons we did not procure a more recent appraisal in connection with the RHDA application.



BLAIR T. STOFFER, MAI, SRA
Managing Partner

BLAKE T. STOFFER, MAI, LREB
Vice President - Farm & Ranch,
Residential

CHRIS T. JONES, MAI, LREB
Vice President - Commercial

KRISTIN S. PAYNE, CPA
Vice President - Finance

ROBERT V. HICKS, MAI
Managing Director - Boerne

P.J. DOOLING, MAI
Managing Director - Austin

Gary R. Miller, MAI
Charles W. Fehlis, MAI
David L. Waters, MAI
Abel T. Rodriguez, MAI
W. Porter Robinson, MAI
Derek D. Spielhagen
Hank Hornsby
Andrew Watson
Robert M. West, III
John C. Fedrick
Thomas delaPena
Patrick Mowrey

SAN ANTONIO
525 Busby Drive
San Antonio, TX 78209
210-828-3743

AUSTIN
1715 S. Capital of Texas Hwy
Suite 208
Austin, TX 78746
512-872-5051

BOERNE
912 S. Main St.
Boerne, TX 78006
830-816-2400

February 10, 2020

Koren D. Bowie
University Federal Credit Union
UFCU Plaza
8303 N Mopac Expressway
Austin, Texas 78766

Re: Appraisal of the 4.944-acre commercial land parcel located at 11630 N Lamar Boulevard, Austin, Travis County, Texas 78753.
(File No: A-200021; 11630 N Lamar Boulevard)

Ms. Bowie:

As per your request, we have completed the market research and analyses necessary to furnish you with our opinion as to the fee simple market value of the subject property in its as of the As-Is date of February 3, 2020. The As-Is market value concluded herein is subject to the various Assumptions and Limiting Conditions described in the accompanying report. PJ Dooling, MAI performed the visual observation of the subject property.

The definition of market value as defined herein is based on the Office of Comptroller of Currency's Manual for National Banks, Subpart C, Section 3442, as revised by Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), effective August 24, 1990. This report is an Appraisal Report which was prepared in accordance with the Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice (USPAP), with OCC Regulations 12 CFR Part 34, FDIC Regulation Part 323 and Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

The client and intended user of this appraisal report is **University Federal Credit Union**. The intended use of this report is for lending decisions relating to a federally related transaction by a federally insured depository institution. The purpose of this report is to determine the fee simple As-Is market value of the subject property as of February 3, 2020.

The subject property represents a commercial land parcel comprised of 4.944-acres located along the west ROW of N Lamar Boulevard in north Austin, Travis County, Texas 78753.

Ms. Bowie
(Page 2)

As a result of the inspection of the subject property and based upon the market data information and analyses concluded herein, the following sets forth our opinion as to the market value of the fee simple estate of the subject property as of February 3, 2020:

MARKET VALUE CONCLUSION	
Valuation Scenario	Current "As Is"
Interest	Fee Simple
Date	February 3, 2020
FINAL VALUE CONCLUSION	\$2,750,000

The marketing period is estimated to be one year or less from the effective date. The exposure time prior to the effective date is also estimated to be one year.

If you should have any questions after reviewing this appraisal, please feel free to contact either of the undersigned directly.

Respectfully submitted,
STOUFFER & ASSOCIATES, LLP



P.J. Dooling, MAI
Managing Director - Austin
State Certified, TX 1338814 G

CERTIFICATION

The undersigned does hereby certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and is our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding the agreement to perform this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person signing this certification.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, P.J. Dooling, MAI has completed the requirements of the continuing education program for Designated Members of the Appraisal Institute.



P.J. Dooling, MAI
Managing Director – Austin
State Certified, TX 1338814 G

5c. Site Control

In March 2020, a nonprofit affiliate of Foundation Communities, FC Austin Housing Twelve Housing Corporation purchased the site located at 11630 + 11616 N Lamar Blvd, Austin TX 78753 from Rose Marie Snider. Attached is the Special Warranty Deed.

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.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF TRAVIS §

THAT ROSE MARIE SNIDER, a single woman, hereinafter referred to as GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, cash to her in hand paid by FC AUSTIN TWELVE HOUSING CORPORATION, a Texas non-profit corporation, hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, and for which no lien, either express or implied, is retained or shall exist; plus the further consideration of the execution and promise to pay by the said GRANTEE of its one promissory note of even date herewith in the original principal sum of ONE MILLION THREE HUNDRED SEVENTY FIVE THOUSAND AND NO/100 (\$1,375,000.00), bearing interest at the rate set forth therein, and payable to UNIVERSITY FEDERAL CREDIT UNION ("Lender"), as therein provided, said note being secured by a vendor's lien and superior title hereby retained against the hereinafter described real property and additionally secured by a Deed of Trust of even date herewith to LAURIE ROBERTS, Trustee, HAS GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto the said GRANTEE, all that certain real property lying and being situated in Travis County, Texas, and further described as follows, to-wit:

Lot 8, FRANK STARK SUBDIVISION, according to the map or plat thereof, recording in Volume 4, Page 199, Plat Records, Travis County, Texas (the "Property").

This conveyance is made and accepted subject only to the matters set forth on Exhibit "A" attached hereto and made a part hereof to the extent that they are in effect and apply to the Property (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging (including, but not limited to, all water rights, strips and gores, and easements, if any), unto the said GRANTEE, its successors and assigns forever. And Grantor does hereby bind herself, her heirs and assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said GRANTEE, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under her but not otherwise.

THE CONVEYANCE OF THE PROPERTY IS AND SHALL BE "AS IS," "WHERE IS," AND "WITH ALL FAULTS" FOR ALL PURPOSES. EXCEPT FOR THE WARRANTY OF TITLE CONTAINED IN THIS SPECIAL WARRANTY DEED AND/OR AS IS EXPRESSLY OTHERWISE PROVIDED IN THE SALES CONTRACT (THE "CONTRACT") BETWEEN GRANTOR, AS SELLER, AND FOUNDATION COMMUNITIES, INC., A TEXAS NON-PROFIT CORPORATION, AS BUYER, DATED JANUARY 9, 2020, NO REPRESENTATIONS BY GRANTOR HAVE BEEN MADE OR SHALL BE MADE AND NO WARRANTIES, EITHER EXPRESS OR IMPLIED (INCLUDING NOT EXCLUSIVELY ANY WARRANTY OF FITNESS OR SUITABILITY OF THE PROPERTY FOR ANY PARTICULAR USE OR PURPOSE), ARE GIVEN OR SHALL EXIST. NOT BY WAY OF EXCLUSION, GRANTEE ACKNOWLEDGES THAT GRANTOR HAS MADE AND WILL MAKE NO REPRESENTATIONS OR WARRANTIES CONCERNING: (I) THE ACTUAL AREA OF THE PROPERTY OR OF ANY IMPROVEMENTS THEREON, (II) THE PROPERTY'S FITNESS FOR ANY PARTICULAR USE OR PURPOSE; (III) WHETHER THE PROPERTY IS SERVED BY ANY PARTICULAR UTILITIES AND/OR THE ADEQUACY THEREOF FOR GRANTEE'S INTENDED USE; (IV) THE PRESENCE OR ABSENCE ON OR ABOUT THE PROPERTY OF ASBESTOS OR OF ANY HAZARDOUS OR TOXIC MATERIALS, WASTES, OR OTHER SUBSTANCES AS THOSE TERMS ARE DEFINED BY ANY APPLICABLE STATE OR FEDERAL LAW OR LOCAL ORDINANCE; (V) WHETHER THE PROPERTY IS AFFECTED BY ANY FLOOD PLAIN OR FLOOD ZONE, AND/OR THE EXTENT TO WHICH THE PROPERTY IS AFFECTED BY ANY FLOOD PLAIN OR FLOOD ZONE; (VI) WHETHER ON OR IN THE PROXIMITY OF THE PROPERTY THERE ARE: (i) ANY THREATENED OR ENDANGERED SPECIES OR THEIR HABITATS AS DEFINED BY THE TEXAS WILDLIFE DEPARTMENT OR THE U.S. FISH AND WILDLIFE SERVICE, OR (ii) ANY WETLANDS, AS DEFINED BY FEDERAL OR STATE LAW OR

REGULATION; (VII) WHETHER THE PROPERTY CONSTITUTES A LEGALLY SUBDIVIDED LOT; OR (VIII) ANY OTHER ASPECT OR CONDITION OF THE PROPERTY. GRANTOR EXPRESSLY DISCLAIMS, AND GRANTEE ACKNOWLEDGES AND ACCEPTS THAT GRANTOR HAS DISCLAIMED, ANY AND ALL WARRANTIES, REPRESENTATIONS AND GUARANTIES OF ANY KIND, ORAL OR WRITTEN OR IMPLIED EXCEPT AS CONTAINED IN THIS SPECIAL WARRANTY DEED OR OTHERWISE STATED IN THE CONTRACT.

Ad valorem taxes applicable to the Property have been paid up to and including the year 2019. Ad valorem taxes applicable to the Property for the year 2020 have been prorated between the Grantor and the Grantee as of the date of this Special Warranty Deed and payment thereof is assumed by Grantee.

And for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to it in hand paid by Lender, the receipt of which being hereby acknowledged, GRANTOR has GRANTED, TRANSFERRED AND ASSIGNED, and by these presents does GRANT, TRANSFER AND ASSIGN unto Lender, without recourse, the above described vendor's lien and all rights, titles, equities and claims securing said note.

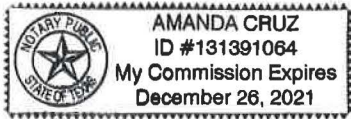
GRANTEE'S ADDRESS: 3000 South IH 35, Suite 300
Austin, Texas 78704

EXECUTED to be effective the 10th day of March, 2020.

Rose Marie Snider
ROSE MARIE SNIDER

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

The foregoing Special Warranty Deed was acknowledged before me on the 10th day of March, 2020, by ROSE MARIE SNIDER.



Amanda Cruz
Notary Public, State of Texas

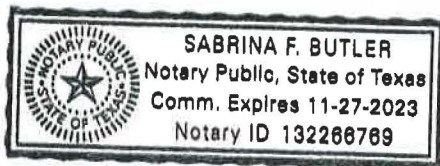
ACCEPTED BY GRANTEE effective the 10th day of March, 2020.

FC Austin Twelve Housing Corporation,
a Texas non-profit corporation

By: Walter Moreau
WALTER MOREAU, Executive Director

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

The foregoing Special Warranty Deed was acknowledged before me on the 10th day of March, 2020, by WALTER MOREAU, Executive Director of FC AUSTIN TWELVE HOUSING CORPORATION, a Texas non-profit corporation.



Sabrina F. Butler
Notary Public, State of Texas

EXHIBIT "A"
PERMITTED EXCEPTIONS

This conveyance is made and accepted subject to the following:

1. Easement granted to the City of Austin, recorded in Volume 10781, Page 1126 of the Real Property Records of Travis County, Texas and as shown on survey dated 3/4/2020, prepared by Jonathan O. Nobles, RPLS #5777.

2. Rights of Denice L. Purcell and Jon Erik Palmer, as tenants only, under unrecorded residential lease agreements.

3. The following matters reflected on survey prepared by Jonathan O. Nobles, R.P.L.S. No. 5777, dated 3/4/2020:

1. Easement rights, if any, for overheard utility lines, power poles and guy lines as shown.
2. Encroachment or protrusion of concrete area onto or over property line.
3. Any claim, right, or assertion of title by the adjoining land owner in and to that strip of land located between the property line and the fence(s).

4. All conditions, covenants, reservations and easements of record and all easements apparent from or on the ground.

5d. Zoning

Foundation Communities submitted a successful application to change the Development site zoning from Limited Office (LO) and Mobile Home Residence to Limited Office - Mixed Use and Community Commercial-Mixed Use, which allows multifamily development. This zoning change was approved by City Council on May 20, 2021 via Ordinance 20210520-044. See attached Zoning Verification Letter.



City of Austin

Founded by Congress, Republic of Texas, 1839
Housing and Planning Department
P.O. Box 1088
Austin, Texas 78767-1088

January 26, 2022

Walter Moreau
Executive Director
Foundation Communities
3000 South IH 35, Suite 300
Austin, TX 78704

RE: *Zoning Verification for the Property located at 11630 North Lamar
Boulevard, Austin, Texas 78758*

Dear Mr. Moreau:

This letter is to confirm that the Property located at 11630 North Lamar Boulevard, in Austin, Texas 78758 is zoned community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning (Tract 1) and limited office – mixed use (LO-MU) combining district zoning (Tract 2). On Tract 1, the Conditional Overlay prohibits certain commercial uses and prohibits drive-in service as an accessory use to a restaurant (general and limited) uses. The site was zoned LO-MU and GR-MU-CO districts by a unanimous vote of the City Council on May 20, 2021 by Ordinance No. 20210520-044.

Under the zoned LO-MU and GR-MU-CO zoning classifications applicable to this property, multifamily residential development is permitted provided the applicable zoning and land development regulations (height, setback, parking, etc.) and building codes are addressed. No zoning change is necessary for the development of multifamily residences on the site or for use of the site for multifamily residences.

Sincerely,

Wendy Rhoades, Principal Planner
Housing and Planning Department

5e. Neighborhood Plan

Juniper Creek is not located within a City of Austin Neighborhood Plan. Juniper Creek is located within three overlapping priority development areas specified in the City of Austin's Strategic Housing Blueprint: the North Lamar Mobility Bond Corridor, the Braker Lane/Blue Goose Imagine Austin Corridor, and the Lamar Boulevard Imagine Austin Corridor. This proposal is well aligned with the Imagine Austin plan, the Austin Strategic Housing Blueprint, The Austin Strategic Mobility Plan, and The Austin Community Climate Plan for the following reasons:

- Located within 1/2 mile of North Lamar Mobility Bond Corridor
- Located within 1/2 mile of Braker Lane/Blue Goose Imagine Austin Corridor
- Located within 1/2 mile of Lamar Boulevard Imagine Austin Corridor
- Located within 1/4 mile of multiple high-frequency bus routes and within 3/4 mile of local bus routes. Two bus stops connecting to Route 1 on North Lamar are less than 500 feet from the site.
- Located within a High Opportunity Census Tract
- 76% of homes are 2- and 3-bedroom with amenities and services specifically designed to cater to families with children.

Attached is the Good Neighbor Checklist, Communication Plan, and Communication log

City of Austin Good Neighbor Checklist

The Neighborhood Housing and Community Development Office (NHCD) offers a Good Neighbor Policy to standardize process and identify expectations for all projects funded through the City of Austin's Rental Housing Development Assistance (RHDA) and Acquisition and Development (A&D) programs. Applicants of these programs are required to prepare and begin implementing a community engagement plan, including neighborhood notification activities. The community engagement plan is required whether the application is for funding for new construction or renovation of an existing building, regardless of whether there is a change in ownership.

A successful community engagement plan leads to open, ongoing two-way communication between developers and neighbors. This requires good-faith efforts and cooperation by developers, City officials and residents. A positive, open dialogue between housing developers and neighbors can prevent misunderstandings, facilitate prompt resolution of any inadvertent misunderstandings, and provide a fair, thoughtful, dependable means of resolving differences.

The following checklist of items is required of all applicants for funding:

(1) Preliminary Research

- Review the Neighborhood Plan (if applicable)

(2) Neighborhood Notification

- Notify property owners within at least 500 feet of the site and registered neighborhood organizations with boundaries included in the proposed development site, using a written notice, letter or flyer.

(3) Pre-Application Engagement

- Contact neighborhood organizations to provide current information about the project, including any neighborhood association whose boundaries are included in the proposed development site and Neighborhood Planning Contact Team (if applicable). *(see full City of Austin Good Neighbor Guidelines for more detailed information on what kind of information may be appropriate to share)*
- Appoint a Single-Point-of-Contact (SPOC) to serve as the liaison for exchanging information.

(4) Application requirements

- Provide communications plan
- Provide documentation showing the content of the notice, and proof of delivery
- Provide signed copy of this checklist.

I have reviewed and completed all of the above checklist items required by the City of Austin's Good Neighbor Guidelines.

Sabrina Butler
Signed

Sabrina Butler
printed name

February 1, 2022
date

Good Neighbor Communication Plan

Project

Juniper Creek Apartments
11630 N Lamar Blvd
Austin, TX 78758

Contact

Sabrina Butler
sabrina.butler@foundcom.org
(512) 610-4016

Foundation Communities (FC) has a long history of engaging with neighborhood groups during pre-development, construction, and ongoing operations of our communities. We believe the key to a project's true success is the support and engagement of the surrounding neighborhood and stakeholders. The following steps have been and will be implemented to communicate with the neighborhood surrounding the proposed development.

- 1) Preliminary Research:** As part of preliminary due diligence, FC development staff uses the City of Austin Community Registry to identify neighborhood organizations that contain the proposed site and review any Neighborhood Plan and FLUM in place.

- 2) Pre-Application Notification:** FC sends a notification letter to all neighborhood organizations identified in the Austin Community Registry. The City sends notifications to all neighborhood organizations and property owners within 500 ft as part of a zoning and neighborhood amendment process.

- 3) Pre-Application Engagement:** After notification, FC engages with all neighbors and organizations based on received responses, interest and questions.
 - FC will offer to present at a neighborhood meeting and provide an information packet. At meetings, Foundation Communities presents information about our organization, plans for design of the building, target population, and services.
 - FC will invite neighborhood members to visit our existing portfolio of properties and attend Open House lunches held bi-weekly at one of our properties to learn more about Foundation Communities.
 - FC will offer to provide updates in the form and timing that the neighborhood requests.

- 4) Implementation/Ongoing Relations -** FC will implement the following processes to encourage ongoing relations with neighborhood members:
 - FC will invite the neighborhood group to view the property once completed.

- FC will invite neighborhood members to participate in services programs being offered at our community.
- FC will invite and educate neighborhood members on the many ways to volunteer with Foundation Communities.
- FC will establish an open-door policy so that neighborhood members will feel comfortable communicating any concerns with either the on-site property management or the single point of contact.

Good Neighbor Communication Log

Neighborhood Organizations within boundaries

Gracywoods and North Park Estates Neighborhood

North Growth Corridor Alliance

Notifications

Notification of Tax Credit application	notification emailed and mailed in January 2021 and 2022 by FC staff to all registered neighborhood organizations within boundaries
Notification of Zoning Change Application	notification mailed in 2021 by the City to nearby property owners and registered neighborhood organizations.

Engagement

Gracywoods and North Park Estates Neighborhood Association	emailed and talked on the Chair several times in 2019 about our Laurel Creek Project next door. Received a Letter of Support in March 2019 and presented at a meeting in April 2019. emailed and mailed tax credit pre-application letters regarding Juniper Creek in 2021 and 2022. no response.
North Growth Corridor Alliance	emailed and mailed tax credit pre-application letters. no response



3000 S IH 35, Ste 300
Austin, TX 78704

tel: 512-447-2026
fax: 512-447-0288

foundcom.org



January 5, 2022
Ms. Janet Klotz
11100 Terrace Bluff
Austin, TX 78754,

Ms. Klotz;

FC Juniper Creek Housing, LP is making an application for **Competitive Housing Tax Credits and Direct Loan** with the Texas Department of Housing and Community Affairs for **Juniper Creek, 11616 and 11630 N. Lamar Blvd, Austin, Texas, 78753 in Travis County**. This **New Construction** is an **apartment** community, and composed of approximately **110** units of which **110** will be for low-income tenants. The residential density of the Development, i.e., the number of Units per acre is approximately **22.2 units per acre**.

In the spring, the Department will hold public hearings in various locations around the state or virtually to gather input on Competitive Housing Tax Credit applications. The hearing schedule along with contact information for written public comment will be posted on TDHCA's [Public Comment Center](#) website later this year.

An interested party or Neighborhood Organization can provide comments on any and all applications at each hearing, or can provide written comments to the Department by email at HTCPC@tdhca.state.tx.us, or by mail at:

Texas Department of Housing and Community Affairs
Public Comment - Multifamily Finance Division
P.O. Box 13941
Austin, Texas 78711-3941

Note that in order for input on Competitive Housing Tax Credit applications to be included in the materials relating to presentation for awards to be provided to the Governing Board of the Texas Department of Housing and Community Affairs; **such input must be received by the Department by 5:00 p.m., Austin local time, on June 13, 2022.**

Sincerely,

Walter Moreau

Representative of **FC Juniper Creek Housing, LP**
Walter Moreau
Executive Director
Foundation Communities
3000 S IH 35, suite 300
Austin, TX 78704
(512) 610-4016
walter.moreau@foundcom.org



a Partner Agency of





3000 S IH 35, Ste 300
Austin, TX 78704

tel: 512-447-2026
fax: 512-447-0288

foundcom.org



January 5, 2022
Ms. Francoise Luca
11900 Metric Blvd, Ste J-178
Austin, TX 78758,

Ms. Luca;

FC Juniper Creek Housing, LP is making an application for **Competitive Housing Tax Credits and Direct Loan** with the Texas Department of Housing and Community Affairs for **Juniper Creek, 11616 and 11630 N. Lamar Blvd, Austin, Texas, 78753 in Travis County**. This **New Construction** is an **apartment** community, and composed of approximately **110** units of which **110** will be for low-income tenants. The residential density of the Development, i.e., the number of Units per acre is approximately **22.2 units per acre**.

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Sincerely,

Walter Moreau

Representative of **FC Juniper Creek Housing, LP**
Walter Moreau
Executive Director
Foundation Communities
3000 S IH 35, suite 300
Austin, TX 78704
(512) 610-4016
walter.moreau@foundcom.org



a Partner Agency of





March 1, 2019

RE: Foundation Communities project on Lamar Blvd.

To whom it may concern:

The Gracywoods Neighborhood Association is an older neighborhood in North Austin with diverse residents. We value our parks and trails, and the local businesses that surround our neighborhood. One of the qualities that makes our neighborhood unique is the diverse housing stock in the area. We have apartments, condos, duplexes, small starter homes and larger family homes. The wide variety of housing options helps keep our neighborhood vibrant.

As Austin continues to grow, so does the need for affordable housing and especially near employment centers. Foundation Communities has shared its vision for a new housing development on North Lamar and we have had several conversations about this project.

Foundation Communities has a proven track record building environmentally responsible projects, and we expect that the North Lamar community will also be built with the same careful consideration of the environmental conditions of this site. Our board and members are eager to work together with Foundations Communities on bringing out a new housing project. We expect the new project will apply responsible environmental design principles that protects the watershed, the creek, and the heritage oaks on the site. We also hope all new housing developments in our area will compliments our neighborhood and will be affordable and inviting to young families and seniors.

Please feel free to contact us if you have any questions about our neighborhood.

Sincerely,

Francoise Luca

President, Gracywoods Neighborhood Association