



BOARD OF DIRECTORS

Agenda Item 10

Brenda Evans, Program Administrator

November 14, 2012

Table of Contents

Resolution- Jackson Landing North.....	10.3
Resolution Summary – Jackson Landing North.....	10.7

LOUISIANA HOUSING CORPORATION

The following resolution was offered by Director _____ and approved by Director _____:

RESOLUTION

Establishing the maximum qualified basis and low-income housing credits to Jackson Landing North located at 3605 Garden Oaks Drive, New Orleans, Orleans Parish, Louisiana 70114; authorizing the staff and counsel to prepare the forms of such documents and agreements as may be necessary to allocate 4% Low Income Housing Tax Credits to such facilities; and approving a waiver of the evidence required to document “management experience” as required in the 2013 Qualified Allocation Plan; and providing for other matters in connection therewith.

WHEREAS, the Louisiana Housing Corporation (the "Corporation") has been ordered and directed to act on behalf of the State of Louisiana (the "State") in applying for, implementing, allocating, and administering programs, grants and/or resources made available pursuant to Section 42 of the Internal Revenue Code (the LIHTC Program); and

WHEREAS, the Corporation approved certain application and other forms, documents and proceedings related to the Low Income Housing Tax Credits (“LIHTC Program”), including credits available to projects financed with tax-exempt bonds under Section 142(d) of the Internal Revenue Code; and

WHEREAS, the staff of the Corporation has processed the application for Jackson Landing North in accordance with the Qualified Allocation Plan and is prepared, based upon the preliminary feasibility analysis of Foley & Judell, L.L.P., to recommend Tax Credits for Jackson Landing North :

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Louisiana Housing Corporation, that:

SECTION 1. Jackson Landing North is hereby preliminarily approved for Tax Credits in the amount of six hundred sixty-three thousand, two hundred fifty-four dollars (\$663,254.00) subject to its receiving a favorable feasibility and viability analysis and the information contained in the Project application.

SECTION 2. Jackson Landing North (the "Project") is hereby granted a waiver of the evidence required in the 2013 Qualified Allocation Plan to document "management experience," specifically it is granted a waiver of the requirement that the management company have "One similar (size and type) tax credit project in their current or past portfolio," due to its meeting the other evidentiary requirements to document management experience, specifically "One staff person serving in a supervisory capacity with regard to the project who has been certified as a tax credit compliance specialist." Additionally, contracting with A.J. Johnson Consulting Services.

SECTION 3. The staff, and Foley & Judell, L.L.P., as LIHTC Program Counsel, shall establish such procedures as may be necessary to structure, cancel or reduce such Tax Credits to maintain the feasibility and viability of the Project; provided, however, that no increase in Tax Credits to any project may be made without approval of the Board.

SECTION 4. The staff and counsel are authorized and directed to prepare the forms of such documents and agreements as may be necessary to evidence the allocation of Tax Credits.

SECTION 5. The Chairman, Interim Executive Director of the Corporation, and/or Secretary of the Corporation be and they are hereby authorized, empowered and directed to execute any forms and/or documents required to be executed on behalf of and in the name of the Corporation, the terms of which are to be consistent with the provisions of this resolution as approved by counsel and LIHTC Program Counsel, Foley & Judell, L.L.P.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

And the resolution was declared adopted on this, 14th day of November 2012.

Chairman

Secretary

**STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE**

I, the undersigned Secretary of the Board of Directors of the Louisiana Housing Corporation (the "Corporation"), do hereby certify that the foregoing three (3) pages constitute a true and correct copy of a resolution adopted by said Board of Directors on November 14, 2012, entitled: Establishing the maximum qualified basis and low-income housing credits to Jackson Landing North located at 3605 Garden Oaks Drive, New Orleans, Orleans Parish, Louisiana 70114; authorizing the staff and counsel to prepare the forms of such documents and agreements as may be necessary to allocate 4% Low Income Housing Tax Credits to such facilities; and approving a waiver of the evidence required in the 2013 Qualified Allocation Plan to document "management experience"; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the Corporation on this, the 14th day of November, 2012.

Secretary

(SEAL)

RESOLUTION SUMMARY:

Jackson's Landing North

Project Number 1112-05BF

New Orleans, Louisiana

OVERVIEW

The developer of Jackson Landing North is requesting approval of \$663,254.00 in 4% LIHTC. Originally built in 1972, the project is a 272 unit affordable housing development with 66 units under a subsidized project based rental assistance contract. The current owner acquired the property in 1997 and maintained the tax regulatory agreement filed with LPFA. Some minor rehab was done in 2000, but the project suffered additional damage as a result of Hurricane Katrina. Due to the overwhelming demand for housing post Katrina much of the needed renovations were postponed. Following the proposed renovations all units will be restricted to 60% of AMI. Approving this request will allow the rehabilitation of the project, which has fallen into disrepair. Given the demand evidenced in the projects market study for affordable units, disapproving the request will adversely affect the rehabilitation of 272 affordable housing units in New Orleans, Louisiana.

STAFF RECOMMENDATION:

Staff recommends approval of the tax credits for Jackson Landing North with a waiver of the management experience requirement of the 2013 QAP, which requires the management company to have at least one tax credit project in its portfolio.

PROJECT DEVELOPMENT SUMMARY:

Jackson Landing North located at 3605 Garden Oaks Drive, New Orleans, (Orleans Parish) Louisiana was approved for Multifamily Housing Revenue Bonds in an amount not to exceed \$16,000,000 on September 20, 2012 by the Louisiana State Bond Commission. The Mortgage Revenue Bonds will be issued by the Bond Commission of Louisiana Local Government Environmental Facilities and Community Development Authority (LCDA).

The rehabbed project will consist of twelve (12) buildings and one (1) Accessory building. There are 272 residential units. The unit mix consist of; One hundred and forty-two (142) one-bedroom units; one hundred and twenty-six (126) two-bedroom units; and four (4) three-bedroom units. All two hundred and seventy-two (272) units will be set aside at 50% - 60% Area Median Income (AMI).

The developer's management company, Tucker Management, does not have at least one tax credit project in its portfolio as required by the QAP. However, the developer has provided evidence that at least one member of the company's staff serving in a supervisory capacity has been certified as a tax credit compliance specialist. The developer has also contracted with a recognized multi-family housing industry consulting firm, A.J. Johnson Consulting Services, Inc., who's services will include but not be limited to, (1) a review of all forms to be used relative to the determination of resident eligibility for Section 42 purposes; and (2) desk audit review of all resident files for the property to determine whether the compliance procedures in place relative to the determination of applicant/tenant eligibility meet the requirements of Section 42. (contract attached)

Project amenities include: day care center, after school tutoring, adult English as a second language classes, a tot lot, video security and police detail security (police walking the property). The units will have washers and dryers, energy efficient appliances, all new tubs, toilets and many new vanities.

DEVELOPMENT GROUP AND FINANCIAL PARTNERS

The developer is BFNO Development, LLC (James Tucker). The taxpayer contact and representative at the Board of Directors meeting for the project is Mr. David Birdsong. The developer ownership and management experience includes: Arbor Place Apartments in Terrytown, LA; Chateau Thierry Apartments in New Orleans, LA; and The Creeks Apartments in Hammond, LA.

The project’s construction will be financed through the issuance of Tax-Exempt bonds. R4 Capital will be purchasing the tax credits through one of its investment funds. The projected equity from the syndication of credits is \$5,968,685.

FINANCIAL ANALYSIS

Funding Sources:

Bond Proceeds	\$16,000,000
First Mortgage (Merchant Capital)	\$10,427,500
Deferred Developer Fees	\$11,324
Tax Credit Equity	\$5,968,685
Development Cash	\$850,000
Seller Note	\$5,029,000
HOME Funds	
Other	

Project Costs:

Total Development Cost:	\$21,003,121
Total Units:	272
Total Cost/Unit:	\$77,217
Total Square Feet:	229,002
Total Cost/SF:	\$91.72
Total SF minus Common Buildings:	N/A (5500 Sq Ft Not included Above)
Total Cost/SF minus Commons:	N/A

Construction Costs:

Rehabilitation Hard Costs:	\$6,879,565
Construction Costs:	\$6,879,565
Land Costs:	\$680,000
Building Costs:	\$10,849,000

Property Value:

Appraisal Date:	9/26/12
Pre-Rehab Value:	\$7,650,000
Post-Rehab Value	\$14,700,000
Date Property Last Sold:	March 12, 1999
Amount of Last Sale:	\$3,000,000
Current Occupancy Rate:	78%
Positive Cash Flow (last 12 months):	Yes

PROJECT REVIEW CHECKLIST

vers. 2.5

11/6/2012 11:52

I. PROJECT DATA 1138933

Project Number:	1112-05bf
Project Name:	Jackson's Landing North
Parish Location:	Orleans
Number of Residential Buildings:	12
Number of Units:	272
Year Built:	1972
Lead Risk Assessment Needed?	YES
Gross Floor Area:	229,002
Residential:	229,002
Non-Residential:	0
Construction/Development Type:	Substantial Rehab-Multifamily
Set Aside Income Percentage:	General
	40% residents at 60% or less
Number of Low Income Units:	
5% Set Aside	NO
Non Project Based Assistance	204
PBA	68
Total	272
Congressional District	2

II. SCORE DATA-LIHTC

Applicant-Computed Score:	0.0
Satisfies Minimum Score:	NO
LHC Processed Score:	To be determined

III. TAX CREDIT / HOME/ CDBG/ DATA

Credits Requested:	\$663,254.00
Feasibility Credit:	\$663,254.00
Basis Credit Limit:	\$822,614.29
Credits Requested within limits?	YES
HOME/CDBG Funds Requested:	\$0
HOME/CDBG Feasibility Amount:	0 \$0

IV. IDENTITY OF INTEREST DATA

Identity of Interest:	No
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V. MARKET DATA

Community Notification?	No		
Is Market Study dated within 90 days prior to deadline?	Market Study dated: 08/21/12	YES	
Are the following elements in Market Study acceptable?			
Executive Summary		YES	
Credentials		YES	
Independence and no identity of interest		YES	
Property Site		YES	
Household Analysis		YES	
Demographic Analysis		YES	
Market Area		YES	
Comparable Developments; subsidized vs. market		YES	
Rent Levels and Vacancy Rates		YES	
Operating Comparisons		YES	
Project Operating Statement		YES	
Absorption Analysis		YES	
Public Housing Vacancy & Waiting List		YES	
Vouchers Administered, Utilized and Waiting List		YES	
Federal Housing Agency Coordination		YES	
Pipeline Analysis	08/21/12	Certification of Demand	YES
Statement of Housing Needs of Low Income Individuals and Large Families		YES	
Does the market study conform to QAP requirements?		YES	
Has evidence of the project's zoning and site control been submitted?		YES	
Compliance Training Requirement Met?		YES	

VI. EXISTING PROJECTS

Appraisal Date				7/20/2012
If Yes, specify appraised value of project as-is:				\$8,640,000
If available, specify appraised value of project following rehabilitation:				\$9,539,000
Capital Needs Assessment	9/17/2012	Within 90 days of application date?	YES	YES
Year Built/To be Built:				1972
Building Condition Addressed?				YES
Major systems Addressed?				YES
Useful Life Replacement included?				YES
Minimum Deposits to Reserves Calculated?				YES-\$474 per unit per year
Environmental Analysis Complete?				Comprehensive ACM, LBP, & Mold surveys recommended

VII. DEVELOPMENT AND COST DATA

Occupancy Type: Family or Special Needs				Family	
Per Unit Total Development Costs:					
Weighted Average TDC/unit Limit					
Total Development Cost	\$21,003,121				
Government Grants/Historic Syndication Proceeds	\$0				
Community Facilities (negative)	\$0				
Imputed TDC/unit	\$21,003,121			\$77,217.36	
Total Square Footage:				229,002	
Per Square Foot Development Costs:				\$91.72	
Rehab/ Hard Costs, Contingency, (%)	\$769,054	\$0			0.00%

VIII. FEES AND PROFITS

Developer Fee:				\$1,234,444.00
Builder Profit:				\$329,166.00
Builder Overhead:				\$110,723.00
Excess Syndication Costs:				\$0.00

IX. SECTION 515 PROJECT

Section 515 Project or FHA Insured				NO
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X. IS DEVELOPER A DEBARRED DEVELOPER?

				NO
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XI. NON-PROFIT GENERAL PARTNER OR MATERIAL PARTICIPANT

Is Non-Profit a CHDO?				NO
Is CHDO the Managing General Partner?				N/A
Is Non-Profit Determination Form complete?				N/A
Have Articles of Incorporation been reviewed?				N/A
Has IRS Determination Letter been reviewed?				N/A

XII. LEGAL STATUS OF TAXPAYER

Does the Taxpayer currently exist?				YES
Have the organizational documents been reviewed?				NO

XIII. CASH FLOW JUNIOR MORTGAGE LOANS

Amount/Type:	\$0			N/A
If applicable, has the imputed principal schedule been submitted?				N/A

XIV. HOME FUNDS

HOME Funds requested:				\$0.00	
HOME below AFR:	AFR =	2.23%			YES
Affirmative Marketing Procedures Acceptable?				N/A	
Owner's Relocation Plan acceptable?				N/A	
Site & Neighborhood Standards Certification?				N/A	
1st Mort. Term	35	Balance at 1st Maturity	\$0		

XV. POOL SPECIFICATION - N/A WITH RESPECT TO HOME FUNDS

I General Statewide Pool				0
II Qualified Non-Profit/CHDO Sub-pool				X
III Congressional District				0
IV RD Rural Rehab				0

XVI. OPERATING DATA

Average PUPA:				\$4,225.47
Initial Debt Service Ratio:				
Hard Only				1.17419
Hard and Soft				1.17419

(a) Credit Request	\$663,254
(b) HOME/CDBG Request	\$0
TCAP Request	\$0
(c) Syndication Credit Multiple (Net Proceeds/Request)	8.99909
(d) Syndication Proceeds	\$5,968,685
XX. UNADJUSTED CREDIT FEASIBILITY AMOUNT	\$663,254
XXI. ADJUSTMENTS TO TDC	\$0
EXCESS CASH FLOW TO BE DEPOSITED TO REPLACEMENT RESERVES	\$0
(a) Maximum SLR Limits	\$2,117,756
(b) Actual Profits	\$2,003,498
XXII. ADJUSTED CREDIT FEASIBILITY AMOUNT	\$663,254
ADJUSTED HOME/CDBG AMOUNT	\$0

XXIII. Rent Limit Check	Rural?			No				Other
	0	0	0	0	0	0	0	
	Eff	1 BR	2 BR	3 BR	4 BR	5 BR		
FMR Rent	637	755	935	1173	1420	0	0	
TC Rent	651	697	837	966	1078	1086	0	
Utility Allowance	45	63	85	107	0	0	0	
Market Study Max	0.00	675.00	800.00	950	0	0	0	
Inputted Avg Rent	0.00	601.35	713.41	817.25	0.00	0.00	0.00	
Nat. Non Metro	448.75	480.63	577.50	666.88	743.75	820.63		
MAX Rent	0	634	752	859	0	0	0	
TC Check	0	0	0	0	0	0	0	
Total Units	0	142	126	4	0	0	0	
HOME Assist Units	0	0	0	0	0	0	0	
REQUIRED								
HOME Assist Units	0	0	0	0	0	0	0	
			Month	Annual				
Rent Income page rent			178,550	2,142,600				
Pro Forma page rent			178,550	2,142,600				

VIABILITY AND FEASIBILITY ANALYSIS SUMMARY

GO Zone?	yes		
SET ASIDE PERCENTAGE CHOSEN			40% residents at 60% or less
IMPUTED MONTHLY RENT AT OR BELOW LEGAL LIMITS?	YES		
ANALYSTS CASH FLOWS POSITIVE - YEAR ONE?	YES		\$113,506
DEBT SERVICE RATIO - YEAR ONE	YES		1.17419
EXPENSE CUSHION			9.876%
ANNUAL AVERAGE EXPENSES PER UNIT WITHIN PERMITTED RANGE?	YES		\$4,225
DEVELOPMENT COSTS PER UNIT AT OR BELOW PERMITTED LIMIT?	YES		\$77,217.36
BEDROOM SIZE SQUARE FOOTAGE LIMITS SATISFIED?	YES		
MINIMUM BATHROOMS SATISFIED?	YES		
ARR RESERVES PER UNIT ADEQUATE?	300	YES	\$474

	LIMIT		ACTUAL	Under(Over)	Net Excess Profits
BUILDER'S PROFIT	\$386,381		\$329,166	\$57,215	
BUILDER'S OVERHEAD	\$128,794		\$110,723	\$18,071	
GENERAL REQUIREMENTS	\$366,631		\$329,165	\$37,466	
DEVELOPER FEE	\$1,235,952		\$1,234,444	\$1,508	\$0
REHAB / HARD COSTS CONTINGENCY	\$76,905		\$0		
SYNDICATION TYPE:	Public	or	Private	X	
SYNDICATION COSTS:	\$0	or	\$0	0.00%	
Architect's Fees	\$481,570		\$0	\$481,570	

IS PROJECT DEEMED VIABLE AND FEASIBLE?	YES (see Comments)	
HOME-CDBG Feasibility / Viability Amount	\$0	
CREDIT FEASIBILITY / Viability AMOUNT (9 MULTIPLE)	\$663,254	
New Reserve Policy Credit Feasibility/Viability Amount	\$663,254	
Applicant's Claimed Points:	0.0	

Comments: Based on revised application received by email November 5, 2012 . The application states: " We are requesting to be on the November Board Agenda. This is an application for 4% LIHTC's for a development that will be finance with tax exempt bonds."

Items routinely removed for GAP Analysis:	Amount	Non-LHFA	Soft Funds ?
1. Operating Reserves	\$600,000	Yes	
2. Debt Service Reserve	683,388	Yes	

Other Comments:

A. The applicant represents that the Threshold requirements have been met. Satisfaction of Threshold Requirements related to Design and Construction should be verified in the architectural plans which are not part of the F&V review.

B) The property was built in 1972 and the Capital Needs Assessment refers to a Phase I Environmental Site Assessment for any environmental concerns and/or recommendations. Feasibility/viability is subject to, as recommended in the Phase I Assessment, the results of a Comprehensive ACM Survey, a Lead Based Paint Inspection report, and a comprehensive mold and fungal survey. Also, completion/updating of the Environmental Checklist and an Operations and Maintenance Plan may be required depending on the results of those surveys.

Prepared by:

FOLEY & JUDELL, LLP
Attorneys & Counsellors at Law
One Canal Place, Suite 2600
New Orleans, Louisiana 70130-1138
Tel: (504) 568-1249 Fax: (504) 565-3900



Louisiana Housing Corporation

2415 Quail Drive, Baton Rouge, Louisiana 70808
Phone: (225) 763-8700 Fax: (225) 763-8738

FIELD REPORT

From: Todd Folse
To: Dr. Roger Tijerino
Date of Visit: 10/15/12
Length of Visit: 2 Hours
Project Name: Jackson's Landing North TC1112-05BF
Project Location: Orleans parish 70114
LHFA Personnel: Todd Folse
Purpose of Visit: Initial Inspection of site conditions

- **Development in desperate need of substantial rehabilitation.**
- **Deferred maintenance issues have led to significant deterioration of both the exterior and interior of each building within this development. The parking area and accessible route are also in disrepair.**
- **Due to this development being in an extended state of disrepair, there is evidence of structural failures. There is also evidence of Wood Destroying Insect (Termites) damages in multiple locations.**
- **This development can be rehabilitated to bring up to current codes and standards; however, such repairs would be very extensive.**

Due to the age of these buildings and deferred maintenance, this development is in desperate need of rehabilitation. Most of the components within these buildings have reached the maximum life of the products used; therefore, repair/replacement of most of the construction elements is necessary in order to meet and maintain a suitable, habitable living environment. Also, by renovating this development, it can be retrofitted to meet all current codes and standards regarding construction, efficiency and accessibility.

It appears that the main structure of most buildings is in fair condition. There are some structural members that show signs of weakness along with probable termite damage. These members would



Louisiana Housing Corporation

2415 Quail Drive, Baton Rouge, Louisiana 70808

Phone: (225) 763-8700 Fax: (225) 763-8738

have to be replaced/repared before any rehabilitation work could move forward. There are some stairs within this development that show deterioration as well. Work performed on these stairs would have to meet current codes and standards.

In my opinion, this development is a fair candidate for rehabilitation since the main structures appears fairly sound; nonetheless, this development would definitely need substantial rehabilitation. This development would require more than basic renovations to meet and maintain a safe habitable dwelling for the residents.



Louisiana Housing Corporation

2415 Quail Drive, Baton Rouge, Louisiana 70808
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1 Basic design of buildings within this development.



2 Missing soffit, fascia and siding throughout.



IMAGES



Louisiana Housing Corporation

2415 Quail Drive, Baton Rouge, Louisiana 70808
Phone: (225) 763-8700 Fax: (225) 763-8738

3 Failures within driveways and parking.



4 Evidence of structural failure.



5 Probable termite damages



6 Inefficient HVACs also pose a danger due to possible vandalism.



7 Water heaters in disrepair.



8 Outdated, inefficient appliances along with deteriorated flooring throughout.





MINUTES
STATE BOND COMMISSION
MEETING OF SEPTEMBER 20, 2012
HOUSE COMMITTEE ROOM 1
STATE CAPITOL BUILDING

The items listed on the Agenda are incorporated and considered to be a part of the minutes herein.

Treasurer Kennedy called the meeting to order. Then Ms. S. Wright called the roll.

MEMBERS PRESENT:

Mr. Randy Davis, representing Lt. Governor Jay Dardenne
Mr. Kyle Ardoin, representing Secretary of State Tom Schedler
Mr. Rick McGimsey, representing Attorney General James Caldwell
President John Alario
Senator Edwin Murray, representing Senator Jack Donahue
Senator Jean-Paul Morrell, representing Senator Neil Riser
Senator Dan Claitor, representing Senator John Smith
Speaker Charles Kleckley
Representative James Fannin
Representative Joel Robideaux (arrived during discussion of Items 7-16)
Representative Cameron Henry
Commissioner Paul Rainwater
Treasurer John Kennedy

MEMBERS ABSENT:

Mr. Stephen Waguespack

President Alario moved approval of the minutes of the August 27, 2012 meeting, seconded by Speaker Kleckley and without objection, the minutes were approved.

Treasurer Kennedy advised Item 8 would be considered in a different order than reflected on the agenda.

Ms. Folsie provided a synopsis on Item 8, Caddo Parish Commission. Additional information was provided by C. Grant Schlueter, Bond Counsel, Foley & Judell, LLP. President Alario moved approval, seconded by Speaker Kleckley, and without objection, Item 8 was approved.

Ms. Folsie provided a synopsis on Items 3 through 6, Local Governmental Units – Elections (December 8, 2012). President Alario moved approval on Items 3 through 6, with Items 3 and 5 subject to preclearance being obtained from the U.S. Department of Justice by November 2, 2012. The motion was seconded by Speaker Kleckley, and without objection, Items 3 through 6 were approved.

Ms. Folsie provided a synopsis on Items 7 through 16, excluding Items 8, 13, and 15, Local Political Subdivisions - Loans. President Alario moved approval, seconded by Speaker Kleckley, and without objection, Items 7 through 16, excluding Items 8, 13, and 15, were approved.

Ms. Folsie provided a synopsis on Items 13 and 28, Livingston Parish, Sewerage District No. 1 and Sewerage District No. 2. President Alario moved approval, seconded by Speaker Kleckley, and without objection, Items 13 and 28 were approved.

Ms. Folsie advised that Item 15 had been withdrawn prior to the meeting.

Ms. Folsie provided a synopsis on Item 17, Orleans Parish, Parish Hospital Service District - District A. Additional information was provided by Carmen M. Lavergne, Bond Counsel, Butler, Snow, O'Mara, Stevens, Cannada, PLLC; Victor J. Franckiewicz, Jr., Counsel, New Orleans East Hospital; and Dr. Karen DeSalvo, Health Commissioner, City of New Orleans, New Orleans East Hospital. Senator Murray moved approval, seconded by Senator Morrell, and without objection, Item 17 was approved.

Ms. Folsie provided a synopsis on Item 18, St. Mary Parish, City of Patterson. President Alario moved approval, seconded by Speaker Kleckley, and without objection, Item 18 was approved.

Ms. Folsie provided a synopsis on Items 19, 20, 23, 24, 29, 31, 32, Local Political Subdivisions - Bonds - Final Approval. President Alario moved approval, seconded by Speaker Kleckley, and without objection, Items 19, 20, 23, 24, 29, 31 and 32 were approved.

Ms. Folsie provided a synopsis on Item 21, Jefferson Parish, City of Kenner, Kenner Consolidated Sewerage District (DEQ Project). President Alario moved approval, seconded by Speaker Kleckley, and without objection, Item 21 was approved.

Ms. Folsie provided a synopsis on Item 22, Jefferson Parish, Town of Grand Isle (DEQ Project). President Alario moved approval, seconded by Speaker Kleckley, and without objection, Item 22 was approved.

Ms. Folsie provided a synopsis on Item 25, Lafayette Parish, Lafayette Public Power Authority. President Alario moved approval, seconded by Speaker Kleckley, and without objection, Item 25 was approved.

Ms. Folsie provided a synopsis on Item 26, Lafourche Parish Law Enforcement District. President Alario moved approval, seconded by Speaker Kleckley and without objection, Item 26 was approved.

Ms. Folsie provided a synopsis on Item 27, LaSalle Parish, Hospital Service District No. 1. President Alario moved approval, seconded by Speaker Kleckley, and without objection, Item 27 was approved.

Ms. Folsie provided a synopsis on Item 30, St. Landry Parish, Waterworks District No 5. President Alario moved for conditional approval contingent upon verification of the certified resolution adopted by the St. Landry Parish Council authorizing the incurrence of the debt, which was adopted on September 19, 2012. The motion was seconded by Speaker Kleckley, and without objection, Item 30 was conditionally approved.

Ms. Folsie provided a synopsis on Item 33, Winn Parish, City of Winnfield. President Alario moved approval, seconded by Speaker Kleckley, and without objection, Item 33 was approved.

Ms. Folsie provided a synopsis on Item 34, Board of Supervisors for University of Louisiana System (Louisiana Tech University Project). President Alario moved approval, seconded by Speaker Kleckley, and without objection, Item 34 was approved.

Ms. Folsie provided a synopsis on Item 35, Louisiana Community Development Authority (Jackson's Landing North Apartments). President Alario moved approval, seconded by Speaker Kleckley, and without objection, Item 35 was approved.

Ms. Folsie provided a synopsis on Item 36, Ernest N. Morial-New Orleans Exhibition Hall Authority. Senator Murray moved approval, seconded by Speaker Kleckley, and without objection, Item 36 was approved.

Ms. Folsie provided a synopsis on Item 37, Louisiana Municipal Natural Gas Purchasing and Distribution Authority. President Alario moved for conditional approval contingent upon adoption and subsequent verification of the resolution by the Louisiana Municipal Natural Gas Purchasing and Distribution Authority authorizing the incurrence of the debt, which is scheduled to be adopted on September 26, 12. The motion was seconded by Speaker Kleckley, and without objection, Item 37 was conditionally approved.

Ms. Folsie provided a synopsis on Items 38 and 39, Louisiana Public Facilities Authority (Franciscan Missionaries of Our Lady Health System Project). Additional information was provided by Meredith Hathorn, Bond Counsel, Foley & Judell, LLP. President Alario moved approval, seconded by Speaker Kleckley, and without objection, Items 38 and 39 were approved.

Ms. Folsie provided a synopsis on Items 40 through 55, Ratifications and/or Amendments to Prior Approvals. President Alario moved approval, seconded by Speaker Kleckley, and without objection, Items 40 through 55 were approved.

Ms. Folsie provided a brief synopsis on Item 56 relative to receipt of the evaluation team grading and selection of Bond Counsel associated with the proposed State Highway Improvement Fund Program Revenue Bonds, Series 2012. President Alario moved approval to accept the recommendation of Foley & Judell, LLP as Bond Counsel. The motion was seconded by Speaker Kleckley, and without objection, the selected Bond Counsel was approved.

Ms. Folsie provided a brief synopsis on Item 57 relative to receipt of the evaluation team grading and selection of Underwriters associated with the proposed State Highway Improvement Fund Program Revenue Bonds, Series 2012. President Alario moved approval to accept the recommendations of Citigroup as Senior Managing Underwriter and Morgan Stanley, Raymond James/Morgan Keegan, Loop Capital Markets, and Stephens Inc. as Co-Managing Underwriters. The motion was seconded by Representative Fannin, and without objection, the selected Underwriters were approved.

Ms. Folsie provided a synopsis on Item 58, consideration and approval of a contract providing for the utilization of Lamont Financial Services as Financial Advisor on the proposed State Highway Improvement Fund Program Revenues Bonds. President Alario moved approval, seconded by Representative Fannin, and without objection, Item 58 was approved.

On the motion of the Chairman and without any objection, the meeting was adjourned.

(A verbatim transcript is available with the Bond Commission.)

AGREEMENT

This Agreement is made effective as of October 28, 2012, by and between Tucker Property Management (Client), and A. J. Johnson Consulting Services, Inc. (Consultant).

Consultant has a background in reviewing for compliance with the requirements of the Low Income Housing Tax Credit Program (Section 42) Program, and is willing to provide services to Client based on this background, and the Client desires to have such services provided by Consultant.

Therefore, the parties agree as follows:

1. **Description of Services:** Beginning upon execution of this Agreement, Consultant will provide the following services:
 - a. Review of all forms to be used relative to the determination of resident eligibility for Section 42 purposes. Following the review, recommendations will be made for improvements in the forms and documents;
 - b. Desk audit review of all resident files submitted to Consultant for the property known as *Jackson's Landing North*, to determine whether the compliance procedures in place relative to the determination of applicant/tenant eligibility meet the requirements of Section 42 of the Internal Revenue Code. The review will be conducted at the office of the Consultant. Client will submit copies of tenant files for review as noted below. **Each submitted file must contain a fully completed Tenant Income Certification. The certification need not be signed by the applicant/tenant.**

Files must be securely uploaded for review via Consultant website.

Once reviewed, Consultant will dispose of files and copies will not be maintained. A written report will be submitted via fax or email to Client within 4 business days after file receipt. Submissions of 15-30 files at one time will be reviewed within 7 business days. The timeframe for reviews in excess of 30 files will be determined on a case-by-case basis through discussions between Client and Consultant. The report will include findings on each file reviewed as well as recommendations for correcting noncompliance and general notes relative to the review. *Services requested by Client in excess of the scope of work outlined in this Agreement are not required and are not a part of this agreement. If agreed to by Consultant, such services shall be billed at Consultants hourly rate in effect as of the time of the request for additional services.*

Once the files of all initial residents of the project have been reviewed, Consultant shall review and approve all new move-ins for a period of two years from the date of this agreement.

- c. During the second calendar quarter of 2013, provide Section 42 Procedural Review of Jackson's Landing North. The review will examine all elements of tax credit compliance including a review of set-aside requirements, rent levels, utility allowance documentation, income limits, employee units, optional fees, file storage policies, available unit tracking compliance, and fair housing accessibility compliance. 15 resident files from the property will be reviewed for compliance with the tenant certification and verification requirements of the Section 42 program.

2. **Performance of Services:** the Consultant shall determine the manner in which the services are to be performed and the hours to be worked. Client will rely on Consultant to work as many hours as may be reasonably required to fulfill Consultant's obligations under this Agreement. *Services requested by Client in excess of the scope of work outlined in this Agreement are not required and are not a part of this agreement. If agreed to by Consultant, such services shall be billed at Consultants hourly rate in effect as of the time of the request for additional services.*
3. **Payment:** Client will pay a fee to Consultant for the Services based on the following schedule:
 - \$185 per hour for review and recommendations regarding compliance documents;
 - For desk audit Services, \$25.00 per original file reviewed, and \$20.00 for review of corrections – this fee includes all expenses relating to the review. The entire fee shall be due and payable upon submission of Report to Client. Reports and invoices shall be sent at the same time and in the same manner. If invoices are required to be mailed and emailed reports are desired, the price per file is increased by \$3.00 per file. *Invoices outstanding for more than 60 days shall result in the per file price increasing by \$10.00.*
 - \$550.00 for the procedural review plus reimbursement for all travel related expenses. The entire fee shall be due and payable upon submission of Report to Client.
4. **Term / Termination:** This Agreement (except for fee requirements) shall terminate automatically upon completion by Consultant of the services required by this Agreement. **The terms contained within this Agreement shall be null and void if the Agreement is not fully executed by both parties no later than November 28, 2012.**
5. **Employees:** Consultant's employees, if any, who perform services for Client under this Agreement shall be bound by the provisions of this Agreement.
6. **Confidentiality:** Consultant recognizes that the Client has proprietary information that is valuable, special, and unique assets of the Client. Consultant will not at any time, or in any manner, either directly or indirectly, use such information for Consultant's own benefit, or divulge, disclose, or communicate in any manner any information to any third party which is unique to the Client's business without the prior written consent of the Client. The confidentiality provisions of this Agreement shall remain in full force and effect after the termination of this Agreement.
7. **Notices:** All notices required or permitted under this Agreement shall be in writing and shall be deemed delivered when delivered in person or deposited in the United States mail, or other recognized mail delivery systems, postage prepaid, addressed as follows:

If for Client,
Jim Tucker
Tucker Property Management
8 English Turn
New Orleans, LA 70131

If for Consultant,

A. J. Johnson, President
A. J. Johnson Consulting Services, Inc.
3521 Frances Berkeley
Williamsburg, VA 23188

Either party may change such address from time to time by providing written notice to the other in the manner set forth above.

8. **Entire Agreement:** This Agreement constitutes the full Agreement of the parties and there are no other promises or conditions in any other Agreement whether oral or written. This Agreement may be modified or amended if the amendment is in writing and executed by both parties.
9. **Severability:** If any provision of this Agreement shall be determined to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable.
10. **Applicable Law:** the laws of the State of Louisiana shall govern This Agreement.

Party receiving services:
Tucker Property Management

By: _____

Date: _____

Party providing Services:
A.J. Johnson Consulting Services, Inc.

By: _____

A.J. Johnson, President

Date: October 28, 2012