

RESOLUTION NO. _____

WHEREAS, the City of Austin, Texas (the “City”) has received voter authorization to issue general obligation bonds with the bond proceeds to be used to finance the construction and permanent financing of affordable housing developments located in the City’s corporate limits (the “**City Funding Program**”); and

WHEREAS, the City has adopted program guidelines for the operation of its City Funding Program to ensure that housing developments provided financing under the City Funding Program are providing quality affordable housing opportunities to lower-income residents of the community; and

WHEREAS, the City has entered into an agreement with the Austin Housing Finance Corporation, an instrumentality of the City whose full board of directors consists of members of the Austin City Council, to administer and operate the City Funding Program on behalf of the City with the assistance of City staff; and

WHEREAS, DMA Development Company, LLC has filed Application No. 15308 to the Texas Department of Housing and Community Affairs for an award of Low Income Housing Tax Credits for a proposed multi-family development to

be located at 11411 North Ranch Road 620, Austin, Travis County, Texas, to be known as Azul 620 (the **“Proposed Azul 620 Development”**); and

WHEREAS, subject to the award of Low Income Housing Tax Credits by the Texas Department of Housing and Community Affairs, the Board of Directors of the Austin Housing Finance Corporation has approved a deferred payment forgivable loan agreement under the City Funding Program in an amount not in excess of \$1,650,000 with DMA Development Company, LLC (the **“Developer”**) for development of the Proposed Azul 620 Development; and

WHEREAS, the City desires that the Austin Housing Finance Corporation enter into a loan with the Developer for the Proposed Azul 620 Development using City-issued general obligation bond proceeds through a deferred payment forgivable loan agreement under the City Funding Program which exceeds the requirements of Section 11.9(d)(2)(D) of the 2015 State of Texas Qualified Allocation Plan; **NOW THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is authorized to ensure that the Austin Housing Finance Corporation, under the agreement authorizing the corporation to administer the City Funding Program, enters into a deferred payment forgivable loan agreement funded with City-issued general obligation bond proceeds in an amount not in excess of \$1,650,000 with the Developer for the development of the Proposed Azul

620 Development with loan funding being subject to the award of Low Income Housing Tax Credits by the Texas Department of Housing and Community Affairs.

The deferred payment forgivable loan agreement funded with City-issued general obligation bond proceeds from the Austin Housing Finance Corporation to the Developer shall be structured with a forty-year term, at a zero percent rate of interest, secured by a lien on the Proposed Azul 620 Development and the funds for this proposed loan have not been provided to the City by the Developer or a related party to the Developer.

ADOPTED: _____, 2015

ATTEST: _____

Jannette S. Goodall
City Clerk