

City of Austin



Recommendation for Action

File #: 25-1324, **Agenda Item #:** 2.

7/24/2025

Posting Language

Authorize AHFC 501(c)(3) Nonprofit Corporation to form AHFC General Contractor 501(c)(3) Nonprofit Corporation, a Texas nonprofit corporation and instrumentality of the Austin Housing Finance Corporation, to serve as the general contractor for the construction and development of affordable housing developments within the City of Austin on behalf of Austin Housing Finance Corporation and any of its affiliates. This item has no fiscal impact.

Lead Department

Austin Housing Finance Corporation.

Fiscal Note

This item has no fiscal impact.

For More Information:

Mandy DeMayo, Treasurer, Austin Housing Finance Corporation, 512-974-1091.

Council Committee, Boards and Commission Action:

May 22, 2025: AHFC approved a resolution authorizing the formation of AHFC 501(c)(3) Nonprofit Corporation, a Texas nonprofit corporation and instrumentality of the Austin Housing Finance Corporation, approving its certificate of formation and bylaws, appointing its board of directors and president, and authorizing AHFC 501(c)(3) Nonprofit Corporation to form affiliate 501(c)(3) nonprofit corporations to act as general partners or managing members of the owners of affordable housing developments, general contractors of affordable housing developments, landowners of affordable housing developments, and other entities related to affordable housing developments - all involving Austin Housing Finance Corporation or any of its affiliates.

Additional Backup Information:

This item requests Austin Housing Finance Corporation (AHFC) to authorize AHFC 501(c)(3) Nonprofit Corporation to form AHFC General Contractor 501(c)(3) Nonprofit Corporation (Nonprofit Corporation). The Nonprofit Corporation will serve as the general contractor for the construction and development of affordable housing developments with the City of Austin on behalf of AHFC and any of its affiliates.

The initial Directors of the Nonprofit Corporation will be:

Director: Assistant City Manager, Dr. Eric Anthony Johnson

Director: Interim Housing Director, Mandy DeMayo

Director: Housing and Community Development Officer, James May

The directors of the Nonprofit Corporation will approve and file, as required by state law, the Nonprofit Corporation's certificate of formation, bylaws, and conflicts of interest policy. The Nonprofit Corporation will also seek a tax exemption under Section 501(c)(3) of the Internal Revenue Code.