

# City of Austin



## Legislation Details (With Text)

<b>File #:</b>	23-1117	<b>Status:</b>	Agenda Ready
<b>Type:</b>	Consent	<b>In control:</b>	Austin Housing Finance Corporation
<b>File created:</b>	1/12/2023	<b>Final action:</b>	2/9/2023
<b>On agenda:</b>	2/9/2023		
<b>Title:</b>	Approve a resolution authorizing the issuance of Austin Housing Finance Corporation Multi-family Housing Revenue Bonds in an aggregate principal amount up to \$30,000,000 to Libertad Austin at Gardner, LP, or an affiliated entity, to finance a multi-family housing development to be known as Libertad Austin at Gardner, located at 900 Gardner Road, Austin, Texas 78721; approving related documents in substantially the form attached to the resolution; authorizing a ground lease; and authorizing specific named representatives of the Austin Housing Finance Corporation to execute the documents relating to issuance of the bonds and closing the transaction.		
<b>Sponsors:</b>			
<b>Indexes:</b>	District 3		
<b>Code sections:</b>			
<b>Attachments:</b>	1. Certificate, 2. Draft Resolution, 3. Draft Exhibit A, 4. Draft Exhibit B, 5. Draft Exhibit C, 6. Draft Exhibit D, 7. Draft Exhibit E, 8. Backup, 9. Recommendation for Action		

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

### Posting Language

Approve a resolution authorizing the issuance of Austin Housing Finance Corporation Multi-family Housing Revenue Bonds in an aggregate principal amount up to \$30,000,000 to Libertad Austin at Gardner, LP, or an affiliated entity, to finance a multi-family housing development to be known as Libertad Austin at Gardner, located at 900 Gardner Road, Austin, Texas 78721; approving related documents in substantially the form attached to the resolution; authorizing a ground lease; and authorizing specific named representatives of the Austin Housing Finance Corporation to execute the documents relating to issuance of the bonds and closing the transaction.

### Lead Department

Austin Housing Finance Corporation.

### Fiscal Note

This item has no fiscal impact.

### Prior Council Action:

May 5, 2022 - Council conducted a public hearing and approved Ordinance No. 20220505-056 to rezone property locally known as 900 Gardner Road from public-neighborhood plan (P-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning.

May 5, 2022 - Council conducted a public hearing and approved Ordinance No. 20220505-055 to change the land use designation on the future land use map (FLUM) on property locally known as 900 Gardner Road (Boggy Creek Watershed) from Civic to Mixed Use land use.

February 4, 2021 - Council approved Resolution No. 20210204-013 related to an application by Libertad Austin at Gardner, LP, or an affiliated entity, for competitive 9% housing tax credits for a new construction

development to be known as Libertad Austin, located at or near 900 Gardner Road, Austin, Texas 78721.

**For More Information:**

Rosie Truelove, Treasurer, Austin Housing Finance Corporation, 512-974-3064; Mandy DeMayo, Deputy Director, Housing and Planning Department, 512-974-1091.

**Council Committee, Boards and Commission Action:**

January 26, 2023 - Austin Housing Finance Corporation (AHFC) set a public hearing for February 9, 2023, regarding the issuance by the Austin Housing Finance Corporation of up to \$22,000,000 of Multi-family Housing Revenue Bonds to Libertad Austin at Gardner, LP, or an affiliated entity, to finance a multi-family housing development to be located at 900 Gardner Road, Austin, Texas 78721.

October 13, 2022 - AHFC approved a resolution authorizing amendment to the Certification of Formation and By-Laws of AHFC Libertad Non-Profit Corporation, a Texas non-profit corporation and instrumentality of the Austin Housing Finance Corporation, to increase the number of units from approximately 137 units to approximately 198 units at the Libertad Apartments development located at or near 900 Gardner Road, Austin, Texas.

September 29, 2022 - Austin Housing Public Facility Corporation (AHPFC) approved an inducement resolution related to an application for private activity bond financing that authorizes an allocation of up to \$30,000,000 in private activity volume cap multi-family non-recourse bonds to Libertad Austin at Gardner, LP.

September 1, 2022 - AHFC approved a funding request for \$4,500,000 in Rental Housing Development Assistance funding to Libertad Austin at Gardner, LP.

September 2, 2021 - AHFC approved an inducement resolution related to an application for private activity bond financing that authorizes an allocation of up to \$30,000,000 in private activity volume cap multi-family non-recourse bonds to Libertad Austin at Gardner, LP.

March 4, 2021 - AHFC approved an inducement resolution for an allocation of up to \$22,000,000 in private activity volume cap multi-family non-recourse bonds to Libertad Austin at Gardner, LP.

February 18, 2021 - AHFC approved an inducement resolution for an allocation of up to \$22,000,000 in private activity volume cap multi-family non-recourse bonds to Libertad Austin at Gardner, LP.

December 10, 2020 - AHFC approved a resolution authorizing the formation of AHFC Libertad Non-Profit Corporation, a Texas non-profit corporation and instrumentality of the Austin Housing Finance Corporation; approving its Certificate of Formation and By-Laws; appointing its Board of Directors and President; and authorizing AHFC Libertad Non-Profit Corporation to act as general partner (or managing member) of the entity that will own the Libertad Apartments located at 900 Gardner Road, Austin, Texas 78721.

**Additional Backup Information:**

If approved, this action authorizes AHFC to issue up to \$30,000,000 in multi-family housing non-recourse bonds to provide interim and permanent financing for the development of Libertad Austin at Gardner. The property is located in Council District 3.

**Proposed Development**

Libertad Austin at Gardner, LP is planning to develop a 198-unit multi-family development at 900 Gardner Road, Austin, Texas 78721. The development will be affordable to households earning at or below 60 percent of the Austin Median Family Income (MFI). The intended target population of the development is the general population. The development is proposed to be partially funded with 4% Low-Income Housing Tax Credits (LIHTCs) and tax-exempt bonds issued by Austin Housing Finance Corporation (AHFC).

### **Property Tax Status and Future Impact**

The development will be eligible for a full property tax exemption. This savings will allow the development to be economically viable while serving the targeted percentage of MFI.

### **Libertad Austin at Gardner, LP - AHFC / Vecino Group / Caritas of Austin**

A non-profit affiliate of AHFC, called AHFC Libertad NPC, will serve as the general partner of the development owner. Vecino Group and Caritas of Austin will also play a role in the partnership or development. As a vertically integrated company, Vecino Group's in-house capabilities include development, design, engineering, construction, and asset management. Caritas of Austin is a local nonprofit with 13 years of experience in addressing housing instability through supportive housing.

For more information on the proposed project, as well as socioeconomic characteristics and amenities in the surrounding area, please see the project's Development Application here:

[https://www.austintexas.gov/sites/default/files/files/application\\_for\\_multi\\_family\\_bond\\_Libertad.pdf](https://www.austintexas.gov/sites/default/files/files/application_for_multi_family_bond_Libertad.pdf).