

**SAN JOSE FINANCE DEPARTMENT  
FINANCE DIRECTOR'S TEFRA HEARING**

Virtual TEFRA Hearing

Meeting Agenda  
November 2, 2021, 11:00 a.m.  
Julia H. Cooper, Director of Finance

**How to join the virtual meeting:**

By phone (888) 475-4499 or (877) 853-5257

Meeting ID: 960 8119 9906

Passcode: 252592

<https://sanjoseca.zoom.us/j/96081199906?pwd=UGFPUEpTLzBIVkVjOERGa1ZTRStUUT09>

**1. Call to Order**

**2. Minutes**

Consider and File Evidence of the Tax Equity and Fiscal Responsibility Act of 1982 hearings held on February 4, 2021 which have been posted by the City along with the agenda.

**3. Public Hearing**

The public hearing is required by the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to provide an opportunity for the public to comment on the proposed issuance of tax-exempt obligations. Following consideration of oral petitions and staff recommendation, the Mayor of San José will execute a certificate indicating that the hearing was held for the following projects and the certificate will be filed with the City Clerk.

- |              |   |
|--------------|---|
| Name:        | Vitalia (formerly Bascom Apartments)                                  |
| Location:    | 3090 South Bascom Avenue, San José, CA 95124                          |
| Owner:       | Bascom Affordable Housing, L.P. (AHG Bascom, LLC & CFAH Housing, LLC) |
| Issuer:      | City of San José  |
| Bond Amount: | \$35,672,716  |

2. Name: Mariposa Place  
Location: 750 West San Carlos Ave, San José, CA 95126  
Owner: San José West San Carlos, L.P. (Borrower), San  
Jose W. San Carlos LLC (Admin. General Partner),  
Danco Communities (Sponsor)  
Issuer: City of San José  
Bond Amount: \$31,341,010

**4. Oral Petitions**

Any comments provided at these hearings will be made available to the City Council prior to its taking action on a note issuance resolutions. If there are parties present who wish to voice their opinion and provide comments on the proposed issuance of notes, press \*9 to raise a hand to speak if you are on the phone or click “Raise hand” in the Zoom application.

**5. Adjournment**

**DECLARATION NO. 2021-1**

**A DECLARATION OF THE DIRECTOR OF FINANCE  
OF THE CITY OF SAN JOSE  
EVIDENCING A TEFRA HEARING  
(ARYA)**

**WHEREAS**, the City of San José (the “City”) is authorized by Chapter 7 of Part 5 of Division 31 of the Health and Safety Code of the State of California, as amended (the “Act”), to issue tax-exempt revenue bonds for providing financing for the acquisition, construction, and development of SAHA Arya by private developers of multifamily rental housing facilities located within the City of San José, California, to be occupied by low-income and very low-income tenants; and

**WHEREAS**, on behalf of SAHA Arya, L.P. a California limited partnership, or another entity to be created by Satellite Affordable Housing Associates (“Satellite”) (or an affiliate) (the “Owner”), Satellite has requested the City to issue tax-exempt obligations in the aggregate amount not to exceed \$34,314,000 (the “Obligations”) pursuant to the Act for financing the acquisition, construction and development of an 87-unit (including an unrestricted manager’s unit) residential rental project located at 500 Almaden Boulevard (also known as 226 Balbach Street), San José, CA 95110 (the “Project”); and

**WHEREAS**, it is intended that the interest on Obligations the City intends to issue to assist in the financing of the acquisition, construction and development of the Project would be excluded from gross income of the owners of the Obligations for federal income tax purposes; and

**WHEREAS**, the Obligations will constitute “qualified bonds” under Section 141(e) of the Internal Revenue Code of 1986 (the “Code”) provided that, pursuant to Section 147(f) of the Code, the “applicable elected representative” of the City approves the issuance of the Obligations after a duly noticed public hearing (“TEFRA Hearing”); and

**WHEREAS**, pursuant to Municipal Code Section 5.06.430, the City’s Director of Finance is authorized to hold the TEFRA Hearing; and

**WHEREAS**, a notice of public hearing in a newspaper of general circulation in the City was published on January 25, 2021, to the effect that the TEFRA Hearing would be held by the City’s Director of Finance on February 4, 2021, regarding the issuance of the Obligations by the City and the nature and location of the Project.


**NOW THEREFORE, THE DIRECTOR OF FINANCE DOES HEREBY RESOLVE,  
ORDER AND DETERMINE AS FOLLOWS:**

**SECTION 1.** The City Director of Finance held the TEFRA Hearing on February 4, 2021.

**SECTION 2.** The adoption of this Declaration is solely for the purpose of evidencing the holding of the TEFRA Hearing as described in Section 1. Neither the City nor its staff have fully reviewed or considered the financial feasibility of the Project or the expected operation of the Project with regard to any State of California statutory requirements. Such adoption shall not obligate the City to issue the Obligations without further formal action to be taken by the City Council, including, but not limited to any obligation with respect to, (i) the approval of the financing documents by the City Council by resolution, (ii) the City to provide financing to the Owner for the acquisition, construction and development of the Project or to issue the Obligations or incur other debt taxable obligations for purposes of such financing; or (iii) the City, or any department of the City, to approve any application or request for, or take any other action in connection with, any environmental, General Plan, zoning or any other permit or other action necessary for the rehabilitation or operation of the Project.

**EXECUTED** 2<sup>ND</sup> day of MARCH, 2021.

City of San José, a  
municipal corporation

BY:   
Julia H. Cooper  
Director of Finance

**DECLARATION NO. 2021-02**

**A DECLARATION OF THE DIRECTOR OF FINANCE  
OF THE CITY OF SAN JOSE  
EVIDENCING A TEFRA HEARING  
(BLOSSOM HILL)**

**WHEREAS**, the City of San José (the “City”) is authorized by Chapter 7 of Part 5 of Division 31 of the Health and Safety Code of the State of California, as amended (the “Act”), to issue tax-exempt revenue bonds or notes for providing financing for the acquisition, construction, and development of Blossom Hill Senior Apartments by private developers of multifamily rental housing facilities located within the City of San José, California, to be occupied by extremely low-income and very low-income senior households; and

**WHEREAS**, on behalf of Blossom Hill, L.P., a California limited partnership (the “Borrower”) formed by Charities Housing Development Corporation of Santa Clara County, or an affiliated entity (“CHDC” or “Developer”), a California non-profit corporation (“Charities”), has requested the City to issue tax-exempt obligations in the aggregate amount not to exceed \$45,000,000 (the “Obligations”) pursuant to the Act for financing the acquisition, construction and development of a 147 unit (including two unrestricted manager’s units) residential rent and income restricted apartments project located at 397 Blossom Hill Road San José, CA 95123 (the “Project”); and

**WHEREAS**, it is intended that the interest on Obligations the City intends to issue to assist in the financing of the acquisition, construction and development of the Project would be excluded from gross income of the owners of the Obligations for federal income tax purposes; and

**WHEREAS**, the Obligations will constitute “qualified bonds” under Section 141(e) of the Internal Revenue Code of 1986 (the “Code”) provided that, pursuant to Section 147(f) of the Code, the “applicable elected representative” of the City approves the issuance of the Obligations after a duly noticed public hearing (“TEFRA Hearing”); and

**WHEREAS**, pursuant to Municipal Code Section 5.06.430, the City’s Director of Finance is authorized to hold the TEFRA Hearing; and

**WHEREAS**, a notice of public hearing in a newspaper of general circulation in the City was published on January 25, 2021, to the effect that the TEFRA Hearing would be held by the City’s Director of Finance on February 4, 2021, regarding the issuance of the Obligations by the City and the nature and location of the Project.

**NOW THEREFORE, THE DIRECTOR OF FINANCE DOES HEREBY RESOLVE,  
ORDER AND DETERMINE AS FOLLOWS:**

**SECTION 1.** The City's Director of Finance held the TEFRA Hearing on February 4, 2021 at which hearing interested persons were given an opportunity to express their views for or against the issuance of the Obligations and on the nature and location of the Project.

**SECTION 2.** The adoption of this Declaration is solely for the purpose of evidencing the holding of the TEFRA Hearing as described in Section 1. Neither the City nor its staff have fully reviewed or considered the financial feasibility of the Project or the expected operation of the Project with regard to any State of California statutory requirements. Such adoption shall not obligate the City to issue the Obligations without further formal action to be taken by the City Council, including, but not limited to any obligation with respect to, (i) the approval of the financing documents by the City Council by resolution, (ii) the City to provide financing to the Owner for the acquisition, construction and development of the Project or to issue the Obligations or incur other taxable debt obligations for purposes of such financing; or (iii) the City, or any department of the City, to approve any application or request for, or take any other action in connection with, any environmental, General Plan, zoning or any other permit or other action necessary for the construction or operation of the Project.

EXECUTED 2<sup>ND</sup> day of MARCH, 2021.

City of San José, a  
municipal corporation

BY: Julia H. Cooper  
Julia H. Cooper  
Director of Finance

**DECLARATION NO. 2021-03**

**A DECLARATION OF THE DIRECTOR OF FINANCE  
OF THE CITY OF SAN JOSE  
EVIDENCING A TEFRA HEARING  
(IMMANUEL-SOBRATO COMMUNITY)**

**WHEREAS**, the City of San José (the “City”) is authorized by Chapter 7 of Part 5 of Division 31 of the Health and Safety Code of the State of California, as amended (the “Act”), to issue tax-exempt revenue bonds for providing financing for the acquisition, construction, and development of Blossom Hill by private developers of multifamily rental housing facilities located within the City of San José, California, to be occupied by extremely low-income and very low-income tenants; and

**WHEREAS**, on behalf of MP Moorpark Associates, L.P., a California limited partnership (the “Borrower”) formed by MidPen Housing Corporation (“Developer”), a California non-profit corporation (“MidPen”) has requested the City to issue tax-exempt obligations in the aggregate amount not to exceed \$40,000,000 (the “Obligations”) pursuant to the Act for the construction and development of a 108-unit (including two unrestricted manager’s units) residential rental project located at 1710 Moorpark Avenue, San José, CA 95128 (the “Project”); and

**WHEREAS**, it is intended that the interest on Obligations the City intends to issue to assist in the financing of the acquisition, construction and development of the Project would be excluded from gross income of the owners of the Obligations for federal income tax purposes; and

**WHEREAS**, the Obligations will constitute “qualified bonds” under Section 141(e) of the Internal Revenue Code of 1986 (the “Code”) provided that, pursuant to Section 147(f) of the Code, the “applicable elected representative” of the City approves the issuance of the Obligations after a duly noticed public hearing (“TEFRA Hearing”); and

**WHEREAS**, pursuant to Municipal Code Section 5.06.430, the City’s Director of Finance is authorized to hold the TEFRA Hearing; and

**WHEREAS**, a notice of public hearing in a newspaper of general circulation in the City was published on January 25, 2021, to the effect that the TEFRA Hearing would be held by the City’s Director of Finance on February 4, 2021, regarding the issuance of the Obligations by the City and the nature and location of the Project.


**NOW THEREFORE, THE DIRECTOR OF FINANCE DOES HEREBY RESOLVE,  
ORDER AND DETERMINE AS FOLLOWS:**

**SECTION 1.** The City Director of Finance held the TEFRA Hearing on February 4, 2021.

**SECTION 2.** The adoption of this Declaration is solely for the purpose of evidencing the holding of the TEFRA Hearing as described in Section 1. Neither the City nor its staff have fully reviewed or considered the financial feasibility of the Project or the expected operation of the Project with regard to any State of California statutory requirements. Such adoption shall not obligate the City to issue the Obligations without further formal action to be taken by the City Council, including, but not limited to any obligation with respect to, (i) the approval of the financing documents by the City Council by resolution, (ii) the City to provide financing to the Owner for the acquisition, construction and development of the Project or to issue the Obligations or incur other debt taxable obligations for purposes of such financing; or (iii) the City, or any department of the City, to approve any application or request for, or take any other action in connection with, any environmental, General Plan, zoning or any other permit or other action necessary for the rehabilitation or operation of the Project.

**EXECUTED** 2<sup>ND</sup> day of MARCH, 2021.

City of San José, a  
municipal corporation

BY:   
Julia H. Cooper  
Director of Finance