



Legislation Details (With Text)

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**Type:** Strategic Support      **Status:** Agenda Ready

**File created:** 5/2/2023      **In control:** City Council

**On agenda:** 5/16/2023      **Final action:**

**Title:** Approval of the Issuance of Tax-Exempt Multifamily Housing Revenue Notes and the Loan of the Proceeds Thereof for the Financing of the Charles and Approving Other Related Documents and Actions.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Memorandum, 2. Resolution, 3. Agreement - Funding Loan, 4. Agreement - Project Loan, 5. Agreement - Regulatory & Declaration, 6. Public Record Director's TEFRA Public Hearing 3/27/2023

Date	Ver.	Action By	Action	Result
5/16/2023	1	City Council		

**Approval of the Issuance of Tax-Exempt Multifamily Housing Revenue Notes and the Loan of the Proceeds Thereof for the Financing of the Charles and Approving Other Related Documents and Actions.**

Adopt a resolution:

- (a) Authorizing the issuance of a: (1) tax-exempt multifamily housing revenue note designated as “City of San José Multifamily Housing Revenue Note (The Charles), Series 2023B-1” in a principal amount not to exceed \$44,562,052 (2023B-1 Note) and (2) taxable multifamily housing revenue note designated as “City of San José Multifamily Housing Revenue Note (The Charles), Series 2023B-2” (Taxable) in a principal amount not to exceed \$12,000,000 (2023B-2 Note and with the 2023B-1 Note, the 2023B Notes);
- (b) Approving the loan of 2023B Note proceeds to Keyes, L.P. (Borrower) a California limited partnership created by Charities Housing Development Corporation of Santa Clara County, a California nonprofit public benefit corporation, to finance the construction and development of a 99-unit multifamily development known as The Charles located at 551 Keyes in San José (the Development);
- (c) Approving in substantially final form the Funding Loan Agreement, the Project Loan Agreement, Regulatory Agreement and Declaration of Restrictive Covenants, and related documents (collectively, the 2023B Note Documents);
- (d) Confirming the eligibility of the 2023B Notes to be structured with related parties under the Bond Policy Pilot Program which allows approval of multifamily housing revenue bond transactions that are subject to a bond fee cap under the applicable Treasury regulations for multifamily housing revenue bond transactions with related parties; and
- (e) Authorizing and directing the City Manager, Director of Housing, Director of Finance, Assistant Director of Housing, Assistant Director of Finance, Deputy Director, Debt & Treasury Management, or their designees, to execute and deliver the 2023B Note Documents together with any documents ancillary to the 2023B Note Documents.

CEQA: Categorical Exemptions per Public Resources Code Section 21080(b)(1) and CEQA Guidelines Section 15369, Ministerial Project pursuant to Government Code Section 65913.4, File No. ER20-109. Council District 3. (Housing/Finance)