



Legislation Details (With Text)

**File #:** 23-749      **Version:** 1

**Type:** Community & Economic Development      **Status:** Agenda Ready

**File created:** 5/9/2023      **In control:** City Council

**On agenda:** 5/23/2023      **Final action:**

**Title:** Approval of the Issuance of Tax-Exempt and Taxable Multifamily Housing Revenue Notes and the Loan of the Proceeds thereof for the Financing of 777 West San Carlos and Approving Related Documents. - TO BE HEARD IMMEDIATELY AFTER CONSENT

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Memorandum, 2. Supplemental Memorandum, 5/23/2023, 3. Agreement - Borrower Loan, 4. Agreement - Contingency Drawdown, 5. Agreement - Funding Loan, 6. Agreement - Regulatory, 7. Resolution, 8. Public Record Director's TEFRA Public Hearing 3/27/2023, 9. Letters from the Public

Date	Ver.	Action By	Action	Result
5/23/2023	1	City Council		

**Approval of the Issuance of Tax-Exempt and Taxable Multifamily Housing Revenue Notes and the Loan of the Proceeds thereof for the Financing of 777 West San Carlos and Approving Related Documents. - TO BE HEARD IMMEDIATELY AFTER CONSENT**

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 (777 West San Carlos), Series 2023C-1 (Tax-Exempt) in a principal amount not to exceed \$70,700,000 and; (2) taxable multifamily housing revenue note designated as City of San José Multifamily Housing Revenue Note (777 West San Carlos), Series 2023C-2 (Taxable) in a principal amount not to exceed \$1,300,000 (the 2023C-1 Note and with the 2023C-2 Note, collectively the 2023C Notes);

(b) Approving the loan of 2023C Notes proceeds to San José Sunol Street LP (Borrower), a California limited partnership created by Danco Communities, a California for-profit corporation, to finance the construction and development of a 154-unit multifamily development known as 777 West San Carlos located at 260 Sunol Street, 270 Sunol Street, and 777 West San Carlos Street in San José (Development);

(c) Approving in substantially final form the Funding Loan Agreement, the Borrower Loan Agreement, the Regulatory Agreement and Declaration of Restrictive Covenants, the Contingency Draw-Down Agreement and related documents (collectively, the 2023C Notes Documents); and

(d) Authorizing and directing the City Manager, Director of Housing, Director of Finance, Assistant Director of Housing, Assistant Director of Finance, Deputy Director of Finance, Debt & Treasury Management, or their designees, to execute and deliver the 2023C Notes Documents together with any documents ancillary to the 2023C Notes Documents.

CEQA: Exempt 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 6. (Housing/Finance)

**TO BE HEARD IMMEDIATELY AFTER CONSENT**