

## Legislation Text

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**File #:** 21-1180, **Version:** 1

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**Approval of the Issuance of a Tax-Exempt Multifamily Housing Revenue Note and the Loan of the Proceeds Thereof and Approving Related Documents for the Immanuel-Sobrato Community Project.**

(a) Adopt a resolution:

(1) Authorizing the issuance of a tax-exempt multifamily housing revenue note designated as “City of San José Multifamily Housing Revenue Note (Immanuel-Sobrato Community), Series 2021D” in a principal amount not to exceed \$34,980,000 (the “2021D Note”);

(2) Approving the loan of 2021D Note proceeds to MP Moorpark Associates, L.P. a California limited partnership created by MidPen Housing Corporation, a California not-for-profit corporation, to finance the construction and development of 108-unit multifamily development known as the Immanuel-Sobrato Community located at the corner of Leigh Avenue and Moorpark Avenue (f.k.a 1710 Moorpark Avenue) in San José (the “Development”);

(3) 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 “2021D Note Documents”); and

(4) Authorizing and directing the City Manager, Director of Housing, Director of Finance, Assistant Director of Finance, Deputy Director, Debt & Treasury Management or their designees, to execute and deliver the 2021D Note Documents together with any documents ancillary to the 2021D Note Documents.

(b) Adopt a resolution:

(1) Authorizing a change in City Loan terms to allow an increase in the Development’s rents and income up to 60% AMI (low income) for new tenants in subsidized units in the event of expiration or termination of Project Based Vouchers, and for all tenants in the event of foreclosure, to the extent the City has determined such increase is needed for feasibility of the Development and allowed by other funds;

(2) Authorizing the Director of Housing to negotiate and execute loan documents, amendments, and all other documents related to this action; and

(3) Approving the Relocation Plan for the Development, prepared by AutoTemp dated August 2020.

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. (Finance/Housing)