



**Contra  
Costa  
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: February 9, 2016

Subject: Amendments Relating to Multifamily Mortgage Revenue Bonds - Mira Vista Hills Apartments

**RECOMMENDATION(S):**

ADOPT Resolution No. 2016/68 authorizing amendments of Contra Costa County Variable Rate Multifamily Housing Refunding Revenue Bonds (Delta Square Apartments Project) 1999 Series H (the "Bonds") issued to make a loan used to refinance the acquisition and construction of a multifamily rental housing project generally known as Mira Vista Hills Apartments (the "Project"), located at 2201 San Jose Drive in the City of Antioch, including:

1. AUTHORIZING amendments relating to Bonds issued to refinance Mira Vista Apartments;
2. APPROVING the form of Amended and Restated Trust Indenture between the County of Contra Costa, as Issuer, and U.S. Bank National Association, as Trustee;
3. APPROVING the form of Amended and Restated Financing Agreement among the County of Contra Costa, as Issuer, U.S. Bank National Association, as Trustee, and Reliant-Mira Vista, L.P., as Borrower;
4. AUTHORIZING the Chair or Vice Chair of the Board of Supervisors, the County

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/09/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: Candace Andersen, District II  
Supervisor  
Mary N. Piepho, District III  
Supervisor  
Karen Mitchoff, District IV  
Supervisor  
Federal D. Glover, District V  
Supervisor

ABSENT: John Gioia, District I  
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 9, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stephanie Mello, Deputy

Contact: Kristen Lackey (925)  
674-7888

cc:

Administrator, the Director of Conservation and Development, the Assistant Deputy Director of the Department of Conservation and Development, or the Community Development Bond Program Manager to execute and deliver the Indenture and Financing Agreement, and to do any and all things, take any and all actions, and execute and deliver any and all certificates, agreements, and other documents which the officer may deem necessary or advisable in order to effectuate the purposes of the Resolution; and

## RECOMMENDATION(S): (CONT'D)

>

5. APPROVING, RATIFYING AND CONFIRMING all actions heretofore taken by the officers and agents of the County with respect to the amendments relating to the Bonds and other actions necessary to complete the amendments.

## FISCAL IMPACT:

The County will be reimbursed for costs incurred in the amendment process.

Reimbursement by the Borrower of the annual expenses of the County for monitoring of the low income housing provisions of the Regulatory Agreement and Declaration of Restrictive Covenants is provided for in the Bond documents. The Bonds will be payable from and secured by revenues (rents, reserves, etc.) of the Project that are pledged under the Bond documents. No County funds are pledged to secure the Bonds.

## BACKGROUND:

Resolution No. 2016/68 authorizes amendments relating to County of Contra Costa Multifamily Housing Variable Rate Refunding Revenue Bonds (Delta Square Apartments Project) 1999 Series H (the “Bonds”).

The Board of Supervisors authorized the original issuance of bonds for the Project in 1985 and a refunding in 1999. The proceeds of the Bonds were used for the acquisition and construction of the multifamily housing development now known as Mira Vista Hills Apartments (the “Project”), a 280 unit housing development located at 2201 San Jose Drive in the City of Antioch. The Project includes 56 units affordable for low income households. The Project was purchased by Reliant – Mira Vista, L.P. (the “Borrower”) on September 15, 2015. The Borrower is refinancing the Project in order to finance approximately \$2 million in capital improvements for the Project, including updating kitchens, appliances, bathrooms, flooring and paint. Additionally, the Borrower will be offering onsite residential services.

In order to refinance the Project, the Borrower has requested the County, as Issuer, to approve amendments to the terms of the Bonds including, (1) name change to reflect the Project name, (2) replace existing Bond structure with a simple fixed rate structure, (3) change in the fixed rate and optional redemption provisions, (4) change from monthly to quarterly interest payments, (5) subordinate the Bonds to an anticipated conventional loan, and (6) eliminate the Principal Reserve Fund. The amendments will require consent of 100 percent of the bond owners. The Bonds mature in 2029.

## CONSEQUENCE OF NEGATIVE ACTION:

Negative action would prevent the amendments to the Bonds and the Borrower would be more likely to retire the Bonds resulting in the termination of the affordability restrictions ten years early, in 2019.

## ATTACHMENTS

Resolution No. 2016/68

Att A Mira Vista Indenture

Att B Mira Vista Financing Agreement