



**Contra
Costa
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: October 24, 2017

Subject: Multifamily Housing Revenue Bonds - Monterey Pines Apartments

RECOMMENDATION(S):

ADOPT Resolution No. 2017/369:

1. Approving the issuance of Multifamily Housing Revenue Bonds (the "Bonds") by the California Municipal Finance Authority (CMFA) in an amount not to exceed \$47,000,000, for the benefit of Monterey Venture LP, a California limited partnership, or another partnership or other entity created by MRK Partners, or one or more affiliates thereof (the "Borrower"), to provide for the financing of the acquisition, rehabilitation, improvement and equipping of a 324-unit multifamily housing development generally known as Monterey Pines Apartments located at 680 South 37th Street in the City of Richmond. Such adoption is solely for the purposes of satisfying the requirements of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), the Code and the California Government Code Section 6500 (and following).

2. Authorizing and directing the Chair of the Board of Supervisors, the Vice-Chair of the Board of Supervisors, the County Administrator, the County Assistant Deputy Director of Conservation and Development, County Counsel and the Clerk of the Board to execute such

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/24/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V 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: October 24, 2017

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

By: Stephanie Mello, Deputy

Contact: Kara Douglas
925-647-7880

cc:

other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to effect the purposes of the Resolution and the transactions authorized.

FISCAL IMPACT:

No impact to the General Fund. The County will be reimbursed for any costs incurred in the process of conducting the TEFRA Hearing. The CMFA will issue tax-exempt revenue bonds on behalf of the Borrower. Repayment of the Bonds is solely the responsibility of the Borrower.

BACKGROUND:

Monterey Venture LP, with the City of Richmond's support, requested the County to conduct a Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing for the California Municipal Finance Authority (CMFA) issuance of Multifamily Housing Revenue Bonds in an amount not to exceed \$47,000,000 to be used to finance the acquisition, development and construction of a 324-unit multifamily rental housing development commonly known as Monterey Pines Apartments located at 680 South 37th Street in the City of Richmond, California (the "Project"). The Project will be operated by Apartment Management Consultants. A TEFRA Hearing must be held by an elected body of the governmental entity having jurisdiction over the area where the project is located in order for all or a portion of the Bonds to qualify as tax-exempt bonds for the financing of the Project. The County is a member of the CMFA and qualifies as an elected body of the governmental entity having jurisdiction over the area where the project is located.

The main purposes of the proposed Resolution are to acknowledge that a public hearing was held by the County's Assistant Deputy Director on October 12, 2017, where members of the community were given an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing of the project and to approve of CMFA's use of tax-exempt bonds for the financing of the Project. No public comments were received. A notice of the hearing was published in the Contra Costa Times (proof of publication attached) on September 28, 2017.

The County's only role in this transaction was to hold the TEFRA hearing and to grant the limited approval described above. Additional actions related to the bond issuance will be the responsibility of CMFA and the Borrower.

CONSEQUENCE OF NEGATIVE ACTION:

Negative action would prevent CMFA from providing tax-exempt financing for the Monterey Pines Apartments project in Richmond.

ATTACHMENTS

Resolution No. 2017/369

Proof of Publication

TEFRA Hearing Transcript