

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SANTA ROSA APPROVING A MODIFICATION TO HOUSING AUTHORITY RESOLUTION NUMBERS 1694, 1704, 1707, 1731, 1743, AND 1759 TO CHANGE BORROWER ENTITY FOR THE PRIOR COMMITMENTS FOR BURBANK AVENUE APARTMENTS FROM WATERSTONE RESIDENTIAL I, LLC AND WSA BURBANK HOUSING PARTNERS I LP TO BHDC BURBANK AVE, LLC BY AND THROUGH BURBANK HOUSING DEVELOPMENT CORPORATION AND ALLOW PREDEVELOPMENT-RELATED COSTS AS AN ELIGIBLE USE OF FUNDS

WHEREAS, Burbank Avenue Apartments (Project) is a new construction, sixty-four (64) unit affordable housing project located at 1780 Burbank Ave in Southwest Santa Rosa; and

WHEREAS, the Project has been awarded a total of 16 Project-Based Vouchers (PBVs) and \$13,184,325 in conditional commitments of loan funds as follows:

<u>Resolution No.</u>	<u>Borrower Entity</u>	<u>Commitment</u>	<u>Funding Source</u>	<u>Use of Funds</u>
1694	Waterstone Residential, LLC	4 PBVs	n/a	n/a
1704	WSA Burbank Housing Partners I, LP	\$5,000,000	CDBG-DR	Construction
1707	WSA Burbank Housing Partners I, LP	12 PBVs	n/a	n/a
1731	WSA Burbank Housing Partners I, LP	\$284,325	PLHA	Construction
1743	WSA Burbank Housing Partners I, LP	\$261,669 \$1,079,196 \$817,263 \$143,188 \$2,098,684	Housing Grant Fund PLHA RPTT Mortgage Revenue Bonds Housing Impact Fee Fund	Construction
1759	WSA Burbank Housing Partners I, LP	\$310,327 \$1,310,971 \$1,187,622 \$691,080	HOME CDBG PLHA RPTT	Acquisition & Construction

WHEREAS, funding awards were made to different borrower entities for the Project as the ownership structure evolved; and

WHEREAS, both Waterstone Residential, LLC and Burbank Housing Development Corporation (BHDC) have requested to modify the borrower entity for the Project on all prior Housing Authority awards to BHDC Burbank Avenue LLC, by and through BHDC and to allow

predevelopment-related costs to be an eligible use of loan funds; and

WHEREAS, BHDC is a California non-profit organization, the managing and sole member of BHDC Burbank Ave, LLC, and the Administrative General Partner of the existing WSA Burbank Housing Partners I, LP; and

WHEREAS, aligning all Housing Authority awards under BHDC Burbank Ave, LLC by and through BHDC will 1) maintain administrative consistency in the funding agreements, and 2) reduce a future tax obligation to the Project; and

WHEREAS, predevelopment-related costs are an eligible use of Permanent Local Housing Allocation (PLHA) and local funding sources and allowing the Project to include predevelopment-related costs as eligible uses of these funds will allow the project to draw down the funds and begin construction more quickly.

NOW, THEREFORE, BE IT RESOLVED that the Housing Authority of the City of Santa Rosa approves a modification to Housing Authority Resolution Number 1694, to change the entity identified, Waterstone Residential, LLC to BHDC Burbank Ave, LLC by and through Burbank Housing Development Corporation, a California nonprofit corporation.

BE IT FURTHER RESOLVED that the Housing Authority of the City of Santa Rosa approves modifications to Housing Authority Resolution Numbers 1704, 1707, 1731, 1743, and 1759 to change the borrower entity identified, WSA Burbank Housing Partners I, LP to BHDC Burbank Ave, LLC by and through Burbank Housing Development Corporation, a California nonprofit corporation and allow predevelopment-related costs to be included as eligible uses of loan funds for the local and PLHA funds awarded to the Project.

BE IT FURTHER RESOLVED that the Housing Authority of the City of Santa Rosa approves subordination of the Housing Authority loan(s) to senior financing in a form approved by the Housing Authority General Counsel, if required by other lenders.

BE IT FURTHER RESOLVED that the Housing Authority of the City of Santa Rosa hereby authorizes the Executive Director to execute agreements related to loan documents for the Project consistent with this Resolution, including but not limited to the following: Loan Agreement, Promissory Note, Regulatory Agreement, Assignment and Assumption Agreement, and Subordination Agreement.

BE IT FURTHER RESOLVED that the remainder of Housing Authority Resolution Numbers 1694, 1704, 1707, 1731, 1743, and 1759 remain unchanged and in full force and effect.

IN HOUSING AUTHORITY DULY PASSED this 25<sup>th</sup> day of September, 2023.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Secretary Chair

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney