



ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Karl Lawson *[Signature]* Agenda Item No. L-2
 Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify) _____

DATE: July 16, 2012

TO: City Council

FROM: William Wilkins, Housing Director *[Signature]*
 Curtis Cannon, Community Development Director *[Signature]*

SUBJECT: Public Hearing for Issuance of Multifamily Housing Revenue Bonds For Wagon Wheel Family Apartments Project, located at Buckaroo Avenue and Winchester Drive

RECOMMENDATION

That the City Council:

1. Hold a public hearing regarding the issuance of up to \$18,000,000 of multifamily housing revenue bonds by the California Statewide Communities Development Authority to finance the acquisition, construction and development of Wagon Wheel Family Apartments, a 120-unit multi-family rental housing project located at Buckaroo Avenue and Winchester Drive; and
2. Adopt a resolution approving the issuance of bonds.

DISCUSSION

The Wagon Wheel Family Apartments Project is a one hundred twenty (120) unit affordable housing project planned for construction at the intersection of Buckaroo Avenue and Winchester Drive, in the Wagon Wheel neighborhood. The project is being developed by Oakwood Communities, Inc.

A primary source of funds to finance the acquisition, construction and development of the project would be the proceeds of tax-exempt multifamily housing revenue bonds ("Bonds") proposed to be issued by the California Statewide Communities Development Authority ("the Statewide Authority"). The Bonds would be payable solely from revenues derived from the project. The City would have no responsibility with respect to the issuance or repayment of the Bonds.

The Statewide Authority is authorized pursuant to the provisions of the California Government Code Section 6500 et seq. and the terms of an Amended and Restated Joint Exercise of Powers Agreement, dated June 1, 1988, among certain local agencies throughout the State of California, including the City

of Oxnard, to issue revenue bonds in accordance with Chapter 7 of Part 5 of Division 31 of the California Health and Safety Code, for the purpose of financing multifamily rental housing projects.

Section 147(f) of the Internal Revenue Code of 1986 ("Tax Code") requires that, in order for the interest on a private activity bond to be excluded from the gross income of the owner of the bond (i.e., tax-exempt), an "applicable elected representative" of the governmental unit issuing the bond must approve the issuance of the bond after a public hearing following reasonable public notice. Such public hearing is known as a Tax Equity and Financial Responsibility Act ("TEFRA") hearing. The proposed Bond issue by the Statewide Authority is classified as private activity bonds for purposes of the Tax Code. The Tax Code provides that a governmental unit with elected representatives and jurisdiction over the area in which the project to be financed is located, in this case the City Council, is an "applicable elected representative" with respect to the bond issue.

Staff recommends that the City Council conduct the public hearing regarding the financing of the project with proceeds of the Bonds, and adopt a resolution approving the issuance of the Bonds by the Statewide Authority. Notice of the public hearing was published in the Ventura County Star on July 17, 2012. Bond Counsel has advised that the City will incur no obligation whatsoever by reason of its holding of the public hearing and approval of the issuance of the Bonds by the Statewide Authority.

FINANCIAL IMPACT

There is no financial impact to the City in connection with the City Council's adoption of a resolution approving the issuance of the Bonds by the Statewide Authority.

(kl)

Attachments: #1 - Housing Bond Application for Wagon Wheel Family Apartments,
submitted by Oakwood Communities, Inc.
#2 - City Council Resolution



Building Communities, Investing in Local Government Since 1988

Housing Bond Application

APPLICANT INFORMATION

Application Number: **2012053**
 Name of Developer: **Oakwood Communités, Inc.**
 Primary Contact: **Carl Renezedér**
 Title: **President**
 Address: **16441 Scientific Way, Suite 250
Irvine, CA 92618**
 Telephone Number: **(949) 719-9040 Ext. 311**
 Fax Number: **(949) 861-8696**
 E-mail: **carlr@oakwooddev.com**

BORROWER DESCRIPTION

Type of Entity: For-profit Corporation Non-profit Corporation
 Municipality Partnership
 Other (specify): _____

For Non-profits only: Will you be applying for State Volume Cap? **No**

Name of Borrowing Entity: **CRFL Family Apartments, LP**

Date Established: **2/3/12**

Number of Multi-Family Housing Projects Completed in the Last 10 Years: **16**

Number of Low Income Multi-Family Housing Projects Completed in the Last 10 Years: **0**

PRINCIPAL FINANCE TEAM INFORMATION

UNDERWRITER/PLACEMENT AGENT	BOND COUNSEL
Firm: Citibank Community Capital	Firm: Orrick
Contact: Mike Hemmens	Contact: Justin Cooper
Address: 325 East Hillcrest Drive, Suite 160 Thousand Oaks, CA 91360	Address: 405 Howard Street San Francisco, CA 94105
Telephone: (805) 557-0933	Telephone: (415) 773-5908
Fax: (805) 557-0924	Fax: (425) 773-5759
E-mail: mike.hemmens@citi.com	E-mail: jcooper@orrick.com

PROJECT DESCRIPTION

Current Project Name: **Wagon Wheel Family Apartments**
 New Project Name:
 Project Street Address: **Planning Area 12 and 13 sits atop the current intersection of Buckaroo Avenue and Winchester Drive (immediately west of Oxnard Boulevard and Spur Drive)**
 City: **Oxnard** State: **CA** Zip Code: **93036**
 Is project located in unincorporated part of the County? **No**
 Total Number of Units: Market: **1** Restricted: **119** Total Units: **120**
 Lot Size: **4 Acres**
 Amenities: **Laundry & 1800 Sq. Ft Leasing Center & Recreation Center & Parking**

Type of Construction (i.e., Wood Frame, 2 Story, 10 Buildings): **3 Story, Wood Frame Over Parking, 5 Buildings**

Type of Housing: New Construction Family
 Acq/Rehab Senior Is this an Assisted Living Facility? _____

City or county contact information:

Contact Name: **Curtis Cannon**
 Title: **Community Development Director**
 Phone Number: **(805) 385-7407**
 Fax Number: **(805) 385-7408**
 E-mail: **Curtis.Cannon@ci.oxnard.ca.us**

PUBLIC BENEFIT

Percentage of Units in Low Income Housing: **100%**
 Percentage of Area Median Income(AMI) for Low Income Housing Units: **40%@60%**
 Total Number of Management Units: **1**

Unit Size	% AMI	# of Restricted Units	Restricted Rent	Market Rent	Expected Savings
1 Bedroom	30	12	\$410	\$1,185	\$775
1 Bedroom	50	12	\$746	\$1,185	\$439
1 Bedroom	60	10	\$913	\$1,185	\$272
2 Bedrooms	30	16	\$492	\$1,256	\$764
2 Bedrooms	50	16	\$893	\$1,256	\$363
2 Bedrooms	60	5	\$1,072	\$1,256	\$184
3 Bedrooms	30	8	\$566	\$1,640	\$1,074
3 Bedrooms	50	16	\$1,004	\$1,640	\$636
3 Bedrooms	60	6	\$1,205	\$1,640	\$435
4 Bedrooms	30	5	\$620	\$1,640	\$1,020

Application Number: 2012053 - Wagon Wheel Family Apartments
Name of Borrower: Oakwood Communities, Inc.

PUBLIC BENEFIT(continued)

Unit Size	% AMI	# of Restricted Units	Restricted Rent	Market Rent	Expected Savings
4 Bedrooms	50	5	\$1,116	\$1,640	\$524
4 Bedrooms	60	8	\$1,340	\$1,640	\$300

Remarks: Our rent levels vary between bedroom types, but the highest rent for each bedroom size are all at least 10% below market rents.

OTHER PUBLIC BENEFIT

SERVICES PROVIDED

- High-speed internet service in each affordable unit of an on-going nature for a minimum of 10 years.
- After school program of an on going nature for the minimum of 10 years.
- Educational classes (which are not the same as the after school program) for a minimum of 10 years.
- Licensed childcare providing 20 hours or more per week(Monday through Friday) to residents of the development.
- Contract for services, such as assistance with the daily living activities, or provision of senior counseling services.

ENVIRONMENT

Energy

- Does the facility exceed Title 24 Standards? Yes No N/A
 If Yes, by what percent? _____%
- Does the facility have solar(PV) panels? Yes No N/A
 If Yes, what is the size in kWh? _____
- Does the facility purchase carbon credits? Yes No N/A
 If Yes, what is the annual consumption? _____

Water

- Does the facility provide any of the following:
- Efficient Toilets? Yes No N/A
- Water-saving showerheads? Yes No N/A
- Drought tolerant landscaping? Yes No N/A
- Other, specify: _____

Transportation

- Does the entity provide carpooling or mass-transit subsidies? Yes No N/A
- Does the entity maintain a fuel efficient fleet? Yes No N/A

Waste

- Does the project provide recycling facilities? Yes No N/A

WORKFORCE

Employment Creation

Job Type/Description	During Construction	Post Construction
Full Time	50	5

GOVERNMENTAL INFORMATION

Congressional District # _____ State Senate District # 23 State Assembly District # 41

PRINCIPAL FINANCE TEAM INFORMATION (continued)

FINANCIAL ADVISOR		REBATE ANALYST	
Firm:	Miller Housing Advisors LLC	Firm:	TBD
Contact:	Marnie Klein	Contact:	
Address:	7459 East Byers Avenue Denver, CO 80230	Address:	
Telephone:	(303) 570-7070	Telephone:	
Fax:	(303) 733-3753	Fax:	
E-mail:	marnie@millerhousing.com	E-mail:	

ADDITIONAL REQUIREMENT

Please provide the following as an additional attachment:

<u>Attachment</u>	<u>Description of Information</u>
A	\$5,000 non-refundable* issuance fee deposit payable to "California Communities." *Refundable only if financing not approved.

MAILING ADDRESS
California Communities®
2033 N. Main St., Suite 700
Walnut Creek, CA 94596

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
APPROVING THE ISSUANCE BY THE CALIFORNIA STATEWIDE
COMMUNITIES DEVELOPMENT AUTHORITY OF
MULTIFAMILY HOUSING REVENUE BONDS FOR THE
WAGON WHEEL FAMILY APARTMENTS**

WHEREAS, the California Statewide Communities Development Authority (the "Authority") is authorized pursuant to the provisions of California Government Code Section 6500 et seq. and the terms of an Amended and Restated Joint Exercise of Powers Agreement, dated as of June 1, 1988 (the "Agreement"), among certain local agencies throughout the State of California, including the City of Oxnard (the "City"), to issue revenue bonds in accordance with Chapter 7 of Part 5 of Division 31 of the California Health and Safety Code for the purpose of financing multifamily rental housing projects; and

WHEREAS, CRFL Family Apartments, LP or related entities, has requested that the Authority adopt a plan of financing providing for the issuance of multifamily housing revenue bonds (the "Bonds") in one or more series issued from time to time, including bonds issued to refund such revenue bonds in one or more series from time to time, and at no time to exceed \$18,000,000 in outstanding aggregate principal amount, to finance the acquisition, construction and development of a 120-unit multifamily rental housing project located at Planning Area 12 and 13, which sits atop the current intersection of Buckaroo Avenue and Winchester Drive (immediately west of Oxnard Boulevard and Spur Drive), Oxnard, California, generally known as Wagon Wheel Family Apartments (the "Project") and operated by Cabrillo Economic Development Corporation (CEDC) (a 501(c)(3) nonprofit corporation); and

WHEREAS, the Bonds or a portion thereof will be "private activity bonds" for purposes of the Internal Revenue Code of 1986 (the "Code"); and

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, private activity bonds are required to be approved by the "applicable elected representative" of the governmental units on whose behalf such bonds are expected to be issued and by a governmental unit having jurisdiction over the entire area in which any facility financed by such bonds is to be located, after a public hearing held following reasonable public notice; and

WHEREAS, the members of this City Council (this "City Council") are the applicable elected representatives of the City; and

WHEREAS, there has been published, at least 14 days prior to the date hereof, in a newspaper of general circulation within the City, a notice that a public hearing regarding the Bonds would be held on a date specified in such notice; and

WHEREAS, such public hearing was conducted on such date, at which time an opportunity was provided to interested parties to present arguments both for and against the issuance of the Bonds; and

WHEREAS, the Authority is also requesting that the City Council approve the issuance of any refunding bonds hereafter issued by the Authority for the purpose of refinancing the Bonds which financed the Project (the "Refunding Bonds"), but only in such cases where federal tax laws would not require additional consideration or approval by the City Council; and

WHEREAS, it is intended that this resolution shall constitute the approval of the issuance of the Bonds required by Section 147(f) of the Code and Section 9 of the Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OXNARD AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. The City Council hereby approves the issuance of the Bonds and the Refunding Bonds by the Authority. It is the purpose and intent of the City Council that this resolution constitute approval of issuance by the Authority the Bonds for the purposes of (a) Section 147(f) of the Code and (b) Section 9 of the Agreement.

Section 3. The Bonds will not constitute a debt, liability or obligation of the City.

Section 4. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing approved hereby.

Section 5. The City Clerk shall forward a certified copy of this Resolution and a copy of the affidavit of publication of the hearing notice to:

Justin Cooper, Esq.
Orrick, Herrington & Sutcliffe LLP
405 Howard Street
San Francisco, California 94105

Section 6. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED THIS 31st day of July, 2012, by the following vote:

AYES:

NOES:

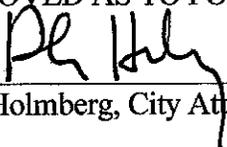
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:


Alan Holmberg, City Attorney

