

1 BOARD OF DIRECTORS
2 OF THE CALIFORNIA HOUSING FINANCE AGENCY
3

4
5 RESOLUTION NO. 21-19
6

7 RESOLUTION AUTHORIZING A FINAL LOAN COMMITMENT
8

9 WHEREAS, the California Housing Finance Agency (the "Agency") has received a
10 loan application on behalf of Elm Lane Oakley L.P., a California limited partnership (the
11 "Borrower"), seeking a loan commitment, the proceeds of which are to be used to provide
12 financing for a multifamily housing development located in the City of Oakley, County of
13 Contra Costa, California, to be known as Elm Lane Apartments (the "Development"); and
14

15 WHEREAS, the loan application has been reviewed by Agency staff which prepared a
16 report presented to the Board on the meeting date recited below (the "Staff Report"),
17 recommending Board approval subject to certain recommended terms and conditions; and
18

19 WHEREAS, Agency staff has determined or expects to determine prior to making a
20 binding commitment to fund the loan for which the application has been made, that (i) the
21 Agency can effectively and prudently raise capital to fund the loan for which the application has
22 been made, by direct access to the capital markets, by private placement, or other means and (ii)
23 any financial mechanisms needed to insure prudent and reasonable financing of loans can be
24 achieved; and
25

26 WHEREAS, pursuant to the Executive Director's authority to issue Conduit Bonds,
27 under Resolution 21-04 the Agency has filed an application with the California Debt Limit
28 Allocation Committee ("CDLAC") for an allocation of California Qualified Private Activity
29 Bonds for the Development; and
30

31 WHEREAS, the Development has received a TEFRA Resolution as required by the
32 Tax Equity and Fiscal Responsibility Act of 1983, and under 26 U.S.C. section 147(f); and
33

34 WHEREAS, Section 1.150-2 of the Treasury Regulations requires the Agency, as the
35 issuer of tax-exempt bonds, to declare its reasonable official intent to reimburse prior
36 expenditures for the Development with proceeds of a subsequent borrowing; and
37

38 WHEREAS, on March 15, 2021, the Executive Director exercised the authority
39 delegated to her under Resolution 15-16 to declare the official intent of the Agency to reimburse
40 such prior expenditures for the Development; and
41

42 WHEREAS, the Agency has conditionally approved a subsidy loan pursuant to
43 CalHFA's Mixed-Income Program ("*MIP*") pursuant to its authority under Resolutions 19-02
44 and 19-14; and
45
46

1 WHEREAS, the Board wishes to grant the staff the authority to enter into a loan
2 commitment to provide permanent financing for the development and taking out the Conduit
3 Bonds upon Agency staff determining in its judgment that reasonable and prudent financing
4 mechanisms can be achieved;

5
6 NOW, THEREFORE, BE IT RESOLVED by the Board of Directors (the "Board") of
7 the California Housing Finance Agency as follows:

8
9 1. The Executive Director, or in her absence, the Chief Deputy Director, is hereby
10 authorized to execute and deliver a final commitment letter, in a form acceptable to the Agency,
11 and subject to recommended terms and conditions set forth in the Staff Report and any terms
12 and conditions as the Board has designated in the Minutes of the Board Meeting, in relation to
13 the Development described above and as follows:

14 PROJECT 15 NUMBER	16 DEVELOPMENT NAME/ 17 LOCALITY	18 MORTGAGE 19 AMOUNT	
20 21-011-A/X/N	21 ELM LANE APARTMENTS 22 Oakley, Contra Costa County, California	23 \$35,350,000.00	24 Permanent 25 Tax-Exempt 26 HUD-Risk 27 Share 1 st 28 Mortgage
		29 \$ 6,000,000.00	30 Permanent 31 Mixed-Income 32 Program Subsidy 33 2 nd Mortgage

34 The Board recognizes that in the event that staff cannot determine that reasonable and prudent
35 financing mechanisms can be achieved, the staff will not enter into loan commitments to finance
36 the Development. In addition, access to capital markets may require significant changes to the
37 terms of loans submitted to the Board. Notwithstanding paragraph 2 below, the staff is
38 authorized to make any needed modifications to the loan which in staff's judgment are directly
39 or indirectly the result of the disruptions to the capital markets referred to above.

40 2. The Executive Director may modify the terms and conditions of the loan or
41 loans as described in the Staff Report, provided that major modifications, as defined below,
42 must be submitted to this Board for approval. "Major modifications" as used herein means
43 modifications which either (i) increase the total aggregate amount of any loans made pursuant to
44 the Resolution by more than 7%; or (ii) modifications which in the judgment of the Executive
45 Director, or in her absence, the Chief Deputy Director of the Agency, adversely change the
46 financial or public purpose aspects of the final commitment in a substantial way.

SECRETARY'S CERTIFICATE

I, Claire Tauriainen, the undersigned, do hereby certify that I am the duly authorized Secretary of the Board of Directors of the California Housing Finance Agency, and hereby further certify that the foregoing is a full, true, and correct copy of Resolution No. 21-19 duly adopted at a regular meeting of the Board of Directors of the California Housing Finance Agency duly called and held on the 21st day of October 2021, at which meeting all said directors had due notice, a quorum was present and that at said meeting said resolution was adopted by the following vote:

AYES: Avila Farias, Castro Ramirez, Gallagher, Gunn (for Imbasciani), Gunning, Prince, Russell, Sotelo, Starr (for Ma), Velasquez, White

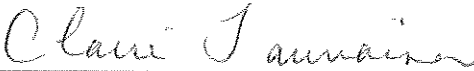
NOES: None

ABSTENTIONS: None

ABSENT: Hunter

IN WITNESS WHEREOF, I have executed this certificate hereto this 21st day of October 2021.

ATTEST:



CLAIRE TAURIAINEN
Secretary of the Board of Directors of the
California Housing Finance Agency