

RESOLUTION NO. 2627-10 RDA

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF WINDSOR REDEVELOPMENT AGENCY APPROVING IN
CONCEPT MODIFICATION OF A \$1,300,000 HELP LOAN AGREEMENT AND A
\$900,000 AGENCY LOAN AGREEMENT WITH BURBANK HOUSING
DEVELOPMENT CORPORATION TO PROVIDE FOR EARLY REPAYMENT WITH
ACCRUED INTEREST AND RE-ISSUANCE OF AMOUNTS REPAYED TO AGENCY
AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ALL
DOCUMENTS NECESSARY FOR THE COMPLETION OF THIS TRANSACTION**

WHEREAS, the Town of Windsor Redevelopment Agency (the "Agency") has entered into two Loan Agreements with Burbank Housing Development Corporation's ("Burbank"), in the amounts of \$1,300,000 and \$900,000 ("Loan Agreements") for the Windsor Redwoods affordable rental housing project for 65 units of rental housing for low and very low income persons (the "Project"); and

WHEREAS, a requirement of tax-exempt financing for the Project is that at least 50% of Project costs be financed with tax-exempt financing; and

WHEREAS, The Project's current construction financing does not meet the 50% test; and

WHEREAS, Burbank desires to pay off the Agency loans , with accrued interest, that are the subject of the Loan Agreements, in order to meet the 50% test; and

WHEREAS, Burbank desires that the Agency "re-issue" the principal and interest to be repaid by Burbank, at the time when certificates of occupancy for the Project are issued, in the form of permanent financing for the Project: and

WHEREAS, Keyser Marston Associates has evaluated Burbank's proposal and has reported that it is an appropriate solution to satisfying the Project's 50% tax-exempt financing test, does not increase the Agency's financial commitment to the Project, and could result in interest income to the Agency; and

WHEREAS, the Agency desires to assist Burbank in meeting the 50% test for tax-exempt financing in order that construction of the Project may move forward.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Town of Windsor Redevelopment Agency as follows:

Section 1. The Board of Directors hereby approves in concept modification of the \$1,300,000 HELP Loan Agreement and the Agency \$900,000 Agency Loan Agreement to provide for early repayment by Burbank Housing Development Corporation of the principal and accrued interest there under, and reissuance of said amounts as permanent financing at the time that certificates of completion are issued for the Windsor Redwoods Affordable Rental Housing Project, subject to execution of appropriate documents reflecting the concept and approved as to form by the Agency Attorney.

Section 2. The Board of Directors authorizes the Executive Director, or his designee, to execute, upon approval as to form by the Town Attorney, all documents as are reasonably necessary to effectuate the intent of this Resolution.

PASSED, APPROVED AND ADOPTED this 3rd day of March 2010, by the following vote:

**AYES: MEMBERS ALLEN, FUDGE, GOBLE, SCHOLAR AND
CHAIR SALMON**

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



SAM SALMON, CHAIR

ATTEST:



MARIA DE LA O, SECRETARY