

AN ORDINANCE

97124

APPROVING A POLICY FOR REVIEWING TAX EXEMPT AND TAXABLE BOND FINANCED PROJECTS SUBMITTED TO THE CITY OF SAN ANTONIO BY THE SAN ANTONIO HOUSING FINANCE CORPORATION OR THE SAN ANTONIO HOUSING TRUST FINANCE CORPORATION; AND APPROVING A BOND FINANCING TRANSACTION FOR THE AUTUMN OAKS AND THE CREST OF THOUSAND OAKS APARTMENTS IN THE AMOUNT OF \$13,675,000.00.

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WHEREAS, the San Antonio Housing Authority's San Antonio Housing Finance Corporation and San Antonio Housing Trust Corporation were authorized by City Council to issue Tax Exempt Bond Financing for multi-family housing developments; and

WHEREAS, as a result of City Council's authorization to issue Tax Exempt Bond Financing, any bonds issued by either entity must be approved by City Council; and

WHEREAS, in order to ensure that only projects that provide a public benefit to the City receive tax exempt funding, staff recommends approval of a policy for reviewing applications submitted for Tax Exempt funding; and

WHEREAS, the San Antonio Housing Finance Corporation (the "Corporation") was heretofore created pursuant to action of the City Council of the City of San Antonio (the "Council") and is existing and operating under Chapter 394, Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the Corporation has received an allocation for issuance of tax-exempt revenue bonds not to exceed \$13,675,000.00 (the "Bonds") for use by American Opportunity for Housing-Oaks, L.L.C. or the assigns of such entity for the Autumn Oaks and the Crest of Thousand Oaks Apartments; and

WHEREAS, Article IV, Section 11 of the bylaws of the Corporation provides limitations on the powers of the Corporation unless the Council otherwise authorizes; and

WHEREAS, on January 29, 2003 the Corporation approved a resolution approving the issuance of the Bonds; and

WHEREAS, in accordance with its bylaws, the Corporation has requested that the Council authorize the Corporation's issuance of said Bonds to finance the acquisition and rehabilitation of the Autumn Oaks, a 114-unit multi-family development and the Crest of Thousand Oaks Apartments, a 296-unit multi-family development, which will provide affordable housing within the corporate limits of the City of San Antonio; and

WHEREAS, American Opportunity for Housing-Oaks, L.L.C. or the assigns of such entity shall make an annual contribution from project cash flow to the City's Neighborhood Revitalization fund to help compensate for unrealized property taxes; and

WHEREAS, in order to assist in the acquisition and rehabilitation of the Autumn Oaks and the Crest of Thousand Oaks Apartments, it is now necessary to authorize the issuance and disbursement of the Bonds; and

WHEREAS, it is the desire of the City to approve the recommended policy for reviewing applications submitted for Tax Exempt funding; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The policy for reviewing Tax Exempt and Taxable Bond Financed Projects submitted to the City of San Antonio by the San Antonio Housing Financing Corporation or the San Antonio Housing Trust Finance Corporation is hereby approved. Said policy is affixed hereto and incorporated herein for all purposes as Attachment I.

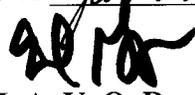
SECTION 2. So as to enable financing for the acquisition and rehabilitation costs for the Autumn Oaks and the Crest of Thousand Oaks Apartments, identified and described in Attachment II affixed hereto and incorporated herein for all purposes, the San Antonio Housing Finance Corporation is hereby authorized to issue tax-exempt revenue bonds in an amount not to exceed \$13,675,000.00, subject to the conditions set forth in Section 5.9 of the Oaks Loan and Financing Agreement (the "Agreement"), affixed hereto and incorporated herein for all purposes as Attachment III.

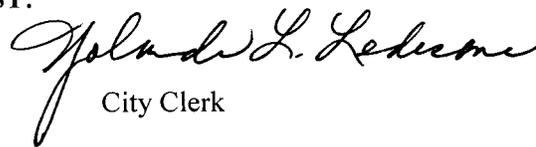
SECTION 3. In accordance with Attachment III, Section 5.9 of the Agreement, the City is hereby authorized to accept an annual contribution from the project cash flow to the City's Neighborhood Revitalization fund to help compensate for unrealized property taxes.

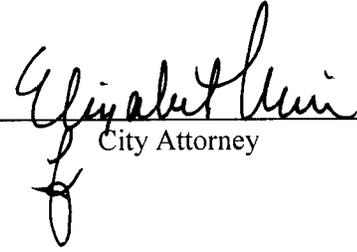
SECTION 4. The Director of Finance is authorized to make the necessary financial transactions and allocations to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance shall become effective on and after the tenth (10th) day after passage hereof.

PASSED AND APPROVED this 30th day of January, 2003.


M A Y O R
EDWARD D. GARZA

ATTEST:

City Clerk

APPROVED AS TO FORM 
City Attorney