

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 19.1
(ID # 22913)

MEETING DATE:
Tuesday, October 17, 2023


FROM : HOUSING AND WORKFORCE SOLUTIONS:

SUBJECT: HOUSING AND WORKFORCE SOLUTIONS (HWS): Public Hearing for Resolution No. 2023-246 Approving the Issuance by the California Statewide Communities Development Authority of Exempt Facility Bonds, in One or More Series in an Aggregate Principal Amount Not to Exceed \$40,000,000 for the Purpose of Financing the Construction and Development of Tres Lagos Apartments Phase II, to be Owned by Wildomar Tres Lagos Limited Partnership, a California Limited Partnership and Certain Other Matters Relating Thereto, District 1. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Conduct a public hearing per Section 147(f) of the Internal Revenue Code of 1986, as amended;
2. Adopt Resolution No. 2023-246, Approving the Issuance of the California Statewide Communities Development Authority Exempt Facility Bonds, in one or more series in an Aggregate Principal Amount Not to Exceed \$40,000,000 for the Purpose of Financing the Construction and Development of Tres Lagos Apartments Phase II, to be owned by Wildomar Tres Lagos Limited Partnership, a California limited partnership; and
3. Authorize the Director of Housing and Workforce Solutions (HWS), or designee, to take all necessary steps to implement Resolution No. 2023-246, including, but not limited to, signing subsequent essential and relevant documents.

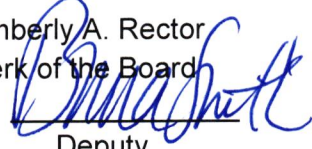
ACTION:Policy


Heidi Marshall, Director 9/26/2023

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: October 17, 2023
xc: HWS

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment:	No
			For Fiscal Year:	23/24

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Board of Supervisors of the County of Riverside (County) are being asked to adopt a resolution which would approve the issuance of the California Statewide Communities Development Authority (Issuer) of Exempt Facility Bonds, in one or more series in an aggregate principal amount not to exceed \$40,000,000 (the Bonds) for the purpose of financing the construction and development of facilities owned by Wildomar Tres Lagos Limited Partnership, a California limited partnership (Borrower). The proceeds of the Bonds will be used to: (a) finance the cost of construction and development of an 88-unit multi-family residential rental units including one unrestricted manager unit. The apartments are to benefit qualified low-income households located at 23379, 23391, 23403, 23415, 23427 Catt Road, Wildomar , CA 92595, also identified as Assessor's Parcel Number 380-100-022, consisting of 40 one-bedroom, 25 two-bedroom, 22 three-bedroom apartments, and 1 two-bedroom manager's unit, together with all necessary ancillary facilities (the Facilities); and (b) pay capitalized interest and certain costs of issuance in connection with the issuance of the Bonds. The Facilities will be owned and operated by the Borrower and intended to be rented to low-income individuals to further the Borrower's mission of providing decent, safe, and sanitary affordable housing to households within the Borrower's territory of operation. The Facilities will serve residents earning between 30-60% of the Riverside County area median income. The Borrower will own and operate the Facilities in connection with its mission of providing quality affordable housing and services to low-income residents of the City of Wildomar, County of Riverside, while advocating on behalf of those served by the Borrower.

The Internal Revenue Code of 1986 (the Code) requires that the "applicable elected representatives" of the jurisdiction in which a project is to be financed with "private activity bonds" is situated, adopt a resolution approving the issuance of such "private activity bonds" after a public hearing has been held which has been noticed in a newspaper of general circulation in such jurisdiction. On October 17, 2023, the Board of Supervisors of the County of Riverside will hold such public hearing which was noticed as required by the Code. The proposed resolution will act as the approval by the "applicable elected representatives" with respect to the proposed project.

The County will not be a party to the financing documents. As set forth in the Amended and Restated Joint Exercise of Power Agreement (JPA Agreement) approved by the Board of Supervisors on April 23, 1996 (Minute Order 3.4), the debt will not be secured by any form of

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

taxation, or by any obligation of either the County or the Authority. Neither would the debt represent or constitute a general obligation of either the County or the Authority. Pursuant to the governing California statutes and the JPA Agreement, a member or associate member of the Authority is not responsible for the repayment of obligations incurred by the Authority. The debt would be payable solely from amount received pursuant to the terms and provisions of financing agreements to be executed the Borrower or one or more affiliates.

County Counsel has reviewed and approved the attached Resolution. Staff recommends approval of Resolution No. 2023-246.

Impact on Residents and Businesses

The issuance of the bond will provide the Borrower and its affiliates with the funding needed to develop and construct the Facilities for the community living in the City of Wildomar, County of Riverside.

Additional Fiscal Information

The County's membership in the Issuer bears with it no cost or other financing obligation but serves as a public acknowledgment by the host jurisdiction of the project financing.

Attachments:

- Resolution No. 2023-246
- Public Notice


Brianna Lontajo, Principal Management Analyst 10/11/2023


Aaron Gettis, Deputy County Counsel 10/4/2023

BOARD OF SUPERVISORS

COUNTY OF RIVERSIDE

**RESOLUTION NO. 2023- 246
APPROVING THE ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY OF EXEMPT FACILITY BONDS IN AN
AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$40,000,000 FOR THE TRES
LAGOS APARTMENTS PHASE II**

WHEREAS, the California Statewide Communities Development Authority, a California joint powers agency ("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 April 23, 1996 ("Agreement"), among certain local agencies throughout the State of California, including the County of Riverside (the "County"), 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, Wildomar Tres Lagos Partners II LP, a California limited partnership, or a partnership of which Palm Communities ("Developer") or a related person to the Developer is the general partner, has requested that the Authority adopt a plan of financing providing for the issuance of exempt facility bonds for a qualified residential rental project pursuant to Section 142(a)(7) of the Internal Revenue Code of 1986 ("Code") in one or more series issued from time to time, including bonds issued to refund such exempt facility bonds in one or more series from time to time, and at no time to exceed \$40,000,000 in outstanding aggregate principal amount (the "Bonds"), to finance or refinance the acquisition, construction and development of a multifamily rental housing project located at 23379, 23391, 23403, 23415, 23427 Catt Road Catt Road, Wildomar, California (Assessor Parcel Number 380-100-022) (the "Project"). The Project is 88-unit multi-family residential rental units and includes one unrestricted manager unit apartment complex to benefit qualified low-income households, consisting of 40 one-bedroom, 25 two-bedroom, 22 three-bedroom apartments, and 1 two-bedroom manager's unit, together with all necessary ancillary facilities; and

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the Bonds are required to be approved by the "applicable elected representative" of the governmental units on

RESOLUTION NUMBER NO. 2023-246
TRES LAGOS PHASE II

FORM APPROVED COUNTY COUNSEL

DATE
BY: PAUL A. S. SALCIDO

1 whose behalf such bonds are expected to be issued and by a governmental unit having jurisdiction
2 over the entire area in which any facility financed by such bonds is to be located, after a public
3 hearing held following reasonable public notice; and

4 **WHEREAS**, the members of the Board of Supervisors of the County of Riverside
5 ("Board") are the applicable elected representatives of the County; and

6 **WHEREAS**, there has been published, at least seven (7) days prior to the date hereof, in a
7 newspaper of general circulation within the County, a notice that a public hearing regarding the
8 Bonds would be held on a date specified in such notice; and

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

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

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

18 **NOW THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND**
19 **ORDERED** by the Board of Supervisors of the County of Riverside ("Board"), in regular session
20 assembled on October 17, 2023 in the meeting room of the Board of Supervisors located on the 1st
21 floor of the County Administrative Center, 4080 Lemon Street, Riverside, California as follows:

22 Section 1. The above recitals are true and correct.

23 Section 2. The Board hereby approves the issuance of the Bonds and the Refunding
24 Bonds by the Authority. It is the purpose and intent of the Board that this Resolution constitutes
25 approval of the Bonds for the purposes of (a) Section 147(f) of the Code and (b) Section 9 of the
26 Agreement.

27 Section 3. The officers of the County are hereby authorized and directed, jointly and
28 severally, to do any and all things and to execute and deliver any and all documents that they deem

1 necessary or advisable in order to carry out, give effect to and comply with the terms and intent of
2 this resolution and the financing approved hereby.

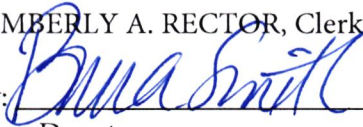
3 Section 4. The adoption of this Resolution shall not obligate the County or any
4 department thereof to (i) provide any financing to acquire, rehabilitate, or construct the Project or
5 any refinancing of the Project or any portion thereof; (ii) approve any application or request for
6 or take any other action in connection with any planning approval, permit or other action
7 necessary for the acquisition, rehabilitation or operation of the Project or any portion thereof;
8 (iii) make any contribution or advance any funds whatsoever to the Authority or the Borrower; or
9 (iv) take any further action with respect to the Authority or the County's membership therein.

10 Section 5. This resolution shall take effect immediately upon its passage.

11
12 ROLL CALL:

13 Ayes: Jeffries, Washington, Spiegel, Perez, and Gutierrez
14 Nays: None
15 Absent: None

16
17 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
18 Supervisors on the date therein set forth.

19 KIMBERLY A. RECTOR, Clerk of said Board
20 By:  _____
21 Deputy

22 10.03.2023 19.1
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THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: TEFRA Notice - Tres Lagos Apartments Phase II /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

10/03/2023

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: October 03, 2023
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

ORRICK, HERRINGTON, & SUTCLIFFE LLP
405 HOWARD ST
SAN FRANCISCO, CA 94105

Ad Number: 0011626384-01

P.O. Number:

Ad Copy:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, at 9:30 a.m., or as soon thereafter as the matter can be heard, on Tuesday, October 17, 2023, at the Board of Supervisors Chambers, 4080 Lemon Street, 1st Floor, Riverside, California, the Board of Supervisors of the County of Riverside (the "County") will conduct a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), at which it will hear and consider information concerning a proposed plan of financing providing for the issuance by the California Statewide Communities Development Authority of exempt facility bonds for a qualified residential rental project pursuant to Section 142(a)(7) of the Code in one or more series issued from time to time, including bonds issued to refund such exempt facility bonds in one or more series from time to time, and at no time to exceed \$40,000,000 in outstanding aggregate principal amount, to finance or refinance the acquisition, construction and development of a multifamily rental housing project located at 23379, 23391, 23403, 23415, 23427 Catt Road, Wildomar, California. The facilities are to be owned by Wildomar Tres Lagos Partners II LP (the "Borrower") or a partnership of which Palm Communities (the "Developer") or a related person to the Developer is the general partner (the "Project").

Those wishing to comment on the proposed financing or refinancing and the nature and location of the Project may either appear in person at the public hearing or submit written comments, which must be received by the County prior to the hearing. Written comments should be sent to County of Riverside at 4080 Lemon Street, 1st Floor, Riverside, California 92501 Attention: Clerk of the Board of Supervisors.

CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE

Dated: October 3, 2023
Press-Enterprise
Published: 10/3/23