



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 43

Agenda Date: October 31, 2024

In Control: Select Meeting Type

DEPARTMENT: Finance Department

DEPARTMENT HEAD: Troy Elliott

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Approval of tax-exempt bonds for purposes of the Internal Revenue Code and to comply with the San Antonio Housing Trust Public Facility Corporation's organizational documents.

SUMMARY:

This Ordinance approves the issuance by the San Antonio Housing Trust Public Facility Corporation (the "Issuer") of its "Multifamily Housing Revenue Bonds (Creek Bend Apartment Homes Project) Series 2024A" and its "Multifamily Housing Subordinate Revenue Bonds (Creek Bend Apartment Homes Project) Series 2024B" for purpose of Section 147 (f) of the Internal Revenue Code, as amended and in order to comply with the organizational documents of the Issuer.

BACKGROUND INFORMATION:

Section 147(f) of the Internal Revenue Code, as amended (the "Code") requires that the issuance of any private activity bond obligations be approved by the applicable elected representative of the governmental unit in which the project is located after a public hearing following reasonable public notice.

When the City of San Antonio (the "City") created the San Antonio Housing Trust Public Facility

Corporation (the “Issuer”), it required in the Issuer’s organizational documents that all bonds issued by the Issuer be approved by the City prior to their issuance. The attached ordinance approves the Bonds for purposes of complying with this requirement.

The City was contacted regarding the Issuer’s proposed financing of the costs of acquiring, constructing and equipping a 312-unit affordable multifamily housing facility (the “Project”) to be located at approximately 2335 E. Borgfeld Drive, in City Council District 9, for the benefit of Pedcor Investments-2022-CXCI, L.P. (the “Borrower”). All units in the Project will be made available to families whose average incomes are 60% or less of the median income. In addition, the rents will be restricted to 30% of the tenant’s income. These restrictions will remain in place for 40 years. A telephonic public hearing with respect to the Project and issuance of the Bonds was held on October 8, 2024 in compliance with Section 147(f) of the Code.

ISSUE:

To meet the requirements of the Code, the Borrower has requested that City Council adopt an Ordinance confirming public approval of the financing plan and issuance of the one or more series of Bonds by the Issuer up to a maximum aggregate amount of \$50,000,000, all of which will be used to finance the costs of acquisition, construction, and equipping of the Project. The consideration and approval of this action is consistent with the City’s practice of providing consent for projects located in the City that involve qualified institutions obtaining tax-exempt financing for capital improvement projects through conduit issuers.

ALTERNATIVES:

If the City does not adopt the Ordinance, neither the financing nor the Project will be effectuated.

FISCAL IMPACT:

The Ordinance does not obligate the City to pay the debt service or other costs associated with the Bonds, nor does it obligate or create any expectations of, or liabilities for, the City. The Borrower will pay the City an administrative fee of \$2,500 upon the adoption of the requested Ordinance and the fee will go to the Affordable Housing Fund.

RECOMMENDATION:

Staff recommends approval of the Ordinance approving the issuance by the San Antonio Housing Trust Public Facility Corporation of its “Multifamily Housing Revenue Bonds (Creek Bend Apartment Homes Project) Series 2024A” and its “Multifamily Housing Subordinate Revenue Bonds (Creek Bend Apartment Homes Project) Series 2024B.”