



PUBLIC FACILITY CORPORATION
AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: September 18, 2024
PREPARED BY: Scott Moore, General Manager

AGENDA ITEM DESCRIPTIONS:

Consideration, discussion, and possible action to authorize the General Manager to execute various documents as needed to complete lender due diligence in connection with the Tower Road Apartments Project.

BACKGROUND/SUMMARY:

The Tower Road Apartments project will be financed with funds from a range of sources. As underwriters and lenders. As with other City bond financings, underwriters and other lenders conduct due diligence to establish the relative credit of the issuer, here, the MHPFC and its wholly-owned subsidiary MHPFC TRGP1 LLC. The questions primarily pertain to the MHPFC's compliance with applicable laws and the assets and obligations of the MHPFC TRGP1. It is expected that these questions will be asked by several different lenders and underwriters. Because the MHPFC and MHPFC TRGP1 have not had any legal actions, findings, or sanctions against them, and because the MHPFC TRGP1 does not have any assets, the due diligence will be straightforward. But it is nonetheless required for the lenders' due diligence records.

The due diligence documentation that will be executed by the General Manager do not and will not authorize the lenders to review or ask for the personal history, financial matters, or any other personal data regarding any individuals- Board Members, Council Members, City Administration and Staff, consultants, or any other individual. The due diligence strictly pertains to the MHPFC and the MHPFC TRGP1 as corporated entities.

LEGAL REVIEW: Yes, Gregory Miller, Bond Counsel
FISCAL IMPACT: N/A
PRESENTATION: Yes, Gregory Miller, Bond Counsel and Partnership Counsel to the MHPFC
ATTACHMENTS: No

Staff Recommendation:

Move that the Board approve and authorize the General Manager to execute various documents as needed to complete lender due diligence in connection with the Tower Road Apartments Project.