CITY COUNCIL
ATLANTA, GEORGIA

03-R-0976

SUBSTITUTE RESOLUTION BY THE COMMUNITY/DEVELOPMENT/HUMAN RESOURCES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LOAN FUNDING AGREEMENT WITH MISTY AMBER, L.P. IN AN AMOUNT NOT TO EXCEED $1,000,000 FOR THE CONSTRUCTION OF THE ADAMSVILLE PLACE SENIOR RESIDENCES, CONSISTING OF 152 UNITS LOCATED AT 3712 MARTIN LUTHER KING, JR. DRIVE, NW; AND FURTHER, THE COMMISSIONER OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT OR HIS DESIGNEE IS AUTHORIZED TO SIGN THE NECESSARY DOCUMENTS TO CLOSE THE LOAN WITH MISTY AMBER, L.P., AND FOR OTHER PURPOSES

WHEREAS, the Multi-Unit Housing Loan Program is an on-going program approved each year in the City of Atlanta Annual Action Plan, designed to increase the supply of safe, sanitary and decent housing affordable for rent by low and moderate income families through the provision of low interest loans to for-profit and not-for-profit organizations; and

WHEREAS, Misty Amber, L.P.; a partnership between the Atlanta Neighborhood Development partnership and Capitol Housing Partners; has requested funds from the Multi-Unit Housing Loan Program in the amount of $1,000,000 to construct 152 rental units on property located at 3712 Martin Luther King, Jr. Drive, NW (Council District 10), 121 of which (80%) will be affordable to persons meeting HOME income eligibility; and

WHEREAS, Resolution 02-R-0522 adopted April 1, 2002 and signed by the Mayor on April 5, 2002 endorsed the application of Misty Amber, L.P. for Low Income Housing Tax Credits and committed $1,000,000 to the project if tax credits were awarded and the project has been approved for said tax credits; and

WHEREAS, the staff of the Department of Planning and Community Development has reviewed the request and found it in compliance with the program and underwriting guidelines of the Multi-Unit Housing Loan Program subject to environmental clearance and other terms and conditions identified herein; and

WHEREAS, Misty Amber, L.P. is ready to begin implementation of the project and staff recommends commitment of funds from the Multi-Unit Loan Program to the project.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1. The Mayor is authorized to enter into a Loan Agreement with Misty Amber, L.P. in an amount not to exceed $1,000,000 for the development of 152 units of housing located at 3712 Martin Luther King, Jr. Drive, NW of which 121 are required to affordable to persons meeting HOME income eligibility. Of this amount, $400,000 is to be made available from 2002 and 2003 funding and is to be charged to and paid from Account Numbers 3PO5 529002 Y53P0918A3L0: $101,102.00 and Numbers 3PO5 529002 Y53P0918A3M0: $299,898.00. The remaining $600,000 is to be provided from 2004 HOME funding subject to further approval of the City Council.

Section 2. The terms of the loan shall be as follows:

a)	Interest Rate:	Three Percent (3%)
b)	Loan Servicing Fee:	Not to exceed One Percent (1%)
c)	Payments:	Interest only with Balloon Payment of Principal
d)	Term of the Loan:	17 Years
e)	Security Interest:	Security deed on land and property improvements
f)	Period of Affordability:	15 years

Section 3. The approval of this loan is subject to the following conditions:

a) Receive environmental clearance from the Office of Grants Management prior to July 7, 2003.
b) Receive approval from the City of Atlanta Department of Planning and Community Development of Joint Venture Development Partner and Property Development Agreement.
c) Receive approval from the City of Department of Planning and Community Development of Architect and General Contractor contracts as applicable.
d) Comply with the conditions, required documents and due diligence checklist contained in the Loan Agreement.

Section 4. The Commissioner of the Department of Planning and Community Development or his designee is authorized to sign the administrative documents necessary to close this loan.

Section 5. The loan agreement shall not become binding on the City and the City shall incur no liability until such time as the Council and the Mayor have approved this resolution and when all documents have been signed by the Mayor and Commissioner or his designee for the Department of Planning, Development and Neighborhood Conservation and delivered to the contracting parties.

A true copy.

Deputy Clerk

ADOPTED by the Council JULY 07, 2003
APPROVED by the Mayor JULY 12, 2003

RCS# 4887
7/07/03
5:48 PM

Atlanta City Council

Regular Session

03-R-0976

AGRMNT W/MISTY AMBER, LP 1,000,000 FOR ADAMSVILLE PLACE SR RESIDENCES, 3712 MLK ADOPT/SUBST.

YEAS:	11
NAYS:	0
ABSTENTIONS:	1
NOT VOTING:	2
EXCUSED:	1
ABSENT	1

NV Smith	Y Archibong	Y Moore	A Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	E Willis
NV Winslow	Y Muller	Y Boazman	B Woolard