

RESOLUTION APPROVING THE ISSUANCE BY THE HARRISONBURG REDEVELOPMENT AND HOUSING AUTHORITY OF ITS REVENUE BONDS FOR THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF MULTIFAMILY HOUSING FACILITIES LOCATED IN THE CITY OF CHARLOTTESVILLE, VIRGINIA

WHEREAS, the Harrisonburg Redevelopment and Housing Authority (the “Authority”) is authorized to advertise and hold public hearings relative to the issuance of private activity bonds; and

WHEREAS, the Authority has considered the application of FC Phase 3 LLC, a Virginia limited liability company (the Borrower”), requesting that the Authority issue up to \$24,000,000 of its revenue bonds (the “Bonds”) to assist the Borrower in financing the acquisition, construction and equipping of approximately 82 units of multifamily residential rental housing (the “Project”), which Project will include the demolition of existing units and the provision of park and road improvements, in the City of Charlottesville, Virginia, and has held a public hearing in connection therewith on August 21, 2024; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), provides that the applicable elected representatives of the governmental unit having jurisdiction over the issuer of private activity bonds must approve the issuance of such bonds; and

WHEREAS, the Authority, as the issuing governmental unit with respect to the Bonds, has no applicable elected representative, the City of Harrisonburg, Virginia (the “City”); constitutes the next highest governmental unit with such a representative, and the members of the City Council of the City (the “Council”) constitute the applicable elected representatives of the City; and

WHEREAS, the Authority has previously held a public hearing regarding the Project and adopted a Resolution authorizing in principle the issuance of the Bonds; and

WHEREAS, the Authority has recommended that the Council approve the issuance of the Bonds; and

WHEREAS, a copy of the Authority’s Resolution authorizing the issuance of the Bonds, subject to the terms to be agreed upon, a Fiscal Impact Statement complying with the requirements of Section 15.2-4907 of the Code of Virginia of 1950, as amended (the “Virginia Code”), as applicable to housing authorities, and a certificate of the public hearing have been filed with the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA THAT:

1. The Council approves the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by Section 147(f) of the Code, Section 15.2-4906, as

applicable to housing authorities, of the Virginia Code, and, to the extent applicable, Section 36-19(9) of the Virginia Code to permit the Authority to assist in the financing of the Project.

2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Project or the Borrower.

3. The Bonds shall provide that neither the Commonwealth of Virginia, the City of Charlottesville, Virginia, the City nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and monies pledged thereto and that neither the faith and credit nor the taxing power of the Commonwealth of Virginia, the City of Charlottesville, Virginia, the City or the Authority is pledged to the payment of the principal of the Bonds or the interest thereon or other costs incident thereto.

4. In adopting this Resolution, the City, including its elected representatives, officers, employees and agents, shall not be liable for, and hereby disclaim all liability for, any damages to any person, direct or consequential, resulting from the Authority's failure to issue the Bonds for any reason.

5. This Resolution shall take effect immediately upon its adoption.

Adopted by the City Council of the City of Harrisonburg, Virginia this 8th day of October, 2024.

CERTIFICATE

Record of the roll-call vote by the City Council of the City of Harrisonburg, Virginia, upon reading of a Resolution titled **“RESOLUTION APPROVING THE ISSUANCE BY THE HARRISONBURG REDEVELOPMENT AND HOUSING AUTHORITY OF ITS REVENUE BONDS FOR THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF MULTIFAMILY HOUSING FACILITIES LOCATED IN THE CITY OF CHARLOTTESVILLE, VIRGINIA,”** taken at a meeting of the City Council held on October 8, 2024:

	AYE	NAY	ABSTAIN	ABSENT
Deanna R. Reed, Mayor				
Laura Dent, Vice Mayor				
Dany Fleming				
Christopher B. Jones				
Monica Robinson				

The undersigned Clerk of the City Council of the City of Harrisonburg, Virginia hereby certifies that the foregoing is a true, correct and complete copy of a Resolution adopted by the City Council at its meeting duly called and held on October 8, 2024, in accordance with law, and that such Resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect as of the date hereof.

WITNESS my hand and the seal of the City of Harrisonburg, Virginia this 8th day of October, 2024.

[SEAL]

Clerk, City Council of the City of
Harrisonburg, Virginia

**FISCAL IMPACT STATEMENT
FOR PROPOSED BOND FINANCING**


Date: August 21, 2024

To the Mayor and City Council
of the City Harrisonburg, Virginia

Applicant: FC Phase 3 LLC

Facility: Multifamily Housing Facility in Charlottesville, Virginia

1.	Maximum amount of financing sought.	\$	24,000,000
2.	Estimated taxable value of the facility's real property to be constructed in the locality.	\$	19,000,000
3.	Estimated real property tax per year using present tax rates.	\$	65,000
4.	Estimated personal property tax per year using present tax rates.	\$	1,500
5.	Estimated merchants' capital tax per year using present tax rates.	\$	0
6.	(a) Estimated dollar value per year of goods that will be purchased from Virginia companies within the locality.	\$	21,450
	(b) Estimated dollar value per year of goods that will be purchased from non-Virginia companies within the locality.	\$	0
	(c) Estimated dollar value per year of services that will be purchased from Virginia companies within the locality.	\$	277,000
	(d) Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality.	\$	0
7.	Estimated number of regular employees on year round basis.		2
8.	Average annual salary per employee.	\$	47,500



Chair, Harrisonburg Redevelopment and Housing
Authority