



Memorandum

TO: Honorable Mayor &
City Council Members
SUBJECT: The Public Record
April 12-18, 2006

FROM: Lee Price
MMC, City Clerk
DATE: April 20, 2006

ITEMS TRANSMITTED TO THE ADMINISTRATION

None.

ITEMS FILED FOR THE PUBLIC RECORD

- (a) Letter from Carol Lathrop, President, St. James Senior Center Advisory Council to Vice Mayor Chavez, dated March 15, 2006 regarding the possible reuse of the St. James Senior Center.
- (b) Memorandum from Finance Debt Administrator David Persselin to the City Clerk Lee Price, dated April 17, 2006, regarding the Director's TEFRA Public Hearing.

Lee Price
MMC, City Clerk

LP/smd

Distribution: Mayor/Council
City Manager
Assistant City Manager
Assistant to City Manager
Council Liaison
Director of Planning
City Attorney
City Auditor
Director of Public Works
Director of Finance
Public Information Officer
San Jose Mercury News
Library

Public Record

March 15, 2006

Ms. Cindy Chavez
District 3 Council Representative
200 East Santa Clara St.
San Jose, California 95113

COPY

Dear Ms. Chavez,

We are requesting that you consider the following comments at the April 11^{*}, 2006, City Council meeting, when the possible re-use of the St. James Senior Center is scheduled for discussion.

Maintaining the Senior Nutrition Program is of paramount importance. Not only does it promote healthy eating habits and contribute to the overall health and wellness of our seniors, but it provides socialization opportunities, too. We are very worried that the Senior Nutrition Program would suffer if transferred to the proposed Roosevelt Hub.

During the calendar year, 2005, the monthly average number of meals prepared and served on-site during weekdays was 2,510. Additionally, 1,325 monthly average meals were prepared and delivered to Iola Williams Senior Center. Also, 344 monthly average Chinese meals, which are funded by Santa Clara County, were served on Saturdays. Special bonus funds were received from the San Jose Mercury News Wish Book Fund to provide 633 Christmas 2005 dinners.

Another compelling reason to retain the St. James Senior Center at its current site is its proximity to senior housing and VTA light rail and bus service. Town Park Towers and the Shires Apartments are just a block from St. James. Buses and the light rail stop right behind the St. James Senior Center on Second Street and on First Street across St. James Park. St. James is the only senior center located on a light rail line. Getting to the proposed Roosevelt Hub would be more difficult for the many seniors who utilize St. James, especially those with mobility issues.

We are leary about the re-use concept, especially since an audit of the Northside Center showed that those centers run by the City provided more services at a lower cost. We question whether re-use groups would keep the same customer service priorities, operate the same services, keep the same hours, or increase fees.

Finally, we are appealing to you to ensure that the seniors of the St. James neighborhood will not be deprived if no non-profit or for-profit applies to reuse our facility.

Very truly yours,

Carol Lathrop, President, St. James Senior Center Advisory Council

* Tentatively set for the 5/16/06 City Council meeting.



RECEIVED
San Jose City Clerk

Memorandum

2006 APR 20 A 8:31

TO: Lee Price
City Clerk

FROM: David Persselin

SUBJECT: Public Record
Director's TEFRA Public Hearing

DATE: April 17, 2006

Attached is Certificate No. 2006-1, 2006-2, Meeting Report, sign-in sheet, agenda packet and Notice of Public Hearing for the Director's TEFRA Public Hearing of April 3, 2006. The hearing was published and the agenda was posted as required by law.

Please file as part of the public record. If you have any questions, please call me at extension 57012.

DAVID PERSSELIN
Debt Administrator, Finance

Attachments

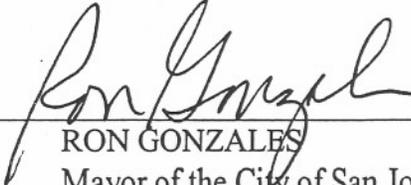
cc: Ed Moran, City Attorney's Office
(no attachments)

Certificate No. 2006-1
of the
MAYOR

The undersigned, Ron Gonzales, Mayor of the City of San José (the "City"), hereby certifies as follows:

1. I am the Mayor of the City, duly elected by the people of the City.
2. Pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), I am the chief elected executive officer of the City, and, as such, I am the "applicable elected representative" of the City authorized to approve the issuance of bonds by or on behalf of the City.
3. California Statewide Communities Development Authority ("CSCDA") proposes to issue an aggregate principal amount not to exceed \$17,000,000 of its revenue bonds, designated as Lexington Apartments (the "Bonds"), to finance the costs of the acquisition and rehabilitation of a 80-unit multifamily rental housing development located at 1350, 1360, 1370 & 1380 Lexington Drive in the City of San José (the "Project").
4. The City caused to be published on March 15, 2006 in the *San Jose Post Record* a newspaper of general circulation in the City, a notice of a public hearing to be held on April 3, 2006, at 10:00 a.m. concerning the issuance of the Bonds, all in accordance with the requirements of Section 147(f) of the Code.
5. On April 3, 2006, the Deputy Director of Finance, pursuant to Municipal Code Section 5.06.430, held a duly noticed public hearing pursuant to Section 147(f) of the Code, at which hearing interested persons were given an opportunity to express their views for or against the issuance of the Bonds and on the nature and location of the Project.
6. I have been provided with summaries of the hearings and information concerning the Project and the Bonds.
7. Pursuant to Section 147(f) of the Code, I hereby approve the issuance of not to exceed \$17,000,000 principal amount of the Bonds by CSCDA.
8. This action is taken expressly for purposes of Section 147(f) of the Code and nothing contained herein shall be construed to signify that the Project complies with the planning, zoning, subdivision and building laws and ordinances applicable thereto or to suggest that the City or any officer or agent of the City will grant any such approval, consent or permit that may be required in connection with the Project, or that the City will make any expenditures, incur any indebtedness or proceed with the financing of the Project.

Executed this 7th day of April, 2006.



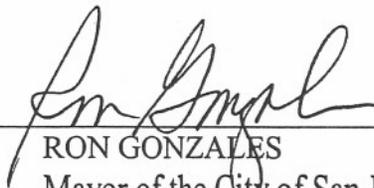
RON GONZALES
Mayor of the City of San José

Certificate No. 2006-2
of the
MAYOR

The undersigned, Ron Gonzales, Mayor of the City of San José (the "City"), hereby certifies as follows:

1. I am the Mayor of the City, duly elected by the people of the City.
2. Pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), I am the chief elected executive officer of the City, and, as such, I am the "applicable elected representative" of the City authorized to approve the issuance of bonds by or on behalf of the City.
3. California Statewide Communities Development Authority ("CSCDA") proposes to issue an aggregate principal amount not to exceed \$28,000,000 of its revenue bonds, designated as Regency Apartments (the "Bonds"), to finance the costs of the acquisition and rehabilitation of a 143-unit multifamily rental housing development located at 1315 to 1317, 1355 to 1357 and 1403 to 1405 Eden Avenue in the City of San José (the "Project").
4. The City caused to be published on March 15, 2006 in the *San Jose Post Record* a newspaper of general circulation in the City, a notice of a public hearing to be held on April 3, 2006, at 10:00 a.m. concerning the issuance of the Bonds, all in accordance with the requirements of Section 147(f) of the Code.
5. On April 3, 2006, the Deputy Director of Finance, pursuant to Municipal Code Section 5.06.430, held a duly noticed public hearing pursuant to Section 147(f) of the Code, at which hearing interested persons were given an opportunity to express their views for or against the issuance of the Bonds and on the nature and location of the Project.
6. I have been provided with summaries of the hearings and information concerning the Project and the Bonds.
7. Pursuant to Section 147(f) of the Code, I hereby approve the issuance of not to exceed \$28,000,000 principal amount of the Bonds by CSCDA.
8. This action is taken expressly for purposes of Section 147(f) of the Code and nothing contained herein shall be construed to signify that the Project complies with the planning, zoning, subdivision and building laws and ordinances applicable thereto or to suggest that the City or any officer or agent of the City will grant any such approval, consent or permit that may be required in connection with the Project, or that the City will make any expenditures, incur any indebtedness or proceed with the financing of the Project.

Executed this 12th day of April, 2006.



RON GONZALES
Mayor of the City of San José

**CITY OF SAN JOSE FINANCE DEPARTMENT
DIRECTOR'S TEFRA PUBLIC HEARING**

**MEETING REPORT
April 3, 2006**

1. Call to Order

Hearing Officer Julia H. Cooper, Deputy Director of Finance, called the meeting to order at 10:15 a.m.

2. Minutes

Minutes of previous meeting of December 8, 2005, were noted and filed.

3. Purpose of Hearing

The public hearing is required by the Tax Equity and Fiscal Responsibility Act of 1982. Following consideration of oral petitions and staff recommendation, the Mayor of San Jose will execute certificates indicating that the hearings were held for the projects and will be filed with the City Clerk.

Ms. Cooper opened the public hearing at 10:15 a.m.

The noticed public hearing is required by Section 147(f) of the Internal Revenue Code of 1986 as amended. The hearing is on the proposed issuance, by the California Statewide Communities Development Authority ("CSCDA") intent to issue tax-exempt Multifamily Housing Revenue Bonds in an amount not to exceed \$17,000,000. Proceeds from the sale of the proposed bonds will be used for the acquisition and rehabilitation of the **Lexington Apartments** project located at **1350, 1360, 1370 & 1380 Lexington Drive, San José.**

Any comments provided at the hearing will be made available to the CSCDA prior to their taking action on a bond sale resolution. Ms. Cooper asked if there were parties present who wished to voice their opinion and provide comments on the proposed issuance of bonds, to be recognized by raising their hand.

There were no commentators and Ms. Cooper closed the hearing at 10:16 a.m.

Ms. Cooper opened the public hearing at 10:17 a.m.

The noticed public hearing is required by Section 147(f) of the Internal Revenue Code of 1986 as amended. The hearing is on the proposed issuance, by the California Statewide Communities Development Authority ("CSCDA") intent to issue tax-exempt Multifamily Housing Revenue Bonds in an amount not to exceed \$28,000,000. Proceeds from the sale of the proposed bonds will be used for the acquisition and rehabilitation of the **Regency Apartments** project located at **1315 to 1317, 1355 to 1357 and 1403 to 1405 Eden Avenue, San José.**

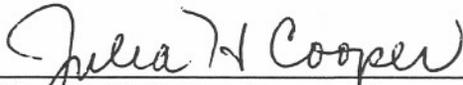
Any comments provided at the hearing will be made available to the CSCDA prior to their taking action on a bond sale resolution. Ms. Cooper asked if there were parties present who wished to voice their opinion and provide comments on the proposed issuance of bonds, to be recognized by raising their hand.

There were no commentators and Ms. Cooper closed the hearing at 10:18 a.m.

4. Adjournment

The meeting was adjourned at 10:18 a.m.

Certificate Nos. 2006-1 and 2006-2 Adopted

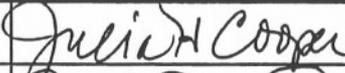
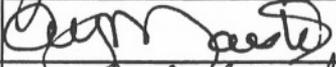
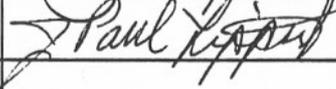


JULIA H. COOPER, Deputy Director of Finance
Hearing Officer

Sign In Sheet

CITY OF SAN JOSE - FINANCE DEPARTMENT DIRECTOR'S TEFRA PUBLIC HEARING

San Jose City Hall
200 East Santa Clara Street, Room T-1352
San Jose, CA 95113-1905
10:00 a.m., April 3, 2006
Scott P. Johnson, Director

Print Name	Signature	Title	Company Name	Address	Phone Number
Julia H. Cooper		Deputy Director of Finance	City of San Jose	200 E. Santa Clara St, 13th Floor, Tower, SJ 95113	408-535-7011
Andrea Y. Maestre		Analyst	City of San Jose	200 E. Santa Clara St, 13th Floor, Tower, SJ 95113	408-535-7016
Paul Lippert		Asst. Dir. Office	City of San Jose	200 E. Santa Clara St, 12th Floor, Tower, SJ 95113	408-975-4443

**SAN JOSÉ FINANCE DEPARTMENT
DIRECTOR'S TEFRA PUBLIC HEARING**

SAN JOSÉ CITY HALL
200 EAST SANTA CLARA STREET, ROOM T-1352
SAN JOSÉ, CA 95113-1905

MEETING AGENDA
10:00 A.M., APRIL 3, 2006
SCOTT P. JOHNSON, DIRECTOR OF FINANCE

1. Call to Order

2. Minutes

3. Purpose of Hearing

The public hearing is required by the Tax Equity and Fiscal Responsibility Act of 1982. Following consideration of oral petitions and staff recommendation, the Mayor of San José will execute certificates indicating that the hearings were held for the projects and will be filed with the City Clerk and submitted to California Statewide Communities Development Authority ("CSCDA").

Open Hearing for Lexington Apartments Project

Name: Lexington Apartments Project
Developer: KDF Lexington, L.P., to be formed by KDF Communities, a California Limited Liability Company
Location: 1350, 1360, 1370 & 1380 Lexington Drive, San José
Bond Amount: \$17,000,000.00

Commentators

Close Hearing for Lexington Apartments Project

Open Hearing for Regency Apartments Project

Name: Regency Apartments Project
Developer: KDF Regency, L.P., to be formed by KDF Communities, a California Limited Liability Company
Location: 1315 to 1317, 1355 to 1357 and 1403 to 1405 Eden Avenue, San José
Bond Amount: \$28,000,000.00

Commentators

Close Hearing for Regency Apartments Project

4. Adjournment

**CITY OF SAN JOSE FINANCE DEPARTMENT
DIRECTOR'S TEFRA PUBLIC HEARING**

**MEETING REPORT
December 8, 2005**

1. Call to Order

Hearing Officer Julia H. Cooper, Deputy Director of Finance, called the meeting to order at 11:05 a.m.

2. Minutes

Minutes of previous meeting of November 21, 2005, were noted and filed.

3. Purpose of Hearing

The public hearing is required by the Tax Equity and Fiscal Responsibility Act of 1982. Following consideration of oral petitions and staff recommendation, the Mayor of San Jose will execute a certificate indicating that the hearing was held for the project and will be filed with the City Clerk.

Ms. Cooper opened the public hearing at 11:06 a.m.

The noticed public hearing is required by Section 147(f) of the Internal Revenue Code of 1986 as amended. The hearing is on the proposed issuance, by the California Statewide Communities Development Authority ("CSCDA") intent to issue tax-exempt Multifamily Housing Revenue Bonds in an amount not to exceed \$25,000,000. Proceeds from the sale of the proposed bonds will be used for the acquisition and rehabilitation of the Casa Real Apartments project located at 2570 Fontaine Road, San José.

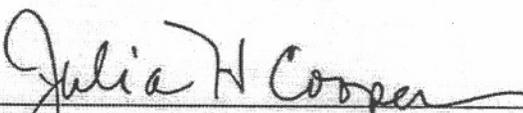
Any comments provided at the hearing will be made available to the CSCDA prior to their taking action on a bond sale resolution. Ms. Cooper asked if there were parties present who wished to voice their opinion and provide comments on the proposed issuance of bonds, to be recognized by raising their hand.

There were no commentators and Ms. Cooper closed the hearing at 11:07 a.m.

4. Adjournment

The meeting was adjourned at 11:07 a.m.

Certificate Nos. 2005-6 Adopted



JULIA H. COOPER, Deputy Director of Finance
Hearing Officer

Notice of Public Hearing

1805

NOTICE IS HEREBY GIVEN that the City of San José's Finance Department, at an open session, on April 3, 2006 at 10:00 AM will hold a public hearing on the intent by the California Statewide Communities Development Authority ("CSCDA") to issue tax-exempt multi-family housing revenue bonds for the acquisition and rehabilitation of the following projects:

<u>PROJECT/UNITS</u>	<u>LOCATION</u>	<u>DEV./OWNER</u>	<u>AMOUNT</u>
Lexington Apartments 80 Units	1350, 1360, 1370 & 1380 Lexington Drive San Jose, CA 95117	KDF Lexington, L.P., to be formed by KDF Communities, a California Limited Liability Company	\$17,000,000.00
Regency Apartments 143 Units	1315 to 1317, 1355 to 1357 and 1403 to 1405 Eden Avenue San Jose, CA 95117	KDF Regency, L.P., to be formed by KDF Communities, a California Limited Liability Company	\$28,000,000.00

All those interested in matters related to either the issuance of the bonds or the location or operation of the projects are invited to attend and be heard at the open session, which will commence at 10:00 AM, and will be held in Room T-1352, at 200 E. Santa Clara Street of the City of San José, California 95113. If you have any questions with respect to this matter, please call J. Paul Lippert, Senior Development Officer, Department of Housing of the City of San José, at (408) 975-4443 or Michael LaPierre of CSCDA, at (925) 933-9229 ext. 212.

Dated: March 13, 2006

Lee Price, City Clerk
City of San José, California

(to be published no later than March 16, 2006)

PAPER 1 PR	SENT 3/13/06
PUBLISH WED. MAR 15, 2006	
AGENDA	PROOF

SAN JOSE POST-RECORD

90 N FIRST ST STE 100, SAN JOSE, CA 95113
Telephone (408) 287-4866 / Fax (408) 287-2544

SAN JOSE CITY CLERK
200 E. SANTA CLARA ST.
SAN JOSE, CA - 95113

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of SANTA CLARA) ss

Notice Type: GPHSJ - SAN JOSE CITY PUBLIC HEARING

Ad Description: CSCDA - LEXINGTON & REGENCY APARTMENTS

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN JOSE POST-RECORD, a newspaper published in the English language in the city of SAN JOSE, county of SANTA CLARA, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of SANTA CLARA, State of California, under date 02/03/1922, Case No. 27844. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

03/15/2006

Executed on: 03/15/2006
At Los Angeles, California

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

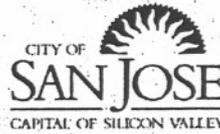

Signature

RECEIVED
San Jose City Clerk
This space for filing stamp only

2006 MAR 20 P 2:22

3'

SJ#: 940026



NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the City of San Jose's Finance Department, at an open session, on April 3, 2006 at 10:00 AM will hold a public hearing on the intent by the California Statewide Communities Development Authority ("CSCDA") to issue tax-exempt multi-family housing revenue bonds for the acquisition and rehabilitation of the following projects:
PROJECT/UNITS: Lexington Apartments 80 Units
LOCATION: 1350, 0360, 1370 & 1380 Lexington Drive, San Jose, CA 95117
DEV./OWNER: KDF Lexington, L.P., to e formed by KDF Communities, a California Limited Liability Company
AMOUNT: \$17,000,000.00
PROJECT/UNITS: Regency Apartments, 143 Units
LOCATION: 1315 and 1317, 1355 to 1357 and 1403 to 1405 Eden Avenue, San Jose, CA 95117
DEV./OWNER: KDF Lexington, L.P., to e formed by KDF Communities, a California Limited Liability Company
AMOUNT: \$28,000,000.00
All those interested in matters related to either the issuance of the bonds or the location or operation of the projects are invited to attend and be heard at the open session, which will commence at 10:00 AM, and will be held in Room T-1352, at 200 E. Santa Clara Street of the City of San Jose, California 95113. If you have any questions with respect to this matter, please call J. Paul Lippert, Senior Development Officer, Department of Housing of the City of San Jose, at (408) 975-4443 or Michael LaPierre of CSCDA, at (925) 933-9229 ext. 212.
Dated: March 13, 2006
Lee Price, City Clerk
City of San Jose, California
3/15/06

SJ-940026#

CITY OF SAN JOSE FINANCE DEPARTMENT
DIRECTOR'S HEARING

AFFIDAVIT OF POSTING OF MEETING NOTICE

STATE OF CALIFORNIA)
)
COUNTY OF SANTA CLARA) ss

I hereby certify that, pursuant to and in accordance with the provisions of State legislation required by AB 2674, on **Thursday, March 30, 2006**, I posted a notice for a Director's TEFRA Public Hearing for the **Lexington Apartments** and the **Regency Apartments** projects, a copy of which is attached hereto as Exhibit A and made a part hereof by reference as though fully set forth herein verbatim, by posting said Exhibit A at a public location at least seventy-two (72) hours prior to said public meeting. I declare under penalty of perjury that the foregoing is true and correct.



Andrea Y. Maestre
Analyst II