



Legislation Details (With Text)

File #: 22-0673 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 5/27/2022 **In control:** Safety, Housing, Education & Homelessness Committee

On agenda: 6/20/2022 **Final action:** 6/20/2022

Title: A resolution approving a proposed First Amendment and Modification Agreement between the City and County of Denver and Yale Station Apartments, LLC to amend and modify the terms and conditions of the loan agreement related to the 50-unit senior housing project located at 5307 E. Yale Avenue.
Amends an agreement with Yale Station Apartments, LLC, to preserve the City's covenant and stipulate how a conflict between United States Department of Housing and Urban Development and City covenants is to be addressed if any should arise, at the 50-unit senior housing project located at 5307 East Yale Avenue in Council District 4. No change to agreement duration or amount (HOST-202263068-01). The last regularly scheduled Council meeting within the 30-day review period is on 7-11-22. The Committee approved filing this item at its meeting on 6-8-22.

Sponsors:

Indexes: Emily Lapel

Code sections:

Attachments: 1. RR22-0673 Yale Station Apartments Amendment, 2. 22-0673 Filed Resolution_Yale Station Apartments LLC 202263068-01 ECS, 3. 22-0673 First Amendment and Modification Agreement Yale Station Apartments, LLC 202263068-01, 4. 22-0673 Filed Resolution_Yale Station Apartments LLC 202263068-01 ECS, 5. 22-0673 - signed

Date	Ver.	Action By	Action	Result
6/21/2022	1	Council President	signed	
6/20/2022	1	City Council	adopted	Pass
6/8/2022	1	Safety, Housing, Education & Homelessness Committee	approved by consent	Pass

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 5-30-22

**Requesting Agency: Department of Housing Stability
Division:**

**Subject Matter Expert Name: Jack Wylie
Email Address: Jack.Wylie@denvergov.org
Phone Number:**

Item Title & Description:

(Do not delete the following instructions)

*These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.

A resolution approving a proposed First Amendment and Modification Agreement between the City and County of Denver and Yale Station Apartments, LLC to amend and modify the terms and conditions of the loan agreement related to the 50-unit senior housing project located at 5307 E. Yale Avenue.

Amends an agreement with Yale Station Apartments, LLC, to preserve the City's covenant and stipulate how a conflict between United States Department of Housing and Urban Development and City covenants is to be addressed if any should arise, at the 50-unit senior housing project located at 5307 East Yale Avenue in Council District 4. No change to agreement duration or amount (HOST-202263068-01). The last regularly scheduled Council meeting within the 30-day review period is on 7-11-22. The Committee approved filing this item at its meeting on 6-8-22.

Affected Council District(s) or citywide? 4

Contract Control Number: HOST-202263068-01

Vendor/Contractor Name (including any "DBA"): Yale Station Apartments, LLC

Type and Scope of services to be performed:

The borrower, Yale Station Apartments, LLC, is in the process of refinancing the project located at 5307 East Yale Avenue. The amendment increases the subordination limit from \$3,300,000 to \$5,000,000 and allows subordination of the covenant to comply with HUD requirements. The borrower intends to pay the outstanding balance of the City's loan in full as part of that refinancing. After the borrower's financial obligation to the City is secured, the City will be requested to release its deed of trust. The amendment preserves the City's covenant and stipulates how a conflict between HUD and City covenants is to be addressed if any should arise in the future.

Location (if applicable) : 5307 East Yale Avenue, Denver, CO 80222

WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts):

Are WBE/MBE/DBE goals met (if applicable)?

Is the contract new/a renewal/extension or amendment? Amendment

Was this contractor selected by competitive process or sole source?

For New contracts

Term of initial contract:

Options for Renewal:

How many renewals (i.e. up to 2 renewals)?

Term of any renewals (i.e. 1 year each):

Cost of initial contract term:

Cost of any renewals:

Total contract value council is approving if all renewals exercised:

For Amendments/Renewals Extensions:

Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)? Agreement terms

If length changing

What was the length of the term of the original contract?

What is the length of the extension/renewal?

What is the revised total term of the contract?

If cost changing

What was the original value of the entire contract prior to this proposed change?

What is the value of the proposed change?

What is the new/revised total value including change?

If terms changing

Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)

The borrower, Yale Station Apartments, LLC, is in the process of refinancing the project located at 5307 East Yale Avenue. The amendment increases the subordination limit from \$3,300,000 to \$5,000,000 and allows subordination of the covenant to comply with HUD requirements. The borrower intends to pay the outstanding balance of the City's loan in full as part of that refinancing. After the borrower's financial obligation to the City is secured, the City will be requested to release its deed of trust. The amendment preserves the City's covenant and stipulates how a conflict between HUD and City covenants is to be addressed if any should arise in the future.