

HOUSING AUTHORITY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER HA - **1552**

DATE OF FINAL PASSAGE **MAY 08 2012**

A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY
SAN DIEGO SETTING FORTH THE OFFICIAL INTENT
OF THE HOUSING AUTHORITY OF THE CITY OF SAN DIEGO
TO ISSUE MULTIFAMILY HOUSING REVENUE BONDS TO
FINANCE KNOX GLEN TOWN HOMES AND AUTHORIZING
RELATED ACTIONS.

WHEREAS, pursuant to Chapter 1 of Part 2 of Division 24 of the Health and Safety
Code of the State of California, as amended (the “Act”), the Housing Authority of the City of
San Diego (the “Authority”) is authorized to issue revenue bonds for the purpose of financing the
acquisition and rehabilitation of multifamily rental housing and for the provision of capital
improvements in connection with and determined necessary to such multifamily rental housing;
and

WHEREAS, Housing Development Partners (“HDP”), an affiliate of the San Diego
Housing Commission, has requested that the Authority issue and sell multifamily housing
revenue bonds (the “Bonds”) pursuant to the Act for the purpose of making a loan to a limited
partnership to be formed by HDP (the “Borrower”) and with respect to which HDP will be the
sole general partner, to be used by the Borrower to finance the acquisition and rehabilitation of
Knox Glen Town Homes, a 54-unit multifamily rental housing project (the “Property”) located at
4720-4768 Logan Avenue in the City of San Diego (the “City”), as identified in Exhibit A
hereto; and

WHEREAS, the Authority, in the course of assisting the Borrower in financing the Property, expects that the Borrower (or HDP on behalf of the Borrower) has paid and may pay certain expenditures (the "Reimbursement Expenditures") in connection with the Property within the period from the date which is 60 days prior to the adoption of this Resolution to the date of issuance of the Bonds; and

WHEREAS, Section 1.103-8(a)(5) and Section 1.150-2 of the United States Treasury Regulations (the "Treasury Regulations") require that the Authority declare its reasonable official intent to reimburse the Reimbursement Expenditures with proceeds of a subsequent tax-exempt borrowing, if the proceeds of the borrowing are to be used to finance the Reimbursement Expenditures; and

WHEREAS, the Authority wishes to declare its intention to authorize the issuance of the Bonds for the purpose of financing the costs of the Property (including reimbursement of the Reimbursement Expenditures), when requested by the Borrower and upon such terms and conditions as may then be agreed upon by the Authority, the Borrower and the purchaser of the Bonds, in an aggregate principal amount not to exceed \$5,500,000; and

WHEREAS, Section 146 of the Internal Revenue Code of 1986 limits the amount of multifamily housing mortgage revenue bonds that may be issued in any calendar year by entities within a state and authorizes the governor or the legislature of a state to provide the method of allocation within the state of the amount of such bonds; and

WHEREAS, Chapter 11.8 of Division 1 of Title 2 of the California Government Code governs the allocation of the state ceiling among governmental units in the State of California having the authority to issue private activity bonds; and

WHEREAS, Section 8869.85 of the California Government Code requires a local agency desiring an allocation of the state ceiling to file an application with the California Debt Limit Allocation Committee ("CDLAC") for such an allocation, and CDLAC has certain policies that are to be satisfied in connection with any such allocation; NOW, THEREFORE,

BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the City of San Diego, as follows:

1. Finding and Determination. The above recitals, and each of them, are true and correct. The Authority determines that it is necessary and desirable to provide financing for the Property (including reimbursement of the Reimbursement Expenditures) by the issuance and sale of the Bonds pursuant to the Act in an aggregate principal amount not to exceed \$5,500,000, subject to final authorization of the issuance of the Bonds by resolution of the Authority adopted at a meeting of the Authority.

2. Declaration of Official Intent. This Resolution is being adopted by the Authority for purposes of establishing compliance with the requirements of Section 1.103-8(a)(5) and Section 1.150-2 of the Treasury Regulations. In that regard, the Authority hereby declares its official intent to use proceeds of the Bonds to reimburse the Reimbursement Expenditures. This action is taken expressly for the purpose of inducing the Borrower to undertake the Property, and nothing contained in this Resolution shall be construed to signify that the Property complies with any planning, zoning, subdivision and building laws and ordinances applicable thereto or to suggest that the Authority, the City or any officer or agent of the Authority or the City will grant any such approval, consent or permit that may be required in connection with the acquisition and rehabilitation of the Property, or that either the Authority or the City will make any expenditure, incur any indebtedness, or proceed with the financing of the Property.

3. Application to CDLAC. The officers and/or the program managers of the Authority are authorized and directed to apply to CDLAC for an allocation from the state ceiling of private activity bonds for the Bonds in an amount not to exceed \$5,500,000, and to take any and all other actions as may be necessary or appropriate in connection with such application, including but not limited to the payment of fees, the posting of deposits and the provision of certificates, and any such actions previously taken by such officers and program managers are hereby ratified, approved and confirmed.

4. Effective Date. This Resolution shall take effect immediately upon its adoption.

APPROVED: JAN GOLDSMITH, General Counsel

By



Bret A. Bartolotta
Deputy General Counsel

BAB:sc
04/24/12
Or.Dept: Housing Authority
Doc. No. 358750

EXHIBIT A

DESCRIPTION OF THE PROJECT

Name:	Knox Glen Town Homes
Location:	4720-4768 Logan Avenue, San Diego, CA
Number of Units:	54 (including one manager's unit)
Maximum Bond Amount:	\$5,500,000

Passed and adopted by the Housing Authority of the City of San Diego on May 8, 2012 by the following vote:

	Yeas	Nays	Excused	Not Present
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl DeMaio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

Anthony Young

Chair of the Housing Authority
of the City of San Diego, California

Richard C. Gentry

Executive Director of the Housing Authority
of the City of San Diego, California

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of
RESOLUTION NO. 1552 passed and adopted by the Housing Authority of the City of San
Diego, California on May 8, 2012.

By:


Pari Ryan

Deputy Secretary of the Housing Authority
of the City of San Diego, California