

HOUSING AUTHORITY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER HA-**1559**

DATE OF FINAL PASSAGE **JUL 10 2012**

A RESOLUTION OF THE HOUSING AUTHORITY OF
THE CITY OF SAN DIEGO SETTING FORTH THE
OFFICIAL INTENT OF THE HOUSING AUTHORITY OF
THE CITY OF SAN DIEGO TO ISSUE MULTIFAMILY
MORTGAGE REVENUE BONDS TO FINANCE THE NINTH
AND BROADWAY AFFORDABLE HOUSING PROJECT 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 (Act), the Housing Authority of the City of San Diego (Authority) is authorized to issue revenue bonds for the purpose of financing the acquisition and construction of multifamily rental housing and for the provision of capital improvements in connection with and determined necessary to such multifamily rental housing; and

WHEREAS, Bridge SC, LLC (Bridge SC), a California limited liability company, the sole member of which is Bridge Housing Corporation - Southern California, a California nonprofit public benefit corporation, has requested that the Authority issue and sell multifamily housing mortgage revenue bonds (Bonds) pursuant to the Act for the purpose of making a loan to Broadway Upper Tower Associates, L.P., a California limited partnership to be formed by Bridge SC (Borrower) and with respect to which Bridge SC will be the initial general partner, to be used by the Borrower to finance the acquisition and construction of the Ninth and Broadway Affordable Housing Project, a 121-unit multifamily rental housing project (Property) to be located on the eighth through seventeenth floors of a building to be constructed on a site located

at the Southeast corner of 9th Avenue and Broadway in the City of San Diego (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 Bridge SC, on behalf of the Borrower) has paid and may pay certain expenditures (Reimbursement Expenditures) in connection with the Property within the period from the date which is sixty (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 (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 \$24,000,000; 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 \$24,000,000, 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 acquisition and construction of 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 construction 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 \$24,000,000, 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.

5 Environmental Finding. The proposed project is covered under the Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Centre City Redevelopment Plan, certified by the Agency on March 14, 2006 (Resolution R-04001), and subsequent addenda to the FEIR certified by the Agency on August 3, 2007 (Agency Resolution R-04193), April 21, 2010 (Agency Resolutions R-04508 and R-04510), and August 3, 2010 (Agency Resolution R-04544).

The FEIR is a "Program EIR" prepared in compliance with State of California Environmental Quality Act Guidelines Section 15168. Processing under the National Environmental Policy Act is not required as the requested action does not involve federal funds.

APPROVED: JAN I. GOLDSMITH, General Counsel

By


Bret A. Bartolotta
Deputy General Counsel

BAB:sc
06/12/12
Or.Dept:Housing Authority
Companion to R-2012-688
Doc. No. 386257

EXHIBIT A

DESCRIPTION OF THE PROJECT

Name:	Ninth and Broadway Affordable Housing Project
Location:	Floors 8 through 17 of a building to be located at the Southeast corner of 9 th Avenue and Broadway, San Diego, CA
Number of Units:	121 (including one manager's unit)
Maximum Bond Amount:	\$24,000,000

Passed and adopted by the Housing Authority of the City of San Diego on July 10, 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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. 1559 passed and adopted by the Housing Authority of the City of San
Diego, California on July 10, 2012.

By:


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