

RESOLUTION NUMBER R- 313232

DATE OF FINAL PASSAGE OCT 02 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO PURSUANT TO SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986 APPROVING THE ISSUANCE OF BONDS BY THE HOUSING AUTHORITY OF THE CITY OF SAN DIEGO FOR ULRIC STREET APARTMENTS.

WHEREAS, the Housing Authority of the City of San Diego (Authority) intends to issue not to exceed \$34,930,321 principal amount of multifamily housing revenue bonds (Bonds) to finance the acquisition and construction of Ulric Street Apartments, a multifamily affordable housing project in the City of San Diego (City) described in the Notice of Public Hearing attached as Exhibit A hereto (Project); and

WHEREAS, the Bonds are expected to be issued in three series, and it is expected that the interest on two of the series of the Bonds to be issued in an aggregate principal amount not to exceed \$28,930,321 (the Tax-Exempt Bonds), will be excludable from the gross income of the owner of the Tax-Exempt Bonds for purposes of federal income taxation; and

WHEREAS, in order for interest on the Tax-Exempt Bonds to be tax-exempt, section 147(f) of the Internal Revenue Code of 1986 (Code) requires that the Tax-Exempt Bonds be approved by the City Council as the applicable elected representative after a public hearing following reasonable public notice; and

WHEREAS, the City Council held a public hearing regarding the issuance of the Tax-Exempt Bonds and the financing of the Project on June 25, 2019, and following the public hearing the City Council adopted Resolution No. R-312546, with a date of final passage of July 8, 2019 approving the issuance of the Tax-Exempt Bonds by the Authority; and

WHEREAS, applicable United States Treasury Regulations (Regulations) require that the City Council's approval of the Tax-Exempt Bonds occur within one year of their issuance by the Authority, and because the Authority will issue the Tax-Exempt Bonds more than one year after the City Council's July 8, 2019 approval of their issuance, the City Council now desires to again approve the issuance of the Tax-Exempt Bonds by the Authority; and

WHEREAS, one or more notice(s) of a public hearing with respect to the proposed issuance of the Bonds were timely published in accordance with the Regulations; and

WHEREAS, the new public hearing was held on September 29, 2020, and an opportunity was provided for interested persons to express their views on the issuance of the Bonds and on the nature and location of the Project; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego that this City Council, as the applicable elected representative under section 147(f) of the Code, approves the issuance by the Authority of the Bonds, including the issuance of the Tax-Exempt Bonds.

BE IT FURTHER RESOLVED, that the City does not warrant the creditworthiness of the Bonds or guarantee, in any way, the payment of the Bonds. No moneys of the City will be pledged or applied to the repayment of the Bonds.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Marguerite Middaugh
Marguerite E. Middaugh
Deputy City Attorney

MEM:jdf
09/08/2020
Or. Dept: Housing
Doc. No.: 2471368

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 9/29/2020.

ELIZABETH S. MALAND,
City Clerk

By: /s/ Matthew R. Hilario
Deputy City Clerk

Approved: 10/2/2020
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of San Diego on Tuesday, September 29, 2020, at the hour of 2:00 p.m. or as soon thereafter as the matter may be heard, in the City Council Chambers, 12th floor, 202 "C" Street, San Diego, California, will hold a public hearing in accordance with section 147(f) of the Internal Revenue Code of 1986 with respect to the proposed issuance by the Housing Authority of the City of San Diego of its multifamily housing revenue bonds (the "Bonds") in order to finance the acquisition and construction of the multifamily affordable housing project described below (the "Project"):

<u>Name</u>	<u>Location</u>	<u>Number of Units</u>	<u>Maximum Bond Amount</u>
Ulric Street Apartments	2645-2685 Ulric Street, San Diego, California	96	\$34,930,321

For details on how to participate in the public hearing and provide comments, see "Public Hearing Access Details" below.

The owner of the Project is expected to be Ulric Street Housing Associates, L.P., a California limited partnership. The manager of the facility when it has been completed will be ConAm Management Corporation or another entity selected by the owner of the Project. Ninety-five of the units in the Project are expected to be income and rent restricted and will be occupied by low or very low-income tenants at affordable rents.

It is expected that the interest on up to \$28,930,321 principal amount of the Bonds will be excludable from the gross income of the owner of such portion of the Bonds for purposes of federal income taxes.

Public Hearing Access Details

City Council meetings will be conducted pursuant to the provisions of California Executive Order 29-20, which suspends certain requirements of the Ralph M. Brown Act and the Temporary Rules of Council as approved on April 7, 2020.

During the current State of Emergency and in the interest of public health and safety, most—and possibly all—of the Council Members will be participating in City Council meetings by teleconference. In accordance with the Executive Order, there will be no members of the public participating in person at the City Council Meetings. The City is providing alternatives to in-person attendance for viewing and participating in the meetings.

In lieu of in-person attendance, members of the public may participate and provide comment via telephone, using the City Clerk webform, email submission or via U.S. Mail of written materials, as follows:

Phone in Testimony:

When the Clerk introduces either the item you would like to comment on or the comment period for Non-Agenda Public Comment or Closed Session Public Comment, follow the instructions within the "Instruction for Public Comment" (found at the following website address: https://www.sandiego.gov/sites/default/files/city_council_public_comment_instructions.pdf) by dialing the number below to be placed in the queue.

1. DIAL 619-541-6310
2. Enter the Access Code: 877861 then press '#'.

Written Comment Through Webform:

Comment may be submitted using the webform (found at the following website address: www.sandiego.gov/form/agenda-comment-form) indicating the agenda item number for which you wish to submit your comment. Comments received by the start of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 200 words. Comments received after the start of the meeting but before the item is called will be submitted into the written record for the relevant item.

Written Materials. If you wish to submit written materials for submission into the record or have an attachment to your comment, you may email it to cityclerk@sandiego.gov or submit via U.S. Mail 202 C Street, MS2A San Diego, CA 92101. Materials submitted via e-mail will be distributed to the Councilmembers in accordance with the deadlines described above. Materials submitted via U.S. Mail will need to be received the business day prior in order for it to be distributed to the City Council.

The public may view the public hearing on public television (within the City of San Diego only) on City TV Channel 24 for Cox Communications and Time Warner Cable or Channel 99 for AT&T or view the public hearing online at the following website address: http://sandiego.granicus.com/ViewPublisher.php?view_id=31.

Dated: September 10, 2020

CITY COUNCIL OF THE CITY OF SAN DIEGO

Passed by the Council of The City of San Diego on SEP 29 2020, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 02 2020.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson Deputy
for Matthew Hilaris

Office of the City Clerk, San Diego, California

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