

HOUSING AUTHORITY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. 1087

ADOPTED ON FEBRUARY 13, 2001

A RESOLUTION SETTING FORTH THE AUTHORITY'S OFFICIAL INTENT TO APPLY TO THE CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE FOR BOND ALLOCATION TO ISSUE MULTIFAMILY HOUSING REVENUE BONDS TO FINANCE THE CANYON RIM APARTMENT, AND STRATTON APARTMENT PROJECTS.

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, construction, rehabilitation, refinancing, or development of multifamily rental housing and for the provision of capital improvements in connection with and determined necessary to the multifamily rental housing; and

WHEREAS, the Authority has issued and sold multifamily housing revenue bonds [the Bonds] pursuant to the Act for the purpose of financing the acquisition and rehabilitation of certain multifamily rental housing developments identified in Exhibit A hereto [the Projects] by The Stratton LP and Canyon Rim LP [Borrowers]; and

WHEREAS, the Borrowers have made certain expenditures [the Reimbursement Expenditures] in connection with the Projects within the period from the date 60 days prior to the adoption by the Authority of Resolution No. 1028 on November 9, 1994; and

WHEREAS, Section 1.103-8(a)(5) and Section 1.150-2 of the Treasury Regulations require the Authority to declare its reasonable official intent to reimburse prior expenditures for

the Projects with proceeds of a subsequent tax-exempt borrowing; and

WHEREAS, solely for purposes of establishing compliance with the requirements of Section 1.103-8(a)(5) and Section 1.150-2 of the Treasury Regulations, the Authority adopted resolution 1028 on November 9, 1999 declaring its intention to authorize the issuance of Bonds for the purpose of financing costs of the Projects (including reimbursement of the Reimbursement Expenditures, in an aggregate principal amount not to exceed the amounts set forth in Exhibit A; and

WHEREAS, a portion of the Bonds previously issued by the Authority are bonds the interest on which is subject to federal income taxation [the Taxable Bonds]; and

WHEREAS, the Borrowers have requested that the Authority assist them in converting the interest on the Taxable Bonds to tax-exempt in order to lower the operating costs for the Projects; 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; 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 allocation, and the Committee has certain policies that are to be satisfied in connection with any such; 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 desirable to assist the Borrowers in converting the interest on the Taxable Bonds to tax-exempt by obtaining an allocation from CDLAC

2. Application to CDLAC. The officers and/or the program managers of the Authority are authorized and directed to apply to CDLAC (Round 1, and if necessary, Round 2) for an allocation from the state ceiling of private activity bonds to be issued by the Authority for the Projects in an amount equal to the principal amount of the Taxable Bonds that will remain outstanding as of February 15, 2001, 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 heretofore taken by such officers and program managers are hereby ratified, approved and confirmed.

3. This resolution shall take effect immediately upon its adoption.

APPROVED: CASEY GWINN, General Counsel

By \_\_\_\_\_  
Prescilla Dugard  
Deputy Counsel

PD:cdk  
01/17/01  
Or.Dept:SDHC

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