

(RA-85-172)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. 1110

ADOPTED ON JUNE 11, 1985

A RESOLUTION APPROVING A MULTIFAMILY
RESIDENTIAL HOUSING PROJECT FOR MERIC NATIONAL
& HALENZA PARTNERS, A GENERAL PARTNERSHIP, AS
OWNER, MAKING FINDINGS AND AUTHORIZING THE
ISSUANCE OF REVENUE BONDS IN CONNECTION
THEREWITH AND AUTHORIZING REPRESENTATIVES OF
THE CITY TO TAKE ACTION INCIDENTAL THERETO.

WHEREAS, pursuant to the Constitution and laws of the State
of California, particularly Sections 33750 through 33799,
inclusive, constituting Chapter 8 of Part 1 of Division 24 of the
Health and Safety Code of the State of California, as amended
(the "Act"), the Redevelopment Agency of The City of San Diego
(the "Agency") is authorized, among other things, to issue its
revenue bonds to provide funds to make mortgage loans to finance

residential construction within the Marina Redevelopment Project Area (the "Project Area") of The City of San Diego, California (the "City"); and

WHEREAS, Meric National & Halenza Partners, a general partnership, its successors and assigns (the "Owner"), has requested the Agency's assistance in financing an approximately 180-unit multifamily residential rental housing project intended to be occupied in part by individuals of low and moderate income, to be owned by the Owner and to be located in the Project Area (the "Project"); and

WHEREAS, Section 103b(4)(A) of the Internal Revenue Code, as amended (the "Code"), provides that the interest on bonds substantially all of the proceeds of which are to be used to provide projects for residential rental property shall be exempt from federal income taxation if, among other requirements, at least 20 percent of the units in each project are to be occupied by individuals of low or moderate income, within the meaning of Section 103(b)(12)(C) of the Code at all times during the qualified project period set forth in Section 103(b)(12)(B) of the Code; and

WHEREAS, the Owner has indicated its willingness to provide assurance satisfactory to the Agency that at least 20 percent of the units in the Project will be occupied by individuals of low

or moderate income within the meaning of Section 103(b)(12)(C) of the Code at all times during the qualified project period set forth in Section 103(b)(12)(B) of the Code; and

WHEREAS, the Agency desires to take official action declaring the Agency's intent to issue revenue bonds to provide financing for the Project in order to further the purposes of the Act, upon the terms and conditions set forth hereinafter; NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of The City of San Diego, as follows:

1. The Project will consist of approximately 180 units, together with related facilities and will be located in the block bounded by Union, Front, Market and G Streets in the Marina Redevelopment Project Area in The City of San Diego, California, as more fully described in the Disposition and Development Agreement between the Agency and the Owner. The Agency finds that the financing of the Project through the making of a construction loan and/or mortgage loan, as defined in the Act, is consistent with and furthers the purposes of the Act.

2. The Agency intends to issue its revenue bonds up to a maximum aggregate principal amount of \$12,000,000.00 to finance the Project, such Bonds (a) to be issued in compliance with the Act and (b) to be subject to such terms and conditions as the Owner and the Agency, by resolution, shall approve, including

contractual arrangements providing assurance satisfactory to the Agency that at least 20 percent of the units in the Project will be occupied by individuals of low or moderate income within the meaning of Section 103(b)(12)(C) of the Code at all times during the qualified project period set forth in Section 103(b)(12)(B) of the Code.

3. A public hearing shall be and the same hereby is ordered to be held by the Agency, at such time and place as the Agency shall indicate in the notice hereinafter described for the purpose of considering the proposed issuance by the Agency of its bonds to finance the Project. The hearing shall be conducted in a manner that provides a reasonable opportunity for persons with differing views to be heard on the issuance of the Agency's bonds for the Project. Such hearing shall be held in conjunction with the Agency's consideration of a resolution authorizing and giving final approval to the issuance of such Bonds.

4. The City hereby is authorized and directed to publish a notice of such public hearing one time in a newspaper having general circulation in the City, which shall be the San Diego Transcript, on a date which is not less than fourteen (14) days prior to the date of the public hearing, in order to apprise residents of the City of the proposed issuance of the Agency's bonds. The official notice of public hearing shall be

substantially in a form approved by the Agency, with such changes therein and additions thereto as the Agency shall direct and shall deem to be in accordance with the Code's requirements, the execution of such notice by the Chairman of the Agency to indicate its approval of such changes and completion.

5. All resolutions or orders, or parts thereof, in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed. If any portion of this Resolution shall be held invalid or unenforceable, such invalidity or unenforceability shall not affect the remaining portions hereof.

6. This Resolution shall become effective immediately upon its adoption and approval.

APPROVED: John W. Witt, General Counsel

By

Janis Sammartino Gardner

Deputy Counsel

JSG:ta:613.4

6/6/85

Or.Dept:CCDC

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