

#337  
9/10/13

(R-2014-44)  
(COR. COPY 2)

RESOLUTION NUMBER R- 308431  
DATE OF FINAL PASSAGE SEP 11 2013

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 THE WAKELAND/  
CITY HEIGHTS SCATTERED SITES APARTMENTS

WHEREAS, the Housing Authority of the City of San Diego (Authority) intends to issue not to exceed \$8,000,000 aggregate principal amount of multifamily housing revenue bonds (Bonds) to finance the acquisition, rehabilitation and equipping of several multifamily rental housing facilities in the City of San Diego (City) described in the notice of public hearing attached as Exhibit A hereto (Projects); and

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

WHEREAS, notice of a public hearing with respect to the proposed issuance of the Bonds was published in a newspaper of general circulation in the City on August 20, 2013; and

WHEREAS, the public hearing was held on September 10, 2013, 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 Projects; and

WHEREAS, under Charter section 265(i), resolutions adopted by the City Council are not subject to veto pending an election to fill the vacancy in the Office of the Mayor, but the Council President, serving as the interim Mayor during the period of vacancy, generally has the

authority to approve resolutions in circumstances where expeditious approval is necessary to meet a legal requirement imposed by a court or another governmental agency; and

WHEREAS, the officers and/or the program managers of the Authority must file an application to the California Debt Limit Allocation Committee (CDLAC) for an allocation from the state ceiling of private activity bonds to be issued by the Authority for the Projects by September 13, 2013, which application must include a copy of this Resolution to evidence that the required Tax Equity and Fiscal Responsibility Act public hearing was held; and

WHEREAS, in light of these circumstances, it is requested that the Council President approve this Resolution expeditiously so that it will become effective in time to be included in the application to be filed with CDLAC on or before September 13, 2013; and

WHEREAS, all references to the "Mayor" in this Resolution are intended to refer to the elected Mayor or the interim Mayor, as may be applicable upon the occurrence of each authorized action item; 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 of the Bonds by the Authority.

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.

BE IT FURTHER RESOLVED, that the acquisition, rehabilitation and equipping of the Projects is categorically exempt from the requirements of the California Environmental Quality Act under Sections 15301 (Existing Facilities) and 15332 (In-Fill Development Projects).

Processing under the National Environmental Policy Act is not required, as no federal funds are involved in this action.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Bret A. Bartolotta  
Deputy City Attorney

BAB:sc  
08/14/2013  
09/06/2013 COR. COPY  
09/09/2013 COR. COPY 2  
Or.Dept: Housing Authority  
Doc. No.: 630691

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 9/10/13.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 9/11/13  
(date)

  
Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Mayor

## EXHIBIT A

### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of San Diego on Tuesday, September 10, 2013, 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 tax-exempt multifamily housing revenue bonds in order to finance the acquisition, rehabilitation and equipping of the multifamily rental housing developments described in the following table (collectively, the "Projects"), all of which are located in the City of San Diego, California:

<u>Names</u>	<u>Locations</u>	<u>Number of Units</u>	<u>Aggregate Maximum Bond Amount</u>
Alta Vista	3535-3545 43 <sup>rd</sup> Street	12	\$8,000,000
Canyon Vista	3429-3431 43 <sup>rd</sup> Street	8	
Cornerstone	3604 Van Dyke Avenue	7	
Euclid Court	4217-4231 Euclid Avenue	11	
Harmony Homes	4251 44 <sup>th</sup> Street	12	
San Diego Apartments	4085 44 <sup>th</sup> Street	16	
Sycamore Court	4048-4064 ½ 48 <sup>th</sup> Street	17	
Teralta Court	4165-4175 Highland Avenue	13	
Village View	3820-3832 43 <sup>rd</sup> Street	30	
West View	3536 43 <sup>rd</sup> Street	6	

The owner of the Projects will be a limited partnership with respect to which Wakeland Housing and Development Corporation or an affiliate thereof will be the managing general partner and City Heights Community Development Corporation or an affiliate thereof will be a general partner. Hyder & Company or an affiliate thereof initially will operate the Projects when they have been completed. A total of 129 of the 132 units in the Projects are to be income and rent restricted, and will be occupied by extremely low- and very low-income tenants at affordable rents.

Notice is further given that at said hearing, all interested parties will have an opportunity to be heard on the question of whether or not such multifamily housing revenue bonds should be issued. Written comments may also be submitted prior to the hearing, c/o Mr. Cameron Shariati, Financial Analyst, Real Estate Department, San Diego Housing Commission, 1122 Broadway Street, Suite 300, San Diego, California 92101.

Dated: August 20, 2013

CITY COUNCIL OF THE CITY OF SAN DIEGO

Passed by the Council of The City of San Diego on SEP 10 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr 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"/>
Myrtle Cole	<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"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<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"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 11 2013.

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

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT  
as interim Mayor of The City of San Diego, California.

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

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 308431