

RESOLUTION NUMBER R- 308461

DATE OF FINAL PASSAGE OCT 8 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  
SAN DIEGO SQUARE APARTMENTS

WHEREAS, the Housing Authority of the City of San Diego (Authority) intends to issue not to exceed \$17,825,000 aggregate principal amount of multifamily housing revenue bonds (Bonds) to finance the acquisition, rehabilitation and equipping of a multifamily rental housing project in the City of San Diego (City) described in the notice of public bearing attached as Exhibit A hereto (Project); 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 September 4, 2013; and

WHEREAS, the public hearing was held on September 24, 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 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 of the Bonds by the Authority.

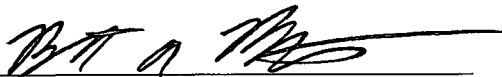
BE IT FURTHER RESOLVED, that the City does not warrant the creditworthiness of the Bonds or guarantee, in any way, the payment of the Bonds. No moneys of the City will be pledged or applied to the repayment of the Bonds.

BE IT FURTHER RESOLVED, that the proposed rehabilitation is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 because the Project is an existing facility and the proposed actions do not involve expansion of the existing use. Additionally, the Project is categorically exempt pursuant to Section 15332 as an in-fill development. On August 28, 2013, the County of San Diego Department of Environmental Health issued a "No Further Action" letter indicating that no mitigation measures would be required for the proposed scope of work; therefore, the Project does not have significant potential to effect the environment and the exceptions listed under CEQA Section 15300.2 do not apply.

This Project may be partially funded with federal HOME funds. A final reservation of HOME funds shall occur only upon satisfactory completion of environmental review under the National Environmental Policy Act (NEPA) and the City's receipt of a release of funds from the U.S. Department of Housing and Urban Development. The San Diego Housing Commission and the developer agree that the provision of any HOME funds to the Project is conditioned on the City's determination to proceed with, modify, or cancel the Project, based on the results of a

subsequent environmental review under NEPA. Additionally, requirements of the adopted Final Mitigation, Monitoring and Reporting Program for the Downtown Environmental Impact Report will be applied at the time of Project review and permitting.

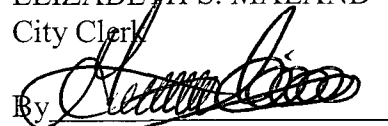
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Bret A. Bartolotta  
Deputy City Attorney

BAB:sc  
09/05/13  
Or.Dept: Housing Commission  
Doc. No. 590652

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 9/24/13.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved pursuant to Charter section 265(i):

Approved: \_\_\_\_\_  
(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 24, 2013, at the hour of 2:00 p.m. or later, at 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 development described in the following table (the "Project"):

<u>Name</u>	<u>Location</u>	<u>Number</u>	<u>Maximum Bond Amount</u>
San Diego Square Apartments	1055 9 <sup>th</sup> Avenue, San Diego, California	156	\$17,825,000

The owner of the Project will be Housing Development Partners of San Diego ("HDP"), or an affiliate thereof, including a limited partnership or limited liability company to be established by HDP or an affiliate thereof. HDP or an affiliate thereof will operate the Project when complete. It is expected that a total of 154 of the 156 units in the Project are to be income and rent restricted, and will be occupied by low-income senior 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. J.P. Correia, Real Estate Project Manager, San Diego Housing Commission, 1122 Broadway Street, Suite 300, San Diego, California 92101.

Dated: September 4, 2013

CITY COUNCIL OF THE CITY OF SAN DIEGO

Passed by the Council of The City of San Diego on SEP 24 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherrri 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 OCT 8 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.

(Seal)

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

By *Mary Zumaiga*, Deputy

Office of the City Clerk, San Diego, California

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