

1 RESOLUTION NO. RES-16-0009

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH APPROVING THE ISSUANCE OF
5 MULTIFAMILY HOUSING REVENUE BONDS BY THE
6 CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR
7 THE PURPOSE OF FINANCING THE ACQUISITION AND
8 REHABILITATION OF A MULTIFAMILY RENTAL HOUSING
9 FACILITY KNOWN AS SAINT MARY TOWER
10 APARTMENTS

11
12 WHEREAS, pursuant to Chapter 5 of Division 7 of Title 1 of the
13 Government Code of the State of California (the "Act"), certain public agencies (the
14 "Members") have entered into a Joint Exercise of Powers Agreement, effective on
15 January 1, 2004 (the "Agreement") in order to form the California Municipal Finance
16 Authority (the "Authority"), for the purpose of promoting economic, cultural and
17 community development, and in order to exercise any powers common to the Members,
18 including the issuance of bonds, notes, or other evidences of indebtedness; and

19 WHEREAS, the City of Long Beach (the "City") is a member of the
20 Authority; and

21 WHEREAS, the Authority is authorized to issue and sell revenue bonds for
22 the purpose, among others, of financing or refinancing the acquisition, construction and
23 rehabilitation of multifamily rental housing projects; and

24 WHEREAS, Mercy Housing California ("Mercy") has requested that the
25 Authority issue one or more series of revenue bonds in an aggregate principal amount
26 not to exceed \$40,000,000 (the "Bonds"), and lend the proceeds of the Bonds to Mercy
27 Housing California 71, LP, a California limited partnership, or another entity formed by
28 Mercy or an affiliate thereof (the "Borrower"), for the purpose of financing the costs of the

1 acquisition and rehabilitation of a one hundred forty-eight (148) unit multifamily residential
2 rental facility known as Saint Mary Tower Apartments located at 1120 Atlantic Avenue in
3 the City (the "Project"), to be owned by the Borrower; and

4 WHEREAS, in order for the interest on Bonds to be tax-exempt, section
5 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") requires that an
6 "applicable elected representative" of the governmental unit, the geographic jurisdiction of
7 which contains the site of Project to be financed with the proceeds of the Bonds, approve
8 the issuance of the Bonds following a public hearing regarding the financing of the
9 Project; and

10 WHEREAS, the Authority has determined that the City Council is an
11 "applicable elected representative" for purposes of approving the issuance of the Bonds
12 by the Authority; and

13 WHEREAS, the Authority has requested that the City hold the public
14 hearing and that the City Council approve the issuance of the Bonds by the Authority in
15 order to satisfy the public approval requirements of section 147(f) of the Code and the
16 requirements of Section 4 of the Agreement; and

17 WHEREAS, notice of a public hearing for the proposed financing has been
18 duly given as required by the Code, and on January 11, 2016 the City Treasurer held the
19 public hearing at which all interested persons were given an opportunity to be heard on
20 all matters relative to the financing of the Project and the Authority's issuance of the
21 Bonds, and a summary of any oral or written testimony received at the public hearing has
22 been presented to the City Council for its consideration; and

23 WHEREAS, it is in the public interest and for the public benefit that the City
24 Council approve the issuance of the Bonds by the Authority for the aforesaid purposes;

25 NOW, THEREFORE, the City Council of the City of Long Beach hereby
26 resolves as follows:

27 Section 1. The City Council hereby approves the issuance of the Bonds by
28 the Authority in an amount not to exceed \$40,000,000 for the purpose of providing funds to

1 make a loan to the Borrower to enable the Borrower to finance the costs of the Project. It is
2 the purpose and intent of the City Council that this Resolution constitute approval of the
3 issuance of the Bonds by the Authority for the purposes of: (a) section 147(f) of the Code,
4 by the applicable elected representative of the governmental unit having jurisdiction over the
5 area in which the Project is located, in accordance with section 147(f) of the Code, and (b)
6 Section 4 of the Agreement.

7 Section 2. The issuance of the Bonds shall be subject to approval of the
8 Authority of all financing documents relating thereto to which the Authority is a party. The
9 City shall have no responsibility or liability whatsoever with respect to repayment or
10 administration of the Bonds.

11 Section 3. The adoption of this Resolution shall not obligate the City or
12 any department thereof to (a) provide any financing to acquire-or rehabilitate the Project;
13 (b) approve any application or request for or take any other action in connection with any
14 planning approval, permit or other action necessary for the acquisition, rehabilitation or
15 operation of the Project; (c) make any contribution or advance any funds whatsoever to
16 the Authority; or (d) take any further action with respect to the Authority or its membership
17 therein.

18 Section 4. The City Manager, the City Treasurer, the City Clerk and all
19 other officers and officials of the City are hereby authorized and directed to do any and all
20 things and to execute and deliver any and all agreements, documents and certificates
21 which they deem necessary or advisable in order to carry out, give effect to and comply
22 with the terms and intent of this Resolution and the financing transaction approved
23 hereby.

24 Section 5. This resolution shall take effect immediately upon its adoption
25 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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1 I hereby certify that the foregoing resolution was adopted by the City
2 Council of the City of Long Beach at its meeting of February 2, 2016
3 by the following vote:

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5 Ayes: Councilmembers: Gonzalez, Price, Supernaw, Mungo,
6 Andrews, Uranga, Austin, Richardson.
7 _____
8 _____

9 Noes: Councilmembers: None.
10 _____
11 _____

12 Absent: Councilmembers: Lowenthal.
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15 Maia del L. Garcia
16 City Clerk
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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664