

HOUSING AUTHORITY OF
THE CITY OF SAN DIEGO

RESOLUTION NUMBER HA- 1926

DATE OF FINAL PASSAGE October 5, 2021

A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SAN DIEGO APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE HOUSING AUTHORITY, THE SAN DIEGO HOUSING COMMISSION AND THE CALIFORNIA HOUSING FINANCE AGENCY TO PARTICIPATE IN A TAX-EXEMPT MULTIFAMILY HOUSING REVENUE BOND RECYCLING PROGRAM.

WHEREAS, the Housing Authority of the City of San Diego (Authority) is authorized to issue tax-exempt and taxable multifamily housing revenue bonds, also known as private activity bonds, to finance the creation and preservation of affordable housing in the City of San Diego (City); and

WHEREAS, federal law limits how much tax-exempt private activity bond debt a state can issue in a calendar year and sets an annual state ceiling (Volume Cap), determined by a state's population, multiplied by a specified dollar amount; and

WHEREAS, to issue bonds for a development, the Authority must first submit an application to the California Debt Limit Allocation Committee (CDLAC) for a bond allocation; and

WHEREAS, beginning in 2020, demand for tax-exempt bonds exceeded CDLAC's annual bond allocation and as a result, previously non-competitive tax-exempt bonds became competitive; and

WHEREAS, the federal Housing and Economic Recovery Act of 2008 explicitly allows for recycled bonds to reuse the Volume Cap authority of existing tax-exempt bonds that would otherwise be retired and no longer available once those tax-exempt bonds are paid off upon

completion of the construction phase of an affordable housing project for which they were issued; and

WHEREAS, the California Housing Finance Authority (CalHFA) issues tax-exempt and taxable conduit revenue bonds to provide construction and permanent financing for affordable housing projects, including those located in the City; and

WHEREAS, the CalHFA has established a program to preserve and recycle private activity bond Volume Cap in accordance with 26 U.S.C. section 146(i)(6) (CalHFA Volume Cap Recycling Program); and

WHEREAS, the San Diego Housing Commission (Housing Commission) and CalHFA desire to enter into a Memorandum of Understanding (MOU) with the Authority to permit the Authority and the Housing Commission to participate in the CalHFA Volume Cap Recycling Program, which will enable CalHFA to both preserve a portion of the tax-exempt Volume Cap for bonds initially issued by the Authority and issue new CalHFA conduit bonds, including bonds issued using recycled Volume Cap, for affordable housing projects; and

WHEREAS, CalHFA will, in coordination with the Authority and Housing Commission, issue taxable refunding obligations to refund portions of conduit revenue bonds previously issued by the Authority, and will subsequently issue CalHFA conduit bonds in part to refund said taxable obligations and to provide financing for projects in accordance with the terms and provisions outlined in the MOU; NOW, THEREFORE,

BE IT RESOLVED, by the Housing Authority of the City of San Diego, as follows:

1. The Housing Commission President and Chief Executive Officer (President & CEO), or designee, is authorized and directed to sign the MOU on behalf of the Authority and Housing Commission.

2. The President & CEO, or designee, is authorized to modify MOU, if necessary, without further action by the Board of Commissioners of the Housing Commission (Housing Commission Board) or the Authority, but only if and to the extent that such changes comply with the terms of the MOU and are necessary to fulfill federal and state funding requirements.

3. The President & CEO, or designee, is authorized to take such actions as are necessary, convenient and appropriate to implement this Resolution and delegation of authority by the Housing Commission, upon the advice of General Counsel.

4. The President & CEO, or designee, is authorized to execute any documents and instruments that are necessary and appropriate to implement this Resolution, in a form approved by General Counsel, and to take such actions necessary and appropriate to implement these approvals without further action of the Housing Commission Board or the Housing Authority.

APPROVED: MARA W. ELLIOTT, General Counsel

By /s/ Marguerite E. Middaugh
Marguerite E. Middaugh
Deputy General Counsel

MEM:jdf
09/20/2021
Or.Dept: SDHC
Doc. No.: 2765090

Passed and adopted by the Housing Authority of the City of San Diego on October 5, 2021, by the following vote:

	Yeas	Nays	Excused	Not Present
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

Richard C. Gentry

Executive Director of the Housing Authority
of the City of San Diego, California

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of
RESOLUTION NO. **1926** passed and adopted by the Housing Authority of the City of San
Diego, California on October 5, 2021.

By:



Scott Marshall

Deputy Secretary of the Housing Authority
of the City of San Diego, California