

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No., 17-_____

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTEREY APPROVING THE ISSUANCE OF SENIOR HOUSING REVENUE BONDS ON BEHALF OF MONTECITO SALINAS AR., L.P., A CALIFORNIA LIMITED PARTNERSHIP (THE “BORROWER”), BY THE GOLDEN STATE FINANCE AUTHORITY IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$13,800,000 TO FINANCE THE ACQUISITION, REHABILITATION AND EQUIPPING OF A 132 UNIT SENIOR RENTAL HOUSING PROJECT LOCATED AT 1598 MESQUITE DRIVE, SALINAS, CALIFORNIA, 93905, MONTEREY COUNTY, KNOWN AS MONTECITO AT WILLIAMS RANCH APARTMENTS (THE “PROJECT”) AND CERTAIN OTHER MATTERS RELATING THERETO.

WHEREAS, Monterey County (the “County”) is an associate member of the Golden State Finance Authority (the “Authority”), a joint powers authority organized and existing under the laws of the State of California; and

WHEREAS, the Authority is authorized, pursuant to the provisions of California Government Code Section 6500 *et seq.* and the terms of the Amended and Restated Joint Exercise of Powers Agreement, originally dated as of July 1, 1993, and as thereafter from time to time amended and restated, among certain local agencies throughout the State of California (the “Agreement”), including the County, to issue its revenue bonds in accordance with Chapter 7 of Part 5 of Division 31 of California Health and Safety Code for the purpose of providing financing for the acquisition, rehabilitation, and equipping of multifamily rental housing for persons and families of low or moderate income; and

WHEREAS, Montecito Salinas AR, L.P., a California limited partnership (the “Borrower”) has requested that the Authority issue one or more series of revenue bonds in an aggregate principal amount not to exceed \$13,800,000 (the “Bonds”) and lend the proceeds of the Bonds to the Borrower or related entities for the purpose of financing the costs of acquisition, rehabilitation and equipping of a 132-unit senior rental housing project located at 1598 Mesquite Drive, Salinas, California 93905, Monterey County, generally known as Montecito at Williams Ranch Apartments (the “Project”); and

WHEREAS, the Project is located wholly within the County; and

WHEREAS, the interest on the Bonds may qualify for a federal tax exemption under Section 142(a)(7) of the Internal Revenue Code of 1986 (the “Code”), only if the Bonds are approved in accordance with Section 147(f) of the Code; and

WHEREAS, the issuance of the Bonds by the Authority must be approved by the County because the Project is located within the territorial limits of the County; and

WHEREAS, the Board of Supervisors of the County is the elected legislative body of the County and is an “applicable elected representative” with respect to the approval of the issuance of the Bonds under Section 147(f) of the Code; and

WHEREAS, the Authority has requested that the Board of Supervisors approve the issuance of Bonds by the Authority to satisfy the public approval requirement of Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the Authority caused a notice to appear in *The Monterey Herald*, which is a newspaper of general circulation in the County, on June 2, 2017 to the effect that a public hearing would be held with respect to the Project on June 13, 2017 regarding the issuance of the Bonds; and

WHEREAS, the Board of Supervisors held said public hearing on such date, at which time an opportunity was provided to present arguments both for and against the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Monterey, as follows:

Section 1. The Board hereby finds and determines that the foregoing recitals are true and correct.

Section 2. Pursuant to and solely for the purposes of Section 147(f) of the Code, the Board, as the “applicable elected representative” of the governmental unit on behalf of which the Bonds will be issued and having jurisdiction over the area in which the Facilities are located, hereby approves the issuance of the Bonds by the Authority to finance and refinance the Project. This Resolution shall constitute “issuer” approval and “host” approval of the issuance of the Bonds within the meaning of Section 147(f) of the Code, and shall constitute approval of the issuance of the Bonds in accordance with Section 9 of the Agreement.

Section 3. The issuance and delivery of the Bonds shall be subject to the approval of and execution by the Authority of all financing documents relating thereto to which the Authority is a party and subject to the sale of the Bonds by the Authority.

Section 4. The payment of the principal, prepayment premium, if any, and purchase price of and interest on the Bonds shall be solely the responsibility of the Borrower. The Bonds shall not constitute a debt or obligation of the County.

Section 5. The adoption of this Resolution shall not obligate the County or any department thereof to (i) provide any financing to acquire or rehabilitate the Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the rehabilitation or operating of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.

Section 6. The officers of the County are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they

deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby.

Section 7. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED upon motion of Supervisor _____, seconded by Supervisor _____, carried this 13th day of June, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

Chair of the Board of Supervisors

Attest:

By: _____
Gail T. Borkowski
County Clerk of the Board