

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

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF  
MONTEREY APPROVING THE ISSUANCE OF TAX-EXEMPT REVENUE BONDS BY  
THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY  
TO BENEFIT COMMUNITY HOSPITAL OF THE MONTEREY PENINSULA**

WHEREAS, Community Hospital of the Monterey Peninsula, a California nonprofit public benefit corporation (the “Corporation”) has requested that the California Statewide Communities Development Authority (the “Authority”) issue tax-exempt revenue bonds for the purpose of, among other things, enabling the Corporation to refinance the construction, improvement, renovation and equipping of certain acute-care hospital facilities and related facilities (the “Facilities”) located within the County of Monterey (the “County”) and certain costs with respect thereto; and

WHEREAS, the Authority proposes to issue tax-exempt revenue bonds (the “Bonds”) in an aggregate principal amount not to exceed Thirty-Five Million Dollars (\$35,000,000), and loan the proceeds thereof to the Corporation pursuant to a loan agreement; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), Authority approval must come from approval of a governmental unit on which the Authority issues its obligations, and the Authority has thus requested, pursuant to Section 9 of a certain Joint Exercise of Powers Agreement, dated as of June 1, 1988 (the “Agreement”), among certain local agencies that are members of the Authority and on behalf of which the Authority issues its obligations, including the County, that the County provide its approval of the issuance of the Bonds and the refinancing of the Facilities with the proceeds thereof, and

WHEREAS, pursuant to Section 147(f) of the Code, the issuance of the Bonds by the Authority and the refinancing of the Facilities with the proceeds thereof must be approved by the County because the Facilities are located within the territorial limits of the County; and

WHEREAS, the Board of Supervisors of the County of Monterey (the “Board”) is the elected legislative body of the County and is therefore an applicable elected representative eligible to approve the issuance of the Bonds and the refinancing of the Facilities with the proceeds thereof pursuant to Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the Board has, following notice duly given, held a public hearing regarding the issuance of the Bonds and the refinancing of the

Facilities with the proceeds thereof, and now desires to approve the issuance of the Bonds and the refinancing of the Facilities with the proceeds thereof.

NOW, THEREFORE, the Board resolves as follows:

Section 1. The Board hereby approves the issuance of the Bonds and the refinancing of the Facilities with the proceeds thereof. It is the purpose and intent of the Board that this resolution constitute approval of the issuance of the Bonds and the refinancing of the Facilities with the proceeds thereof for the purpose of (i) Section 147(f) of the Code by the applicable elected representative of the governmental unit on behalf of which the Authority issues its obligations and having jurisdiction over the area in which the Facilities are located, in accordance with said Section 147(f), and (ii) Section 9 of the Agreement.

Section 2. 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 refinancing transaction approved hereby.

Section 3. This resolution shall take effect immediately upon its adoption by the Board, and the Clerk of the Board shall certify to the vote adopting this resolution.

PASSED AND ADOPTED this \_\_\_\_ day of September, 2012, upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, and carried by the following vote, to wit:

AYES:

NOES:

ABSENT:

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Chair of the Board of Supervisors

I, the undersigned Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the Board at a meeting thereof on the \_\_\_\_ day of September, 2012, by the following vote of the members thereof:

A T T E S T :

GAIL T. BORKOWSKI  
Clerk of the Board

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Deputy