

**RESOLUTION NO. 155-22**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, APPROVING THE ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000 TO FINANCE AND REFINANCE A 140-UNIT MULTIFAMILY HOUSING FACILITY FOR THE BENEFIT OF NEVIN PLAZA I, L.P., A CALIFORNIA LIMITED PARTNERSHIP, OR ANOTHER ENTITY CREATED BY EAH INC. (OR AN AFFILIATE), AND CERTAIN OTHER MATTERS RELATING THERETO**

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**WHEREAS**, EAH Inc. (the “Sponsor”), on behalf of Nevin Plaza I, L.P., a California limited partnership, or another ownership entity to be created by the Sponsor, or an affiliate of the Sponsor for the purpose of owning the project described herein (such limited partnership or other ownership entity being referred to herein as the “Borrower”), has requested that the California Municipal Finance Authority (the “Authority”) issue from time to time one or more series of revenue bonds in an aggregate principal amount not to exceed \$50,000,000 (the “Bonds”), including but not limited to revenue bonds issued as part of a plan to (1) finance and refinance the acquisition and rehabilitation of a 140-unit multifamily rental housing facility for very low-income seniors and persons with disabilities (the “Project”) to be owned and operated by the Borrower and located at 2400 Nevin Avenue in the City of Richmond, California (the “City”), and (2) pay certain expenses in connection with the issuance of the Bonds; and

**WHEREAS**, an “applicable elected representative” of a jurisdiction in which the Project is to be located is required to approve the issuance of the Bonds under Section 147(f) of the Code; and

**WHEREAS**, the City Council of the City (the “City Council”) is the elected legislative body of the City and is an “applicable elected representative” for purposes of Section 147(f) of the Code; and

**WHEREAS**, the Authority has requested that the City Council approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority, dated as of January 1, 2004 (the “Agreement”), among certain local agencies, including the City; and

**WHEREAS**, pursuant to Section 147(f) of the Code, the City Council has, following notice duly given, held a public hearing regarding the issuance of the Bonds, and now desires to approve the issuance of the Bonds by the Authority;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richmond as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. The City Council hereby approves the issuance of the Bonds by the Authority, including but not limited to Bonds issued as part of a plan to finance and refinance the facilities described herein. It is the purpose and intent of the City Council that this resolution constitutes approval of the issuance of the Bonds by the Authority for the Project, for the purposes of (a) Section 147(f) of the Code by the applicable elected representative of a governmental unit having jurisdiction over the area in which the Project is to be located, in accordance with said Section 147(f) and (b) Section 4 of the Agreement.

Section 3. The officers of the City 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 4. The Clerk shall forward a certified copy of this Resolution to the Authority in care of its counsel:

Ronald E. Lee, Esq.  
Jones Hall, A Professional Law Corporation  
475 Sansome Street, Suite 1700  
San Francisco, California 94111

Section 5. This resolution shall take effect immediately upon its adoption.

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I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held October 18, 2022, by the following vote:

AYES: Councilmembers Bates, Jimenez, Johnson III, McLaughlin, Willis, Vice Mayor Martinez, and Mayor Butt.  
NOES: None.  
ABSTENTIONS: None.  
ABSENT: None.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

THOMAS K. BUTT  
Mayor



Approved as to form:

DAVE ALESHIRE  
City Attorney

State of California }  
County of Contra Costa } : ss.  
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 155-22**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on October 18, 2022.

Pamela Christian  
Pamela Christian, Clerk of the City of Richmond