

**RESOLUTION NO. 2002-001**

**ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO**

ON DATE OF

JAN 15 2002

**DECLARATION OF INTENTION TO  
REIMBURSE EXPENDITURES FROM THE PROCEEDS OF  
TAX-EXEMPT OBLIGATIONS AND DIRECTING CERTAIN ACTIONS**

WHEREAS, the Redevelopment Agency of the City of Sacramento (the "Agency") intends to issue tax-exempt obligations (the "Obligations") for the purpose, among other things, of making a loan to the Sotiris and Matina Kolokotronis Family Trust, or a limited liability company, limited partnership or such other legal entity established by such trust (the "Developer"), the proceeds of which shall be used by the Developer to finance the acquisition, construction and development of multifamily housing facilities, approximately 152 units of which will be located on the North side of L Street between 18<sup>th</sup> and 19<sup>th</sup> Streets, in the City of Sacramento, California (the "Project"); and

WHEREAS, United States Income Tax Regulations section 1.103-18 provides generally that proceeds of tax-exempt debt are not deemed to be expended when such proceeds are used for reimbursement of expenditures made prior to the date of issuance of such debt unless certain procedures are followed, among which is a requirement that (with certain exceptions), prior to the payment of any such expenditure, the issuer must declare an intention to reimburse such expenditure; and

WHEREAS, it is in the public interest and for the public benefit that the Agency declare its official intent to reimburse the expenditures referenced in this resolution;

**BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:**

Section 1. The Agency intends to issue the Obligations for the purpose of paying the costs of financing the acquisition, construction and development of the Project.

Section 2. The Agency declares that it reasonably expects that a portion of the proceeds of the Obligations will be used for reimbursement of expenditures for the acquisition, construction and development of the Project that are paid before the date of initial execution and delivery of the Obligations.

Section 3. The maximum amount of proceeds of the Obligations to be used for reimbursement of expenditures for the acquisition, construction and development of the Project that are paid before the date of initial execution and delivery of the Obligations is not to exceed \$25,000,000.

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Section 4. The foregoing declaration is consistent with the budgetary and financial circumstances of the Agency in that there are no funds (other than proceeds of the Obligations) that are reasonably expected to be (i) reserved, (ii) allocated or (iii) otherwise set aside, on a long-term basis, by or on behalf of the Agency, or any public entity controlled by the Agency, for the expenditures for the acquisition, construction and development of the Projects that are expected to be reimbursed from the proceeds of the Obligations.

Section 5. The Developer shall be responsible for the payment of all present and future costs in connection with the issuance of the Obligations, including, but not limited to, any fees and expenses incurred by the Agency in anticipation of the issuance of the Obligations, the cost of printing any official statement, rating agency costs, bond counsel fees and expenses, underwriting discount and costs, trustee fees and expense, and the costs of printing the Obligations. The payment of the principal, redemption premium, if any, and purchase price of and interest on the Obligations shall be solely the responsibility of the Developer. The Obligations shall not constitute a debt or obligation of the Agency.

Section 6. The law firm of Jones Hall, A Professional Law Corporation, is hereby named as bond counsel to the Agency in connection with the issuance of the Obligations. The fees and expense of bond counsel and any financial advisor employed by the Agency in connection with the issuance of the Obligations are to be paid solely from the proceeds of the Obligations or directly by the Developer.

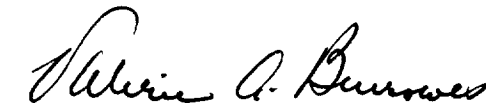
Section 7. The appropriate officers or staff of the Agency are authorized, for and in the name of and on behalf of the Agency, to make an application to the California Debt Limit Allocation Committee for an allocation of private activity bonds for the financing of the Project.

Section 8. The adoption of this Resolution shall not obligate (i) the Agency to provide financing to the Developer for the acquisition, construction and development of the Project or to issue the Obligations for purposes of such financing; or (ii) the Agency, of or any department of the Agency or the City of Sacramento to approve any application or request for, or take any other action in connection with, any environmental, General Plan, zoning or any other permit or other action necessary for the acquisition, construction, development or operation of the Project.

Section 9. This resolution shall take effect immediately upon its adoption.

  
CHAIR

ATTEST:

  
SECRETARY

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