RESOLUTION NO. 2026-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING, SUBJECT TO THE TERMS AND CONDITIONS HEREIN SET FORTH, THE ISSUANCE BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY OF ONE OR MORE SERIES OF TAXABLE MOBILE HOME PARK REVENUE BONDS AND / OR TAX-EXEMPT MOBILE HOME PARK REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $15,705,000, WHICH WILL FINANCE MAGNOLIA RIDGE, A MOBILE HOME PARK LOCATED IN THE CITY OF FULLERTON

WHEREAS, certain public agencies of the State of California (collectively, the “Members”) have entered into a Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority, dated as of January 1, 2004 (the “Joint Powers Agreement”), establishing the California Municipal Finance Authority (the “Authority”) and prescribing its purposes and powers, and providing, among other things, for members of the Authority.

WHEREAS, the Authority has been formed for the purpose, among others, of promoting economic, cultural and community development and in order to exercise any powers common to the Members, including the issuance of bonds, notes or other evidences of indebtedness and making loans to tax-exempt organizations from the proceeds of mortgage revenue bonds to finance the acquisition of multifamily rental housing, including mobile home parks, under the provisions of Chapter 8 of Part 5 of Division 31 (commencing with Section 52100) of the Health and Safety Code.

WHEREAS, the City of Fullerton (the “City”) is a Member of the Authority.

WHEREAS, the Authority proposes to issue its (i) Mobile Home Park Revenue Bonds (Augusta Communities Mobile Home Park Pool) (Federally Taxable) (the “Taxable Bonds”) and/or (ii) Mobile Home Park Revenue Bonds (Augusta Communities Mobile Home Park Pool) (the “Tax-Exempt Bonds” and together with the Taxable Bonds, the “Bonds”), each in one or more series.

WHEREAS, Augusta Communities II LLC, a California limited liability company (the “Owner”), has requested that the Authority issue and sell the Bonds in an aggregate principal amount of not to exceed $15,705,000.

WHEREAS, the proceeds from the sale of the Bonds, if any are issued, are intended to be used to make a loan to Owner, or a related party, to be used, along with other funds available to the Owner, to finance (i) the acquisition and improvement of a mobile home park with approximately 48 spaces known as Magnolia Ridge located in the City of Fullerton, California at 2616 Orangethorpe Avenue (the “Project”) and (ii) certain costs of issuing the Bonds.

WHEREAS, the Owner will be the owner and operator of the Project.

WHEREAS, the City Council has determined that the operation of the Project by the Owner shall help the City satisfy its affordable housing obligations and will lessen the burden of the City to provide affordable housing for low and very low-income residents of City.

WHEREAS, the Tax-Exempt Bonds will be qualified "private activity bonds" for purposes of the Internal Revenue Code of 1986 (the "Code").

WHEREAS, pursuant to Section 147(f) of the Code, the proposed issuance of private activity bonds is required to be approved by the "applicable elected representative" of the governmental units having jurisdiction over the areas in which the Project is located, after a public hearing held after reasonable public notice.

WHEREAS, the City Council is comprised of the applicable elected representatives of the City having jurisdiction over the area in which the Project is located.

WHEREAS, such public hearing was conducted on the date hereof by the City Council at which time an opportunity was provided to interested parties to be heard with respect to the proposed issuance of the Tax-Exempt Bonds and the Project.

WHEREAS, it is intended that this resolution shall constitute the approval of the proposed issuance of the Tax-Exempt Bonds required by Section 147(f) of the Code.

WHEREAS, the Project is required to be occupied in part by persons of low and very low income in accordance with California laws and the requirements of the Code.

WHEREAS, this action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON RESOLVES AS FOLLOWS:

1. The City Council approves the issuance of the Bonds by the Authority solely to satisfy the requirements of the Joint Powers Agreement, as the elected representatives of the governmental unit having jurisdiction over the area in which the Project is located.

2. 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. It is the purpose and intent of the City Council that this resolution constitutes approval of issuance of the Bonds for the purposes of Section 147(f) of the Code.

3. The City shall have no responsibility or liability whatsoever with respect to the Bonds or the Project. The payment of the principal, prepayment premium, if any, **and**

<u>purchase</u> price of and interest on the Bonds shall be solely the responsibility of Owner. The Bonds shall not constitute a debt or obligation of the City. The adoption of this Resolution shall not obligate the City or any department thereof to (i) provide any financing to acquire or construct the Projects or to provide any refinancing of the Projects; (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 acquisition or operation of the Projects; (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.

4. The City Council, City Clerk, and the City attorney, or their designees 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.

5. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE FULLERTON CITY COUNCIL ON AUGUST 18, 2026

____
Fred Jung
Mayor

ATTEST:

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Lucinda Williams, MMC
City Clerk

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Date