



Legislation Text

File #: RES PH 11-909, **Version:** 1

Approving a 2011 housing finance program and the issuance and/or reissuance by the Minneapolis/Saint Paul Housing Finance Board of single family mortgage revenue bonds and/or mortgage credit certificates.

WHEREAS, pursuant to the Minnesota Municipal Housing Act, Minnesota Statutes, Chapter 462C (the "Housing Act"), the City of Saint Paul, Minnesota (the "City") is authorized to carry out programs for the financing of single family housing for persons of low and moderate income; and

WHEREAS, the Minneapolis/Saint Paul Housing Finance Board (the "Board") proposes to undertake a 2011 single family housing finance program (the "Program") to issue and/or reissue mortgage revenue bonds (the "Bonds") or to issue mortgage credit certificates ("MCCs") to provide a tax credit to first-time homebuyers to reduce the cost of financing a home located in the City or Minneapolis, all pursuant to Minnesota Statutes, Sections 469.001 to 469.047, Chapters 462A, 462C and 474A and Section 471.59 (together, the "Act"); and

WHEREAS, the Act requires adoption of the Program after a public hearing held thereon following publication of notice in a newspaper of general circulation in the City and Minneapolis at least fifteen days in advance of the hearing; and

WHEREAS, the City Council has on the date hereof conducted a public hearing on the Program, after publication of notice as required by the Act; and

WHEREAS, the Program was submitted to the Metropolitan Council at or before the time of publication of notice of the public hearing thereon, and the Metropolitan Council was afforded an opportunity to present comments at the public hearing, all as required by the Act; and

WHEREAS, the adoption of the Program and the issuance and/or reissuance by the Board of Bonds and/or MCCs are in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PAUL AS FOLLOWS:

1. The Program is hereby approved in its entirety in substantially the form on file with the City. The officers of the City and the Board are authorized to take all actions as may be necessary or appropriate to carry out the Program in accordance with the Act and any other applicable laws and regulations.
2. The issuance and/or reissuance of the Bonds and/or MCCs by the Board pursuant to the Program is hereby approved.
3. The Bonds may be issued or reissued in one or more series at the time or times and pursuant to terms determined by the Board, and be structured so as to take advantage of whatever means are available and are permitted by law to enhance the security for, or marketability of, the Bonds, provided that any such financing structure must be approved by the Board. The MCCs may be issued at the time or times and pursuant to terms determined by the Board. All such determinations by the Board must comply with the applicable provisions of the Act and the Internal Revenue Code of 1986, as amended, and regulations promulgated thereunder.
4. The Board is authorized to take all actions which may be necessary or desirable in connection with the issuance and/or reissuance of the Bonds and/or MCCs, acting on behalf of the City, and no further approval or consent of the City shall be required prior to the issuance or reissuance of the Bonds or the MCCs by the

Board, or prior to the taking of any action by the Board to undertake and implement the Program.

5. Nothing in this Resolution or the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Program other than as specified and authorized by separate actions of the City and other than the revenues derived from the Program or otherwise granted to the City for this purpose. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenues and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Bonds or the interest thereon, or to enforce payment against any property of the City. The Bonds shall recite in substance that the principal and interest thereon, are payable solely from the revenues and proceeds pledged to the payment thereof. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation of indebtedness.

6. Any one or more series of the Bonds or the MCCs may be issued by the City in lieu of issuance by the Board, at the discretion of the City.