RESOLUTION

WHEREAS, the Housing Opportunity Management Enterprises PFC, a public facility of the Housing Authority of the City of El Paso, Texas, is in the process of issuing one or more issues or series following Multi-Family Housing Revenue Bonds:

$12,000,000 for the residential rental project (the "Development") that will be located at or near 1040 S. Mesa Hills Dr. and 1060 S. Mesa Hills Dr., El Paso, Texas 79912.

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986 requires that before the bonds are issued, the issuance of such tax-exempt bonds must be approved by the highest elected official of the local governmental unit having jurisdiction over the area in which such facility is located after a public hearing following reasonable notice to the public;

WHEREAS, Housing Opportunity Management Enterprises PFC published a Notice of Public Hearing in the El Paso Times as required by Section 147(f) of the Internal Revenue Code on June 10, 2025, and held a public hearing on Tuesday, June 18, 2025;

WHEREAS, Housing Opportunity Management Enterprises PFC now requests that the Mayor sign a Certificate of Approval of the Highest Elected Official;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Certificate of Approval of the Highest Elected Official attached to this Resolution for the sole purpose of compliance with Section 147(f) of the Internal Revenue Code of 1986.

(Signatures on Following Page)

APPROVED this ____ day of ________________, 2025

CITY OF EL PASO, TEXAS:

____
Renard U. Johnson
Mayor

ATTEST:

____
Laura D. Prine
City Clerk

APPROVED AS TO FORM:

____
Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

____
Shelly W. Rivas
Alamito Public Facilities Corporation, a public facility corporation of the Housing Authority of the City of El Paso, Texas

APPROVAL OF APPLICABLE ELECTED REPRESENTATIVE

I, the duly elected Mayor of the City of El Paso, Texas (the "City"), in connection with the obligations (the "Bonds") described in the published Notice of Public Hearing (the "Notice of Public Hearing") attached as part of Annex A to the Minutes and Certification of Public Hearing attached hereto as Exhibit A (the "Public Hearing Certificate"), at which public hearing the members of the public were given the opportunity to appear as shown in Annex B to the Public Hearing Certificate, which Bonds are proposed to be issued by the Alamito Public Facilities Corporation:

Based upon the evidence presented to me, for the sole purpose of satisfying the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and for no other purpose, I hereby approve the Bonds and the facilities to be financed partially with the proceeds thereof that are located within the City, all as described in the Notice of Public Hearing.

This approval is not to be construed as (i) a representation or warranty by the City or the undersigned that the Bonds will be paid or that any obligations assumed by any of the parties will, in fact, be performed, (ii) as a pledge of the faith and credit of or by the City; further, the fact that the undersigned has approved the Bonds as required by the Code may not, in any event, be used as a sales device with respect to the Bonds, or (iii) this approval shall not be construed as a representation or warranty by the City concerning the validity of the Bonds.

In Witness Whereof, I have set my hand this __________________, 2025.

(Signatures appear on following page)

CITY OF EL PASO, TEXAS

Renard U. Johnson
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

9/10/2025

Karla M. Nieman
City Attorney

APPROVED AS TO CONTENT:

Shelly W. Rivas
Alamito Public Facilities Corporation, a public facility corporation of the Housing Authority of the City of El Paso, Texas

EXHIBIT A

Minutes and Certification of Public Hearing

MINUTES AND CERTIFICATION OF PUBLIC HEARING

I, William T. Avila (the "Hearing Officer"), called to order the public hearing of the Alamito Public Facilities Corporation (the "Issuer"), a non-profit public facility corporation created by the Housing Authority of the City of El Paso, Texas d/b/a Housing Opportunity Management Enterprises (the "Authority"), on the proposed issuance by the Issuer of obligations (the "Bonds") in an aggregate principal amount not to exceed $12,000,000, on Wednesday, June 18, 2025 at 11:00 a.m. Mountain Daylight Time, by teleconference.

The Hearing Officer stated that the public hearing required under Section 147(f) of the Internal Revenue Code of 1986, as amended, was open for purposes of discussing the proposed issuance of the Bonds, all as described in the Notice of Public Hearing published in the El Paso Times on June 10, 2025, as set forth in the Affidavit of Publication attached as Annex A hereto.

A summary of the comments is shown on Annex B attached hereto.

After sufficient time was given for all present to make their comments with respect to the proposed issuance of the Bonds, the Hearing Officer declared the public hearing closed.

WITNESS MY HAND this the 18th day of June, 2025.

William T. Avila
Hearing Officer
Alamito Public Facilities Corporation

ANNEX A

AFFIDAVIT OF PUBLICATION
(see attached)

LocaliQ
Texas/New Mexico
GANNETT

PO Box 631667 Cincinnati, OH 45263-1667

AFFIDAVIT OF PUBLICATION

Housing Authority - Legals
Housing Authority - Legals
5300 E Paisano Dr
El Paso TX 79905

STATE OF WISCONSIN, COUNTY OF BROWN

The El Paso Times, a newspaper published in the city of El Paso, El Paso County, State of Texas, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

06/10/2025

and that the fees charged are legal.
Sworn to and subscribed before on 06/10/2025

NOTICE OF PUBLIC HEARING
ALAMITO PUBLIC FACILITIES CORPORATION

Notice is hereby given of a telephonic public hearing to be held by Alamito Public Facilities Corporation (the "Issuer") a non-profit public facility corporation created by the Housing Authority of the City of El Paso, Texas d/b/a Housing Opportunity Management Enterprises ("HOME"), on June 18, 2025, at 11:00 A.M. MDT. Interested parties may join the public hearing on the date and the time indicated above by dialing +1-855-282-6330 (US Toll Free) and, when prompted, entering the meeting code 26626792232#.

The public hearing is regarding the issuance of obligations by the Issuer, which may be issued in one or more series, in an aggregate principal amount not to exceed $[12,000,000] (the "Bonds"). The Bonds will be issued as exempt facility bonds for a qualified residential rental project pursuant to section 142(a)(7) of the Internal Revenue Code of 1986, as amended (the "Code"). Such qualified residential rental project (the "Development") will be located at or near 1040 S. Mesa Hills Dr. and 1060 S. Mesa Hills Dr., El Paso, Texas 79912, and the initial owner and principal user thereof will be the EP South Mesa Hills I, LP (or a related person or affiliate thereof).

All interested persons are invited to telephonically attend such public hearing to express their views with respect to the Development and the issuance of the Bonds. Questions or requests for additional information may be directed to Mr. William T. Avila, 300 Convent Street, Suite 2700, San Antonio, Texas 75205 (210-299-3415). Any interested persons unable to dial into the hearing, but who would like to express their views with respect to the Development and the Bonds, may submit their views in writing to Mr. Avila, Bracewell LLP, prior to the date
scheduled for the hearing.
June 10,2025

Nicole Jacobs
Legal Clerk

Denise Roberts
Notary, State of WI, County of Brown

4-6-27
My commission expires

Publication Cost:	$317.20		
Tax Amount:	$0.00		
Payment Cost:	$317.20		
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PO #:			

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

DENISE ROBERTS
Notary Public
State of Wisconsin

ANNEX B

There were no outside participants participating in the public hearing, and thus no comments were made.

NOTICE OF PUBLIC HEARING

ALAMITO PUBLIC FACILITIES CORPORATION

Notice is hereby given of a telephonic public hearing to be held by Alamito Public Facilities Corporation (the "Issuer") a non-profit public facility corporation created by the Housing Authority of the City of El paso, Texas d/b/a Housing Opportunity Management Enterprises ("HOME"), on June 18, 2025, at 11:00 A.M. MDT. Interested parties may join the public hearing on the date and the time indicated above by dialing +1-855-282-6330 (US Toll Free) and, when prompted, entering the meeting code 26626792232#.

The public hearing is regarding the issuance of obligations by the Issuer, which may be issued in one or more series, in an aggregate principal amount not to exceed $12,000,000 (the "Bonds"). The Bonds will be issued as exempt facility bonds for a qualified residential rental project pursuant to section 142(a)(7) of the Internal Revenue Code of 1986, as amended (the "Code"). Such qualified residential rental project (the "Development") will be located at or near 1040 S. Mesa Hills Dr. and 1060 S. Mesa Hills Dr., El Paso, Texas 79912, and the initial owner and principal user thereof will be the EP South Mesa Hills I, LP (or a related person or affiliate thereof).

All interested persons are invited to telephonically attend such public hearing to express their views with respect to the Development and the issuance of the Bonds. Questions or requests for additional information may be directed to Mr. William T. Avila, 300 Convent Street, Suite 2700, San Antonio, Texas 75205 (210-299-3415). Any interested persons unable to dial into the hearing, but who would like to express their views with respect to the Development and the Bonds, may submit their views in writing to Mr. Avila, Bracewell LLP, prior to the date scheduled for the hearing.

This notice is published, and the above-described hearing is to be held in satisfaction of the requirements of section 147(f) of the Code.

HEARING OFFICER'S SCRIPT FOR

PUBLIC HEARING OF

Alamito Public Facilities Corporation,
a public facility corporation of
Housing Authority of the City of El Paso, Texas

I am William T. Avila, the duly appointed hearing officer for this public hearing held in connection with the issuance by the Alamito Public Facilities Corporation of one or more series of its obligations, the proceeds of which will be used to finance qualified residential rental projects located at or near 1040 S. Mesa Hills Dr. and 1060 S. Mesa Hills Dr., El Paso, Texas 79912, as described in the Notice of Public Hearing published in the El Paso Times on June 10, 2025. As it is now 11:00 a.m. Mountain Daylight Time, which is the start time indicated in the Notice of Public Hearing, the public hearing is now declared open. Please note that this public hearing is being recorded.

All persons wishing to express their views on the issuance of the obligations or the facilities financed with the obligations will be invited to state their name. After collecting the list of names of those wishing to speak, I will call on each individual separately by name. When your name is called, you will be given the opportunity to express your views, but I ask that you limit your comments to 3 minutes so that everyone will have an opportunity to speak.

If you wish to express your views during this public hearing, please state your name

(Collect and Record Names)

[Having collected the names of all those who wish to express their views, I will now proceed to call on each person individually. As a reminder, please limit your comments to 3 minutes.] ***[not necessary if no outside participants]***

(Receive and Record Public Comment)

There being no [additional] individuals that have declared an intention to express their views on the bonds or the projects financed with the bonds, this public hearing is declared closed.

BRACEWELL

MEMORANDUM

To: Honorable Mayor Renard Johnson and Members of the City Council
City of El Paso, Texas

From: William T. Avila, Bracewell LLP, Bond Counsel, Housing Authority of the City of El Paso

Date: September 12, 2025

Subject: Summary Statement Regarding Request for "Approval of Highest Elected Official" – Housing Opportunity Management Enterprises PFC – Alamito Public Facility Corporation: Related to South Mesa Hills Apartments

Question Presented

Please describe the legal requirement and procedures related to the "Approval of the Highest Elected Official" in connection with the financing by the Housing Authority of the City of El Paso ("HACEP") d/b/a Housing Opportunity Management Enterprises ("HOME").

Answer

The U.S. Department of Housing and Urban Development ("HUD") has established its Rental Assistance Demonstration Program (the "RAD Program"), which permits local housing authorities in the U.S. to convert their public housing stock from public housing to Section 8 multifamily housing in an attempt to address the $26 billion backlog of capital improvements needed across the U.S. Since October 2017, HUD has approved (i) HOME's application to convert its entire portfolio of public housing units to rental assistance based housing, and (ii) HOME's repositioning of other portions of its public housing inventory, which, in this instance, has included, among others, the following Project of HOME: 64 units for the South Mesa Hills Apartments Project.

HOME is utilizing the 4% "low-income housing tax credit ("LIHTC") program" administered by the Texas Department of Housing and Community Affairs ("TDHCA") to generate equity for the financing of its conversion to RAD and its other repositioning activities, and, thereby, reduce the amount of debt required to accomplish the financing of its RAD Conversion and repositioning programs.

The LIHTC program is available, however, only if a portion of the financing involves the use of tax-exempt debt. HOME's RAD Conversion and Repositioning Programs financing qualify for tax-exempt financing if certain federal and state law procedural requirements are met. In furtherance of the state law requirements, HOME, as project sponsor, has already filed an application in the name of Alamito Public Facility Corporation, as Bond Issuer, the nonprofit public facility corporation created by, and for the

William T. Avila
Partner

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300 Convent Street, Suite 2700, San Antonio, Texas 78205-3723
bill.avila@bracewell.com bracewell.com

benefit of, HOME, for a "Private Activity Bond Volume Cap Allocation Reservation" with, and has already received from, the Texas Bond Review Board ("BRB") for, a private activity tax-exempt bond allocation for the following Project and in the following amount: $12,000,000 for the "South Mesa Hills Apartments Project" (the "Project"), for the Project covering a total of 64 units.

The private activity bond reservations received by HOME from the BRB which will enable a subsidiary of HOME, in this instance Alamito Public Facility Corporation, to issue up to $12,000,000 in tax exempt bonds in one or more separate series, each, to finance a portion of the costs of the acquisition, rehabilitation, construction, equipment of the subject multifamily housing complex.

Section 147(f) of the U.S. Internal Revenue Code (the "Code") provides that obligations of a unit of local government can be treated as "tax-exempt" if issued for a qualified purpose, to finance a qualified facility, and if certain local approval procedures are complied with prior to the issuance of such obligations. The issuance of bonds to finance affordable housing is a qualified purpose. Multifamily housing rental units which are available by persons who are at or below 60% of the area median income are qualified facilities. Section 147(f), however, requires that before the bonds are issued the issuance of such tax-exempt bonds must be approved by the highest elected official of the local governmental unit having jurisdiction over the area in which such facility is located after a public hearing following reasonable notice to the public of the public hearing. Section 147(f) provides further that notice is presumed to be reasonable if it is published at least one time in a newspaper of general circulation in the City no less than 7 days before the date of the public hearing.

In furtherance of the federal tax law requirements, HOME published a Notice of Public Hearing in the *El Paso Times* once as required by Section 147(f) with the publication appearing on Tuesday, June 10, 2025. HOME held its public hearing telephonically on Wednesday, June 18, 2025, which was at least 7 days after the publication of the Notice of Public Hearing, to comply with the requirements of Section 147(f). HOME now requests that the Mayor sign the form of a certificate evidencing his consent to the issuance of the Bonds described in the Notice of the Public Hearing.

WTA

WTA/scb
CC: Shelly Rivas, General Counsel (Housing Authority of the City for El Paso)
Juan Gonzalez, Assistant City Attorney (El Paso City Attorney's Office)