

## RESOLUTION

**WHEREAS**, the El Paso Housing Finance Corporation (the "**Issuer**") was duly created and organized pursuant to and in accordance with the provisions of the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code, as amended, for the purpose of providing a means of financing the costs of residential ownership and development that will provide decent, safe, sanitary housing for persons of low and moderate income at prices they can afford; and

**WHEREAS**, the Issuer has determined to issue its Multifamily Housing Revenue Bonds (Columbia Apartments Project) Series 2023 (the "**Bonds**") for the purpose of providing additional funding to certain qualified low and moderate income residents of the City of El Paso, Texas (the "**City**") to afford the costs of decent, safe, and sanitary housing located within the City, and

**WHEREAS**, the Issuer has conducted and held a public hearing regarding issuance of the Bonds on January 12, 2023 at 10:00 a.m., pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended; and

**WHEREAS**, the City approves and encourages the Issuer in its efforts to accomplish the issuance of the Bonds and, as part of such transaction, is willing to provide its General Certificate, and for the Mayor of the City to provide his Certificate concerning the conduct of the Public Hearing on January 12, 2023, copies of which are both attached hereto as Exhibits to this Resolution and made a part hereof for all purposes; and

**WHEREAS**, the City Council of the City hereby authorizes the Mayor to execute both the said General Certificate of the City and the Mayor's Certificate, and deliver same to the Issuer.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of El Paso, Texas, that:

1. The Preambles to this Resolution set forth above are incorporated herein and made part of this Resolution.

2. The Mayor of the City is hereby authorized to execute a General Certificate of the City and the Mayor's Certificate in the form attached as Exhibits to this Resolution and deliver same to the El Paso Housing Finance Corporation to be used in connection with the issuance of its Bonds.

Signed this 31st day of January, 2023.

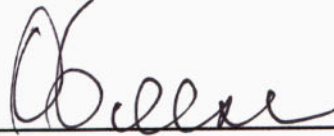
ATTEST:



*Laura D. Prine*

Laura D. Prine  
City Clerk

CITY OF EL PASO:



*Oscar Leeser*

Oscar Leeser  
Mayor

APPROVED AS TO FORM:



*Norman J. Gordon*

Norman J. Gordon,  
Attorney at Law

APPROVED AS TO FORM:



*Karla M. Nieman*

Karla M. Nieman  
City Attorney

## GENERAL CERTIFICATE OF CITY OF EL PASO

We, the undersigned, Mayor and City Clerk of the City of El Paso, Texas (the "City"), make this certification for the benefit of all persons interested in the issuance by the El Paso Housing Finance Corporation (the "Issuer") of its MULTIFAMILY HOUSING REVENUE BONDS (COLUMBIA APARTMENTS PROJECT) SERIES 2023 (the "Bonds"):

1. On January 31, 2023, and at all times since, the following persons, each of whom resides within the City, have been duly appointed by the Governing Body of the City as members of the Board of Directors of the Issuer:

Jerry Romero  
Melanie Bailey  
Michael Bray  
Anthony Tomasheski  
Stephen Shaw

2. The Governing Body has not created a "joint housing finance corporation" within the meaning of the Texas Housing Finance Corporations Act, as amended (the "Act").

3. The Governing Body has approved the Issuer's Articles of Incorporation and any amendments thereto.

4. The Governing Body has not amended the Issuer's Articles of Incorporation to change the structure, organization, programs or activities of the Issuer, nor has the Governing Body terminated the Issuer as set forth in Section 394.016(c) of the Act or otherwise, nor has the Governing Body taken any action to limit the effectiveness of the Resolution adopted by the Issuer authorizing the Bonds or to otherwise affect the Bond transaction.

5. The Attorney General of the State of Texas is hereby authorized to date this Certificate on and as of the date of his approval of the Bonds, and this Certificate and the matters herein certified shall be deemed for all purposes to be true, accurate and correct on and as of that date and on and as of the date of delivery of the Bonds, unless the City, through an authorized officer, shall notify the Attorney General and the Issuer in writing to the contrary prior to either of such dates.

(Signature Page Follows)



**Do not date signature page on General Certificate  
of the City**

**The document authorizes the Attorney General to  
date it.**

WITNESS OUR HANDS AND THE OFFICIAL SEAL OF THE CITY this \_\_\_\_ day of

\_\_\_\_\_, 2023.



Oscar Leeser  
Mayor, City of El Paso, Texas



Laura D. Prine  
City Clerk, City of El Paso



(SEAL)

APPROVED AS TO FORM:



Norman J. Gordon, Issuer's Counsel

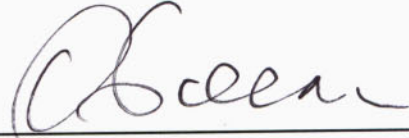
## APPROVAL CERTIFICATE

The undersigned Mayor of the City of El Paso, Texas (the "City"), certifies with respect to the El Paso Housing Finance Corporation Multifamily Housing Revenue Bonds (Columbia Apartments), Series 2023 (the "Bonds"), that:

1. I am currently the Mayor of the City. Such office is the chief elected executive office of the City.
2. The Bonds will be issued for the public purpose of financing the acquisition, construction and equipping of a qualified residential rental housing project to be located at 7900 Knights Road), El Paso, Texas 79915, El Paso County, as well as to fund cost of issuance of the Bonds.
3. There has previously been conducted a public hearing, following reasonable public notice as referenced in the Certificate of Posting of Notice of Public Hearing attached to this certificate as **Exhibit A**, with respect to the issuance of the Bonds. The Minutes of Public Hearing relating to such hearing are attached to this certificate as **Exhibit B**.
4. Based upon the information contained in **Exhibit A** and **Exhibit B**, and 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 with the proceeds of the Bonds and located within the City of El Paso, Texas, all as further described in the exhibits. 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, or (ii) as a pledge of the faith and credit of or by the City.

*[The remainder of this page was left intentionally blank.]*

EXECUTED, this \_\_\_\_ day of \_\_\_\_\_, 2023.

A handwritten signature in dark ink, appearing to read "Boen", is written over a horizontal line.

Mayor, City of El Paso, Texas

**EXHIBIT A**

**Certificate of Posting of Notice of Public Hearing**



CERTIFICATE OF POSTING OF NOTICE OF PUBLIC HEARING

In accordance with Treasury Regulations 1.147(f)-1(d)(4), this certificate is given in connection with the issuance and delivery of the "El Paso Housing Finance Corporation Multifamily Housing Revenue Bonds (Columbia Apartment), Series 2023." I, the Executive Director of El Paso Housing Finance Corporation (the "Corporation"), hereby certify as follows:

On January 3, 2022, the Corporation posted, or caused to be posted, electronically a true and correct copy of the "El Paso Housing Finance Corporation Notice of Public Hearing Regarding the Issuance of Bonds (Columbia Apartments)" attached as **Exhibit A** on the primary public website of the City of El Paso, Texas (the "City") in an area of the website used to inform residents of the City about events affecting the residents, such as notices of public meetings of the City and the Corporation. The Notice remained on the website through the date of the public hearing.



---

Elizabeth Moya, Executive Director  
El Paso Housing Finance Corporation

Dated: January 12, 2023

EXHIBIT A

"EL PASO HOUSING FINANCE CORPORATION NOTICE OF PUBLIC HEARING  
REGARDING THE ISSUANCE OF BONDS (Columbia Apartments)" as posted on the  
City of El Paso, Texas/El Paso Housing Finance Corporation's website

CERTIFICATE OF POSTING OF NOTICE OF PUBLIC HEARING

In accordance with Treasury Regulations 1.147(f)-1(d)(4), this certificate is given in connection with the issuance and delivery of the "El Paso Housing Finance Corporation Multifamily Housing Revenue Bonds (Columbia Apartment), Series 2023." I, the Executive Director of El Paso Housing Finance Corporation (the "Corporation"), hereby certify as follows:

On January 3, 2022, the Corporation posted, or caused to be posted, electronically a true and correct copy of the "El Paso Housing Finance Corporation Notice of Public Hearing Regarding the Issuance of Bonds (Columbia Apartments)" attached as **Exhibit A** on the primary public website of the City of El Paso, Texas (the "City") in an area of the website used to inform residents of the City about events affecting the residents, such as notices of public meetings of the City and the Corporation. The Notice remained on the website through the date of the public hearing.



---

Elizabeth Moya, Executive Director  
El Paso Housing Finance Corporation

Dated: January 12, 2023

EXHIBIT A

"EL PASO HOUSING FINANCE CORPORATION NOTICE OF PUBLIC HEARING  
REGARDING THE ISSUANCE OF BONDS (Columbia Apartments)" as posted on the  
City of El Paso, Texas/El Paso Housing Finance Corporation's website



EL PASO HOUSING FINANCE CORPORATION  
NOTICE OF PUBLIC HEARING  
REGARDING THE ISSUANCE OF BONDS  
(Columbia Apartments)

CITY CLERK DEPT  
2023 JAN 3 PM2:44

Notice is hereby given of a public hearing to be held by the El Paso Housing Finance Corporation (the "Issuer") at 10:00 a.m. on January 12, 2023, and accessible to the public by telephone, on the proposed issuance by the Issuer, pursuant to a plan of finance, of one or more series of revenue bonds or notes (the "Bonds") to provide financing for the acquisition, rehabilitation and equipping of a qualified residential rental housing project under Section 142(a)(7) of the Internal Revenue Code (the "Project") as well as to fund cost of issuance of the Bonds. The public may join the hearing by calling the following toll-free telephone number: (877) 853-5257, meeting ID 208 667 8677# and passcode 558189#. The Project is located at approximately 7900 Knights Drive, El Paso, Texas 79915 in El Paso County, and the initial owner will be Columbia Housing Partners, LP. The maximum stated principal amount of the Bonds to be issued with respect to the Project is \$22,000,000. All interested persons are invited to attend the public hearing by telephone, to express orally, or in writing, their views on the Project and the issuance of the Bonds. The Bonds shall not constitute or create an indebtedness, general or specific, or liability of the City of El Paso, Texas (the "City") or El Paso County, Texas (the "County"), the State of Texas, or any political subdivision thereof. The Bonds shall never constitute or create a charge against the credit or taxing power of the City, the County, the State of Texas, or any political subdivision thereof. Neither the City, County, the State of Texas, nor any political subdivision thereof shall in any manner be liable for the payment of the principal of or interest on the Bonds or for the performance of any agreement or pledge of any kind which may be undertaken by the Issuer and no breach by the Issuer of any agreements will create any obligation upon the City, the County, the State of Texas, or any political subdivision thereof. Further information with respect to the proposed Bonds will be available upon written request prior thereto addressed to the Issuer at P.O. Box 1648, El Paso, Texas 79949, Attention: Elizabeth Moya.

EL PASO HOUSING FINANCE  
CORPORATION  
P.O. Box 1648  
El Paso, Texas 79949





**EXHIBIT B**

**Minutes of Public Hearing**

## MINUTES OF PUBLIC HEARING

I, the undersigned, hereby certify in connection with the issuance by the El Paso Housing Finance Corporation (the "Issuer") of its "El Paso Housing Finance Corporation Multifamily Housing Revenue Bonds (Columbia Apartments), Series 2023" in the aggregate principal amount of not to exceed \$22,000,000 (the "Bonds"), as follows:

1. I am a duly qualified and appointed Hearing Officer of the Issuer for the Bonds and have conducted a public hearing on the issuance of the Bonds to provide financing for the acquisition, construction and equipping of a qualified residential rental housing project located at approximately 7900 Knights Drive, El Paso, Texas 79915, El Paso County, Texas (the "Project") and to fund cost of issuance of the Bonds.
2. The toll-free telephone line was opened at 9:55 a.m. and the hearing was conducted by me commencing at 10:03 a.m. on January 12, 2023 by toll-free telephone. The public hearing concluded at 10:05 a.m.
3. At the time for the commencement of the hearing, I publicly requested comments, either orally or in writing, on the Project to be financed with proceeds of the Bonds and on the issuance of such Bonds.
4. Any comments received at the hearing are detailed in Exhibit A.
5. I imposed no time limitations on any public comments.

IN WITNESS WHEREOF, I have hereunto set my hand this January 12, 2023.

EL PASO HOUSING FINANCE CORPORATION



---

Elizabeth Moya, Hearing Officer

Exhibit A

There were no comments delivered at the hearing either orally or in writing.

Brooke Kim representing Vitus Development IV, LLC was on the toll-free line attending the public hearing.

Norman Gordon representing the El Paso Housing Finance Corporation was on the toll-free line attending the public hearing.

Rebecca Price, representing Norton Rose Fulbright was on the toll-free line attending the public hearing

NORMAN J GORDON

ATTORNEY AT LAW

221 N Kansas, Suite 700

El Paso, Texas, 79901

(915) 203-4883

NORMAN J. GORDON  
BOARD CERTIFIED - CIVIL TRIAL Law  
Texas Board of Legal Specialization

MAILING ADDRESS:  
P.O. BOX 8  
EL PASO, TEXAS 79940  
ngordon@ngordonlaw.com

January 31, 2023

Ms. Laura Prine  
City Clerk  
City of El Paso  
300 N. Campbell, 1<sup>st</sup> Floor  
El Paso, Texas, 79901

RE: El Paso Housing Finance Corporation  
Agenda item 14, January 31, 2023  
Signatures and Seal

Dear Laura:

Enclosed please find 2 copies of the documents related to agenda item 14 on January 31, 2023. Each should be signed by the Mayor and by you and have the seal affixed. The documents are:

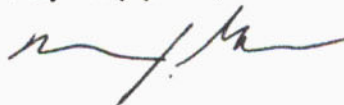
Resolution  
Approval of Highest Elected Official  
General Certificate of the City

Please note that the General Certificate of the City should not be dated. The document gives the Attorney General permission to date it when he approves the bonds related to this bond issue.

Please let me know when they are ready, and I will arrange to have them picked up.

Let me know if you have any questions. Thanks for your help.

Very truly yours,



Norman J. Gordon

Cc: Juan Gonzalez via E-mail  
Elizabeth Moya via E-mail