

CITY OF LOS ANGELES
CALIFORNIA

HOLLY L. WOLCOTT
Interim City Clerk



ERIC GARCETTI
MAYOR

Office of the
CITY CLERK

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Council and Public Services
Division

www.cityclerk.lacity.org

When making inquiries relative to
this matter, please refer to the
Council File No.

October 15, 2013

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 13-1265,
at its meeting held October 2, 2013.

City Clerk
OS

Mayor's Time Stamp
RECEIVED BY THE MAYOR
2013 OCT -7 AM 10:01
CITY OF LOS ANGELES

City Clerk's Time Stamp
RECEIVED
CITY CLERK'S OFFICE
2013 OCT -7 AM 9:59
CITY CLERK
BY _____
DEPUTY

SUBJECT TO THE MAYOR'S APPROVAL

COUNCIL FILE NO. 13-1265

COUNCIL DISTRICT 9, 13

COUNCIL APPROVAL DATE OCTOBER 2, 2013

RE: THE TAX AND EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 REGARDING FINANCING THE ACQUISITION AND REHABILITATION OF THE PARK PLAZA PROJECT LOCATED AT 960 WEST 62ND PLACE AND THE BERENDOS PROJECT LOCATED AT 226 AND 235 SOUTH BERENDO STREET

LAST DAY FOR MAYOR TO ACT OCT 17 2013
(10 Day Charter requirement as per Charter Section 341)

DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY

APPROVED

✓

*DISAPPROVED

*Transmit objections in writing pursuant to Charter Section 3

DATE OF MAYOR APPROVAL OR DISAPPROVAL 10/15/13

E.G.
MAYOR

RECEIVED
CITY CLERK'S OFFICE
2013 OCT 15 PM 3:02
CITY CLERK
DEPUTY

13-1265
1400 9, 13

SEP 5 2013

TO CITY CLERK FOR PLACEMENT ON NEXT
REGULAR COUNCIL. ENDA TO BE POSTED

#53

MOTION

Vermont Park Plaza, L.P. and A Community of Friends (Borrowers/Sponsors) have requested that the City of Los Angeles, through the Los Angeles Housing and Community Investment Department (HCIDLA), issue Multifamily Housing Revenue Bonds for the following developments:

Project Name	Address	Council District	# of Units	Project Sponsor	Maximum Amount
The Park Plaza	960 W. 62nd Pl.	9	79	Vermont Park Plaza, L.P.	\$8,050,000
Berendos	226 and 235 South Berendo St.	13	72	A Community of Friends	\$10,925,000

The Borrowers have pledged to comply with all City and HCIDLA bond policies related to the work described in the attached staff reports including, but not limited to, payment of prevailing wages for labor, compliance with relocation requirements of existing tenants, and project compliance monitoring with HCIDLA.

In accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and as part of the bond issuance process, HCIDLA conducted the required public hearings, which were advertised in the *Los Angeles Times*. As part of the application process, HCIDLA is required to demonstrate to the California Debt Limit Allocation Committee (CDLAC) that TEFRA hearings have been conducted.

The bond debt is payable solely from revenues or other funds provided by the Borrower. The City does not incur liability for repayment of the bonds. The City is a conduit issuer and is required by federal law to review and approve all projects within its jurisdiction and conduct a public hearing. To allow the loans to be incurred in accordance with CDLAC requirements, the Council should approve the minutes of the hearings and adopt the required Resolutions (attached).

I THEREFORE MOVE that the City Council:

- Instruct the City Clerk, in accordance with the TEFRA requirements to schedule and place on the next available City Council agenda consideration of the results of the TEFRA public hearing for the Park Plaza and Berendos Projects held on September 4, 2013 and September 13, 2013, respectively, and adoption of the attached Resolution and minutes.
- Adopt the attached Resolution and minutes of the public hearings held in accordance with Section 142 of the Internal Revenue Code of 1986, as amended, and Section 147(f) of the Code setting the official intent of the City to issue Multifamily Housing Revenue Bonds in the amount not to exceed 1) \$8,050,000 to finance the acquisition and rehabilitation of the Park Plaza project located at 960 W. 62nd Place, Los Angeles, CA 90044 and 2) \$10,925,000 to finance the acquisition and rehabilitation of the Berendos project located at 226 and 235 South Berendo St., Los Angeles, CA 90004. The Borrowers/Sponsors have pledged to comply with applicable City policies.

PRESENTED BY: Wm. Matthews For
MITCH O'FARRELL
Councilmember, 13th District

SECONDED BY: Carren Duff


SEP 25 2013
ADOPTED

crm
OCT 02 2013
LOS ANGELES CITY COUNCIL

ORIGINAL

RESOLUTION
CITY OF LOS ANGELES

A RESOLUTION APPROVING FOR PURPOSES OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986 THE ISSUANCE OF BONDS BY THE CITY OF LOS ANGELES TO FINANCE THE ACQUISITION, REHABILITATION, CONSTRUCTION OR EQUIPPING OF A MULTIFAMILY RESIDENTIAL RENTAL PROJECT LOCATED WITHIN THE CITY OF LOS ANGELES.

WHEREAS, the City of Los Angeles (the "City") is authorized, pursuant to Section 248, as amended, of the City Charter of the City and Article 6.3 of Chapter 1 of Division 11 of the Los Angeles Administrative Code, as amended (collectively, the "Law"), and in accordance with Chapter 7 of Part 5 of Division 31 (commencing with Section 52075) of the Health and Safety Code of the State of California (the "Act"), to issue its revenue bonds for the purpose of providing financing for the acquisition, construction, rehabilitation and equipping of a multifamily rental housing for persons and families of low or moderate income; and

WHEREAS, the City intends to issue for federal income tax purposes certain bonds (the "Bonds") to finance the acquisition, construction, rehabilitation and equipping of a multifamily rental housing project described in paragraph 6 hereof (the "Project"); and

WHEREAS, the Project is located wholly within the City; and

WHEREAS, it is in the public interest and for the public benefit that the City authorize the financing of the Project, and it is within the powers of the City to provide for such financing and the issuance of the Bonds; and

WHEREAS, the interest on the Bonds may qualify for a federal tax exemption under Section 142(a)(7) of the Internal Revenue Code of 1986 (the "Code"), only if the Bonds are approved in accordance with Section 147(f) of the Code; and

WHEREAS, pursuant to the Code, Bonds are required to be approved, following a public hearing, by an elected representative of the issuer of the Bonds (or of the governmental unit on behalf of which the Bonds are issued) and an elected representative of the governmental unit having jurisdiction over the area in which the relevant Project is located; and

WHEREAS, this City Council is the elected legislative body of the City and is the applicable elected representative required to approve the issuance of the Bonds within the meaning of Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the City caused a notice to appear in the *Los Angeles Times*, which is a newspaper of general circulation in the City, on August 21, 2013, to the effect that a public hearing would be held with respect to the Project on September 4, 2013 regarding the issuance of the Bonds; and

WHEREAS, the Los Angeles Housing Department held said public hearing on such date, at which time an opportunity was provided to present arguments both for and against the issuance of the Bonds; and

WHEREAS, the minutes of said hearing have been presented to this City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Los Angeles, as follows:

1. The recitals hereinabove set forth are true and correct, and this City Council so finds. This Resolution is being adopted pursuant to the Law and the Act.

2. Pursuant to and solely for purposes of Section 147(f) of the Code, the City Council hereby approves the issuance of the Bonds by the City in one or more series to finance the Project. It is intended that this Resolution constitute approval of the Bonds: (a) by the applicable elected representative of the issuer of the Bonds; and (b) by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f).

3. Pursuant to the Law and in accordance with the Act, the City hereby authorizes the Los Angeles Housing Department to proceed with a mortgage revenue bond program designed to provide housing within the City of Los Angeles for low- and moderate-income persons through the issuance of the Bonds for the Project, in one or more series and in amounts not to exceed those specified in paragraph 6 hereof.

4. Notwithstanding anything to the contrary hereof, the City shall be under no obligation to issue any portion of the Bonds described in paragraph 6 hereof to be issued by the City for the Project prior to review and approval by the City and the City Attorney of the documents, terms and conditions relating to such Bonds.

5. [Reserved].

6. The "Project" referred to hereof is as follows:

Project Name:	Address	#Units:	Project Sponsor	Maximum Amount:
The Park Plaza	960 W. 62 nd Place, Los Angeles, CA 90044	79 (including 1 manager unit)	Vermont Park Plaza, LP	\$8,050,000

7. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 2nd day of October 2013 at Los Angeles, California.

I certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting on October 2, 2013.

By

Title

