

# MOTION

# HOUSING

InSite Development, LLC, a California limited liability company (Sponsor) has requested that the City of Los Angeles through the Housing and Community Investment Department (HCIDLA) issue Multifamily Housing Revenue Bonds, in the amount not to exceed \$10,350,000 to finance the acquisition and rehabilitation of the 70-unit multifamily housing project known as Harmony Gates (Project). The Project is located at 5220 Harmony Avenue, Los Angeles, California, 91601, in Council District Two. The Sponsor has executed a purchase agreement with Harmony Associates, L.P., a California limited partnership (Seller) with respect to the project, and intends for a limited partnership in which InSite, or its affiliate, acts as a general partner (Borrower) to acquire and rehabilitate the Project. The Project will provide 70 low-income and very low-income units, including one manager unit.

The Sponsor has pledged to comply with all City and HCIDLA bond policies related to the work described herein, including but not limited to payment of prevailing wages for labor and project monitoring with the HCIDLA.

In accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and as part of the bond issuance process, HCIDLA provided a notice of the public hearing on March 7, 2018 and conducted the required public hearing on March 21, 2018. The HCIDLA is required to provide proof to the California Debt Limit Allocation Committee (CDLAC) that a TEFRA hearing has been conducted as part of the application process.

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. The bond debt is payable solely from revenues or other funds provided by the Sponsor. The City does not incur liability for repayment of the bonds. To allow the bonds to be incurred in accordance with CDLAC requirements, the Council should approve the minutes of the hearing and adopt the required attached Resolution.


I THEREFORE MOVE that the City Clerk schedule and place on the next available City Council agenda consideration of the results of the TEFRA public hearing held on March 21, 2018 and adopt the attached TEFRA Resolution held in accordance with Section 147(f) of the Code indicating the official intent of the City to issue Multifamily Housing Revenue Bonds in the amount not to exceed \$10,350,000 to finance the construction of the above Project.

PRESENTED BY:



PAUL KERKORIAN  
Councilmember, 2nd District

SECONDED BY:



ORIGINAL



APR 10 2018

## 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 OR NOTES BY THE CITY OF LOS ANGELES TO FINANCE THE ACQUISITION, REHABILITATION, CONSTRUCTION OR EQUIPPING OF MULTIFAMILY RESIDENTIAL RENTAL PROJECTS 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 or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and equipping of 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 or notes (the "Bonds") the proceeds of which will be used to finance the acquisition, construction, rehabilitation and equipping of multifamily rental housing projects described in paragraph 6 hereof (the "Projects"); and

WHEREAS, the Projects are 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 Projects, 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 March 7, 2018, to the effect that a public hearing would be held with respect to the Projects on March 21, 2018 regarding the issuance of the Bonds; and

WHEREAS, the Los Angeles Housing and Community Investment 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 up to the maximum amount below and a like amount of refunding bonds, pursuant to a plan of financing, to finance or refinance the Projects. 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 relevant 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 and Community Investment 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 Projects, in one or more series, pursuant to a plan of finance 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 Projects 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 "Projects" referred to hereof is as follows:

<b>Project Name:</b>	<b>Address</b>	<b>#Units:</b>	<b>Project Sponsor</b>	<b>Maximum Amount:</b>
Harmony Gates	5220 Harmony Avenue, Los Angeles, CA 91601	70 (including 1 manager unit)	Wahmony Gates, LP	\$10,350,000
Casa del Sol	10966 and 10970 Ratner Street, Los Angeles, CA 91352	44 (including 1 manager unit)	Sun Valley Housing, L.P.	\$14,600,000

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

PASSED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2018 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 \_\_\_\_\_, 2018.

By \_\_\_\_\_  
Title \_\_\_\_\_