

TO CITY CLERK FOR PLACEMENT ON NEXT
REGULAR COUNCIL AGENDA TO BE POSTED
MOTION #54

Communities for a Better Life (Borrower), a California non-profit, has requested that the California Municipal Finance Authority (CMFA) issue one or more series of revenue bonds in an aggregate principal not to exceed \$28,000,000 for the purpose of financing the acquisition and rehabilitation of a 142-unit affordable housing facility (Project) to be located at 639 South Commonwealth Avenue in Council District 10.

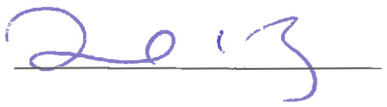
As a condition to the City's approval of the Tax Equity and Financial Responsibility Act of 1982 (TEFRA) Resolution for the Project, the Owner of the property shall enter into an ADA regulatory agreement ("ADA Regulatory Agreement") with the City, which ADA Regulatory Agreement shall be recorded, to affirm that (a) the Project will comply with the Americans with Disabilities Act, 42 U.S.C. Section 12101 et seq. and the 2010 ADA Standards, Chapter 11A of Title 24 of the California Code of Regulations, Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act of 1968 and the California Building Codes, (b) the Owner will not discriminate in its programs, services or activities on the basis of disability or on the basis of a person's relationship to, or association with, a person who has a disability, and (c) the Owner will provide reasonable accommodation upon request to ensure equal access and effective communication to its programs, services, and activities.

In accordance with the (TEFRA) and as part of the issuance of the obligations, the Borrower has requested that the City conduct the required public hearing (TEFRA hearing) and approve the issuance of the obligations by CMFA. The City does not incur liability for repayment of the obligations or any other matter related to the obligations. Nothing in this motion precludes any approval otherwise required by the City.

I THEREFORE MOVE that the Council waive the City of Los Angeles Multifamily Bond Policy to allow California Municipal Finance Authority to issue the bonds not to exceed \$28,000,000 to provide financing for the acquisition and rehabilitation of a 142-unit affordable housing facility located at 639 South Commonwealth Avenue in District 10; instruct the Los Angeles Housing and Community Investment Department (HCID) to execute and enforce the terms of the ADA Regulatory Agreement with Borrower prior to the TEFRA Hearing and notify the City Clerk that an ADA Regulatory Agreement has been executed; and instruct the City Clerk to schedule a TEFRA Hearing, subject to confirmation from HCID that an ADA Regulatory Agreement has been executed, and consideration of the attached TEFRA Resolution for the City Council Meeting to be held on Wednesday, September 18, 2018 at 10:00a.m., located at 200 North Spring Street, Room 340, Los Angeles, California 90012.

PRESENTED BY: 
HERB J. WESSON, JR.
Councilmember, 10th District


AUG 24 2018

SECONDED BY: 

ORIGINAL

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ANGELES APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY IN A PRINCIPAL AMOUNT NOT TO EXCEED \$28,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION AND REHABILITATION OF A MULTIFAMILY HOUSING FACILITY TO BE LOCATED AT 3200 WEST TEMPLE STREET

WHEREAS, the City of Los Angeles (the “City”) is a member of the California Municipal Finance Authority, a joint powers authority organized and existing under the laws of the State of California (the “Authority”); and

WHEREAS, Communities for a Better Life (the “Borrower”) has requested that the Authority issue one or more series of revenue bonds in an aggregate principal amount not to exceed \$28,000,000 (the “Bonds”), and lend the proceeds of the Bonds to the Borrower for the purpose of financing the costs of the acquisition and rehabilitation of a 142 unit multifamily residential rental facility to be located at 639 South Commonwealth in the City (the “Project”), which Project is to be owned by the Borrower

WHEREAS, pursuant to section 147(f) of the Internal Revenue Code of 1986 (the “Code”), the issuance of the Bonds by the Authority must be approved by the City of Los Angeles (the “City”) because the Project is located within the territorial limits of the City; and

WHEREAS, the City Council of the City (the “City Council”) is the elected legislative body of the City and is one of the “applicable elected representatives” required to approve the issuance of the Bonds under section 147(f) of the Code; and

WHEREAS, the Authority has requested that the City Council approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirement of section 147(f) of the Code and the requirements of Section 4 of the Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority, dated as of January 1, 2004 (the “Agreement”), among certain local agencies, including the City; and

WHEREAS, pursuant to section 147(f) of the Code, the City Council of the City has, following notice duly given, held a public hearing regarding the issuance of the Bonds and now desires to approve the issuance of the Bonds by the Authority.

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

Section 1. The City Council hereby approves the issuance of the Bonds by the Authority. It is the purpose and intent of the City Council that this Resolution constitute approval of the issuance of the Bonds by the Authority for the purposes of (a) section 147(f) of the Code, 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), and (b) Section 4 of the Agreement; *provided, however*, that this Resolution shall not constitute an approval by the City Council of the Project for any other purpose.

Section 2. The issuance of the Bonds shall be subject to the approval of the Authority of all financing documents relating thereto to which the Authority is a party. The City shall have no responsibility or liability whatsoever with respect to the Bonds.

Section 3. The adoption of this Resolution shall not obligate the City or any department thereof to (i) provide any financing to acquire or rehabilitate the Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the acquisition, rehabilitation or operation of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.

Section 4. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Los Angeles this ____ day of _____, 2018.

AYES:

NOES:

ABSTAIN:

ABSENT:

[SEAL]

Attest:

By: _____
City Clerk