

Ethel Arnold Preservation L.P. and Robert Western Preservation L.P. (Sponsor), two California Limited Partnerships, have requested that the California Statewide Communities Development Authority (CSCDA) issue one or more series of revenue bonds or notes in an aggregate principal amount not to exceed \$100,000,000 for the acquisition, rehabilitation, improvement, and equipping of three multifamily rental housing projects called Ethel Arnold Bradley Apartments, Robert Farrell Manor, and Western Gardens Apartments (Project). The projects are located at 7850 South Normandie Avenue, 1818 West 71st Street, and 1742 West 84th Place (respectively) in Council District 8.

The Ethel Arnold Bradley Apartments, Robert Farrell Manor, and Western Gardens Apartments are three existing multifamily housing rental projects with a total of 151 units. All three projects are HUD Section 8 subsidized properties serving low-income families. It is the intent of the new owner to secure 20-year Housing Assistance Payment contracts for these three projects at the time of the bond closing.

As a condition to the City's approval of the Tax Equity and Fiscal 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 the 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 Tax Equity and Financial Responsibility Act of 1982 a public hearing is required to move forward with bond issuance. The City does not incur liability for repayment of the bond. Nothing in this Motion precludes any approval otherwise required by the City. The Project will be funded primarily through 4% Federal Low-Income Housing Tax Credits and tax-exempt bonds or notes.

I THEREFORE MOVE that the Council waive the City of Los Angeles Multifamily Bond policy to allow the California Statewide Communities Development Authority (CSCDA) to issue bonds not to exceed \$100,000,000 to provide financing for the acquisition, rehabilitation, improvement, and equipping of three multifamily rental housing projects known as the Ethel Arnold Bradley Apartments, Robert Farrell Manor, and Western Gardens Apartments located at 7850 South Normandie Avenue, 1818 West 71st Street, and 1742 West 84th Place (respectively) in Council District 8; instruct the Los Angeles Housing and Community Investment Department (HCID) to execute and enforce the terms of the ADA Regulatory Agreement with the Sponsor; and instruct the City Clerk to schedule a TEFRA Hearing and consideration of the attached TEFRA Resolution for the City Council Meeting to be held on February 20, 2019 at 10:00a.m., located at 200 North Spring Street, Room 340, Los Angeles, California 90012.



PRESENTED BY:

MARQUEECE HARRIS-DAWSON
Councilmember, 8th District

ORIGINAL

FEB 10 2019

SECONDED BY:



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ANGELES APPROVING THE ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS FOR THE ETHEL ARNOLD BRADLEY APARTMENTS, ROBERT FARRELL MANOR AND WESTERN GARDENS APARTMENTS

WHEREAS, the California Statewide Communities Development Authority (the "Authority") is authorized pursuant to the provisions of California Government Code Section 6500 et seq. and the terms of an Amended and Restated Joint Exercise of Powers Agreement, dated as of June 1, 1988 (the "Agreement"), among certain local agencies throughout the State of California, including the City of Los Angeles (the "City"), to issue revenue bonds in accordance with Chapter 7 of Part 5 of Division 31 of the California Health and Safety Code for the purpose of financing multifamily rental housing projects; and

WHEREAS, Ethel Arnold Preservation L.P. and Robert Western Preservation L.P., have requested that the Authority adopt a plan of financing providing for the issuance of multifamily housing revenue bonds (the "Bonds") in one or more series issued from time to time, including bonds issued to refund such revenue bonds in one or more series from time to time, and at no time to exceed \$100,000,000 in outstanding aggregate principal amount, to finance or refinance the acquisition and rehabilitation of the following multifamily rental housing projects: a) Ethel Arnold Bradley Apartments, located at 7850 South Normandie Avenue, Los Angeles, California, consisting of 81 units; b) Robert Farrell Manor, located at 1818 West 71st Street, Los Angeles California, consisting of 35 units; and c) Western Gardens Apartments, located at 1742 West 84th Place, Los Angeles, California, consisting of 35 units, generally known as Ethel Arnold Bradley Apartments, Robert Farrell Manor and Western Gardens Apartments (the "Project") and operated by Alpha Property Management; and

WHEREAS, the Bonds or a portion thereof will be "private activity bonds" for purposes of the Internal Revenue Code of 1986 (the "Code"); and

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, private activity bonds are required to be approved by the "applicable elected representative" of the governmental units on whose behalf such bonds are expected to be issued and by a governmental unit having jurisdiction over the entire area in which any facility financed by such bonds is to be located, after a public hearing held following reasonable public notice; and

WHEREAS, the members of this City Council (this "City Council") are the applicable elected representatives of the City of Los Angeles (the "City"); and

WHEREAS, there has been published, at least 14 days prior to the date hereof, in a newspaper of general circulation within the City, a notice that a public hearing regarding the Bonds would be held on a date specified in such notice; and

WHEREAS, such public hearing was conducted on such date, at which time an opportunity was provided to interested parties to present arguments both for and against the issuance of the Bonds; and

WHEREAS, the Authority is also requesting that the City Council approve the issuance of any refunding bonds hereafter issued by the Authority for the purpose of refinancing the Bonds which financed the Project (the "Refunding Bonds"), but only in such cases where federal tax laws would not require additional consideration or approval by the City Council; and

WHEREAS, it is intended that this resolution shall constitute the approval of the issuance of the Bonds required by Section 147(f) of the Code and Section 9 of the Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOS ANGELES AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. The City Council hereby approves the issuance of the Bonds and the Refunding Bonds by the Authority. It is the purpose and intent of the City Council that this resolution constitute approval of the Bonds for the purposes of (a) Section 147(f) of the Code and (b) Section 9 of the Agreement.

Section 3. 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 that 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 approved hereby.

Section 4. This resolution shall take effect immediately upon its passage.

ADOPTED by the City Council of the City of Los Angeles at a regular meeting of
said Council held on the ____ day of _____, 2019, by the following vote:

AYES:

NOES:

ABSENT:

Mayor

ATTEST:

City Clerk