

MOTION

Hope on Broadway, LP (Borrower), a California Limited Partnership, has requested that the California Public Finance Authority (CalPFA) issue one or more series of revenue bonds in an aggregate principal amount not to exceed \$15,000,000 to assist in the financing of acquisition and construction of an affordable rental housing property with up to 43 units (Project) located at 5130 Broadway Street in Council District 9.


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 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 TEFRA 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 tax exempt bonds to be issued by the CalPFA, as well as 4% Federal low income housing tax credits.

The Borrower requires a TEFRA hearing to allow the Project financing to move forward with Project preparation concurrently with the City entitlement process. Nothing in this motion creates any approval otherwise required through the City Planning process consistent with the City Municipal Code.

I THEREFORE MOVE that the Council waive the City of Los Angeles Multifamily Housing Bond policy to allow that the California Public Finance Authority (CalPFA) issue bonds not to exceed \$15,000,000 to provide financing for the acquisition and construction of an affordable housing project located at 5130 Broadway Street in Council District 9; instruct the Housing and Community Investment Department (HCID) to execute and enforce the terms of an ADA Regulatory Agreement with the Borrower; 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 March 5, 2019 at 10:00a.m., located at 200 North Spring Street, Room 340, Los Angeles, California 90012.

PRESENTED BY:   
CURREN PRICE, JR.  
Councilmember, 9<sup>th</sup> District

SECONDED BY: 

ORIGINAL

  
FEB 20 2019

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ANGELES  
APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS  
BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY IN A PRINCIPAL  
AMOUNT NOT TO EXCEED \$15,000,000 FOR THE PURPOSE OF FINANCING  
THE ACQUISITION AND CONSTRUCTION OF HOUSING FACILITIES AT 5130  
BROADWAY STREET IN THE CITY OF LOS ANGELES**

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

**WHEREAS**, Hope on Broadway, LP (the "Borrower") has requested that the Authority issue one or more series of revenue bonds in an aggregate principal amount not to exceed Fifteen Million Dollars (\$15,000,000) (the "Bonds"), and lend the proceeds of the Bonds to the Borrower for the purpose of financing costs of the acquisition and construction of up to 43 units of affordable rental housing located at 5130 Broadway Street (the "Project"), and

**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 Authority policy; 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 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 section 147(f), and (b) Authority policy; 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 all financing document relating thereto to which the Authority is a party. The City shall have no responsibility of liability whatsoever with respect to the Bonds.

Section 3. The adoption of this Resolution shall not obligate the City or any department thereof to (a) provide any financing to acquire or construct the Project; (b) 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, construction, or operation of the Project; (c) make any contribution or advance any funds whatsoever to the Authority; or (d) 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 transition 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