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TO CITY CLERK FOR PLACEMENT & POST
REGULAR COUNCIL AGENDA TO BE POSTED #52

MOTION

Woodbury University (the "University") is a California nonprofit public benefit corporation and an entity described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and is located in the City of Los Angeles, Council District 2. The University is requesting that the California Municipal Finance Authority ("CMFA") incur one or more tax-exempt loans in an aggregate principal amount not to exceed forty million dollars (\$40,000,000) (collectively, the "Loan") to assist in financing and/or refinancing capital expenditures related to the acquisition, construction, improvement, renovation, restoration, expansion, replacement, furnishing and/or equipping of buildings, laboratories, offices and other facilities of the University, including but not limited to the construction of a 255-bed suite style student residence hall, the relocation of the main entrance of the campus, capital improvements to campus security infrastructure and the construction of a consolidated student enrollment service center (collectively, the "Project").

This financing will increase the capacity of the University to provide educational services to the students served. No City funds will be directed toward the Project.

I THEREFORE MOVE that the Council:

1. Waive all City of Los Angeles Bond policies to allow the California Municipal Finance Authority (CMFA) to incur the Loan on behalf of the Project.
2. Instruct the City Clerk to schedule a TEFRA Hearing on the agenda for the City Council Meeting to be held on Wednesday, September 24, 2014 at 10:00 am located at 200 N. Spring Street, Room 340, Los Angeles, CA 90012.
3. Instruct the City Clerk to place on the agenda for the City Council Meeting to be held on Wednesday, September 24, 2014 consideration of the TEFRA hearing results and adoption of the attached TEFRA hearing Resolution to follow the conduct of the public hearing.

PRESENTED BY: Paul Kerkorian
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY: Paul Kerkorian

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TEFRA RESOLUTION

RESOLUTION OF THE COUNCIL OF THE CITY OF LOS ANGELES APPROVING THE INCURRENCE OF A TAX-EXEMPT LOAN OR LOANS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$40,000,000 FOR THE PURPOSE OF FINANCING AND/OR REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, RENOVATION, RESTORATION, EXPANSION, REPLACEMENT, FURNISHING, AND/OR EQUIPPING OF EDUCATIONAL FACILITIES AND CERTAIN OTHER MATTERS RELATING THERETO

WHEREAS, Woodbury University, a California nonprofit public benefit corporation (the "Borrower"), and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986 (the "Code") has requested that the California Municipal Finance Authority (the "Authority") participate in a plan of finance involving the incurrence of one or more tax-exempt loans in an aggregate principal amount not to exceed \$40,000,000 (collectively, the "Loans") for the purpose of financing and/or refinancing the acquisition, construction, improvement, renovation, restoration, expansion, replacement, furnishing, and/or equipping of buildings, laboratories, offices and other facilities of the Borrower, including the construction of a 255-bed suite style residence hall, the relocation of the main entrance of the Borrower, capital improvements to campus security infrastructure and the creation of a consolidated enrollment service center (collectively, the "Project"), located at 7500 Glenoaks Boulevard, Burbank, California 91504 (although the Borrower has a street address in the City of Burbank, most of the Project is located in the City of Los Angeles, California (the "City"), which facilities will be owned and operated by the Borrower; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), the incurrence of the Loan by the Authority must be approved by the City because all or a portion of the Project will be located within the territorial limits of the City; and

WHEREAS, the 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 Loan under Section 147(f) of the Code; and

WHEREAS, the Authority has requested that the City Council approve the incurrence of the Loan 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, a public hearing was held by the City on the 24th day of September, 2014, at the meeting which commenced at the hour of 10:00 a.m., at the City of Los Angeles, at 200 N. Spring Street, Room 340, Los Angeles, CA 90012, following duly published notice thereof in a newspaper of general circulation in the City of Los Angeles, on September 10, 2014, and all persons desiring to be heard have been heard; and

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WHEREAS, the Borrower has represented that financing and/or refinancing the Project through the Authority will result in demonstrable savings in effective interest rate; and

WHEREAS, the City Council now desires to approve the incurrence of the Loan by the Authority;

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

Section 1. The foregoing resolutions are true and correct.

Section 2. The City Council hereby approves the incurrence of the Loan by the Authority. It is the purpose and intent of the City Council that this resolution constitute approval of the Loan 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 all or a portion of the Project is to be 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 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 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 4. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council this 24th day of September, 2014.

I certify that the foregoing Resolution was adopted by the City Council of the City of Los Angeles at its meeting on September 24, 2014.

By _____

Title _____