

MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 18 - 0046
FEB 15 2018

REPORT RE:

THE RETENTION OF HOUSING BOND COUNSEL

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, CA 90012

Honorable Members:

The City Attorney requests approval of the following qualified list of five firms to provide bond and related legal counsel services for the City's multifamily housing bond program over a three-year period, beginning February 1, 2018:

1. Kutak Rock LLP
2. Hawkins, Delafield & Wood LLP
3. Squire Patton Boggs
4. Norton Rose Fulbright US LLP
5. Amira Jackmon

As housing bond transactions arise, the City Attorney and the Housing and Community Investment Department (HCID) will jointly select firms from the above qualified list and a contract will be negotiated and executed with HCID and approved by the City Attorney. The contract will run over the next three years will and will be paid from bond proceeds and developer equity. If legal services are required after the completion of a bond issuance, the firm will be paid by the property ownership entity. City general

funds will not be used toward payment of outside counsel legal fees and administrative services.

On June 9, 2017 and August 18, 2017, the City Attorney issued two separate Requests for Proposals ("RFP") for outside housing bond counsel for HCID. In the last RFP conducted three years ago, the City Attorney selected three (3) law firms to serve on a bond counsel panel consisting of Kutak Rock LLP, Squire Patton Boggs, and Hawkins Delafield Wood, LLP. However, it became clear that we needed to establish a larger panel of outside counsel to represent the City. With the RFP process concluded, we are recommending a panel of five (5) outside counsel to serve as bond counsel and co-bond counsel.

The five firms represent the entire number of firms who submitted proposals. The firms were evaluated based on their written proposals, the types of bond transactions in which the legal team were involved, their qualifications and work experience in California, and their fees. All five firms are recommended for the proposed qualified list to perform the bond-related legal services.

As multifamily housing bond transactions arise, the City Attorney and the HCID will identify several firms on the qualified list with the experience and expertise necessary to perform the work based on the unique features of the particular bond issue. The City Attorney and the HCID will solicit qualifications as well as price quotes from the identified firms. Under certain circumstances, justification may exist to select a firm without receiving price quotes from more than one firm based on the experience required and the familiarity with the particular financing structure. The City Attorney and HCID will review the responses and jointly select the firm to perform the work. A contract with the firm for that particular bond issuance matter will be executed by the HCID and approved by the City Attorney. At the time bond documents are brought to the Mayor and Council for approval, the HCID report will identify the financing team, as it has done in the past. There is no guarantee that every firm on the list will be awarded a contract for a bond transaction during the three-year life of the list.

RECOMMENDATION

That the Council, subject to the approval of the Mayor:

Authorize the City Attorney and the HCID to jointly select from the list of firms identified below for the provision of housing bond counsel services and authorize the HCID to execute contracts, as needed, for a term of three years for City housing bonds, subject to the approval of the City Attorney as to form:

1. Kutak Rock LLP
2. Hawkins, Delafield & Wood LLP
3. Squire Patton Boggs
4. Norton Rose Fulbright US LLP
5. Amira Jackmon

NO FISCAL IMPACT

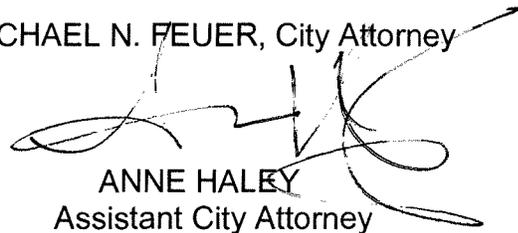
Counsel services provided in connection to a housing bond issuance will be paid from bond proceeds or developer equity. If counsel services are required after the completion of the bond issuance, services will be paid by the project owner. No general funds will be used for payment of bond counsel legal or administrative fees.

If you have any questions regarding this matter, please contact Assistant City Attorney Craig Takenaka at (213) 922-7759. He, or another member of this Office, will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By



ANNE HALEY
Assistant City Attorney