

MOTION

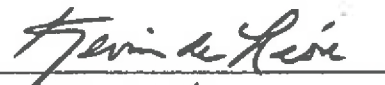
5th Street Partnership, LLC, a California Limited Liability Company (the "Borrower"), has requested that the California Municipal Finance Authority ("CMFA") issue one or more series of revenue bonds or notes in an aggregate principal amount not to exceed \$35,000,000 for the acquisition, development, construction, and equipping of a proposed 149-unit affordable residential housing project located at 409-411 East 5th Street in Council District 14, called 5th Street PSH ("Project"). The project is a proposed 149-unit affordable housing project. This new development is targeted to chronically homeless households with special needs.

As a condition to the City's approval of the TEFRA Resolution for the Project, the Owner of the property shall enter into a regulatory agreement ("Regulatory Agreement") with the City, which 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.

The Project will be funded primarily through 4% Federal Low-Income Housing Tax Credits and tax-exempt bonds or notes. No City funds will be directed to this Project.

I THEREFORE MOVE that the Council waive the City of Los Angeles Multifamily Bond policy to allow CMFA to issue the bonds not to exceed \$35,000,000 to provide financing for the Project located at 409-411 East 5th Street in Council District 14; instruct the Los Angeles Housing and Community Investment Department (HCID) to execute and enforce the terms of the Regulatory Agreement with 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 Tuesday, February 23, 2021 at 10:00a.m., located at 200 North Spring Street, Room 340, Los Angeles, California 90012.

PRESENTED BY:


KEVIN DE LEÓN
Councilmember, 14th District

SECONDED BY:



FEB 17 2021

RESOLUTION NO. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF LOS ANGELES APPROVING A PLAN OF FINANCE FOR THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY MULTIFAMILY HOUSING REVENUE BONDS (5TH STREET PERMANENT SUPPORTIVE HOUSING) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$35,000,000 FOR THE PURPOSE OF FINANCING IMPROVEMENTS TO AFFORDABLE HOUSING FACILITIES AND CERTAIN OTHER MATTERS RELATING THERETO

WHEREAS, 5th Street Partnership LLC, a California limited liability company (the "Sponsor"), on its own behalf and on behalf of a California limited partnership, to be formed by the Sponsor or by an affiliate of the Sponsor, and to be called "RG 5th Street PSH LP" or another name selected by the Sponsor or such affiliate (such limited partnership being referred to herein as the "Borrower"), has requested that the California Municipal Finance Authority (the "Authority") consider the issuance and sale of tax-exempt revenue bonds in a principal amount not to exceed \$35,000,000 (the "Bonds") pursuant to the JPA Act and the Housing Act for the purpose of lending the proceeds thereof to the Borrower to finance the acquisition, construction, improvement and equipping of a 149-unit affordable rental housing facility for low-income tenants, to be located at 409-411 E. Fifth St. in the City of Los Angeles, California (the "City"), and to be owned and/or operated by the Borrower (the "Project");

WHEREAS, pursuant to Section 147(f) of the Code, the issuance of the Bonds by the Authority must be approved by an applicable elected representative of a governmental unit within the territorial limits of which the Project is situated; and

WHEREAS, the Project is situated wholly within the territorial limits of the City; and

WHEREAS, the Council of the City (the "Council") is the elected legislative body of the City and is an "applicable elected representative" of the City; and

WHEREAS, the Authority has requested that the 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, the Authority has advised that the Bonds may be issued pursuant to a "plan of finance" and that, for purposes of this resolution, the plan of finance consists of a general plan of the Authority and the Borrower to monitor capital and commercial lending markets and the capital needs of the Borrower with respect to the Project and, if market conditions warrant, issue one or more additional series of Bonds in an aggregate principal amount not to exceed \$35,000,000 to finance or refinance the Project within the three-year period commencing on the date of the issuance of the first series of Bonds pursuant to this resolution; and

WHEREAS, pursuant to Section 147(f) of the Code and Section 6586.5 of the Government Code of the State of California, the City has, following notice duly given, held a public hearing regarding the Project and the plan of finance for the issuance of the Bonds, and the Council now desires to approve the Project and the plan of finance for the issuance of the Bonds by the Authority;

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

Section 1. The foregoing recitals are true and correct.

Section 2. The Council hereby approves the plan of finance for the issuance of the Bonds by the Authority for the Project. It is the purpose and intent of the 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.

Section 3. The City finds that the actions authorized hereby regarding the financing of the Project will result in significant public benefits.

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 _____, 2021.

AYES:

NOES:

ABSTAIN:

ABSENT:

[SEAL]

Attest:

By: _____
City Clerk