

MOTION

Westside Neighborhood School (Borrower), a California non-profit corporation, 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 \$90,000,000 (Obligations) to finance and/or refinance the acquisition, construction, improvement, renovation, furnishing and equipping of the educational facilities located at 5340 Alla Road in Council District 11. The Facilities will be owned by the Borrower and will house and support the Borrower's educational programs, currently including pre-school, developmental kindergarten, kindergarten, elementary school, and middle school.

In accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and as a part of the bond issuance process, CMFA conducted the required public hearing on February 15, 2024. Notice of the public hearing was published on February 8, 2024. CMFA is required to provide proof to the California Debt Limit Allocation Committee that a TEFRA hearing has been conducted as part of the application process.

The City is a conduit issuer and is required by federal law to review and approve all projects within its jurisdiction. The bond debt is payable solely from revenues or other funds provided by the Borrower. The City does not incur liability for repayment of the bonds. To allow the bonds to be issued, the Council should consider the minutes of the TEFRA public hearing and adopt the required Resolution (attached).

I THEREFORE MOVE that City Council consider the attached results of the TEFRA public hearing held on February 15, 2024 and adopt the attached Resolution to allow the California Municipal Finance Authority to issue revenue bonds or notes in an aggregate principal amount not to exceed \$90,000,000 to provide financing and refinancing for the acquisition, construction, improvement, renovation, furnishing and equipping of the educational facilities located at 5340 Alla Road in Council District 11.

PRESENTED BY



TRACI PARK
Councilmember, 11th District

SECONDED BY



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FEB 16 2024

RESOLUTION

A RESOLUTION APPROVING FOR PURPOSES OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986 THE ISSUANCE OF BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY TO FINANCE AND/OR REFINANCE THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, RENOVATION, FURNISHING, AND EQUIPPING OF AN EDUCATIONAL FACILITY PROJECT FOR THE BENEFIT OF WESTSIDE NEIGHBORHOOD SCHOOL AND OTHER MATTERS RELATED THERETO.

WHEREAS, the City of Los Angeles (the "City") is a charter city and political subdivision of the State of California and the City Council is the elected legislative body of the City; and

WHEREAS, the California Municipal Finance Authority (the "Authority") is a joint powers authority created pursuant to the Joint Exercise of Powers Act, comprising Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title I (commencing with Section 6500) of the Government Code of the State of California; and

WHEREAS, the Authority intends to issue certain bonds (the "Bonds") the proceeds of which will be used to finance and/or refinance the acquisition, construction, improvement, renovation, furnishing and equipping of an educational facilities project described in paragraph 3 hereof (the "Project"); and

WHEREAS, the City is a member of the Authority in accordance with that Joint Exercise of Powers Agreement (the "Agreement") dated as of January 1, 2004, and, as such, is a governmental unit on behalf of which the Authority issues tax-exempt bonds; and

WHEREAS, the Project is located wholly within the City; and

WHEREAS, the owner of the Project will be Westside Neighborhood School, 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"); and

WHEREAS, the Authority and the Borrower have requested that the City Council approve the issuance of the Bonds by the Authority and the financing and/or refinancing of the Project with the proceeds of the Bonds pursuant to Section 147(f) of the Code; and

WHEREAS, the Borrower has represented that the financing and/or refinancing of the Project on a tax-exempt basis through the Authority will result in demonstrable economic benefits; and

WHEREAS, it is in the public interest and for the public benefit that the City authorize the financing and/or refinancing of the Project for purposes of the below-defined Code; and

WHEREAS, the interest on the Bonds may qualify for federal income tax exemption under Sections 103 and 145 of the Code only if the Bonds are approved in accordance with Section 147(f) of the Code; and

WHEREAS, pursuant to the Code, bonds and other debt obligations are required to be approved following a public hearing, by an elected representative of the governmental unit having jurisdiction over the area in which the Project is located and on whose behalf the bonds or other debt obligations are issued; and

WHEREAS, this City Council is the elected legislative body of the City and, accordingly, is the applicable elected representative required to approve the issuance of the Bonds within the meaning of Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the Authority caused a notice to appear in the *Metropolitan News-Enterprise*, which is a newspaper of general circulation in the City, on [____], 2024, to the effect that a public hearing would be held with respect to the Project on [____], 2024 regarding the issuance of the Bonds and the nature and location of the Project; and

WHEREAS, the Authority held said public hearing through toll-free telephone number 1-844-854-2222, access code 920111, on such date, at which time an opportunity was provided to present arguments both for and against the issuance of the Bonds; and

WHEREAS, the minutes of said hearing have been presented to this City Council;

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

1. The recitals hereinabove set forth are true and correct, and this City Council so finds.

2. Pursuant to and solely for purposes of Section 147(f) of the Code and Section 4 of the Agreement, the City Council hereby approves the issuance of the Bonds by the Authority in one or more series up to the maximum amount below and a like amount of refunding bonds, pursuant to a plan of financing, to finance and/or refinance the Project. It is intended that this Resolution constitute approval of the Bonds by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located and, as a member of the Authority, which is the issuer of the Bonds, the governmental unit on whose behalf the Bonds are being issued, each in accordance with said Section 147(f); provided, however, that this Resolution does not constitute approval by the City Council of the Project for any other purpose. The City shall not bear any responsibility for the tax-exempt status of the Bonds, the repayment of the Bonds or any other matter related to the Bonds.

3. The "Project" referred to hereof is as follows:

Project Name:	Address:	Project Sponsor:	Maximum Amount:
Westside Neighborhood School	5340 Alla Road, Los Angeles, California 90066	Westside Neighborhood School	\$90,000,000

4. This Resolution shall take effect immediately upon its passage and adoption.

5. All actions heretofore taken by the officers, employees and agents of the City with respect to the approval of the Bonds are hereby approved, confirmed and ratified, and the officers and employees of the City and their authorized deputies and agents are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all certificates and documents which they or special counsel may deem necessary or advisable in order to consummate the Bonds and otherwise to effectuate the purposes of this Resolution.

PASSED AND ADOPTED this ____ day of _____, 2024 at Los Angeles, California.

I certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting on _____, 2024.

By: _____
Title: _____

TEFRA PUBLIC HEARING MEETING MINUTES
Thursday – February 15, 2024,
10:00 AM

CALIFORNIA MUNICIPAL FINANCE AUTHORITY

This meeting was conducted to meet the required Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) Public Hearing for the Westside Neighborhood School project.

This meeting was called to order on Thursday – February 15, 2024, at 10:00 a.m. [via toll free telephone] by the California Municipal Finance Authority.


A notice of this hearing was published in the *Metropolitan News-Enterprise* on February 8, 2024 (the "Notice"). The purpose of this meeting was to hear public comments regarding the California Municipal Finance Authority's proposed issuance of revenue bonds or notes for the above referenced project.

The California Municipal Finance Authority representatives present were, Anthony Stubbs.

By 10:05 a.m. there were no other representatives from the public who made themselves available and no public comments were provided, so the meeting was adjourned.

I declare under penalty of perjury that this is a true and exact copy of the TEFRA public hearing meeting minutes regarding the above referenced projects held on February 15, 2024, at 10:00 AM.

CALIFORNIA MUNICIPAL FINANCE AUTHORITY

By: 
Name: Anthony Stubbs
Title: Financial Advisor