



Eric Garcetti, Mayor
Ann Sewill, General Manager

Housing Development Bureau

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Council File: NEW
Council District: 12
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The Honorable Eric Garcetti, Mayor
Mayor, City of Los Angeles
Room 300, City Hall
200 North Spring Street
Los Angeles, CA 90012
Attention: Heleen Ramirez, Legislative Coordinator

Honorable Members of the City Council
City of Los Angeles, c/o the City Clerk
Room 395, City Hall
200 North Spring Street
Los Angeles, CA 90012
Leyla Campos, Legislative Assistant

COUNCIL TRANSMITTAL: LOS ANGELES HOUSING + COMMUNITY INVESTMENT DEPARTMENT REQUEST TO ADOPT TEFRA RESOLUTION AND TEFRA MINUTES FOR THE LUMINA PROJECT, A SUPPORTIVE HOUSING PROJECT.

SUMMARY

The General Manager of the Los Angeles Housing + Community Investment Department (HCIDLA) respectfully requests that your office review and approve this transmittal and forward it to the City Council for further consideration. Through this transmittal, HCIDLA seeks approval, and requests authority to adopt the Resolution and Minutes of the public hearing held on May 26, 2021, pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) for the Lumina project located in Council District (CD) 12.

RECOMMENDATIONS

- I. That the Mayor review this transmittal and forward to the City Council for further action;
- II. That the City Council, subject to the approval of the Mayor:
 - A. ADOPT the attached Resolution (Attachment A) and Minutes (Attachment B), as required pursuant to the Tax Equity and Fiscal Responsibility Act of 1982.

BACKGROUND

HCIDLA evidenced the official intent of the City of Los Angeles (City) to issue its revenue bonds (Bonds) for the Lumina project on May 11, 2021, in an amount not to exceed \$19,043,000.

The project was induced pursuant to the authority granted to the HCIDLA General Manager by the Mayor and City Council (C.F. No. 04-2646). Prior to the issuance of the bonds, HCIDLA will submit for Mayoral and Council approval the final structure of the bonds for the project.

Project Description

Topanga Canyon SH, L.P., a California Limited Partnership, is the current owner and sponsor of the proposed project. Affirmed Housing Group, Inc. (AHG) is the project developer, and the President of AHG is James Silverwood.

The subject site is located at 10243 Topanga Canyon Boulevard, Los Angeles, CA 91311, in CD 12. The proposed project involves the new construction of a total of 55 housing units. Fifty four of the total units will provide permanent supportive housing; of these units, 28 will be reserved for formerly homeless individuals. Table 1 below provides a summary of the proposed project unit mix:

TABLE 1, RENT SCHEDULE			
Unit Type	Units at or below 30% AMI	Un-restricted (Manager's Unit)	Total Number of Units
Studio	54		54
2 bedroom		1	1
TOTAL	54	1	55

HCIDLA induced the project on May 11, 2021 in the amount not to exceed \$19,043,000, the proceeds of which are to be used for the purpose of financing the construction of the project. On May 25, 2021, the City (via HCIDLA), on behalf of the project sponsor submitted an application for a bond allocation from the California Debt Limit Allocation Committee (CDLAC). The bond allocation is expected to be obtained in August 2021. In addition to the bonds, the project financing will be supplemented with funds from the City's HHH program (C.F. No. 17-0090-S8), the State of California's Veterans Housing and Homelessness Prevention Program, and investor equity from 4% low-income housing tax credits. In addition, the project is expected to include 54 Project Based Vouchers.

Labor Costs

Labor costs for the Project are subject to California prevailing wage requirements, and/or federal wage requirements under the Davis-Bacon Act of 1931 and Related Acts, as applicable.

FISCAL IMPACT

There is no impact to the General Fund.

ATTACHMENT A
TEFRA RESOLUTION

RESOLUTION

CITY OF LOS ANGELES

A RESOLUTION APPROVING FOR PURPOSES OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986 THE ISSUANCE OF BONDS OR NOTES BY THE CITY OF LOS ANGELES TO FINANCE THE ACQUISITION, REHABILITATION, CONSTRUCTION AND EQUIPPING OF A MULTIFAMILY RESIDENTIAL RENTAL PROJECT LOCATED WITHIN THE CITY OF LOS ANGELES.

WHEREAS, the City of Los Angeles (the “City”) is authorized, pursuant to Section 248, as amended, of the City Charter of the City and Article 6.3 of Chapter 1 of Division 11 of the Los Angeles Administrative Code, as amended (collectively, the “Law”), and in accordance with Chapter 7 of Part 5 of Division 31 (commencing with Section 52075) of the Health and Safety Code of the State of California (the “Act”), to issue its revenue bonds or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and equipping of multifamily rental housing for persons and families of low or moderate income; and

WHEREAS, the City intends to issue for federal income tax purposes certain bonds or notes (the “Bonds”) the proceeds of which will be used to finance the acquisition, construction, rehabilitation and equipping of a multifamily rental housing project described in paragraph 6 hereof (the “Project”); and

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

WHEREAS, it is in the public interest and for the public benefit that the City authorize the financing of the Project, and it is within the powers of the City to provide for such financing and the issuance of the Bonds; and

WHEREAS, the interest on the Bonds may qualify for a federal tax exemption under Section 142(a)(7) of the Internal Revenue Code of 1986 (the “Code”), only if the Bonds are approved in accordance with Section 147(f) of the Code; and

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

WHEREAS, this City Council is the elected legislative body of the City and 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 City caused a notice to appear in the *Los Angeles Times*, which is a newspaper of general circulation in the City, on May 19, 2021, to the effect that a public hearing would be held with respect to the Project on May 26, 2021 regarding the issuance of the Bonds; and

WHEREAS, the Los Angeles Housing and Community Investment Department held said public hearing 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. This Resolution is being adopted pursuant to the Law and the Act.

2. Pursuant to and solely for purposes of Section 147(f) of the Code, the City Council hereby approves the issuance of the Bonds by the City 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 or refinance the Project. It is intended that this Resolution constitute approval of the Bonds: (a) by the applicable elected representative of the issuer of the Bonds; and (b) 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).

3. Pursuant to the Law and in accordance with the Act, the City hereby authorizes the Los Angeles Housing and Community Investment Department to proceed with a mortgage revenue bond program designed to provide housing within the City of Los Angeles for low- and moderate-income persons through the issuance of the Bonds for the Project, in one or more series and in an amount not to exceed that specified in paragraph 6 hereof.

4. Notwithstanding anything to the contrary hereof, the City shall be under no obligation to issue any portion of the Bonds described in paragraph 6 hereof to be issued by the City for the Project prior to review and approval by the City and the City Attorney of the documents, terms and conditions relating to such Bonds.

5. [Reserved].

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

Project Name:	Address	#Units:	Project Sponsor	Maximum Amount:
Lumina	10243 Topanga Canyon Boulevard, Los Angeles, CA 91311	55 (including 1 manager unit)	Topanga Canyon SH, L.P.	\$19,043,000

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

PASSED AND ADOPTED this ___ day of _____, 2021 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 _____, 2021.

By _____
Title _____

ATTACHMENT B
TEFRA MINUTES

TEFRA PUBLIC HEARING MEETING MINUTES
WEDNESDAY – MAY 26, 2021
9:00 AM
THE LOS ANGELES
HOUSING + COMMUNITY INVESTMENT DEPARTMENT
BY TELECONFERENCE
APOLINAR ABRAJAN, CHAIR

This meeting was conducted to meet the required Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) Public Hearing for the Avalon 1355, Beacon Landing, Central Apartments, Enlightenment Plaza – Montesquieu Manor, Enlightenment Plaza – Rousseau, Lumina, Montecito II Senior Housing, My Angel, and Southside Senior Apartments projects.

This meeting was called to order on Wednesday, May 26, 2021 at 9:00 a.m. via teleconference by the Los Angeles Housing + Community Investment Department.

A notice of this hearing was published in the Los Angeles Times on May 19, 2021 (the “Notice”). The purpose of this meeting was to hear public comments regarding the City of Los Angeles’ proposed issuance of multifamily housing revenue bonds or notes for the above referenced projects.

The City of Los Angeles Housing + Community Investment Department representatives present were Apolinar Abrajan, Conny Griffith, Jeremy Johnson, Raymond Luc, Cecilia Rosales, Carmen Velazquez, and Robert Vergara. All representatives were present via teleconference as described in the Notice.

By 9:30 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. Prior to the hearing, a person self-identified as Harvey Abram, a Chatsworth resident, provided written opposition to the proposed financing for the Lumina project.

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 May 26, 2021 at Los Angeles, California.

CITY OF LOS ANGELES
Los Angeles Housing + Community Investment Department
ANN SEWILL, General Manager

Apolinar Abrajan, Financial Development Officer II