



**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

August 10, 2021

3-D August 10, 2021

The Honorable Board of Commissioners  
Los Angeles County Development Authority  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

CELIA ZAVALA  
EXECUTIVE OFFICER

Dear Commissioners:

**ADOPT RESOLUTION DECLARING INTENT TO ISSUE MULTIFAMILY HOUSING MORTGAGE REVENUE BONDS OR NOTES FOR CONSTRUCTION AND DEVELOPMENT OF HOUSING FOR HOMELESS VETERANS ON THE WEST LOS ANGELES VETERANS AFFAIRS CAMPUS (DISTRICT 3) (3 VOTE)**

**SUBJECT**

This letter recommends adoption of a resolution declaring the intent to issue Multifamily Housing Mortgage Revenue Bonds or Notes to finance the construction and development of West LA VA Building 402 Apartments, to consist of 120 units of prefabricated modular housing for homeless veterans on the West Los Angeles Veterans Affairs Campus located in the unincorporated County of Los Angeles.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that adoption of this Resolution is not subject to the provisions of the California Environmental Quality Act (CEQA) because the action will not have the potential of causing a significant effect on the environment.
2. Adopt and instruct the Chair to sign a resolution, as required under Treasury regulations, declaring an intent by Building 402 LP (Borrower), or an approved affiliate or assign thereof, to undertake bond financing in an amount not exceeding \$37,950,000 to finance the construction and development of West LA VA Building 402 Apartments, consisting of 120



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Executive Director: Emilio Salas  
Commissioners: Hilda L. Solis, Holly J. Mitchell, Sheila Kuehl, Janice Hahn, Kathryn Barger

units of prefabricated modular housing for homeless veterans on the West Los Angeles Veterans Affairs Campus located at 11301 Wilshire Boulevard, VA Building 402 (Project) in the unincorporated County of Los Angeles in the area of West Los Angeles.

3. Authorize the Executive Director, or his designee, to submit an application to the California Debt Limit Allocation Committee (CDLAC) for a private activity bond allocation on an aggregate amount not exceeding \$37,950,000 for the purposes described herein and to take whatever further action relating to the aforesaid financial assistance may be deemed reasonable and desirable, provided that the terms and conditions under which the bonds are to be issued and sold shall be approved by the LACDA in the manner provided by law prior to the sale thereof.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of this action is to declare the intent to issue of Multifamily Housing Mortgage Revenue Bonds or Notes in an aggregate amount not exceeding \$37,950,000 (Bonds) to finance the construction and development of the Project. The Project will consist of modular housing for homeless veterans, of which 107 units will be studios and 13 will be two bedrooms (including two manager's units), which will remain affordable to veterans earning 30 percent or less of area median income, for a minimum of 55 years after completion. The two manager's units will have no affordability requirements.

The site will be well-landscaped with semi-private courtyards between buildings. All 120 residential units will include hard surface flooring, energy star appliances (refrigerator, oven, range, and microwave), window coverings, air conditioning, and cable & internet hookups. All units will be constructed offsite in a factory, shipped to the jobsite, and then craned into place. Factory built housing is expected to expedite the construction schedule by several months.

### **FISCAL IMPACT/FINANCING**

There is no impact on the County General Fund. The Bonds will be repaid solely through rent revenues collected by the Borrower. The Borrower will pay all fees and related costs.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Adoption of the resolution by the LACDA's Board of Commissioners expresses the intent to issue the Bonds and is required to establish a base date after which costs incurred by the Borrower may be included in the construction and permanent financing obtained pursuant to issuance of the Bonds. California Government Code section 8869.85 requires a local agency to file an application with the California Debt Limit Allocation Committee ("CDLAC") prior to the issuance of multifamily housing mortgage revenue bonds. In order

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to file an application, the LACDA will need a resolution from the Board of Commissioners authorizing such action.

The developer for the Project is the West LA Veterans Collective (WLACV). The WLAVC is a partnership consisting of Thomas Safran & Associates Development Inc., Century Housing, and US Veterans Initiative. The Borrower is a limited partnership that includes the developer as a partner.

The attached resolution was prepared by Kutak Rock LLP, LACDA Bond Counsel, and approved as to form by County Counsel.

### **ENVIRONMENTAL DOCUMENTATION**

The proposed action is not a project pursuant to CEQA because it is an activity that is excluded from the definition of a project by Section 15378 (b)(5) of the State CEQA guidelines. The proposed action is an administrative activity of government which will not result in direct or indirect physical change to the environment.

### **IMPACT ON CURRENT PROJECT**

The proposed action is a necessary step to provide Bond financing for the Project, which will increase the supply of housing for homeless veterans.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Emilio Salas". The signature is stylized and cursive.

EMILIO SALAS  
Executive Director

Enclosure

ES:LK:ML:DR

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE LOS ANGELES COUNTY  
DEVELOPMENT AUTHORITY OFFICIAL DECLARATION OF INTENT TO UNDERTAKE  
THE FINANCING OF A MULTIFAMILY HOUSING PROJECT AND RELATED ACTIONS

WHEREAS, the Los Angeles County Development Authority (the “LACDA”), is authorized and empowered by the provisions of Chapter 1 of Part 2 of Division 24 of the Health and Safety Code of the State of California (the “Act”) to issue and sell mortgage revenue bonds or notes as part of a plan of financing for the purpose of making loans or otherwise providing funds to finance the acquisition, construction, rehabilitation and development of multifamily residential rental housing projects, including units for households meeting the income limits set forth in the Act; and

WHEREAS, Thomas Safran & Associates Development Inc. which will form a limited partnership which is expected to be VA Building 402 LP (or an LACDA approved affiliate or assign thereof, the “Borrower”), has requested that the LACDA issue and sell its mortgage revenue bonds or notes pursuant to the Act to provide financing (including reimbursement of Borrower’s expenditures) for the acquisition, construction, development or rehabilitation of a multifamily rental housing development consisting of 120 units to be located at 11301 Wilshire Boulevard in unincorporated Los Angeles County (the “Project”); and

WHEREAS, this Board of Commissioners of the LACDA (the “Board”) hereby finds and declares that it is necessary, essential and a public purpose for the LACDA to finance multifamily housing projects pursuant to the Act, in order to increase the supply of multifamily housing in Los Angeles County available to persons and families within the income limitations established by the Act; and

WHEREAS, as an inducement to the Borrower to carry out the Project, this Board desires to adopt this resolution (this “Resolution”) and to authorize the issuance of mortgage revenue bonds or notes by the LACDA to finance the Project (the “Bonds”) in a principal amount not to exceed \$37,950,000; and

WHEREAS, the LACDA, in the course of assisting the Borrower in the financing of the Project expects that the Borrower has paid or may pay certain expenditures (the “Reimbursement Expenditures”) in connection with the Project within 60 days prior to the adoption of this Resolution and may incur additional Reimbursement Expenditures within 60 days prior to the adoption of this Resolution and prior to the issuance of indebtedness for the purpose of financing costs associated with the Project on a long-term basis; and

WHEREAS, Section 1.142-4 and Section 1.150-2 of the Treasury Regulations require the LACDA to declare its reasonable official intent to reimburse prior expenditures for the Project with proceeds of a subsequent borrowing; and

WHEREAS, Section 146 of the Internal Revenue Code of 1986 limits the amount of multifamily housing mortgage revenue bonds that may be issued in any calendar year by entities within a state and authorizes the governor or the legislature of a state to provide the method of allocation within the state; and

WHEREAS, Chapter 11.8 of Division 1 of Title 2 of the Government Code of the State of California (the "Government Code") governs the allocation of the state ceiling among governmental units in the State of California having the authority to issue multifamily housing mortgage revenue bonds; and

WHEREAS, Section 8869.85 of the Government Code requires a local agency to file an application with the California Debt Limit Allocation Committee ("CDLAC") prior to the issuance of multifamily housing mortgage revenue bonds; and

WHEREAS, this Board hereby finds and declares that this Resolution is being adopted pursuant to the powers granted by the Act.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The above recitals, and each of them, are true and correct.
2. This Board hereby determines that it is necessary and desirable to provide a plan of financing for the Project by the issuance and sale of mortgage revenue bonds or notes pursuant to the Act and hereby authorizes the issuance and sale of the Bonds in one or more series from time to time by the LACDA pursuant to a plan of financing, in aggregate principal amounts not to exceed \$37,950,000. This action is taken expressly for the purpose of inducing the Borrower to undertake the Project, provided that nothing contained herein shall be construed to signify that the Project complies with the planning, zoning, subdivision and building laws and ordinances applicable thereto or to suggest that the LACDA or any officer, agent or employee of the LACDA will grant any approval, consent or permit which may be required in connection with the acquisition and construction or rehabilitation of the Project or the issuance of the Bonds.
3. The issuance and sale of the Bonds shall be upon such terms and conditions as may be agreed upon by the LACDA and the Borrower and the initial purchasers of the Bonds; provided, however, that the Bonds shall not be sold or issued unless specifically authorized by the subsequent resolution of this Board.
4. This Resolution is being adopted by the LACDA for purposes of establishing compliance with the requirements of Section 1.142-4 and Section 1.150-2 of the Treasury Regulations. In that regard, the LACDA hereby declares its official intent to use proceeds of indebtedness to reimburse the Reimbursement Expenditures. Notwithstanding the foregoing, this Resolution does not bind the LACDA to make any expenditure, incur any indebtedness, or proceed with the Project.
5. The proper officers of the LACDA are hereby authorized and directed to apply to CDLAC for a private activity bond allocation for application by the LACDA to the issuance the Bonds in one or more series from time to time for the Project in an amount not to exceed \$37,950,000, to collect from the Borrower an amount equal to the performance deposit required by CDLAC and to certify to CDLAC that such amount has been placed on deposit in an account in a financial institution.

6. The proper officers of the LACDA are hereby authorized and directed to take whatever further action relating to the aforesaid financial assistance may be deemed reasonable and desirable provided that the terms and conditions under which the Bonds are to be issued and sold shall be approved by this Board in the matter provided by law prior to the sale thereof.

This Resolution shall take effect immediately upon its adoption.

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PASSED AND ADOPTED by the Board of Commissioners of the Los Angeles County Development Authority, State of California, this 10<sup>th</sup> day of August, 2021, by the following vote:

AYES: Supervisors Mitchell, Kuehl, Hahn, Barger and Solis.

NOES: N/A

ABSENT: N/A

ABSTAIN: N/A



By: *Hilda J. Solis*  
Chair of the Board of Commissioners

ATTEST:

CELIA ZAVALA  
Executive Officer  
of the Board of Commissioners

By: *Marjorie O'Leary*  
Deputy

APPROVED AS TO FORM:

RODRIGO A. CASTRO-SILVA,  
County Counsel

By: *Behnaz Tashakorian*  
Principal Deputy