



Broward County

Legislation Text

File #: 22-1342, Version: 1

Broward County Commission Regular Meeting

Director's Name: Leonard Vialpando

Department: Resilient Environment **Division:** Housing Finance Division

Information

Requested Action

MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, authorizing the issuance by the Housing Finance Authority of Broward County, Florida (the "HFA") of its Social Multifamily Housing Revenue Bonds (Social M-TEBS), Series 2022 (Federation Plaza) in a principal amount of not to exceed \$38,500,000 (the "Series 2022 Bonds") for the purpose of financing the cost of acquisition, rehabilitation and equipping of a multifamily housing project for seniors known as "Federation Plaza" located in Broward County, Florida; approving and authorizing the execution and delivery of a Land Use Restriction Agreement by and among the HFA, the Bank of New York Mellon Trust Company, N.A., as the Trustee, and Federation Plaza Preservation, L.P., as the Borrower; approving and authorizing the execution and delivery of an Indenture of Trust by and between the HFA and the Trustee; approving and authorizing the execution and delivery of a financing agreement by and among the HFA, the Trustee, Wells Fargo Bank, National Association and the Borrower; approving and authorizing the execution and delivery of a Bond Purchase Agreement for the Series 2022 Bonds by and among the HFA, the Borrower, RBC Capital Markets, LLC, and Raymond James & Associates, Inc., as the Underwriters; authorizing the preliminary Official Statement and the Official Statement; approving and authorizing the execution and delivery of certain additional agreements necessary or desirable in connection with the issuance of the Series 2022 Bonds; waiving the fee for services related to the HFA's annual audit of the project; appointing a Trustee, Paying Agent, and Registrar with respect to the Series 2022 Bonds; approving and authorizing the execution and delivery of a Trustee Fee Agreement between the HFA and the Trustee; authorizing the proper Officers of the HFA to do all things necessary or advisable in connection with the issuance of the Series 2022 Bonds; approving the Series 2022 Bonds for purposes of Section 147(f) of the Internal Revenue Code of 1986; and providing for an effective date. **(Commission District 6)**

Why Action is Necessary

Housing Finance Authority of Broward County, Florida, is empowered under (i) the laws of the State of Florida, including the Florida Housing Finance Authority law, Florida Statutes, Sections 159.601 through 159.623 (the "Act"), and (ii) Ordinance 79-41 enacted by the Board of Commissioners of Broward County, Florida on June 20, 1979, as amended, to issue multifamily housing revenue bonds and refund said bonds.

What Action Accomplishes

Approves the Project as required by Section 147(f) of the Internal Revenue Code of 1986 (the "TEFRA Hearing"), as amended and allows the Housing Finance Authority of Broward County to

finance the cost of the acquisition, construction and equipping of a 124-unit multifamily residential senior housing development, known as “Federation Plaza”.

Is this Action Goal Related

Yes

Previous Action Taken

None taken.

Summary Explanation/Background

THE RESILIENT ENVIRONMENT DEPARTMENT AND THE HOUSING FINANCE DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This item supports the Board’s vision of offering sustainable, compatible, innovative housing options for all income-levels, including integrated supportive housing and rapid-rehousing: Goal 1: Facilitate a regional approach to growth and redevelopment through coordination and collaboration at the federal, state, county, and local levels; Goal 2: Strengthen stakeholder partnerships to increase the availability of affordable housing of all types (e.g. rental, purchase, supportive, etc.), countywide, in every community; and Goal 3: Develop, through effective community collaboration, neighborhoods and communities incorporating intermodal connectivity, while integrating energy efficiency, community resilience, and other livability standards and initiatives.

On November 18, 2021, Housing Finance Authority of Broward County (the “HFA”) received a multifamily bond application from Related Affordable, LLC (the Developer”) pertaining to the acquisition, rehabilitation and equipping of a 124-unit multifamily residential senior housing development for persons of low to moderate income, known as “Federation Plaza” (the “Project”), located at 3081 Taft Street in the City of Hollywood.

Federation Plaza Preservation, L.P., a Florida Limited Partnership (the “Borrower”) has requested the HFA to issue the Series 2022 Bonds to make a loan to the Borrower (the “Loan”) for the Project. The HFA will enter into a Land Use Restriction Agreement by and among the HFA, The Bank of New York Mellon Trust, Company, N.A. (“Trustee”) as Trustee, and the Borrower, an Indenture of Trust by and between the HFA and the Trustee, a Financing Agreement, by and among the HFA, Trustee, Wells Fargo Bank, N.A., as lender and the Borrower and other documents in connection with the issuance of the Series 2022 Bonds.

At its January 19, 2022, board meeting, the HFA adopted Resolution No. 2022-002 (Exhibit 2), as amended by Resolution No. 2022-008 adopted on April 20, 2022 (Exhibit 3), a) declaring its official intent to issue the Series 2022 Bonds in the aggregate principal amount not to exceed \$38,500,000 to finance the Project, and b) authorizing the HFA to publish notice and hold a public hearing under the Tax Equity and Fiscal Responsibility Act (the “TEFRA Hearing”). The TEFRA Hearing was held on May 24, 2022, as required by Section 147(f) of the Code. Prior to the TEFRA Hearing, the Mayor and City Manager of Hollywood were provided notice regarding the proposed issuance of the Series 2022 Bonds.

At its August 17, 2022, board meeting, the HFA adopted Resolution No. 2022-017 (Exhibit 4), authorizing the issuance of the Series 2022 Bonds in the aggregate principal amount not to exceed \$38,500,000 to finance the Project, subject to the approval of the County Commission. The transaction is scheduled to close in October 2022. Resolution No. 2022-017 was prepared by Bond Counsel and approved as to form by the Office of the County Attorney.

Adoption of this Resolution authorizes the HFA to issue the Series 2022 Bonds to finance the acquisition, construction and equipping of the Project and approves the Project by ratifying (i) the publishing of the TEFRA Notice by the HFA on May 10, 2022, and (ii) the holding of, and minutes resulting from, the TEFRA Hearing held by the HFA on May 24, 2022, in connection with the issuance of the Series 2022 Bonds, in accordance with the Code (Exhibit 5).

Source of Additional Information

Ralph Stone, Director, Housing Finance Division, 954-357-5320.

Fiscal Impact

Fiscal Impact/Cost Summary

No fiscal impact.