Agenda Item is more than $\frac{10}{20}$ pages. Documents can be viewed in Minutes.

Agenda Item #: 31-6

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Department:	Department of Econ		
Meeting Date:	June 3, 2014	[X] Consent [] Ordinance	[] Regular [] Public Hearing

EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to Receive and File: Various documents executed in connection with loans made under the Palm Beach County Section 108 Loan Program to the following two (2) borrowers:

- 1. Simco, Inc.:
 - a. Loan Commitment Letter;
 - b. Section 108 Loan Program Agreement for \$100,000;

I.

- c. Loan Agreement for \$100,000;
- d. Palm Beach County Section 108 Promissory Note securing \$100,000;
- e. Guaranty Agreement;
- f. Security Agreement;
- g. Collateral Security Agreement;
- h. Assignment and Assumption of Lease Agreement;
- i. Further Assurances & Errors and Omissions Statement;
- j. Resolution of the President of Simco, Inc.; and
- k. Certificate of Simco, Inc.
- 2. Jupiter CY, LLC:
 - a. Loan Commitment Letter;
 - b. Section 108 Loan Program Agreement for \$2,300,000;
 - c. Palm Beach County Section 108 Loan Agreement for \$2,300,000;
 - d. Mortgage & Security Agreement securing \$2,300,000;
 - e. Palm Beach County HUD Section 108 Loan Promissory Note securing \$2,300,000;
 - f. Collateral Mortgage Agreement securing \$2,300,000;
 - g. Guaranty Agreement;
 - h. Pledge Agreement;
 - i. Purchase Agreement;
 - j. Control Agreement (Melbourne RI Manager, LLC);
 - k. Control Agreement (Marina Del Ray Apartments Limited Partnership);
 - I. Reliance Certificate(Marina Del Ray Apartments Limited Partnership);
 - m. Reliance Certificate (Jupiter CY, LLC); and
 - n. Further Assurances & Errors and Omissions Statement.

Summary: In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. Certain of the attached documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator, or designee, in accordance with Agenda Item R2009-0725 as approved by the BCC on May 5, 2009. These executed documents are now being submitted to the BCC to receive and file. <u>These are Federal funds which require no local match.</u> (DES Contract Development) <u>Districts 1 and 6</u> (DW)

Background and Justification: (Continued on Page 3)

Attachments: Documents as listed in 1.a through 1.k and 2.a through 2.n above.

Recommended By:	Same Horma	520-14
	Department/Director	Date /
Approved By:	Shann Ran	5/29/14
	Assistant County Administrator Date	

II. FISCAL IMPACT ANALYSIS

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	\$2,400,000				
Operating Costs					
External Revenues	(\$2,400,000)				
Program Income					
In-Kind Match				· · · · · · · · · · · · · · · · · · ·	
NET FISCAL IMPACT	-0-			<u></u>	
# ADDITIONAL FTE	0	· · · · · · · · · · · · · · · · · · ·	······································		
POSITIONS (Cumulative)	-0-				

A. Five Year Summary of Fiscal Impact:

Is Item Included In Current Budget? Yes X No ____

Budget Account No.:

Fund: 1540 Dept: 143 Unit: Various Sub units: Various Object: 8201

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Approval of this item will allocate \$2,400,000 in HUD Section 108 Loan Program funds to these projects.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

OFMB Legal Sufficiency

114 Contract Development and C ontro - 38-14

В.

enior Assistant County Attorney

C. Other Department Review:

Department Director

Background and Justification: (Continued from Page 1)

The Palm Beach County Section 108 Loan Program (Program), which is administered by the Palm Beach County Department of Economic Sustainability, was developed to create a source of loan funding for use by businesses and investors to implement business ventures that will create new jobs and help revitalize communities. Funding for the Program is received from the U.S. Department of Housing and Urban Development (HUD).

Program funds in the amount of \$100,000 allocated to Simco, Inc., will assist in providing financing for renovations, acquisition fixed assets, machinery and equipment, and provide working capital for the gas station and convenience store located 760 E. Main Street in Pahokee. This project will meet HUD's national objective by providing 12 full-time jobs.

Program funds in the amount of \$2,400,000 allocated to Jupiter CY, LLC, will assist in acquisition of furniture fixtures, equipment and the financing of working capital for the proposed hotel building located at 4800 Main Street in Jupiter (Abacoa). This project will meet HUD's national objectives by creating five (5) full-time jobs in an economically distressed area of Palm Beach County.