Agenda Item #: 5C-1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

| Meeting Date: | October 22, 2019 | [] Consent [] Ordinance | [X] Regular [] Public Hearing | | |
|----------------|---|----------------------------|-----------------------------------|--|--|
| Submitted By: | Department of Housing and Economic Sustainability | | | | |
| Submitted For: | Housing Finance Authority of Palm Beach County | | | | |

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida; approving the issuance of Housing Finance Authority of Palm Beach County, Florida, Multifamily Housing Revenue Bonds (Brenton at Abbey Park).

Summary: The Bonds are being issued by the Housing Finance Authority of Palm Beach County, Florida (Authority), to finance the costs of acquiring, constructing, renovating and equipping a 160 unit multifamily rental housing facility now known as Pinnacle at Abbey Park to be renamed Brenton at Abbey Park, (Project), located at 1921 Abbey Road in West Palm Beach. These units will be rented to qualified persons and families as required by Section 142(d) of the Internal Revenue Code of 1986, as amended (Code). The Borrower is Fairfield Abbey Park, LP, and the Developer will be an affiliate of the Borrower. The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Bryant Miller Olive P.A. is Bond Counsel to the Authority with respect to the Bonds, and RBC Capital Markets, LLC is the Placement Agent. On June 14, 2019, the Authority held a public hearing with respect to the Bonds in the noticed principal amount of \$19,000,000 as required by Section 147(f) of the Code. Neither the taxing power nor the faith and credit of the County nor any County funds are pledged to pay the principal, redemption premium, if any, of interest on the Bonds. District 2 (DB)

Background and Policy Issues: The Authority was established by the BCC in 1979 in accordance with Part IV of Chapter 159, Florida Statutes. The adoption of this Resolution by the BCC would constitute approval of the Bonds for purposes of Section 147(f) of the Code and Section 2-190, Palm Beach County Code of Ordinances.

Attachment(s):

1. Resolution

| Recommended By: _ | Department Director | 9/24/19 Date | |
|-------------------|--------------------------------|-------------------|--|
| Approved By: | Assistant County Administrator | 10/8/2019 Date | |

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2020 | 2021 | 2022 | 2023 | 2024 |
|------------------------|--|---------|------|------|------|
| Capital Expenditures | | | | | |
| Operating Costs | =1= 10d-1-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0- | | | | |
| External Revenues | | | | | |
| Program Income | | ······· | | | |
| In-Kind Match (County) | | | | | |
| NET FISCAL IMPACT | | | | | |

| # ADDITIONAL FTE | | [| |
|------------------------|--|---|---|
| POSITIONS (Cumulative) | | | |
| | | | l |

| Is Item Included In Current Budget? | Yes | No_ | X |
|--|-----|------|---|
| Does this Item include the use of Federal funds? | Yes | No _ | X |

Budget Account No.:

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

<u>All costs to be borne by the Housing Finance Authority. No fiscal impact to</u> <u>Palm Beach County.</u>

C. Departmental Fiscal Review: N/A

III. REVIEW COMMENTS

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

1017119 Contract Development t and Control

B. Legal Sufficiency:

10/7/19

Assistant County Attorney

C. Other Department Review:

Department Director

RESOLUTION OF THE BOARD Α OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; APPROVING THE ISSUANCE OF HOUSING FINANCE FLORIDA, AUTHORITY OF PALM BEACH COUNTY, MULTIFAMILY HOUSING REVENUE BONDS (BRENTON AT ABBEY PARK).

WHEREAS, the Housing Finance Authority of Palm Beach County, Florida (the "Authority") was created pursuant to Part IV, Chapter 159, Florida Statutes (the "Act") and Sections 2-181 <u>et seq.</u>, Palm Beach County Code of Ordinances (the "Ordinance"); and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida (the "Board"), has heretofore adopted Resolution No. 79-1150 declaring its need for the Authority to function in order to alleviate the shortage of housing and capital investment in housing within Palm Beach County, Florida (the "County"); and

WHEREAS, the Borrower (as defined below) has made application to the Authority to issue its hereinafter defined Bonds for the purpose of financing all or a portion of the costs of acquisition, construction, renovation and/or equipping of a 160 unit multi-family rental housing facility now known as Pinnacle at Abbey Park, to be renamed Brenton at Abbey Park, and located at 1921 Abbey Park Road in the City of West Palm Beach, Florida 33415, to be occupied by persons of low or moderate income as required within the meaning of Section 142(d) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Bonds shall be limited obligations of the Authority payable from revenues derived from and/or collateral provided by or on behalf of Fairfield Abbey Park, LP, a Florida limited partnership, or an affiliate thereof (the "Borrower") and the payment of such Bonds will be secured by a pledge of and lien on such revenues and/or collateral; and

WHEREAS, the Authority held a properly noticed public hearing pursuant to the provisions of Section 147(f) of the Code on June 14, 2019, regarding the proposed issuance of its Multifamily Housing Revenue Bonds (Brenton at Abbey Park), in the noticed principal amount of \$19,000,000 (the "Bonds"); and

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WHEREAS, the Bonds shall not be a debt of the Authority, the County, the State of Florida (the "State"), nor any other political subdivision thereof; and neither the Authority, the County, the State nor any other political subdivision thereof shall be liable thereon; and

WHEREAS, the Bonds will be issued by the Authority, and the proceeds thereof will be used to finance a portion of the costs of the Project, to be rented to qualified persons and families in Palm Beach County, Florida as required by the Act and the Code; and

WHEREAS, RBC Capital Markets, LLC will be the placement agent with respect to the Bonds (the "Placement Agent"); and

WHEREAS, the Authority has requested that the Board approve (a) the issuance of the Bonds within the meaning of Section 147(f) of the Code and Section 2-190, Palm Beach County Code of Ordinances, and (b) the placement agent for the Bonds as required by Section 2-190, Palm Beach County Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA;

- **1.** That the above recitals are hereby adopted by the Board as the findings of the County and are incorporated herein.
- **2.** That the issuance of the Bonds is approved within the meaning of Section 147(f) of the Code and Section 2-190, Palm Beach County Code of Ordinances.
- **3.** That the Placement Agent is approved as the placement agent for the Bonds within the meaning of Section 2-190, Palm Beach County Code of Ordinances.
- **4.** That the Mayor and the Clerk are authorized to execute this Resolution on behalf of Palm Beach County, Florida.
- 5. That this Resolution shall take effect upon adoption.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and being put to a vote, the vote was as follows:

Commissioner Mack Bernard, Mayor-Commissioner Dave Kerner, Vice Mayor-Commissioner Hal R. Valeche-Commissioner Gregg K. Weiss-Commissioner Robert S. Weinroth-Commissioner Mary Lou Berger-Commissioner Melissa McKinlay-

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 20____.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY ATTEST: SHARON R. BOCK CLERK & COMPTROLLER

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Dávid Behar Assistant County Attorney

By: _____ Deputy Clerk

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