Agenda Item #: 5C-1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:

October 6, 2020

[] Consent

[X] Regular

[] Ordinance

[] 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 (Christian Manor) in the amount of \$18,000,000.

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 multifamily rental housing facility for the elderly containing approximately 200 units which is known as Christian Manor (Project). The Project is located at 325 Executive Center Drive in West Palm Beach. These units will be rented to qualified persons and families whose household incomes do not exceed 60% of area median income. borrower is Christian Manor Restoration, LLC, or an affiliate thereof (Borrower). Borrower is a wholly controlled entity of Phase Housing Corporation, Inc., a Florida nonprofit corporation. 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 Stifel, Nicolas & Company, Incorporated or a related entity is the underwriter of the Bonds. On September 11, 2020, the Authority held a public hearing with respect to the Bonds in the noticed principal amount of \$18,000,000 as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (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, or interest on the Bonds. District 7 (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	(2) 2020 Date
Approved By:	Assistant County Administrator	9/10/2020 Date

II. FISCAL IMPACT ANALYSIS

Capital Expanditures	2020	2021	2022	2023	2024
Capital Expenditures					
Operating Costs			(
External Revenues					
Program Income					
In-Kind Match (Count	y)				
NET FISCAL IMPACT	Г				
# ADDITIONAL FTE POSITIONS (Cumulativ	ve)				
s Item Included In Cı			Yes	No X No X	_
Does this Item includ	le the use of Fed	deral funds?	Yes	NoX	-
Budget Account No.:					
3. Recommended	l Sources of Fu	nds/Summa	v of Fiscal	Impact:	
					N.
	e borne by the I o Palm Beach C		ance Autno	rity or the E	orrower. No
	o i umi Dodon o	<u>ountji</u>			
C. Departmental I	Fiscal Review:	N/A			
	III. <u>RE</u>	VIEW COMI	MENTS		
	nd/or Contract I	Developmen	t and Contr	ol Comment	s:
A. OFMB Fiscal a					
A. OFMB Fiscal a				_	
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A. OFMB Fiscal a OFMB OFMB	(XI)	Da/z Con	Aract Develop	oment and Co	w
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Department Director

RESOLUTION NO. R2020-

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 (CHRISTIAN MANOR) IN THE AMOUNT OF \$18,000,000.

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 a portion of the costs of acquisition, construction, renovation and/or equipping of a 200 (approximate) unit multi-family rental housing facility for the elderly known as Christian Manor (herein the "Project"), and located at 325 Executive Center Drive, West Palm Beach, Florida 33401, to be occupied by qualified persons and families whose household incomes do not exceed 60% of area median income; and

WHEREAS, the bonds and/or notes (collectively, the "Bonds") shall be issued in one or more series, shall be limited obligations of the Authority payable from revenues derived from and secured by collateral provided by or on behalf of Christian Manor Restoration, LLC, a Florida limited liability company, 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 other collateral; and

WHEREAS, the Authority held a properly noticed public hearing pursuant to the provisions of Section 147(f) of the of the Internal Revenue Code of 1986, as amended (the "Code") on September 11, 2020, regarding the proposed issuance of the Bonds in the noticed principal amount of \$18,000,000; and

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, Stifel, Nicolas & Company, Incorporated, or a related entity, will be the underwriter for the Bonds (the "Underwriter"); 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 underwriter for the Bonds as required by Section 2-190, Palm Beach County Code of Ordinances; and

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

- 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.
- That the Underwriter is approved as the underwriter of the Bonds within the meaning of 3.

	Section 2-190, Paim Beach County	Code of Ordinances.				
4.	That the Clerk is authorized to execute this Resolution on behalf of Palm Beach County, Florida.					
5.	That this Resolution shall take effect	t upon adoption.				
The f	•	d by Commissioner, who notion was seconded by Commissioner or a vote, the vote was as follows:				
	Commissioner Dave Ker Commissioner Robert S. Commissioner Hal R. Va Commissioner Gregg K. Commissioner Mary Lou Commissioner Melissa M	. Weinroth, Vice Mayor leche Weiss ı Berger //cKinlay				
	Mayor thereupon declared the Res f October, 2020.	solution duly passed and adopted this				
		PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS				
APPROVED AS TO FORM AND LEGAL SUFFICIENCY		ATTEST: SHARON R. BOCK CLERK & COMPTROLLER				
A -	David Behar	By: Deputy Clerk				

Assistant County Attorney