PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

Agenda Item #: 6D.2

AGENDA ITEM SUMMARY

Meeting Date:	May 18, 2021	[] 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 (St. James Residences) in an amount not to exceed \$36,000,000.

Summary: The Bonds are being issued by the Housing Finance Authority of Palm Beach County, Florida (the "Authority"), to finance the costs of acquiring, renovating and equipping a multifamily rental housing facility for the elderly containing 148 units known as St. James Residences (the "Project"). The Project is located at 400 S. Olive Avenue in the City of West Palm Beach. These units will be rented to qualified persons and families whose household incomes do not exceed 60% of area median income. The borrower is SJ Residences Preservation, LP, or an affiliate thereof (Borrower). The Borrower is affiliated with the developer, The Related Companies, L.P., New York, New York. The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Greenberg Traurig, P.A. is Bond Counsel, and Bryant Miller Olive P.A. is Disclosure Counsel to the Authority with respect to the Bonds, and RBC Capital Markets is the underwriter of the Bonds. On April 9, 2021, the Authority held a public hearing with respect to the Bonds in the noticed principal amount of \$36,000,000 as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (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, or interest on the Bonds. District 7 (DCB)

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.

Attachments: 1. Resolution		
Recommended By	Department Director	5/3/2021 Date
Approved By:	Somp A. Mille Assistant County Administrator	5/6/2021 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures					
Operating Costs					
External Revenues	,				
Program Income	a yana kafanin da ^{ran} na sani ka kata da sana ka da sana				
In-Kind Match (County)					
NET FISCAL IMPACT					

# ADDITIONAL FTE			
POSITIONS (Cumulative)			

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:

All costs to be borne by the Housing Finance Authority or the Borrower. No fiscal impact to Palm Beach County.

C. Departmental Fiscal Review: N/A

III. REVIEW COMMENTS

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

3/36/21

Contract Development and Control 41.- 21 Th

B. Legal Sufficiency:

Attorney Dave Behar for Assistant County

C. Other Department Review:

Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

RESOLUTION NO. 2021 - ____

Α 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 (ST. JAMES **RESIDENCES).**

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, renovation and/or equipping of a 148 unit multi-family rental housing facility for the elderly known as St. James Residences (herein the "Project"), and located at 400 S. Olive Avenue, 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 SJ Residences Preservation, 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 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 April 9, 2021, regarding the proposed issuance of the Bonds in the noticed principal amount of \$36,000,000; 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, RBC Capital Markets, LLC will be the underwriter of 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 of the Bonds as required by Section 2-190, Palm Beach County Code of Ordinances; and

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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 Underwriter is approved as the underwriter of the Bonds within the meaning of Section 2-190, Palm 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 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:

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of May, 2021.

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

SIGNED FOR LEGAL SUFFICIENCY ATTEST: JOSEPH ABRUZZO CLERK & COMPTROLLER

By: Um

for David Behar Assistant County Attorney

By: _____ Deputy Clerk

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