

HOUSING FINANCE AUTHORITY OF HILLSBOROUGH COUNTY

Minutes of October 13, 2017 Board Meeting

The meeting was held in the Tax Collector's Board Room, 14th Floor, County Center and Planning Commission Board Room, 18th Floor, County Center, 601 E. Kennedy Blvd, Tampa, FL 33602.

I. Closed Session

Chair Debra Koehler called the HFA Board Meeting to order at 9:00 a.m., in the Tax Collector's Board Room. She stated,
Notice is hereby given that at 9:00 a.m., on Friday, October 13, 2017 the Hillsborough County Housing Finance Authority will go into closed session pursuant to Section 286.011(8), Florida Statutes, for approximately 30 minutes. The Authority will discuss settlement negotiations and strategy negotiations related to litigation expenditures concerning Berkley Regional Insurance Company v. The Tempo at Encore, et al, Case No.: 17-CA-007385. The meeting will be attended by Chairman Debra Koehler, Mercedes B. DiMaio, Secretary, Edward A. Busansky, Frank D. DeBose, Harry S. Hedges and Michael F. Kelley, Mary Helen Farris, General Counsel, Mark Hendrickson, Executive Director/Financial Advisor, Alan S. Zimmet, Outside Counsel, and a representative from Berryhill Court Reporting. Following the closed session, the Authority will reconvene in open session in the Planning Commission Board Room, 18th Floor, County Center, so the Chairman can announce the termination of the closed session and the Authority will take any formal action it deems necessary.

II. Attendees

Chair Debra Koehler reconvened the HFA Board Meeting at 9:30 a.m., in the Planning Commission Board Room, 18th Floor, County Center, stating,
I am now reconvening the regular Board meeting of the Hillsborough County Housing Finance Authority. Pursuant to Section 286.011(8), Florida Statute, settlement negotiations and litigation expenditures concerning Berkley Regional Insurance Company v. The Tempo at Encore, et al, Case No.: 17-CA-007385, were discussed in the Closed Session. The Closed Session is hereby terminated. I will now call the regular meeting of the Hillsborough County Housing Finance Authority to order.

Members of the audience and the Board introduced themselves, and the Pledge of Allegiance was recited.

Also in attendance were Vice-Chairman David Hollis, Secretary Mercedes DiMaio, and Board Members Ed Busansky, Frank DeBose, Harry Hedges and Mike Kelley.

Also present were Mary Helen Farris (County Attorney's Office), Mark Hendrickson (HFA Financial Advisor), Debbie Berner (HFA Investment Banker—RBC Capital Markets), Misty Taylor (HFA Bond Counsel—Bryant Miller Olive), Alan Zimmet (Counsel—Bryant Miller Olive), Cheryl Howell (Hillsborough County), Shawn Wilson and Scott MacDonald (Blue Sky Communities), and Leonard Burke (Tampa Housing Authority).

III. Minutes

Mr. Hollis moved, with a second by Mr. Hedges, that the Board **approve the minutes of the September 1, 2017 meeting**. The motion passed 7-0.

IV. Public Comment

There were no public comments.

V. Bond Allocation

Mr. Hendrickson noted that counsel had published the notice of a TEFRA hearing for \$200 million, single family. After discussion, Mr. Kelley moved, with a second by Mr. DeBose, that the Board **ratify counsel's action related to the publication of a TEFRA hearing notice for \$200, single family**. The motion passed 7-0.

VI. Legal

Ms. Farris explained the proper wording for a Board motion related to legal issues. Mr. Hedges moved, with a second by Mr. DeBose, that the Board **authorize counsel to finalize a stipulation related to Berkley Regional Insurance Company v. The Tempo at Encore, et al, Case No.: 17-CA-007385, and authorize counsel to pursue payment of legal fees from the Tempo at Encore LP and Banc of America Community Development Corporation**. The motion passed 6-0, with Mr. Hollis abstaining (form attached).

VII. HFA FY 17-18 Budget

Mr. Hendrickson updated the Board on the proposed final FY 17-18 Budget, explaining the various assumptions that were used to develop the budget. Ms. Koehler stated that one resident of Metro 510 received assistance under the Camelot Youth Aging Out of Foster Care Program, and asked for guidance from Ms. Farris as to whether she should abstain on a vote on the budget. Ms. Farris advised that Ms. Koehler had no prohibited voting conflict. After discussion, Mr. Kelley moved, with a second by Mr. Hollis, that the Board **approve the FY 17-18 Budget Resolution drafted by HFA Counsel, and that the Board direct staff to post the budget within seven days to the HFA website**. The motion passed 7-0.

VIII. HFA Monthly Financial Statements

Mr. Hendrickson presented the August and September 2017 Financial Statements. Mr. Hedges moved, with a second by Mr. Hollis, that the Board **approve the August and September 2017 Financial Statements**. The motion passed 7-0.

IX. Investments

Mr. Hendrickson presented the Investment Report. Investment Committee Chairman DeBose **scheduled an Investment Committee meeting for 9 AM, November 9.**

X. Single Family Report: DPA, MCC's, Old Issues and 2012 Program

Mr. Hendrickson and Ms. Berner reported on the status of the program, and presented a new chart that tracked revenues and expenses of the program. **Ms. Howell stated that the County was looking at options to increase funding of DPA funds to the HFA, and would report at the November HFA meeting.**

Mr. Hendrickson directed the Board to Ms. Sue Denihan's written marketing update.

Mr. Hendrickson stated that the final agreement with the City of Tampa to allocated \$250,000 of SHIP funds to the HFA's DPA Program had been executed by the City. He noted that these funds were for loans within the City of Tampa, and that a marketing program was needed.

Ms. Berner reported on new FINRA requirements related to margin calls, and whether the HFA was exempt from the requirements. Ms. Taylor stated that she would work with RBC on the issue. The Board **directed that this issue be placed on the November HFA agenda.**

Ms. Taylor explained that single family bond allocation expiring at the end of 2017 needed to be converted to MCC's, which would be available until December 31, 2019. After discussion, Mr. Busansky moved, with a second by Mr. Hollis, that the Board **adopt a Resolution drafted by bond counsel which, among other items, establishes the 2017 MCC Program, authorizes the exchange of \$23,225,805 of single family private activity bond allocation for \$5,806,451 of MCC authority, designates eHousing Plus as program administrator, and authorizes the execution of a Program Administration Agreement** (see Resolution for all items). The motion passed 7-0.

XI. New Multi-Family Financings

Mr. Hendrickson updated the Board on the Bethune at West River I development, which is now scheduled to close in March 2018.

XII. FHFC Local Government Preference (Local Government Area of Opportunity Funding)

Mr. Hendrickson stated that the Board had authorized the HFA to administer a selection process for the County (including publication of a NOFA and Application) related to the Local Government Area of Opportunity Funding with FHFC—if the County requested the HFA to do so. He stated that Ms. Bonnie Wise had requested that the HFA administer the process for the upcoming FHFC RFA 2017-113, and that a NOFA and Application had been published, with a due date of December 1, 2017. Mr. Hendrickson stated that the applications would be analyzed for HFA action at the December meeting. He also noted that the applications were limited to developments located in unincorporated Hillsborough County, Plant City and/or the City of Temple Terrace.

Mr. Busansky asked that the Board open a dialogue with the County related to the HFA's relationship with the County, and the various levels of funding commitments of each body. The Board **directed that this be placed on an HFA agenda in early 2018.**

XIII. Multi-Family Loans & Development Occupancy

Mr. Hendrickson reported on the status of various loans and the continued high occupancy of most HFA financed units. Mr. Burke of THA reported on the lower occupancy of THA properties compared to most of the HFA's portfolio, noting that residents in units with project based rental assistance were given the option after a certain time to receive a portable voucher, and that this caused an abnormally high turnover rate in the properties.

Mr. Wilson stated that the Preserve at Sabal Palms wished to change to development design from townhomes to garden apartments. Ms. Koehler noted that the current PUD only permitted townhomes. The Board **directed that this request be placed on the November HFA agenda.**

XIV. Other Multi-Family Programs

Mr. Hendrickson reported on the Homeless Up and Out, Youth Aging Out of Foster Care, and Catholic Charities programs.

XV. SEE, FHFC, & County Reports

Mr. Hendrickson and Mr. Hedges reported on the SEE effort and the need to meet with all legislators prior to the January start of the 2018 legislative session. Mr. Hedges noted that the Hillsborough County Legislative Delegation was having a public meeting on the 2018 session on November 3, and that he planned to attend and speak.

Mr. Busansky reported on FHFC activities.

Ms. Howell reported on County activities.

XVI. New Business

Mr. Hendrickson reminded Board members of the date change for the Florida Housing Coalition annual conference.

XVII. Adjournment

On a motion by Mr. Hedges, seconded by Mr. Hollis, the Board voted 7-0 to adjourn the meeting (10:52 AM).