



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

---

**File #:** 1562, **Version:** 1

---

### **Subject:**

Resolution approving the issuance of Multi-Family Housing Revenue Bonds by Brevard County Housing Finance Authority (Southlake Towers Project)

### **Fiscal Impact:**

None

### **Dept/Office:**

County Attorney's Office

### **Requested Action:**

The Brevard County Housing Finance Authority (the "Authority") is requesting that the Board approve a Resolution to allow the Authority to apply for an allocation with the Florida Division of Bond Finance and to allow the issuance by the Authority of multi-family housing revenue bonds to finance the acquisition, rehabilitation, equipping and development of Southlake Towers (the "Project").

### **Summary Explanation and Background:**

On October 22, 2019, the Board of County Commissioners adopted Resolution No. 2019-212, which approved the issuance within the meaning of Section 147(f) of the Internal Revenue Code of 1986, as amended, of the Authority's Multifamily Housing Revenue Bonds (Southlake Towers Project), in the principal amount of not to exceed \$11,000,000. Subsequently, Southlake Towers, LLLP, an affiliate of ReBuild America -Phoenix, Inc., submitted a request for an additional \$2,200,000 in bonds to cover increased construction and development costs for the Project, for a total issue size of \$13,200,000 to finance the acquisition, rehabilitation, equipping and development of the Project. The Project is an existing apartment complex located at 5501 Pinewood Drive, Northeast, in Palm Bay, Florida, and consists of 85 units (22 efficiency and 63 one-bedroom apartments), which will be rented to elderly residents (age 62 and over) of lower and moderate income. A Land Use Restriction Agreement encumbering the property will require that 40% of the apartment units will be set aside and available only to persons earning less than 60% of median income, for as long as the financing is outstanding, or for a term of 30 years, whichever is longer. Project amenities will include a laundry facility, two community rooms, a dog park and an outdoor gazebo. Renovations to the existing apartments will include upgrading kitchens and bathrooms, replacing appliances with energy star appliances, replacing flooring, enhancing lighting and security features and completing deferred maintenance.

On April 22, 2020, the Authority held a public hearing, following proper publication of notice, for the purpose of receiving public input on the proposed project and bond issuance. A report of the public comments received is attached to the proposed Resolution. In order to issue tax exempt bonds for the Project, the Authority must apply for and receive an additional allocation of \$2,200,000 from the State Regional Pool prior

to June 30, 2020. Brevard County is in Region 17, with Volusia County, which shares a total annual allocation of approximately \$57,644,854.

The tax-exempt financing will be in the form of a construction/permanent loan. As a condition of approval, the County's financial advisor will verify that the financing meets or exceeds the Guidelines of the Authority. The County's Financial Advisor has reviewed the project and anticipates the funding will be within the county's debt issuance guidelines if it remains at the proposed levels. (See attachment.)

The Board's approval of the issuance of the Bonds by the Authority to finance costs of the Project is required by applicable federal tax law.

The County's outside bond counsel has reviewed the project and stated the following: "The Resolution proposed to be adopted by the BOCC satisfies the pertinent federal and state law requirements and provides that neither the County nor any of the elected officials or staff of the County will have any obligation or liability, financial or otherwise, with respect to the Project or the Bond." (See attachment.)

**Cost Benefit Analysis:**

This issue will provide funds to finance the acquisition, rehabilitation, equipping and development of 85 rental housing units which will be available to Brevard County elderly residents of lower and moderate income. There is no fiscal impact to the Board of County Commissioners or the Authority. The County is only authorizing the Housing Finance Authority to issue the bonds under the IRS requirements for tax exempt bonds and the County shall be indemnified from the issuance of bonds and the Project.

Contact Person: Angela A. Abbott, 264-0334; [angelaabbott@cfl.rr.com](mailto:angelaabbott@cfl.rr.com); Steven E. Miller, (813) 281-2222; [smiller@ngn-tampa.com](mailto:smiller@ngn-tampa.com) <<mailto:smiller@ngn-tampa.com>>; Jay Glover, PFM Financial Advisors LLC, (407) 406-5760; [gloverj@pfm.com](mailto:gloverj@pfm.com)

Clerk to the Board Instructions:

Return a signed Resolution to CAO