

Clearwater, Florida, May 4, 2016

The Housing Finance Authority (HFA) Board of Pinellas County (as created by the Code of Ordinances of Pinellas County, Section 2-386) met in regular session in the Clerk's Fourth Floor Conference Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, at 3:01 P.M. on this date with the following members present:

Rodney S. Fischer, Chairman
Norris E. Counts, Secretary/Treasurer
Casey Cane, Assistant Secretary
Robyn Fiel, Assistant Secretary

Also Present

Kathryn Driver, Executive Director, HFA
Sheri Harris, HFA Staff
Karmen Lemberg, HFA Staff
Michael T. Cronin, Attorney, Johnson, Pope, Bokor, Ruppel & Burns, PA
Debbie Berner, RBC Capital Markets
Barbara Clark, Barbara Clark & Company
Sue Denihan, eHousingPlus
Linda Dufresne, Dufresne & Associates, CPA, PA
Helen Feinberg, RBC Capital Markets
Colleen M. Flynn, Johnson, Pope, Bokor, Ruppel & Burns, PA
Caitlein Jammo, Johnson, Pope, Bokor, Ruppel & Burns, PA
Anthony Jones, Bright Community Trust
Paul O'Sullivan, CSG Advisors
Donald Peterson, Raymond James
Tim Wranovix, Raymond James
Other Interested Individuals
Laura M. Todd, Board Reporter, Deputy Clerk
(Minutes by Jenny Masinovsky)

AGENDA

1. CALL TO ORDER
2. PUBLIC COMMENTS
3. APPROVAL OF MINUTES – none

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4. TREASURER'S REPORTS
 - A. March 2016
 1. General Fund
 2. Housing Trust Fund
 3. Land Assembly Fund
 - B. February 2016
 1. General Fund
 2. Housing Trust Fund
 3. Land Assembly Fund
5. COMMUNICATIONS TO THE AUTHORITY
 - A. Tampa Bay CDC Usage Report - \$100,000
6. REPORTS BY STAFF
 - A. HFA Operations Update – Kathryn Driver
 1. BCC Update
 - B. Multi-Family Update – Kathryn Driver
 1. Occupancy Report
 - C. Single Family Update – Karmen Lemberg
 - D. Special Programs Update – Sheri Harris
 - E. Legislative Update – Kathryn Driver and Colleen Flynn
7. NEW BUSINESS
 - A. Audit
(Action Item – Linda Dufresne)
 - B. Pinellas County Land Assembly Land Trust – Preserves at Clam Bayou
 1. Resolution
 2. Draft Land Trust Agreement
(Action Item – Mike Cronin)
 - C. Loss Mitigation Policy
 1. Policy Memo
(Action Item – Caitlein Jammo)
 - D. Youth Aging Out of Foster Care
(Action Item – Kathryn Driver)
8. ADJOURNMENT

Upcoming Events

HFA Meeting, June 1, 2016, 315 Court Street, Fourth Floor, Clerks Large Conference Room
FLALHFA 2016 Annual Conference, July 6-9 at the St. Petersburg Vinoy

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CALL TO ORDER

Chairman Fischer called the meeting to order at 3:01 P.M. A sign-in sheet and the agenda packet have been filed and made a part of the record.

PUBLIC COMMENTS

Chairman Fischer announced that anyone wishing to speak on any of the agenda items will be recognized.

TREASURER'S REPORTS – APPROVED

General Fund – February and March 2016

Noting that the agenda packet contains financial reports for the months of February and March, Mr. Counts presented the HFA General Fund financial statements for March 2016; whereupon, he reviewed the March Cash Roll Report and moved, seconded by Ms. Fiel, that the financial reports be approved. Upon call for the vote, the motion carried unanimously.

Housing Trust Fund – February and March 2016

Mr. Counts presented the HFA Housing Trust Fund financial statements for March 2016; whereupon, he reviewed the March Cash Roll Report and moved, seconded by Mr. Cane, that the financial reports be approved. Upon call for the vote, the motion carried unanimously.

Land Assembly Fund – February and March 2016

Mr. Counts presented the HFA Land Assembly Fund financial statements for March 2016; whereupon, he reviewed the March Cash Roll Report and moved, seconded by Ms. Fiel, that the financial reports be approved. Upon call for the vote, the motion carried unanimously.

Chairman Fischer noted that approval of the reports pertains to the months of February and March 2016.

COMMUNICATIONS TO THE AUTHORITY

Tampa Bay Community Development Corporation (CDC) Usage Report

Ms. Driver indicated that a monthly report detailing usage of the \$100,000 loan with the CDC is included in the agenda packet.

REPORTS BY STAFF

HFA Operations Update

Ms. Driver reviewed today's agenda and reported on HFA activities.

- The HFA audit is complete and will be presented by Linda Dufresne later in the meeting.
 - The Municipal Advisor Request for Proposals is almost ready to be sent out.
 - The Florida Association of Local Housing Finance Agencies (FALHFA) 2016 Annual Conference will take place July 6 through 9 at the St. Petersburg Vinoy. Anyone wishing to attend is encouraged to contact Karmen Lemberg for reservations.
 - The multi-family housing occupancy numbers are included in the agenda packet.
 - Pinellas County Board of County Commissioners (BCC) Program Update Report – Presented to the BCC on April 26, 2016
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Referring to the report, Ms. Driver reviewed HFA achievements of the past year, including single family and multifamily programs, and projects funded with the Housing Trust Fund and the Land Assembly Fund, and provided information regarding the Sadowski Housing Coalition and the Sadowski Education Effort. She noted that the HFA received the Multifamily Excellence award at the recent National Association of Local Housing Finance Agencies (NALHFA) conference in Dallas, Texas, for the Pinellas Heights Senior Apartments project; that the Garden Trail Apartments project was used as a case study at the conference; and that there will be increased funding for SHIP programs available from the state legislature as a result of the efforts of the Sadowski Housing Coalition and the Sadowski Education Effort; whereupon, she introduced a new multifamily construction project, The Preserves at Clam Bayou, for households with under 60 percent of the area

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median income, noting that 80 percent of the units will be set aside for persons with mental health issues; and that the project will be partially subsidized by the City of St. Petersburg. Thereupon, Mr. Counts pointed out that the report of the HFA activities is a public record.

Single Family Program Update

Referring to the update report included in the agenda packet, Ms. Lemberg indicated that it does not reflect the 2016A Single Family Bond Issue closed on April 29; that all loans were permanently moved out of the Federal Home Loan Bank into the bond, and the U.S. Bank pooled loans for the current, as well as the following months, will also be going directly into the bond, which is expected to fully originate by December. She related that the Freddie Mac program has changed and is being considered for offering of conventional loans due to an expressed interest from lenders and the flourishing Florida housing market. Noting that the market has picked up, she related that she plans on meeting with and making presentations to lenders and realtors, including representatives from the Hispanic community, in an effort to widen the HFA footprint.

Ms. Lemberg announced that the May radio show will feature the HOPE Expo, which will be held on June 4 and include a display of HFA exhibits.

Special Programs Update

Ms. Harris presented an update on the Neighborhood Stabilization Programs, relating that the rehabilitation project located at 1225 Davis Road in Dunedin (NSP2) closed on May 3; and that there is no new activity to report on the NSP1 and NSP3 projects. She reviewed the Land Assembly Fund projects, relating that two single family homes were closed on in April; that she is working with the County and the City of Clearwater to get the Phase 2 Garden Trail project underway; and that the St. Petersburg City Council will be reviewing the reservation letter for \$250,000 for Boley Centers tomorrow. She indicated that the City of Largo wishes to contribute their resources to the fund; and that developers at a community meeting in the City of Clearwater expressed interest in the Land Assembly Fund projects.

Legislative Update

Colleen M. Flynn, Johnson, Pope, Bokor, Ruppel & Burns, PA, gave a PowerPoint presentation titled *Update from Florida's 2016 Legislative Session*, a copy of which has been filed and made a part of the record. Referring to the recently approved House and Senate Bills affecting Dependent Special Districts, including the HFA, she discussed new requirements pertaining to public records; public corruption; scrutinized companies; trade secrets; and accountability in

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terms of website compliance; whereupon, she reviewed the public accountability bills which did *not* pass.

Responding to queries by Chairman Fischer regarding the Public Records Law, Ms. Flynn indicated that generally, a public records request should be acknowledged; that it is allowable to charge for a voluminous request involving more than the general cost of doing business; and that no new documents need to be created in response to a request.

During discussion and in response to queries by Attorney Cronin, Ms. Flynn provided clarification as to the requirements for posting documents on the HFA website; whereupon, Chairman Fischer and Ms. Lemberg noted that staff has already been implementing a lot of the new requirements.

NEW BUSINESS

Audit – approved

Linda Dufresne, Dufresne & Associates, CPA, PA, indicated that the only changes to the original audit report presented two months ago pertain to the amounts that have to be recorded in the HFA financial statements with respect to the Florida Retirement System (FRS) Pension Plan and the Health Insurance Subsidy Plan; whereupon, she referred to the document titled *Housing Finance Authority of Pinellas County (A Component Unit of Pinellas County, Florida) Independent Auditor's Reports, Financial Statements and Required Supplementary Information, September 30, 2015*, which has been filed and made a part of the record, and discussed pension contributions and their classifications, as reflected on the Statement of Net Position.

Responding to queries by Chairman Fischer, Ms. Dufresne confirmed that all HFA employees participating in the FRS also participate in the Health Insurance Subsidy, and responding to queries by Mr. Counts with regard to the Pension Plan, explained that the HFA has consistently been funding its employees; that the unfunded liability portion of the pension, which is required to be reflected on financial statements of participating employers, would fluctuate depending on the market, and whether or not the HFA would pay it would also depend on the market; whereupon, she confirmed that the HFA is in full compliance with the Governmental Accounting Standards Board requirements.

Thereupon, Mr. Counts moved, seconded by Mr. Cane, that the audit be approved. Upon call for the vote, the motion carried unanimously; whereupon, Ms. Driver thanked Barbara Clark, Linda Dufresne, and their staff for their efforts in completing the audit.

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Pinellas County Land Assembly Land Trust – Preserves at Clam Bayou

RESOLUTION NO. 2016-06 ADOPTED AUTHORIZING, APPROVING CERTAIN ACTIONS IN CONNECTION WITH THE CLAM BAYOU MULTIFAMILY HOUSING PROPERTY TO PROVIDE AFFORDABLE MULTIFAMILY HOUSING IN ACCORDANCE WITH THE DIRECTIVES AND INITIATIVES OF THE *PINELLAS COUNTY COMMUNITY HOUSING PROGRAM-AFFORDABLE HOUSING LAND ASSEMBLY FUND*; AUTHORIZING THE ACQUISITION OF REAL PROPERTY UTILIZING MONIES FROM THE *PINELLAS COUNTY COMMUNITY HOUSING PROGRAM-AFFORDABLE HOUSING LAND ASSEMBLY FUND*; AUTHORIZING THE CREATION AND FORMATION OF THE PINELLAS COUNTY LAND ASSEMBLY TRUST – CLAM BAYOU; AUTHORIZING FUTURE CONVEYANCE AND PURCHASE OF THE SUBJECT PROPERTY TO THE PINELLAS COUNTY LAND ASSEMBLY TRUST – CLAM BAYOU; AUTHORIZING A GROUND LEASE AND OTHER RELATED FINANCING DOCUMENTS, INCLUDING A LAND USE RESTRICTION AGREEMENT AND MANAGEMENT AGREEMENT; DELEGATING AUTHORITY TO IMPLEMENT THESE ACTIONS; AUTHORIZING ADDITIONAL REQUIRED ACTIONS AND PROVIDING AN EFFECTIVE DATE.

Ms. Driver provided an update on the project, relating that if the City of St. Petersburg commits funding in the amount of \$840,970, staff will start its due diligence process with regard to using the \$250,000 Penny for Pinellas funds to acquire the land; and that the developer, Boley Centers, would also contribute \$80,000 toward the project. She indicated that the drafts of the resolution and the land trust agreement are included in the agenda packet for review and approval; whereupon, Attorney Cronin provided information regarding the powers given to the Authority through the resolution, noting that the documents are in the standard form used for the Land Assembly Fund acquisitions in the past.

Thereupon, Mr. Counts moved, seconded by Ms. Fiel, that Resolution No. 2016-06 be adopted and the draft Land Trust Agreement be approved. Upon call for the vote, the motion carried unanimously.

Loss Mitigation Policy – approved as amended

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Referring to the Memorandum titled *Loss Mitigation Policies/Notices to Owners*, Caitlein Jammo, Johnson, Pope, Bokor, Ruppel & Burns, PA, discussed loss mitigation procedures for mortgages in default from 120-day mark forward, noting that the loan servicer, Multi-Financial Services Co., Inc., would be providing notices to homeowners in an attempt to resolve a default up to 120 days; and that after 120 days, when, pursuant to federal law, a lender can proceed to foreclosure, 30 additional days would be provided for them to either pay the full amount of the loan or work out an arrangement with the HFA.

Responding to queries by Mr. Counts, Ms. Jammo indicated that the length of time to obtain a deed in the case of a foreclosure would depend on the courts and on a homeowner's defense; whereupon, Ms. Jammo and Attorney Cronin related that the attorneys want to work with Bright Community Trust (BCT) to prevent foreclosure and reiterated that foreclosure would be used as a last resort.

Anthony Jones, BCT, related that his staff was not aware of the BCT references in the memorandum; whereupon, he provided reasons for reconsidering deadlines to cure default to allow more time after the 120-day mark and distributed handouts regarding foreclosure avoidance, which have been filed and made a part of the record.

During discussion and in response to Mr. Jones' concerns, Ms. Jammo indicated that going forward, BCT will be receiving copies of Notices of Default starting at day zero all the way through the 150-day mark; that foreclosure would not be considered for a homeowner who is working towards a loan modification or proceeding with counseling; and that foreclosure would occur when there is either no communication, unsuccessful counseling or modification, or an unwillingness to do a deed in lieu of foreclosure, not when a homeowner is taking steps to cure default and is unable to meet a deadline; whereupon, Attorney Cronin agreed with Mr. Jones' recommendation, indicating that the memorandum would be amended to allow additional time for modification or other alternatives for those persons who are in a process of working to cure default in collaboration with the BCT.

Thereupon, Mr. Counts moved, seconded by Mr. Cane, that the Loss Mitigation Policy be approved as amended. Upon call for the vote, the motion carried unanimously.

Youth Aging Out of Foster Care – approved for \$100,000

Referring to a PowerPoint presentation titled *Youth Aging Out of Foster Care Program*, a copy of which has been filed and made a part of the record, Ms. Driver related that it provides information in response to questions raised at the initial discussion of the program in February.

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She related that Commissioner Gerard expressed her support for the program in their recent meeting; that the Hillsborough County HFA has the program in place and it is working very well; and that youth aging out of foster care and having no support system or a place to live is a big problem in Pinellas County.

In response to queries by Chairman Fischer and Mr. Cane, Ms. Driver explained that the HFA would submit a Request for Proposals and partner with a community organization that would manage the program; that there are currently two entities in Pinellas County providing such services; that the HFA funding would assist with transition specialists, application fees, security deposits, and rent subsidies, and would be leveraged with private donations received by the community organization; and that it could start as a one-year pilot and continue if successful; whereupon, she agreed with Chairman Fischer's proposal to recognize longtime HFA member Tasker Beal's commitment to youth in his community by naming the program after him.

Thereupon, Mr. Cane moved, seconded by Mr. Counts, that the program to support youth aging out of foster care be approved for an HFA contribution of \$100,000 and named after Tasker L. Beal, Jr. Upon call for the vote, the motion carried unanimously.

OTHER BUSINESS

Chairman Fischer reminded the members that the next HFA meeting will be held on June 1, 2016 in the Clerk's Fourth Floor Conference Room, Pinellas County Courthouse; and that the Florida ALHFA 2016 Annual Conference will be held at the Vinoy in St. Petersburg from July 6 through July 9, 2016.

ADJOURNMENT

The meeting was adjourned at 4:26 P.M.



Secretary/Treasurer