

**Florida Housing Finance Corporation
Board of Directors' Meeting Minutes
July 24, 2009**

TIME: 8:30 a.m.

LOCATION: Tallahassee City Hall
Commission Chambers
300 South Adams Street
Tallahassee, Florida

BOARD MEMBERS PRESENT:

David Oellerich, Chairman
Stuart Scharaga, Vice Chairman
Cliff Hardy
Ken Fairman
Jerry Maygarden
Lynn Stultz
Marilyn Seroyer
Len Tylka

CORPORATION STAFF PRESENT:

Stephen P. Auger, Executive Director
Wayne Conner
Laura Cox
Sheila Freaney
Barbara Goltz
Wellington Meffert
Nancy Muller
Stephanie Sgouros
Kevin Tatreau
David Westcott

ADVISORS AND OTHERS PRESENT:

Junious Brown, Nabors, Giblin & Nickerson
Jan Carpenter, Shuffield Lowman
Ben Johnson, Seltzer Management

Chairman Oellerich called the meeting to order at 8:30 a.m.

MINUTES

Chairman Oellerich asked for a motion to approve the Minutes of the June 5, 2009, Board Meeting.

Motion to approve the Minutes was made by Mr. Fairman with a second by Mr. Maygarden. Motion passed unanimously.

COMMUNITY WORKFORCE HOUSING INNOVATION PILOT (CWHIP) PROGRAM

Item A, Authorize Staff to De-obligate CWHIP Funds from The Foundation for Osceola Education, Inc., for The Preserve/CWHIP 06-28. David Westcott asked the Board approve staff's recommendation to de-obligate CWHIP funds from The Preserve, now known as Signature Crossings, and further authorize staff to offer the de-obligated funds to the next eligible applicant pursuant to the rule.

Motion to accept staff's recommendation was made by Mr. Hardy with a second by Mr. Scharaga. Motion passed unanimously.

FISCAL

Item A, June Operational Results. Barb Goltz presented the June 30, 2009, operational results to the Board as a follow up to the May results included in the Board Packages.

LEGAL

Item A, In Re: MDG Capital Corporation. Wellington Meffert stated that Item A was being withdrawn from consideration.

Item B, In Re: Bonnet Shores, LLP. Mr. Meffert asked the Board to approve the settlement agreement and the order based on it in the Bonnet Shores matter.

Motion to approve the settlement agreement and order was made by Mr. Hardy with a second by Mr. Scharaga. Motion passed unanimously.

Item C, In Re: Vestcor Fund XII, Ltd., v. Florida Housing Finance Corporation. Mr. Meffert asked the Board to reject both exceptions raised by Madalyn Landing and then accept the recommended order and adopt the findings of fact and conclusions of law as its own and adopt the recommended outcome.

Motion to reject both exceptions was made by Mr. Hardy with a second by Mr. Scharaga. Motion passed unanimously.

Motion to accept the recommended order and adopt the findings of fact and conclusions of law of the recommended order as its own and adopt the final order based on that was made by Mr. Hardy with a second by Mr. Hardy. Motion passed unanimously.

Item D, Signature Authority. Mr. Meffert asked the Board to approve the resolution authorizing Steve Auger to delegate authority regarding bond documents to the people named in the resolution.

Motion to approve the resolution was made by Mr. Scharaga with a second by Mr. Hardy. Motion passed unanimously.

Motion to adopt the resolution was made by Mr. Hardy with a second by Mr. Scharaga. Motion passed unanimously.

Item E, Supplement – In Re: Fountain Terrace Apartments Limited Partnership. Mr. Meffert asked the Board to accept the findings of fact and conclusions of law of the recommended order in the Fountain Terrace matter and adopt the recommendation and issue an order based on the granting of funding to Fountain Terrace.

Motion to accept the findings of fact and conclusions of law of the recommended order, adopt the recommendation and issue an order was made by Mr. Hardy with a second by Ms. Stultz. Motion passed unanimously.

MISCELLANEOUS

Item A, Request Approval to Issue Request for Proposals (RFP) For the Use of Local Government Housing Trust Fund Allocation For The Purpose Of Financing a Public Housing Mitigation Initiative. Kevin Tatreau asked the Board to authorize staff to issue a request for proposals for financing of the preservation and rehab of dwellings which are 30 years old or older under control of Public Housing Authorities with up to \$1,000,000 appropriated from the Local Government Housing Trust Fund by the Legislature in the 2009 session.

Motion to authorize staff to issue a request for proposals was made by Mr. Hardy with a second by Mr. Fairman. Motion passed unanimously.

MULTIFAMILY BONDS

Item A, Supplement - Request Approval to Issue Request for Proposals (RFP) For The Use Of HOME Funds And TCAP Funds In Conjunction With Multifamily Revenue Bonds For The Purpose Of Financing Multifamily Housing Properties. Wayne Conner asked the Board to authorize staff to issue an RFP to solicit proposals for the financing of the construction, acquisition and/or rehabilitation of multifamily rental properties of up to \$50 million in HOME funds, and the second RFP for up to \$50 million in TCAP funds, if available, to be used in connection with either Florida Housing revenue bonds or local multifamily revenue bonds.

Motion to authorize staff to issue a request for proposals was made by Ms. Stultz with a second by Mr. Fairman. Motion passed unanimously.

PROFESSIONAL SERVICES SELECTION (PSS)

Item A, Real Estate Brokerage Services. Laura Cox asked the Board to authorize staff to begin the RFP process for real estate brokerage services.

Motion to approve staff recommendation was made by Mr. Hardy with a second by Ms. Stultz. Motion passed unanimously.

Item B, Request for Qualifications (RFQ) 2009-03 for Qualified Nonprofit Entities to Receive Preservation Technical Assistance. Nancy Muller asked the Board to approve the Review Committee's recommendation to award up to 500 hours of technical assistance to Ability Housing, Florida Home Partnership, Homes for Independence and Miami Beach Community Development Corporation through the Florida Housing Coalition.

Motion to approve staff recommendation was made by Mr. Hardy with a second by Mr. Fairman. Motion passed unanimously.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Item A, Authorize Staff to De-Obligate SAIL Funds for Casa San Juan Bosco Community Phase II. Kevin Tatreau asked the Board to approve staff's recommendation to de-obligate SAIL funding for Casa San Juan Bosco Community Phase II pursuant to the emergency rule.

Motion to approve staff recommendation was made by Mr. Scharaga with a second by Mr. Hardy. Motion passed unanimously.

SUBORDINATE MORTGAGE INITIATIVE

Item A, Request Approval of Subordinate Financing in an Amount not to Exceed a Combined Amount of \$2,465,000 Through the Subordinate Mortgage Initiative. Wayne Conner asked the Board to approve staff's recommendation to approve the subordinate financing for four Creative Choice developments, and subordinate the subordinated mortgage loan for Andros Isle to the existing SAIL loan in an amount not to exceed \$2,465,000, subject to further approvals and verification of bond counsel, special counsel and Florida Housing staff.

Len Tylka recused himself from voting on this item.

Ben Johnson, of Seltzer Management, spoke about the credit underwriting on this matter.

Motion to approve staff recommendation was made by Mr. Fairman with a second by Mr. Scharaga. Motion passed by a vote of 7-0, with Mr. Tylka abstaining.

Item B, Request Approval of Subordinate Financing in an Amount not to Exceed a Combined Amount of \$1,130,000 Through the Subordinate Mortgage Initiative. Wayne Conner asked the Board to approve staff's recommendation to approve the subordinate financing for two Vestcor developments, including the subordinated mortgage loan for Lee Meadows and the existing SAIL loan, in an amount not to exceed \$1,130,000, subject to further approvals and verification of bond counsel, special counsel and Florida Housing staff.

Motion to approve staff recommendation was made by Ms. Stultz with a second by Mr. Hardy. Motion passed unanimously.

CONSENT AGENDA

Steve Auger stated Homeownership Consent Item A was being pulled from the Consent Agenda for discussion so a revised recommendation could be presented.

David Westcott asked the Board to approve staff's recommendation to grant a six-month extension to Metro North CDC in order to give the applicant time to close on two contracts that have been provided to staff, but should the applicant fail to close on those specific contracts within six months, or if there are funds remaining after the close of those contracts, that those funds be automatically de-obligated.

Motion to approve Homeownership Consent Item A as amended was made by Ms. Stultz with a second by Mr. Scharaga. Motion passed unanimously.

Steve Auger stated Special Assets Consent Item D was being pulled from the Consent Agenda for discussion so a revised recommendation could be presented.

Laura Cox asked the Board to approve the credit underwriter's recommendation and all accompanying restrictions, including that the Subordinate Mortgage Initiative loans will not close until this does.

Len Tylka and Marilyn Seroyer recused themselves from the vote.

Motion to approve staff's amended recommendation was made by Mr. Hardy with a second by Ms. Stultz. Motion passed by a vote of 6-0, with Mr. Tylka and Ms. Seroyer abstaining.

Chairman Oellerich asked for a motion to approve the remaining items on the Consent Agenda.

Motion to approve the Consent Agenda with the exception of the pulled items was made by Mr. Hardy with a second by Mr. Scharaga. Motion passed unanimously.

David Westcott recapped the Single Family Strategic Plan Review Session that was held on June 4, 2009.

Steve Auger reminded the Board that in conjunction with the September 18 Board Meeting, the Board would look at some of Florida Housing's internal strategies.

Mr. Auger updated the Board on Florida Housing's application for funds from the second round of the Neighborhood Stabilization Program (NSP2).

Wellington Meffert reminded Board Members that once the Universal Cycle opens, communication between applicants or representatives of applicants and Board Members is prohibited.

Dan Wilson, of Florida Low Income Housing, presented a framed photo of the newly completed Parkside Gardens Apartments in Ocala, which received HOME funds, to the Board.

Paula Rhodes presented a framed photo of Gulf Breeze Apartments in Punta Gorda, which received tax credits, to the Board. She stated that the development received an award from the national Affordable Housing Tax Credit Coalition for public housing revitalization and presented the Board with a duplicate plaque.

Hearing no further business, the June 5, 2009, Board of Directors' Meeting was adjourned at 11:05 a.m.