

**Florida Housing Finance Corporation  
Board of Directors' Meeting Minutes  
September 7, 2012**

**TIME:** 8:30 a.m.

**LOCATION:** Hyatt Regency Tampa  
211 North Tampa Street  
Tampa, Florida

**BOARD MEMBERS PRESENT:**

Len Tylka, Chairman  
Cliff Hardy, Vice Chairman  
Lynn Hanfman  
Ken Reecy  
Joe Sanchez  
Barney Smith

**CORPORATION STAFF PRESENT:**

Stephen P. Auger  
Wayne Conner  
Laura Cox  
Stephanie Dupree  
Sheila Freaney  
Barbara Goltz  
Wellington Meffert  
Nancy Muller  
Jacqui Sosa  
Kevin Tatreau  
David Westcott

**ADVISORS AND OTHERS PRESENT:**

Junious Brown, Nabors, Giblin & Nickerson  
Jan Carpenter, Shuffield Lowman  
Bill Johnston, WLJ Partners/Tibor Capital  
Kim Delaney, Treasure Coast Regional Planning Council  
David Deutch, Coalition of Affordable Housing Providers  
Betsy Farmer, Promise of Brevard  
Luke Farmer, Promise of Brevard  
Agnes Albro  
Gordon Albro  
Jack Kosik, Noah's Ark Village

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

## **MINUTES**

**Item A, Approval of Minutes of June 8, 2012, and July 20, 2012, Board Meetings.** Chairman Tylka asked for a motion to approve the Minutes of the June 6 and July 20, 2012, Board Meetings.

Motion to approve the Minutes was made by Mr. Sanchez with a second by Mr. Hardy. Motion passed unanimously.

## **TRANSIT ORIENTED DEVELOPMENT IN FLORIDA**

Kim Delaney, Strategic Development Coordinator for the Treasure Coast Regional Planning Council, spoke to the Board about the immediate and long-term benefits of transit oriented development in the State of Florida.

## **FISCAL UPDATE**

Barb Goltz briefed the Board on the current financial condition of the corporation.

## **HARDEST-HIT FUND**

**Item A, Request Approval to Eliminate the Partial Payment Requirement from the Unemployment Mortgage Assistance Program (UMAP).** David Westcott asked the Board to approve the elimination of the partial payment requirement from the UMAP. He stated that Florida was the last state still requiring a partial payment, and that the servicer handling the partial payments, USBank, has notified Florida Housing that it can no longer provide that service.

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

**Item B, Hardest-Hit Program Rulemaking.** David Westcott asked the Board to approve the proposed Hardest-Hit Program Rule subject to the Notice of Change incorporating the elimination of the partial payment requirement and other changes required by the Joint Administrative Procedures Committee and any other changes deemed necessary after the rule hearing on September 14, 2012. He further asked the Board to authorize the Chairman to determine whether the Notice of Change makes any material substantive changes to the rule; and if he determines it does not, to approve the Notice of Change without requiring another Board Meeting. If the Chairman does determine that the Notice of Change makes material substantive changes to the rule, the changes will be brought back before the Board at the next meeting before being filed for adoption.

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

## **LEGAL**

**Item A, Kensington Place Partners, LP, v. Florida Housing Finance Corporation.** Wellington Meffert asked the Board to approve staff's recommendation to adopt the Findings of Fact and Conclusions of Law in the Recommended Order in the Kensington Place Partners, LP, matter as its own and adopt the recommendation in the Recommended Order and issue a final order thereon.

Motion to approve staff's recommendation was made by Mr. Sanchez with a second by Ms. Hanfman. Motion passed unanimously.

**Item B, Ability Oakland II, LLC.** Wellington Meffert asked the Board to approve staff's recommendation to adopt the Findings of Fact and Conclusions of Law in the Ability Oakland II, LLC, matter as its own and adopt the recommendation in the Recommended Order and issue a final order thereon.

Motion to approve staff's recommendation was made by Ms. Hanfman with a second by Mr. Sanchez. Motion passed unanimously.

## **STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)**

**Item A, Request to Use State Apartment Incentive Loan Program Funding.** Kevin Tatreau asked the Board to authorize staff to award up to \$20 million of SAIL funds to existing Florida Housing Guarantee Program developments through a request for proposals process according to the requirements of Section 420.5087 (10), Florida Statutes.

Motion to approve staff's recommendation was made by Ms. Hanfman with a second by Mr. Smith. Motion passed unanimously.

## **SPECIAL PROGRAMS**

**Item A, Request Permanent Modification to the Set-Aside Requirements and Resident Eligibility Verification for Casa Cesar Chavez.** Nancy Muller pointed out that this item in the bound Board Package contained an error and directed the Board Members' attention to the corrected version provided in their meeting materials and forwarded to them via e-mail earlier in the week. She then asked the Board to approve the following modifications to the Casa Cesar Chavez Land Use Restriction Agreement (LURA) for the remainder of the affordability period and to direct staff to amend the loan documents accordingly:

1. Reduce the number of beds set aside for Farmworkers to 72 beds (50% of project capacity) with Farmworkers having prioritized admittance to the remaining 72 beds and reduce the income set-aside to 50% of AMI for 72 beds (50% of project capacity) and to 33% of AMI for 15 beds (10% of project capacity). The remaining 40% (57 beds) will remain at the existing 60% AMI level.

2. Require units not set aside for Farmworkers to be leased to unaccompanied persons, most of whom are traditionally employed in farm work, but may all be working as day laborers or in other job fields.
3. Allow verification of income eligibility for potential residents within a 10 day period from move-in to provide such documentation rather than requiring it at time of move-in.

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

### **CONSENT AGENDA**

Chairman Tylka asked for a motion to approve staff recommendations on the items on the Consent Agenda.

Motion to approve staff's recommendations was made by Mr. Sanchez with a second by Mr. Reecy. Motion passed unanimously.

### **PROCEDURES COMMITTEE DISCUSSION**

Procedures Committee Chairman Joe Sanchez reported on the telephonic committee meeting held on August 24, 2012, to discuss the process of evaluating Florida Housing's executive director and inspector general.

Motion to approve the Procedures Committee's recommendations was made by Mr. Sanchez with a second by Ms. Hanfman. Motion passed unanimously.

Mr. Sanchez stated that the Committee was also in the process of developing written operational procedures for the Board. He added that Wellington Meffert was tasked with putting current procedures in writing for the Committee's review prior to the next Board Meeting.

### **AUDIT COMMITTEE DISCUSSION**

Audit Committee Chairman Cliff Hardy asked the Board to approve the Committee's recommendation to adopt and accept the Treasury Audit.

Motion to approve the Audit Committee's recommendation was made by Mr. Hardy with a second by Mr. Sanchez. Motion passed unanimously.

### **SPECIAL ASSETS**

Steve Auger drew the Board's attention to the Special Assets item in the Informational section of the bound Board Package which sets out the process by which Florida Housing will review the requests for transfers of general partnership interests to non-profits for the purposes of the ad valorem tax exemption passed by the Legislature. He stated that the matter would be brought back to the Board for further discussion at the November 2, 2012, Board Meeting.

## **UNIVERSAL APPLICATION CYCLE UPDATE**

Steve Auger updated the Board on the Universal Application Cycle workshops and the proposed changes to the rule. He stated that staff plans to bring the rule to the Board for approval at the November 2, 2012, meeting in Tallahassee.

David Deutch, representing the Coalition of Affordable Housing Providers (CAHP), stated that various CAHP members were reviewing the most recent draft of the rule and would provide comments at the October 1, 2012, workshop in Tallahassee.

## **PUBLIC COMMENT**

Betsy Farmer and her son Luke Farmer spoke to the Board about the benefits to the members of the developmentally disabled community of funding projects like Promise in Brevard which provide safe, independent living opportunities to citizens with special needs like Mr. Farmer.

Agnes and Gordon Albro also spoke about the benefits of projects like Promise. Their 50 year old son has developmental disabilities, is living at Noah's Ark Village in Lakeland and is flourishing.

Jack Kosik, Executive Director of Noah's Ark, thanked the Board for their support of the developmentally disabled community.

Hearing no further business, Chairman Tylka asked for a motion to adjourn the July 20, 2012, Board of Directors' Meeting.

Motion to adjourn was made by Mr. Sanchez with a second by Ms. Hanfman. Motion passed unanimously.

The meeting was adjourned.