

1 Introduced by the Council President at the request of the
2 Jacksonville Housing Finance Authority:

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4
5 **RESOLUTION 2019-360-A**

6 A RESOLUTION, UPON AN ACKNOWLEDGEMENT OF DUE
7 AUTHORIZATION AND THE MAKING OF FINDINGS,
8 APPROVING THE ISSUANCE BY THE JACKSONVILLE
9 HOUSING FINANCE AUTHORITY OF ITS MULTIFAMILY
10 HOUSING REVENUE BONDS (THE WAVES PROJECT),
11 SERIES 2019, IN AN AGGREGATE PRINCIPAL AMOUNT
12 NOT TO EXCEED \$17,750,000 FOR THE PURPOSE OF
13 FINANCING THE ACQUISITION AND DEMOLITION OF
14 EXISTING MULTIFAMILY RESIDENTIAL RENTAL
15 HOUSING FACILITIES AND THE REDEVELOPMENT,
16 CONSTRUCTION AND EQUIPPING OF NEW SCATTERED
17 SITE MULTIFAMILY RESIDENTIAL RENTAL HOUSING
18 FACILITIES FOR PERSONS OR FAMILIES OF LOW,
19 MIDDLE, OR MODERATE INCOME, LOCATED IN THE
20 CITY OF JACKSONVILLE BEACH, DUVAL COUNTY,
21 FLORIDA 32250, CURRENTLY OWNED AND OPERATED BY
22 THE JACKSONVILLE HOUSING AUTHORITY;
23 DETERMINING CREDIT NOT BEING PLEDGED;
24 PROVIDING AN EFFECTIVE DATE.

25
26 **WHEREAS,** the Jacksonville Housing Finance Authority (the
27 "Authority") is authorized and empowered by the provisions of the
28 Constitution and laws of the State of Florida to issue mortgage
29 revenue bonds for the purpose of providing funds to finance the
30 debt of a "qualifying housing development" as defined in the
31 Florida Housing Finance Authority Law, Part IV, Chapter 159,

1 Florida Statutes, and Chapter 52 of the Ordinance Code of the City
2 of Jacksonville, Florida and other applicable provisions of law,
3 including the acquisition and demolition of existing multifamily
4 residential rental housing facilities consisting of approximately
5 62 units and currently owned and operated by the Jacksonville
6 Housing Authority (Note that the Jacksonville Housing Authority is
7 a public corporation created by Chapter 421, Florida Statutes, and
8 established pursuant to Chapter 51A of the Ordinance Code for the
9 City of Jacksonville, Florida that is not related to the
10 Jacksonville Housing Finance Authority) and the redevelopment,
11 construction and equipping of an approximate 127-unit new scattered
12 site multifamily residential rental housing facilities located on
13 all or a portion of the following:

14 1. 1st Avenue South, southeast of the intersection of 1st
15 Avenue South and 8th Street South, Jacksonville Beach;

16 2. 1st Avenue South, northwest of the intersection of 1st
17 Avenue South and 9th Street South, Jacksonville Beach;

18 3. 1st Avenue South, northeast of the intersection of 1st
19 Avenue South and 9th Street South, Jacksonville Beach;

20 4. 2nd Avenue South, northeast of the intersection of 2nd
21 Avenue South and 8th Street South, Jacksonville Beach;

22 5. 5th Avenue South, northwest of the intersection of 5th
23 Avenue South and 9th Street South, Jacksonville Beach;

24 6. 5th Avenue South, northeast of the intersection of 5th
25 Avenue South and 9th Street South, Jacksonville Beach;

26 7. 5th Avenue South, southwest of the intersection of 5th
27 Avenue South and 9th Street South, Jacksonville Beach;

28 8. 5th Avenue South, southeast of the intersection of 5th
29 Avenue South and 8th Street South, Jacksonville Beach; and

30 9. 5th Avenue South, southeast of the intersection of 5th
31 Avenue South and 7th Street South, Jacksonville Beach, the general

1 location of which is shown on the map attached hereto and
2 incorporated herein as **Exhibit 1** (collectively, "The Waves
3 Project"); and

4 **WHEREAS**, The Waves of Jacksonville, Ltd., a Florida limited
5 partnership ("Waves"), and/or its permitted successors and assigns
6 (the "Borrower"), desires to acquire and demolish existing
7 improvements and redevelop, construct and equip The Waves Project,
8 and the Borrower has requested the Authority to issue its
9 Multifamily Housing Revenue Bonds ("The Waves Project"), Series
10 2019 (the "Bonds") in the aggregate principal amount not to exceed
11 \$17,750,000 for the purpose of financing all or a portion of the
12 costs associated with the acquisition and demolition of existing
13 improvements, and redevelopment, new construction and equipping of
14 The Waves Project by the Borrower; and

15 **WHEREAS**, pursuant to Resolution 2018-169, the City authorized
16 the Authority to issue its Multifamily Housing Revenue Bonds,
17 Series 2018, in the aggregate principal amount not to exceed
18 \$17,750,000 for the purpose of financing all or a portion of the
19 costs associated with the acquisition and demolition of existing
20 improvements, and redevelopment, new construction and equipping of
21 The Waves Project by the Borrower, but the one year time period for
22 the issuance of the bonds approved in Resolution 2018-169 pursuant
23 to the Tax Equity and Fiscal Responsibility Act ("TEFRA") expired
24 and a new TEFRA hearing, amended resolution of the Authority and
25 new approval of the Council of the City of Jacksonville, Florida
26 ("Council") are required for the Bonds; and

27 **WHEREAS**, an affiliate of the Jacksonville Housing Authority
28 has a partnership interest in the Borrower; and

29 **WHEREAS**, the Authority believes that The Waves Project assists
30 in alleviating the shortage of residential rental housing for
31 eligible persons of low, moderate, or middle income, and the

1 issuance of the Bonds to provide financing for the debt and for the
2 acquisition and demolition of existing improvements and
3 redevelopment, new construction, and equipping of The Waves Project
4 will assist in alleviating the shortage of capital available for
5 investment in such rental housing, and thereby increase the health,
6 safety, welfare, and tax base of the State and Duval County; and

7 **WHEREAS**, the Authority (pursuant to the Resolution of the
8 Authority made at its general meeting on May 3, 2019, as set forth
9 in composite materials placed **On File** with the Legislative Services
10 Division) has requested that the Council approve the issuance of
11 the Bonds by the Authority for purposes of Section 147(f) of the
12 Internal Revenue Code of 1986, as amended, and the issuance of the
13 Bonds for purposes of Chapter 52 of the Ordinance Code of the City
14 of Jacksonville in an aggregate principal amount not to exceed
15 \$17,750,000; now therefore:

16 **BE IT RESOLVED** by the Council of the City of Jacksonville:

17 **Section 1. Authority.** This Resolution is adopted pursuant
18 to the Constitution of the State of Florida, the Ordinance Code of
19 the City of Jacksonville, and other applicable provisions of law.

20 **Section 2. Findings.** The Council hereby finds, determines
21 and declares as follows:

22 A. Notice of a public hearing inviting comments and
23 discussion concerning the issuance of the Bonds to finance certain
24 debt of the Borrower relating to the acquisition and demolition of
25 existing improvements, and redevelopment, new construction, and
26 equipping of The Waves Project, and the nature and location of The
27 Waves Project was published in a newspaper of general circulation
28 in Duval County, at least fourteen (14) days prior to the date of
29 such public hearing and proof of such publication is attached
30 hereto and incorporated herein as **Exhibit 2**.

1 B. Following publication of such notice, a public hearing
2 was held on behalf of the Authority by its Hearing Officer on March
3 20, 2019 for comments and discussions concerning the issuance of
4 the Bonds and the Project but no persons appeared and requested to
5 be heard. A report of such public hearing is attached hereto and
6 incorporated herein as **Exhibit 3**.

7 C. The financing of all or a portion of the costs associated
8 with The Waves Project through the issuance of the Bonds will have
9 a substantial public benefit.

10 D. The Council is the elected legislative body of Duval
11 County, Florida, and has jurisdiction over the entire area in which
12 The Waves Project is located.

13 **Section 3. Approval.** For purposes of Section 147(f) of
14 the Internal Revenue Code (as such relates to the Bonds), and
15 Chapter 52 of the Ordinance Code of the City of Jacksonville, the
16 Council hereby approves the issuance of the Bonds in a maximum
17 principal or face amount not to exceed \$17,750,000 to finance all
18 or a portion of the costs associated with The Waves Project, and
19 the execution of all documents necessary to effectuate the issuance
20 and the sale of the Bonds. Financing details concerning the use of
21 budgeted funds and costs of issuance are attached hereto and
22 incorporated herein as **Exhibit 4**. This approval, however, is
23 subject to the requirement that the Borrower, The Waves Project,
24 and the Bonds will be in compliance with the applicable terms and
25 conditions of the Authority's Multifamily Bond Allocation Policies
26 and Procedures (revised September 19, 2018).

27 **Section 4. Credit Not Pledged.** The Bonds issued by the
28 Authority for The Waves Project shall not be deemed to constitute a
29 debt, liability, or obligation payable from the general revenues of
30 the Authority, the City of Jacksonville, Duval County, the State of
31 Florida or any political subdivision or agency thereof, and such

1 Bonds shall be payable solely from revenues derived from the sale,
2 operation, or leasing of The Waves Project or other payments
3 received under financing agreements solely with respect thereto.
4 The general credit or taxing power of the Authority, the City of
5 Jacksonville, Duval County and the State of Florida or any
6 political subdivision or agency thereof shall not be pledged to the
7 payment of the Bonds.

8 **Section 5. Effective Date.** This Resolution shall become
9 effective upon signature by the Mayor or upon becoming effective
10 without the Mayor's signature.

11
12 Form Approved:

13
14 /s/ *Emerson M. Lotzia*

15 Office of General Counsel

16 Legislation Prepared By: Emerson M. Lotzia

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