

**Florida Housing Finance Corporation
Telephonic Board of Directors' Meeting Minutes
April 17, 2020**

TIME: 10:00 a.m.

LOCATION: Telephonic

BOARD MEMBERS PRESENT:

Ron Lieberman, Chairman
Ray Dubuque, Vice Chairman
Ryan Benson
Sandra Einhorn
LaTasha Green-Cobb
Bill Gulliford
Ken Lawson

CORPORATION STAFF PRESENTING:

Bill Aldinger
Hugh Brown
Marisa Button
Sheila Freaney
Trey Price
Angie Sellers
Stephanie Sutton

OTHERS PRESENTING:

None

Chairman Lieberman called the meeting to order at 10:08 a.m.

Chairman Lieberman asked Sheila Freaney to take the roll.

Ms. Freaney called the roll. Present on the call were Ron Lieberman, Ray Dubuque, Ryan Benson, Sandra Einhorn, LaTasha Green-Cobb, Bill Gulliford and Ken Lawson. No one was absent.

MINUTES

Item A, Approval of Minutes of the March 6, 2020, Board Meeting. Chairman Lieberman asked for a motion to approve the Minutes of the March 6, 2020, Board Meeting.

Motion to approve the Minutes was made by Mr. Gulliford with a second by Mr. Dubuque. Sheila Freaney polled the Board and the motion passed unanimously.

FLORIDA HOUSING STATUS UPDATE

Trey Price updated the Board on Florida Housing's current operating status. He stated that the office is open for business, although about 80% of staff is working from home.

Bill Aldinger stated that the SHIP staff has been working with the Governor's office and local SHIP offices to release the \$5 million funding set aside in the budget for potential natural disasters to address housing needs caused by the COVID-19 crisis, including rental and mortgage assistance.

LEGISLATIVE UPDATE

Stephanie Sutton updated the Board on the recently concluded legislative session and how it might impact Florida Housing.

Trey Price mentioned that a lot of legislative matters are on hold due to the COVID-19 situation and stated that he would continue to monitor things and have a more complete report at the May 29 meeting.

CONSENT AGENDA

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

Motion to approve the items on the Consent Agenda was made by Mr. Gulliford, with a second by Ms. Green-Cobb. Sheila Freaney polled the Board and the motion passed unanimously.

FISCAL

Item A, Unrestricted Net Position Designations. Angie Sellers asked the Board to approve the 2019 designation categories for unrestricted net positions as follows:

- Single Family Programs - \$3.7 million;
- Dedicated Reserve for Operations - \$57.5 million;
- Demonstration and Other Initiatives - \$112.3 million.

Motion to approve staff's recommendation was made by Ms. Green-Cobb, with a second by Mr. Lawson. Sheila Freaney polled the Board and the motion passed unanimously.

LEGAL

Item A, Ambar Riverview, Ltd. v. Florida Housing Finance Corporation. Hugh Brown asked the Board to issue a final order adopting the settlement agreement in the Ambar Riverview v. Florida Housing matter.

Motion to approve staff's recommendation was made by Mr. Dubuque, with a second by Ms. Green-Cobb. Sheila Freaney polled the Board and the motion passed unanimously.

Item B, In Re: Resolution 2020-007; Delegation of Authority. Hugh Brown asked the Board to adopt a resolution delegating temporary authority to staff to extend certain closing and other deadlines pursuant to Executive Order 20-52, which allows agencies to suspend certain rules or statutes during the COVID-19 pandemic.

Motion to approve staff's recommendation was made by Ms. Green-Cobb, with a second by Mr. Lawson.

Ray Dubuque expressed his concerns about delegating the Board's authority to staff and questioned why the items couldn't be made during telephonic meetings just as they would at an in-person meeting.

Bill Gulliford suggested a 24-hour notice to the Board when such a matter was presented to the staff for approval, thereby giving the Board a chance to comment and/or object.

Hugh Brown stated that the resolution would give staff the authority to decide what needs to be forwarded to the Board for review and what does not, which would allow the staff to approve straightforward requests.

Mr. Gulliford made a motion to amend staff's original recommendation to require a 24-hour notice to the Board on any decisions to be made by staff. His motion was seconded by Mr. Lawson. Sheila Freaney polled the Board and the motion passed by a vote of six to one with Mr. Dubuque casting the dissenting vote.

A vote was then taken on the original motion with the added amendment. Sheila Freaney polled the Board and the motion passed by a vote of six to one with Mr. Dubuque casting the dissenting vote.

Item C, Berkeley Landing, Ltd v. Florida Housing Finance Corporation, DOAH Case No. 20-140BID, FHFC Case No. 2019-102BP (Intervenors Solaris Apartments, Ltd, Metro Grande III Associates, Ltd, Northside Property II, Ltd, HTG Bella Vista, LLC, and Brisas del Este Apartments, LLC.); Brisas del Este Apartments, LLC. v. Florida Housing Finance Corporation, DOAH Case No. 20-141BID, FHFC Case No. 2019-104BP (Intervenors Solaris Apartments, Ltd, Metro Grande III Associates, Ltd, Sierra Bay Partners, Ltd.); Northside Property II, Ltd v. Florida Housing Finance Corporation, DOAH Case No. 20-142BID, FHFC Case No. 2019-106BP (Intervenors Solaris Apartments, Ltd, Sierra Bay Partners, Ltd.); Homestead 26115, LLC v. Florida Housing Finance Corporation, DOAH Case No. 20-143BID, FHFC Case No. 2019-107BP (Intervenor Sierra Bay Partners, Ltd.); and HTG Bella Vista, LLC v. Florida Housing Finance Corporation, DOAH Case No. 20-145BID, FHFC Case No. 2019-109BP (Intervenors Solaris Apartments, Ltd, Sierra Bay Partners, Ltd, MHP Bembridge, LLC, and East Pointe Phase II, LLC.) Hugh Brown asked the Board to grant the exceptions filed by Solaris and Florida Housing in the five consolidated matters in this item and to fund the applications set forth in Exhibit E with extra money moved over from administration.

Motion to approve staff's recommendation was made by Mr. Dubuque, with a second by Ms. Green-Cobb. Sheila Freaney polled the Board and the motion passed unanimously.

MULTIFAMILY PROGRAMS - ALLOCATIONS

Item A, Request for Applications (RFA) 2020-302 – Community Development Block Grant-Disaster Recovery (CDBG-DR) in Monroe County. Marisa Button asked the Board to approve the review committee's recommendation that the Board adopt the scoring results of the four applications received in response to RFA 2020-302 for Community Development Block Grant – Disaster Recovery funds in Monroe County and authorize the tentative selection of two applications for funding and invitation into credit underwriting. She stated that after the allocation, there would be an unallocated balance of just over \$1.7 million, and asked the Board to authorize the funding of the final eligible application for funding and invitation into credit underwriting, even though the request is \$28,153 more than the remaining balance. She stated that amount would be drawn from the CDBG-DR funds set aside for Florida Housing's anticipated cost to administer the CDBG-DR program.

Motion to approve staff's recommendation was made by Ms. Green-Cobb with a second by Ms. Einhorn. Sheila Freaney polled the Board and the motion passed unanimously.

Item B, 2020 Rule Development. Marisa Button asked the Board to approve the proposed rules and QAP for Rule Chapter 67-21 and Rule Chapter 67-48 and authorize staff to file the rules for adoption if a notice of change is not required; however, if a notice of change is required, to authorize the Chair to determine whether that notice of change makes material substantive changes to the rule chapter. If the Chair determines it does not, she asked the Board to approve the notice of change without the requirement of another board meeting. If the Chair determines that a notice of change made material changes, she recommended a telephonic meeting be called to obtain board approval.

Motion to approve staff's recommendation was made by Ms. Green-Cobb with a second by Ms. Einhorn. Sheila Freaney polled the Board Members, and the motion passed unanimously.

PUBLIC COMMENT

No public comment was offered.

Ray Dubuque expressed his concern over the amount of extension and waiver requests brought before the Board during this and other meetings. He stated that Florida Housing staff works diligently to get funds allocated as quickly as possible and are then met with extension and waiver requests which delay the construction of affordable units, both on a regular basis and during disaster recovery when the need is even greater. He cautioned developers that he would continue to ask for additional justification on why commitments that are known about for months cannot be met.

Chairman Lieberman adjourned the meeting at 11:01 a.m.