

**Housing Finance Authority of  
St. Johns County, Florida  
Regular Meeting**

**October 27, 2022  
Minutes**

The Housing Finance Authority of St. Johns County met at 3:00 pm in the Kingfisher conference room in the Health & Human Services Building – 200 San Sebastian View, St. Augustine, Florida 32084.

The meeting was called to order at 3:02 p.m. by Robert Marshall, Vice-Chair.

**Members Present:**

Linda DeGrande  
Robert Marshall  
Carolina Morrow  
Malinda Peeples  
Erick Saks

**Members Absent:**

Michael O'Donnell

**Guests Present:**

Marianne Edmonds – PRAG – Via Zoom  
Monique Spotts – PRAG – Via Zoom  
Chauncey Lever, Esq. – Foley & Lardner, P.A.  
Emily Magee, Esq. – Foley & Lardner, P.A.  
Harry Maxwell – Halo Properties  
Matt Mercer, Esq., Mercer Law, P.A.  
Rich Komando, Esq., Bradley, Garrison & Komando, P.A.  
Sarah Taylor, Assistant County Administrator  
Roberto Ortiz, Housing & Community Development Manager  
Mary Garcia, Social Services Support Staff  
Julie Voorhees, Housing & Community Development Support Staff

Notices regarding the meeting were sent to all members. Quorum was present. No press was in attendance.

**Additions/Deletions to Agenda and Approval of Agenda:**

**Motion** made by Erick Saks to accept the agenda as presented; motion seconded by Malinda Peeples. **Motion passed unanimously.**

**Public Comment:** None.

**Financial Report/Review of Bills and Correspondence:**

- **September, 2022:** Year end financials were provided in member packets and Mr. O'Connell stated five checks were presented for signature: \$1500 to Bradley, Garrison and Komando for legal services; \$652.05 to O'Connell and Associates for accounting services; \$71.34 to Staples for office supplies; \$1,000 to Florida ALHFA for annual dues; \$175 to Department of Economic Opportunity for annual license. Mr. O'Connell went on to say he received a check dated October 19, 2022, in the amount of \$18,750, representing a fee associated with the Victoria Crossing bond issuance. **Motion** made by Linda DeGrande to approve the year-end financials as presented; motion seconded by Robert Marshall.
- **Amended Budget:** Mr. O'Connell stated he provided a copy of the amended budget. **Motion** made by Erick Saks to approve the amended budget as presented; motion seconded by Carolina Morrow. **Motion passed unanimously.**

**Approval of Minutes:**

**Motion** made by Linda DeGrande to accept September, 2022, meeting minutes; motion seconded by Malinda Peeples. **Motion passed unanimously.**

### **Administrators Report:**

Mr. Ortiz reported on progress on San Marcos Heights and Victoria Crossing multi-family rental developments. Mr. Ortiz went on to say he will be providing a monthly update to the HFA with regard to the state of affordable housing in the community. Toward that end, Mr. Ortiz reported on the County's efforts to use SHIP funds to assist non-profits with impact fees for affordable housing and he stated this program is nearly ready to be put into action. Mr. Ortiz went on to say the County is also assisting Ability Housing with impact fees associated with a 92-unit, affordable, multi-family development in West Augustine.

Chauncey Lever, bond counsel to the Authority, reported a request has been made with regard to the interest rate provision based on the LIBOR ( London Interbank Offered Rate) by developers of San Marcos Heights. Mr. Lever explained the LIBOR will sunset in the not too distant future and developers wish to replace it with a benchmark for the interest rate on the financing documents. Mr. Lever said that once completed, proposed amendments will most likely need to be considered at the November meeting of the HFA. Mr. Lever went on to say there will also likely be action required by the Authority in November and subsequent action by the Board of County Commissioners prior to December 29, 2022, in relation to the Oaks at St. John project. Mr. Lever stated the developers have not yet received HUD approval and a satisfactory draft of the credit underwriting report will need to be submitted allowing sufficient time for review by Marianne Edmonds, prior to the November meeting. Ms. Edmonds stated they expect to receive this report in time to provide an update to the HFA at that meeting. Ms. Edmonds stated this is to ensure the Private Bond Activity Allocation is secure.

### **New Business:**

- **Executive Director Application Review Process Discussion:** Mary Garcia reported the job posting has been active on Indeed and on the Florida Housing Coalition's website for two weeks and approximately 17 applications have been received to date. Ms. Garcia stated the job posting closes on November 7<sup>th</sup> and asked how the HFA would like to proceed with review of the applications. Discussion ensued. Ms. Garcia inquired as to how the HFA wished to proceed with out-of-state candidates insofar as their attendance at monthly meetings. All agreed this person should, at the minimum, attend all monthly meetings in-person. Ms. Garcia stated she would send an email out to all candidates to confirm their ability to attend meetings and to find out if the posted salary range is agreeable to them. All members in attendance expressed their interest in reviewing the applications, so a workshop date of November 15<sup>th</sup> was set. The workshop will be held between 1pm-3pm and all applications will be mailed to Authority members the week of November 7<sup>th</sup>, to allow time for review. Sarah Taylor suggested each member go through applications prior to the workshop and cull them down to those they consider top candidates. Ms. Taylor also suggested all prepare interview questions they would like to ask each candidate.
- **Vacancy Update:** Ms. Garcia stated just two applications were received during the recent posting of the vacancy created by Mr. Evener's resignation so the posting has been extended. Ms. Garcia stated applications should be available for consideration by the HFA at their November 17<sup>th</sup> meeting, depending upon how quickly it can be posted again.

### **Old Business:**

- **Proposed Halo Resolution:** Rich Komando stated a proposed resolution was submitted by Mr. Mercer earlier this year for consideration by the HFA in relation to Halo Properties loans from the HFA. Mr. Komando stated he advised the HFA against approval of this resolution and Mr. Maxwell and his attorney, Mr. Mercer, requested a formal vote on this matter by the HFA. Mr. Mercer stated that with regard to Halo Properties' loan from the HFA in the principal amounts of \$37,500 and \$110,500, for a total of \$148,000, Mr. Maxwell is seeking to amend through a resolution the monthly payment amount and the period of years of the loan on the original loan agreement. Mr. Mercer stated the most recent version of the resolution – version 7 – was sent to staff and to Mr. Komando on October 13, 2022. Mr. Mercer stated the resolution proposes a monthly payment of \$500; a balloon date of 12 years from the adoption of this resolution; and an interest rate of 1%. Erick Saks asked what the terms of the original agreement were and Mr. Komando stated it required a payment of \$598.97 per month and had an interest rate of prime plus 1%, and Halo Properties is currently \$14,375.28 in arrears. The loan's interest rate was discussed and Mr. Mercer argued Mr. Maxwell should be entitled to the same 1% interest rate offered to others. Mr. Komando countered, stating the type of a loan dictates the interest rate and the HFA has not offered a 1% interest rate on any 20 year loans such as the loan made to Halo Properties.

Discussion ensued and a compromise was reached. **Motion** made by Linda DeGrande to approve a modification of the loan agreement with Halo Properties to include the following terms: payments in the amount of \$550 per month; an interest rate of 3.5%; with a 10 year ballon; motion seconded by Carolina Morrow. **Motion passed unanimously.**

- **Own a Home Opportunity Program**: Ms. Voorhees advised there has been no activity.

**Meeting was adjourned** at 4:44 p.m.

**Next Meeting**: The next meeting of the HFA will be held on November 17, 2022, in the Kingfisher conference room, in the Health & Human Services building, at 200 San Sebastian View, St. Augustine.

A special workshop will be held on November 15, 2022, in the Kingfisher conference room.

Respectfully submitted,

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Secretary