




Office of
**INDIAN RIVER COUNTY
ATTORNEY**

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MEMORANDUM

TO: Board of County Commissioners
FROM: Dylan Reingold, County Attorney 
DATE: October 29, 2018
SUBJECT: Escambia County Housing Finance Authority Area of Operation Resolution

BACKGROUND.

On October 15, 2013, the Indian River County Board of County Commissioners (the "Board") approved Resolution 2013-110, consenting to Escambia County Housing Finance Authority (the "Authority") the right to exercise its power to issue Single Family Mortgage Revenue Bonds and to implement a specific plan of finance for such bonds within Indian River County. At the time, the Board approved the Authority's ability to issue in multiple series, not to exceed \$150,000,000.00, Single Family Mortgage Revenue Bonds to fund its Single Family Mortgage Loan Program. The Authority proposed to continue to operate its Single Family Mortgage Loan Program on a "to be announced" basis (the "TBA Program") to provide financing and down payment assistance to first time homebuyers throughout a thirteen county area including Indian River County.

On July 11, 2017, the Board approved Resolution No. 2017-067, and the accompanying Interlocal Agreement with the Authority (the "2017 Area of Operation Resolution"). The 2017 Area of Operation Resolution confirmed the Authority's ability to continue to operate its TBA Program in Indian River County.

The Authority is analyzing the feasibility of financing the Single-Family Mortgage Loan Program through the issuance of new single-family mortgage revenue bonds (the "Single Family Mortgage Loan Bond Program"). The Authority plans to issue bonds if the Authority will be effective in keeping mortgage rates as low as possible during the rising interest rate environment.

Adoption of the 2018 Area of Operation Resolution will enable the Authority to continue to offer the Single-Family Mortgage Loan Program with financing delivered through the issuance of the Authority's single-family mortgage revenue bonds in the event that the Single-Family Mortgage Loan Bond Program is determined to be most beneficial. Adoption of the 2018 Area of Operation Resolution does not repeal the 2017 Area of Operation Resolution, but instead allows the Authority to offer the Single-Family Mortgage Loan Program through either the TBA markets or the bond markets as appropriate.

The Authority has stated that the Single-Family Mortgage Loan Program is designed to benefit first-time homebuyers in Escambia and Indian River County, as well as seventeen other participating counties. Please be aware that due to changes in federal tax law, it is no longer necessary to hold a Tax Equity and Fiscal Responsibility Act ("TEFRA") hearing in each participating county. Additionally, issuance of any bonds by the Authority will not require any private activity bond allocation from Indian River County.

FUNDING.

There is no funding associated with this matter.

RECOMMENDATION.

The County Attorney's Office recommends that the Board vote to approve the resolution granting to the Escambia County Housing Finance Authority continued area of operation authority for purpose of operating the Authority's Single-Family Mortgage Loan Bond Program within Indian River County, Florida and authorize the Chairman to execute the Resolution.

ATTACHMENT(S).

Proposed Resolution