

**RESOLUTION 2018-\_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, APPROVING THE ISSUANCE BY THE ESCAMBIA COUNTY HOUSING FINANCE AUTHORITY OF ITS NOT TO EXCEED \$16,000,000 MULTIFAMILY HOUSING REVENUE BONDS (TAYLOR POINTE APARTMENTS), SERIES [TO BE DETERMINED] FOR THE BENEFIT OF VERO BEACH LEASED HOUSING ASSOCIATES III, LLLP, OR ITS AFFILIATE, TO PROVIDE FUNDS TO FINANCE OR REFINANCE A MULTIFAMILY RESIDENTIAL RENTAL PROJECT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Escambia County Housing Finance Authority (the "Authority") is a public body corporate and politic, duly organized and existing under the provisions of Chapter 159, Part IV, Florida Statutes, as amended and supplemented; and

**WHEREAS**, the Authority, per Resolution 2018-058, adopted by the Indian River County Board of County Commissioners on June 19, 2018 has been granted "area of operation" authority within Indian River County with respect to the financing of Taylor Pointe Apartments (also known as the Lindsey Gardens Apartments/Phases I & II), a multifamily residential rental facility development (as hereinafter identified); and

**WHEREAS**, Vero Beach Leased Housing Associates III, LLLP, a Minnesota limited liability limited partnership qualified to conduct business in the State of Florida, or one of its affiliates (the "Borrower"), has requested the Authority to issue its not to exceed \$16,000,000 Multifamily Housing Revenue Bonds (Taylor Pointe Apartments) (the "Bonds"), the proceeds of which would be used to (i) pay or reimburse the Borrower for the cost of acquiring, upgrading, reconditioning, rehabilitating, improving and beautification of an existing multifamily residential rental apartment project known as Taylor Pointe Apartments (also known as the Lindsey Gardens Apartments/Phases I & II) (the "Taylor Pointe Apartments Development"), which will consist of 168 residential units, at least 40% of such units are to be occupied by persons of low and moderate income, whose income does not exceed 60% of the area median income, located at 4885 38<sup>th</sup> Circle, Vero Beach, Florida, in the City of Vero Beach, Indian River County, Florida (the "Project Location"); (ii) fund a debt service reserve fund for the Bonds; and (iii) pay a portion of the costs of issuance of the Bonds; and

**WHEREAS**, the County Commission conducted a public hearing on September 11, 2018, notice of which hearing was published on August 25, 2018, in the Indian River Press Journal (a copy of which notice is attached hereto as Exhibit "A" and incorporated herein), for the purpose of considering the issuance of the Bonds by the Authority, in accordance with the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"). Said public hearing disclosed no reason why the Bonds should not be issued; and

**WHEREAS**, Section 147(f) of the Code requires approval of the issuance of the Bonds by the Board of County Commissioners of Indian River County, Florida (the "Board"), as the

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"applicable elected representative" under Section 147(f) after a public hearing following reasonable public notice; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, as follows:**

**Section 1.** The Board, pursuant to, and in accordance with, the requirements set forth in Section 147(f) of the Code, hereby approves the issuance of not to exceed \$16,000,000 principal amount of the Bonds by the Authority, in one or more series at one or more times.

**Section 2.** The Bonds shall not constitute a debt, liability or obligation of the County, the State of Florida (the "State") or any political subdivision or agency thereof other than the Authority, or a pledge of the faith and credit of the Authority, the County, the State or of any political subdivision or agency thereof, and neither the Authority, the County, the State nor any political subdivision or agency thereof will be liable on the Bonds, nor will the Bonds be payable out of any funds other than those pledged and assigned under the Indentures and the Loan Agreements.

**Section 3.** The approval given herein is solely for the purpose of satisfying the requirements of Section 147(f) of the Code and shall not be construed as an approval of any necessary rezoning application or any regulatory permits required in connection with the issuance of the Bonds or the construction of the Project, and this Board shall not be construed by virtue of its adoption of this Resolution to have waived, or be estopped from asserting, any rights or responsibilities it may have in that regard.

**Section 4.** The approval given herein is solely for the purpose of approving the project, the plan of finance, and the bonds herein described. The Board reserves the right to consent to any additional project to be financed within the jurisdictional limits of the County upon such terms as it shall deem appropriate and to adopt and amend policies applicable to obtaining such consents.

**Section 5.** It is a condition of the approval given herein that a Land Use Restriction Agreement with a Qualified Project Period of not less than thirty-five years be executed and delivered in connection with the issuance of the bonds herein described.

The foregoing resolution was moved for adoption by Commissioner \_\_\_\_\_, and seconded by Commissioner \_\_\_\_\_, and, upon being put to a vote, the vote was as follows:

Chairman Peter D. O'Bryan  
Vice Chairman Bob Solari

\_\_\_\_\_  
\_\_\_\_\_



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Commissioner Susan Adams \_\_\_\_\_  
Commissioner Joseph E. Flescher \_\_\_\_\_  
Commissioner Tim Zorc \_\_\_\_\_

The Chairman thereupon declared the resolution duly passed and adopted this 11<sup>th</sup> day of September, 2018.

**ATTEST:** Jeffrey R. Smith, Clerk of Court  
and Comptroller

**BOARD OF COUNTY COMMISSIONERS OF  
INDIAN RIVER COUNTY, FLORIDA**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Peter D. O'Bryan, Chairman

Approved as to form and legal sufficiency:

By:  \_\_\_\_\_  
Dylan Reingold, County Attorney

Treasure Coast Newspapers

TCPALM

Indian River Press Journal  
1801 U.S. 1, Vero Beach, FL 32960  
**AFFIDAVIT OF PUBLICATION**

STATE OF FLORIDA

COUNTY OF INDIAN RIVER

Before the undersigned authority personally appeared, Natalie Zollar, who on oath says that she is Classified Inside Sales Manager of the Indian River Press Journal, a daily newspaper published at Vero Beach in Indian River County, Florida: that the attached copy of advertisement was published in the Indian River Press Journal in the following issues below. Affiant further says that the said Indian River Press Journal is a newspaper published in Vero Beach in said Indian River County, Florida, and that said newspaper has heretofore been continuously published in said Indian River County, Florida, daily and distributed in Indian River County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The Indian River Press Journal has been entered as Periodical Matter at the Post Offices in Vero Beach, Indian River County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

Customer	Ad Number	Copyline	PO #
944559 - ESCAMBIA COUNTY	2086332	TEFRA TAYLOR POINTE APTS	

Pub Dates

August 25, 2018

Sworn to and subscribed before me this day of, August 27, 2018, by

*Natalie Zollar*

who is

Natalie Zollar

(X) personally known to me or

( ) who has produced \_\_\_\_\_ as identification.

*Karol E Kangas*

Karol Kangas

Notary Public

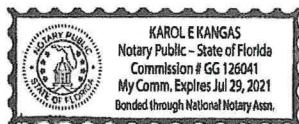


EXHIBIT "A"



## Well-known Vero restaurant set to close doors Tuesday

**Angela Smith**  
Special to Treasure Coast Newspapers  
USA TODAY NETWORK - FLORIDA

Recent months have been rough for restaurateur Patrick Tomassi, so he said he had to make some tough decisions.

On Tuesday, he will officially close the doors to The Quilted Giraffe Restaurant in Vero Beach.

Although Tomassi had only owned the nearly 20-year-old restaurant for the past seven years, his said his love for the customers and food ran deep.

"I like to treat my customers the way I would want to be treated while eating out," said Tomassi who would often go table to table to visit with diners.

He said he made it his goal to be on the restaurant floor night after night, whether it was to check on orders or to chat with frequent customers.

"Mom-and-pop places are hard to duplicate," Tomassi said. "People like to see the owners there and that's so hard to find nowadays in the restaurant business."

But customers didn't frequent The Quilted Giraffe Restaurant just to eat, they would make an evening out of it, Tomassi said.

"I talk with everybody and I think that's what separated us from other places, we had a personal touch," he said. "Everyday was like a big family."

Besides the personal tableside service and food (salmon was the most popular ordered dishes on the menu), Tomassi believes the restaurant's entertainment options helped keep diners returning week after week.

"When we bought it, we turned it into more entertainment," Patrick said. "We had a lot of music, a lot of dancing and it certainly became a fun place."

That happy environment changed on March 16 when his wife, Susy Tomassi, 73, walked to the back porch of The Quilted Giraffe Restaurant and vanished.

Surveillance video at a nearby shopping plaza captured Susy Tomassi, who suffers from dementia, walking by before exiting the frame, which marks her last known whereabouts.

Initially, Patrick Tomassi closed the restaurant for the summer, but couldn't bring himself to reopen it with Susy still missing.

"It came to a point to move on," he said. "I don't want to listen to songs that I danced with Susy there, it's just not the same thing and I'm not the same."

He said after Tuesday's auction of restaurant content and other items, he just needs to take a break and "evaluate what I'm going to do."

He thanks customers for their support over the years. People who have The Quilted Giraffe Restaurant gift cards are asked to bring them to the restaurant on Aug. 28 during the auction for a full refund.

Theatre-Go-Round Dinner Theatre will be moving to a new location before its next performance.

Patrick Tomassi still owns Mr. Manatees in Vero Beach and he said it would continue to be open operate as usual.

## Desegregation

Continued from Page 1A

after four parents sued the school district over its treatment of black students. It specifies plans for creating racially balanced schools, taught by diverse staffs, to establish an equitable education system for minority students.

The NAACP on Friday agreed the district "is entitled to a declaration of partial unitary status already in the area of facilities, non-instructional staff, and administrative staff," school officials said in a statement.

Representatives of the school district and NAACP signed the nine-page agreement Friday afternoon.

Frost recognized recognized current School Board members and former board members Matt McCain and Claudia Jimenez, who, along with Superintendent Mark Rendell, who in recent years restarted district efforts to comply with the desegregation order, over recent years.

"This begins a new era of uniting as a community," Frost said.

The board, as part of the agreement, must create an "equity committee" respon-

sible for tracking the district's progress with the remaining aspects of the desegregation order. This committee will meet for the next five years, school officials said.

The desegregation order will be lifted completely, though, if the district complies with the agreement over the next three years, school officials said.

But for that to happen, the district must improve its minority-teacher recruitment efforts and ensure minority students are given the same academic-achievement opportunities as all students, according to the agreement.

The new committee also will monitor other aspects of the order, including transportation and student campus assignments.

The five-member committee will have two chosen by the board, two by the NAACP and a fifth chosen by those four appointees, according to the agreement.

They are to meet quarterly and present a report to the board the first Monday of November each year, according to the agreement.

Of 34 Florida school districts once under desegregation orders, 11, including Indian River, remain under court orders, according to a 2016 Propublica report.

### NOTICE OF PUBLIC HEARING

For the purpose of Section 147(f) of the Internal Revenue Code of 1986, as amended, notice is hereby given that the Board of County Commissioners of Indian River County, Florida (the "County"), will hold a public hearing at 9:05 a.m., or as soon thereafter as the matter may be heard, on Tuesday, September 11, 2018, in the County Commission Chambers located at 1801 27th Street, Vero Beach, Florida 32960, to consider a plan of finance for the issuance of a series of bonds by the Escambia County Housing Finance Authority (the "Authority"), 700 S. Palafox Street, Suite 310, Pensacola, FL 32502, for the following purpose:


The Authority proposes to issue not exceeding \$16,000,000 in aggregate principal amount of its revenue bonds (the "Bonds"), in one or more installments or series and loan the proceeds of such Bonds to Vero Beach Leased Housing Associates III, LLLP, a Minnesota limited liability limited partnership qualified to conduct business in the State of Florida, whose principal place of business is 2905 Northwest Boulevard, Suite 150, Plymouth, Minnesota 55441, or its affiliate or subordinate nonprofit corporation (as applicable, the "Company"), or a limited liability company of which the Company is the managing member or a limited partnership of which the Company is the general partner (as applicable, the "Borrower") for the purpose of financing or refinancing the costs of acquiring, upgrading, reconditioning, rehabilitating, improving and beautification by the Borrower of an existing multifamily rental housing facility presently containing 168 units known as Taylor Pointe Apartments (also known as Lindsey Gardens Apartments/Phases I & II), located at 4885 38th Circle, Vero Beach, Florida 32967 (the "Project"), to provide rental housing facilities for persons of low, very low, middle, and moderate income. The Project will be owned and operated by the Borrower.

The Bonds, when issued, will be special, limited obligations of the Authority payable solely out of the revenues derived from a financing agreement with the Borrower. The Bonds and interest thereon shall never pledge the taxing power, or constitute the debt or indebtedness of the County, the Authority, Escambia County, Florida, the State or any other political subdivision, public agency or municipality thereof within the meaning of any constitutional or statutory prohibition. The Authority has no taxing power.

At the time and place fixed for said public hearing all who appear will be given an opportunity to express their views for or against the proposal to approve said Bonds and the plan of finance, including the Project listed above. Prior to said public hearing, written comments may be delivered to County Administrator, Indian River County Administrative Office, 1801 27th Street, Vero Beach, Florida 32960. All persons are advised that, if they decide to appeal any decision made by the County with respect to any matter considered at this meeting, they will need a record of the proceedings and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. All interested persons are invited to present their comments at the time and place set forth above.


Pursuant to the Americans with Disabilities Act, persons needing special accommodation to attend the hearing must contact the County at (772) 226-1225 at least five (5) business days prior to the hearing.

Indian River County, Florida  
Legal No. \_\_\_\_\_  
August 25, 2018



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## ROBIN RAIFF TEAM

772.633.6214

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**OPEN HOUSES | SATURDAY, AUGUST 25TH**



**Michael Neitge, 772-532-2768**

**5563 43rd Court | 11:00 - 2:00**



**Robin Raiff, 772-633-6214**

**816 Yearling Trail | Open by Appointment**



**Gary Malone, 772-333-5204**

**376 Live Oak Drive | 12:00 - 2:00**