

# **HOUSING FINANCE AUTHORITY OF LEE COUNTY, FLORIDA**

## **MINUTES OF REGULAR MEETING**

**March 19, 2020**

**4:10 p.m.**

On Thursday, March 19, 2020, at 4:10 p.m. in the offices of PHILIP L. BURNETT, P.A., 2449 First Street, Fort Myers, E. Walter Barletta, Chairman of the Housing Finance Authority of Lee County, Florida (the "Authority"), called the meeting to order.

Immediately thereafter, the Chairman called for a roll call of the members. Philip Burnett, Esq., counsel for the Authority, called the roll. E. Walter Barletta, Virginia Yates, Michael Villalobos were present at the meeting. Kirk Frohme and Walter Ferguson appeared by phone. Also appearing by phone were Tim Wranovix with Raymond James and Associates, Inc. ("Raymond James"), the Authority's managing underwriter, Claire Merritt with Hilltop Securities, Inc. ("Hilltop Securities"), the Authority's Financial Advisor, Mark Mustian, Esquire and Alex Fischer, Esquire with Nabors, Giblin & Nickerson, P.A., the Authority's Bond Counsel, Cameron Hill with RBC Capital Markets ("RBC"), a co-managing underwriter, Sue Denihan with Housing and Development Services, Inc. d/b/a eHousingPlus ("eHousing"), Scott Schuhle with U.S. Bank, the Trustee for most of the Authority's bond offerings, and Christopher Kessler, CPA with CliftonLarsonAllen, LLP, ("CLA"), the Auditor of the Authority's Financial Statements.

The Chairman then opened the floor for public comment. No members of the public were present at the meeting. Accordingly, no public comment was made. Thereafter, the Chairman closed the opportunity for public comment.

The Chairman next suggested that the Authority address the approval of the Authority's Minutes for its prior meetings. Thereafter, on motion duly made by Ms. Yates and seconded by Mr. Villalobos, the members of the Authority unanimously approved the minutes of the Authority's February 20, 2020, regular meeting. Immediately thereafter, on motion duly made by Mr. Villalobos and seconded by Ms. Yates, the members of the Authority unanimously approved the minutes of the Regional Meeting held on February 20, 2020.

The Chairman next suggested that the Authority consider Item V on its Agenda, i.e., consider, discuss and vote on the Authority's Audit and Financial Statements (the "Authority's Statements") for the fiscal year ending 9/30/19. The Chairman then recognized Ms. Yates and she introduced Mr. Kessler and asked him to briefly go over the Authority's Statements for its fiscal year ending 9/30/19. Mr. Kessler briefly summarized CLA's audit of the Authority's Statements. He said that CLA is proposing to issue an unmodified opinion, which is the best that the Authority can receive. He said that the Authority needs to execute and deliver a Management Representation Letter to CLA acknowledging certain things and accepting responsibility for the Authority's Statements. He also said that CLA intended to issue a Governance Communication which is

required to be issued in conjunction with the issuance of the Authority's Statements. Last, he said that CLA had made certain suggestions as to the Authority's Statements but that they weren't material, just suggestions as to how better to present and deal with the Authority's Statements. Mr. Frohme then asked if the suggestions made by CLA were reportable to any governmental entity. Mr. Kessler said that the suggestions made to the Authority were not reportable items to any governmental entity. A brief discussion then ensued with respect to the Authority's second mortgage and note receivables and how they are and will be treated in the Authority's Financial Statements. Ms. Yates said that the issue will be addressed when the Authority addresses its proposed Budget for its fiscal year ended 9/30/21. Immediately thereafter, on motion duly made by Mr. Villalobos and seconded by Ms. Yates, the members of the Authority unanimously approved the draft of the Authority's Statements and authorized the Chairman and Treasurer to execute the Management Representation Letter to CLA on behalf of the Authority.

The Chairman next addressed the necessity of the Authority considering Item VI on the Authority's Agenda, i.e., consider and discuss bills and invoices submitted to the Authority for approval and payment. The Chairman then recognized Ms. Yates. Ms. Yates said that the following bills and invoices were submitted for approval and payment:

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Ck # 1646 E. Walter Barletta-Reimbursement for Florida ALHFA Registration	\$ 650.00
Ck # 1647 Philip L. Burnett, P.A. Retainer/Fees/Admin	\$ 8,676.33
Ck # 1648 Markham Norton 12/31/19 quarterly fees and fees for Preparation of 1099 and 1096 Forms	\$ 4,150.00

In addition to the above, Ms. Yates said that she had transferred \$20,000 from the Authority's savings account to its checking account to cover the payment of the invoices. She also said that she recommended that the Authority redeem its \$250,000 CD with BB&T to cover the Authority's operating expenses, particularly given that the Authority had recently transferred \$200,000 to its Custody Account with U.S. Bank to fund the second mortgage loans in the Authority's OAHOP Program. Immediately thereafter, on motion duly made by Mr. Villalobos and seconded by Mr. Ferguson, the members of the Authority approved the payment of the above invoices and the above transactions. Ms. Yates then said that Markham Norton has recommended that the minutes of the Authority's meetings be scanned and emailed to Markham Norton after they are reviewed and approved by the Authority so that they can review them to make sure that any necessary budget changes or other matters that may need to be updated or revised in the Authority's Financial Statements will be brought to their attention.

The Chairman next suggested that the Authority consider Item XV on its Agenda, i.e., such other matters as may come before the meeting. The Chairman recognized Mr. Wranovix and asked him how the Authority's Own a Home Opportunity Program ("OAHOP Program") was going. Mr. Wranovix said that it was going along fine, that it made loans and grants in the amount of \$3.8 million to date in March and that it made loans and grants in the amount of \$5 million in February.

Ms. Yates asked Mr. Wranovix if he thought that the OAHOP Program would slow down due to the uncertainty of the coronavirus and the market uncertainties. Mr. Wranovix said that the OAHOP Program will definitely slow down in the short term.

The Chairman again recognized Mr. Wranovix. Mr. Wranovix said that one of the States out West had just enacted legislation to allow telephonic meetings for public bodies to be able to conduct business due to the coronavirus. The Chairman asked Mr. Ferguson if Florida ALHFA had considered approaching the Florida Legislature and Governor's Office about a similar policy. Mr. Ferguson said that Florida ALHFA had not discussed the matter yet but that he would check with Mark Hendrickson and Susan Leigh regarding the issue. He also said that Florida ALHFA was still planning on going forward with its Educational Conference in July in Sarasota unless circumstances change. The Chairman then recognized Mr. Mustian. Mr. Mustian said that the Florida Legislature and the Governor's Office were in discussions concerning the issue of allowing telephonic meetings due to the circumstances and that it appears that such a policy may be adopted in Florida.

The Chairman then asked when the Authority needed to have another meeting, particularly in light of the coronavirus and what matters, if any might need to be addressed by the Authority? Mr. Wranovix said that a developer has approached Raymond James about a possible multifamily project in Fort Myers, that the Professional Staff had participated in a conference call concerning the possible project but that it is in the early stages of sorting out how they want to proceed. Mr. Burnett said that the only other matter that the Authority needs to address is a possible new Mortgage Credit Certificate Program but that it isn't critical to address it at this time. After a brief discussion, it was agreed that, unless something comes up, it will not be necessary to have an Authority meeting in April. Further, if the Annual NALHFA Conference in New York in May is not cancelled, the Authority will probably not need to have a meeting in May. It was generally agreed that the Professional Staff would monitor the situation and suggest scheduling an Authority meeting when necessary.

The Chairman then asked if anyone had anything further to bring before the Authority. There being no further business to come before the Authority, on motion duly made by Mr. Ferguson and seconded by Ms. Yates, the meeting was adjourned at 4:32 p.m.

Respectfully submitted,

  
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E. Walter Barletta, Chairman

  
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Michael Villalobos, Assistant Secretary

Approved at the 7/15/20,  
Meeting of the Housing Finance  
Authority of Lee County, Florida