

**2023-B-05**  
**RESOLUTION**

**WHEREAS**, the **ORANGE COUNTY HOUSING FINANCE AUTHORITY** (the “Authority”) was created pursuant to Ordinance 78-18, codified in the Code of Orange County at Section 2-151 *et seq*; and

**WHEREAS**, the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) has created a requirement that all industrial development bonds issued after December 31, 1982, for the purpose of financing multifamily housing developments require approval by the Authority, and each governmental unit having jurisdiction over the area in which the bond financed facility is located; and

**WHEREAS**, such approval is to be given after a public hearing for which reasonable notice has been given; and

**WHEREAS**, the Authority is contemplating the issuance of up to \$31,000,000 in one or more series of Orange County Housing Finance Authority Multifamily Housing Revenue Bonds, Series [to be designated] (Southwick Commons Apartments) (the “Bonds”), the proceeds of which would finance the acquisition, construction and equipping of a residential rental project to be owned by Southwick Commons, Ltd., for persons who are of low, middle and moderate income (the “Project”).

**PROJECT/LOCATION**

**NUMBER OF UNITS**

Southwick Commons Apartments  
461 E. 7th Street  
Apopka, Florida 32703

195

**WHEREAS**, a public hearing was held at 10:00 A.M. on Monday, June 5, 2023, with regard to financing this qualified housing development, at the place and time described in the Notice of Public Hearing attached hereto as Exhibit A, which Notice was published at least 7 days in advance of the hearing date in a newspaper of general circulation in Orange County; and

**WHEREAS**, the Authority has presented the issue in the aggregate principal amount set forth above for approval to the Board of County Commissioners of Orange County;

**THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:**

**SECTION 1. Authority.** This Resolution is adopted pursuant to the Constitution of the State of Florida, Chapters 125 and 166, Florida Statutes, and other applicable provisions of law.

**SECTION 2. Findings.** The Board hereby finds, determines and declares as follows:

The Board is the elected legislative body of Orange County and has jurisdiction over the Project located in Orlando, Orange County, Florida.

**SECTION 3. Approval.** For the purpose of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), the Board hereby approves the issuance of the Bonds to finance the Project, acknowledging, however, that the Bonds will not be issued until the Authority gives its final approval to the issuance of the Bonds.

**SECTION 4. Limited Approval.** The approval given herein shall be solely for the purpose of satisfying the requirements of Section 147(f) of the Code and shall not be construed as (i) an endorsement of the creditworthiness of the Borrower or the financial viability of the Project, (ii) a recommendation to any prospective purchaser to purchase the Bonds, (iii) an evaluation of the likelihood of the repayment of the debt service on the Bonds, or (iv) approval of any rezoning application or approval or acquiescence to the alteration of existing zoning or land use or approval for any regulatory permit relating to the Project, or creating any vested right with respect to any land use regulations, and the Board shall not be construed by virtue of its adoption of this Resolution to have made any such endorsement, finding or recommendation or to have waived, or be estopped from asserting, any rights or responsibilities it may have in that regard. Further, the approval by the Board of the issuance of the Bonds by the Authority shall not be construed to obligate the County to incur any liability, pecuniary or otherwise, in connection with either the issuance of the Bonds or the acquisition and construction of the Project, and the Authority shall so provide in the financing documents setting forth the details of the Bonds.

[remainder of page intentionally left blank]

**SECTION 5. Effective Date.** This Resolution shall become effective immediately upon its passage.

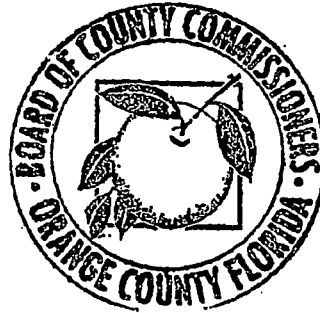
PASSED AND ADOPTED this 20th day of June, 2023.

**ORANGE COUNTY, FLORIDA**  
By: Board of County Commissioners

By: *Jerry L. Demings*  
for Jerry L. Demings  
Orange County Mayor

Attest: Phil Diamond, CPA, Orange  
County Comptroller as Clerk of the  
Board of County Commissioners

By: *Jennifer Jan-Klimentz*  
Deputy Clerk



**EXHIBIT A**  
**NOTICE OF PUBLIC HEARING**  
**ORANGE COUNTY HOUSING FINANCE AUTHORITY**  
**RESIDENTIAL RENTAL PROJECTS**

Notice is hereby given that the Orange County Housing Finance Authority (the “Authority”) will conduct a public hearing concerning the proposed issuance by the Authority of its not to exceed \$31,000,000 Multifamily Housing Revenue Bonds, Series [to be designated] (Southwick Commons Apartments) (the “Bonds”). The proceeds of the Bonds would be used to finance the acquisition, construction and equipping of the residential rental project listed below for persons who are of low, middle and moderate income:

<b>PROJECT/LOCATION</b>	<b>NO. OF UNITS</b>	<b>OWNER</b>
Southwick Commons Apartments 461 E. 7th Street Apopka, Florida 32703	195	Southwick Commons, Ltd.

The public hearing will be held at the following time and location:

<b>TIME AND DATE</b>	<b>LOCATION</b>
10:00 A.M. Monday, June 5, 2023	Orange County Administration Center 3rd Floor, Conference Room Legal “A” 201 South Rosalind Avenue Orlando, Florida 32801

Interested persons are invited to submit written comments or present oral comments at the hearing regarding the proposed issuance of the Bonds. Written comments should be received by the Authority on or before Wednesday, May 31, 2023. Oral comments will be limited to no more than 3 minutes per person. Written comments or notice of intent to present oral comments should be directed to:

Orange County Housing Finance Authority  
2211 E. Hillcrest Street  
Orlando, Florida 32803  
Attention: Executive Director

SECTION 286.0105, FLORIDA STATUTES STATES THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY A BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, 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.

**ATTACHMENT 'A'**

**Project Description  
and Location Map**

## **SOUTHWICK COMMONS APARTMENTS - Apopka, Orange County, FL**

**Detailed and accurate description** of the proposed housing development, including property address, acreage, present zoning status, type of construction, number of units, unit bedroom mix, current rental rates (if appropriate), expected stabilized rental rates (specify any charges for premiums), and any amenities to be provided (include any charges for amenities). Include a location map of the proposed site (paying special attention to the accuracy of its boundaries) and, if available, preliminary site plan drawings, elevation renderings, unit layout drawings, etc.

Location: 461 E 7<sup>th</sup> Street, Apopka, Orange County, FL.

Acreage: 16

Zoning: MU-D

Construction Type: New - Garden Concrete

Number of Units and rental rates: 195 Units

Bedroom Mix: 58 1-bd/1-ba; 98 2-bd/2-ba; and 39 3-bd/2-ba; and 4-bd/2-ba

Amenities: (All Free to residents) In unit washers & dryers, Pool & BBQ area, Fitness center, Community gathering room, Mail room, Computer room, outdoor children playground/Tot Lot

**Description of the various levels of services and care** to be provided and evidence of the need for such services within the area. This section must specifically address whether the project will compete with other existing or planned affordable housing in the immediate market. Include a recently prepared local market or feasibility study or recently completed "as completed" real estate appraisal prepared by independent professionals relating to the development.

Southwick Commons will provide 195 family units of mixed income affordable housing inventory into Downtown Apopka. The development will be part of the overall Apopka City Center development. Southwick Commons will provide the following services (at a minimum) to residents:

1. Adult literacy classes
2. Family support coordinators made available from local partner organizations
3. Financial Management Programs made available via local partnership organizations

Southwick Commons Apts - 461 E 7th Street, Apopka FL 32703



**461 E 7th Street, Apopka**

**Elected Officials:-**

State Senate	Randolph Bracy
School Board Representative	Melissa Byrd
US Representative	Val Demings
County Commissioner	Christine Moore
State Representative	Kamia L. Brown
Orange County Property Appraiser	Amy Mercado

**ATTACHMENT 'B'**

**Proof of Publication of  
TEFRA Public Hearing**



# Orlando Sentinel

MEDIA GROUP

Published Daily  
ORANGE County, Florida

**Sold To:**

Orange County Financing Authority - CU00111656  
2211 Hillcrest St  
Orlando, FL 32803-4905

**Bill To:**

Orange County Financing Authority - CU00111656  
2211 Hillcrest St  
Orlando, FL 32803-4905

**State Of Florida  
County Of Orange**

Before the undersigned authority personally appeared Rose Williams, who on oath says that he or she is a duly authorized representative of the ORLANDO SENTINEL, a DAILY newspaper published in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of 11150-Public Hearing Notice  
Was published in said newspaper by print in the issues of, or by publication on the newspaper's website, if authorized on May 27, 2023.

Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50, Florida Statutes.



Rose Williams

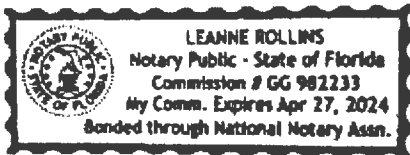
Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on this 29 day of May, 2023,  
by above Affiant, who is personally known to me (X) or who has produced identification ( ).



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

7440750

**NOTICE OF PUBLIC HEARING ORANGE  
COUNTY HOUSING FINANCE AUTHORITY  
RESIDENTIAL RENTAL PROJECTS**

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**NO. OF UNITS**  
195

**OWNER**  
Southwick Commons, Ltd.

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**TIME AND DATE**  
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**LOCATION**  
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3rd Floor, Conference Room Legal "A"  
201 South Rosalind Avenue  
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5/27/2023 7440750

7440750

# Meeting Notice



**Board Name:** Orange County Housing Finance Authority  
TEFRA Public Hearing Meeting for  
Southwick Commons Apartments

**Date:** Monday, June 5, 2023

**Location:** Orange County Administration Center,  
3<sup>rd</sup>. Floor - Conference Room Legal 'A'  
201 South Rosalind Avenue,  
Orlando, Florida 32801

**Time:** 10:00 AM.

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TEFRA Public Hearing meeting to obtain comments for the proposed issuance of Multi-Family Housing Revenue Bonds for the financing of the proposed residential rental project in Orange County, Florida as follows:

- acquisition and new construction of Southwick Commons Apartments

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he 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.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-3111.

Para mayor información en español, por favor llame al (407) 836-3111.

Received 5-30-23  
Posted 5-30-23  
By AK

**ATTACHMENT 'C'**

**TEFRA Public Hearing  
Minutes**

**ORANGE COUNTY HOUSING FINANCE AUTHORITY**

**TEFRA PUBLIC HEARING**

TAX EQUITY AND FISCAL RESPONSIBILITY ACT "TEFRA"

**OFFICIAL MEETING MINUTES**

**Project:** Southwick Commons Apartments      **Date:** June 5, 2023      **Time:** 10:00 AM.  
**Location:** Orange County Administration Bldg. 3<sup>rd</sup> Floor- Conf. Room Legal 'A' – 201 S. Rosalind Ave, Orlando, FL 32801

OCHFA STAFF

PRESENT

Frantz Dutes

Director, Program Operations

Mildred Guzman

Program Operations Administrator

OCHFA Professionals

PRESENT

BCC

PRESENT

Danielle Phillips

Orange County Fiscal & Business Services

Developer Representative

PRESENT

**MEETING OPENED:** Mildred Guzman, Program Operations Administrator, opened the meeting for comments at 10:00 AM.

**PURPOSE OF MEETING:**

The TEFRA Public Hearing began by providing its purpose of receiving comments regarding Orange County Housing Finance Authority's (OCHFA/ the Authority), Multi-Family Housing Revenue Tax Exempt Bond issuance, not-to-exceed \$31,000,000, for the financing, acquisition construction and equipping of a proposed project – Southwick Commons Apartments – a residential rental community, consisting of 195-units; to be located at 461 E. 7<sup>th</sup> Street, Apopka, within Orange County, District 2.

**PUBLIC COMMENT(s):**

No comments, oral or written, were presented during or before the hearing.

**ADJOURNMENT**

There being no further comments, Mildred Guzman, Meeting Moderator, adjourned the meeting at 10:30 AM.

