

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AMENDMENT TO THE GAP FUNDING COMMITMENT AMONG THE CITY OF HOLLYWOOD, FLORIDA, THE CITY OF HOLLYWOOD FLORIDA COMMUNITY REDEVELOPMENT AGENCY, VAN JACKSON, LLC AND TROPIC HOLLYWOOD, INC., AFFILIATES OF AFFILIATED DEVELOPMENT, LLC, RELATING TO THE TROPIC, A WORKFORCE HOUSING PROJECT TO BE LOCATED AT 1744 AND 1753 FEDERAL HIGHWAY WITHIN THE DOWNTOWN DISTRICT OF THE CRA.

WHEREAS, Van Jackson, LLC and Tropic Hollywood, Inc. ("Developer") intend to develop a mixed-income workforce housing development on the property generally located at 1744 and 1753 Federal Highway ("Subject Property"), within the Downtown District of the CRA and within a low-to-moderate income census tract ("LMI"); and

WHEREAS, the Developer proposes to build and manage a residential project consisting of approximately 208 units, a parking garage, and associated Class A amenities in accordance with a conceptual site plan ("Project"); and

WHEREAS, the Project, once developed, will reduce blight in the CRA, improve an LMI area, enhance the City, and will, in turn, bring significant economic redevelopment to the area; and

WHEREAS, in recognition of the need for workforce housing as well as development costs and market risks associated with the development of the Subject Property, gap funding and a development incentive are required to make the Project financially viable; and

WHEREAS, the City and the CRA approved R-2021-062 and R-CRA-2021-14 on March 17, 2021, authorizing the execution of a Funding Commitment ("Commitment") and the negotiation of a Development Agreement ("Agreement") with the Developer for the development of the Subject Property and the provision of workforce housing for those earning less than 120% of the area median income such as teachers, firefighters, police officers, healthcare workers, and other working professionals, many of whom have been disproportionately impacted by the Coronavirus pandemic; and

WHEREAS, the City, CRA and Broward County entered into an Interlocal Agreement ("ILA") in 2018 regarding funding for affordable housing, and the ILA allows

for affordable/workforce LMI area housing programs and other affordable housing programs as approved in writing by the Broward County Administrator; and

WHEREAS, in accordance with the ILA, the City invoiced Broward County for the outstanding County Contribution from the set aside amount for FY 2018 and 2019, requesting payment of \$2,484,855.00 from FY 2018 and \$1,036,781 from FY 2019; and

WHEREAS, on May 4, 2021, the Broward County Commission authorized the payment of \$3,021,636.00 of the City requested payment for FY 2018 and FY 2019, and directed the County Administrator to execute an agreement with the City allowing the use of these funds specifically for The Tropic workforce housing Project; and

WHEREAS, the County intends to use \$3,021,636.00 in funding Broward County received from the U.S. Department of Treasury Coronavirus Local Fiscal Recovery Fund ("CLFRF") as authorized by the American Rescue Plan Act to make payment to the City through an amendment to the ILA; and

WHEREAS, the City is willing to use the County funds and \$478,364.00 in funding the City received from the U.S. Department of Treasury CLFRF as authorized by the American Rescue Plan Act to provide \$3,500,000.00 to the Developer in the form of a forgivable loan ("Forgivable ILA Loan") per the terms of the First Amendment ("Amendment") to the previously approved Commitment to help fund the acquisition of the Subject Property for the construction of new workforce housing units in the LMI area; and

WHEREAS, the Amendment recognizes the change in the source of funds for the Forgivable ILA Loan and allows the use of these funds in the acquisition stage of the Project, modifying and replacing two provisions of the Commitment: (a) the PROJECT COSTS and (b) the FORGIVABLE ILA LOAN; and

WHEREAS, all other provisions of the approved funding Commitment attached as Exhibit "A" remain unchanged; and

WHEREAS, this Amendment is entered into pursuant to Sections 163 and 166, Florida Statutes, and sets forth the general understanding between the City, CRA and Developer regarding the proposed Project, and the City Commission authorizes the City Manager and CRA Executive Director to execute a comprehensive Development Agreement incorporating the terms of the Commitment, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of the attached First Amendment to the Funding Commitment between the CRA, City, and Developer, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2021.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY