

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, APPROVING A PLAN OF FINANCE CONCERNING THE ISSUANCE BY THE ALACHUA COUNTY HEALTH FACILITIES AUTHORITY OF THE AUTHORITY'S CONTINUING CARE RETIREMENT COMMUNITY REVENUE AND REVENUE REFUNDING BONDS (OAK HAMMOCK AT THE UNIVERSITY OF FLORIDA, INC. PROJECT), IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$85,000,000 FOR THE PURPOSE OF PROVIDING FUNDS TO MAKE A LOAN TO OAK HAMMOCK AT THE UNIVERSITY OF FLORIDA, INC., TO REFINANCE CERTAIN OUTSTANDING OBLIGATIONS OF THE BORROWER, TO FINANCE THE COSTS OF ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS ON THE CAMPUS OF THE BORROWER IN ALACHUA COUNTY, FLORIDA, WHICH FACILITY WILL BE OWNED AND OPERATED BY THE BORROWER

WHEREAS, the Alachua County Health Facilities Authority (the "Authority") previously adopted on September 16, 2021, its Resolution (the "IDA Resolution") approving the issuance of the Authority's Continuing Care Retirement Community Revenue and Revenue Refunding Bonds (Oak Hammock at the University of Florida, Inc. Project) in one or more series in an aggregate principal amount not to exceed \$85,000,000 (the "Bonds"), to provide funds to make a loan to Oak Hammock at the University of Florida, Inc., a Florida not-for-profit corporation (the "Borrower") to refinance all or a portion of the outstanding Alachua County Health Facilities Authority Continuing Care Retirement Community Revenue Refunding Bonds (Oak Hammock at the University of Florida, Inc. Project), Series 2012A, the City of Gainesville, Florida Continuing Care Retirement Community Revenue Refunding Note (Oak Hammock at the University of Florida, Inc. Project), Series 2017A and the City of Gainesville, Florida Continuing Care Retirement Community Revenue Refunding Note (Oak Hammock at the University of Florida, Inc. Project), Series 2017B (collectively, the "Refunded Bonds"), to finance the acquisition, construction and equipping certain capital improvements of the Borrower as more particularly described in the IDA Resolution (collectively, the "Project"), which Project will be owned and operated to the extent of its interest therein by the Borrower, to finance capitalized interest, if any on the Bonds, to fund necessary reserves and to pay costs of issuance of the Bonds; and

WHEREAS, the Authority has recommended that the Board of County Commissioners (the "Board") of Alachua County, Florida (the "County") approve the issuance of the Bonds in an aggregate principal amount not to exceed \$85,000,000,

to refinance the Refunded Bonds, to finance the Project and to pay costs of issuance of the Bonds; and

WHEREAS, the Borrower has requested that the Board approve the issuance of the Bonds to refinance the Refunded Bonds, to finance the cost of the Project and to pay costs of issuance of the Bonds;

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA THAT:

SECTION 1. Authority. This Resolution is adopted pursuant to the laws of the State of Florida, including, in particular, Chapter 154, Part III and Chapter 159, Part II, Florida Statutes, and other applicable provisions of law (the "Act").

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

A. Notice of a public hearing to be held by the Authority at the Alachua County Administration Building, 12 S.E. First Street, Gainesville, Florida, inviting comments and discussions concerning the plan of finance for issuance of the Bonds by the Authority to finance the Project and refund the Refunded Bonds was published in *The Gainesville Sun*, a newspaper of general circulation in Alachua County, Florida, at least seven (7) days prior to the Authority's meeting on September 8, 2021, and an affidavit of publication with respect to such notice is attached hereto as Exhibit "A."

B. Following such notice, a public hearing was held by the Authority on such date, during which comments and discussions were requested and heard concerning the plan of finance concerning issuance of the Bonds by the Authority to finance the Project and refunded the Refunded Bonds.

C. The Project and the issuance of the Bonds to finance the Project and refund the Refunded Bonds will have a substantial public benefit.

D. The Board is the elected legislative body of the County, and the County has jurisdiction over the entire area in which the Project and the projects financed with the Refunded Bonds are located.

E. The Bonds shall not be deemed to constitute a debt, liability or obligation, or a pledge of the faith and credit or taxing power, of the Authority, of the County or of the State of Florida or of any political subdivision thereof, but the Bonds shall be payable solely from the revenues and proceeds to be derived from the sale, operating or leasing of the Project and the projects financed with the Refunded Bonds, including payments received under the loan agreement entered into between the Authority and the Borrower.

SECTION 3. Approval. For the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, the Board hereby approves the plan of finance concerning the issuance of the Bonds by the Authority in an aggregate principal amount not exceeding \$85,000,000 to finance the cost of the Project, refund the Refunded Bonds, pay capitalized interest on the Bonds, if any, to fund necessary reserves and to pay costs of issuance of the Bonds.

SECTION 4. Effective Date. This Resolution shall take effect immediately upon its passage.

Passed and duly adopted at a regular meeting of the Board of County Commissioners of Alachua County, Florida on the 28th day of September, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF ALACHUA COUNTY, FLORIDA

By: \_\_\_\_\_  
Chair

ATTEST:

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

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86228-9

EXHIBIT "A"

Affidavit of Publication

# LOCALiQ

The Gainesville Sun | The Ledger  
Daily Commercial | Ocala StarBanner  
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

## PROOF OF PUBLICATION

Lisa Myhrer  
Holland & Knight LLP  
Po Box 32092  
Lakeland FL 33802-2092

### STATE OF FLORIDA, COUNTY OF ALACHUA

The Gainesville Sun, a newspaper printed and published in the city of Gainesville, and of general circulation in the County of Alachua, State of Florida, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue dated:

09/08/2021

and that the fees charged are legal.  
Sworn to and subscribed before on 09/08/2021

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

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SARAH BERTELSEN  
Notary Public  
State of Wisconsin

### NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Alachua County Health Facilities Authority (the "Authority"), on Thursday, September 16, 2021, at 4:00 p.m. or as soon thereafter as practical, in the Grace Knight Conference Room at the Alachua County Administration Building, 12 S.E. First Street, Gainesville, Florida, for the purpose of receiving comments and hearing discussion concerning a plan of finance related to the issuance by the Authority of not to exceed \$85,000,000 principal amount of retirement community revenue bonds, in one or more series, the proceeds of which will be loaned by the Authority to Oak Hammock at the University of Florida, Inc., a Florida not-for-profit corporation (the "Borrower") and applied by the Borrower to (i) finance or refinancing, including through reimbursement, the costs of certain improvements to the Borrower's facilities located at 5100 SW 25th Boulevard, Gainesville, Florida, including, but not limited to, replacing air conditioning roof chillers, refurbishing memory care units to standard assisted living units, replacing elevators and constructing an approximately 18,000 square foot plant operations building (collectively, the "Projects"), (ii) refund the outstanding Alachua County Health Facilities Authority Continuing Care Retirement Community Revenue Refunding Bonds (Oak Hammock at the University of Florida, Inc. Project), Series 2012A, City of Gainesville, Florida Continuing Care Retirement Community Revenue Refunding Note (Oak Hammock at the University of Florida, Inc. Project), Series 2017A and City of Gainesville, Florida Continuing Care Retirement Community Revenue Refunding Note (Oak Hammock at the University of Florida, Inc. Project), Series 2017B which constituted qualified 501(c)(3) bonds under Section 145 of the Internal Revenue Code of 1986, as amended (the "Code") and which financed and refinanced the costs of acquiring, constructing and equipping the realty consisting of approximately 136 acres of land at 5100 S.W. 25th Boulevard, Gainesville, Florida and a continuing care retirement community facility containing approximately 800,000 square feet of space including (a) independent living units consisting of two multi-unit apartment buildings, villas and club homes, (b) an assisted living center with residential living suites and memory support units, (c) a health center with private skilled nursing beds, (d) a commons building, (e) related common areas and infrastructure improvements, (f) additional facilities, acquired and/or constructed by the Borrower, (g) acquisition or construction of related and appurtenant facilities, fixtures and equipment, (h) expansion of an existing 42-bed skilled nursing facility by up to 31 beds, (i) renovation of an existing skilled nursing facility, (j) an expansion of the existing assisted living facilities by up to 15 units, and (k) acquisition or construction of related and appurtenant facilities, fixtures and equipment (collectively, the "Refunded Projects"), and (iii) finance the costs of issuance. The Projects and the Refunded Projects are or will be owned and operated by the Borrower. Subsequent to the public hearing, the Board of County Commissioners of Alachua County, Florida (the "Commission") will consider whether to approve the proposed bonds as required by Section 147(f) of the Code.

The bonds shall be payable solely from the revenues derived from the loan to the Borrower of the proceeds of the bonds and other financing documents to be executed by the Borrower with the Authority and the purchaser of the bonds, prior to or contemporaneously with the issuance of the bonds. Such bonds and the interest thereon shall not constitute an indebtedness or pledge of the general credit or taxing power of Alachua County, the State of Florida or of any political subdivision or agency thereof. All interested or affected taxpayers, property owners and citizens of Alachua County, Florida, are invited to attend this public hearing and, either personally or through their representatives, will be given an opportunity to express their views concerning the Projects and the Refunded Projects and the issuance of the proposed bonds. Anyone desiring to make written comments may file them with the Authority c/o Chandler, Lang, Haswell & Cole, P.A., P.O. Box 5877, Gainesville, Florida 32627-5877, Attention: Chairman. Comments made at the hearing are for the consideration of the Commission and the Authority and will not bind the Commission or the Authority to any action it may take.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Alachua County Equal Opportunity Office at (352) 374-5275 or TDD # (352) 374-5284.

SHOULD ANY PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE AUTHORITY WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR THAT PURPOSE, SUCH PERSON 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.

This notice is given pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended.  
ALACHUA COUNTY HEALTH FACILITIES AUTHORITY  
September 8, 2021 #6245498