

Meeting Date
February 7, 2017



AGENDA	
Section	Public Hearing
Item No.	IV A

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	TEFRA Public Hearing approving a resolution re issuance of Florida Development Finance Corporation Educational Facilities Revenue Refunding Bonds, Series 2017 (Sculptor Charter School).
DEPT/OFFICE:	County Attorney (per Board Direction)

Requested Action:

It is requested that the Board approve resolution titled APPROVING THE ISSUANCE OF FLORIDA DEVELOPMENT FINANCE CORPORATION EDUCATIONAL FACILITIES REVENUE REFUNDING BONDS, SERIES 2017 (SCULPTOR CHARTER SCHOOL) in the aggregate principal amount not to exceed \$6,200,000 (the "Bonds").

Summary Explanation & Background:

The Board authorized the TEFRA public hearing to allow for receiving public comments on the proposed bond issue and for public approval of the attached Resolution for the issuance of the bonds by the appropriate elected officials titled below:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA APPROVING THE ISSUANCE OF FLORIDA DEVELOPMENT FINANCE CORPORATION EDUCATIONAL FACILITIES REVENUE REFUNDING BONDS, SERIES 2017 (SCULPTOR CHARTER SCHOOL), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,200,000; AND PROVIDING AN EFFECTIVE DATE.

Options:

1. Approve resolution;
2. Decline resolution.

Contact Person/Phone/Email: Scott Knox, 633-2090, scott.knox@brevardcounty.us:

Clerk to the Board Instructions:

Exhibits Attached: Proposed Resolution and affidavit of publication

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager	Assistant County Manager	Department Director / Extension
Stockton Whitten 	Assistant County Manager	 Scott Knox, County Attorney/52090



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

February 08, 2017

MEMORANDUM

TO: Scott Knox, County Attorney

RE: Item IV.A. Resolution Approving the Issuance of Florida Development Finance Corporation Educational Facilities Revenue Refunding Bonds, Series 2017 (Sculptor Charter School)

The Board of County Commissioners, in regular session on February 7, 2017, adopted Resolution No. 17-013, approving the issuance of Florida Development Finance Corporation Educational Facilities Revenue Refunding Bonds, Series 2017, for Sculptor Charter School. Enclosed is a certified Resolution.

Your continued cooperation is greatly appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/kp

Encl. (1)

cc: County Manager
Finance
Budget

RESOLUTION NO. 17-013

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA APPROVING THE ISSUANCE OF FLORIDA DEVELOPMENT FINANCE CORPORATION EDUCATIONAL FACILITIES REVENUE REFUNDING BONDS, SERIES 2017 (SCULPTOR CHARTER SCHOOL), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,200,000; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY (THE "BOARD"), FLORIDA:

WHEREAS, the Florida Development Finance Corporation (the "Issuer") was created by the Florida Development Finance Corporation Act, Chapter 288, Part X, Florida Statutes (the "Act"), which provides, that if the Issuer has entered into an Interlocal Agreement with the County it may issue refunding bonds to pay bonds previously issued for projects within the County; and

WHEREAS, the Issuer and Brevard County, Florida (the "County") have previously entered into an interlocal agreement, as amended, pursuant to the Act and the Florida Interlocal Cooperation Act of 1969, as amended (to the extent that the exercise of such powers is consistent with the purposes of the Act) to permit the Issuer to issue revenue bonds to finance, and refinance, projects located within the jurisdictional limits of the County; and

WHEREAS, Brevard Innovative Charter Schools, Inc. d/b/a Sculptor Charter School (the "Borrower") has filed an application with the Issuer for the issuance of the Florida Development Finance Corporation's Educational Facilities Revenue Refunding Bonds, Series 2017 (Sculptor Charter School) (the "Series 2017 Bonds") for the purposes of advance refunding the outstanding aggregate principal amount of those certain Florida Development Finance Corporation Tax-Exempt Revenue Bonds, Series 2008A (Sculptor Charter School Project) and those certain Florida Development Finance Corporation Tax-Exempt Revenue Bonds, Series 2012 (Sculptor Charter School Project), the proceeds of which were used to pay costs of various capital improvements for the benefit of the Borrower (collectively, the "Project"), and to pay certain costs associated with the issuance of the Series 2017 Bonds; and

WHEREAS, the Project is located within the County; and

WHEREAS, the Board is the elected legislative body of the County, and the County has jurisdiction over the Project for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Issuer has requested the Board to consider and to approve the issuance of the Series 2017 Bonds for purposes of Section 147(f) of the Code; and

WHEREAS, after publication in *Florida Today* of the Notice of Public Hearing, a copy of which is attached hereto as Exhibit A (the “Notice of Public Hearing”), the Board held at its February 7, 2017 regular meeting the public hearing required by the Code relating to the Series 2017 Bonds (the “Public Hearing”); and

WHEREAS, the Board has been furnished with a copy of the Notice of Public Hearing for the Public Hearing held by the Board on the date hereof with respect to the issuance of the Series 2017 Bonds and determines that: (a) the Notice of Public Hearing apprised residents of the County of the proposed issuance of the Series 2017 Bonds not less than 14 days before the Public Hearing; (b) the Public Hearing was conducted in a manner which provided a reasonable opportunity for persons to express their views both orally and in writing, on all matters pertaining to the proposed issuance of the Series 2017 Bonds; and (c) no members of the public expressly objected to the issuance of the Series 2017 Bonds; and

WHEREAS, it is in the best interests of the County that the proposed Series 2017 Bonds be issued.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida as follows:

Section 1. Recitals. The foregoing recitals are true and correct and are hereby incorporated herein by reference.

Section 2. Approval of Bonds. Solely for the purposes of Section 147(f) of the Code, the Board hereby approves the issuance of the Series 2017 Bonds by the Issuer and the use of the proceeds to finance the Project in the County.

Section 3. Limitation. The Series 2017 Bonds approved hereunder and the interest thereon shall not constitute an indebtedness or pledge of the general credit or taxing power of the County, the State of Florida or any political subdivision or agency thereof but shall be payable solely from the revenues pledged therefor pursuant to a loan agreement or other finance agreement(s) entered into by the Issuer prior to or contemporaneously with the issuance of the Series 2017 Bonds. The approval given herein is solely for the purposes of the Section 147(f) of the Code and shall not be construed as an approval of any zoning application or any regulatory permit required in connection with such Project nor creating any vested rights with respect to any land use regulations, and this Board shall not be construed by virtue of its adoption of this Resolution to have waived, or be estopped from asserting, any authority or responsibilities it may have in that regard.

Section 4. Repealing Clause. All restrictions or resolutions or portions thereof in conflict herewith are, to the extent of such conflict, hereby superseded and repealed.

Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption.

DONE AND ADOPTED in Regular Session of the Board of County Commissioners of Brevard County, Florida this 7th day of February, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Scott Ellis, Clerk of Courts

By: 

Curt Smith, Chairman

As approved by the Board on Feb. 7, 2017



EXHIBIT A

A Daily Publication By:



BROAD & CASSEL, ATTYS AT LAW
390 N ORANGE AVE STE 1400

ORLANDO, FL 32801

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared
Kim Curro, who on oath says that he or she is a Legal
Advertising Representative of the FLORIDA TODAY, a
daily newspaper published in Brevard County, Florida
that the attached copy of advertisement, being a Legal
Ad in the matter of

Notice Public Hearing

as published in FLORIDA TODAY in the issue(s) of:

01/20/17

Affiant further says that the said FLORIDA TODAY is a
newspaper in said Brevard County, Florida and that
the said newspaper has heretofore been continuously
published in said Brevard County, Florida each day and
has been entered as periodicals matter at the post office
in MELBOURNE in said Brevard County, Florida, for a
period of one year next preceding the first publication of
the attached copy of advertisement; and affiant further
says that he or she has never paid nor 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.

Sworn to and Subscribed before me this 20th of January
2017, by Kim Curro who is personally known to me:

Ruby Royer
Notary Public for the State of Florida
My Commission expires January 30, 2018

Publication Cost: \$343.05
Ad No: 0001871773
Customer No: BRE-68R406



RUBY ROYER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF088043
Expires 1/30/2018

ADM1871773 1/20/17

FLORIDA DEVELOPMENT
FINANCE CORPORATION
NOTICE OF PUBLIC HEARING
For the purposes of Section 147(1) of the
Internal Revenue Code of 1986, as
amended, notice is hereby given that
the Board of County Commissioners of
Brevard County, Florida, (the "Board")
will hold a TEFA public hearing on Feb-
ruary 7, 2017, at 6:00 p.m., or as soon
thereafter as practicable at the meeting
room of the Board, located at the
Government Center Commission Room,
Building C, 2725 Judge Fran Jamison
Way, Viera, Florida 32940, with respect
to the proposed issuance by the Florida
Development Finance Corporation (the
"DFC") of its Educational Facilities Re-
venue Refunding Bonds in one or more
series, and in the aggregate principal
amount not to exceed \$6,200,000 (the
"Bonds").

The proceeds of the Bonds will be
loaned by the DFC to Brevard Inno-
vative Charter Schools, Inc., a Florida not
for profit corporation, d/b/a Sculptor
Charter School (the "Borrower"). The
Borrower will use the proceeds of the
Bonds to advance refund all of the Flori-
da Development Finance Corporation's
Tax-Exempt Revenue Bonds, Series
2008A (Sculptor Charter School Project)
and Tax-Exempt Revenue Bonds, Series
2012 (Sculptor Charter School Project)
(collectively, the "Refunded Bonds").
The proceeds of the Refunded Bonds
were used by the Borrower to acquire,
improve, renovate and equip an approx-
imately 63,000 square foot facility and
ancillary facilities which operate as
Sculptor Charter School, located at 1301
Armstrong Drive, Titusville, Florida (col-
lectively, the "Project").

The Project is owned and operated by
the Borrower.

The Bonds are being issued under the
authority of the Florida Development Fi-
nancing Corporation Act of 1993, as
amended (the "Act"). The Bonds shall be
payable solely from the revenues de-
rived from a loan and other financing
documents to be executed between the
DFC and the Borrower prior to or con-
temporaneously with the issuance of the
Bonds. Such Bonds and the interest
thereon shall not constitute an indebted-
ness or pledge of the general credit or
taxing power of the State of Florida or
any political subdivision or agency there-
of. Issuance of the Bonds is subject to
several conditions, including satisfactory
documentation and receipt of necessary
approvals for the financing. The afore-
mentioned hearing shall be a public
hearing and all persons who may be in-
terested will be given an opportunity to
be heard concerning the same. Written
comments may also be submitted prior
to the hearing to the Florida Develop-
ment Finance Corporation at 800 North
Magnolia Avenue, Suite 1100, Orlando,
Florida 32803, directed to the Executive
Director.

PLEASE NOTE ANY PERSON WHO DE-
CIDES TO APPEAL ANY DECISION MADE
WITH RESPECT TO ANY MATTER CON-
SIDERED AT THE PUBLIC HEARING WILL
NEED A RECORD OF THE PROCEEDINGS
OF THE MEETING SINCE THE BOARD OF
COUNTY COMMISSIONERS DOES NOT
MAKE VERBATIM RECORDS OF ITS
MEETINGS. SUCH PERSON MAY NEED TO
INDEPENDENTLY SECURE A RECORD,
WHICH SHOULD INCLUDE THE TESTIMO-
NY OR EVIDENCE ON WHICH THE AP-
PEAL IS TO BE BASED.

In accordance with the Americans with
Disabilities Act, persons needing a spe-
cial accommodation or an interpreter to
participate in the public hearing should
contact DFC by telephone at (407)955-
5695 at least seven days prior to the
date of hearing.

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

A Daily Publication By:



BROAD & CASSEL, ATTYS AT LAW
390 N ORANGE AVE STE 1400

ORLANDO, FL 32801

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared **Kim Curro**, who on oath says that he or she is a Legal Advertising Representative of the **FLORIDA TODAY**, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

as published in **FLORIDA TODAY** in the issue(s) of:

01/20/17

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 20th of January 2017, by Kim Curro who is personally known to me.

Ruby Royer
Ruby Royer
Notary Public for the State of Florida
My Commission expires January 30, 2018

Publication Cost: \$343.05
Ad No: 0001871773
Customer No: BRE-6BR406



RUBY ROYER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF088043
Expires 1/30/2018

AD#1871773 1/20/17

FLORIDA DEVELOPMENT
FINANCE CORPORATION
NOTICE OF PUBLIC HEARING

For the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, notice is hereby given that the Board of County Commissioners of Brevard County, Florida, (the "Board") will hold a TEBRA public hearing on February 7, 2017, at 6:00 p.m., or as soon thereafter as practicable at the meeting room of the Board, located at the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida 32940, with respect to the proposed issuance by the Florida Development Finance Corporation (the "FDFC") of its Educational Facilities Revenue Refunding Bonds in one or more series, and in the aggregate principal amount not to exceed \$6,200,000 (the "Bonds").

The proceeds of the Bonds will be loaned by the FDFC to Brevard Innovative Charter Schools Inc., a Florida not for profit corporation, d/b/a Sculptor Charter School (the "Borrower"). The Borrower will use the proceeds of the Bonds to advance refund all of the Florida Tax-Exempt Revenue Bonds, Series 2008A (Sculptor Charter School Project) and Tax-Exempt Revenue Bonds, Series 2012 (Sculptor Charter School Project) (collectively, the "Refunded Bonds"). The proceeds of the Refunded Bonds were used by the Borrower to acquire, improve, renovate and equip an approximately 63,000 square foot facility and ancillary facilities which operate as Sculptor Charter School, located at 1301 Armstrong Drive, Titusville, Florida (collectively, the "Project").

The Project is owned and operated by the Borrower.

The Bonds are being issued under the authority of the Florida Development Financing Corporation Act of 1993, as amended (the "Act"). The Bonds shall be payable solely from the revenues derived from a loan and other financing documents to be executed between the FDFC and the Borrower 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 the State of Florida or any political subdivision or agency thereof. Issuance of the Bonds is subject to several conditions including satisfactory documentation and receipt of necessary approvals for the financing. The aforementioned hearing shall be a public hearing and all persons who may be interested will be given an opportunity to be heard concerning the same. Written comments may also be submitted prior to the hearing to the Florida Development Finance Corporation at 800 North Magnolia Avenue, Suite 1100, Orlando, Florida 32803, directed to the Executive Director.

PLEASE NOTE ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THE PUBLIC HEARING WILL NEED A RECORD OF THE PROCEEDINGS OF THE MEETING. SINCE THE BOARD OF COUNTY COMMISSIONERS DOES NOT MAKE VERBATIM RECORDS OF ITS MEETINGS, SUCH PERSON MAY NEED TO INDEPENDENTLY SECURE A RECORD, WHICH SHOULD INCLUDE THE TESTIMONY OR EVIDENCE ON WHICH THE APPEAL IS TO BE BASED.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the public hearing should contact FDFC by telephone at (407)956-5695 at least seven days prior to the date of hearing.

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

RESOLUTION NO. 17-__

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA APPROVING THE ISSUANCE OF FLORIDA DEVELOPMENT FINANCE CORPORATION EDUCATIONAL FACILITIES REVENUE REFUNDING BONDS, SERIES 2017 (SCULPTOR CHARTER SCHOOL), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,200,000; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY (THE “BOARD”), FLORIDA:

WHEREAS, the Florida Development Finance Corporation (the “Issuer”) was created by the Florida Development Finance Corporation Act, Chapter 288, Part X, Florida Statutes (the “Act”), which provides, that if the Issuer has entered into an Interlocal Agreement with the County it may issue refunding bonds to pay bonds previously issued for projects within the County; and

WHEREAS, the Issuer and Brevard County, Florida (the “County”) have previously entered into an interlocal agreement, as amended, pursuant to the Act and the Florida Interlocal Cooperation Act of 1969, as amended (to the extent that the exercise of such powers is consistent with the purposes of the Act) to permit the Issuer to issue revenue bonds to finance, and refinance, projects located within the jurisdictional limits of the County; and

WHEREAS, Brevard Innovative Charter Schools, Inc. d/b/a Sculptor Charter School (the “Borrower”) has filed an application with the Issuer for the issuance of the Florida Development Finance Corporation’s Educational Facilities Revenue Refunding Bonds, Series 2017 (Sculptor Charter School) (the “Series 2017 Bonds”) for the purposes of advance refunding the outstanding aggregate principal amount of those certain Florida Development Finance Corporation Tax-Exempt Revenue Bonds, Series 2008A (Sculptor Charter School Project) and those certain Florida Development Finance Corporation Tax-Exempt Revenue Bonds, Series 2012 (Sculptor Charter School Project), the proceeds of which were used to pay costs of various capital improvements for the benefit of the Borrower (collectively, the “Project”), and to pay certain costs associated with the issuance of the Series 2017 Bonds; and

WHEREAS, the Project is located within the County; and

WHEREAS, the Board is the elected legislative body of the County, and the County has jurisdiction over the Project for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, the Issuer has requested the Board to consider and to approve the issuance of the Series 2017 Bonds for purposes of Section 147(f) of the Code; and

WHEREAS, after publication in *Florida Today* of the Notice of Public Hearing, a copy of which is attached hereto as Exhibit A (the “Notice of Public Hearing”), the Board held at its February 7, 2017 regular meeting the public hearing required by the Code relating to the Series 2017 Bonds (the “Public Hearing”); and

WHEREAS, the Board has been furnished with a copy of the Notice of Public Hearing for the Public Hearing held by the Board on the date hereof with respect to the issuance of the Series 2017 Bonds and determines that: (a) the Notice of Public Hearing appraised residents of the County of the proposed issuance of the Series 2017 Bonds not less than 14 days before the Public Hearing; (b) the Public Hearing was conducted in a manner which provided a reasonable opportunity for persons to express their views both orally and in writing, on all matters pertaining to the proposed issuance of the Series 2017 Bonds; and (c) no members of the public expressly objected to the issuance of the Series 2017 Bonds; and

WHEREAS, it is in the best interests of the County that the proposed Series 2017 Bonds be issued.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida as follows:

Section 1. Recitals. The foregoing recitals are true and correct and are hereby incorporated herein by reference.

Section 2. Approval of Bonds. Solely for the purposes of Section 147(f) of the Code, the Board hereby approves the issuance of the Series 2017 Bonds by the Issuer and the use of the proceeds to finance the Project in the County.

Section 3. Limitation. The Series 2017 Bonds approved hereunder and the interest thereon shall not constitute an indebtedness or pledge of the general credit or taxing power of the County, the State of Florida or any political subdivision or agency thereof but shall be payable solely from the revenues pledged therefor pursuant to a loan agreement or other finance agreement(s) entered into by the Issuer prior to or contemporaneously with the issuance of the Series 2017 Bonds. The approval given herein is solely for the purposes of the Section 147(f) of the Code and shall not be construed as an approval of any zoning application or any regulatory permit required in connection with such Project nor creating any vested rights with respect to any land use regulations, and this Board shall not be construed by virtue of its adoption of this Resolution to have waived, or be estopped from asserting, any authority or responsibilities it may have in that regard.

Section 4. Repealing Clause. All restrictions or resolutions or portions thereof in conflict herewith are, to the extent of such conflict, hereby superseded and repealed.

Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption.

DONE AND ADOPTED in Regular Session of the Board of County Commissioners of Brevard County, Florida this 7th day of February, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Scott Ellis, Clerk of Courts

By: _____
Curt Smith, Chairman

As approved by the Board on _____, 2017

EXHIBIT A

A Daily Publication By:



BROAD & CASSEL, ATTYS AT LAW
390 N ORANGE AVE STE 1400

ORLANDO, FL 32801

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared Kim Curro, who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

as published in FLORIDA TODAY in the issue(s) of:

01/20/17

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as postoffice matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor 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.

Sworn to and Subscribed before me this 20th of January 2017, by Kim Curro who is personally known to me:

Ruby Royer
Ruby Royer
Notary Public of the State of Florida
My Commission expires January 30, 2018

Publication Cost: \$343.05
Ad No: 0001871773
Customer No: GRE-6GR406



RUBY ROYER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF088043
Expires 1/30/2018

AD161773 1/20/17

FLORIDA DEVELOPMENT FINANCE CORPORATION
NOTICE OF PUBLIC HEARING

For the purposes of Section 348.02 of the Internal Revenue Code of 1986, as amended, which is hereby given that the Board of County Commissioners of Brevard County, Florida, (the "Board") will hold a public hearing on January 2, 2017, at 6:00 p.m. at 2025 thereafter as practicable at the meeting room of the Board, located at the Government Center Convention Room, Building C, 2725 Judge Fair Justices Way, Viera, Florida 32980, with respect to the proposal submitted by the Florida Development Finance Corporation, (the "FDFC") of its low income housing tax credit refunding bonds in face or gross amount, and in the aggregate principal amount not to exceed \$5,000,000 (the "Bonds").

The proceeds of the Bonds will be loaned by the FDFC to Brevard through the Charter Schools Inc., a Florida not for profit corporation, (the "Charter Schools") to finance the construction of the Charter Schools (the "Project"). The Bonds will be used to finance the Project to advance refund all of the bonds in Development Finance Corporation's Tax Exempt Revenue Bonds Series 2008A (Original Charter Schools Project) and Tax Exempt Revenue Bonds Series 2012 (Charter Schools Project) (collectively, the "Refunding Bonds"). The proceeds of the Refunding Bonds will be used by the Charter Schools to acquire, improve, renovate and equip an approximately 43,000 square foot facility and existing facility, which operate as charter school located at 1101 Andrews Blvd., Titusville, Florida (collectively, the "Project").

The Project is owned and operated by the Charter Schools.

The Bonds are being issued under the authority of the Finance Development Finance Corporation Act of 1993, as amended (the "Act"). The Bonds will be payable solely from the revenues derived from a loan and other financing agreements to be executed between the FDFC and the Borrower prior to or contemporaneously with the issuance of the Bonds. Such bonds and the interest thereon shall not constitute an explicit or pledge of the general credit or taxing power of the State of Florida or any political subdivision or agency thereof. Because of the Bonds, I subject to several conditions including satisfactory documentation and receipt of necessary approvals for the financing. The above referenced hearing shall be a public hearing and all persons who may be affected by the hearing may be heard concerning the same. Written comments may also be submitted prior to the hearing to the Florida Development Finance Corporation at 800 North Magnolia Avenue, Suite 1100, Orlando, Florida 32801, directed to the Executive Director.

PLEASE NOTE ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THE PUBLIC HEARING WILL FILE A RECORD OF THE PROCEEDINGS OF THE HEARING SINCE THE BOARD OF COUNTY COMMISSIONERS DOES NOT MAKE VERBATIM RECORDS OF ITS MEETINGS. SUCH PERSON MAY NEED TO REPRESENTATIVELY TESTIFY. A RECORD, WHICH SHOULD INCLUDE THE TESTIMONY OR EVIDENCE ON WHICH THE APPEAL IS TO BE BASED.

In accordance with the Americans with Disabilities Act, persons needing a sign language interpreter or an interpreter to participate in the public hearing should contact the Board of County Commissioners at least seven days prior to the date of hearing.

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA



BROAD & CASSEL, ATTYS AT LAW
390 N ORANGE AVE STE 1400

ORLANDO, FL 32801

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared **Kim Curro**, who on oath says that he or she is a Legal Advertising Representative of the **FLORIDA TODAY**, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

as published in **FLORIDA TODAY** in the issue(s) of:

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Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 20th of January 2017, by Kim Curro who is personally known to me.

Ruby Royer
Ruby Royer
Notary Public for the State of Florida
My Commission expires January 30, 2018

Publication Cost: \$343.05
Ad No: 0001871773
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RUBY ROYER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF088043
Expires 1/30/2018

AD#1871773 1/20/17

FLORIDA DEVELOPMENT FINANCE CORPORATION NOTICE OF PUBLIC HEARING
For the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, notice is hereby given that the Board of County Commissioners of Brevard County, Florida, (the "Board") will hold a TEFRA public hearing on February 7, 2017, at 6:00 p.m., or as soon thereafter as practicable at the meeting room of the Board, located at the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida 32940, with respect to the proposed issuance by the Florida Development Finance Corporation (the "FDPC") of its Educational Facilities Revenue Refunding Bonds in one or more series, and in the aggregate principal amount not to exceed \$6,200,000 (the "Bonds").

The proceeds of the Bonds will be loaned by the FDPC to Brevard Innovative Charter Schools Inc., a Florida not for profit corporation, d/b/a Sculptor Charter School (the "Borrower"). The Borrower will use the proceeds of the Bonds to advance refund all of the Florida Development Finance Corporation's Tax-Exempt Revenue Bonds, Series 2008A (Sculptor Charter School Project) and Tax-Exempt Revenue Bonds, Series 2012 (Sculptor Charter School Project) (collectively, the "Refunded Bonds"). The proceeds of the Refunded Bonds were used by the Borrower to acquire, improve, renovate and equip an approximately 83,000 square foot facility and ancillary facilities which operate as Sculptor Charter School, located at 1301 Armstrong Drive, Titusville, Florida (collectively, the "Project").

The Project is owned and operated by the Borrower.

The Bonds are being issued under the authority of the Florida Development Financing Corporation Act of 1993, as amended (the "Act"). The Bonds shall be payable solely from the revenues derived from a loan and other financing documents to be executed between the FDPC and the Borrower 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 the State of Florida or any political subdivision or agency thereof. Issuance of the Bonds is subject to several conditions including satisfactory documentation and receipt of necessary approvals for the financing. The aforementioned hearing shall be a public hearing and all persons who may be interested will be given an opportunity to be heard concerning the same. Written comments may also be submitted prior to the hearing to the Florida Development Finance Corporation at 800 North Magnolia Avenue, Suite 1100, Orlando, Florida 32803, directed to the Executive Director.

PLEASE NOTE ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THE PUBLIC HEARING WILL NEED A RECORD OF THE PROCEEDINGS OF THE MEETING, SINCE THE BOARD OF COUNTY COMMISSIONERS DOES NOT MAKE VERBATIM RECORDS OF ITS MEETINGS. SUCH PERSON MAY NEED TO INDEPENDENTLY SECURE A RECORD, WHICH SHOULD INCLUDE THE TESTIMONY OR EVIDENCE ON WHICH THE APPEAL IS TO BE BASED.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the public hearing should contact FDPC by telephone at (407)956-5695 at least seven days prior to the date of hearing.

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA