

Minutes

BROWARD COUNTY HEALTH FACILITIES AUTHORITY REGULAR BOARD MEETING

**THURSDAY, NOVEMBER 1, 2018
9:30 A.M. – ROOM 513**

BROWARD COUNTY GOVERNMENTAL CENTER, 115 SOUTH ANDREWS AVENUE, FORT LAUDERDALE, FL 33301

MEMBERS PRESENT

Shelly Spivack, Chair
Rosalyn Frazier, Vice Chair
Juana Frias, Member

ALSO PRESENT

Stephen Farmer, Finance Manager, Finance and Administrative Services Department
Israel Fajardo, Assistant County Attorney, County Attorney's Office
Lawanda Lester, Accounting Supervisor, Accounting Division
Marty Cassini, Manager, Office of Intergovernmental Affairs (part of the meeting)
Anette Ofoezie, Administrative Specialist, Finance and Administrative Services
Department (Recorder)

CALL MEETING TO ORDER (1)

The Chair confirmed that a quorum was present and called the meeting to order at 9:37 a.m. on November 1, 2018, in Room 513 of the Governmental Center.

MOTION TO APPROVE MINUTES TO MEETING OF APRIL 12, 2018 (2)

The Vice Chair advised that the minutes to the meeting of April 12 needed to be amended to reflect that she made a motion to adjourn the meeting. The Vice Chair thereafter made a motion to approve the minutes to the meeting of April 12, 2018, as amended. Ms. Frias seconded the motion, and the motion passed.

FY 2019 PROPOSED BUDGET (3)

Ms. Lester gave an overview of the revised proposed budget for fiscal year 2019 with total revenues of \$84,946. The annual fees were sent out to Henderson Behavioral Health, Cleveland Clinic and Catholic Health Services, the three bond issuers with outstanding bonds. The proposed budget was revised, because Henderson Behavioral Health responded that their bonds were fully redeemed. Ms. Lester advised that the fund balance forward, \$61,853, is the amount of the surplus funds. Ms. Frias made a motion to approve the proposed budget for fiscal year 2019. Ms. Frazier seconded the motion, which passed.

HFA SURPLUS AGENDA (4)

Mr. Farmer advised that the surplus funds of \$90,000 were donated to the Board of County Commissioners and appropriated to the Human Services Department for the Homelessness Service Fund. The agenda was approved by the Board at the September 13, 2018, Board meeting. The Human Services Department presented the surplus fund options to the HFA at the meeting on August 18, 2016, which the HFA approved. The Human Services will come annually to discuss different projects and how the funds will be utilized.

UPDATE ON AMENDMENT TO THE ORDINANCE (5)

Mr. Fajardo advised that the Board approved to extend the powers of the HFA some time ago, and the ordinance had to be amended in line with the recommendations that were made by the Office of Intergovernmental Affairs. Mr. Fajardo added the underlined section to the following sentence: “To do all things necessary to carry out the purposes of this article, including, but not limited to, preparing and distributing educational materials, increasing community outreach, and reviewing the Florida Statutes governing the authority and providing the Intergovernmental Affairs/Boards Section or its successor with proposed changes to the Florida Statutes”. Mr. Fajardo further advised that this was approved by the Board and included in the ordinance.

NEW BUSINESS (6)

The Chair brought up the two outstanding vacancies on the HFA Board, and stated that the members had begged, called and sent memos to the Office of Intergovernmental Affairs asking them to please have the positions filled. The Chair stated that it had been almost impossible to schedule a meeting this year, since a quorum consists of three present members. The Chair also stated her opinion that the proposed budget should have been approved a long time ago; however, staff had a hard time finding a meeting date that would work for all three members, so it was almost impossible to function. The Chair opined that according to the Florida Statutes, every county is required to have a Health Facilities Authority. The Chair then declared her resignation as a solution to make sure that the HFA cannot meet, as there are now only two members, and therefore there is no Board. The Chair further stated that then maybe somebody in the Office of Intergovernmental Affairs will pay attention and fill the vacancies, because now this will be in conflict with the Florida Statutes. The Vice Chair mentioned that a couple of members had been appointed to the HFA not too long ago; however, they had resigned after a short period of time. The Vice Chair did not think that the Chair resigning was the best way to solve the problem, maybe the members need to contact the Office of Intergovernmental Affairs personally instead. The Chair said that she had tried everything, including a conversation with the Mayor, and that she is resigning to make a point. Mr. Fajardo advised that if it is the Chair's decision to resign, the vacancy will have to be filled. Mr. Farmer advised that staff has had several conversations with the Office of Intergovernmental Affairs, and they had reached out to the Board of County Commissioners and afforded them the opportunity to make the selections accordingly, and they have not. The Chair stated that it is the Office of the Intergovernmental Affairs' responsibility to make sure that the HFA has five members. Mr. Farmer mentioned that they were invited to the meeting. The Chair also stated that it is a statutory requirement, and it can either be an HFA Board, or it can be collapsed and put under the County Commission. Mr. Fajardo clarified that it is not really a statutory requirement, and the HFA

could be abolished at any time. Mr. Farmer explained that the HFA cannot be abolished at any time, if there are bonds outstanding. Mr. Fajardo clarified that there is a provision in the Statute saying that the governing body may abolish the Authority at any time by ordinance or resolution. The Chair advised that she is resigning to get attention, not because she wants to. Mr. Fajardo clarified that there will be a vacancy preventing meetings; however, the Authority will still exist. Mr. Farmer mentioned that staff was trying to get a representative from the Office of Intergovernmental Affairs to join the meeting to address the concerns.

Mr. Cassini, Manager, from the Office of Intergovernmental Affairs joined the meeting at 10:02 a.m. Mr. Farmer advised that the Chair had some concerns about the vacancies that the HFA had over the past couple of years, and problems to get a quorum because of those vacancies. Mr. Cassini explained the reason for lack of appointments had to do with unfilled positions held up in Commissioner LaMarca's office, and two members removed for absences. The appointment schedule will be renewed after the election, and there will be a much better ability to fill the vacancies. The two new appointments will go to the new District Commissioner. Mr. Cassini recommended to wait and see who is elected, and then encourage the new Commissioner to send out emails to the constituents. Mr. Cassini asked how much money the HFA controls, and Ms. Lester informed that the HFA has \$329,000,000 for bonds. Mr. Farmer clarified that the funds are available for conduit issuances of bonds to non-profit health facilities through an application process. Mr. Farmer stated that the market rates had been very low for a long time; however, the interest rates are now starting to go up, so bonds could become more viable. Mr. Farmer advised that the last bond issuance was in 2010, mostly because of the state of the market. Catholic Health, the most recent one, issued \$14,200,000, and Henderson Behavioral Health issued \$5,100,000. The HFA receives annual fees from the issuers of the outstanding bonds. That revenue is the surplus funds. Recently HFA donated \$90,000 to the County in September 2018 to appropriate to a non-profit human health facility. Mr. Cassini suggested that he would go with the Chair to talk to the Commissioners. The Chair rescinded her resignation and put a deadline of February 1, 2019, for the HFA appointments. Mr. Cassini advised that they are at-large appointments. The Chair and Mr. Cassini agreed to go and talk to the new Commissioner and the new Mayor after the election in December.

Mr. Farmer presented the new meeting schedule for 2019 to the members. The proposed dates were: February 14, April 11, June 13, August 8 and October 10. Ms. Frias will check if she will be available on June 13 and August 8, 2019.

ADJOURNMENT (7)

Mr. Fajardo advised that this was his last meeting. The Vice Chair made a motion to adjourn the meeting. Ms. Frias seconded the motion, which carried. The Chair adjourned the meeting at 10:23 a.m.

This meeting was recorded with file name: Health Facilities Authority Board Meeting 11-01-18 on recorder named Eisenhower.

SF/ao