

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

BOARD APPOINTMENT SUMMARY

Meeting Date: 9/9/08
Department: County Administration
Advisory Board: Health Facilities Authority

I. EXECUTIVE BRIEF

Motion/Title: Staff recommends motion to approve: reappointment of one (1) individual to the Health Facilities Authority, effective May 1, 2008:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Term Expiration</u>	<u>Nominated by:</u>
Timothy Monaghan	3	Resident of PBC	04/30/2012	Comm. Koons Comm. Santamaria Comm. Greene

Summary: Per Chapter 154.207, Florida Statutes and Resolution Nos. R77-379, R77-398 and R92-563, the Health Facilities Authority is composed of five (5) members appointed at-large by the Board of County Commissioners (BCC). A memo dated July 14, 2008 was circulated notifying the BCC that Mr. Monaghan term had expired and he had expressed an interest in serving another four (4) year term. No other nominees were received. Countywide (TKF)

Background and Justification: The Health Facilities Authority was created to assist health facilities in acquisition, construction, financing, and refinancing of projects.

Attachments:

1. Board Appointment Information Forms
2. Memo dated July 14, 2008 requesting reappointment/nominations
3. Current List of Board Members
4. Florida Statutes 154.207 regarding creating authorities
5. Resolution No. 77-379 establishing Authority

Recommended by: Patty Andelle 8/5/08
Agenda Coordinator Date

Legal Sufficiency: [Signature] 8/8/08
Assistant County Attorney Date

II. REVIEW COMMENTS

A. Other Department Review:

Department Director

Attachment #

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of

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MEMORANDUM

County Administration

P.O. Box 1989

West Palm Beach, FL 33402-1989

(561) 355-2030

FAX: (561) 355-3982

www.pbcgov.com

TO: Commissioner Addie L. Greene, Chairperson and
Members of the Board of County Commissioners

FROM: Patty Hindle, Agenda Coordinator
County Administration *Patty Hindle*

DATE: July 14, 2008

RE: Palm Beach County Health Facilities Authority

Palm Beach County Board of County Commissioners

Addie L. Greene, Chairperson

Jeff Koons, Vice Chair

Karen T. Marcus

Robert J. Kanjian

Mary McCarty

Burt Aaronson

Jess R. Santamaria

The Health Facilities Authority (Authority) is composed of five (5) members appointed at-large, and is charged with assisting health facilities in acquisition, construction, financing and refinancing of projects. The only requirement for appointment to the Health Facilities Authority is that the nominee must be a resident of Palm Beach County.

Seat No. 3, currently held by Mr. Timothy Monaghan expired April 30, 2008. Mr. Monaghan, who is eligible for reappointment, has expressed an interest in serving another four (4) year term.

I would like to prepare an agenda item for Board consideration at the August 19, 2008 Board meeting. If you are interested in supporting Mr. Monaghan's reappointment, please sign and return the attached nomination form by Thursday, July 31, 2008. If you like to recommend a nominee other than Mr. Monaghan, I have attached a blank Board Appointment Nominee Information Form for your convenience.

If you have any questions, please contact me at 355-3229.

:pah
Attachments

County Administrator

Robert Weisman

"An Equal Opportunity
Affirmative Action Employer"



**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
HEALTH FACILITIES AUTHORITY**

I. AUTHORITY :

Chapter 74-323, Laws of Florida; Chapter 154, Florida Statutes Part III; Resolution No. R-77-379, adopted April 12, 1977; and Resolution No. R-77-398, amended by Resolution No. R-92-563.

II. APPOINTING BODY :

Board of County Commissioners

III. COMPOSITION, QUALIFICATIONS, TERMS & REMOVAL :

This Authority shall be composed of five (5) members appointed at-large to serve staggered terms of one (1), two (2), three (3) and two (2) four (4) year appointments. After initial appointments, all terms shall be for four (4) years. All terms shall expire in April.

IV. MEETINGS :

Annual meetings are held the first Tuesday in April or May and other meetings are held as needed. The time of the meetings usually start at 4:00 p.m. The location of the meetings are at John Flanigan's Office, 625 N. Flagler Drive, West Palm Beach, FL 33401.

V. FUNCTIONS :

To assist health facilities in acquisition, construction, financing, and refinancing of projects; currently working on Health Center at Haverhill Road.

VI. LIAISON INFORMATION :

LIAISON DEPARTMENT

County Administration

CONTACT PERSON

John Flanigan Esq

ADDRESS

625 N Flagler Drive Barnett Cen FI 9TH Moyle Flanigan Katz Fi
West Palm Beach FL 33401
Phone # 561-659-7500

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HEALTH FACILITIES AUTHORITY

SEAT ID	CURRENT MEMBER	ROLE TYPE	RACE CODE	BUSINESS / HOME PHONE	SEAT REQUIREMENT	APPOINT DATE	RE-APPOINT DATE	EXPIRE DATE
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Appointed By : AT Large

1	Gerald Robinson 670 Glades Rd Ste 300 Boca Raton FL 33431	Member	EA	561-395-2626	No Special Requirement	05/01/2006		04/30/2010
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NOMINATED BY :

2	Peter Baronoff 999 Yamato Road 3rd Fl 3rd Boca Raton FL 33431	Member	EA	561-869-3100	Resident Of Palm Beach County	02/27/2007		04/30/2009
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NOMINATED BY :

3	Timothy Monaghan 404 NW 18th St Delray Beach FL 33444	Member	EA	-	Resident Of Palm Beach County	02/27/2007		04/30/2008
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NOMINATED BY :

4	James Howell 6411 Grand Cypress Cir West Palm Beach FL 33463	Member	EA	-	No Special Requirement	01/15/2008		04/30/2011
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NOMINATED BY :

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Appointed By : AT Large

5 Tenna Wiles Member EA 561-433-3940 Resident Of Palm Beach County 03/13/2007 04/30/2011
3540 Forest Hill Blvd Ste
West Palm Beach FL
33406

NOMINATED BY :

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Select Year:

The 2006 Florida Statutes

Title XI	Chapter 154	View Entire Chapter
COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS	PUBLIC HEALTH FACILITIES	

154.207 Creation of health facilities authorities.--

(1) In each local agency there may be created a public body corporate and politic to be known as the "(name of local agency) Health Facilities Authority." Each of said authorities shall be constituted as a public instrumentality, and the exercise by an authority of the powers conferred by this part shall be deemed and held to be the performance of an essential public function. Each of said authorities shall not transact any business or exercise any power hereunder until and unless the governing body of the local agency by proper ordinance or resolution shall declare that there is a need for an authority to function in such local agency. The determination as to whether there is such need for an authority to function:

(a) May be made by the governing body on its own motion.

(b) May be made by the governing body upon the filing of a petition signed by 25 residents of the local agency asserting that there is need for an authority to function in such local agency and requesting that the governing body so declare.

(2) The governing body may abolish the authority at any time by ordinance or resolution. However, the authority shall not be abolished until such time as all bonded indebtedness incurred pursuant to this part has been paid.

(3) In any suit, action, or proceeding involving the validity or enforcement of, or relating to, any contract of the authority, the authority shall be conclusively deemed to have been established and authorized to transact business and exercise its powers hereunder by adoption of an ordinance or resolution by the governing body declaring the need for the authority. Such ordinance or resolution shall be sufficient if it declares that there is such a need for an authority in the local agency. A copy of such ordinance or resolution duly certified by the clerk shall be admissible in evidence in any suit, action, or proceeding.

(4) The governing body of the local agency shall designate five persons who are residents of the local agency as members of the authority created for said local agency. Of the members first appointed, one shall serve for 1 year, one for 2 years, one for 3 years, and two for 4 years; in each case until a successor is appointed and has qualified. Thereafter the governing body shall appoint, for terms of 4 years each, a member or members to succeed those whose terms expire. The governing body shall fill any vacancy for an unexpired term. A member of the authority shall be eligible for reappointment. Any member of the authority may be removed by the governing body for misfeasance, malfeasance, or willful neglect of duty. Each member of the authority, before entering upon his or her duties, shall take and subscribe the oath or affirmation required by the State Constitution. A record of each oath shall be filed in the Department of State and with the clerk.

- (5) The authority shall annually elect one of its members as chair and one as vice chair.

- (6) The authority shall keep a record of its proceedings and shall be custodian of all books, documents, and papers filed with it and of its minute book or journal and official seal. The authority shall cause copies to be made of all its minutes and other records and documents and shall give certificates under its official seal to the effect that such copies are true copies, and all persons dealing with it may rely upon such certificates.

- (7) Three members of the authority shall constitute a quorum, and the affirmative vote of a majority of the members present at a meeting of the authority shall be necessary for any action taken by an authority. However, any action may be taken by the authority with the unanimous consent of all of its members. No vacancy in the membership of the authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the authority. Any action taken by the authority under the provisions of this part may be authorized by resolution at any regular or special meeting, and each such resolution shall take effect immediately and need not be published or posted. All meetings of the authority, as well as all records, books, documents, and papers, shall be open and available to the public in accordance with s. 286.011.

- (8) The members of the authority shall receive no compensation for the performance of their duties hereunder, but each member shall be paid his or her necessary expenses incurred while engaged in the performance of such duties pursuant to s. 112.061.

- (9) Any general or special law, rule or regulation, or ordinance of any local agency to the contrary notwithstanding, service as a member of an authority by a trustee, director, officer, or employee of a health facility shall not in and of itself constitute a conflict of interest. However, any member of the authority who is employed by, or receives income from, a health facility under consideration by the authority shall not vote on any matter related to such facility.

History.--s. 4, ch. 74-323; s. 871, ch. 95-147.

Resolution No. 77-379

RESOLUTION ESTABLISHING THE PALM BEACH COUNTY COUNTY HEALTH FACILITY AUTHORITY

WHEREAS, Chapter 74-323, Laws of Florida, Acts of 1974, Chapter 154 Florida Statutes, Part III, authorizes the creation of a health facility authority in each county of Florida as a public body corporate and politic for the purpose of assisting health facilities in the acquisition, construction, financing and refinancing of projects in any incorporated or unincorporated area within the geographical limits of the county, and

WHEREAS, this law authorizes the governing body of each county to designate five persons who are residents of the county as members of the Authority created for such county, and

WHEREAS, the Board of County Commissioners finds that it would be in the public interest to create such an authority in Palm Beach County,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF PALM BEACH COUNTY, FLORIDA:

Section 1. The Board of County Commissioners finds and declares that there is a need for a health facilities authority to function in Palm Beach County, Florida, for the purposes authorized and set forth in Chapter 74-323, Laws of Florida, Acts of 1974.

Section 2. An authority, henceforth to be known as the "Palm Beach County Health Facilities Authority", a public body corporate and politic, is hereby established and created for the purpose authorized by Chapter 74-323.

Section 3. The following persons who are residents of Palm Beach County are designated and appointed as members of the Palm Beach County Health Facilities Authority, namely:

Daniel H. James (Smith) who shall serve for a period of four years;

James K. Johnson (Kuller) who shall serve for a period of four years;

Fred Edelmutt (Lynch) who shall serve for a period of three years;

Roy W. Brown, MD. (Carter) who shall serve for a period of two years;

_____ (Hollen) who shall serve for a period of one year.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

LAKE LYTAL
PEGGY B. EVATT
DENNIS P. KOEHLER
WILLIAM MEDLEN
BILL BAILEY

The Chairman thereupon declared the resolution duly passed and adopted this _____ day of _____, 1977.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

By _____ Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By Charles Viterone
County Attorney

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