

BOARD OF COUNTY COMMISSIONERS

DATE: September 10, 2015

AGENDA ITEM NO. 34

Consent Agenda ☐

Regular Agenda ☒

Public Hearing ☐

County Administrator's Signature:

Subject:

Approval of Action by Pinellas County Health Facilities Authority regarding amendments to documents securing the Authority's outstanding Health System Revenue Bonds, BayCare Health System Issue, Series 2009A.

Department:

County Administrator

Staff Member Responsible:

Bill Berger, Director, Office of Management and Budget

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE THE ATTACHED RESOLUTION GRANTING APPROVAL TO THE AUTHORITY UNDERTAKING AMENDMENTS TO THE BOND INDENTURE AND LOAN AGREEMENT SECURING THE OUTSTANDING PINELLAS COUNTY HEALTH FACILITIES AUTHORITY HEALTH SYSTEM REVENUE BONDS, BAYCARE HEALTH SYSTEM ISSUE, SERIES 2009A.

Summary Explanation/Background:

BayCare Health System, Inc., (BayCare) a Florida not-for-profit corporation, has made a request of the Pinellas County Health Facilities Authority (Authority) regarding its previously issued Health System Revenue Bonds, BayCare Health System Issue, Series 2009A (Series 2009 Bonds). The Series 2009 Bonds were issued on April 9, 2009 in three subseries.

The Authority acts under Ordinance No. 82-33 as a dependent special district of the County.

The Authority approved its Resolution on August 12, 2015 and has requested the Board approve its actions in implementing amendments to the Bond Indenture and the Loan Agreement securing the Bonds pursuant to which the Series 2009 Bonds were issued. The amendments are being undertaken in connection with BayCare's proposal to convert the Series 2009A-3 Bonds from the interest rate mode defined as the Weekly Rate to a newly created interest rate mode to be known as the Direct Purchase Mode.

The Series 2009A-3 Bonds will be converted into the Direct Purchase Mode which will be for ten years and will be purchased initially by Wells Fargo Municipal Capital Strategies, LLC, a wholly owned subsidiary of Wells Fargo Bank, N.A. This will permit BayCare to manage the Series 2009A-3 Bonds in a manner best for BayCare's overall debt portfolio as a privately placed security.

Fiscal Impact/Cost/Revenue Summary:

No fiscal impact on the County. BayCare is responsible for payment of all fees and expenses.

Exhibits/Attachments Attached:

Resolution

RESOLUTION NO. 15-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA APPROVING THE ACTIONS BY THE PINELLAS COUNTY HEALTH FACILITIES AUTHORITY REGARDING AMENDMENTS TO THE OUTSTANDING PINELLAS COUNTY HEALTH FACILITIES AUTHORITY HEALTH SYSTEM REVENUE BONDS, BAYCARE HEALTH SYSTEM ISSUE, SERIES 2009A; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (the "Board") of Pinellas County, Florida, as a political subdivision created and existing under the laws of the State of Florida, created the Pinellas County Health Facilities Authority pursuant to Ordinance No. 82-33 adopted on October 10, 1982, as amended (the "Ordinance"), which is a special district and a body corporate and politic in Pinellas County, Florida (the "Authority"), and the Authority is authorized pursuant to the Constitution and the laws of the State of Florida, including particularly the Health Facilities Authorities Law (Part III of Chapter 154, Florida Statutes) and the Florida Industrial Development Financing Act (Part II of Chapter 159, Florida Statutes) (collectively, the "Act"), to issue its revenue bonds, the interest on which may or may not be excluded from gross income for federal income tax purposes, for the purpose of financing or refinancing any "Project" (as defined in the Act) in furtherance of the public purpose for which it was created; and

WHEREAS, the Authority issues its revenue bonds on behalf of the Board and the Board constitutes the elected legislative body of Pinellas County, Florida; and

WHEREAS, BayCare Health System, Inc., a Florida not-for-profit corporation (the "Corporation"), applied for and had issued by the Authority its Health System Revenue Bonds, BayCare Health System Issue, Series 2009A (the "Series 2009 Bonds") on April 9, 2009; and

WHEREAS, the Corporation has now requested that the Authority consider authorizing the Corporation to move forward with implementing amendments to the Bond Indenture and the Loan

Agreement pursuant to which the Series 2009 Bonds were issued, and to consider authorizing such amendments and certain other documents, all in connection with the Corporation's proposal to convert the Series 2009A-3 Bonds from the interest rate mode defined as the Weekly Rate to a newly created interest rate mode to be known as the Direct Purchase Rate (the "Amendment Transaction"), with such Series 2009A-3 Bonds in the Direct Purchase Mode to be purchased by a banking organization as an institutional investor holding the Series 2009 for its own account; and

WHEREAS, the Authority has requested the Board of County Commissioners approve its actions in the Amendment Transaction; and

WHEREAS, Section 9 of the Ordinance requires an approval by the Board of the issuance of Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

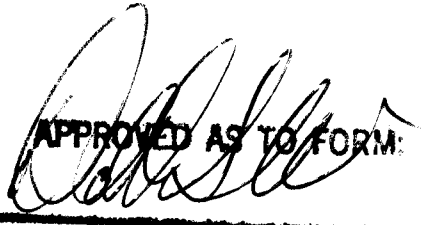
Section 1. The Amendment Transaction by the Authority relating to the Series 2009 Bonds is hereby approved.

In a regular meeting duly assembled on the 10th day of September, 2015, Commissioner _____ offered the foregoing resolution and moved its adoption, which was seconded by Commissioner _____, and upon roll call the vote was:

AYES:

NAYS:

ABSENT AND NOT VOTING:

By  APPROVED AS TO FORM:
County Attorney