

North Broward Hospital District Board of Commissioners
1601 South Andrews Avenue, Suite 100, Fort Lauderdale, FL 33316

LEGAL AFFAIRS & GOVERNMENTAL RELATIONS COMMITTEE MEETING
Immediately following the Finance Committee Meeting
Wednesday, March 29, 2023

The Legal Affairs & Governmental Relations Committee Meeting of the North Broward Hospital District was held at the Broward Health Sports Medicine Building, 1601 South Andrews Avenue, Suite 100, Fort Lauderdale, FL 33316.

1. **NOTICE**

Official notice is attached to these minutes, titled EXHIBIT I. Agenda of this meeting is attached to the minutes, titled EXHIBIT II. Supporting documents, if applicable, are attached to these minutes, titled EXHIBIT III. These exhibits are presented for consideration of the Committee.

2. **CALL TO ORDER**

There being a quorum present, the meeting was called to order by Vice Chair Levi G. Williams, Jr. at 1:31 p.m.

3. **COMMITTEE MEMBERS**

Present: Commissioner Paul C. Tanner
Commissioner Jonathan K. Hage
Commissioner Stacy L. Angier
Commissioner Ray T. Berry
Commissioner Levi G. Williams, Jr., Vice Chair

Not Present: Commissioner Nancy W. Stamper, Chair
Commissioner Christopher J. Pernicano

Senior Leadership
Additionally Present: Shane Strum, President, Chief Executive Officer
Alan Whaley, EVP, Chief Operating Officer
Alisa Bert, VP, Interim Chief Financial Officer
Linda Epstein, Corporate General Counsel

4. **PUBLIC COMMENTS**

Vice Chair Williams opened the floor for public comments, in which there were none.

5. **APPROVAL OF MEETING MINUTES**

5.1. Approval of Legal Affairs and Governmental Relations Committee Meeting Minutes dated January 25, 2023

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Without objection, Vice Chair Williams approved the minutes, dated January 25, 2023.

Motion *carried* without dissent.

6. TOPIC OF DISCUSSION

Vice Chair Williams called for a motion to hear Agenda Item 6.2., Resolution FY23-07, Resolution Regarding Publication of Legal Notices on a Publicly Accessible Website, prior to Item 6.1., General Legal Department Updates.

MOTION It was *moved* by Commissioner Tanner, *seconded* by Commissioner Angier, that:

Agenda Item 6.2., Resolution FY23-07, Resolution Regarding Publication of Legal Notices on a Publicly Accessible Website, be taken out of order and heard prior to Item 6.1., General Legal Department Updates.

Motion *carried* unanimously.

- 6.2. Resolution FY23-07, Resolution Regarding Publication of Legal Notices on a Publicly Accessible Website (Presenter – Linda Epstein, General Counsel)

Vice Chair Williams amended the recommendation language to include, “authorization for the Legal Department to clean up any policies or other Resolutions that Resolution FY23-07 may conflict with or otherwise have issues with.”

AMENDED MOTION It was *moved* by Commissioner Angier, *seconded* by Commissioner Berry, that:

The Legal Affairs and Governmental Relations Committee recommend that the Board of Commissioners authorize the District to approve Resolution FY23-07, Resolution Regarding Publication of Legal Notices on a Publicly Accessible Website and authorization for the Legal Department to clean up any policies or other Resolutions that Resolution FY23-07 may conflict with or otherwise have issues with.

Motion *carried* unanimously.

Vice Chair Williams called for a motion to recess the open portion of the Legal Affairs and Governmental Relations Committee Meeting and move to the closed Strategic Shade Session which was a duly noticed meeting.

MOTION It was *moved* by Commissioner Angier, *seconded* by Commissioner Berry, that:

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The Legal Affairs and Governmental Relations Committee recommend that the Board of Commissioners recess the open portion of the Legal Affairs and Governmental Relations Committee Meeting and move to the closed Strategic Shade Session.

Motion *carried* unanimously.

The Legal Affairs and Governmental Relations Committee Meeting reconvened at 4:29 p.m.

6.1. General Counsel Updates (Presenter – Linda Epstein, General Counsel)

6.3. Education: Robert’s Rules of Order, Tips (Presenter – Linda Epstein, General Counsel)

Due to time restraints, Vice Chair Williams requested that the remaining agenda items be deferred to the next Legal Affairs & Governmental Relations Committee Meeting.

MOTION It was *moved* by Commissioner Tanner, *seconded* by Commissioner Angier, that:

Agenda items 6.1., General Counsel Updates, and 6.2., Education: Robert’s Rules of Order, Tips be deferred to the next Legal Affairs & Governmental Relations Committee Meeting.

Motion *carried* unanimously.

7. **ADJOURNMENT**

MOTION It was *moved* by Commissioner Angier, *seconded* by Commissioner Berry, that:

The open portion of the Legal Affairs and Governmental Relations Committee Meeting be adjourned.

Motion *carried* unanimously.

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,
Commissioner Paul C. Tanner, Secretary/Treasurer

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EXHIBIT III

Resolution FY23-07

Resolution Regarding Publication of Legal Notices on a Publicly Accessible Website

WHEREAS, the North Broward Hospital District (the “District”) is a special tax district of the State of Florida established by the Florida Legislature under ch. 2006-347, Laws of Florida (the “District’s Charter”), as amended, to provide for the health care needs of the residents of the northern two-thirds of Broward County, Florida;

WHEREAS, various Florida laws including the District’s Charter requires publication of advertisements and legal notices in a newspaper of general circulation in the county;

WHEREAS, section 50.011, Florida Statutes, provides that publication on a publicly accessible website under section 50.0311, Florida Statutes, satisfies any and all statutory requirements of newspaper publication;

WHEREAS, section 50.0311(2), Florida Statutes, requires that a county first designate a publicly accessible website for legal notices and advertisements accessible on the internet;

WHEREAS, following a county’s designation of its publicly accessible website, section 50.0311(3), Florida Statutes, requires a finding that the cost of publishing advertisements and notices on such publicly accessible website is less than publishing advertisements and notices in a newspaper along with certain other procedures that must be followed and repeated annually;

WHEREAS, the District did an analysis that compared the District’s annual spend of its publishing of advertisements and notices to what the cost would be to publish on Broward County’s publicly accessible website, and the analysis demonstrates that the cost of publishing advertisements and notices on such publicly accessible website is less than publishing advertisements and notices in a newspaper;

WHEREAS, Broward County has designated its publicly accessible website, and because the statutory requirements of section 50.0311, Florida Statutes, have been met the Board of Commissioners of the North Broward Hospital District (the “Board”) wishes to grant the District the authority to use Broward County’s publicly accessible website moving forward for all the District’s publications of advertisements and legal notices; and

WHEREAS, unless context otherwise requires, capitalized terms used but not defined herein have the meanings ascribed to such terms in the Board’s Amended and Restated Bylaws of the North Broward Hospital District (the “Board’s Bylaws”) and its accompanying Codified Resolutions of the Board of Commissioners of the North Broward Hospital District (the “Board’s Codified Resolutions”).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the North Broward Hospital District, that:

1. The above-stated recitals are true and correct in every respect and are hereby incorporated herein by reference.
2. The Board hereby makes a finding that the cost of publishing advertisements and public notices on Broward County’s publicly accessible website is less than the cost of publishing advertisements and public notices in a newspaper.

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- 3. The Board in accordance with Florida law hereby finds and concludes that whenever the District’s Charter, the Board’s Bylaws, the Board’s Codified Resolutions, the District’s Master Procurement Code and its accompanying Procurement Policies (all as ratified by the Board via Resolution FY20-07, and amended from time to time), and any other Florida law, now existing or hereinafter passed, amended, or repealed require an official or legal advertisement or a publication or notice in a newspaper, or if any of the foregoing directs or permits publication in the newspaper in the nature of or in lieu of process, or for constructive service, or in initiating, assuming, reviewing, exercising, or enforcing jurisdiction or power, or for any other purpose, such publication shall mean either of the following:
 - (a) Publication consistent with ch. 50, Florida Statutes, in a newspaper of general circulation in Broward County or the jurisdictional boundaries of the District; or
 - (b) Publication on Broward County’s designated publicly accessible website.
- 4. This Resolution is effective immediately upon its ratification by the Board and hereby supersedes, amends, and replaces any conflicting resolution, policy, procedure, code, or directive previously adopted by the Board.
- 5. This resolution shall be codified in the Codified Resolutions.

DULY ADOPTED this ___ day of March, 2023.

Time Adopted _____ PM

