

RESOLUTION 2022-01

A RESOLUTION PRELIMINARILY APPROVING THE ISSUANCE OF NOT TO EXCEED \$750,000,000 BREVARD COUNTY HEALTH FACILITIES AUTHORITY HOSPITAL REVENUE BONDS (HEALTH FIRST OBLIGATED GROUP) IN ONE OR MORE SERIES OVER THE LONGEST PERIOD PERMITTED BY LAW (THE "BONDS") TO (I) FINANCE, REFINANCE, OR REIMBURSE HEALTH FIRST SHARED SERVICES, INC., ("HEALTH FIRST"), HOLMES REGIONAL MEDICAL CENTER, INC. ("HOLMES"), CAPE CANAVERAL HOSPITAL, INC. ("CCH"), AND VIERA HOSPITAL, INC. ("VIERA," AND TOGETHER WITH CCH, HOLMES AND HEALTH FIRST, THE "BORROWERS") FOR THEIR RESPECTIVE PAYMENT OF THE COSTS OF CERTAIN CAPITAL IMPROVEMENTS TO AND EQUIPMENT FOR CERTAIN OF THEIR HEALTH CARE FACILITIES (THE "PROJECT"), (II) REFUND CERTAIN REVENUE BONDS PREVIOUSLY ISSUED BY THE AUTHORITY FOR THE BENEFIT OF THE BORROWERS, AND (III) MAKING OTHER DETERMINATIONS AS TO OTHER MATTERS RELATED THERETO.

WHEREAS, the Brevard County Health Facilities Authority (the "*Authority*") has been created pursuant to the Health Facilities Authorities Law, Part III of Chapter 154, Florida Statutes (the "*Authority Act*"), upon a determination of a need for the Authority by the Board of County Commissioners of Brevard County, Florida (the "*County*") under Section 154.207(1) of the Authority Act; and

WHEREAS, the Authority is authorized under the Authority Act to issue revenue bonds and loan the proceeds thereof to a "health facility," as defined in the Authority Act, for the purposes of financing or refinancing the "cost" of a "project," as such terms are defined in the Authority Act and refunding bonds previously issued under the Authority Act; and

WHEREAS, the Authority is also a "local agency," as defined in the Florida Industrial Development Financing Act, Part II of Chapter 159, Florida Statutes (the "*Industrial Act*," and together with the Authority Act, the "*Acts*"), and is authorized under the Industrial Act to issue revenue bonds and loan the proceeds thereof to not for profit corporations for the purposes of financing the "cost" of a "project" comprising a "health care facility," as such terms are defined in the Industrial Act; and

WHEREAS, Health First Shared Services, Inc., a Florida not-for-profit corporation ("*Health First*"), is the parent corporation of a multi-entity health care system, which includes, among other affiliates, Holmes Regional Medical Center, Inc., a Florida not-for-profit corporation ("*Holmes*"), Cape Canaveral Hospital, Inc., a Florida not-for-profit corporation ("*CCH*"), and Viera Hospital, Inc., a Florida not-for-profit corporation ("*Viera*," and together with CCH, Holmes and Health First, the "*Borrowers*"); and

WHEREAS, Health First, on behalf of itself and the other Borrowers, has requested the Authority to assist them in (a) financing, refinancing, or reimbursing one or more of the Borrowers for their respective payment of the costs of certain capital improvements to and equipment for certain of their health care facilities (the "*Projects*"); (b) refunding the outstanding Brevard County Health Facilities Authority Revenue Refunding Bonds, Series 2014 (Health First, Inc. Project) (the "*Series 2014 Bonds*"), previously issued for the benefit of one or more of the Borrowers for the purpose of refinancing the costs of certain capital improvements to and equipment for, and the costs of acquiring, constructing and equipping, certain health care facilities of certain of the Borrowers, (c) refunding the outstanding Brevard County Health Facilities Authority Revenue Refunding Bonds, Series 2013A (Health First, Inc. Project) (the "*Series 2013A Bonds*"), previously issued for the benefit of one or more of the Borrowers for the purpose of refinancing the costs of certain capital improvements to and equipment for, and the costs of acquiring, constructing and equipping, certain health care facilities of certain of the Borrowers, (d) refunding the outstanding Brevard County Health Facilities Authority Health Facilities Revenue Bonds, Series 2009A (Health First, Inc. Project) (the "*Series 2009A Bonds*," and together with the Series 2013A Bonds and the Series 2014 Bonds, the "*Prior Bonds*"), previously issued for the benefit of one or more of the Borrowers for the purpose of financing and refinancing the costs of certain capital improvements to and equipment for, and the costs of acquiring, constructing and equipping, certain health care facilities of certain of the Borrowers, (e) providing one or more debt service reserve funds for the benefit of all or a portion of the Bonds, if deemed necessary or desirable, and (f) paying certain costs of issuance of the Bonds, including the costs of any credit or liquidity enhancement thereof, as well as the costs of terminating certain interest rate hedge agreements relating to the certain of the Prior Bonds, if deemed necessary or desirable; and

WHEREAS, in order to obtain funds for such purposes, Health First, on behalf of itself and the other Borrowers, has requested the Authority to issue its not to exceed \$750,000,000 in aggregate principal amount of its Brevard County Health Facilities Authority Hospital Revenue Bonds (Health First Obligated Group), in one or more series (the "*Bonds*"), and the loan of the proceeds from the sale of the Bonds to one or more of the the Borrowers; and

WHEREAS, after consideration of the nature of the proposed Projects and the refunding of the Prior Bonds at a meeting open to the public, held in accordance with all open meetings laws, the Authority has determined that in assisting with the financing of the proposed Project, it will be acting in furtherance of the public purposes of the Acts; and

WHEREAS, the most feasible method of financing the proposed Projects and refunding the Prior Bonds is for the Authority to issue the Bonds for that purpose and for it to lend the proceeds from the sale of said Bonds to the Borrowers to enable the Borrowers to pay the costs of the Projects and refund the Prior Bonds, with loan repayments to be sufficient and timely to pay the principal of, premium (if any) and interest on said Bonds; and

WHEREAS, Health First, on behalf of itself and the other Borrowers has requested that the Authority indicate its willingness to issue its Bonds to finance the proposed Projects and to refund the Prior Bonds so that the proposed transaction may proceed; and

WHEREAS, the Authority has determined that it is in the best interest of the inhabitants of Brevard County, Florida, on behalf of which the Authority acts, that the proposed Projects and the refunding of the Prior Bonds proceed without delay;

WHEREAS, the issuance of the Bonds by the Authority will, after a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "*Code*"), be considered by the Board of County Commissioners of the County, and all authorization herein is subject to approval by such Board of County Commissioners following such public hearing.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Authority hereby finds that the proposed Projects and the refunding of the Prior Bonds will develop and promote the public good and the general welfare of the County and of the State of Florida.

2. In order to indicate the Authority's willingness to issue its Bonds in an amount up to \$750,000,000 for the purposes set forth above, the execution and delivery to Health First of an inducement agreement is hereby authorized, said inducement agreement to be in substantially the form attached hereto as *Exhibit A*, subject to such changes, insertions and omissions as may be approved by the Chair or Vice Chair of the Authority, and the execution of said inducement agreement by the Chair or Vice Chair and Secretary or Assistant Secretary of the Authority, as hereby authorized, shall be conclusive evidence of such approval.

3. The Chair or Vice Chair and Secretary or Assistant Secretary of the Authority are further hereby authorized to take any and all further action and execute and deliver any and all other documents as may be necessary to issue and deliver the Bonds and to effect the undertaking for which the Bonds are proposed to be issued; provided, however, the Authority shall adopt a Bond Resolution approving all such documents prior to the issuance of the Bonds.

4. Pursuant to Section 147(f) of the Code, the Authority has conducted a public hearing on the proposed issuance of the Bonds and on the nature and location of the facilities to be financed and refinanced with the proceeds of the Bonds. The notice of such hearing was published by posting the notice on the primary purpose websites of Brevard County and of the Authority (each, a "*Website*") (attached hereto as *Exhibit B* are screenshots of (i) the Brevard County Website on February 10, 2022 of the page shown when clicking the "Public Hearings and Notices" link under the "Pages" tab at the top of the homepage of the Website and the pages shown when clicking on the link of the Public Hearings and Notices for the Notice of Public Hearing concerning the Authority's proposed issuance of its revenue bonds in an amount not to exceed \$750,000,000 for the benefit of Health First, and (ii) the Authority's Website on February 11, 2022 showing the notice available for download under the "Notices" section of the Authority's Website). Interested individuals were given the opportunity to express their views, both orally and in writing.

5. The Authority hereby recommends the issuance of the Bonds in the aggregate principal amount of not exceeding \$750,000,000, the financing of the Projects and the refunding of the Prior Bonds for approval to the Board of County Commissioners of Brevard County, Florida (the "*Board*"). The Authority hereby directs the Chair, Vice-Chair and other Members of the Authority and Counsel to the Authority, either alone or jointly, at the expense of the Borrowers, in seeking approval from the Board for the issuance of the Bonds for the financing purposes described above by the Board as the applicable elected representatives of the County under and pursuant to the Acts and Section 147(f) of the Code. The approval by the Board shall be a condition precedent to the issuance of the Bonds.

Adopted this 21st day of February, 2021.

**BREVARD COUNTY HEALTH
FACILITIES AUTHORITY**

[SEAL]

By: Peter Fusscas
Vice Chair

Attest:

Judy L. Smith
Secretary

SECRETARY'S CERTIFICATE

I, Judy Gizinski, Secretary of the Brevard County Health Facilities Authority (the "Authority"), DO HEREBY CERTIFY that the foregoing five (5) pages of typewritten matter constitute a true and correct copy of the resolution adopted on February 21, 2022, by the Authority in a meeting, in accordance with all open meetings laws and the procedures of the Authority, duly called and assembled, which was open to the public and at which a quorum was present and acting throughout, and that the original of said resolution appears of public record in the Minute Book of the Authority, which is in my custody and control.

Given under my hand and the seal of the Brevard County Health Facilities Authority, this February 21, 2022.


Secretary, Brevard County Health Facilities
Authority

(SEAL)

EXHIBIT A

Inducement Agreement

February 21, 2022

Health First Shared Services, Inc.
6450 U.S. Highway #1
Rockledge, Florida 32955

Re: Proposed Revenue Bond Financing

Ladies and Gentlemen:

The Brevard County Health Facilities Authority (the "*Issuer*") has been requested by Health First Shared Services, Inc., a Florida not-for-profit corporation ("*Health First*"), on behalf of itself and Holmes Regional Medical Center, Inc., a Florida not-for-profit corporation ("*Holmes*"), Cape Canaveral Hospital, Inc., a Florida not-for-profit corporation ("*CCH*"), and Viera Hospital, Inc., a Florida not-for-profit corporation ("*Viera*," and together with CCH, Holmes and Health First, the "*Borrowers*") to approve, for purposes set forth herein, the issuance of hospital revenue bonds in one or more series and in an aggregate principal amount not to exceed \$750,000,000 to be issued by the Issuer (the "*Bonds*"), the proceeds of which will be lent to one or more of the Borrowers to (a) finance, refinance, or reimburse one or more of the Borrowers for their respective payment of the costs of certain capital improvements to and equipment for certain of their health care facilities (the "*Projects*"); (b) refund the outstanding Brevard County Health Facilities Authority Revenue Refunding Bonds, Series 2014 (Health First, Inc. Project) (the "*Series 2014 Bonds*"), previously issued for the benefit of one or more of the Borrowers for the purpose of refinancing the costs of certain capital improvements to and equipment for, and the costs of acquiring, constructing and equipping, certain health care facilities of certain of the Borrowers, (c) refund the outstanding Brevard County Health Facilities Authority Revenue Refunding Bonds, Series 2013A (Health First, Inc. Project) (the "*Series 2013A Bonds*"), previously issued for the benefit of one or more of the Borrowers for the purpose of refinancing the costs of certain capital improvements to and equipment for, and the costs of acquiring, constructing and equipping, certain health care facilities of certain of the Borrowers, (d) refund the outstanding Brevard County Health Facilities Authority Health Facilities Revenue Bonds, Series 2009A (Health First, Inc. Project) (the "*Series 2009A Bonds*," and together with the Series 2013A Bonds and the Series 2014 Bonds, the "*Prior Bonds*"), previously issued for the benefit of one or more of the Borrowers for the purpose of financing and refinancing the costs of certain capital improvements to and equipment for, and the costs of acquiring, constructing and equipping, certain health care facilities of certain of the Borrowers, (e) provide one or more debt service reserve funds for the benefit of all or a portion of the Bonds, if deemed necessary or desirable, and (f) pay certain costs of issuance of the Bonds, including the costs of any credit or liquidity enhancement thereof, as well as the costs of terminating certain interest rate hedge agreements relating to the certain of the Prior Bonds, if deemed necessary or desirable.

As a result of our discussions with your officers and agents, we have determined that the Issuer's willingness to issue the Bonds to assist the Borrowers in financing the Projects and refunding the Prior Bonds will develop and promote the public good and general welfare of the citizens and inhabitants of Brevard County, Florida (the "County") and the State of Florida, and it is therefore the conclusion of the Issuer that in assisting with the financing of Projects and the refunding of the Prior Bonds, the Issuer will be acting in furtherance of the public purposes of Chapter 154, Part III, and Chapter 159, Part II of the Florida Statutes, as amended (the "*Acts*").

In order to induce the Borrowers to proceed with the Projects and the refunding of the Prior Bonds in the County and in order to carry out the public purposes of the Acts, we hereby make the following proposals:

1. The Issuer will issue its Bonds in one or more series in a total aggregate principal amount not to exceed \$750,000,000 for the financing purposes set forth above.

2. The terms of the Bonds (maturity schedule, interest rates, denominations, redemption provisions, security etc.) must be satisfactory to the Borrowers and the Issuer and will be set forth in one or more financing agreements or similar agreements to be entered into among the Issuer, the Borrowers and the financial institutions purchasing the Bonds (the "*Lenders*") satisfactory to the Borrowers.

3. (a) Simultaneously with the delivery of the Bonds, the Issuer will loan the proceeds from the sale of the Bonds to one or more of the Borrowers to pay the costs of the Projects and the refunding of the Prior Bonds, and the terms and provisions of the loan or financing agreements to be entered by the Issuer, the Borrowers and the Lender in connection therewith (the "*Agreements*") shall be substantially in the form generally utilized in connection with such financial undertakings, as agreed upon by the Issuer, the Borrowers and the Lenders.

(b) The Agreements will be dated contemporaneously with the Bonds, and the term of the Agreements will equal or exceed the term of the issue of Bonds.

(c) The amounts payable by the Borrowers under the Agreements will be paid directly to the Lender (other than fees and indemnities payable to the Issuer), at such times and in such amounts as shall be timely and sufficient to pay the principal of, redemption premium (if any) and interest on the Bonds as the same become due and payable. The duty of the Borrowers to make all payments required under the Agreement shall be absolute and unconditional after the delivery of the Bonds.

(d) The proceeds from the sale of the Bonds to be applied to the payment of the costs of the refunding of the Prior Bonds will be applied directly to repay the Prior Bonds. The proceeds from the sale of the Bonds to be applied to the payment of the costs of the Projects will be deposited in a project fund and disbursed pursuant to requisitions in accordance with the requirements of the Agreements. Moneys in the project fund may be invested in any obligations which represent legal investments for proceeds of Bonds issued by the Issuer.

(e) The Borrowers will pay any taxes, assessments or utility charges which may be lawfully levied, assessed or charged upon the Borrowers, the Issuer, the Projects or the facilities refinanced by the Prior Bonds (the "*Facilities*") or the payments under the Agreements if such would result in a lien or charge upon the Project, the Facilities or the revenues of the Issuer therefrom.

(f) The Agreements will require the Borrowers to keep the Facilities and the Projects insured against loss or damage or perils generally insured against by industries similar to the Borrowers and to carry public liability insurance covering personal injury, death or property damage with respect to the Facilities and Projects and may permit the Borrowers to be self-insured.

(g) The Agreements shall provide that in the performance of the covenants contained therein on the part of the Issuer, any obligations it may incur for the payment of money shall not be a general debt on its part or on the part of the State of Florida, Brevard County or any other political subdivision or municipality, but shall be payable solely from the specific payments received under such Agreements or from Bond proceeds, insurance proceeds and/or condemnation awards.

(h) The Agreements shall contain covenants providing for the indemnification of the Issuer and the individual members and officers thereof, and Brevard County, Florida, for all expenses incurred by them and for any loss suffered or damage to property or any injury or death of any person occurring in connection with the Facilities and the Projects.

4. As required by Section 189.051, *Florida Statutes*, the Bonds will be sold in a public offering, private placement or loan transaction and will be rated in one of the highest four ratings by a nationally recognized rating service.

5. The Issuer hereby authorizes the Borrowers to proceed with the Projects prior to the issuance and delivery of the Bonds.

6. The Issuer will assist in the prompt preparation of the Agreements, and other applicable documentation where requested, all of which must be in form and content satisfactory to the Issuer.

7. Upon delivery of the Bonds, the provisions of this agreement shall have no further effect and, in the event of any inconsistency between the terms of this agreement, the Agreements and the other documents executed and delivered in connection with the issuance of the Bonds shall control.

8. If for any reason the Bonds are not delivered within two years of the date hereof, the provisions of this agreement shall, at the option of the Issuer, to be evidenced in writing, be canceled, and neither party shall have any rights against the other, and no third parties shall have any rights against either party except:

(a) the Borrowers will pay the Issuer and the County for all reasonable expenses, including legal fees, which have been incurred by the Issuer and the County in connection with the proposed issuance of the Bonds; and

(b) the Borrowers will assume and be responsible for all contracts entered into by the Issuer at the request or direction of the Borrowers in connection with the proposed issuance of the Bonds.

9. Whether or not the Bonds are issued, the Borrowers will pay any out-of-pocket expenses of directors or members of the Issuer incurred in connection with the the proposed issuance of the Bonds and will pay the legal fees and expenses of counsel and financial advisor fees and expenses for the Issuer and the County and bond counsel related to the proposed issuance of the Bonds. If the Bonds are issued, the Borrowers will pay any customary issuance fee of the Issuer.

10. The Borrowers, in accepting this proposal, agree (a) to indemnify, defend and hold the Issuer and the County and their respective individual members, officers, agents and attorneys harmless against any loss or damage to property or any injury or death of any person or persons occurring in connection with the Projects or the issuance of the Bonds and (b) to reimburse or otherwise pay, on behalf of the Issuer, any and all reasonable and necessary expenses not hereinbefore mentioned that are incurred by the Issuer in connection with the Projects or the issuance of the Bonds. This indemnity shall be superseded by a similar indemnity in the Agreements, and if the Bonds are not issued and delivered, this indemnity shall survive the termination of this agreement.

11. This agreement shall inure to the benefit of and be binding upon the Borrowers and the Issuer and their respective legal representatives, successors and assigns.

If the foregoing proposal is satisfactory to you, the Borrowers may so indicate by having the following acceptance executed by a duly authorized officer of the Borrowers and returning a copy to the Issuer. This proposal and acceptance will then constitute an agreement in principle with respect to the matters herein contained.

Yours very truly,

**BREVARD COUNTY HEALTH
FACILITIES AUTHORITY**

By: Peter Fuscas
Vice Chair

[SEAL]

Attest:

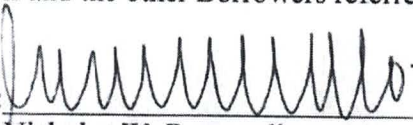
Secretary

Judy L. Luzzi

ACCEPTANCE OF PROPOSAL

The terms and conditions contained in the within Inducement Agreement are hereby accepted this 21st day of February, 2022.

HEALTH FIRST SHARED SERVICES, INC., on behalf of
itself and the other Borrowers referred to above

By: 

Nicholas W. Romanello

Executive Vice President | Chief Legal Officer

EXHIBIT B

SCREENSHOTS OF TEFRA NOTICE

862 search results for notice of public hearing

Notice of Public Hearing - Brevard County Health Facilities Authority

Notice of Public Hearing - Brevard County Health Facilities Authority, "I" will hold a **public hearing** at 11:00 a.m. local time on Monday, February 21, 2022 in the Lecture Room at the Brevard County Agricultural Center, 3695 Lake Drive, Cocoa, Florida. The **public hearing**, of the Bonds. Comments at the **public hearing** are invited. Written comments may be submitted, , Florida 32780, until the conclusion of the **public hearing**. Additional information can be obtained from, any decision made by the Authority with respect to any matter considered at such **public hearing**

<https://www.brevardfl.gov/ParksAndRecreation/ParksByCity/ParksInTitusville/JWWJames/news/2022/02/10/notice-of-public-hearing-brevard-county-health-facilities-authority>

Notice of Public Hearing Amending Public Notice of 5/1/2021

Notice of Public Hearing Amending Public Notice of 5/1/2021, Notice is hereby given that the Brevard County Board of County Commissioners will conduct a **Public Hearing** on May 18, 2021 at 9:00 a.m. in the Board Chambers located at 2725 Judge Fran Jamieson Way, Viera Government Center, Building C, 1st Floor. The purpose of the **Public Hearing** is to consider if it is in the **public's** interest to accept the private proposal and enter into agreement to construct, TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS

<https://www.brevardfl.gov/ParksAndRecreation/ParksByCity/ParksInTitusville/JWWJames/news/2021/05/03/public-hearing-n-wickham-deer-lakes-intersection-improvements>

Notice of Public Hearing February 8, 2022 at 5:00 p.m.

Notice of Public Hearing February 8, 2022 at 5:00 p.m. Floor, Viera, FL, 32940, will hold a **public hearing** on the following ordinance: ORDINANCE NUMBER 2022, of the ordinance may also be viewed online at www.brevardfl.gov/public-hearings-and-notices. Pursuant, NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Brevard County, Florida, , agency, or commission with respect to any matter considered at such meeting or **hearing**, he or she, Listening System receivers are available for the **hearing** impaired, & can be obtained from the Sound

<https://www.brevardfl.gov/ParksAndRecreation/ParksByCity/ParksInTitusville/JWWJames/news/2022/01/27/notice-of-public-hearing-february-8-2022-at-5-00-p-m>

Notice of Public Hearing - re: Consider authorization of the issuance of Bonds by the CTA

Notice of Public Hearing - re: Consider authorization of the issuance of Bonds by the CTA, Revenue Code of 1986, as amended, notice is hereby given that the Board of County Commissioners (the "Board") of Brevard County, Florida (the "County"), will hold a **public meeting and hearing** at 5:00, for said **public hearing** all who appear will be given an opportunity to express their views, **public hearing**, written comments may be delivered to the Clerk of the Circuit Court, Ex-Officio Clerk, Jamieson Way, Building C, First Floor, Viera, Florida. The purpose of the **hearing**

<https://www.brevardfl.gov/ParksAndRecreation/ParksByCity/ParksInTitusville/JWWJames/news/2021/07/22/notice-of-public-hearing-re-consider-authorization-of-the-issuance-of-bonds-by-the-cta080321>

Notice of Public Hearing and Public Review for the Brevard County Substantial Amendment to Annual Action Plan

Notice of Public Hearing and Public Review for the Brevard County Substantial Amendment to Annual Action Plan, NOTICE OF **PUBLIC HEARING** AND **PUBLIC REVIEW** FOR THE BREVARD COUNTY SUBSTANTIAL AMENDMENT TO ANNUAL ACTION PLAN (2019-2020) NOTICE IS HEREBY GIVEN that the Brevard County has prepared a Substantial Amendment to its Fiscal Year 2019-2020 Action Plan. The publication of this notice is the beginning of the 5-day **public** review period required under Federal Regulations at 24 CFR 91.105 and Federal Regulations waivers due to the COVID-19 crisis. The **public** review and written comment period

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EEL Program

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Titusville, FL 32780

(321) 264-5105

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Day

Monday - Sunday

Hours

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Jeff Davis, North Area Operations Director

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Notice of Public Hearing - Brevard County Health Facilities Authority

Notice is hereby given that the Brevard County Health Facilities Authority (the "Authority") will hold a public hearing at 11:00 a.m. local time on Monday, February 21, 2022 in the Lecture Room at the Brevard County Agricultural Center, 3695 Lake Drive, Cocoa, Florida. The public hearing will be held with respect to a plan by the Authority to issue its Brevard County Health Facilities Authority Hospital Revenue Bonds (Health First Obligated Group) in one or more series over the longest period permitted by law and in an aggregate principal amount not to exceed \$750,000,000 (the "Bonds"). The proceeds of the Bonds will be loaned to one or more of the following Florida not-for-profit corporations: (i) Health First Shared Services, Inc., ("Health First"), (ii) Holmes Regional Medical Center, Inc. ("Holmes"), (iii) Cape Canaveral Hospital, Inc. ("CCH"), and (iv) Viera Hospital, Inc. ("Viera," and together with CCH, Holmes and Health First the "Borrowers"), and used for one or more of the following purposes: (a) to finance, refinance, or reimburse one or more of the Borrowers for their operation

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- Melbourne Beach
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- Satellite Beach
- Scottsmeer
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The proceeds of the Series 2014 Bonds were used, together with certain other moneys, to: (i) refund a portion of the outstanding Brevard County Health Facilities Authority Health Facilities Revenue Bonds, Series 2005 (Health First, Inc. Project), (ii) refund all outstanding Brevard County Health Facilities Authority Health Facilities Revenue Bonds, Series 2009B (Health First, Inc. Project), and (iii) pay certain costs of issuance of the Series 2014 Bonds.

The proceeds of the Series 2013A Bonds were used, together with certain other moneys, to: (i) refund the outstanding Brevard County Health Facilities Authority Health Facilities Revenue Bonds, Series 2001 (Health First, Inc. Project), (ii) refund all outstanding Brevard County Health Facilities Authority Health Facilities Revenue Bonds, Series 2010 (Health First, Inc. Project), and (iii) pay certain costs of issuance of the Series 2013A Bonds.

The proceeds of the Series 2009A Bonds were used, together with certain other moneys, to: (i) finance, refinance, or reimburse one or more of the Borrowers for their respective payment of the costs of certain capital improvements to and equipment for certain of their health care facilities, and (ii) pay certain costs of issuance of the Series 2009A Bonds.

The Bonds will be qualified 501(c)(3) bonds (as defined in Section 145 of the Internal Revenue Code of 1986, as amended), and the proceeds of the Bonds were or will be used to finance, refinance or reimburse the costs of acquiring, constructing, improving or renovating the facilities (including related land improvement costs) listed below and the costs of acquiring and installing equipment (including, but not limited to, medical equipment, computer equipment, office equipment and general building equipment and fixtures) used or to be used at the facilities listed below. A general functional description of the type and use of the facility and the location of each such facility to be financed or refinanced with the proceeds of the Bonds are listed below. Additionally, the estimated maximum amount of each security interest in the Bonds to be issued with respect to each such facility, as

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Persons With Disabilities Programs

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The Bonds will be qualified 501(c)(3) bonds (as defined in Section 145 of the Internal Revenue Code of 1986, as amended), and the proceeds of the Bonds were or will be used to finance, refinance or reimburse the costs of acquiring, constructing, improving or renovating the facilities (including related land improvement costs) listed below and the costs of acquiring and installing equipment (including, but not limited to, medical equipment, computer equipment, office equipment and general building equipment and fixtures) used or to be used at the facilities listed below. A general functional description of the type and use of the facility and the location of each such facility to be financed or refinanced with the proceeds of the Bonds are listed below. Additionally, the estimated maximum aggregate principal amount of new money proceeds of the Bonds to be issued with respect to each such facility, are listed below.

1. Holmes Regional Medical Center Campus: includes a 550-bed acute care hospital, and the related land, parking garages, office buildings, wellness centers, hospice facilities, medical education facilities, clinics, warehouses and other buildings located at 1350 and 1051 Hickory Street, Melbourne, Florida and on an approximately 21-acre tract of land across Hickory Street from the main hospital facility, between East Sheridan Road on the north and East Hibiscus Blvd to the south and bordered generally on east by the City of Melbourne Cemetery (collectively, the "Holmes Regional Facilities"). Holmes is the initial owner and principal user of the Holmes Regional Facilities described in this paragraph and it is expected that not more than \$119,000,000 in aggregate principal amount of the Bonds will be spent on the portion of the Project allocable to the Holmes Regional Facilities. A portion of the Holmes Regional Facilities are also being refinanced with the proceeds of the Bonds through the refunding of the Prior Bonds
2. Palm Bay Hospital Campus: includes, a 120-bed acute care hospital, and the related land, parking garages, office buildings, wellness centers, hospice facilities, medical education facilities, clinics, warehouses and other buildings located at 1425 Malabar Road NE, Palm Bay, Florida (the "Palm Bay Facilities"). Holmes is the initial owner and principal user of the Palm Bay Facilities described in this paragraph and it is expected that not more than \$31,000,000 in aggregate principal amount of the Bonds will be spent on the portion of the Project allocable to the Palm Bay Facilities. A portion of the Palm Bay Facilities are also being refinanced with the proceeds of the Bonds through the refunding of the Prior Bonds.
3. Viera Hospital Campus: includes an 84-bed acute care hospital, and the related land, parking garages, office buildings, wellness centers, hospice facilities, medical education facilities, clinics, warehouses and other buildings located at 8731 North Wickham Road, Melbourne, Florida (the "Viera Facilities"). The Viera Facilities are located on approximately 50 acres of property in Melbourne, Florida bordered generally by North Wickham Road to the north, Stadium Parkway to the west, Lake Andrew Drive to the east, and Vidua Drive to the south Viera is the initial owner and principal user of the Viera Facilities described in this paragraph and it is expected that not more than \$21,000,000 in aggregate principal amount of the Bonds will be spent on the portion of the Project allocable to the Viera Facilities. A portion of the Viera Facilities are also being refinanced with the proceeds of the Bonds through the refunding of the Prior Bonds.
4. Cape Canaveral replacement Hospital Campus, a proposed 120-bed acute care hospital and the related land, parking garages, office buildings, wellness centers, hospice facilities, medical education facilities, clinics, warehouses and other buildings to be located on approximately 15 acres of land in Merritt Island, Florida and bordered generally by Borman Drive on the east, State Road 520 on south, East Merritt Avenue in the north and by commercial property on the west (the "New CCH Facilities"). CCH will be the initial owner and principal user of the New CCH Facilities described in this paragraph and it is expected that not more than \$516,000,000 in aggregate principal amount of the Bonds will be spent on the portion of the Project allocable to the New CCH Facilities. The New CCH Facilities will be a replacement for the existing Cape Canaveral Hospital, which is a 150-bed acute care hospital and related facilities currently located at 701 W. Cocoa Beach Causeway, Cocoa Beach, Florida (the "Existing CCH Facilities"). A portion of the Existing CCH Facilities are being refinanced with the proceeds of the Bonds through the refunding of the Prior Bonds.
5. Health First corporate offices consist of office buildings located at 6450 U.S. Highway 1, Rockledge, Florida and 3300 S. Fiske Blvd., Rockledge FL (the "Health First Facilities"). Health First is the initial owner and principal user of the Health First Facilities described in this paragraph and it is expected that not more than \$63,000,000 in aggregate principal amount of the Bonds will be spent on the portion of the Project allocable to the Health First Facilities. A portion of the Health First Facilities are also being refinanced with the proceeds of the Bonds through the refunding of the Prior Bonds.

The public hearing is required by Section 147(f) of the Internal Revenue Code of 1986, as amended. Interested individuals are invited to express their views, both orally and in writing, on

3. Viera Hospital Campus: includes an 84-bed acute care hospital, and the related land, parking garages, office buildings, wellness centers, hospice facilities, medical education facilities, clinics, warehouses and other buildings located at 8731 North Wickham Road, Melbourne, Florida (the "Viera Facilities"). The Viera Facilities are located on approximately 50 acres of property in Melbourne, Florida bordered generally by North Wickham Road to the north, Stadium Parkway to the west, Lake Andrew Drive to the east, and Vidina Drive to the south. Viera is the initial owner and principal user of the Viera Facilities described in this paragraph and it is expected that not more than \$21,000,000 in aggregate principal amount of the Bonds will be spent on the portion of the Project allocable to the Viera Facilities. A portion of the Viera Facilities are also being refinanced with the proceeds of the Bonds through the refunding of the Prior Bonds.
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The public hearing is required by Section 147(f) of the Internal Revenue Code of 1986, as amended. Interested individuals are invited to express their views, both orally and in writing, on the proposed issuance of the Bonds. Comments at the public hearing are invited. Written comments may be submitted to the Authority in care of its counsel, Angela A. Abbott, P.A., 4420 South Washington Avenue, Titusville, Florida 32780, until the conclusion of the public hearing. Additional information can be obtained from the Authority at the address listed immediately above.

The Bonds will not constitute a debt, liability or obligation of Brevard County, Florida, the State of Florida or any political subdivision thereof, and neither Brevard County, Florida, the State of Florida nor any political subdivision thereof shall be liable thereon nor in any event shall the Bonds and the interest thereon be payable out of any funds or property other than those of the Authority assigned under the related Bond Trust Indenture as security therefor. The Bonds shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation of the laws of the State of Florida. The Bonds do not, directly, indirectly or contingently, obligate the Authority, Brevard County, Florida, the State of Florida or any political subdivision thereof to levy any form of taxation therefor or to make any appropriations for their payment; and the Bonds do not and shall never constitute a charge against the general credit or taxing powers of the Authority, Brevard County, Florida, the State of Florida or any political subdivision thereof. The Authority has no taxing power.

Pursuant to Section 286.0105 of the Florida Statutes, as amended, the Authority hereby advises that if any person decides to appeal any decision made by the Authority with respect to any matter considered at such public hearing, such person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and the evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act ("ADA"), if any person with a disability as defined by the ADA needs special accommodations to participate in the public hearing, then not later than two (2) business days prior to the public hearing he or she should contact Angela A. Abbott, P.A., the Authority's counsel at (321) 264-0334.

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Dated: February 10, 2022.

Brevard County Health Facilities Authority

TEFRA Notice and Notice of Meeting (DOCX, 26KB)



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson Way Viera, FL 32940,
711 FLORIDA RELAY
(800) -955-8771

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