

NASSAU COUNTY INTERIM FINANCE AUTHORITY

MEETING OF THE FINANCE COMMITTEE

MINUTES OF NOVEMBER 27, 2018

The Finance Committee of the Nassau County Interim Finance Authority met on November 27, 2018 at 7:26 PM at the Marriott Long Island Hotel & Conference Center located at 101 James Doolittle Blvd, Uniondale, NY, pursuant to legal notice given on November 21, 2018 and electronic notice posted on the Authority's website.

Committee Members present: Paul Leventhal, Chairman
Adam Barsky
John Buran

Committee Members absent: Paul Annunziato

Staff present: Evan Cohen, Executive Director
Carl Dreyer, Treasurer
Kathleen Stella, Corporate Secretary
Martha Worsham, Deputy Director
Jeremy Wise, General Counsel

Call to Order/Roll Call

The meeting was called to order at 7:26 PM.

1. Approval of Minutes

Upon a motion by Committee Member Barsky and seconded, the Committee approved the minutes from the meeting on December 7, 2017.

Positive votes: 3 Negative votes: 0

Resolution No. 18-37

APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT THE DECEMBER 7, 2017 FINANCE COMMITTEE MEETING OF THE NASSAU COUNTY INTERIM FINANCE AUTHORITY

RESOLVED, that the Minutes of the Finance Committee meeting of the Authority held on December 7, 2017 are hereby approved and all actions taken by the Directors present at such meeting, as set forth in such Minutes, are hereby in all respects ratified and approved as actions of the Authority.

* * *

2. Consideration of Tax Anticipation Notes and Revenue Anticipation Notes Borrowing by Nassau County

The Directors were being asked to approve the County's proposed cash flow borrowing through TANs and RANs, subject to the terms and conditions outlined in the materials and the resolution provided and subject to the final review and approval of the full Board and the Chairman or his designee(s).

Upon a motion by Committee Member Barsky and seconded, the members of the Committee approved the resolution.

Positive votes: 3 Negative votes: 0

Resolution No.18-34

CONSIDERATION OF ISSUANCE OF TAX ANTICIPATION NOTES AND REVENUE ANTICIPATION NOTES BY NASSAU COUNTY

RESOLVED, that the materials presented to this meeting of the Directors (the "Materials") are incorporated into this Resolution and are ordered to be filed with the records of the Nassau County Interim Finance Authority (the "Authority"); and be it further

RESOLVED, that based upon the discussion in the Materials and pursuant to Section 3669 2(e) of the Authority Act, the Finance Committee of the Authority has reviewed the terms of the County's proposed issuance of Notes and hereby approves said borrowing on the condition that total proceeds, consisting of par and original issue premium, cannot exceed \$380 million plus costs of issuance, and be it further

RESOLVED, that the final terms of the sale are subject to the review and approval of the Chairperson of the Authority or his designee(s); and be it further

RESOLVED, that staff may take all actions and do all things that they deem necessary to carry out the intent of this resolution.

3. Consideration of Issuance of General Obligation Bonds and BANs by Nassau County

The Directors were requested to approve the County's proposed issuance of Bonds and BANs, subject to the terms and conditions outlined in the materials and the resolution and subject to the final review and approval of the full Board and the Chairman or his designee(s).

Upon a motion by Committee Member Annunziato and seconded, the members of the Committee approved the resolution.

Positive votes: 3 Negative votes: 0

Resolution No.18-35

CONSIDERATION OF ISSUANCE OF GENERAL OBLIGATION BONDS AND BOND ANTICIPATION NOTES BY NASSAU COUNTY

RESOLVED, that the materials presented to this meeting of the Directors (the "Materials") are incorporated into this Resolution and are ordered to be filed with the records of the Nassau County Interim Finance Authority (the "Authority"); and be it further

RESOLVED, that based upon the discussions in the Materials and pursuant to Section 3669 2(e) of the Authority Act, the Finance Committee of the Authority has reviewed the terms of the County's proposed issuance(s) of Bonds and BANs and approves the issuance of up to:

- (i) \$198,905,000.00 of BANs (plus cost of issuance) for the purposes described Appendix A (repay maturing BANs);
 - (ii) \$100,000,000.00 of Bonds (plus cost of issuance) for the purposes described in the Materials (limited to certiorari payments for claims counted in determining the liability for Backlog, as of December 31, 2017, and reported in the 2017 CAFR);
 - (iii) \$66,396,664.00 of Bonds (plus cost of issuance) for the purposes described in Appendix B (general capital projects);
 - (iv) \$20,892,636.00 of Bonds (plus cost of issuance) for the purposes described in Appendix B (sewer and storm water capital projects); and
- upon the conditions outlined in the Materials; and be it further

RESOLVED, that any Bond or BAN premium must be used to lower the amounts of Bonds or BANs such that the proceeds are not greater than \$286,194,300, and be it further

RESOLVED, this Resolution and the accompanying Materials shall be forwarded to the entire Board

of NIFA for approval/disapproval of the proposed financing.

4. Consideration of Issuance of General Obligation Bonds by Nassau County

The Directors were requested to approve the County's proposed issuance of Bonds, subject to the terms and conditions outlined in the materials and the resolution and subject to the final review and approval of the full Board and the Chairman or his designee(s).

Resolution No.18-36

CONSIDERATION OF ISSUANCE OF GENERAL OBLIGATION BONDS BY NASSAU COUNTY TO ASSIST IN THE RESOLUTION OF CERTAIN TAX CERTIORARI RELATED CLAIMS

WHEREAS, Nassau County has accumulated significant liability related to tax certiorari claims that have been resolved, but not paid, or remain under review by the County; and

WHEREAS, the County has a "Backlog of Claims," which are defined as tax certiorari related claims that arose prior to December 31, 2017, as reported in the 2017 Comprehensive Annual Financial Report; and

WHEREAS, the Curran Administration has embarked upon a multi-faceted plan to eliminate its Backlog of Claims and limit successful claims in the future (the "Plan"); and

WHEREAS, the materials presented to this meeting of the Directors outline several key elements of the County's Plan (the "Materials") including the County's goal of paying all future claims (that arise outside of the Backlog of Claims period) on a pay-as-you-go basis; and

WHEREAS, borrowing to pay for certain meritorious claims is a key part of the Plan; and

WHEREAS, both staff and Directors of NIFA have been briefed by the County concerning its Plan, which the County believes if fully implemented will achieve resolution of future tax certiorari claims on a pay-as-you-go basis;

NOW THEREFORE, BE IT RESOLVED that the Materials are incorporated into this resolution; and be it further

RESOLVED, that the Authority approves the issuance of up to \$100,000,000.00 of bonds (the "Bonds") (plus cost of issuance) for the purposes described in the Materials and be it further

RESOLVED, that the Bonds shall be used only to pay tax certiorari related claims that arose prior to December 31, 2017 (the “Claim Period”), as reported in the 2017 Comprehensive Annual Financial Report; and be it further

RESOLVED, that henceforth it is the policy of NIFA that borrowed monies will never be approved to pay for tax certiorari related claims if they are outside of the Claim Period; and be it further

RESOLVED, that the County shall report, not less frequently than monthly, on the progress of their Plan before any additional borrowing will be considered by NIFA for payment of claims that arose during the Claim Period; and be it further

RESOLVED, that any bond premium must be used to lower the amount of Bonds such that the proceeds are not greater than \$100 million, plus cost of issuance; and be it further

RESOLVED, this Resolution and the accompanying Materials shall be forwarded to the entire Board of NIFA for approval/disapproval of the proposed financing.

Adjournment

The Chairman made a motion to adjourn. The meeting was adjourned at 7:48 PM.

Respectfully submitted,

Kathleen Stella
Corporate Secretary