

AGENDA

NASSAU COUNTY INTERIM FINANCE AUTHORITY AUDIT AND INTERNAL CONTROLS COMMITTEE MEETING

**SEPTEMBER 10, 2019
7:00 PM**

MARRIOTT LONG ISLAND HOTEL & CONFERENCE CENTER
101 JAMES DOOLITTLE BLVD., UNIONDALE, NY 11553

Call to Order

Action Items

- I. Approval of Minutes of May 23, 2019 Meeting
- II. Approve Submission of NIFA's 2020 Budget and FY 2020 – FY 2023 Financial Plan to the Office State Comptroller and the Authorities Budget Office to Comply with 2 NYCRR, Part 203

Adjournment

DRAFT – SUBJECT TO REVIEW AND REVISION

NASSAU COUNTY INTERIM FINANCE AUTHORITY

MEETING OF THE AUDIT AND INTERNAL CONTROLS COMMITTEE

MINUTES OF MAY 23, 2019

The Audit and Internal Controls Committee of the Nassau County Interim Finance Authority convened on May 23, 2019 at 7:20 PM at the Marriott Long Island Hotel & Conference Center located at 101 James Doolittle Blvd, Uniondale, NY, pursuant to legal notice given on May 16, 2019, and electronic notice posted on the Authority’s website.

Committee Members present: Christopher Wright, Chairman
Adam Barsky
John Buran

Committee Members absent: Lester Petracca

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

Call to Order/Roll Call
The meeting was called to order at 7:20 PM.

1. Approval of Minutes

Upon a motion duly made by Committee Member Buran and seconded by Committee Member Barsky, the Committee approved the minutes from the meeting on October 16, 2018.

Positive votes: 3 Negative votes: 0

Resolution No. 18-72

APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT THE OCTOBER 16, 2018 AUDIT AND INTERNAL CONTROLS COMMITTEE MEETING OF THE NASSAU COUNTY INTERIM FINANCE AUTHORITY

RESOLVED, that the Minutes of the Audit and Internal Controls Committee meeting of the Authority held on October 16, 2018 are hereby approved and all actions taken by the Committee Members present at such meeting, as set forth in such Minutes, are hereby in all respects ratified and approved as actions of the Authority.

* * *

2. Authority to Submit the Audit to the NIFA Directors

The Committee was requested to adopt the attached Resolution acknowledging receipt and acceptance of the Independent Auditors' Report on NIFA's Financial Statements for the Year Ended December 31, 2018 and recommending that it be accepted by the Authority Directors.

NIFA's Treasurer, Carl Dreyer explained that he prepared for the financial statements for the year ending December 31, 2018 with the assistance of Albrecht, Figiano, and Zurach, NIFA's outside accountants. He indicated that the numbers presented in the materials given to the Committee do not reflect the net \$31,000 change that relates to post-employment benefits. Mr. Dreyer pointed out that he was just made aware of the change in the past week. He further indicated that because of the amount of the change which RSM considers to be immaterial along with the deadlines that NIFA has with the New York State regulatory authorities, they chose to present the financial statements in their current state and incorporate any required adjustments immediately afterwards.

On a motion by Committee Member Buran and seconded by Committee Member Barsky, the resolution was approved.

Positive votes: 3 Negative votes: 0

Resolution No. 19-73

RECEIPT AND ACCEPTANCE OF THE INDEPENDENT AUDITORS' REPORT ON THE AUTHORITY'S FINANCIAL STATEMENTS FOR FISCAL YEAR ENDED DECEMBER 31, 2018, AND RECOMMENDATION THAT THE REPORT BE SENT TO THE DIRECTORS OF NIFA

RESOLVED, that the materials presented to this meeting (the "Materials") are ordered to be filed with the records of the Audit and Internal Controls Committee of the Nassau County Interim Finance Authority (the "Committee"); and be it further

RESOLVED, that the Committee acknowledges receipt of the RSM US LLP Independent Auditors' Report on NIFA's Financial Statements for the Year Ended December 31, 2018 (the "Audit") presented at the May 23, 2019 meeting of the Committee; and be it further

RESOLVED that the Committee accepts the Audit and approves the release of the Audit to the entire Board of the Nassau County Interim Finance Authority for their review and approval.

RESOLVED, that this resolution shall take effect immediately.

3. Authority to Submit the Annual and Statutory Reports to the NIFA Directors

The Committee was requested to adopt the Resolution acknowledging receipt and acceptance of the Annual and Statutory reports and recommending that they be accepted by the Authority Directors.

On a motion by Committee Member Buran and seconded by Committee Member Barsky, the resolution was approved.

Positive votes: 3 Negative votes: 0

Resolution No. 19-74

RECEIPT AND ACCEPTANCE OF THE ANNUAL AND STATUTORY REPORTS FOR FISCAL YEAR ENDED DECEMBER 31, 2018, AND RECOMMENDATION THAT THEY BE SENT TO THE DIRECTORS OF THE NASSAU COUNTY INTERIM FINANCE AUTHORITY

RESOLVED, that the materials presented to this meeting (the “Materials”) are ordered to be filed with the records of the Audit and Internal Controls Committee of the Nassau County Interim Finance Authority (the “Committee”); and be it further

RESOLVED, that in accordance with the Materials, the 2018 Annual Report of the Authority is hereby approved together with all the attachments thereto including but not limited to:

1. Authority Report on Debt Issuance
2. Audited Financial Statements for the Year Ended December 31, 2018 together with Independent Auditor’s Compliance Report on Investment Policies and Procedures;
3. Authority Report on Investments;
4. Authority Prompt Payment Report;
5. Authority Procurement Contracts Guidelines Report;
6. Authority Property Disposition Report
7. Authority Mission Statement and Measurement Report; and
8. Authority Code of Ethics.

and be it further

RESOLVED that the Committee recommends that the Annual and statutory reports be released to

DRAFT – SUBJECT TO REVIEW AND REVISION

the Directors of the Nassau County Interim Finance Authority for their review and approval.

RESOLVED, that this resolution shall take effect immediately.

4. Authority to Submit the Investment Guidelines to the NIFA Directors

NIFA’s Treasurer, Carl Dreyer, indicated there were no new changes recommended at this time.

The Committee was requested to adopt the Resolution acknowledging receipt and acceptance of the Guidelines and recommending that they be accepted by the Authority Directors.

On a motion by Committee Member Buran and seconded by Committee Member Barsky, the resolution was approved.

Positive votes: 3 Negative votes: 0

Resolution No. 19-75

RECEIPT AND ACCEPTANCE OF THE INVESTMENT GUIDELINES AND RECOMMENDATION THAT THE INVESTMENT GUIDELINES BE SENT TO THE DIRECTORS OF THE NASSAU COUNTY INTERIM FINANCE AUTHORITY.

RESOLVED, that the materials presented to this meeting (the “Materials”) are ordered to be filed with the records of the Audit and Internal Controls Committee of the Nassau County Interim Finance Authority (the “Committee”); and be it further

RESOLVED, that in accordance with the Materials, the Investment Guidelines are hereby approved; and be it further

RESOLVED that the Committee recommends that the Investment Guidelines be released to the Directors of the Nassau County Interim Finance Authority for their review and approval.

RESOLVED, that this resolution shall take effect immediately.

DRAFT – SUBJECT TO REVIEW AND REVISION

5. 2018 Annual Internal Controls Review

NIFA's Treasurer, Carl Dreyer presented a status report of NIFA's internal controls. In it, he noted the steps taken to support NIFA's system of internal controls during the prior year. He added as a result of the steps taken last year, that at the staff level were satisfied that the system of internal controls is effective in the safeguarding assets that pass through NIFA's control and in detecting any errors in a timely fashion. Mr. Dreyer pointed out that no action was required by the Committee.

Adjournment

The Chairman made a motion to adjourn. The meeting was adjourned at 7:37 PM.

Respectfully submitted,

Kathleen Stella
Corporate Secretary

NASSAU COUNTY INTERIM FINANCE AUTHORITY
Audit and Internal Controls Committee

FOR CONSIDERATION

September 10, 2019

TO: Christopher Wright, Adam Barsky, John Buran and Lester Petracca

FROM: Evan Cohen

SUBJECT: NIFA Budget and Multi-Year Plan

REQUEST FOR: Approve Submission of NIFA’s 2020 Budget and FY 2020 – FY 2023 Financial Plan to the Office State Comptroller and the Authorities Budget Office to Comply with 2 NYCRR, Part 203

Background:

Pursuant to the New York State Constitution and the Public Authorities Law, the State Comptroller adopted Regulation 2 NYCRR Part 203 “Budget and Financial Plan Format, Supporting Documentation and Monitoring – Public Authorities” (the “Regulations”). The Nassau County Interim Finance Authority (“NIFA”) has been deemed by the Comptroller to be subject to the requirements of said Regulations.

Discussion:

As required by the Regulations, NIFA has prepared a Proposed Budget for FY 2020 (“Budget”) and a Proposed Financial Plan for FY 2020 – FY 2023 (“Plan”). These documents are being submitted for review by the Audit and Internal Controls Committee. They will be made available for public inspection and also posted on NIFA’s website (“Disclosed”), as required by the Regulations.

Requested Action:

It is requested that the Committee recommend to the Directors approval of the Budget and Plan so that they may be disclosed and subsequently, if no negative comments from the public are received, officially filed with the State Comptroller and any other necessary parties.

Attachments:

Resolution

Proposed Budget and Multi-Year Financial Plan for FY 2020 – FY 2023

NASSAU COUNTY INTERIM FINANCE AUTHORITY
Audit and Internal Controls Committee

RESOLUTION NO. 19-77

APPROVE SUBMISSION OF NIFA’S 2020 BUDGET AND FY 2020 – FY 2023 FINANCIAL PLAN TO THE OFFICE OF THE STATE COMPTROLLER AND THE AUTHORITIES BUDGET OFFICE TO COMPLY WITH 2 NYCRR, PART 203 AND THE TAKING OF RELATED ACTIONS

RESOLVED, that the materials presented to this meeting (the “Materials”) are ordered to be filed with the records of the Audit and Internal Controls Committee (“Committee”) of the Nassau County Interim Finance Authority; and be it further

RESOLVED, that the Committee acknowledges enactment of 2 NYCRR, Part 203 (the “Regulations”) and its requirement that the Directors of the Nassau County Interim Finance Authority receive, review and approve a proposed Budget for FY 2020 (“Budget”) and a proposed Financial Plan for FY 2020 – FY 2023 (“Plan”); and be it further

RESOLVED, that the Committee hereby conditionally approves the Budget and Plan subject to the conditions outlined in the Materials; and be it further

RESOLVED that the Committee recommends to the Directors that they approve the Budget and Plan so that they may be disclosed and subsequently, if no negative comments from the public are received, officially filed with the State Comptroller and any other necessary parties.

Christopher Wright
Chairperson

September 10, 2019

NIFA
Proposed Budget and Multi-Year Plan
2020-2023

	Adopted 2019	Proposed 2020	Proposed 2021	Proposed 2022	Proposed 2023
Revenues					
Sales Tax Retained	2,474,000	1,999,000	2,009,000	2,024,000	2,074,000
Interest Income					
Bond & Debt Service Accounts					
Operating Accounts	1,000	1,000	1,000	1,000	1,000
Total Interest					
Total Revenues	2,475,000	2,000,000	2,010,000	2,025,000	2,075,000
Expenses					
NIFA Operating Expenses					
Salaries and Benefits	1,379,780	1,367,161	1,428,259	1,491,888	1,559,672
Furniture & Equipment	17,000	17,000	17,000	17,000	17,000
Rent	121,081	124,836	128,233	131,703	135,319
Telephone & Communications	19,215	20,176	21,185	22,244	23,356
Professional Fees	782,080	307,404	244,741	191,500	169,275
Insurance	5,974	6,273	6,586	6,916	7,261
Other	49,870	57,150	63,996	63,750	63,116
Total Operating	2,375,000	1,900,000	1,910,000	1,925,000	1,975,000
Control Period Expenses					
Total Control Period Expenses	100,000	100,000	100,000	100,000	100,000
Total Expenses	2,475,000	2,000,000	2,010,000	2,025,000	2,075,000
Revenues Over (Under) Expenses	-	0	0	0	0

NIFA Budget and Financial Plan

2020-2023

As of July 30, 2019

1. **Accounting method:** The budget has been prepared in accordance with GAAP using the modified accrual basis of accounting.
2. **Assumptions and estimates used:** The two largest items in the budget are; 1) sales tax revenue, taken from Nassau County's Multi-Year Financial Plan Update for Fiscal Years 2019-2022; and 2) debt service, taken from the schedule of senior debt service provided in the NIFA Sales Tax Secured Bonds, Series 2015A Bond Offering Circular.
3. **Estimates of revenues:** The main source of NIFA revenue is Nassau County sales tax. This projection has been taken from Nassau County's Multi-Year Financial Plan Update for Fiscal Years 2019-2022.
4. **Estimates of personal service expenses:** The plan assumes that NIFA staffing levels will remain constant in accordance with guidance from the NIFA Employment and Compensation Committee. The budget assumes a 4% adjustment for salaries and an 7.3% increase in health insurance premiums in 2020 and beyond. NIFA participates in the NYS pension plan and NYSHIP health insurance program. Pension costs were projected based on guidance from the State Comptroller at 15.8% of participating salaries for 2020 through 2023. One employee has opted for the voluntary defined contribution plan and NIFA's contribution is currently set at 8% of the participant's salary. Salaries and fringe benefits were adjusted by 4% and 7.3%, respectively, in each year for 2020-2023.
5. **Estimates of non-personal service expenses:** Costs for office space, telephone, professional fees, and supplies were adjusted by a 5% growth factor for each successive year of the plan.
6. **Estimates of projected debt service expenditures:** Projections for NIFA debt was taken from the schedule of senior debt service provided in the NIFA Sales Tax Secured Bonds, Series 2015A Bond Offering Circular. Interest on variable rate bonds was calculated assuming that payments are equal to the receipts from the associated swaps.
7. **Cash budget and financial plan:** NIFA's budgetary expenditures are closely aligned with the timing of its cash flow. There are no material timing differences other than receipt of sales tax and GAAP rules for debt service, which is explained below in item 18.

8. **Explanation of relationship with units of government on whose behalf the authority was established:** NIFA was created in 2000 for the purpose of overseeing the fiscal turnaround of Nassau County, issuance and administration of debt on behalf of the County, issuance of reports on statutory findings based on the County's financial condition, and for the disbursement of State assistance.
9. **Description of budget process and key budget decisions:** The budget is created by the NIFA Treasurer and reviewed by its Executive Director and Audit and Internal Controls Committee. It is then approved by the NIFA Directors prior to the start of each fiscal year. Staffing level decisions are guided by recommendations of the NIFA Employment and Compensation Committee.
10. **Description of budget assumptions including revenue sources, staffing etc:** Revenues of the Authority ("Revenues") consist of sales tax revenues, defined as net collections from sales and compensating use taxes, penalties and interest authorized by the State and imposed by the County on the sale and use of tangible personal property and services in the County ("Sales Tax Revenues"), and investment earnings on money and investments on deposit in various Authority accounts. Sales Tax Revenues collected by the State Comptroller for transfer to the Authority are not subject to appropriation by the State or County. Revenues of the Authority that are not required to pay debt service, operating expenses and other costs of the Authority are payable to the County as frequently as practicable. Revenue numbers used in the budget have been taken from Nassau County's Updated Multi-Year Financial Plan for Fiscal Years 2019-2022.

Staffing has been kept at the level required to perform appropriate oversight of the County and covered organizations, including the Nassau County Health Care Corporation, Sewer and Storm Water Authority and Nassau Community College.

11. **Self assessment of budget risks:** NIFA has a perfected interest in the sales tax collections for Nassau County and receives remittances from the NYS Department of Taxation and Finance for the purpose of withholding debt service set-aside monies and expenses, prior to remittance to the County. NIFA's costs are closely monitored by its executive staff and its Directors. As a result, there is little budget risk to NIFA or its bond holders.
12. **Revised forecast of current year budget:** The current year projected results for core operating expenses are anticipated to be less than the adopted budget. The budget also includes funding for litigation costs that may be incurred from the Control Period that was imposed on Nassau County.
13. **Reconciliation that identifies all changes in estimates from projections in the previously approved budget:** There are no material revisions to the previously approved budget based on current projections.

14. **Statement of last year's fiscal actual performance:** The 2018 fiscal performance and 2019 projected results are in substantial conformity with its approved budget.
15. **Projections of number of employees, funding source, and functional classifications:** NIFA currently operates with 5 full-time employees. Positions are funded via withholding sales tax proceeds which are received on behalf of Nassau County. These are classified as general operating expenses in the budget and financial statement.
16. **Statement of revenue enhancing or cost reduction initiatives:** NIFA has maintained a lean staffing plan in light of its debt issuance and oversight responsibilities. NIFA has also taken steps to reduce expenditures for rent, telephone and communications, and other expenses.

The Authority oversees a \$3.1 billion County budget and has issued approximately \$4.0 billion of debt, including swap transactions, during the past 18 years. NIFA currently has outstanding approximately \$535.0 million in bonds, of which approximately \$314.8 million are in the variable rate mode.

17. **Statement on any non-recurring resource planned for use in any given year:** Not applicable- in the past NIFA issued bonds on behalf of the County based on their requirements, however, NIFA is not planning to issue any new debt as of this writing.
18. **Statement on transactions that shift resources from one year to another:** Under GAAP reporting rules, NIFA accrues two months of sales tax revenue receivable at each calendar year end which will be paid in January and February of the subsequent year by the NYS Department of Taxation and Finance. However, also as per GAAP rules, NIFA accrues 12 months of debt service payments as a current liability. As a result, there is always a negative balance of current assets net of current liabilities, which directly results from this reporting timing difference. It should be noted that NIFA still has all funds required for its annual May 15 interest payment and annual November 15 principal and interest payments, under this scenario.
19. **Statement on borrowed debt outstanding at year end, planned issuances, assumed interest rates, debt service as a percentage of pledged revenue:** The final maturity of the outstanding bonds is November 15, 2025. NIFA's statute requires it to remain in existence until all of its bonds have been paid or are no longer outstanding. No new debt is authorized in the NIFA Act except to refund existing debt. NIFA's debt program was initiated in FY 2000 and continued successfully in 2015. The outstanding debt of \$535.5 million is comprised of \$220,654,000 of conventional fixed rate debt, and \$314,825,000 of synthetic fixed rate debt. Total estimated debt service to maturity was \$598,826,000 as of December 31, 2018. NIFA does not have any notes outstanding.

20. **Statement on capital budget plan:** not applicable

21. **Statement from COO on reasonableness of assumptions and estimates:**

I confirm, to the best of my knowledge and belief, the following representations made to you in this financial plan are fairly presented in conformity with accounting principles generally accepted in the United States of America. To the best of my knowledge and belief, after reasonable inquiry, the plan is based on reasonable assumptions and methods of estimation and that all regulations have been satisfied.

Carl A. Dreyer, Treasurer