

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, ABOLISHING THE BROWARD COUNTY HEALTH FACILITIES
3 AUTHORITY; REPEALING SECTIONS 15-173 THROUGH 15-194 OF THE BROWARD
4 COUNTY CODE OF ORDINANCES ("CODE"); AND PROVIDING FOR SEVERABILITY,
5 INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

6 (Sponsored by the Board of County Commissioners)
7

8 WHEREAS, the Broward County Health Facilities Authority ("Authority") is a public
9 body corporate and politic created and existing under the laws and Constitution of the
10 State of Florida, including Chapter 154, Florida Statutes, and pursuant to
11 Ordinance No. 77-35, enacted by the Broward County Board of County Commissioners
12 ("Board") on July 6, 1977, as codified at Chapter 15, Article XII, Sections 15-173 through
13 15-194 of the Broward County Code of Ordinances ("Code");

14 WHEREAS, pursuant to Section 154.209, Florida Statutes, the Authority's purpose
15 is to assist health facilities with the acquisition, construction, financing, and refinancing of
16 projects in Broward County primarily through the issuance of bonds;

17 WHEREAS, in the past decade, the Authority has received few requests for bond
18 financing and has not issued new bonds;

19 WHEREAS, all of the Authority's outstanding bonds have matured, and the
20 Authority has no current outstanding bonds;

21 WHEREAS, based on this lack of activity, on September 18, 2023, the governing
22 board of the Authority voted to request that the Board abolish the Authority;

23 WHEREAS, under Section 154.207, Florida Statutes, and Section 15-194 of the
24 Code, the Board has the power and authority to abolish the Authority at any time by
25 ordinance, provided all bond indebtedness incurred by the Authority has been paid; and

26 WHEREAS, the Board has determined it is in the public interest to abolish the
27 Authority and to repeal the sections of the Code pertaining to the Authority,

28 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
29 BROWARD COUNTY, FLORIDA:

30 Section 1. The Board hereby abolishes the Authority and designates Broward
31 County as the Authority's successor entity. The Authority and Broward County's staff are
32 directed to take all budgetary and administrative actions necessary to effectuate same.

33 Section 2. Chapter 15, Article XII, and Sections 15-173 through 15-194 of the
34 Broward County Code of Ordinances, pertaining to the Authority, are hereby repealed in
35 their entirety.

36 Section 3. Severability.

37 If any portion of this Ordinance is determined by any court to be invalid, the invalid
38 portion will be stricken, and such striking will not affect the validity of the remainder of this
39 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
40 legally applied to any individual, group, entity, property, or circumstance, such

determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 4. Inclusion in the Broward County Code of Ordinances.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance become part of the Broward County Code of Ordinances as of the effective date. The sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary to accomplish such intention.

Section 5. Effective Date.

This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Claudia Capdesuner 05/16/2024
Claudia Capdesuner (date)
Assistant County Attorney

By: /s/ Annika E. Ashton 05/16/2024
Annika E. Ashton (date)
Deputy County Attorney

CC/sr
Health Facilities Authority Sunset Ordinance
05/16/2024
1061055.8

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.