

*Monroe County
Clerk of the Legislature*

Diana M. Christodaro
Clerk



David Grant
Deputy Clerk

MEMORANDUM

TO: Legislators, Directors, Staff and Media DC
FROM: Diana M. Christodaro, Clerk of the Legislature
DATE: May 7, 2018
RE: Matters of Urgency - File No. 18-0143 and 18-0144

- 18-0143** Amend the 2018-2023 Capital Improvement Program and the 2018 Capital Budget to Add a Project Entitled "Monroe Community Hospital Vent Unit" and Authorize Financing for the Project- As a Matter of Urgency - County Executive Cheryl Dinolfo
- 18-0144** Authorize a Contract with the University of Rochester Medical Center to Provide Ventilator and Pediatric Unit Staffing at Monroe Community Hospital- As a Matter of Urgency - County Executive Cheryl Dinolfo

Per President Dr. Joe Carbone, the attached communications are declared to be Matters of Urgency pursuant to Section 545-24(A)(3) of the Rules of the Monroe County Legislature and will be considered at the May 8, 2018 meeting of the Monroe County Legislature.

Attachments



Office of the County Executive

MONROE COUNTY, NEW YORK

Cheryl Dinolfo
County Executive

May 4, 2018

OFFICIAL FILE COPY	
No. <u>180143</u>	
Not to be removed from the Office of the Legislature of Monroe County	
Committee Assignment	
URGENT	-L

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Amend the 2018-2023 Capital Improvement Program and the 2018 Capital Budget to Add a Project Entitled "Monroe Community Hospital Vent Unit" and Authorize Financing for the Project

Honorable Legislators:

I recommend that Your Honorable Body amend the 2018-2023 Capital Improvement Program and the 2018 Capital Budget to add a project entitled "Monroe Community Hospital Vent Unit," in the amount of \$488,000; and authorize financing for the project in the amount of \$488,000.

Monroe Community Hospital filed for a Certificate of Need with the New York State Department of Health for permission to establish a twenty bed unit for ventilator patients and a five bed unit for pediatric patients. Equipment required to run this unit includes: ventilators, humidifiers, oximeters, flowmeters and oxygen concentrators among other supporting materials, connections and monitoring systems. A companion referral has been submitted to Your Honorable Body for the staffing of the Monroe Community Hospital Vent Unit.

This project was approved by the Monroe County Planning Board at its meeting on May 4, 2018.

The specific legislative actions required are:

1. Amend the 2018-2023 Capital Improvement Program to add a project entitled "Monroe Community Hospital Vent Unit," in the amount of \$488,000.
2. Amend the 2018 Capital Budget to add a project entitled "Monroe Community Hospital Vent Unit," in the amount of \$488,000.

3. Authorize financing for the project entitled "Monroe Community Hospital Vent Unit," in the amount of \$488,000.

Environmental assessments were completed for this action and it was determined that there would be no significant effect on the environment.

Funding for this project, consistent with authorized uses, will be included in the capital fund to be created and any other capital fund(s) created for the same intended purpose. No additional net County support is required in the current Monroe County budget.

I recommend that this matter receive favorable action by Your Honorable Body.

Sincerely,


Cheryl Dinolfo,
Monroe County Executive

CD:kw

By Legislators _____ and _____

Intro. No. ____

RESOLUTION NO. ____ OF 2018

AMENDING 2018-2023 CAPITAL IMPROVEMENT PROGRAM TO ADD PROJECT ENTITLED "MONROE COMMUNITY HOSPITAL VENT UNIT"

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The 2018-2023 Capital Improvement Program is hereby amended to add a project entitled "Monroe Community Hospital Vent Unit," in the amount of \$488,000.

Section 2. Funding for this project, consistent with authorized uses, will be included in the capital fund to be created and any other capital fund(s) created for the same intended purpose.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 18-

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____

By Legislators _____ and _____

Intro. No. ____

RESOLUTION NO. ____ OF 2018

BOND RESOLUTION DATED MAY 8, 2018

RESOLUTION AUTHORIZING THE ISSUANCE OF \$488,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE PURCHASE AND INSTALLATION OF EQUIPMENT FOR THE MONROE COMMUNITY HOSPITAL VENT UNIT, IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$488,000.

BE IT RESOLVED BY THE AFFIRMATIVE VOTE OF NOT LESS THAN TWO-THIRDS OF THE TOTAL VOTING STRENGTH OF THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. For the class of objects or purposes of financing the cost of the purchase and installation of equipment for the Monroe Community Hospital Vent Unit, in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$488,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of the amount hereby authorized to pay the cost of the aforesaid class of objects or purposes. The period of probable usefulness of the aforesaid class of objects or purposes is five (5) years, pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The maximum estimated cost thereof is \$488,000, and the plan for the financing thereof is by the issuance of \$488,000 bonds of said County herein authorized; provided, however, that to the extent any state and/or federal aid and/or grant and/or gift is received for the aforesaid purpose, such aid shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance - Chief Financial Officer, the chief fiscal officer of the County under the Local Finance Law. The Director of Finance - Chief Financial Officer may sell such bonds or notes at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Director of Finance - Chief Financial Officer shall determine is most favorable to the County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance - Chief Financial Officer, consistent with the provisions of the Local Finance Law. The Director of Finance - Chief Financial Officer may, in the event it is determined to issue variable rate bonds or notes, enter into such agreements as said officer finds reasonable to facilitate the

issuance, sale, resale and repurchase of such bonds or notes, as authorized under Section 54.90 of the Local Finance Law. The Director of Finance - Chief Financial Officer is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure that, to the extent possible, (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12. The Director of Finance - Chief Financial Officer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such bonds or notes, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

Section 5. All other matters, except as provided herein, relating to such bonds or notes, including prescribing whether manual or facsimile signatures shall appear on said bonds or notes, prescribing the method for the recording of ownership of said bonds or notes, appointing the fiscal agent or agents for said bonds or notes, providing for the printing and delivery of said bonds or notes (and if said bonds or notes are to be executed in the name of the County by only facsimile signatures, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, form, denominations, maturities, interest rate or rates, terms of and manner of sale and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Director of Finance - Chief Financial Officer. The Director of Finance - Chief Financial Officer may elect to become the fiscal agent for the bonds or notes, or may contract on behalf of the County for this service pursuant to the Local Finance Law. Such bonds or notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 52.00 of the Local Finance Law, as the Director of Finance - Chief Financial Officer shall determine.

Section 6. The validity of such bonds and bond anticipation notes, as authorized by this resolution, may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and
an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 8. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter and the Clerk of the Legislature is hereby authorized and directed to publish this resolution or a summary hereof to be published, together with a notice attached in substantially the form and in the manner prescribed by Section 81.00 of the Local Finance Law.

Matter of Urgency
File No. 18-****.br

ADOPTION: Date: _____, 2018

Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive

MONROE COUNTY, NEW YORK

Cheryl Dinolfo
County Executive

May 4, 2018

OFFICIAL FILE COPY	
No.	180144
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
URGENT	-L

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Authorize a Contract with the University of Rochester Medical Center to Provide Ventilator and Pediatric Unit Staffing at Monroe Community Hospital

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract with the University of Rochester Medical Center, in an amount not to exceed \$3,595,000, to provide nursing and physician staff to the Ventilator and Pediatric Unit at Monroe Community Hospital, for the period of September 1, 2018 through December 31, 2019, with the option to renew for two (2) additional one-year terms in an amount not to exceed \$2,695,000 per year with a three (3) percent inflation consideration added to each year.

In order to insure future facility viability and stability, Monroe Community Hospital needs to find alternative niches in the marketplace. Monroe Community Hospital filed for a Certificate of Need with the New York State Department of Health for permission to establish a twenty bed unit for ventilator patients and a five bed unit for pediatric patients. The University of Rochester Medical Center will provide skilled nursing personnel and physicians for the unit at all times. A companion referral has been submitted to Your Honorable Body for the addition of the Monroe Community Hospital Vent Unit to the 2018-2023 Capital Improvement Program.

A request for proposals was issued for this contract with the University of Rochester Medical Center selected as the most qualified to provide this service.

The specific legislative action required is to authorize the County Executive, or her designee to execute a contract, and any amendments thereto, with the University of Rochester Medical Center, 601 Elmwood Avenue, Rochester, New York, 14642, in an amount not to exceed \$3,595,000, for the period of September 1, 2018 to December 31, 2019, with the option to renew for two (2) additional one-year terms in an amount not to exceed \$2,695,000 per year with a three (3) percent inflation consideration added to each year.

Environmental assessments were completed for this action and it was determined that there would be no significant effect on the environment.

Funding for this contract is included in the 2018 operating budget of Monroe Community Hospital, hospital fund 9012, funds centers 6203180000, Ventilator Unit and 6203190000, Pediatric Unit, and will be requested in future years' budgets. No additional net County support is required in the current Monroe County budget.

The University of Rochester Medical Center is a not-for-profit agency and the records of the Office of the Monroe County Treasury have indicated that they do not owe any delinquent Monroe County Property taxes.

I recommend that this matter receive favorable action by Your Honorable Body.

Sincerely,


Cheryl Dinolfo
Monroe County Executive

CD:kw

By Legislators _____ and _____

Intro. No. ____

RESOLUTION NO. ____ OF 2018

AUTHORIZING CONTRACT WITH UNIVERSITY OF ROCHESTER MEDICAL CENTER TO PROVIDE VENTILATOR AND PEDIATRIC UNIT STAFFING AT MONROE COMMUNITY HOSPITAL

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with the University of Rochester Medical Center, in an amount not to exceed \$3,595,000, for the period of September 1, 2018 to December 31, 2019, with the option to renew for two (2) additional one-year terms in an amount not to exceed \$2,695,000 per year with a three (3) percent inflation consideration added to each year.

Section 2. Funding for this contract is included in the 2018 operating budget of Monroe Community Hospital, hospital fund 9012, funds center 6203180000, Ventilator Unit and 6203190000, Pediatric Unit, and will be requested in future years' budgets.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 18-

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____