

RESOLUTION NO. 2015-02

WHEREAS, Indian River Hospital Taxing District (the "District") was created to own and preserve a community hospital in Indian River County Florida (the "Hospital");

WHEREAS, the District has leased the Hospital to Indian River Medical Center, Inc. ("IRMC"), a Florida not for profit corporation recognized as tax-exempt under Section 501(c)(3) of the Internal Revenue Code, as amended (the "Code") on or about 1984 pursuant to that certain Lease Agreement (the "Lease") and has funded certain indigent care at the Hospital through that certain Indigent Care Agreement that has been repeatedly amended since 1984 (the "ICA");

WHEREAS, the parties disagree with concepts and terms that are to be included in the Lease and the ICA;

WHEREAS, Florida Statutes Section 155.40(18) (the "Statute") provides, in pertinent part as follows:

If a hospital operated by . . . [a] not-for-profit Florida entity receives annually more than \$100,000 in revenues from the county, district, or municipality that owns the hospital, the Florida entity must be accountable to the county, district, or municipality with respect to the manner in which the funds are expended by either: (a) . . . ; or (b) Where there is a contract to provide revenues to the hospital, the term of which is longer than 12 months, the governing board of the county, district, or municipality must be able to *modify* the contract upon 12 months notice to the hospital. (emphasis added)

WHEREAS, IRMC is a Florida not-for-profit entity that receives annually more than \$100,000 in revenues from the District and the ICA is a contract that has a term longer than 12 months;

WHEREAS, the District believes that certain amendments to the ICA are essential for the best interests of the citizens represented by the District.

NOW, THEREFORE, Be It

RESOLVED, that the District shall immediately provide notice to IRMC that, consistent with the Statute, the ICA will be modified effective twelve (12) months following the notice;

RESOLVED FURTHER, that District shall prepare a modified ICA that is consistent with the goals and objectives of the District;

RESOLVED FURTHER, that, while the District reserves its rights under the Statute, the District will continue to engage the Hospital in discussions to modify the ICA;

RESOLVED FURTHER, that the modified ICA shall be presented to the District Board for vote when completed; and

RESOLVED FINALLY, that the officers, Trustees and agents of the District shall be and hereby are authorized, empowered and directed to take any and all action necessary, appropriate or desirable in order to implement the foregoing Resolutions.

DATED this 19th day of February, 2015

INDIAN RIVER COUNTY HOSPITAL
DISTRICT

By:  _____

Thomas J. Spackman, M.D., Chairman

ATTEST:

By:  _____

Michael Weiss, Secretary