

North Broward Hospital District Board of Commissioners
1700 Northwest 49th Street, Suite #150, Ft. Lauderdale, 33309

LEGAL AFFAIRS AND GOVERNMENTAL RELATIONS COMMITTEE MEETING 10:00 a.m., Wednesday, October 21, 2020

The Legal Affairs and Governmental Relations Committee Meeting of the North Broward Hospital District was held on October 21, 2020 at 10:00 a.m., via WebEx video conference.

1. NOTICE

Official notice and agenda of this meeting is attached to the Minutes, as EXHIBIT I and EXHIBIT II, as presented for consideration of the Committee.

2. CALL TO ORDER

There being a quorum present, the meeting was called to order by Chair Nancy W. Gregoire at 10:00 a.m.

3. COMMITTEE MEMBERS

Present:

Commissioner Christopher T. Ure
Commissioner Marie C. Waugh
Commissioner Stacy L. Angier, Vice Chair
Commissioner Nancy W. Gregoire, Chair

Not Present:

Commissioner Ray T. Berry

Senior Leadership

Additionally Present:

Gino Santorio/President/Chief Executive Officer,
Alan Goldsmith/Chief Administrative Officer,
Alex Fernandez/Chief Financial Officer,
Linda Epstein/Corporate General Counsel,
Jerry Del Amo/Deputy General Counsel

4. GOVERNOR'S EXECUTIVE ORDER ANNOUNCEMENT

General Counsel delivered the Governor's Executive Order for the record.

“This public board meeting is being conducted through communications media technology in accordance with the Governor's Executive Order No. 20-69, as extended by the Governor's Executive Order No. 20-246 and Section §120.54(5)(b)2 of the Florida Statutes. This meeting is open to the public who are able to attend this meeting via telephone conference call. The conference call information is currently posted on Broward Health's website. All the requirements of the Florida Sunshine Law are still in effect, including memorialization of minutes. While not a requirement under Florida law, we will attempt to record this meeting and post it on Broward Health's website for the public and for those who may not be able to attend this live telephone conference.”

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5. PUBLIC COMMENTS

Chair Gregoire opened the floor for public comments, in which there were none.

6. APPROVAL OF MINUTES

Without objection, Chair Gregoire approved the Legal Affairs and Governmental Relations Committee Meeting Minutes for September 8, 2020.

Motion *carried* without dissent.

7. TOPICS OF DISCUSSION

7.1. General Legal Department Updates - presented by Linda Epstein, General Counsel

Ms. Epstein introduced the following new staff members to the legal department:

- Legal Analyst, Sandy Lopez, transferred from the Board of Commissioners Office to the Legal Department in October 2020.
 - Ms. Lopez will be focused on public records requests and other administrative responsibilities.
 - Ms. Lopez introduced herself and shared that she has worked for Broward Health for a year and a half as an executive secretary for the Board of Commissioners' Office.
- Sr. Associate General Counsel, Nick Ortiz, started at Broward Health in October 2020.
 - Mr. Ortiz will be working with Managed Care and the Federal Trade Commission (FTC) investigation and be acclimated to other legal areas.
 - Mr. Ortiz introduced himself shared that he previously worked for Lash Goldberg, a health care law firm in Miami-Dade, where he represented large hospital systems, physician practice groups, and commercial and regulatory matters. He went to Dartmouth for undergraduate studies and Colombia for law school. Mr. Ortiz worked for the FTC clerked for a federal judge in New York.

It was noted that there were no new legal engagement letters or firms to present.

Chair Gregoire read the introduction for the Attorney-Client Shade Session: An Attorney-Client Shade Session was requested at the Regular Board Meeting on September 24, 2020 to seek the Board's advice pertaining to settlement negotiations and strategy sessions related to the District's litigation expenditures of pending litigation to which the District is a party, specifically Case No. CACE20014487, *Lynn Barrett v. North Broward Hospital District, et al*, currently pending in the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida.

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Pursuant to Section 286.011(8)(d), Florida Statutes, the closed meeting began. The attendees included: Commissioner Nancy W. Gregoire, Commissioner Stacy L. Angier, Commissioner Marie C. Waugh, Commissioner Ray T. Berry, Commissioner Christopher T. Ure, President/CEO, Gino Santorio, General Counsel, Linda Epstein, Senior Associate General Counsel, Brett Bauman, District's Outside Legal Counsel, Bill Sher, and Certified Court Reporter, Sandra Suarez

The Legal Affairs and Governmental Relations Committee Meeting was recessed for an Attorney-Client Shade Session at 10:13 a.m.

The Legal Affairs and Governmental Relations Committee Meeting was reconvened at 11:24 a.m.

- 7.2.** Approval of Resolution FY-21-06: Resolution of the Board of Commissioners of North Broward Hospital District Approving Payment of Reasonable Attorney's Fees for Litigation – presented by Linda Epstein, General Counsel

MOTION It was *moved* by Commissioner Angier, *seconded* by Commissioner Waugh, that:

The Legal Affairs and Governmental Relations Committee Recommend that the Board of Commissioners of the North Broward Hospital District Approve Resolution FY21-06, Payment of Reasonable Attorney's Fees for Litigation up to and including (\$400.00) per hour.

Motion confirmed by roll-call vote:

YES Commissioner Christopher T. Ure
YES Commissioner Marie C. Waugh
YES Commissioner Stacy L. Angier, Vice Chair
YES Commissioner Nancy W. Gregoire, Chair

Motion *carried* 4/0.

8. **ADJOURNMENT**

There being no further business on the agenda, the Chair adjourned the meeting at 11:28 a.m.

Respectfully submitted,
Commissioner Marie C. Waugh, Secretary/Treasurer