1	ILLINOIS FINANCE AUTHORITY
2	SPECIAL MEETING OF THE TAX-EXEMPT
3	CONDUIT TRANSACTIONS COMMITTEE MEMBERS
4	April 9, 2019, at 8:30 a.m.
5	
6	REPORT OF PROCEEDINGS had at the Special
7	Meeting of the Tax-Exempt Conduit Transactions
8	Committee on April 9, 2019, at the hour of 8:30 a.m.,
9	pursuant to notice, at 160 North LaSalle Street,
10	Suite S-1000, Chicago, Illinois.
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1	APPEARANCES:
2	ILLINOIS FINANCE AUTHORITY
	TAX-EXEMPT CONDUIT TRANSACTIONS COMMITTEE MEMBERS
3	
	COMMITTEE VICE CHAIR E. LYLE McCOY
4	MR. JAMES J. FUENTES
	MS. ARLENE A. JURACEK
5	MR. JEFFREY WRIGHT (via audio conference)
	MR. ERIC R. ANDERBERG, ex officio, non-voting
6	
	ILLINOIS FINANCE AUTHORITY STAFF MEMBERS
7	
	MR. CHRISTOPHER B. MEISTER, IFA Executive Director
8	MR. RICH FRAMPTON, Vice President
	MS. PAMELA LENANE, Vice President (via audio
9	conference)
	MR. BRAD FLETCHER, Assistant Vice President
10	MR. RYAN OECHSLER, IFA Associate General Counsel
	MS. ELIZABETH WEBER, General Counsel and Legal
11	Adviser to the Board
	MS. LISA BONNETT, Illinois Finance Authority (via
12	audio conference)
	MS. KATHY LYDON, IFA Federal Policy Director (via
13	audio conference)
	MS. LORRIE KARCHER, Agricultural Program
14	Coordinator (via audio
	conference)
15	
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16	Brad Benjamin, CSR
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- 1 CHAIR McCOY: I'd like to call the meeting to
- 2 order.
- 3 Will the Assistant Secretary please
- 4 call the roll.
- 5 OECHSLER: Certainly. The time is 8:30 a.m.
- 6 Mr. Fuentes?
- 7 FUENTES: Here.
- 8 OECHSLER: Ms. Juracek?
- 9 JURACEK: Here.
- 10 OECHSLER: Mr. McCoy?
- 11 CHAIR McCOY: Here.
- 12 OECHSLER: And Chair Anderberg, ex-officio,
- 13 non-voting?
- 14 ANDERBERG: Here.
- OECHSLER: Committee Chair McCoy, a quorum of
- 16 Committee Members has been constituted.
- 17 CHAIR McCOY: Thank you very much.
- Does anyone wish to make any
- 19 additions, edits, or corrections to the Minutes from
- 20 March 12th, 2019?
- 21 (No response.)
- 22 CHAIR McCOY: Hearing none, I'd like to make a
- 23 request -- a motion to approve the Minutes.
- Is there such a motion?

1 JURACEK: So moved. 2 FUENTES: Second. CHAIR McCOY: Thank you. 3 4 All those in favor? 5 (Chorus of ayes.) 6 CHAIR McCOY: Opposed? 7 (No response.) 8 CHAIR McCOY: The ayes have it. Presentation and Consideration of New 9 10 Business. I'd like to ask for the general 11 12 consent of the Members to consider each of the New Business items collectively and have the subsequent 13 recorded vote applied to each respective individual 14 15 item unless there are any specific New Business items 16 that a Member would like to consider separately. 17 (No response.) 18 CHAIR McCOY: Hearing none, Rich, would you 19 like to move ahead? 20 FRAMPTON: Yes. Thank you, Mr. McCoy. 21 We will begin with Item 1, Provident

Group - UIUC Properties LLC. This may also be found

on page 35 of the Tax-exempt packet.

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1	The borrower, Provident Group - UIUC
2	Properties, is requesting approval of a Final Bond
3	Resolution in an amount not to exceed \$100 million.
4	This Committee and the Board reviewed and approved
5	this project last at last month's meeting.
6	Just to quickly recap what the project
7	involves, this is a privatized financing that is
8	being undertaken by the University of Illinois
9	System. They will not be the borrower, however.
10	This is a privatized public-private partnership.
11	The University of Illinois System
12	released a request for proposals in February 2018
13	that culminated in the selection of the Provident
14	Group, which is a nonprofit based in Baton Rouge,
15	Louisiana, to be the owner of the projects while
16	Vermilion Campbell, which is a consortium of
17	developers that is based in Chicago details
18	regarding both Vermilion and Campbell Coil, the
19	development team, is noted on pages 7 and 8 of the
20	report. Additionally, on pages 10 through 12 of the
21	report, there is ownership disclosure information
22	regarding all of the participants in the project as
23	well as the Board members of Provident as well as the
24	University of Illinois System.

- 1 And just one more thing to note, the
- 2 ownership and management of the project developers is
- 3 identified at the bottom of page 11 for your conflict
- 4 of interest review.
- 5 In terms of structure, the Borrower is
- 6 applying to Moody's for a rating on the Bonds. Just
- 7 in terms of the project structure, lease payments
- 8 from the University of Illinois System to the
- 9 Borrower will be the sublease payments pursuant to
- the sublease agreement, will cover debt service on
- 11 the Bonds, and that's what's securing the
- 12 bondholders. That is also the basis under which
- Moody's will be rating the Bonds.
- 14 If you turn to page 15 of the report,
- this is just in terms of what's new. The key item to
- 16 review is Table 4 on page 15, which demonstrates a
- 17 pro forma revenue of the University that is available
- 18 to pay the rent payments on the 2019 Bonds. And, if
- 19 you look at the pro forma certificate of
- 20 participation and sublease debt service coverage, the
- 21 coverages are all phenomenal. Based on those
- coverages, the working group believes that they will
- 23 receive ratings in the single-A category somewhere,
- 24 roughly comparable to what the University would be

- able to achieve on a certificate of participation
- 2 structure.
- 3 The University will be covenanting to
- 4 include in their annual operating budget all
- 5 unrestricted nonappropriated funds to provide for the
- 6 lease payment on the -- associated with the debt
- 7 service on the Bonds. So that is the basis under
- 8 which, again, Moody's will be rating the Bonds. So
- 9 those are the key changes. Page 9, the tables
- 10 reporting enrollment -- and admissions have been
- 11 updated as well. Those are the primary changes.
- So with that I will conclude my
- 13 remarks and will ask if you have any questions or
- 14 comments.
- 15 CHAIR McCOY: Thanks, Rich.
- Any questions from the Committee?
- 17 JURACEK: No.
- 18 FRAMPTON: Okay. Very good.
- Next, I will move on to Item 2, which
- is a one-time consideration for the Field Museum of
- 21 Natural History. This project is -- may also be
- found beginning on page 51 of the Tax-Exempt
- 23 Committee packet.
- 24 Back in 2015, the Authority issued

- 1 Refunding Bonds that current refunded the Field
- 2 Museum's letter of credit-secured floating rate bond
- 3 issues into a bank-purchase mode. Following the
- 4 change in corporate tax rates that went into effect
- 5 in 2018 as result of the 2017 Tax Cuts and Jobs Act,
- 6 there were gross-up provisions that bumped the
- 7 interest rates up.
- 8 And, because the Field Museum has an
- 9 existing A2 or A flat rating from Moody's, they have,
- of course, access to the public markets.
- 11 Accordingly, they reviewed alternate rates available
- in the cup- -- in the public markets and decided to
- pursue a refinancing of the bank-held 2015 Bonds with
- 14 this new bond issue.
- The new bond issue will provide for
- variable rate financing with mode adjustments at
- 17 least every four years, as contemplated. JP Morgan
- will be the underwriter, and the initial interest
- 19 rate mode will be -- is expected to be a four-year
- 20 floating rate note. And, if you look at the -- the
- 21 Field expects their payments to go down, so,
- accordingly, the pro forma debt service coverage goes
- 23 up a bit based upon 2017. Revenues -- just in terms
- of revenues overall and bottom-line performance, the

- 1 Field had a banner year just in terms of admissions
- 2 in 2016. They had some very successful special
- 3 exhibits including the Greeks, which drove their
- 4 admission revenues. If you look at page 3 of the
- 5 report, there is a table that reports their admission
- 6 revenues, and from that you can see they had a banner
- 7 year in 2016.
- 8 One other trend to note, just from
- 9 page 3, beginning in 2015 the Museum undertook a
- 10 strategic plan to ween people off of memberships that
- 11 generated free admissions. And they switched to an
- 12 admission pay-as-you-go model and switched away from
- 13 low-cost memberships that really didn't pencil-out
- 14 for them.
- So those are the big-picture
- 16 considerations. The Field will be posting their 2018
- 17 audit next month. After that happens, they expect to
- 18 print their official statement. And their plan is to
- 19 print their official statement towards the end of May
- and close before the end of next month.
- 21 So with that I will conclude my
- remarks. Are there any questions or comments?
- 23 (No response.)
- 24 CHAIR McCOY: I think we're good. Thank you.

- 1 FRAMPTON: Thank you.
- 2 CHAIR McCOY: Lorrie, I think you're on.
- 3 KARCHER: Sure. Item No. 3 is a one-time Final
- 4 Board [sic] Resolution. It's requesting for the approval
- 5 for a Beginning Farmer Bond for Dane J. and Brittney
- 6 L. Fletcher, who are purchasing 64 acres of farmland
- 7 located in Montgomery County in the not-to-exceed
- 8 amount of \$356,000. First National Bank is
- 9 purchasing -- the bank -- as a Conduit transaction.
- 10 That is the Beginning Farmer Bond for
- 11 April.
- 12 CHAIR McCOY: Thanks, Lorrie. Thank you.
- 13 Any relation?
- 14 FLETCHER: No relation to us.
- 15 FRAMPTON: Just for the record.
- 16 FLETCHER: For the record.
- 17 CHAIR McCOY: That's a great entrance into --
- 18 FLETCHER: Yes.
- 19 CHAIR McCOY: Over to the nonrelatives.
- 20 FLETCHER: Thank you.
- Next, is Item No. 6 in your Board
- 22 books on today's Agenda for the Committee meeting.
- 23 This is an amendatory resolution on behalf of Goodman
- 24 Theatre, relating to its Series 2015 Bonds previously

- 1 issued by the Authority in 2015.
- 2 Fifth Third Commercial Funding
- 3 purchased the 2015 Bonds to refund Goodman's 2007 as
- 4 well as 1999 Bonds at the time. Presently, Goodman
- 5 and Fifth Third are seeking the Authority's approval
- 6 to amend and restate 2015 documents in order for PNC
- 7 Bank to purchase the outstanding Bonds on a
- 8 private-placement basis, bearing a variable rate of
- 9 interest based on LIBOR for an initial term of five
- 10 years, with the final maturity date of 2044.
- In 2015 the Bonds were issued in three
- separate series, and at this time PNC will be
- 13 purchasing those three series as one series of bonds.
- 14 Accordingly, the weighted average maturity was
- 15 significantly modified, that Bond Counsel determined
- 16 a new TEFRA hearing was required, which we conducted
- 17 on this past Friday.
- 18 Given the nature of this transaction,
- 19 we're recommending a discounted fee. That can be
- 20 found on the confidential section on page 6 of the
- 21 report.
- We recommend approval, and I can
- answer any questions.
- JURACEK: Just a quick question. So my broker,

- 1 Morgan Stanley, sent me my usual packet, and in there
- 2 was a little notice that says LIBOR is being done
- 3 away with.
- 4 FLETCHER: Correct.
- 5 JURACEK: So we're covered in any event, and
- 6 you -- it says something, like, what successor rate
- 7 or something like that?
- 8 FLETCHER: That's right. All the documents --
- 9 in fact, we've had some recent amendments for this
- 10 committee where the technical change was to, you
- 11 know, consider a replacement. It's contemplated that
- 12 the secured overnight financing rate will become that
- 13 replacement. But the market will determine that
- 14 going forward.
- JURACEK: So we're on top of it. Good. Thank
- 16 you.
- 17 FLETCHER: Good.
- 18 Next in your books is Tab No. 7. This
- is an Amendatory Resolution for C & L Tiling.
- 20 C & L Tiling issued its Industrial Revenue Bonds
- 21 through the Authority in 2009 for the acquisition,
- construction, and equipping of a 3,000-square-foot
- addition to its existing 3,200-square-foot
- 24 manufacturing facility in Timewell, Illinois, located

- 1 in Brown County.
- 2 C & L Tiling produces drainage tile
- 3 tubing and also acquired some related equipment in
- 4 2009. Bank of Springfield at the time fronted the
- 5 project on a tax-exempt basis. And at this time the
- 6 Borrower and the Bank are requesting the Authority's
- 7 consent to change the remaining principal
- 8 amortization schedule through maturity of May 1st of
- 9 2024.
- 10 Presently, under the current documents
- 11 debt service is level, with principal repayments
- 12 every May 1st and November 1st. At this time they're
- seeking to lower those payments in the near term
- 14 while escalating principal payments through maturity.
- 15 Again, we're simply being asked for our consent here
- 16 to changes agreed to by the Bank and the Borrower.
- We're offering a discounted fee for this amendatory
- 18 transaction, which can be found on page 3 of the
- 19 report in the confidential section.
- 20 And you'll note that the Resolution
- 21 was still under development at the time of board book
- 22 production. The Resolution will be provided in your
- 23 manila folders at the Board meeting.
- 24 CHAIR McCOY: Thank you.

Any questions? 1 2 (No response.) 3 FLETCHER: Thank you. 4 CHAIR McCOY: Pam? 5 LENANE: Yes. Can you hear me okay? CHAIR McCOY: Perfect. 6 7 LENANE: Good. Item 8 is a Resolution 8 relating to the Series 2008A-3 Bonds previously 9 issued by the authority on behalf of Advocate Health 10 and Hospitals Corporation. The Series 2008A-3 Bonds currently operated in a long-term interest rate 11 12 period that ends April 30, 2019. On May 1, 2019, the 13 Borrower expects to cause the remarketing and 14 conversion of the Bonds to a new long-term interest 15 rate period. New 2008A-3 Bonds will need to be 16 executed and delivered by the Authority in connection 17 with the conversion. 18 Additionally, the Borrower may decide 19 to waive its right to call the Bonds for an optional redemption prior to maturity. This call waiver may 20 21 constitute a reissuance of the bonds for tax purposes in which case a new tax-exemption certificate and 22 23 agreement would need to be executed and delivered by

the Authority. This Resolution authorizes the

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- 1 execution and delivery of the new Series 2008A-3
- 2 Bonds and the new tax-exemption certificate and
- 3 agreement and other documents that are needed.
- We're not charging a fee for this
- 5 because it comes under the -- I hate to say --
- 6 frequent-flyer -- I mean, this is part of the fee
- 7 that was charged originally, that we would administer
- 8 the Bonds during their -- lifetime.
- 9 CHAIR McCOY: Okay.
- 10 MEISTER: And, to your point, Pam, Advocate
- 11 Aurora is a large and frequent borrower of the
- 12 Authority.
- 13 LENANE: Absolutely. Yeah.
- 14 WRIGHT: This is Jeff Wright. I have a quick
- 15 question so I understand.
- So the fee for this action has already
- been paid. It's included in the original (inaudible)
- 18 right?
- 19 LENANE: Yes. When we charge, our fees are
- 20 quite, I would say, substantial. And we tell the
- 21 borrower that that one-time fee will allow them to
- 22 make amendments or changes to the bonds that are not
- 23 a reissuance.
- 24 WRIGHT: Got it. Okay. Thank you.

- 1 LENANE: Uh-huh.
- 2 CHAIR McCOY: Do you have Jeff on the -- signed
- 3 in?
- 4 OECHSLER: No.
- 5 Jeff, can we ask at approximately what
- 6 time did you join the call?
- 7 WRIGHT: 8:32 maybe.
- 8 OECHSLER: Thank you.
- 9 CHAIR McCOY: Okay. Welcome.
- 10 And moving along, I think it's now
- 11 Elizabeth.
- 12 WEBER: Thank you.
- 13 Tab 9 in the Board book contains a
- 14 Resolution approving certain updates to the
- 15 Authority's Bond Handbook to reflect recent changes
- 16 to the TEFRA regulations under the Internal Revenue
- 17 Code.
- 18 TEFRA is the acronym for the Tax
- 19 Equity and Fiscal Responsibility Act of 1982. Under
- 20 federal tax law, including these regulations,
- 21 tax-exempt private activity bond issues are subject
- 22 to approval by an applicable elected representative.
- 23 In the case of Authority Conduit Bonds, that is the
- 24 Governor of Illinois. The approval is preceded

- 1 by a public hearing of which reasonable notice must
- 2 be given.
- 3 Until recent changes to the TEFRA
- 4 regulations, notice for the public hearing was
- 5 required to be published in certain newspapers at
- 6 least 14 days before the hearing. The revised
- 7 regulations now allow notice to be given seven days
- 8 before the hearing and permit certain conduit
- 9 issuers, including the Authority, to post the TEFRA
- 10 hearing notices on their website as an alternative to
- 11 newspaper publication.
- 12 The Authority is working with the
- Governor's Office regarding the best way to respond
- 14 to revised TEFRA regulations. The updates presented
- in the Bond Handbook, authorized by this resolution,
- 16 would allow -- or would enable the Authority to allow
- 17 its borrowers to post the TEFRA hearing notices on
- 18 our website. The Authority expects that this would
- save borrowers anywhere from several hundred to over
- \$10,000 in publication fees for each bond issue.
- Does any Member have any questions or
- 22 comments?
- 23 MEISTER: Elizabeth and Brad, why don't you go
- in a little bit deeper on how we interact with the

- 1 Governor's Office and Governor's Office of Management
- 2 and Budget on the production and the approval of the
- 3 TEFRA letters, why it's important to what we do, and
- 4 the current view of one of the staffers in --
- 5 lower-level staffers in that office.
- 6 WEBER: Well, it's important to the
- 7 tax-exemption. So you need a public hearing -- you
- 8 need the notice of the public hearing, you need the
- 9 public hearing, and then you need the approval of the
- 10 Governor's Office.
- 11 And there's a package of materials
- including the publication notices, affidavits of
- 13 publication, as well as the transcript of the public
- 14 hearing that go over -- Brad usually handles that, so
- 15 I'll let him --
- 16 FLETCHER: Sure.
- 17 WEBER: So I'll let him talk about the details
- 18 of that.
- 19 FLETCHER: So, just by way of example, this
- 20 past Friday we conducted, I believe it was, five
- 21 TEFRA hearings. TEFRA hearings, as Elizabeth
- 22 mentioned, are required under federal tax law so that
- 23 borrowers can avail themselves of the tax-exempt
- 24 market, allow the public to comment on the pending

- 1 contemplated project.
- 2 The hearing is conducted, typically no
- 3 one ever provides comments or submits comments by
- 4 e-mail, which we also allow. Yesterday, Monday, I'll
- 5 begin drafting transcript that no one appeared to
- offer comments, you know, what was read into the
- 7 record. Bond Counsel will then review those
- 8 materials, sign off on them. And then, after today's
- 9 consideration of the Bond Resolution, we will prepare
- 10 a package that we submit to the Governor's Office.
- 11 That does include the items Elizabeth mentioned, the
- 12 transcript of our TEFRA officer, which is currently
- 13 Sam Witsman. We used to have a staffer in
- 14 Springfield that conducted those. Now they're
- 15 conducted by a law firm.
- The transcript; draft of the
- Governor's approval letter, which I'll draft for each
- 18 project; the Board report with confidential
- information redacted, from this meeting, the executed
- 20 bond resolution by Chris, which includes the voting
- 21 record for today. I believe that's it -- oh. And a
- 22 newspaper affidavit to the extent -- heretofore, they
- 23 would publish in SJR in Springfield as well as a
- 24 newspaper in the project location.

- 1 All those materials will be submitted
- 2 to a mid-level staffer at GOMB, at which point she
- 3 would work with her supervisor to ascertain the
- 4 Governor's approval on that draft Governor's approval
- 5 letter. That Governor's approval letter becomes part
- of each bond closing transcript.
- 7 So what we're doing today, and as
- 8 Elizabeth correctly noted, is we are still working on
- 9 implementation of new federal tax guidance that
- 10 allows us and the borrowers, rather than paying to
- 11 publish in newspapers, they actually post these TEFRA
- notices on our own website, which will save them
- 13 significant cost if you think of some projects that
- 14 maybe Pam has as the health care system with
- 15 facilities located all over the state, you get into
- 16 the 5-, 6-, \$7,000, \$8,000 of publication costs.
- 17 That's federal tax guidance; we are now prepared in
- our Bond Handbook, granted you adopt the Bond
- 19 Resolution -- today's resolution, not Bond
- 20 Resolution, at today's meeting. But we are still
- 21 working on an implementation with the Governor's
- Office. They're still being a little conservative.
- 23 They're used to the 14 days' advance notice, the
- 24 newspaper affidavits. So that's a work in progress.

- 1 WEBER: The only other thing I would note is
- 2 that when -- and maybe Pam can comment on this. But
- 3 Pam and Sara recently attended the NAHEFFA
- 4 Conference, National Association of Health and
- 5 Education Facility Financings Authority [sic], if I
- 6 have that right.
- 7 CHAIR McCOY: Very good.
- 8 WEBER: Yes.
- 9 LENANE: Yeah.
- 10 WEBER: And I think you did a survey of other
- 11 state authorities and what their practice was. And,
- if I remember correctly, Pam, there were five state
- authorities that are currently implementing the new
- 14 regulations and another five that the planning to.
- Is that a fair summary?
- 16 LENANE: Yes. Yes. They're -- you know,
- 17 they're just working out their iss- -- the ones who
- haven't done it are working out their issues, you
- 19 know, with the state, how they're going to do it.
- But it seems to be -- and we also
- 21 surveyed them to see if they were charging anything,
- 22 and they weren't. Nobody's going to charge a --
- 23 separate from the financing transaction, and then, of
- 24 course, then we go to the post-TEFRA, and that's a

- different story where we do charge for out-of-state
- 2 borrowers that we hold a TEFRA hearing for.
- 3 CHAIR McCOY: So what's Springfield's issue?
- 4 What's their concern?
- 5 MEISTER: I think that it's more along the
- 6 lines of it's a change, and that office is dealing
- 7 with a large amount of change at the moment. We
- 8 worked together to address the federal law changes,
- 9 and to stay ahead of it, because I think because
- 10 it -- the federal law guidance changed effective
- 11 April the 1st.
- 12 FLETCHER: Yeah. It came out -- it was
- December, but it wasn't effective until April 1st.
- 14 MEISTER: Yeah. So there were some extended
- internal discussions. Elizabeth, Brad, Pam, Sara
- 16 Perugini, Ryan had all been tracking it. But I think
- 17 it's just -- just really to underscore some of the
- things that the IFA provides for a Tax-Exempt Conduit
- bond issue. One of them is the Resolution, which is
- one of the elements that the Bond Counsel bases their
- opinion on, and the other is the TEFRA letter from
- the executive.
- 23 And just to go on -- and, Elizabeth,
- you can correct me if I'm wrong -- the TEFRA letter,

- again, as Brad rightly points out, is one of these
- 2 things where often it's a tree falling in the forest
- 3 and nobody is there to hear it, nobody shows up. But
- 4 as one of our prominent outside counsel have pointed
- 5 out to us -- although I've never seen a court case or
- a rule to this effect -- is the executive, whether
- 7 it's a governor, whether it's a mayor, whether it's a
- 8 county president, can withhold the TEFRA for any
- 9 reason, or no reason, or even a bad reason, because
- 10 it is not -- it is -- I think, Arlene, for your
- 11 experience, it is simply an opportunity for residents
- and citizens to be heard. It's not adjudicatory.
- 13 It's not regulatory. It's not esoterical [sic].
- And, predating the date of many of the Members in
- this Committee, we did, in the fall of 2008, have a
- 16 rather spectacular and large personality, named
- 17 Queen Sister, who presented at our board meeting,
- 18 who would also submit -- was part of the group that
- 19 submitted some testimony on University of Chicago
- 20 Hospital. So it does happen --
- 21 FLETCHER: A couple years ago, we had a guest
- 22 from Rockford actually too --
- 23 MEISTER: Yeah.
- 24 FLETCHER: -- that was opposed to a project,

- 1 which was a conduit, and drove all the way down to
- 2 Springfield. And I -- I called him on the way back.
- 3 I said, "You could have just called. I would have
- 4 been happy to answer your questions."
- 5 MEISTER: Yes.
- 6 FLETCHER: Sometimes it's misguided, as, I
- 7 think, Chris's point. When people do actually come,
- 8 they don't understand what's happening.
- 9 MEISTER: Yeah. But it is one of the
- 10 prerogatives of the executive, whether it's a
- governor or a mayor or whatever the executive is, to
- 12 withhold the TEFRA. And if there is no TEFRA letter
- from the executive, there is no bond opinion and
- 14 there is no bond issue.
- 15 WEBER: Well, there's no tax-exemption.
- 16 MEISTER: There's no tax-exemption. There
- 17 could be a tax --
- 18 JURACEK: You know, I have no experience with
- that, and that sounds to me like an arbitrary, veto
- 20 power that is challengeable.
- 21 MEISTER: That -- well, the example that was
- given to me by Lew Greenbaum at Katten Muchin was
- 23 that the District of Columbia has never approved a
- tax-exempt bond issue for Georgetown University

- 1 Hospital because of abortion and choice issues. Now,
- of course, you could always go to Virginia or
- 3 Maryland within, I think, 10, 15 miles of the unit
- 4 and go to another jurisdiction and obtain the TEFRA,
- 5 but that's the example that has always been given.
- And, to my knowledge, in the history
- of the Authority, no governor has ever withheld a
- 8 TEFRA letter.
- 9 JURACEK: I mean, to me, you would withhold it
- 10 based on the record, but --
- 11 MEISTER: That's -- but the advice I got was
- any reason, no reason, or a bad reason, but I agree
- 13 with you.
- 14 WEBER: And I seem to recall, when I was in
- private practice, not one of my transactions, but
- someone else's in our office, one of the western
- 17 states, and the governor refused to provide TEFRA
- 18 approval. And there was -- and I don't think there
- was any comment for a public hearing. So it does
- 20 happen, but it's rare.
- 21 FLETCHER: So this sets us up in the Bond
- Handbook to be prepared for the change.
- 23 CHAIR McCOY: Okay. Thank you. I appreciate
- 24 the background.

- 1 Okay. Moving along, I'd like to
- 2 request a motion to recommend for approval the
- following New Business items: 1, 2, 3, 4, 5, 6, and
- 4 7.
- 5 All right. Is there such a motion?
- 6 FUENTES: So moved.
- 7 JURACEK: Second.
- 8 CHAIR McCOY: Thank you.
- 9 Will the Assistant Secretary please
- 10 call the roll?
- 11 OECHSLER: On the motion and second, I will
- 12 call the roll.
- 13 Mr. Fuentes?
- 14 FUENTES: Yes.
- 15 OECHSLER: Ms. Juracek?
- JURACEK: Yes.
- OECHSLER: Mr. McCoy?
- 18 CHAIR McCOY: Yes.
- 19 OECHSLER: Mr. Wright, on the line?
- 20 (No response.)
- OECHSLER: Mr. Wright, do we still have you?
- 22 CHAIR McCOY: Jeffrey, are you on mute?
- FRAMPTON: Someone dropped.
- 24 LENANE: I heard two people drop.

Τ	OECHSLER: All right. On those three votes,
2	Committee Chair McCoy, the motion carries.
3	CHAIR McCOY: Thank you.
4	Is there any other business to come
5	before the Committee?
6	(No response.)
7	CHAIR McCOY: Is there any public comment?
8	(No response.)
9	CHAIR McCOY: Hearing none I'm going out of
10	sequence here.
11	Hearing none, I'd like to ask for
12	request for a motion to adjourn.
13	Is there such a motion?
14	FUENTES: So moved.
15	JURACEK: Second.
16	CHAIR McCOY: Thank you.
17	All those in favor?
18	(Chorus of ayes.)
19	CHAIR McCOY: The ayes have it. Thank you.
20	OECHSLER: The time is 9:00 o'clock a.m.
21	(Whereupon the matter
22	above was adjourned.)
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