

RESOLUTION No. 2009-120-1065

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN BOND COUNSEL AGREEMENT WITH JEFFREY D. DECARLO OF ADORNO & YOSS RELATING TO PROVISION OF LEGAL SERVICES IN REFERENCE TO A PROPOSED FOUR MILLION DOLLAR (\$4,000,000.00) LAND ACQUISITION AND IMPROVEMENTS BOND; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Manager is proposing that the City Council authorize the issuance of a Four Million Dollar (\$4,000,000.00) land acquisition and improvements bond, and

WHEREAS, the City has utilized the services of Jeffrey D. DeCarlo of Adorno & Yoss to assist the City with past bond deals, and

WHEREAS, the City manager and City Attorney are recommending that Jeffrey D. DeCarlo assist the City with the proposed four Million Dollar (\$4,000,000.00) equipment bond financing project, and

WHEREAS, the fees for this service will range between Seven Thousand Five Hundred Dollars (\$7,500.00) and Fifteen Thousand Dollars (\$15,000.00),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens hereby authorizes the City Manager to execute that certain Agreement between the City

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of Miami Gardens and Jeffrey D. DeCarlo of Adorno & Yoss for bond counsel services relating to that certain Four Million Dollar (\$4,000,000.00) land acquisition and improvements bond.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON June 24, 2009.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.  
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Councilman Gilbert  
SECOND BY: Vice Mayor Watson

**VOTE: 7-0**

Mayor Shirley Gibson	<u>  X  </u> (Yes)	<u>    </u> (No)
Vice Mayor Barbara Watson	<u>  X  </u> (Yes)	<u>    </u> (No)
Councilman Melvin L. Bratton	<u>  X  </u> (Yes)	<u>    </u> (No)
Councilman Aaron Campbell	<u>  X  </u> (Yes)	<u>    </u> (No)
Councilman Oliver Gilbert, III	<u>  X  </u> (Yes)	<u>    </u> (No)
Councilwoman Sharon Pritchett	<u>  X  </u> (Yes)	<u>    </u> (No)
Councilman André Williams	<u>  X  </u> (Yes)	<u>    </u> (No)

SKD/



## City of Miami Gardens Agenda Cover Memo

<b>Council Meeting Date:</b>	June 24, 2009		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
			<i>(Enter X in box)</i>	X			
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> <i>(Enter X in box)</i>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
	X			<b>Public Hearing:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Yes</b>
			<i>(Enter X in box)</i>		X		
<b>Funding Source:</b>	<i>(Enter Fund &amp; Dept)</i>		<b>Advertising Requirement:</b> <i>(Enter X in box)</i>	<b>Yes</b>		<b>No</b>	
	Ex: Bond Issue					X	
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>	n/a			
<b>Sponsor Name</b>	Danny Crew		<b>Department:</b>	City Manager			

**Short Title:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN RETAINER AGREEMENT WITH THE LAW FIRM OF ADORNO & YOSS WITH RESPECT TO BOLAND ACQUISITION BOND, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR A CONTINGENCY; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

**Staff Summary:**

As City Council knows, the City does not have a dedicated Senior Center for recreational activities for this segment of our population. It has been recommended by the City's Senior Advisory Committee on several occasions. The City Manager has proposed to purchase certain property known as the Archdiocese Property to fulfill this need.

In order to issue bonds, it is necessary to have bond counsel. Mr. Jeff DeCarlo has been the City's Counsel on previous agreements/issues and, because of his familiarity with our issues; it is recommended that we again retain his services. The price is not to exceed \$15,000. The City Attorney has reviewed his proposal and agrees with the recommendation.

**Recommendation:**

That City Council approve the resolution hiring Adorno & Yoss as bond counsel.

**Attachment:**

Engagement Letter