

RESOLUTION No. 2009 -132-1077

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH BANK OF AMERICA FOR FINANCING IN THE AMOUNT OF FOUR MILLION DOLLARS (\$4,000,000.00), FOR THE PURCHASE OF CERTAIN REAL PROPERTY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has made a determination that it would like to purchase a fourteen (14) acre tract of land at the Northwest Corner of 183rd Street and 12th Avenue, which includes five buildings to renovate on building as a senior center and develop a park on the remaining acreage, and

WHEREAS, staff prepared RFP#08-09-052 and advertised it on June 12, 2009, and

WHEREAS, proposals were received from Bank of America, BBT Governmental Finance, Fifth Third Bank, and Wachovia Bank, NA, Miami, Florida, and

WHEREAS, a staff evaluation committee evaluated the proposals in accordance with the criteria established by the RFP, and

WHEREAS, after considering the responses and the City's needs, the Committee has ranked the proposal received from Bank of America as number one, and

WHEREAS, in reaching the ranking, the committee considered a number of factors including: interest rates, loan term, call terms, collateral requirements, debt coverage requirements, flexibility, and ease of utilization and creativity in financing,

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 negotiate and execute a financing agreement with Bank of America, in the amount of four million dollars (\$4,000,000.00) for the purchase of that certain (14) acre tract of land at the Northwest Corner of 183rd Street and 12th Avenue.

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 JULY 8, 2009.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

Resolution No. 2009-132-1077

MOVED BY: Councilman Gilbert
SECOND BY: Councilman Campbell

VOTE: 5-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> </u> (Yes)	<u> </u> (No) (out of town)
Councilman Melvin L. Bratton	<u> </u> (Yes)	<u> </u> (No) (out of town)
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)

8592200.1



City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	July 8, 2009		Item Type:	Resolution	Ordinance	Other	
				X			
Fiscal Impact:	Yes	No	Ordinance Reading:	1st Reading		2nd Reading	
	X			Public Hearing:	Yes	No	Yes
Funding Source:	Bond Proceeds		Advertising Requirement:		Yes		No
				X			
Contract/P.O. Required:	Yes	No	RFP/RFQ/Bid #:	<i>RFP#08-09-053 Financing Proposal</i>			
	X						
Sponsor Name	Dr. Danny Crew, City Manager		Department:	<i>City Manager</i>			

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH BANK OF AMERICA FOR FINANCING IN THE AMOUNT OF FOUR MILLION DOLLARS (\$4,000,000.00), FOR THE PURCHASE OF CERTAIN REAL PROPERTY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary:

The City requires financing of four million for the purchase of a fourteen (14) acre tract of land which includes five buildings to renovate on building as a senior center and develop a park on the remaining acreage.

Staff prepared the proposal document RFP#08-09-052 and advertised on June 12, 2009. A broadcast notice was sent to 511 vendors. Twenty-three proposal packages were requested. The proposals were opened on June 22, 2009. Four proposals were received and publicly read. Proposals were received from Bank of America, Naples, Florida; BBT Governmental Finance, Orlando, Florida; Fifth Third Bank, Sunrise, Florida and Wachovia Bank, NA, Miami, Florida. A copy of the proposal document and submittals are available at the assistant to the mayor and council's office for review.

An evaluation committee consisting of Danny Crew, City Manager and William Alonso, Finance Director evaluated the proposals in accordance with the criteria. The committee met on June 30, 2009, to discuss the criteria. Mr.

Alonso provided the committee with a spreadsheet which included type of facility, draw down rate, fixed rate, bank fees, and prepayment penalties.

After considering the responses and the City's needs, the Committee has ranked as number one, the proposal received from Bank of America.

In reaching the ranking, the committee considered a number of factors including: interest rates, call terms, collateral requirements, debt coverage requirements and flexibility and ease of utilization and creativity in financing. The top ranked proposal offers the best all-around approach to our potential borrowing needs as well as providing the lowest interest rate of the four proposals received.

Proposed Action:

Recommendation: That the City Council approve the resolution authorizing the negotiation of a contract with Bank of America, located in Naples, Florida for the City's financing needs.

Attachment:

The spread sheet is attached as exhibit A.

Copies of the proposals have been provided earlier.

CITY OF MIAMI GARDENS
 ANALYSIS OF BID RESPONSES
 \$4 Million Financing Proposal

	Bank of America	Wachovia	BB&T	Fifth Third Bank
Amount	\$ 4,000,000	\$ 4,000,000	\$ 4,000,000	\$ 4,000,000
Type	Bank Qualified tax exempt loan	Bank Qualified tax exempt loan	Bank Qualified tax exempt loan	Bank Qualified tax exempt loan
Interest Rate	4.79% as of June 18 (Sum of 63.7% of the 10 year Interest Swap Rate plus 222 basis points)	4.4% as of June 12, 2004 5 year US Dollar Swap Offering rate plus 100 basis points.)	5.41%	2.41% as of June 22, 2004 Floating Tax Exempt Swap plus 200 basis points. REQUIRE DEDUCE IF YOU WANT FIXED RATE
Terms	Fixed rate for twenty years	Five Year note with 20 yr amortization. Balloon payment due at the end of five years or you need to refinance the debt.	20 Year fixed rate note	30-day loan with Put Option
Prepayment Penalty	Yes	Yes	Yes, none after 10 years	None
Collateral	Communication Services Tax, Half Cent Tax, and the Electric Utility Tax	Electric Utility Tax	Communication Services Tax, Half Cent Tax, and the Electric Utility Tax	Communication Services Tax, Half Cent Tax, and the Electric Utility Tax
Depository Requirement	Maintain deposit balances of at least \$2.5 million for at least two years, plus all unrequited proceeds shall be left on deposit with them.	NONE	NONE	Requires city to keep \$11 million on deposit
Closing Costs	\$4,500.00	\$3,500.00	None	\$800.00