Agenda Item #: (E-2

## PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

| Meeting Date: | April 21, 2009 | ίĵ            | Consent                  | [X] | Regular                 |  |
|---------------|----------------|---------------|--------------------------|-----|-------------------------|--|
| Department:   | Office of Fi   | l J<br>nancia | Ordinance<br>I Managemen |     | Public Hearing<br>udget |  |
|               |                |               |                          |     |                         |  |

## I. Executive Brief

Motion and Title: Staff recommends motion to:

A. Adopt a Resolution authorizing the issuance of not to exceed \$16,200,000 Public Improvement Revenue Bonds (Four Points and Other Public Buildings Projects), Series 2009 (the "Bonds") in order to finance the cost of renovation, construction and equipping of public improvement facilities and all other cost necessary or incidental thereto; covenanting to budget and appropriate from legally available non-ad valorem revenues amounts sufficient to pay the principal of and interest on said bonds; providing for the rights of the holders of said bonds; appointing the Clerk of the Circuit Court as registrar and paying agent for the Bonds; authorizing the proper officials of the County to do all other things deemed necessary or advisable as to the sale and delivery of the Bonds; approving the form of a solicitation for competitive bids to purchase the Bonds; and providing for an effective date for this Resolution.

B. Approve Nabors, Giblin & Nickerson as bond counsel for the Bonds.

Summary: The Bonds are financing various facility improvement projects that are included in the FY 2009 capital budget. The improvements include building code upgrades at Four Points and hardening of the entire facility to act as an Emergency Operations Center annex; replacement of cooling towers and chillers at the Governmental Center and other capital improvements to County facilities. The County is competitively bidding the sale of the bonds through its financial advisor to banks and the costs of issuance include bond counsel, financial advisor and bank counsel fees. The County currently has two bond counsel firms, Greenberg Traurig and Nabors Giblin & Nickerson, under contract serving as bond counsel and disclosure counsel, respectively on the Series 2009 Water & Sewer Revenue Bonds under the Reclaimed Water Agreement with Florida Power and Light. Staff is recommending that Nabors Giblin & Nickerson serve as bond counsel for the \$16.2 Million Public Improvement Revenue Bonds, Series 2009. The County is currently reviewing its policies with respect to the selection of bond underwriters, bond counsel and disclosure counsel. The County requires bond counsel services prior to the conclusion of this review. Loans directly with Banks do not require disclosure counsel or the need to fund a debt service reserve. Countywide (PFK)

**Background and Justification:** The payment of debt service on the Bonds will be secured by a pledge of legally available non-ad valorem revenues.

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## II. FISCAL IMPACT ANALYSIS

| A. Fi                           | ve Year Summary o                                                                                           | f Fiscal Imp    | act:           |                    |             |             |
|---------------------------------|-------------------------------------------------------------------------------------------------------------|-----------------|----------------|--------------------|-------------|-------------|
|                                 | Fiscal Years                                                                                                | 2009            | <u>2010</u>    | 2011               | <u>2012</u> | <u>2013</u> |
| Opera<br>Debt<br>Exter<br>Progr | ral<br>nditures<br>ating Costs<br>Service Costs<br>mal Revenues<br>ram Income (County)<br>nd Match (County) | /)              | 1,352,033      | 1,353,453          |             | 1,353,123   |
| NET                             | FISCAL IMPACT                                                                                               |                 |                |                    |             |             |
|                                 | ADDITIONAL FTE<br>ITIONS (Cumulative                                                                        | )               |                |                    |             |             |
| Budg                            | m Included In Curre<br>let Account No.: '<br>ct Rep                                                         | Fund            | Departm        | No <u>X</u><br>ent | Unit        |             |
| В.                              | Recommended So                                                                                              | urces of Fu     | nds/Summar     | y of Fiscal l      | Impact:     |             |
| Debt :                          | Service will be funde                                                                                       | d from legally  | / available no | n-ad valorer       | n revenue:  | 3.          |
| C.                              | Departmental Fisc                                                                                           | al Review:      |                |                    |             |             |
|                                 |                                                                                                             | III. <u>REV</u> | IEW COMME      | ENTS               |             |             |
| <b>A.</b>                       | OFMB Fiscal and/                                                                                            | or Contract I   | Dev. and Cor   | itrol Comm         | ents:       |             |
|                                 | Jam And OFME                                                                                                | 4-14/97         | for Cont       | N/A<br>ract Dev. a | nd Contro   | <del></del> |
| В.                              | Legal Sufficiency:                                                                                          |                 |                |                    |             |             |
|                                 | Paul F. Assistant County                                                                                    | Attorney        | 5/09           |                    |             |             |
| C.                              | Other Department                                                                                            | Review:         |                |                    |             |             |
|                                 | Department                                                                                                  | Director        | _              |                    |             |             |

REVISED 9/03 ADM FORM 01 (THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)