

ORDINANCE NO. 2013-08-296

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AUTHORIZING THE BORROWING OF THREE MILLION SEVEN HUNDRED DOLLARS (\$3,700,000) FOR THE PURCHASE OF VEHICLES AND EQUIPMENT; PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SUCH LEASE AGREEMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the FY 2013 budget adopted by the City Council included the purchase of ninety (90) vehicles, in car cameras for police vehicles and replacement of parks and recreation equipment (collectively, the “Projects”); and

WHEREAS, on September 26, 2012, the City passed a “reimbursement resolution,” Resolution No. 2012-14-1736, which met the requirements of Section 1.150-2 of the Federal income tax regulations, to reimburse the cost of the Projects; and

WHEREAS, the total cost incurred for the Projects amount to \$3,531,660.00; and

WHEREAS, the City intends to include costs and a reserve to purchase additional equipment/vehicles that may be required over the next two years in the amount of approximately \$160,000.00; and

WHEREAS, pursuant to Section 4.3 of the City’s Charter, an ordinance must be adopted in order to authorize the borrowing of money.

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

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

SECTION 2. AUTHORIZATION: In accordance with the provisions of the Charter of the City of Miami Gardens, Florida and Chapter 166, Florida Statutes, as amended, the City Council of the City of Miami Gardens hereby authorizes the borrowing of Three Hundred Seven Million Dollars (\$3,700,000) for the purchase of vehicles and equipment.

SECTION 3. AUTHORIZATION: The City Manager and the City Finance Director are each hereby authorized to negotiate with banks and other financial institutions for entering into a five year term Master Lease Agreement. The City Attorney and Bond Counsel to the City are hereby authorized to draft documents and to do all other things necessary to accomplish such financing.

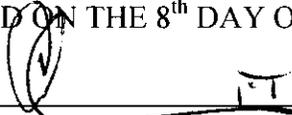
SECTION 4. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. EFFECTIVE DATE: This Ordinance will become effective immediately upon its final passage.

PASSED ON FIRST READING THE 24th DAY OF APRIL, 2013

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 8th DAY OF MAY, 2013



OLIVER GILBERT III, MAYOR

ATTEST:



RONETTA TAYLOR, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY
Prepared by: D. Seaton and Associates

SPONSORED BY: DANNY O. CREW, CITY MANAGER

MOVED BY: Councilman Williams
SECONDED BY: Councilwoman Odom

VOTE: 7-0

Mayor Oliver Gilbert III	<u>X</u> (Yes)	___ (No)
Vice Mayor Lisa Davis	<u>X</u> (Yes)	___ (No)
Councilman Rodney Harris	<u>X</u> (Yes)	___ (No)
Councilman Erhabor Ighodaro.	<u>X</u> (Yes)	___ (No)
Councilwoman Lillie Odom	<u>X</u> (Yes)	___ (No)
Councilwoman Felicia Robinson	<u>X</u> (Yes)	___ (No)
Councilman David Williams, Jr.	<u>X</u> (Yes)	___ (No)