

BOARD OF COUNTY COMMISSIONERS

Agenda Request

Date of Meeting: June 7, 2010

Date Submitted: May 27, 2010

To: Honorable Chairman and Members of the Board

From: Brent X. Thurmond, Clerk of Court
Benjamin Pingree, County Administrator

Subject: Awarding of Phase One Financing Bids for the Courthouse Renovation Project and Authorize the Chairman to Execute the Notice to Proceed to Construction Manager Peter Brown Construction

Statement of Issue:

This agenda item presents the Board with an update regarding recent activities to maintain the Wakulla County Courthouse facility, and requests Board approval of actions to approve loan choice and to commence work on the Phase One renovations for this facility in order to sustain safe public access and sustain its use for the next few decades.

Background:

The responsibility for funding and ensuring the maintenance of the Courthouse facility lies with the BOCC under Florida Statutes and the Constitution of the State. Specifically, Wakulla County is responsible for providing "...reasonable and necessary buildings and office space and appurtenant equipment and furnishings..." and "...for maintaining the facilities in a condition appropriate and safe for the use intended..." for the Court under Article V, section 14, Florida Constitution, and section 29.008 (1)(a) and (c), Florida Statutes.

This agenda item requests Board approval of Phase One financing terms and a commencement of the project, as discussed at the May 17, 2010 meeting of the Board. Terms were sought from each of the four local banks and any larger banks of this region that have expressed an interest in doing financing work with the County (Attachment #1).

Analysis:

Proposals were received from 5 institutions and the results are summarized in Attachment #2. There are two revenue streams being pledged to finance this project. The first of these revenues are the 20% portion of the One Cent Sales Infrastructure Surtax, approved by the voters of Wakulla County effective January 1, 2003 through December 31, 2017. This is referred to as Loan A, and has duration of 7.5 years, the remaining life of the voter approved tax.

The second of these revenues is the \$30 surcharge on certain cases (primarily traffic cases) that had the cap raised by the legislature and that you increased as a user fee in November 2009. We are identifying this as Loan B, and since it has no expiration date, it has a 15 year amortization. Both of these requests are for fixed rate financing options, and we have summarized the proposals on the attached spreadsheet (Attachment #2). We believe the lowest fixed rates, with the lowest costs, and no pre-payment penalty offers the County the best terms to accept on financing this project (Attachment #4).

Additionally, the Board was told at this meeting that a “Notice to Proceed” would be presented for execution, which is the next course of action for the County to take so that construction can begin on this project (Attachment #3). Should the Board approve a funding option presented in this agenda item, staff is requesting authorization for the Chairman to execute the Notice to Proceed at this time. Additionally, the financing closing documents, resolution and any other documents needed to finalize this process will come back to the Board at future Board meeting.

The Clerk, Court Administrators and both Judges thank you for your attention to the needs of the judicial branch of government and the residents of this County who depend upon the Courts and this Courthouse for access to justice.

Requested Board Actions (Summary):

This item requests Board approval and awarding of the most favorable bank proposal and to authorize the Chairman to execute the bank letter of commitment and the Notice to Proceed.

Options:

1. Request Board approval of the proposal from Hancock Bank and Authorize the Chairman to execute the commitment letter accepting terms from Hancock Bank.
2. Request Board approval of the proposal from Suntrust Bank and Authorize the Chairman to execute the commitment letter accepting terms from Suntrust Bank.
3. Request Board approval to Authorize the Chairman to execute the “Notice to Proceed”.
4. Board direction.

Recommendation:

Options #1 and #3

Attachment(s):

1. RFP to financial institutions
2. Summarization of proposals from banks
3. Notice to Proceed
4. Options for recommendation(s)