



V I L L A G E O F K E Y B I S C A Y N E



Office of the Village Manager

MEMORANDUM

Village Council
Franklin H. Caplan, *Mayor*
Mayra P. Lindsay, *Vice Mayor*
Michael W. Davey
Theodore J. Holloway
Michael E. Kelly
Ed London
James S. Taintor

DATE: October 8, 2013
TO: Honorable Mayor and Members of the Village Council
FROM: John C. Gilbert, Village Manager
RE: Public Works Division: Lease/Purchase of a Ford F-250 Truck

Village Manager
John C. Gilbert

RECOMMENDATION

It is recommended that the Village Council approve the attached Resolution authorizing the Village Manager to replace a F-250 truck that is assigned to the Public Works Division with a new F-250 truck in an amount not to exceed \$35,000. At the September 27th Council meeting the replacement of the truck was listed as the number one priority in the FY 2014 Capital Improvements Plan (CIP).

BACKGROUND

The present Ford F-250 was purchased by the Village in 2006 and has 86,000 miles. The truck has a value of approximately \$12,000 - \$16,000 and will be sold at auction. The condition of the truck was assessed by Metro Ford Lincoln. They determined that repairs and body work will cost \$11,589.97. The repairs will cost \$4,483.41 to ensure the proper operation of the vehicle and \$7,106.56 for body work. Below is a chart of the expenses incurred in FY 2011, 2012 and 2013:

Vehicle Type	Color	Year	FY 2011	FY 2012	FY 2013	Total FY 2011-2013
Ford 250	White	2006	\$5,823.14	\$8,185.32	\$1,828.32	\$15,836.78

This truck is vital to the day to day operation of the Public Works Division and is instrumental in the preparation and in the aftermath of a weather event. It is absolutely critical that the truck be reliable and available every day. The present condition of the truck does not meet these performance standards.

On June 12, 2012, Village Council approved the lease/purchase of seven (7) police vehicles. On June 26, 2012, Estrada Hinojosa & Company, Inc., serving as the financial advisor to the Village, competitively bid a \$204,000, five (5) year loan that was awarded to BB&T Governmental Finance for the purchase of the Police Department vehicles. BB&T has agreed to increase this loan by an amount not to exceed \$35,000 to purchase the new truck. The purchase will be amortized over four (4) years with annual installments of

\$8,700. All other loan terms will remain the same, including the 1.60% interest rate and final maturity of July 2017. The FY 2014 CIP has set aside funds for this purchase.

Mr. Jeff DeCarlo from Weiss Serota Helfman Pastoriza Cole & Boniske provided the Resolution and attests to form and legal sufficiency.

RESOLUTION NO. 2013-_____

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; AUTHORIZING THE LEASE/PURCHASE OF ONE (1) FORD TRUCK FOR THE VILLAGE PUBLIC WORKS DEPARTMENT IN AN AMOUNT NOT EXCEEDING \$35,000; AUTHORIZING VILLAGE MANAGER TO SELL THE REPLACED VEHICLE; AUTHORIZING VILLAGE MANAGER TO ENTER INTO AN AMENDMENT TO LEASE/PURCHASE DOCUMENTS WITH BRANCH BANKING AND TRUST COMPANY FOR ACQUISITION OF VEHICLE AND TO IMPLEMENT THE TRANSACTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne Public Works Department requires one (1) new Ford F-250 truck vehicle (the "2013 Equipment") to facilitate the provision of day to day operation of the Public Works Department, including Hurricane preparation and clean-up efforts; and

WHEREAS, the lease/purchase of the Equipment is exempt from competitive bidding requirements pursuant to Village Code Section 2-86, as based upon the purchase transaction of other Florida governmental entities; and

WHEREAS, on June 12, 2012, the Village Council adopted Resolution No. 2012-24 authorizing the lease/purchase of various vehicles (the "2012 Equipment") pursuant to a proposal provided by Branch Banking and Trust Company ("BB&T"); and

WHEREAS, on June 26, 2012, the Village entered into a Lease Agreement and related documents with BB&T (the "2012 Lease Documents") to finance the purchase of the 2102 Equipment; and

WHEREAS, BB&T has offered to modify the 2012 Lease Documents to add the 2013 Equipment and increase the amount financed thereunder by not to exceed \$35,000, at an interest

rate of 1.60% amortized over a four year period (the “2013 Lease Documents Modifications”):
and

WHEREAS, the Village Council wishes to authorize the Village Manager to enter into the 2013 Lease Documents Modifications in order to finance the 2013 Equipment; and

WHEREAS, the Village Council finds that adoption of this Resolution is in the best interest of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF KEY BISCAWAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above-stated recitals is hereby adopted and confirmed.

Section 2. Capital Project Authorizing Resolution; Purchase of Equipment Authorized. Pursuant to Section 3.07(b) of the Village Charter, this Resolution shall constitute a Capital Project Authorizing Resolution. The Capital Project, being the purchase of the 2013 Equipment, consisting of one (1) Ford F-250 truck vehicle, at a projected cost of \$33,500, with the actual cost not to exceed \$35,000, is hereby approved.

Section 3. Sale of Replaced Equipment. The Village Manager is authorized to sell the vehicle which is being replaced by the 2013 Equipment.

Section 4. Village Manager and Others Authorized; Execution of Documents. The Village Council hereby authorizes the Village Manager to execute the 2013 Lease Documents Modifications, once approved by the Village Attorney for legal sufficiency, for the acquisition of the 2013 Equipment on terms which are consistent with this Resolution. The Village Manager is authorized to take all action and execute all other documents necessary to implement this Resolution and the 2013 Lease Documents Modifications, and is authorized to expend Village funds for the purchase of the Equipment pursuant to the 2013 Lease Documents

Modifications and in accordance with Village budget appropriations. The Village Clerk of the Village is authorized to affix the official seal of the Village to the 2013 Lease Documents Modifications and such other documents and attest the same. The proper officers of the Village are, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the 2013 Lease Documents Modifications, subject to the approval of the Village Attorney as to form and legal sufficiency.

Section 5. Effective Date. That this Resolution shall take effect immediately upon adoption hereof.

PASSED AND ADOPTED this 8th day of October, 2013.

MAYOR FRANKLIN CAPLAN

ATTEST:

CONCHITA H. ALVAREZ, MMC,
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

VILLAGE ATTORNEY

