

September 30, 2013

**Special Meeting
5:01 P.M.**

**Commission Chamber
City Hall
Port St. Joe, Florida**



City of Port St. Joe

Mel Magidson, Mayor-Commissioner
William Thursbay, Commissioner, Group I
Bo Patterson, Commissioner, Group II
Phil McCroan, Commissioner, Group III
Rex Buzzett, Commissioner, Group IV

[All persons are invited to attend these meetings. Any person who decides to appeal any decision made by the Commission with respect to any matter considered at said meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The Board of City Commission of the City of Port St. Joe, Florida will not provide a verbatim record of this meeting.]

BOARD OF CITY COMMISSION

Special Meeting

5:01 P.M.

Commission Chamber, City Hall

Thursday September 30, 2013

Call to Order

Agenda

- | | |
|---|------------------|
| Ordinance 495, Ad Valorem Taxes | Pages 1-2 |
| ○ Public Hearing | |
| ○ 2nd Reading and Consideration of Adoption | |
| Ordinance 496, 2013-2014 Budget | Pages 3-4 |
| ○ Public Hearing | |
| ○ 2nd Reading and Consideration of Adoption | |
| Regions Bank Loan- Letter of Commitment | Pages 5-9 |
| Citizens to be Heard | |
| Discussion Items by Commissioners | |
| Motion to Adjourn | |

ORDINANCE NO. 495

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA LEVYING THE AD VALOREM PROPERTY TAX MILLAGE RATE FOR MUNICIPAL PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014, STATING THE PERCENTAGE BY WHICH THE MILLAGE LEVIED IS .32% MORE THAN THE ROLLED-BACK RATE; AND, PROVIDING AN EFFECTIVE DATE.

Whereas, Florida law requires the City Commission of the City of Port St. Joe, Florida, to pass an ordinance or resolution levying the millage rate for ad Valorem property taxes for municipal purposes on all taxable property within the City limits of the City of Port St. Joe, Florida, for the fiscal year beginning October 1, 2013 and ending September 30, 2014.

Whereas, Florida law requires said ordinance or resolution to state the millage rate to be levied, and also to state the percentage by which the millage rate is greater, equal to or less than the rolled-back rate as computed pursuant to Florida law; and

Whereas, the City Commission of the City of Port St. Joe, Florida has duly considered the budgetary requirements of the City, has adopted a tentative budget for the fiscal year beginning October 1, 2013, and ending September 30, 2014, based on a millage rate of 3.5914 mills on the taxable property within the City; and has acted in accordance with the terms, provisions, and procedures contained in Section 200.065, Florida Statutes;

Now, therefore, be it enacted by the People of the City of Port St. Joe, Florida in special session assembled; that:

1. The ad Valorem property tax millage rate for municipal purposes to be levied on the taxable property within the City limits of the City of Port St. Joe, Florida, during the fiscal year beginning October 1, 2013, and ending September 30, 2014, is hereby set at the rate of 3.5914 mills.
2. The percentage by which this millage rate to be levied is more than the rolled-back rate of 3.5798 mills (computed pursuant to Florida law) is .32%.
3. This ordinance shall be effective October 1, 2013.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe, Florida this 30th day of September 2013.

THE CITY OF PORT ST. JOE

Mayor Magidson

Attest:

City Clerk

ORDINANCE NO. 496

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2013/2014 AS THE FINAL BUDGET OF THE CITY OF PORT ST. JOE, FLORIDA FOR FISCAL YEAR 2013/2014 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Board of City Commissioners of Port St. Joe, Florida (the "Board") has held two public hearings in accordance with 200.065, Florida Statutes, being on September 12, 2013 and September 30, 2013, and

WHEREAS, the Board , after due consideration, has determined to adopt the amended tentative budget for Fiscal Year 2013/2014, a summary of said final budget being attached hereto as Exhibit A and incorporated herein by reference.

NOW, THEREFORE BE IT ENACTED by the People of the of the City of Port St. Joe, Florida, that the tentative budget for Fiscal Year 2013/2014, a summary statement thereof said final budget being attached hereto as Exhibit A and incorporated herein by reference, is adopted as the final budget for the Fiscal Year 2013/2014.

EFFECTIVE DATE: The effective date of this ordinance is October 1, 2013.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe, Florida this 30th day of September 2013.

THE CITY OF PORT ST. JOE

Mayor Magidson

ATTEST:

City Clerk

**BUDGET SUMMARY
CITY OF PORT ST. JOE - FISCAL YEAR 2013-2014**

**Millage Per \$1,000
General Fund 3.5914**

	GENERAL FUND	WATER FUND	SOLID WASTE FUND	WASTEWATER FUND	TOTAL ALL FUNDS
CASH BALANCES BROUGHT FORWARD	\$1,217,537	\$19,855	\$21,969	\$125,099	\$1,384,460
ESTIMATED REVENUES:					
TAXES:	Millage Per \$1000				
Ad Valorum Taxes	3.5914				
Ad Valorum Taxes	\$992,035				\$992,035
Earned Interest	\$9,291	\$675	\$0	\$600	\$10,566
Fines and Forfeitures	\$6,537				\$6,537
Franchise & Utility Taxes	\$840,876				\$840,876
Licenses and Permits	\$24,661				\$24,661
Grants/Loans/Bonds	\$658,650	\$1,150,000	\$0	\$0	\$1,808,650
Intragovernmental Revenue	\$267,274				\$267,274
Depreciation Funds	\$0	\$0	\$0	\$0	\$0
Misellaneous Revenues	\$153,731	\$31,648	\$21,281	\$433,508	\$640,167
Rents and Royalties	\$90,960			\$3,314	\$94,274
Garbage Fees			\$739,383		\$739,383
Water Department		\$2,352,589			\$2,352,589
Wastewater Treatment Services				\$2,081,453	\$2,081,453
TOTAL REVENUES & OTHER SOURCES	\$4,261,551	\$3,554,767	\$782,633	\$2,643,974	\$11,242,925
Fund Balances/Reserves/Net Assets					
TOTAL REVENUES, TRANSFERS & BALANCES	\$4,261,551	\$3,554,767	\$782,633	\$2,643,974	\$11,242,925

<u>EXPENDITURES/EXPENSES</u>	GENERAL FUND	WATER FUND	SOLID WASTE FUND	WASTEWATER FUND	TOTAL ALL FUNDS
City Commission	\$69,546				\$69,546
Administration	\$369,031				\$369,031
City Attorney	\$4,000	\$8,079		\$2,000	\$14,079
Public Works Administration	\$38,743				\$38,743
Municipal Building	\$33,478				\$33,478
Police Department	\$661,488				\$661,488
Fire Department	\$104,074				\$104,074
Operations	\$814,838				\$814,838
Parks and Recreation	\$687,692				\$687,692
Maintenance Shop	\$82,788				\$82,788
Non-Departmental	\$158,335				\$158,335
Water Distribution		\$1,580,495			\$1,580,495
Water Plant		\$1,264,532			\$1,264,532
Water Administration		\$284,675			\$284,675
Trash Collection/Disposal			\$250,414		\$250,414
Garbage Collection/Disposal			\$532,218		\$532,218
Wastewater Treatment				\$831,256	\$831,256
Sewer Collection				\$581,467	\$581,467
WW Administration				\$419,754	\$419,754
Long-Term Debt	\$20,000	\$416,986		\$809,497	\$1,246,483
TOTAL EXPENDITURES	\$3,044,014	\$3,554,767	\$782,633	\$2,643,974	\$10,025,388
Fund Balances/Reserves/Net Assets	\$1,217,537				\$1,217,537
TOTAL APPROPRIATED EXPENDITURES, TRANSFERS, RESERVES & BALAN	\$4,261,551	\$3,554,767	\$782,633	\$2,643,974	\$11,242,925

**THE TENTATIVE ADOPTED, AND/OR FINAL BUDGETS ARE ON FILE IN THE OFFICE
OF THE ABOVE MENTIONED TAXING AUTHORITY AS A PUBLIC RECORD.**

REGIONS CAPITAL ADVANTAGE, INC.

1900 5th Avenue North
Suite 2400
Birmingham, Alabama 35203

September 20, 2013

Mr. Jim Anderson
City Manager
City of Port St. Joe
305 Cecil G. Costin Sr Blvd
Port St. Joe, FL

Reference: \$15,334,219.51 Tax Exempt Direct Purchase Loan

Dear Mr. Anderson:

Thank you for providing Regions Capital Advantage, Inc. (the "Lender") with the opportunity to offer a financing solution to City of Port St. Joe ("Borrower") for a \$15,334,219.51 Tax Exempt Direct Purchase Loan facility (the "Term Loan") to (i) retire the Water and Sewer System Revenue Bonds, Series 2008.

I am pleased to inform you that the Lender has agreed to commit \$15,334,219.51 to satisfy the Borrower's funding needs. We commit to working with you and your advisors to close the transaction in the most expeditious manner. Below, you will find the proposed set of terms and conditions associated with this commitment:

Amount: Up to \$15,334,219.51

Maturity Date: Fifteen (15) years from closing

Amortization Period: Twenty five (25) years

Security: The Term Loan will be secured by a 1st lien position on water and sewer system revenues.

Interest Rate: This is a **tax exempt transaction**. Based on today's rate, this borrowing would be fixed for the entirety of the Term Loan at 3.47%. Interest payments on the Term Loan will be calculated on a 360 year consisting of the actual number of days elapsed and will be paid semi-annually each May and November until the Maturity Date

The rate will be fixed one day prior to closing. The Interest Rate presented in this proposal is based on current market conditions and the prevailing like term swap rate. The Interest Rates as quoted in this proposal shall be adjusted upward or downward in order to maintain Lender's economic yield as exists at this date.

Repayment: The principal amount of the Term Loan will be payable semi-annually through the final maturity of the Term Loan. Payments will be due each May and November until the Maturity Date following a principal plus interest amortization schedule (see attached amortization schedule which is subject to change). Any outstanding principal balance and accrued interest will be due on the Maturity Date.

Prepayment: Prepayment not allowed years 1-7. Beginning in year 8, the facility can be prepaid without penalty.

General Conditions

Regions Capital Advantage, Inc
1900 5th Avenue North
Suite 2400
Birmingham, Alabama 35203

Lender Facility Fee: No

Legal Fees: Prior to closing this financing, the Lender must be provided with an opinion, in form and substance satisfactory to the Lender and its counsel, from Bond Counsel with experience in the matters to be covered by the opinion, that (1) the Term Loan constitutes the legal, valid and binding obligation of the Borrower and is enforceable in accordance with the terms thereof under the laws of the State of Florida and (2) interest on the Term Loan is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax (as defined for federal income tax purposes) imposed on individuals and corporations. The Borrower agrees to pay all expenses and one half of the legal fees of the Lender associated with the review and closing of this transaction, which costs may be paid with proceeds of the Term Loan and are anticipated to be approximately \$25,000.

Covenants & Reporting Requirements: Mutually agreeable covenants and requirements, substantially similar to those in the existing 2008 bonds including but not limited to maintaining compliance with (i) Additional Debt requirements; (ii) Permitted Liens and Encumbrances; and (iii) Financial Reporting requirements.

Other: The Borrower will comply with all District, Borrower, State and Federal regulations in regard to all timeframes for reporting of all budgetary, compliance and financial issues. The Borrower's legal counsel will deliver an opinion, which shall be satisfactory to the Lender and its legal counsel, with respect to the enforceability of the financing documents against the Borrower. The Lender shall receive an opinion of Bond Counsel, which shall be acceptable to the Lender, as to the validity and tax-exempt status of the Term Loan

The Term Loan is to be governed by and subject to the formal documents setting forth terms and conditions typical and customary in conjunction with the above-described borrowing and consistent with prudent banking practices. Documentation is to be governed by the laws of the State of Florida and the United States.

The interest rate(s) may be adjusted at any time hereafter and after the date of any financing agreement entered into in connection with this Term Sheet if, as a result in any change in law or tax status after the date of this Term Sheet, including any federal or state tax law, the equivalent after-tax yield of the Lender is decreased.

Assignment: The Lender may assign any rights it may have now or hereafter in connection with this transaction to any person whatsoever. The Borrower may not assign its rights hereunder to any person without the prior written consent of the Lender.

Disclaimer: This letter describes some of the basic terms and conditions proposed to be included in the documents between the Lender and the Borrower. This letter does not purport to summarize all the conditions, covenants, representations, warranties, events of default, acceleration events, remedies or other provisions that may be contained in documents required to consummate this financing. These terms are **CONFIDENTIAL** and may not be disclosed to third parties without the prior consent of the Lender.

Acceptance: Upon return by the Borrower to the Lender of a fully executed copy of this commitment, by the time set forth below, this commitment will constitute an agreement of the Borrower to accept the terms and conditions set out above regarding the aforementioned credit facilities. **This includes payment of any fees/expenses noted above, regardless of whether the Term Loan is closed. Unless an executed copy of this commitment is received by the Lender by 1:00 p.m. Eastern Daylight Time on October 1, 2013, this commitment shall, at the Lender's option, be null and void and of no further force and effect. If accepted, this borrowing must close on or before November 20, 2013.** Any extension of the Closing date is subject to the Lender's sole consent. The undersigned individual covenants that he/she has the authority to execute and deliver this proposal on behalf of Borrower.

Thank you for providing Regions Capital Advantage, Inc. with this opportunity to develop a financial partnership with the City of Port St. Joe. We are grateful for your consideration and remain available to promptly respond to any questions that you may have regarding our commitment and this document. I look forward to hearing from you.

Sincerely,



Bruner Binion

Assistant Vice President

On behalf of Regions Capital Advantage, Inc , by express authority

Signed and accepted on this ___ day of _____, 2013.

City of Port St. Joe

By: _____

Title: _____

Year	Principal	Interest	Total
2014	195,150	266,049	461,199
	198,536	262,663	461,199
2015	201,980	259,218	461,199
	205,485	255,714	461,199
2016	209,050	252,149	461,199
	212,677	248,522	461,199
2017	216,367	244,832	461,199
	220,121	241,078	461,199
2018	223,940	237,259	461,199
	227,825	233,373	461,199
2019	231,778	229,421	461,199
	235,800	225,399	461,199
2020	239,891	221,308	461,199
	244,053	217,146	461,199
2021	248,287	212,912	461,199
	252,595	208,604	461,199
2022	256,977	204,221	461,199
	261,436	199,763	461,199
2023	265,972	195,227	461,199
	270,586	190,612	461,199
2024	275,281	185,918	461,199
	280,057	181,142	461,199
2025	284,916	176,283	461,199

	289,860	171,339	461,199
2026	294,889	166,310	461,199
	300,005	161,194	461,199
2028	305,210	155,989	461,199
	310,505	150,693	461,199
2029	315,893	145,306	461,199
	321,373	139,825	461,199