



Council Action Form

MEETING DATE	July 18, 2016			
TITLE	Request to approve a resolution for an amendment to the Fishers Urban Development Garage Lease			
SUBMITTED BY	Name & Title: Oscar Gutierrez, City Controller			
	Department: Controller's Office			
MEETING TYPE	<input type="checkbox"/> Work Session	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Special	<input type="checkbox"/> Retreat
	<input type="checkbox"/> Executive			
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	<input type="checkbox"/> 1 st Reading	<input type="checkbox"/> 2 nd Reading	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> 3 rd Reading
	Ordinance #:		Resolution #: R071816F	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	<input checked="" type="checkbox"/> Contract required for this item		<input type="checkbox"/> Signed copy of contract attached	
	<input type="checkbox"/> Seeking award or other scenario & will provide contract at a later date		<input checked="" type="checkbox"/> No contract for this item	
	<input type="checkbox"/> Contract over \$50,000			
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	<input checked="" type="checkbox"/> Document must be recorded with the County Recorder's Office		<input type="checkbox"/> Document does not need recorded with the County Recorder's Office	
	<input type="checkbox"/> Wait 31 days prior to filing with the County Recorders' Office			
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> Assistant/Deputy Department Head		<input checked="" type="checkbox"/> Controller's Office	
	<input checked="" type="checkbox"/> Department Head		<input checked="" type="checkbox"/> Finance Committee	
	<input type="checkbox"/> Deputy Mayor		<input type="checkbox"/> Technical Advisory Committee	
	<input type="checkbox"/> Mayor		<input type="checkbox"/> Other:	
	<input checked="" type="checkbox"/> Legal Counsel – <i>Name of Reviewer: Anneliese Williams, City Bond Counsel, Barnes</i>			

	& Thornburg, LLP		
BACKGROUND (Includes description, background, and justification)	<p>The Commission desires during the term of the Lease (which was previously approved) to change the source of funds from which to pay the rent under the Lease, from COIT to the special benefits tax. This is being done to take advantage of the AAA bond rating and to save on the costs of issuance by eliminating the need for a reserve fund.</p> <p>The lease rental payments made by the Commission under the Lease will secure a loan of bond proceeds of one or more series of bonds of the City (the "Bonds") to the Town Hall Building Corporation Corporation to finance, or reimburse, all or any portion of the Project (related to The Edge project) and refund the outstanding BANs (Bond Anticipate Note) currently outstanding in the amount of \$6,485,000 and coming due on December 6, 2016.</p> <p>The maximum annual lease rental to be paid by the Commission under the Lease shall be \$541,000 and the maximum term of the Lease shall not exceed twenty (20) years, commencing on the date of issuance of the Bonds. The maximum interest rate on the Bonds associated with the Lease shall not exceed five percent (5.0%) per annum. A portion of the Bond proceeds may be applied to pay capitalized interest on the Bonds if determined to be necessary or appropriate by the City and the Commission, with the advice the financial advisor to the City and the Commission.</p> <p>The Bonds may be subject to optional redemption prior to maturity on such dates and with such redemption terms as determined at the time of the sale of the Bonds and approved by the Mayor in the purchase agreement for the Bonds, all upon the advice of the financial advisor to the City.</p>		
	BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
		Expenditure \$:	Maximum annual lease rental of \$541,000 over the term of the Lease. This is less than the maximum amount previously approved.
		Source of Funds:	TIF is anticipated to cover the annual lease rental under the Garage Lease, but the special benefits tax will serve as a back-up
Additional Appropriation #:		N/A	
Narrative:		The maximum annual lease rental to be paid by the Commission under the Lease shall be \$541,000 and the maximum term of the Lease shall not exceed twenty (20) years, commencing on the date of issuance of the Bonds. The maximum interest rate on the Bonds associated with the Lease shall not exceed five percent (5.0%) per annum.	
OPTIONS (Include <i>Deny Approval Option</i>)	1.	Approve the resolution and lease amendment	
	2.	Deny the resolution and lease amendment	
	3.	Provide alternate direction	
	4.		
PROJECT TIMELINE	Effective upon adoption and the action will be carried out in accordance with the timeline for this project. Furthermore, while this document will be recorded at the Hamilton County Recorder's office, this will not until the bonds for the		

	transactions close (probably mid-October).
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that the City Council approve this resolution and lease amendment and authorize the City Controller to completely oversee and execute this request.
SUPPLEMENTAL INFORMATION (List all attached documents)	<ol style="list-style-type: none"> 1. Resolution 2. Garage Lease Amendment