

CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY

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**M E M O R A N D U M**

**TO:** Fort Pierce Mayor and Commissioners

**FROM:** Robert V. Schwerer, City Attorney

**SUBJECT:** Bank of America Financing Agreement  
Energy Savings Performance Contract

**DATE:** February 25, 2014

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Attached for the Commission's consideration is Resolution #14-R15 together with an attached Financing Agreement by and between the City of Fort Pierce, Florida and Bank of America, N.A. for the purchase of the City's Not To Exceed \$6.15 Million Capital Improvement Revenue Note, Series 2014 to finance the City's costs of acquiring and installing Energy Conservation Equipment under a Guaranteed Energy, Water and Wastewater Performance Savings Contract.

Both the Resolution and the Financing Agreement, together with any other loan documents that are required under the agreement have been coordinated with the City's bond counsel, Mike Williams. Mr. Williams will be in attendance at the Commission meeting and along with this office, will be available to answer any questions concerning the financing documents.

Legal is recommending the Commission approve Resolution #14-R15 subject to final execution of the Guaranteed Energy, Water and Wastewater Performance Savings Contract by and between the City and BGA, Inc., a Florida corporation.



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Robert V. Schwerer, City Attorney

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Attachment

cc: Robert J. Bradshaw, City Manager  
Nicholas Mimms, Deputy City Manager  
Linda Cox, City Clerk  
Michael Williams, Esquire