

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** September 1, 2020

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Agreement with The Bank of New York Mellon Trust Company, N.A.
Guaranty of Payment of Margaritaville CDD Bond Refunding

I have reviewed the above captioned agreement for form and legality. The general business terms and other significant provisions are as follows:

- 1) Department/Division involved – Financial Services
- 2) Type of Agreement – Guaranty
- 3) Method of Procurement (RFP, bid, etc.) – N/A
- 4) Term of Contract
 - a) initial – Until Margaritaville CDD Refunding Bonds (the “Bonds”) are paid off.
 - b) renewals (if any) -
 - c) who exercises option to renew -
- 5) Contract Amount – The amount of the Bonds is approximately \$40,000,000.
- 6) Termination rights – For cause only.
- 7) Indemnity/Insurance Requirements – None.
- 8) Scope of Services – City will make up any shortfall in the debt service reserve requirement.
- 9) City’s prior experience with Vendor (if any) – Yes
- 10) Other significant provisions – The Guaranty is a pledge of the City’s non-ad valorem revenues. It is not a pledge of the City’s ad valorem taxing power

cc: Wazir A. Ishmael, Ph.D., City Manager