



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** May 17, 2022

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz,  
Town Manager

**Subject:** Resolution No. 2820.22 – Amending Resolution No. 2811.22, Calling  
for a Special Election Regarding the Issuance of General Obligation  
Bonds

Item Number:

10

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**Recommendation:**

It is recommended that the Town Council approve Resolution 2820.22 as presented.

**Background:**

At the April 26, 2022 Special Town Council Meeting the Town Council approved Resolution No. 2811.22, calling for a special election regarding the issuance of General Obligation Bonds. At that meeting, Council requested the bond referendum question be amended. This Town Attorney has prepared the attached resolution which captures the requested amendment to the question.

**Fiscal Impact:**

General Obligation Bonds in an amount not to exceed \$7,000,000.00

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Reso. 2821.22

RE: Uniform Method of Levying, Collecting & Enforcing Special Assessment for High Speed Internet Services

resolution establishes the Town's intent to use the Uniform Method to be able to levy and collect the non-ad valorem assessment with the fiscal year beginning on October 1, 2022. The Town has engaged SCS Engineers to conduct a rate study which will determine the method and appropriate fee that will be levied. It is recommended that the fee be set at \$80.00 per month.

**Fiscal Impact:**

To be provided as part of the rate study being performed by SCS Engineers.

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2820.22**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA AMENDING RESOLUTION NO. 2811.22, CALLING FOR A TOWN OF GOLDEN BEACH SPECIAL ELECTION TO BE HELD ON AUGUST 23, 2022 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE A BOND REFERENDUM REGARDING THE ISSUANCE OF GENERAL OBLIGATION BONDS BY THE TOWN OF GOLDEN BEACH IN AN AMOUNT NOT TO EXCEED SEVEN MILLION (\$7,000,000.00) DOLLARS FOR THE PURPOSE OF CONSTRUCTION OF A WELLNESS CENTER, AND ONE OR MORE OF THE FOLLOWING: IMPROVEMENT TO PARK(S), LIGHTING, THE BEACH PAVILION AND SIGNAGE AND FOUNTAINS; PROVIDING FOR PUBLICATION OF NOTICE OF SUCH REFERENDUM; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORATE; PROVIDING FOR THE TOWN CLERK TO UTILIZE THE SERVICES OF MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS FOR THE SPECIAL ELECTION; PROVIDING FOR REMAINING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council (the "Town Council") of the Town of Golden Beach, Florida (the "Town") has determined that it is in the best interest of the Town to construct a wellness center, and improve one or more of the following; park(s), lighting, the beach pavilion, signage and fountains (collectively, the "Project"); and

**WHEREAS**, the Constitution of the State of Florida, Article VII, Section 12, as well as Section 100.211, Florida Statutes, authorize and require a voter referendum for the approval of the issuance of general obligation bonds by a municipality; and

**WHEREAS**, the Town Council wishes to seek the approval of the electors by holding a bond referendum for the issuance of general obligation bonds in an amount not to exceed \$7 million for the purpose of financing the costs the Project; and

**WHEREAS**, in accordance with provisions of the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the Town of Golden Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, August 23, 2022 for the purpose of submitting to the electorate the proposed bond referendum ballot question regarding issuance of general obligation bonds for financing the costs of the Project as set forth herein; and

**WHEREAS**, on April 26, 2022, the Town Council adopted Resolution No. 2811.22 providing for the holding of the special bond referendum and the ballot questions (the "Original Resolution"); and

**WHEREAS**, the Town Council desires to amend the wording of the ballot question as set forth in the Original Resolution to clarify that the Wellness Center will be constructed and one or more of the following will be improved; park(s), lighting, the beach pavilion, signage and fountains; and

**WHEREAS**, the Town Council finds that this Resolution is in the best interest and welfare of the residents of the Town.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** The above recitals are true and correct and incorporated into this Resolution by this reference.

**Section 2. Amendments.** The Original Resolution is hereby amended as follows:

**A. Section 4.** of the Original Resolution entitled "**Ballot Question**" shall be amended, with the ~~Strikethrough~~-language indicating deleted text and the Underlined language indicating added text.

"The following bond referendum question shall be placed on the ballot:

"Shall the Town issue general obligation bonds not exceeding \$7 million in one or more series maturing not later than thirty years from their issuance dates, bearing interest not exceeding the maximum allowable by law, payable from ad valorem taxes levied by the Town for the ~~improvement and/or~~ construction of a wellness center, and one or more of the following: improvements to park(s), lighting, the beach pavilion, signs signage and/or fountains."

\_\_\_\_\_ FOR BONDS

\_\_\_\_\_ AGAINST BONDS

B. **Section 5.** of the Original Resolution entitled "**Form of Ballot.**" is hereby amended to provide for an amended form of ballot for the election which is attached hereto as Exhibit "A".

C. **Section 7.** of the Original Resolution entitled "**Publication of Notice.**" is hereby amended to provide for an amended form of Notice of Referendum in the form attached hereto as Exhibit "B". The remainder of the provisions of **Section 7.** of the Original Resolution shall remain in full force and affect. Copies of this Resolution amending the provisions of the Original Resolution providing for the referendum are on file in the Office of the Town Clerk located at 1 Golden Beach Drive, Golden Beach, Florida 33160, and are available for public inspection during regular business hours.

**Section 3. Authorization of Town Officials.** The Town Manager, Town Attorney and Town Clerk are hereby authorized to take all steps necessary to complete the execution and implementation of the terms and purposes of this Resolution, and the Special Election Referendum if adopted and effective.

**Section 4. Remaining Provisions.** All remaining provisions of the Original Resolution not amended hereby shall remain in full force and effect.

**Section 5. Effective Date.** This Resolution shall be effective immediately upon its adoption.

The Motion to adopt the foregoing Resolution was offered by Councilmember Lusskin, seconded by Councilmember Bernstein and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Jaime Mendal	<u>Absent</u>
Councilmember Bernard Einstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach, Florida, this 17<sup>th</sup> day of May, 2022.

  
\_\_\_\_\_  
MAYOR GLENN SINGER

ATTEST:

  
\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY

**EXHIBIT "A"**

**BOND REFERENDUM TO CONSTRUCT WELLNESS CENTER, AND IMPROVE ONE OR MORE OF THE FOLLOWING PARK(S), LIGHTING, BEACH PAVILION, SIGNAGE AND FOUNTAINS**

“Shall the Town issue general obligation bonds not exceeding \$7 million in one or more series maturing not later than thirty years from their issuance dates, bearing interest not exceeding the maximum allowable by law, payable from ad valorem taxes levied by the Town for the, construction of a wellness center, and one or more of the following: improvements to park(s), lighting, the beach pavilion, signage and fountains.”

\_\_\_\_\_ FOR BONDS

\_\_\_\_\_ AGAINST BONDS

**EXHIBIT "B"**

**NOTICE OF BOND REFERENDUM**

PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO RESOLUTION NO. 2811.22, AS AMENDED BY RESOLUTION NO. 2820.22 ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA (THE "TOWN") AN ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE TOWN ON TUESDAY, THE 23TH DAY OF AUGUST, 2022, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M., AT WHICH TIME THE FOLLOWING BOND REFERENDUM SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN FOR APPROVAL OR REJECTION.

**BOND REFERENDUM TO CONSTRUCT WELLNESS CENTER, AND IMPROVE ONE OR MORE OF THE FOLLOWING; PARK(S), LIGHTING, BEACH PAVILION, SIGNAGE AND FOUNTAINS**

"Shall the Town issue general obligation bonds not exceeding \$7 million in one or more series maturing not later than thirty years from their issuance dates, bearing interest not exceeding the maximum allowable by law, payable from ad valorem taxes levied by the Town for the construction of a wellness center, and one or more of the following; improvements to park(s), lighting, the beach pavilion, signage and fountains."

\_\_\_\_\_ FOR BONDS

\_\_\_\_\_ AGAINST BONDS



**The full text of Resolution No. 2811.22 and Resolution No. 2820.22 is available at the offices of the Town Clerk located at 1 Golden Beach Drive, Golden Beach, Florida 33160.**

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Town Clerk