



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: April 26, 2022

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

7

Subject: Resolution No. 2811.22 - Calling for a Special Election Regarding
the Issuance of General Obligation Bonds

Recommendation:

It is recommended that the Town Council approve Resolution 2811.22 as presented.

Background:

At the March 15, 2022 Regular Town Council Meeting the Town Council authorized the Administration to pursue a \$7-million dollar Capital Plan and General Obligation Bonds.

The projects we are recommending for funding include the improvement and/or construction of a wellness center, park(s), lighting on A1A, the beach pavilion, signs, and fountains.

In an effort to educate the residents of the proposed plan, the Administration recommends the following action:

1. Designate zone captains who would be responsible in reaching out to the residents of their prospective areas and discuss with them the benefits of the Capital Projects.
2. Hold a series of Public Workshops to discuss the proposed project. These workshops are strictly to discuss the scope of the proposed plan.
3. Have a marketing plan that consists of the following:
 - a. The plan will consist of mailers, monthly newsletter, premiums and promotional videos on channel 665.
 - b. The plan will be informative in nature and will encourage residents to vote.

Fiscal Impact:

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

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2811.22

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, 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 IMPROVEMENT AND/OR CONSTRUCTION OF A WELLNESS CENTER, TOWN-WIDE PARK(S) ENHANCEMENTS, A1A LIGHTING IMPROVEMENTS, BEACH PAVILION IMPROVEMENTS, AND MODERNIZATION OF TOWN SIGNS 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; 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 improve and construct a wellness center, enhancements to Town-wide park(s), improvements to A1A lighting, beach pavilion improvements, and modernization of Town signs 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, 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. Intent to Issue Bonds. Subject to a referendum provided for herein and pursuant to subsequent proceedings of the Town, the Town intends to authorize the issuance of general obligation bonds in an aggregate principal amount not exceeding \$7 million issuable as tax-exempt and/or taxable bonds, in one or more series, maturing at such time or times not exceeding thirty (30) years from their date or dates of issuance and bearing interest at a rate or rates not exceeding the legal maximum rate of interest, in each case as shall be determined by ordinance or resolution of the Town as required by the Town Charter and State law prior to the time of sale thereof (the "Bonds"). Such Bonds, if issued, shall pledge the full faith and credit of the Town and be payable from ad valorem taxes levied by the Town without limit as to rate or amount on all taxable property

within the Town. The Bonds will be issued for the purpose of providing funds to finance costs of the Project.

Section 3. Calling of Bond Referendum. The Town Council does hereby call a bond referendum, to be held on Tuesday, August 23, 2022, and present to the qualified electors of the Town, the ballot question provided in this Resolution. In accordance with the Constitution and the laws of the State of Florida, all qualified electors of the Town shall be entitled and permitted to vote in the referendum. The Town Clerk is hereby authorized and directed to coordinate with the Miami-Dade County Supervisor of Elections (the "Supervisor") for the holding of the referendum as may be convenient for, and determined in accordance with the procedures of, the Supervisor. The Town Clerk and Town Attorney are hereby directed and empowered to do such things as may be necessary and proper in accordance with the laws of the Town and the laws of the State of Florida to provide for such election on the proposition herein contemplated.

Section 4. Ballot Question. 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, construction of a wellness center, and improvements to park(s), lighting, the beach pavilion, signs and/or fountains."

 5 FOR BONDS

 0 AGAINST BONDS

Section 5. Form of Ballot. The form of ballot for the election is attached hereto as Exhibit "A".

Section 6. Town Clerk Responsibilities. The Town Clerk is hereby authorized and directed to deliver copies of the ballot set forth herein to the Supervisor for printing; to ascertain that the wording of the ballot is correctly printed thereon; and to ensure that

any reprinting, if necessary, is ordered by the Supervisor, all within such time as is necessary to allow compliance with any mailing requirements imposed by law in connection with mail ballots and absentee ballots.

Section 7. Publication of Notice. The Town Clerk shall cause a Notice of Referendum to be published in the *Miami Herald* or any other newspaper of general circulation within the Town, once in the fifth week (week of July 17, 2022) and once in the third week (week of July 31, 2022) prior to the week in which the Referendum is to be held, the first publication to be not less than 30 days prior to the date of such Referendum. The Town Clerk shall secure from the publisher of said newspaper an appropriate affidavit of proof that the Notice of Referendum has been duly published, and said affidavit shall be made a part of the record of the Town Council. The Notice of Referendum shall be substantially in the form attached hereto as Exhibit "B". The special election date indicated in Exhibit "B" is subject to the final approval of the Supervisor. Copies of this 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 8. List of Qualified Electors. The Supervisor is hereby authorized and requested to make up and certify a list of the names of all qualified electors residing in the Town. A certified copy of such list shall be furnished to the Town Clerk and filed among the records of the Town Council.

Section 9. Absentees Ballots. Absentee ballots containing the question set forth in Section 4 above shall be prepared for the use of absent, qualified electors entitled to cast such ballots in the Referendum in accordance with Chapter 101, Florida Statutes.

Section 10. Conduct of Referendum. That the referendum shall be conducted between the hours of 7:00 a.m. until 7:00 p.m. on August 23, 2022, at the regular polling

place for Town elections. Vote-by-mail ballots and early voting shall be provided as authorized by law. All qualified Town electors who are timely registered in accordance with law shall be entitled to vote. The marked ballots shall be returned to the Supervisor, who shall deliver the same to the Miami-Dade County Canvassing Board for canvassing in the manner provided by applicable law. Said returns shall be certified to the Town Council, which shall declare the results thereof and record the same in its minutes along with the number of qualified electors of the Town who voted at the Referendum on the question proposed and the number of votes cast for and against approval of the Bonds. The Town Council shall certify the results of said Referendum to the Florida Department of State and/or other applicable entity in the manner provided by applicable law.

Section 11. Town Clerk to Utilize the Services of Miami-Dade County Supervisor of Elections. The Town Clerk is authorized to utilize the services of Miami-Dade County Supervisor of Elections for any assistance required in the administration of the referendum. The Town shall pay all expenses for conducting the special election and referendum and will pay such expenses to Miami-Dade County upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

Section 12. Bond Authorization. If a majority of the votes cast by qualified electors of the Town at the referendum approves the ballot question concerning the Project, the Town shall be authorized, but not obligated, to issue the Bonds in the manner provided herein. The Bonds, at a future date or dates, may be issued all at one time or in part from time to time as the Town Council may in its discretion thereafter determine by subsequent ordinance or resolution in accordance with the Town Charter and State law.

Section 13. 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 14. 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>Aye</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 26th day of April 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 IMPROVE AND/OR CONSTRUCT WELLNESS CENTER, PARK(S), LIGHTING, BEACH PAVILION, SIGNS 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 improvements to park(s), lighting, the beach pavilion, signs and/or fountains."

 5 FOR BONDS

 0 AGAINST BONDS

EXHIBIT "B"

NOTICE OF BOND REFERENDUM

PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO RESOLUTION NO. 2811.22 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 IMPROVE AND/OR CONSTRUCT WELLNESS CENTER, PARK(S), LIGHTING, BEACH PAVILION, SIGNS 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 improvement and/or construction of a wellness center, park(s), lighting on A1A, the beach pavilion, signs and fountains."

_____ FOR BONDS

_____ AGAINST BONDS

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

Town Clerk