

**RESOLUTION NO. 2020-      - TISND**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE THREE ISLANDS SAFE NEIGHBORHOOD DISTRICT AUTHORIZING THE ISSUANCE, SUBJECT TO THE BOND REFERENDUM HEREIN PROVIDED FOR, OF INDEBTEDNESS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000 TO FINANCE OR REFINANCE THE ACQUISITION, CONSTRUCTION AND IMPROVEMENT OF A GUARDHOUSE AND TRAFFIC CALMING IMPROVEMENTS, PAYABLE FROM THE AD VALOREM TAX REVENUES OF THE DISTRICT; PROVIDING FOR AND CALLING A BOND REFERENDUM OF THE QUALIFIED ELECTORS OF THE DISTRICT TO BE HELD BY MAIL BALLOT; PROVIDING FOR OFFICIAL BALLOTS; PROVIDING FOR BOND REFERENDUM PROCEDURES AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, it is necessary and desirable that the Three Islands Safe Neighborhood District (the "District") finance or refinance the acquisition, construction and improvement of a guardhouse and traffic calming improvements (the "Project"), and to pay issuance expenses incurred in connection with the sale of the hereinafter defined Bonds related thereto; and

**WHEREAS**, the Board of Directors of the District (the "Board") hereby determines that the qualified electors of the District should make, through a bond referendum conducted by a mail ballot in accordance with sections 101.6101-101.6107, Florida Statutes (the "Mail Ballot Election Act") the final decision determining whether to acquire, construct and improve the Project; and

**WHEREAS**, the Board hereby determines that it serves a paramount public purpose that the Project be acquired, constructed and improved and that it is in the best interest of the District to issue bonds secured by the District's ad valorem tax revenues to finance or refinance the costs of the Project; and

**WHEREAS**, to pay all or a part of the cost of the Project, it is necessary to issue the bonds of the District as hereinafter provided: and

**WHEREAS**, the District now desires to issue notes, bonds or other forms of indebtedness in one or more series in an aggregate amount not to exceed Two Million Dollars (\$2,000,000.00) (the "Bonds") pursuant to the terms of an authorizing resolution hereinafter to be adopted by the Board if the qualified electors of the District approve the bond referendum authorized herein; and

**WHEREAS**, the Bonds shall be payable from the District's ad valorem tax revenues.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE THREE ISLANDS SAFE NEIGHBORHOOD DISTRICT:**

**Section 1. Authority for this Resolution.** This Resolution is adopted pursuant to the Constitution and laws of the State of Florida, including the Mail Ballot Election Act, Sections 100.201-100.351, Florida Statutes, Chapter 163, Part IV, Florida Statutes, Ordinance No. 93-08

of the City of Hallandale Beach, Florida (the "District Charter") and other applicable provisions of law (hereinafter collectively referred to as the "Act").

**Section 2. Findings.** The Board hereby finds and determines that the recitals set forth herein are true and correct and adopts the same as its findings and determinations.

**Section 3. Authorization of Bonds.** Subject and pursuant to the provisions hereof, the Bonds of the District are authorized to be issued in the aggregate principal amount not exceeding Two Million Dollars (\$2,000,000.00) to finance or refinance the cost of the Project and to pay the cost of issuing the Bonds, if the Bonds are approved by the bond referendum authorized herein. The monies received and interest earned from the issuance of the Bonds will be used for such purpose. The Bonds shall be secured by ad valorem tax revenues of the District. The Bonds shall mature in not more than thirty (30) years from issuance, and the Bonds shall bear interest at a rate not exceeding the maximum rate permitted by law at the time of the sale of the Bonds. Both principal and interest on the Bonds, and redemption premiums, if any, shall be payable at the office of the paying agent to be named by the District at or prior to the sale of the Bonds.

The Bonds shall be issued pursuant to authority granted under this Resolution and the Act, but only after approval of the bond referendum hereinafter called and subsequent adoption of an authorizing bond resolution by the Board, as governing body of the District.

**Section 4. Bond Referendum.** A bond referendum of the qualified electors residing in the District is hereby authorized to determine whether or not the issuance of the Bonds shall be approved by such qualified electors to finance or refinance the cost of the Project. All qualified electors in the District shall be entitled and permitted to vote in the bond referendum. The Board hereby delegates to the City Manager, acting in his capacity as the administrator of the District, the authority to determine the date of the referendum (the "Referendum Date"), in consultation with the Supervisor of Elections of Broward County, Florida (the "Supervisor of Elections").

The Supervisor of Elections shall hold, administer and conduct the bond referendum in accordance with the Mail Ballot Election Act. The Clerk of the District (the "Clerk") and the Supervisor of Elections are directed to take all necessary measures to conduct the bond referendum in accordance with applicable law. The results shall be certified to the Department of State in accordance with Section 100.351, Florida Statutes. All procedures and requirements of the laws of the State of Florida, the District Charter and other applicable law shall be complied with for the purpose of conducting the computation of ballots and completion of bond referendum procedures.

Ballots will be mailed to all eligible electors in the District no earlier than twenty (20) days and no later than ten (10) days prior to the Referendum Date, and must be returned to the Broward County Supervisor of Elections Office, 115 S. Andrews Ave., Room 102, Fort Lauderdale, FL 33301, no later than 7:00 p.m. on the Referendum Date. The Ballots will be canvassed in accordance with the Mail Ballot Election Act.

Jenorgen M. Guillen, Clerk of the District, is hereby designated and appointed as the official representative of the Board in all transactions with the Supervisor of Elections in relation to matters pertaining to the use of the registration books and the holding of said bond referendum.

Ballots containing the question set forth in Section 6 hereof shall be prepared for the use of absent electors entitled to cast such ballots in said bond referendum.

**Section 5. Notice of Bond Referendum.** Notice of the bond referendum shall be published in a daily newspaper of general circulation in the District, at least twice, once in the fifth week and once in the third week prior to the week in which the bond referendum is held, the date of first publication in said newspaper to be at least thirty (30) days before said bond referendum, in substantially the form attached hereto as Exhibit A and in the manner provided in Section 100.342, Florida Statutes. The Clerk is hereby authorized and directed to publish such notice.

**Section 6. Official Ballot.** The ballot for voting in the bond referendum shall be in substantially the following form:

**Three Islands Safe Neighborhood District  
Ad Valorem Bonds  
Guardhouse and Traffic Calming Improvements**

Shall the Three Islands Safe Neighborhood District issue bonds in one or more series not exceeding in the aggregate \$2,000,000.00, bearing interest rates not exceeding the maximum legal rate, maturing within 30 years from issuance of each series, pledging the District's ad valorem tax revenues to finance or refinance the acquisition, construction and improvement of a guardhouse and traffic calming improvements?

Yes – For Bonds \_\_\_\_\_

No – Against Bonds \_\_\_\_\_

**Section 7. Bond Referendum Results.** Returns of the votes cast at the bond referendum shall be made as required by law. If a majority of the votes cast at the bond referendum shall be "Yes - For Bonds," the Bonds shall be approved, and then the Bonds may be issued pursuant to this Resolution and as provided by authorizing bond resolution of the Board, as governing body of the District. If less than a majority of the votes cast at the bond referendum shall be "Yes - For Bonds," the Bonds shall be defeated, and no Bonds shall be issued pursuant to this Resolution.

**Section 8. Languages.** To the extent required by law, the official ballot and notice of bond referendum shall be published in both the English and the Spanish languages.

**Section 9. Costs of Issuance.** The following professional fees are hereby authorized to be paid:

Bond Counsel	\$20,000 for the referendum and validation; and
	\$25,000 for loan closing
District Financial Advisor	Not to Exceed \$25,000
Contingencies	\$15,000

Other additional costs of issuance shall be approved as provided in a certificate executed by the Chair.

**Section 10. Effective Date.** This Resolution shall be in full force and take effect immediately upon its adoption.

\_\_\_\_\_  
JOY COOPER  
CHAIR-DIRECTOR

ATTEST:

\_\_\_\_\_  
JENORGEN M. GUILLEN, CMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY  
AND FORM

\_\_\_\_\_  
JENNIFER MERINO  
CITY ATTORNEY

**EXHIBIT A**

**NOTICE OF BOND REFERENDUM  
FOR AD VALOREM BONDS  
TO BE HELD ON \_\_\_\_\_, 2020**

**THREE ISLANDS SAFE NEIGHBORHOOD DISTRICT**

To be held on \_\_\_\_\_, 2020, as provided by Resolution No. \_\_\_\_ of the Three Islands Safe Neighborhood District adopted on \_\_\_\_\_, 2020.

Notice is hereby given that a bond referendum will be held in the Three Islands Safe Neighborhood District (the "District") on \_\_\_\_\_, 2020. The bond referendum will be held to determine whether the District shall be authorized to issue ad valorem bonds (the "Bonds") in an amount not exceeding Two Million Dollars (\$2,000,000.00). The Broward County Supervisor of Elections will conduct the bond referendum on behalf of the District by mail ballot election pursuant to sections 101.6101-101.6107, Florida Statutes. The Bonds shall be secured by the ad valorem tax revenues of the District. The Bonds shall mature in not more than thirty (30) years after issuance, and the Bonds shall bear interest at not exceeding the maximum rate permitted by law at the time of the sale of the Bonds. The monies received and interest earned from the issuance of the Bonds will be used to finance or refinance the acquisition, construction and improvement of a guardhouse and traffic calming improvements in the District.

The issuance of such Bonds and the holding of such bond referendum have been authorized by Resolution No. \_\_\_\_ of the Board of Directors of the District adopted on \_\_\_\_\_, 2020. Such Resolution approved the following ballot question for the bond referendum:

**OFFICIAL BALLOT**

**Three Islands Safe Neighborhood District  
Ad Valorem Bonds  
Guardhouse and Traffic Calming Improvements**

Shall the Three Islands Safe Neighborhood District issue bonds in one or more series not exceeding in the aggregate \$\_\_\_\_\_, bearing interest rates not exceeding the maximum legal rate, maturing within 30 years from issuance of each series, pledging the District's ad valorem tax revenues to finance or refinance the acquisition, construction and improvement of a guardhouse and traffic calming improvements?

Yes – For Bonds \_\_\_\_\_

No – Against Bonds \_\_\_\_\_

In accordance with the Constitution and laws of the State of Florida, all qualified electors of the Three Islands Safe Neighborhood District shall be entitled to vote in the bond referendum to which this notice pertains.

The Three Islands Safe Neighborhood District shall be authorized to issue the bonds covered by the question hereinabove set forth only if such issuance shall have been approved by vote of a majority of the qualified electors of the Three Islands Safe Neighborhood District voting thereon.

By order of the Board of Directors of the Three Islands Safe Neighborhood District.

---

District Clerk  
Three Islands Safe Neighborhood District