

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING RESOLUTION NO. R-2018-388 CALLING FOR A SPECIAL ELECTION ON MARCH 12, 2019 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF HOLLYWOOD, FLORIDA, A SINGLE BALLOT QUESTION OR TWO BALLOT QUESTIONS ASKING WHETHER THE CITY SHALL BE AUTHORIZED TO ISSUE GENERAL OBLIGATION BONDS, FROM TIME TO TIME, NOT EXCEEDING \$64,000,000 IN AGGREGATE PRINCIPAL AMOUNT, PAYABLE FROM UNLIMITED AD VALOREM TAXES, BEARING INTEREST NOT EXCEEDING THE MAXIMUM LEGAL INTEREST RATE, AND MATURING NO LATER THAN 25 YEARS FROM ISSUANCE DATE, TO IMPROVE THE CITY'S PARKS, RECREATIONAL FACILITIES, CULTURAL FACILITIES AND GOLF COURSES, AND TO PURCHASE LAND FOR OPEN SPACE.

WHEREAS, authority is conferred by the laws of the State of Florida and the Charter of the City of Hollywood, Florida ("City") to issue general obligation bonds of the City for the purpose of paying for certain capital improvements, including the capital projects ("Projects") described more fully in the attached Exhibit "A" ("GOB Parks, Open Space, Golf, Recreational and Cultural Arts Facilities Project List"), payable from ad valorem taxes to be levied without limitation as to rate or amount on all taxable property in the City sufficient for such purpose; and

WHEREAS, pursuant to Section 100.201, Florida Statutes, as amended, prior to the issuance of general obligation bonds by the City, the question of the issuance thereof shall have been approved by a majority of the votes cast at an election in which the qualified electors residing in the City shall participate; and

WHEREAS, it is deemed advisable and necessary to provide for the submission to the qualified electors of the City at a special election to be scheduled for March 12, 2019, of such a question with respect to the issuance of general obligation bonds of the City for the purpose of paying for the Projects; and

WHEREAS, on December 5, 2018, the City Commission passed and adopted Resolution No. R-2018-388, calling for a special election consisting of a single ballot question to improve the City's parks, recreational facilities, cultural facilities and golf courses, and to purchase land for open space; and

WHEREAS, this amended Resolution addresses concerns raised by residents regarding the Deed Restrictions on the City's golf courses, and clarifies the future use of the property known as the former Sunset Golf Course should the City acquire the property pursuant to the approval of the City's GOB.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA.

Section 1: The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: Subject to the referendum and the provisions of this Resolution, the City authorizes the issuance of parks, recreational and cultural facilities, golf courses and open space General Obligation Bonds (the "Bonds") in one or more series and in an aggregate principal amount not exceeding \$64,000,000.

Section 3: In accordance with the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Hollywood, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, March 12, 2019, for the purpose of submitting to the electorate the question(s) set forth below.

Section 4: The Broward County election officials shall conduct the Special Election, with acceptance of the certification of the results of the Special Election to be performed by the City Commission.

Section 5: The voting precincts in the City for this Special Election shall be as established by the proper and appropriate Broward County election officials. All electors shall vote at the polling places and the voting precincts as determined by the Broward County election officials.

Section 6: Pursuant to the requirements of Florida Statute Section 100.342, notice of the Special Election set forth in this Resolution shall be given at least 30 days in advance of the election and shall be given in a newspaper of general circulation published in Broward County. The notice shall be published at least twice, once in the fifth week and once in the third week prior to the week in which the election is to be held.

Section 7: A. The "Project List" in Exhibit A is hereby approved. The City may, in its sole discretion, by official action evidenced by a resolution or ordinance of the City Commission adopted or enacted from time to time, modify or amend all or any portion of the items included in the "GOB Parks, Open Space, Golf, Recreational and Cultural Arts Facilities Project List" to (1) delete one or more of the Projects listed on the Project List if the City determines it is not feasible or is otherwise not in the best interests of the City to pursue such Project or Projects, or (2) in consultation with bond counsel to the City, substitute or modify one or more of the Projects listed on the Project List, if the City determines such substitution or modification better serves City purposes, provided such modified or substituted facility, improvement or equipment is related to parks, open space, golf courses,

recreation or cultural arts facilities. Nothing contained in this section shall be construed as modifying the provisions of all existing use limitations or restrictions, including deeds, dedications, or covenants of record that pertain to the golf courses enumerated on the Project List.

B. A portion of the costs of the Projects may be paid or incurred before the related Bonds are issued, in anticipation of the reimbursement of such expenditures from proceeds of such Bonds. Section 1.150-2 of the Federal income tax regulations requires the City to officially declare its intent to use proceeds of the Bonds to reimburse Project expenditures paid prior to issuance thereof as a prerequisite to the proceeds being used for reimbursement purposes. Accordingly, this Resolution shall serve as evidence of the City's intent, within the meaning of Section 1.150-2 of the Federal income tax regulations, to issue the Bonds for reimbursement, if approved at the Referendum. The applicable Bonds shall have the applicable maximum principal amounts specified in Section 2 and be issued with respect to the related Projects as specified in the Project List, as the same may be modified from time to time in accordance with Section 7(A) of this Resolution.

C. Nothing in this Resolution shall be deemed to require the City to issue any of the Bonds.

Option 1

D. Should the City acquire the property known as the former Sunset Golf Course pursuant to the approval of the City's GOB, the City shall dedicate and utilize the property exclusively for a nature preserve, wetlands and stormwater management area to assist the City in resiliency and water retention while providing for publicly accessible passive trails and overlooks.

Option 2

D. Should the City acquire the property known as the former Sunset Golf Course pursuant to the approval of the City's GOB, the City shall utilize the property to include a publicly accessible nature preserve, wetlands, stormwater management area to assist the City in providing for resiliency and water retention while allowing for passive trails and overlooks.

Option 3

D. Should the City acquire the property known as the former Sunset Golf Course pursuant to the approval of the City's GOB, the City shall place a question on the next municipal election ballot allowing residents in the City to vote on a deed restriction on the subject property stating that the property shall only be utilized for the following uses: a publicly accessible nature preserve, wetlands, stormwater management area to assist the City in providing for resiliency and water retention while allowing for passive trails and overlooks.

Section 8: The official ballot to be used in the Special Election to be held on March 12, 2019 hereby called shall be in substantially the following form below as either Option A (one ballot question for parks, open space, golf courses, recreational and cultural facilities), or Option B (two ballot questions, one for parks, recreational and cultural facilities and one for open space preservation which includes golf courses and trails) as approved by the City Commission this date:



Option A:

OFFICIAL BALLOT

General Obligation Bond Issue

For City Parks, Open Space, Golf, Recreational and Cultural Facilities

To improve parks, open space, golf, recreational and cultural facilities, including renovating playgrounds, sports fields, Art and Culture Center, and Orangebrook and Hollywood Beach Golf Courses, and acquire Sunset property, shall the City be authorized to issue General Obligation Bonds, from time to time, not exceeding \$64,000,000 in aggregate principal amount, payable from ad valorem taxes bearing interest not exceeding the maximum legal interest rate, and maturing no later than 25 years from issuance date?

FOR BOND _____
AGAINST BOND _____



Option B:

OFFICIAL BALLOT

General Obligation Bond Issue

For City Parks, Recreational and Cultural Facilities

To improve the City's parks, recreational and cultural facilities, including renovating playgrounds, sports fields, the Art and Culture Center-Hollywood and the former armory building into an indoor sports facility, shall the City be authorized to issue General Obligation Bonds, from time to time, not exceeding \$14,000,000 in aggregate principal amount, payable from ad valorem taxes bearing interest not exceeding the maximum legal interest rate, and maturing no later than 25 years from issuance date?

FOR BOND _____
AGAINST BOND _____

General Obligation Bond Issue
For Open Space Preservation, Golf Courses and Trails

To preserve open space and improve golf courses including the purchase of the former Sunset Golf Course and renovating the Orangebrook and Hollywood Beach Golf Courses adding public nature trails, shall the City be authorized to issue General Obligation Bonds, from time to time, not exceeding \$50,000,000 in aggregate principal amount, payable from ad valorem taxes bearing interest not exceeding the maximum legal interest rate, and maturing no later than 25 years from issuance date?

FOR BOND _____
AGAINST BOND _____

Section 9: The City of Hollywood shall pay all expenses for conducting this Special Election and will pay to Broward County or directly to all person or firms, upon receipt of the invoice or statement approved by the Supervisor of Elections of Broward County, Florida.

Section 10: If any word, phrase, clause, sentence or paragraph of this Resolution shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, phrase, sentence or paragraph hereof.

Section 11: This Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2019.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES, CITY ATTORNEY