

## **RESOLUTION NO. R-20-105**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA REGARDING PUBLIC FINANCE; AUTHORIZING THE ISSUANCE IN ONE OR MORE SERIES OF NOT EXCEEDING FIFTY MILLION DOLLARS AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF MANATEE COUNTY, FLORIDA, TO PAY ALL OR A PORTION OF THE COST OF ACQUIRING CERTAIN LANDS WITHIN MANATEE COUNTY TO PROTECT WATER QUALITY AND FISH AND WILDLIFE HABITATS FROM STORMWATER RUNOFF POLLUTION, TO PRESERVE ENVIRONMENTALLY SENSITIVE LANDS AND TO PROVIDE PUBLIC PARKS, SUBJECT TO APPROVAL AT A REFERENDUM HEREIN CALLED; PROVIDING FOR AND CALLING A BOND ELECTION OF THE QUALIFIED ELECTORS RESIDING IN THE COUNTY TO BE HELD ON NOVEMBER 3, 2020 ON THE QUESTION OF THE ISSUANCE OF SUCH GENERAL OBLIGATION BONDS AND THE LEVY OF ADDITIONAL AD VALOREM TAX MILLAGE; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Constitution and laws of the State of Florida, including, without limitation, Chapter 125, Florida Statutes, as amended, authorize and empower Manatee County, Florida (the "County") to adopt this resolution; and

**WHEREAS**, the Board of County Commissioners of Manatee County, Florida (the "Board"), as the governing body of the County, has determined that it is necessary and desirable for the promotion of various public purposes and for the health, safety, and welfare of the residents of, and visitors to, the County that it undertake the acquisition of lands to protect water quality and fish and wildlife habitats from stormwater runoff pollution, to preserve environmentally sensitive lands and to provide public parks; such lands to be identified in subsequent proceedings of the Board (herein, the "Conservation and Parks Projects"); and

**WHEREAS**, in order to pay the cost of such Conservation and Parks Projects, it is necessary to issue general obligation bonds of the County as hereinafter described; and

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

**WHEREAS**, it is deemed advisable and necessary to provide for the submission to the qualified electors of the County, at a bond referendum election to be scheduled in conjunction with the regular general election of the County on November 3, 2020, the question of whether the County should issue its general obligation bonds for the purpose of providing funds, together with other available funds of the County, to enable the County to pay the costs of the Conservation and Parks Projects.

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1: INCORPORATION OF RECITALS.** The recitals set forth above are true and correct and are incorporated herein by this reference.

**SECTION 2: AUTHORITY OF THIS RESOLUTION.** This Resolution is adopted pursuant to the Florida Constitution, Chapter 100, Florida Statutes, Chapter 125, Florida Statutes and other applicable provisions of law.

**SECTION 3: AUTHORIZATION OF BONDS.** Subject and pursuant to the provisions hereof, General Obligation Bonds of Manatee County, Florida, are authorized to be issued in one or more series in an aggregate principal amount of not exceeding Fifty Million Dollars, for the purpose of financing all or a portion of the Conservation and Parks Projects to finance the acquisition of lands to protect water quality and fish and wildlife habitats from stormwater runoff pollution, to preserve environmentally sensitive lands and

to provide public parks, subject to approval at a referendum herein called. Such General Obligation Bonds shall be payable from ad valorem taxes levied without limit as to rate or amount on all taxable property in the County. None of such Bonds shall be issued for a term longer than twenty (20) years from their date or dates of issuance and such bonds shall bear interest at such rate or rates, not exceeding the maximum rate permitted by law at the time of the issuance of the Bonds.

Section 4: **BOND ELECTION.** A bond election of the qualified electors of the County is hereby called to be held on November 3, 2020, to determine whether or not the issuance of such General Obligation Bonds in one or more series in an aggregate amount of not exceeding Fifty Million Dollars, for the purpose of financing all or a portion of the Conservation and Parks Projects and its benefits shall be approved by such qualified electors to finance such acquisition and construction costs.

All qualified electors residing in the County shall be entitled to and permitted to vote in such Bond election.

The polls will be open at the voting places from Seven (7) o'clock A.M. until Seven (7) o'clock P.M. on the same day.

The places of voting and the Inspectors and Clerks for the polling places for the Bond election shall be determined in the same manner as for general elections.

SECTION 5: **OFFICIAL BALLOT.** Voting machines or electronic or electromechanical voting equipment shall be used at such Bond election and the ballot to be used shall be in substantially the following form and contain the following question:

**WATER QUALITY PROTECTION, FISH AND WILDLIFE HABITAT PRESERVATION,  
AND PARK AD VALOREM TAX AND BONDS**

To finance the acquisition, improvement, and management of land to protect drinking water sources and water quality, preserve fish and wildlife habitat, prevent stormwater

runoff pollution, and provide parks, shall Manatee County levy an additional 0.15 mill ad valorem tax and issue general obligation bonds in a total principal amount not exceeding \$50,000,000, maturing within 20 years, bearing interest not exceeding the legal rate, payable from such ad valorem taxes, with annual public audits?

**FOR BONDS \_\_\_\_\_**  
**AGAINST BONDS \_\_\_\_\_**

**SECTION 6: ABSENTEE VOTING.** The form of ballot to be used in the election for absentee voters shall be the same as that used at the Bond election, which shall be in substantially the form provided in Section 5 above.

**SECTION 7: PRINTING OF BALLOT.** The Supervisor of Elections is authorized and directed to have printed a sufficient number of the aforesaid ballot for use of absentee electors entitled to cast such ballot in such election, and shall also have printed sample ballots and deliver them to Inspectors and Clerks on or before the date and time for the opening of the polls for such Bond election for the voting places at which voting machines or electronic or electromechanical voting equipment are to be used. The Supervisor of Elections is further authorized and directed to make appropriate arrangements for use of such voting machines or equipment at the polling places specified herein and to have printed or cause to have printed and delivered the official ballots in accordance with law.

**SECTION 8: ELECTION PROCEDURE.** The Bond election shall be held and conducted in conjunction with the general election to be held on November 3, 2020 and in the manner prescribed by law for holding general elections in the County. The returns shall be canvassed by the County Canvassing Board, and the County Canvassing Board shall declare the results of the Bond election, record such results in the minutes of the County Canvassing Board and certify the same to the Board.

**SECTION 9: ELECTION RESULTS.** If a majority of the votes cast at such election on the issuance of the Bonds shall be in favor of the issuance of the Bonds, the Bonds

shall be declared approved and may be issued by the County as provided by law. In the event less than a majority of those voting on the issuance of the Bonds shall be in favor of the issuance of the Bonds, the issuance of the Bonds shall be deemed to have failed of approval.

**SECTION 10: NOTICE OF BOND ELECTION.** The following Notice of Bond Election shall be published in The Herald, a newspaper of general circulation in the County, 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, the first publication to be not less than thirty (30) days prior to the date of such Bond election:

**“NOTICE OF BOND ELECTION**

A bond election of the qualified electors of Manatee County, Florida, will be held on November 3, 2020 , to determine whether or not the issuance of the general obligation bonds for the purpose stated in the ballot question set forth below shall be approved by such qualified electors.

All qualified electors residing in the County shall be entitled to and permitted to vote in such bond election.

The polls will be open at the voting places from Seven (7) o'clock A.M. until Seven (7) o'clock P.M. on the same day.

The places of voting and the Inspectors and Clerks for the polling places for the bond election shall be determined in the same manner as for general elections.

Voting machines or electronic or electromechanical voting equipment will be used at such bond election and the ballot to be used shall be in substantially the following form and contain the following question:

**WATER QUALITY PROTECTION, FISH AND WILDLIFE HABITAT PRESERVATION,  
AND PARK AD VALOREM TAX AND BONDS**

To finance the acquisition, improvement, and management of land to protect drinking water sources and water quality, preserve fish and wildlife habitat, prevent stormwater runoff pollution, and provide parks, shall Manatee County levy an additional 0.15 mill ad valorem tax and issue general obligation bonds in a total principal amount not exceeding

\$50,000,000, maturing within 20 years, bearing interest not exceeding the legal rate, payable from such ad valorem taxes, with annual public audits?

**FOR BONDS\_\_\_\_\_**  
**AGAINST BONDS \_**

With respect to the foregoing question, if a majority of the votes cast at such election on the issuance of the bonds shall be in favor of the issuance of the bonds, the bonds shall be declared approved and may be issued by the County as provided by law. In the event less than a majority of those voting on the issuance of the bonds shall be in favor of the issuance of the bonds the issuance of the bonds shall be deemed to have failed of approval.

Angelina "Angel" Colonnese  
Clerk of the Board of County  
Commissioners of Manatee County,  
Florida"

**SECTION 11: SEVERABILITY.** In the event that any word, phrase, clause, sentence or paragraph hereof 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 12: REPEALING CLAUSE.** All resolutions in conflict or inconsistent herewith are hereby repealed to the extent of such conflict or inconsistency.

**SECTION 13: EFFECTIVE DATE.** The Resolution shall take effect immediately upon its adoption.

[signature page to follow]

ADOPTED WITH A QUORUM PRESENT AND VOTING THIS THE 28th DAY OF  
July, 2020.



MANATEE COUNTY, FLORIDA  
BOARD OF COUNTY  
COMMISSIONERS

By: \_\_\_\_\_

Chairperson

ATTEST: ANGELINA COLONNESCO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: \_\_\_\_\_

Deputy Clerk