

RESOLUTION No. 18-112

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, CALLING FOR A REFERENDUM REGARDING THE ISSUANCE OF GENERAL OBLIGATION BONDS BY THE CITY OF DORAL, IN AN AMOUNT NOT TO EXCEED \$150,000,000.00, FOR THE PURPOSE OF FINANCING THE COSTS OF BUILDING/IMPROVING PARKS AND RECREATIONAL FACILITIES WITH SAFETY FEATURES, INCLUDING, BUT NOT LIMITED TO, GREEN SPACES, COMMUNITY CENTERS, CULTURAL AMENITIES, AQUATIC FACILITY, PLAYGROUNDS, SPORTS FIELDS, AND FIVE MILES OF WALKING/ CYCLING TRAILS, ALL FOR THE ADVANCEMENT OF PUBLIC HEALTH AND PROTECTION OF NATURAL AREAS; PROVIDING FOR PUBLICATION OF NOTICE OF SAID REFERENDUM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Doral (the "City") has made the health and wellness of the community a top priority, investing in parks and recreation projects, programs, sports and activities, all geared at keeping the community healthy and protecting natural and green areas; and

WHEREAS, in years 2017 and 2018, the City updated its Parks Master Plan and Doral Central Park Master Plan; and

WHEREAS, the City Council desires to build a significant portion of the Parks Master Plan and all of the Doral Parks Master Plan in a fiscally prudent manner that ensures the timely development of the programs while maintaining the City's strong fiscal position; and

WHEREAS, the City Council wishes to seek approval of the electors for the issuance of general obligation bonds in an amount not to exceed \$150,000,000.00 for the purpose building/ improving parks and recreational facilities with safety features, including, but not limited to, green spaces, community centers, cultural amenities,

aquatic facility, playgrounds, sports fields, and approximately five miles of walking/ cycling trails , all for the advancement of public health and protection of natural areas (“the Project”); and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Intent to Issue Bonds. Subject to a referendum provided for herein and pursuant to subsequent proceedings of the City, the City intends to authorize the issuance of general obligation bonds in an aggregate principal amount not exceeding \$150,000,000, issuable 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 resolution of the City prior to the time of sale thereof (the “Bonds”). Such Bonds, if issued, shall pledge the full faith and credit of the City and be payable from ad valorem taxes levied by the City without limit as to rate or amount on all taxable property within the City. The Bonds will be issued for the purpose of providing funds to finance costs of the Project.

Section 3. Calling of Bond Referendum. The City Council does hereby call a bond referendum pursuant to Article VII, Section 12 of the Constitution of the State of

Florida, and Florida Statutes Section 100.211, to be held on November 6, 2018, for the purpose of determining whether the qualified electors of the City approve the issuance of the Bonds to finance the cost to the City of the Project. In accordance with the Constitution and the laws of the State of Florida, all qualified electors of the City shall be entitled and permitted to vote in the referendum. Said Referendum shall be held at the same polling places in the several precincts, respectively, in the City as determined by the Supervisor of Elections of Miami-Dade County (“Supervisor”). The inspectors and clerks who shall conduct said Referendum (“Election Officials”) shall be those selected and appointed for the Supervisor. The polling places for the Referendum shall be open from 7:00 a.m. to 7:00 p.m. on the same day. In accordance with the Constitution and the laws of the State of Florida, all qualified electors of the City shall be entitled and permitted to vote in the referendum.

Section 4. Ballot Question. The following bond referendum question, with title, shall be placed on the ballot:

Doral Parks for Tomorrow: General Obligation Bonds Referendum for Parks, Natural Areas, and Recreational Facilities

To improve public health and protect natural areas by building/improving parks and recreational facilities with safety features, including, but not limited to, green spaces, community centers, cultural amenities, aquatic facility, playgrounds, sports fields, and five miles of walking/cycling trails, shall Doral issue General Obligation Bonds, within maximum lawful interest rates, maturing within 30 years from each issuance, not exceeding \$150 million, payable from *ad valorem* taxes, with independent annual audits and citizen oversight?

Section 5. Form of Ballot. The form of ballot for the election is attached hereto as Exhibit “A”, which shall be accommodated in the November 2018 General Election Ballot as provided by the Miami-Dade County Supervisor of Elections.

Section 6. City Clerk Responsibilities. The City 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. 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 8. Conduct Of Referendum. The Referendum shall be held and conducted in the manner prescribed by law for holding special elections in the City. The Election Officials at each polling place in the several precincts, respectively, shall prepare and file returns of such Referendum and deliver the same to the Miami-Dade County Canvassing Board for canvassing in the manner provided by applicable law or canvassing shall be done pursuant to Chapter 10 of the Code, as applicable. Said returns shall be certified to the City Council, which shall declare the results thereof and record the same in its minutes along with the number of qualified electors of the City who voted at the Referendum on the question proposed and the number of votes cast for and against approval of the ballot question. The 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 9. Bond Authorization. If a majority of the votes cast by qualified electors of the City at the Referendum approves the ballot question concerning the Project, the City shall be authorized to issue the Bonds in the manner provided herein. The Bonds may be issued all at one time or in part from time to time as the City may in its discretion thereafter determine by subsequent resolution.

Section 10. List of Qualified Electors. The City Clerk is hereby authorized to request a list of the names of all qualified electors residing in the City. A certified copy of such list shall be filed among the records of the Council.

Section 11. Publication of Notice. The City Clerk shall cause a Notice of Referendum to be published in the *Miami Herald* or any other newspaper of general circulation within the City, once in the fifth and third weeks 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 City 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 Council. The Notice of Referendum shall be substantially in the form attached hereto as Exhibit "B". Copies of this Resolution are on file at the offices of the City Clerk located at 8401 NW 53rd Terrace, Doral, FL 33166, and are available for public inspection during regular business hours.

Section 12. Authority. The City Attorney and City Clerk are hereby authorized to make any such amendments to the ballot title and/or question based upon the rules, regulations and policies of the Supervisor, and are hereby authorized to take all steps necessary to fulfill the intent of this Resolution.

Section 13. Implementation. The City Manager, City Attorney, and City Clerk are otherwise authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution, including, without limitation, engaging in an education campaign to advise the public of the ensuing referendum and its purpose.

Section 14. Severability. In the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holdings shall not affect any other word, clause, phrase, sentence or paragraph hereof.

Section 15. Effective Date. That this Resolution will become effective immediately upon its adoption.

The foregoing Resolution was offered by Councilmember Mariaca who moved its adoption. The motion was seconded by Councilmember Cabrera and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Ana Maria Rodriguez	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED this 13 day of June, 2018.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY

EXHIBIT "A"

Doral Parks for Tomorrow: General Obligation Bonds Referendum for Parks, Natural Areas, and Recreational Facilities

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_____ FOR BONDS

_____ AGAINST BONDS

EXHIBIT "B"

NOTICE OF BOND REFERENDUM

PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO RESOLUTION NO. _____ ADOPTED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA (THE "CITY") A SPECIAL ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE CITY ON TUESDAY, THE SIXTH DAY OF NOVEMBER, 2018, 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 CITY FOR APPROVAL OR REJECTION.

Doral Parks for Tomorrow: General Obligation Bonds Referendum for Parks, Natural Areas, and Recreational Facilities

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_____ FOR BONDS

_____ AGAINST BONDS

The full text of Resolution No. _____ is available at the offices of the City Clerk located at 8401 NW 53 Terrace, Doral, Florida 33166.

City Clerk