

Orig. 15

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN DR. BRENDA C. SNIPES, SUPERVISOR OF ELECTIONS OF BROWARD COUNTY, AND THE CITY OF POMPANO BEACH, FOR A MUNICIPAL SPECIAL ELECTION TO BE HELD ON MARCH 13, 2018, RELATING TO THE BOND REFERENDUM; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That an Agreement between Dr. Brenda C. Snipes, Supervisor of Elections of Broward County, and the City of Pompano Beach for a Municipal Special Election to be held on March 13, 2018, relating to the Bond Referendum, a copy of which Agreement is attached hereto and incorporated by reference as if set forth in full is hereby approved.

SECTION 2: That the proper City officials are hereby authorized to execute said Agreement between Dr. Brenda C. Snipes, Supervisor of Elections of Broward County, and the City of Pompano Beach.

SECTION 3: This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 14th day of November, 2017.



LAMAR FISHER, MAYOR

ATTEST:



ASCELETA HAMMOND, CITY CLERK

09.15

AGREEMENT

THIS AGREEMENT made and entered into the 11TH day of DECEMBER, 2017, by and between:

Dr. Brenda C. Snipes,
SUPERVISOR OF ELECTIONS OF BROWARD COUNTY
(hereinafter referred to as the "Supervisor")

AND

CITY OF POMPANO BEACH
A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA
Office of the City Clerk
Post Office Drawer 1300
Pompano Beach, Florida 33061
(Hereinafter referred to as "City", "Town" or "Village")

WITNESSETH:

WHEREAS, BRENDA C. SNIPES, is the Supervisor of Elections of Broward County, Florida, pursuant to the provisions of Article VIII Section 1(d) of the Florida Constitution and serves in that capacity as a Constitutional Officer and under the State of Florida Election Code; and

WHEREAS, the Supervisor has specific duties, functions, and responsibilities described in the State of Florida Election Code contained in Chapters 97 through 106 of the Florida Statutes, as amended from time to time; and

WHEREAS, among the duties and functions of the Supervisor is the engagement, training, and assigning pollworkers, including Voting Systems Technicians (VST) in connection with Federal, State, County, and certain Municipal and District elections described in Chapter 102, Florida Statutes, including the appointment of election boards consisting of an inspector and a clerk who shall perform their duties and functions as provided for in the State Election Code; and

WHEREAS, Chapter 75-350, Laws of Florida (Special Acts, 1975 [the "Act"]), as amended, provides for a uniform filing and election date for all municipal elections conducted in Broward County, Florida, in addition to setting forth the requirements for qualification to office, the conducting of elections and other matters affecting all municipalities within Broward County, Florida; and

WHEREAS, during general elections conducted by the Supervisor, pollworkers are hired by the Supervisor and function as her employees during the course of such elections; however, in municipal elections, the aforesaid pollworkers are selected and hired by the individual municipalities whose compensation is derived and paid for by such municipalities for municipal elections described in the aforementioned Act; and

WHEREAS, for convenience, consistency and the proper and efficient conduct of municipal elections, it is common for municipalities in Broward County to specifically request that the Supervisor select, train, and work directly with the pollworkers during municipal elections, however, all payment due municipal election day pollworkers is the responsibility of the requesting municipality for these specific services; and

WHEREAS, the Supervisor possesses the requisite legal authority, expertise, personnel, and equipment to assist a municipality in selecting, engaging, training, and working directly with pollworkers in the City's election; and

WHEREAS, the City desires to delegate and to assign to the Supervisor the power, duty, and authority to select pollworkers for municipal elections pursuant to the terms, conditions, and provisions of this Agreement;

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and covenants contained herein, the sufficiency of which is hereby acknowledged by the parties, the parties hereto agree as follows:

ARTICLE 1.0

Recitals

1.1 The above recitals are true and correct and are incorporated herein as if set forth in full hereunder.

ARTICLE 2.0

Duties of Supervisor

2.1 The Supervisor shall conduct the municipal special election to be held by the City, Town, Village of Pompano Beach on the 13^h day of March 2018, in accordance with the State of Florida Election Code, as amended from time to time.

2.2. At the request of the City, the Supervisor shall select, assign, and train the requisite number of pollworkers for the aforesaid election.

2.3 The Supervisor's decision as to placement and location in precincts and polling places for such designated pollworkers shall be determined by the Supervisor in her sole and absolute discretion, upon and subsequent to the execution of this Agreement.

2.4 The Supervisor shall provide City with payroll sheets after said election(s) for the purpose of the City's payment of said Election Day workers.

ARTICLE 3.0 City's Obligations

3.1 The City hereby engages the services of the Supervisor of Elections, as set forth in the Agreement in connection with the engagement and assigning of pollworkers for all City elections subject to the terms hereof and unless terminated by either party.

3.2 The City shall properly and timely pay pollworkers as required by law and upon City checks or warrants issued directly to the pollworkers.

3.3 The City shall set the rate of pay for pollworkers. The Supervisor of Elections will advise the City of current pay scale for County elections.

3.4 The City shall permit and hereby authorizes the Supervisor of Elections to engage the Broward County Sheriff to assign and place poll deputies for each of the precincts or polling places for said election referred to in this Agreement. Poll deputies should be considered pollworkers for purposes of payment only. The City will also be responsible for directly paying for each of these deputies in the same manner as described in Articles 2.4, 3.2 and 3.4 of this Agreement.

ARTICLE 4.0 Indemnification

4.1 To the extent permitted by law, the City shall indemnify, hold harmless and defend the Supervisor from and against any and all claims, causes of action, which may arise out of the engagement and assignment of pollworkers by the Supervisor or the performance of any of the obligations imposed upon the Supervisor by this Agreement. This indemnification and hold harmless provision shall be liberally construed in favor of the Supervisor and shall apply nonetheless to the extent permitted by law. This indemnification shall permit the Supervisor the right to retain legal counsel of her choosing in any matter or proceeding to which or for which this indemnification arises. Nothing contained herein is intended nor shall be construed to waive the City's rights and immunities under the common law or Florida Statutes Section 768.28, as amended from time to time.

ARTICLE 5

Notices

5.1 All notices, consents, approvals, waivers, and elections which any party shall require or shall desire to make or give under this Agreement shall be in writing and shall be sufficiently delivered:

5.1.1 when mailed by certified mail, postage prepaid, return receipt requested;

5.1.2 by hand delivery to the named individuals representing the party to be notified; or

5.1.3 by private parcel delivery services, or facsimile transmission for which a receipt is provided to the notifying party. Notices, including notice of a change of address or number, shall be addressed or transmitted to the addresses and telephone numbers set forth below, that a party may be designated in the manner prescribed herein.

As to the Supervisor:	Dr. Brenda C. Snipes, Supervisor of Elections 115 South Andrews Avenue, Room 102 Fort Lauderdale, FL 33301 Telephone No.: (954) 357-7061
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With Copy To:	Burnadette Norris-Weeks, Esquire Burnadette Norris-Weeks, P.A. 100 Southeast 6 th Street, Suite 6 Fort Lauderdale, FL 33301 Telephone No.: (954) 768-9770
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As to City:	Asceleta Hammond, City Clerk Office of the City Clerk Post Office Drawer 1300 Pompano Beach, FL 33061
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With Copy To:	Mark E. Berman, City Attorney Office of the City Attorney Post Office Drawer 1300 Pompano Beach, FL 33061
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5.2 Notices, consents, approvals, waivers, and elections given or made as aforesaid shall be deemed to have been given and received on the date of the mailing, delivery, or transmission. When requested by either party, the other shall furnish receipts, paid bills or documents to reasonably verify facts or representations made or pursuant to the requirements of this Agreement.

ARTICLE 6.0

Disputes

6.1 Should a dispute arise regarding the interpretation of this Agreement, or in performance of either party hereunder, and should a court action be commenced, the ultimate prevailing party shall be entitled to receive reasonable attorney's fees and costs at both the trial and appellate levels, including the cost and expense of paralegals. Any litigation arising from this Agreement shall be prosecuted in Broward County, Florida.

ARTICLE 7.0

Miscellaneous

7.1 It is further agreed that no modification, amendment, or alteration in the terms and conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

7.2 Any portion of this agreement that is deemed unconscionable, unconstitutional, or otherwise invalid, shall be severed from the agreement and the rest of the agreement shall remain in full force.

7.3 The terms, provisions, covenants, and conditions herein shall be construed solely in accordance with the laws of the State of Florida.

7.4 This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of each of the parties hereto.

7.5 The parties hereto and their successors and assigns shall not record this Agreement amongst the Public Records of Broward County, Florida.

Signed in the presence of:

As to City

CITY, TOWN, VILLAGE OF

Pompano Beach

A Municipal Corporation of the State of Florida


BY: 

Lamar Fisher, Mayor

BY: 

Gregory Harrison, City Manager


Ascelesta Hammond, Municipal Clerk


Mark E. Berman, City Attorney

STATE OF FLORIDA)
COUNTY OF BROWARD)

THE FOREGOING INSTRUMENT was acknowledged before me this 17th day of November, 2017, by Lamar Fisher as Mayor, Gregory Harrison as City Manager and Asceleta Hammond as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, who are personally known to me.



my known to me.

Ju Williams

NOTARY PUBLIC

Jennette Forrester - Williams

Print or Type Name

WITNESSES:

Andreas Perri
ANDREAS PERRI
Print Name

As to Supervisor
SUPERVISOR OF ELECTIONS OF
BROWARD COUNTY, FLORIDA

BY: Brenda C. Snipes, E.D.
Brenda C. Snipes
Supervisor of Elections

STATE OF FLORIDA)
)
COUNTY OF BROWARD)

THE FOREGOING INSTRUMENT was acknowledged before me this 11th day
of DECEMBER, 2017, by Brenda C. Snipes, who is personally known to me.



Andrea C. Perri
NOTARY PUBLIC

ANDREA C. PERRI
Print or Type Name

My Commission Expires:

007.21

RESOLUTION NO. 2018-01

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED (1) \$46,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF POMPANO BEACH, FLORIDA GENERAL OBLIGATION BONDS FOR THE PRINCIPAL PURPOSE OF FINANCING OR REIMBURSING, ALL OR IN PART, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS, THE COST OF ACQUIRING, CONSTRUCTING, EQUIPPING, RENOVATING, REPLACING AND IMPROVING CERTAIN PUBLIC SAFETY PROJECTS, (2) \$56,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF POMPANO BEACH, FLORIDA GENERAL OBLIGATION BONDS FOR THE PRINCIPAL PURPOSE OF FINANCING OR REIMBURSING, ALL OR IN PART, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS, THE COST OF ACQUIRING, CONSTRUCTING, EQUIPPING, RENOVATING, REPLACING AND IMPROVING CERTAIN PARKS, RECREATION AND LEISURE PROJECTS, AND (3) \$79,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF POMPANO BEACH, FLORIDA GENERAL OBLIGATION BONDS FOR THE PRINCIPAL PURPOSE OF FINANCING OR REIMBURSING, ALL OR IN PART, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS, THE COST OF ACQUIRING, CONSTRUCTING, EQUIPPING, RENOVATING, REPLACING AND IMPROVING STREETS, SIDEWALKS, BRIDGES AND STREETSCAPING PROJECTS, IN EACH CASE, AS MORE FULLY DESCRIBED HEREIN, AND SUBJECT TO THE BOND REFERENDUM HEREIN PROVIDED FOR AND SUBSEQUENT PROCEEDINGS OF THE CITY COMMISSION OF THE CITY, SUCH BONDS TO BE PAYABLE FROM THE FULL FAITH AND CREDIT AND UNLIMITED AD VALOREM TAXING POWER OF THE CITY; PROVIDING FOR AND CALLING A BOND REFERENDUM OF THE QUALIFIED ELECTORS OF THE CITY TO BE HELD ON MARCH 13, 2018; PROVIDING FOR OFFICIAL BALLOTS; PROVIDING FOR BOND REFERENDUM PROCEDURES; PROVIDING FOR OTHER MATTERS AND GENERAL AUTHORIZATIONS IN CONNECTION WITH THE FOREGOING; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALING CLAUSES; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This resolution is adopted pursuant to the provisions of the Florida Constitution, Chapter 166, Florida Statutes, the Charter of the City of Pompano Beach, Florida (the "Charter") and other applicable provisions of law, including Sections 100.201 – 100.351, Florida Statutes.

SECTION 2. FINDINGS. The City Commission (the "City Commission") of the City of Pompano Beach, Florida (the "City") hereby finds and determines as follows:

A. The City has developed a list of capital improvements located or to be located within the boundaries of the City which may be financed (or the cost of which may be reimbursed), all or in part, with proceeds of its general obligation bonds and other legally available funds (the "GOB Projects List"). The City undertook various efforts to develop the GOB Projects List, including (i) in 2013, the City Commission approved a comprehensive strategic plan for the City (the "Strategic Plan") which identified needs and goals of the City, including with respect to capital improvements, (ii) in 2013, the City Commission approved a master plan relating to parks, recreation and leisure needs of the City (the "Parks Master Plan"), which identified improvements to be made to existing parks, recreation and leisure facilities and recommended new parks, recreation and leisure facilities to meet City needs; (iii) in 2015, the City Commission tasked City staff with identifying capital improvements, including those in the Strategic Plan and Parks Master Plan, for which funding sources had not yet been determined, all or in part; and (iv) soliciting input from residents in the City as part of the process of developing the Strategic Plan and Parks Master Plan and the GOB Projects List. As more fully reflected on Exhibit A hereto, the components of the GOB Projects List have been grouped into three categories referred to as the "Public Safety Projects" (consisting generally of police, fire, emergency management and lifeguard facilities and related costs), the "Parks, Recreation and Leisure Projects" (consisting generally of parks, recreation and leisure facilities and related costs) and the "Streets, Sidewalks, Bridges and Streetscaping Projects" (consisting generally of streets, sidewalks, bridges and streetscaping, related utilities and drainage and related costs), respectively. The Public Safety Projects, the Parks, Recreation and Leisure Projects and the Streets, Sidewalks, Bridges and Streetscaping Projects are sometimes referred to collectively herein as the "Projects."

B. The City Commission hereby determines that it is necessary and desirable for the promotion of various municipal purposes and for the health, safety and welfare of the residents of the City, and serves a paramount public purpose, for the City to undertake one or more components of the Projects and to issue its general obligation bonds to finance or reimburse, all or in part, the cost thereof, together with other legally available funds, as provided for herein (with any benefit to private parties from the Projects being incidental for purposes of the Florida Constitution).

C. In furtherance of the foregoing, and subject to a bond referendum (the "Referendum") as provided for herein and this Resolution, the City authorizes the issuance of its general obligations bonds in an aggregate principal amount not exceeding (1) \$46,000,000 for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving the

Public Safety Projects (the "Public Safety Projects General Obligation Bonds"), (2) \$56,000,000 for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving the Parks, Recreation and Leisure Projects (the "Parks, Recreation and Leisure Projects General Obligation Bonds"), and (3) \$79,000,000 for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving the Streets, Sidewalks, Bridges and Streetscaping Projects (the "Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds" and, together with the Public Safety Projects Bonds and the Parks, Recreation and Leisure Projects Bonds, the "Bonds"). The Bonds shall be general obligations of the City, shall pledge the full faith, credit and ad valorem taxing power of the City and shall be payable from ad valorem taxes levied without limit as to rate or amount on all taxable property in the City.

D. As a condition to the issuance of the Bonds, it is necessary to call and hold the Referendum to determine whether a majority of the qualified electors of the City voting in said Referendum approve the issuance of such Bonds, with the issuance of the Public Safety Projects General Obligation Bonds, Parks, the Recreation and Leisure Projects General Obligation Bonds and the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds being separately considered for approval.

SECTION 3. PROJECTS; BONDS; AND REIMBURSEMENT.

A. The Projects are hereby approved and the findings set forth in Section 2(B) hereof with respect thereto confirmed. 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 Public Safety Projects, Park, Recreation and Leisure Projects and/or Streets, Sidewalks, Bridges and Streetscaping Projects to (1) delete one or more of the listed items if the City determines it is not feasible or is otherwise not in the best interests of the City to pursue or (2) substitute or modify one or more of the listed items, if the City determines such substitution or modification better serves City purposes, provided such modified or substituted facility, improvement or equipment shall be included in the City's five-year capital improvement program, as adopted from time to time, and be related to (i) police, fire, emergency management or lifeguard services with respect to the Public Safety Projects, (ii) parks, community centers, piers, amphitheaters, pavilions, ballfields or other recreation and leisure purposes with respect to the Parks, Recreation and Leisure Projects, and (iii) streets, sidewalks, streetscaping, landscaping, lighting, related utilities and drainage, parking, or bridges with respect to the Streets, Sidewalks, Bridges and Streetscaping Projects.

B. Subject to the Referendum and the provisions of this Resolution, the City authorizes the issuance of (1) the Public Safety Projects General Obligation Bonds in an aggregate principal amount not exceeding \$46,000,000 for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving the Public Safety Projects, (2) the Parks, Recreation and Leisure Projects General Obligation Bonds in an aggregate principal amount not exceeding \$56,000,000 for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing

and improving the Parks, Recreation and Leisure Projects, and (3) the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds in an aggregate principal amount not exceeding \$79,000,000 for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving the Streets, Sidewalks, Bridges and Streetscaping Projects, in each case, in one or more series, maturing at such time or times not exceeding 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 at the time of sale, all as shall be determined by resolution or ordinance of the City prior to the time of sale thereof. Proceeds of the Bonds will also be applied to fund necessary reserves, pay costs of issuance and fund other costs necessary or incidental to the issuance of such Bonds and related Projects. The Bonds shall be general obligations of the City, shall pledge the full faith, credit and ad valorem taxing power of the City and shall be payable from ad valorem taxes levied by the City without limit as to rate or amount on all taxable property within the City. To the extent required by the Charter, the issuance of any particular Bonds (or series of Bonds), if approved at the Referendum, shall be authorized by ordinance enacted by the City Commission.

C. 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 expenditures paid prior to issuance thereof as a prerequisite to the proceeds being treated as 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 3(B) hereof and be issued with respect to the related Projects as specified in Section 3(B) hereof.

D. Nothing in this Resolution shall be deemed to require the City to (i) issue any or all of the Public Safety Projects General Obligation Bonds, if same are approved at the Referendum and/or to apply proceeds of the Public Safety Projects General Obligation Bonds (or any series thereof), if issued, to finance any specific components of the Public Safety Projects; (ii) issue any or all of the Parks, Recreation and Leisure Projects General Obligation Bonds, if same are approved at the Referendum and/or to apply proceeds of the Parks, Recreation and Leisure Projects General Obligation Bonds (or any series thereof), if issued, to finance any specific components of the Parks, Recreation and Leisure Projects; and/or (iii) issue any or all of the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds, if same are approved at the Referendum and/or to apply proceeds of the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds (or any series thereof), if issued, to finance any specific components of the Streets, Sidewalks, Bridges and Streetscaping Projects.

SECTION 4. REFERENDUM. The Referendum is hereby called to be held in conjunction with the special election to be held on March 13, 2018, for the purposes of determining whether a majority of the qualified electors of the City voting in the Referendum approve (1) the Public Safety Projects General Obligation Bonds in an aggregate principal amount not exceeding \$46,000,000 for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving the Public Safety Projects, (2) the Parks, Recreation and Leisure Projects General

Obligation Bonds in an aggregate principal amount not exceeding \$56,000,000 for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving the Parks, Recreation and Leisure Projects, and (3) the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds in an aggregate principal amount not exceeding \$79,000,000 for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving the Streets, Sidewalks, Bridges and Streetscaping Projects, with each question to be considered separately for approval. All qualified electors in the City shall be entitled and permitted to vote in the Referendum.

SECTION 5. CONDUCT OF REFERENDUM. The Supervisor of Elections of Broward County, Florida (the "Supervisor") shall hold, administer and conduct the Referendum in the manner prescribed by applicable law. The City Clerk of the City (the "Clerk") and the Supervisor are directed to take all necessary action to conduct the Referendum in accordance with applicable law, including Sections 100.211 and 100.221, Florida Statutes. The Clerk or her designee is hereby designated and appointed as the official representative of the City in all transactions with the Supervisor relating to matters pertaining to the use of the registration books for the Referendum and the holding of the Referendum.

Said Referendum shall be held at the same polling places in the several precincts, respectively, in the City as the polling places for the special election to be held on the same day. The inspectors and clerks who shall conduct said Referendum shall be the same as those selected and appointed for special election to be held on the same day. The polling places for the Referendum shall be open from 7:00 a.m. to 7:00 p.m. on the same day. The returns of the Referendum shall show the number of qualified electors who voted at the Referendum on each ballot question and the number of votes cast for and against each ballot question, respectively. The returns shall be properly canvassed in accordance with applicable law and the results of the Referendum shall be certified to the Florida Department of State in accordance with Section 100.351, Florida Statutes. All procedures and requirements of the laws of the State of Florida, the Charter and other applicable law shall be complied with for the purpose of conducting the computation of ballots and completion of Referendum procedures.

SECTION 6. NOTICE OF REFERENDUM. Notice of the Referendum shall be published in a newspaper of general circulation in the City once a week for the four consecutive weeks during the 30 days prior to the date of the Referendum. Such publication to be accomplished in a manner which results in notice being published at least once in the fifth week and once in the third week prior to the week in which the Referendum is held, with the date of first publication to be at least thirty (30) days prior to the date of the Referendum, all as provided by the Charter and Section 100.342, Florida Statutes. Such notice shall be in substantially the forms attached hereto as Exhibit B. The Clerk is hereby authorized and directed to publish such notice and to secure from the publisher of said newspaper appropriate affidavits of proof that said notice has been duly published, and said affidavits shall be made a part of the records of the City.

SECTION 7. OFFICIAL BALLOT. The ballot questions for voting in the Referendum shall be in substantially the forms set forth below. The provisions of this Resolution shall be

deemed incorporated in said ballot questions. The Clerk is hereby authorized and directed to deliver a form of the ballot questions set forth herein to the Supervisor for printing, to ascertain that the wording of the ballot questions are correctly printed on the ballots, 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 absentee ballots. Ballots containing the questions set forth in this Section 7 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.

OFFICIAL BALLOT

CITY OF POMPANO BEACH, FLORIDA

PUBLIC SAFETY PROJECTS GENERAL OBLIGATION BONDS

To acquire, construct, equip, renovate, replace and improve police, fire, emergency management and lifeguard facilities and pay related costs, shall Pompano Beach, Florida issue bonds not exceeding \$46,000,000, in one or more series, bearing interest not exceeding the maximum legal rate, maturing not later than 30 years from their issuance date(s), pledging the City's full faith and credit and ad valorem revenues collected to pay such bonds, all as described in Resolution No. 2018-01?

FOR BONDS _____

AGAINST BONDS _____

OFFICIAL BALLOT

CITY OF POMPANO BEACH, FLORIDA

PARKS, RECREATION AND LEISURE PROJECTS GENERAL OBLIGATION BONDS

To acquire, construct, equip, renovate, replace and improve parks, recreation and leisure facilities and pay related costs shall Pompano Beach, Florida issue bonds not exceeding \$56,000,000, in one or more series, bearing interest not exceeding the maximum legal rate, maturing not later than 30 years from their issuance date(s), pledging the City's full faith and credit and ad valorem revenues collected to pay such bonds, all as described in Resolution No. 2018-01?

FOR BONDS _____

AGAINST BONDS _____

OFFICIAL BALLOT

CITY OF POMPANO BEACH, FLORIDA

STREETS, SIDEWALKS, BRIDGES AND STREETSCAPING PROJECTS

GENERAL OBLIGATION BONDS

To acquire, construct, equip, renovate, replace and improve streets, sidewalks, bridges, streetscaping, related utilities and drainage and pay related costs shall Pompano Beach, Florida issue bonds not exceeding \$79,000,000, in one or more series, bearing interest not exceeding the maximum legal rate, maturing not later than 30 years from their issuance date(s), pledging the City's full faith and credit and ad valorem revenues collected to pay such bonds, all as described in Resolution No. 2018-01?

FOR BONDS _____

AGAINST BONDS _____

SECTION 8. REFERENDUM RESULTS. Returns of the votes cast at the Referendum shall be made as required by applicable law. If a majority of the votes cast for a particular ballot question shall be "For Bonds," the Bonds that are the subject of that ballot question shall be approved, and such Bonds may be issued in one or more series, from time to time, as the City Commission may in its discretion hereafter determine by subsequent proceedings of the City Commission. If a majority of the votes cast for a particular ballot question shall be "Against Bonds," the Bonds that are the subject of that ballot question shall be defeated and such Bonds shall not be issued. The approval or defeat of a particular ballot question considered at the Referendum shall not impact the approval or defeat of any other ballot question considered at the Referendum. If approved at the Referendum, the appropriate representatives of the City are authorized to seek judicial validation by the Circuit Court in and for Broward County, Florida of the Bonds so approved.


SECTION 9. LANGUAGES. To the extent required by law, the ballot questions at the Referendum and the notices of the Referendum shall be published in both the English and the Spanish languages.

SECTION 10. SEVERABILITY OF INVALID PROVISIONS. If any one or more of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions, and shall in no way affect the validity of any of the other provisions hereof.

SECTION 11. REPEALING CLAUSE. All resolutions or parts thereof in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

SECTION 12. EFFECTIVE DATE. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 10th day of October, 2017.


LAMAR FISHER, MAYOR

ATTEST:


ASCELETA HAMMOND, CITY CLERK

EXHIBIT A

PROJECTS

THE FOLLOWING PROJECTS ARE SUBJECT TO MODIFICATION AS PROVIDED IN SECTION 3. A. AND SECTION 3 D. OF THE RESOLUTION TO WHICH THIS EXHIBIT IS ATTACHED.

Public Safety Projects

- Beach Lifeguard Headquarters Renovation--Replace four (4) existing lifeguard towers on the City's public beach with new lifeguard towers and renovate and equip the existing Ocean Rescue Building located at 50 North Pompano Beach Boulevard.
- Fire/Emergency Operations Center-- Construct a new fire rescue and logistics complex to be located in the Downtown Pompano Transit Oriented Corridor to provide centralized operations for the City, including, but not limited to, an administration center, emergency operations center, and a fire and emergency management services distribution center with storage space for emergency apparatus, together with construction of an adjacent public parking garage, including related land acquisition.
- Fire Station #52--Replace existing Fire Station #52 located at 10 SW 27th Avenue, through the construction and equipping of a new fire station building.
- Fire Station #61--Replace existing Fire Station #61 located at 2121 NW 3rd Avenue, through the construction and equipping of a new fire station building.
- New Fire Station--Construct and equip a new fire station to be located at the corner of SW 36th Avenue and McNab Road, including related land acquisition for the new fire station site.
- Public Safety Complex--Renovate and equip the existing Public Safety Complex located at 100 SW 3rd Street and 120 SW 3rd Street.

Parks, Recreation and Leisure Projects

- Amphitheater Renovations--Renovate the existing amphitheater located at 1801 NE 6th Street, including, but not limited to, construction of shade structure over existing seating area, new bathrooms, audio/video equipment, stage lighting, and upgrades to ticket booth and concession stand.
- Centennial Park Improvements--Construct and equip a new open-air facility for special events, including City-sponsored and resident events, at existing Centennial Park located at 450 NE 10th Street.
- Fishing Pier Replacement--Replace existing fishing pier at the City's public beach located at 222 N. Pompano Beach Boulevard, including, but not be limited to, pedestrian lighting, shade structures, fishing stations and bait and tackle shop.
- Kester Park Improvements-- Renovate and equip existing Kester Park located at 702 NE 6th Street, including, but not limited to, playground expansion and improvements to open fields, ball fields, and dugouts, and installation of perimeter fencing.
- McNair Park Improvements--Renovate, expand and equip existing McNair Park located at 951 NW 27th Avenue, including, but not limited to, lighted synthetic football/soccer field, running track, tennis court, basketball court, playground with water features, meeting room, concession and senior center.
- Mitchell Moore Park Improvements--Renovate and equip existing Mitchell Moore Park located at 901 NW 10th Street, including, but not limited to, replacement of flooring, windows and doors, pull down shutters, and front desk area.
- North Pompano Park--Renovate, expand and equip existing North Pompano Park located at 4400 NE 18th Avenue, including, but not limited to, upgrades to football/soccer field, playground, and park, including related land acquisition for expansion.
- New Senior Citizens Center—Construct and equip a new senior citizens center in the northwest sector of the City to handle increased demand for senior programs, including land acquisition for the senior citizens center site.
- New Ultimate Sports Park--Construct and equip a new park to be adjacent to Apollo Park located at 1580 NW 3rd Avenue, including, but not limited to, a skate park, soccer/football field, and concession/restroom building.
- New Youth Sports Complex--Construct and equip a new park to be located at 700 NE 10th Street, the former Elks Club property, near Community Park, including, but not limited to, multi-use fields for youth sports and related land acquisition for the park site.

Streets, Sidewalks, Bridges and Streetscaping Projects

- A1A Improvements--Construct and equip improvements on State Road A1A from Hillsboro Inlet to Terra Mar Drive, including, but not limited to, undergrounding of new and existing electric, cable and telephone utility lines, sidewalk widening, bike lanes, traffic calming, lighting and other streetscape improvements.
- Collier City Neighborhood Improvements--Construct and equip streetscape improvements in the Collier City neighborhood, including, but not limited to, lighting and landscaping.
- Dixie Highway Improvements--Construct and equip improvements to the Dixie Highway corridor, from McNab Road to Sample Road, including, but not limited to, roadway crossing improvements, bicycle lanes, medians, sidewalks, lighting, landscaping, street furniture and other streetscape improvements.
- Martin Luther King Jr. Boulevard Improvements--Construct and equip improvements to Martin Luther King Jr. Boulevard from NW 6th Avenue to Interstate 1-95, including, but not limited to, paving, related drainage and water and sewer facilities within streets, sidewalks, medians, lighting, landscaping, street furniture and other streetscape improvements.
- McNab Road Improvements--Construct and equip improvements to McNab Road, including, but not limited to replacing McNab Road bridge, beautifying the McNab Road corridor between Federal Highway and South Cypress Creek Road, paving, related drainage improvements, sidewalks, bus shelters and benches, lighting, landscaping, street furniture and other streetscape improvements.
- NE 33rd Street Improvements—Construct and equip improvements to NE 33rd Street between Dixie Highway and Federal Highway, including, but not limited to, underground utilities conversion, lighting, irrigation, landscaping, traffic calming, brick paver replacements, curbing, drainage modifications, paths for shared uses, pavement resurfacing, street furniture and other streetscape improvements.
- Palm-Aire Neighborhood Improvements--Construct and equip streetscape improvements at two bridges spanning the C-14 canal and to the Herb Skolnick Center, including, but not limited to, lighting, landscaping and sidewalks.
- SE 5th Avenue Bridge Improvements—Construct and equip improvements to the SE 5th Avenue Bridge, including, but not limited to, repairs to the deck and superstructure, including replacement of substructure components, to include pilings and jackets.
- Terra Mar Drive Bridge Improvements—Construct and equip improvement to the Terra Mar Drive Bridge, including, but not limited to, repair and replacement of the deck, superstructure and substructure.

EXHIBIT B

NOTICES

NOTICE OF BOND REFERENDUM FOR PUBLIC SAFETY PROJECTS TO BE HELD ON MARCH 13, 2018

CITY OF POMPANO BEACH, FLORIDA

To be held on March 13, 2018, as provided by Resolution No. 2018-01 (the "Resolution") of the City of Pompano Beach, Florida (the "City") adopted on October 10, 2017.

Notice is hereby given that a bond referendum will be held in the City on March 13, 2018 (the "Referendum") to determine whether there shall be issued general obligation bonds of the City (the "Public Safety Projects General Obligation Bonds") in an aggregate principal amount not exceeding Forty-Six Million Dollars (\$46,000,000) for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving various Public Safety Projects within the City, all as described in the Resolution. The Public Safety Projects General Obligation Bonds shall be general obligations of the City and shall pledge the full faith, credit and unlimited ad valorem taxing power of the City. The Public Safety Projects General Obligation Bonds may be issued in one or more series from time to time, shall mature at such time or times not exceeding thirty (30) years from their date or dates of issuance, and shall bear interest at a rate or rates not exceeding the legal maximum rate of interest at the time of sale.

The holding of the Referendum, and the issuance of the Public Safety Projects General Obligation Bonds, subject to the terms of the Resolution, have been authorized by the Resolution. The Resolution is available for inspection at the office of the City Clerk of the City, 100 W. Atlantic Boulevard, Pompano Beach, Florida 33060, during regular working hours, 8:00 a.m. to 5:00 p.m., Monday through Friday.

In accordance with the Constitution and laws of the State of Florida, all qualified electors of the City shall be entitled and permitted to vote in the Referendum to which this notice pertains. The polls at said Referendum will be open from 7:00 a.m. to 7:00 p.m. on March 13, 2018, and will be held at the polling places in the several precincts of the City.

The City shall be authorized to issue the Public Safety Projects General Obligation Bonds only if such issuance shall have been approved by vote of a majority of the qualified electors of the City voting in the Referendum.

By order of the City Commission of the City of Pompano Beach, Florida

ASCELETA HAMMOND, CITY CLERK,

CITY OF POMPANO BEACH, FLORIDA

**NOTICE OF BOND REFERENDUM FOR PARKS, RECREATION AND LEISURE
PROJECTS
TO BE HELD ON MARCH 13, 2018**

CITY OF POMPANO BEACH, FLORIDA

To be held on March 13, 2018, as provided by Resolution No. 2018-01 (the "Resolution") of the City of Pompano Beach, Florida (the "City") adopted on October 10, 2017.

Notice is hereby given that a bond referendum will be held in the City on March 13, 2018 (the "Referendum") to determine whether there shall be issued general obligation bonds of the City (the "Parks, Recreation and Leisure Projects General Obligation Bonds") in an aggregate principal amount not exceeding Fifty-Six Million Dollars (\$56,000,000) for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving various Parks, Recreation and Leisure Projects within the City, all as described in the Resolution. The Parks, Recreation and Leisure Projects General Obligation Bonds shall be general obligations of the City and shall pledge the full faith, credit and unlimited ad valorem taxing power of the City. The Parks, Recreation and Leisure Projects General Obligation Bonds may be issued in one or more series from time to time, shall mature at such time or times not exceeding thirty (30) years from their date or dates of issuance, and shall bear interest at a rate or rates not exceeding the legal maximum rate of interest at the time of sale.

The holding of the Referendum, and the issuance of the Parks, Recreation and Leisure Projects General Obligation Bonds, subject to the terms of the Resolution, have been authorized by the Resolution. The Resolution is available for inspection at the office of the City Clerk of the City, 100 W. Atlantic Boulevard, Pompano Beach, Florida 33060, during regular working hours, 8:00 a.m. to 5:00 p.m., Monday through Friday.

In accordance with the Constitution and laws of the State of Florida, all qualified electors of the City shall be entitled and permitted to vote in the Referendum to which this notice pertains. The polls at said Referendum will be open from 7:00 a.m. to 7:00 p.m. on March 13, 2018, and will be held at the polling places in the several precincts of the City.

The City shall be authorized to issue the Parks, Recreation and Leisure Projects General Obligation Bonds only if such issuance shall have been approved by vote of a majority of the qualified electors of the City voting in the Referendum.

By order of the City Commission of the City of Pompano Beach, Florida

ASCELETA HAMMOND, CITY CLERK,

CITY OF POMPANO BEACH, FLORIDA

**NOTICE OF BOND REFERENDUM FOR STREETS, SIDEWALKS, BRIDGES AND
STREETSCAPING PROJECTS
TO BE HELD ON MARCH 13, 2018**

CITY OF POMPANO BEACH, FLORIDA

To be held on March 13, 2018, as provided by Resolution No. 2018-01 (the "Resolution") of the City of Pompano Beach, Florida (the "City") adopted on October 10, 2017.

Notice is hereby given that a bond referendum will be held in the City on March 13, 2018 (the "Referendum") to determine whether there shall be issued general obligation bonds of the City (the "Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds") in an aggregate principal amount not exceeding Seventy-Nine Million Dollars (\$79,000,000) for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving various Streets, Sidewalks, Bridges and Streetscaping Projects within the City, all as described in the Resolution. The Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds shall be general obligations of the City and shall pledge the full faith, credit and unlimited ad valorem taxing power of the City. The Streets, Sidewalks, Streetscaping and Bridges Projects General Obligation Bonds shall be issued in one or more series from time to time, shall mature at such time or times not exceeding thirty (30) years from their date or dates of issuance, and shall bear interest at a rate or rates not exceeding the legal maximum rate of interest at the time of sale.

The holding of the Referendum, and the issuance of the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds, subject to the terms of the Resolution, have been authorized by the Resolution. The Resolution is available for inspection at the office of the City Clerk of the City, 100 W. Atlantic Boulevard, Pompano Beach, Florida 33060, during regular working hours, 8:00 a.m. to 5:00 p.m., Monday through Friday.

In accordance with the Constitution and laws of the State of Florida, all qualified electors of the City shall be entitled and permitted to vote in the Referendum to which this notice pertains. The polls at said Referendum will be open from 7:00 a.m. to 7:00 p.m. on March 13, 2018, and will be held at the polling places in the several precincts of the City.

The City shall be authorized to issue the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds only if such issuance shall have been approved by vote of a majority of the qualified electors of the City voting in the Referendum.

By order of the City Commission of the City of Pompano Beach, Florida

ASCELETA HAMMOND, CITY CLERK,

CITY OF POMPANO BEACH, FLORIDA