

RESOLUTION NO. 2022- \_\_\_\_\_

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, ORDERING AND PROVIDING FOR A SPECIAL ELECTION BOND REFERENDUM TO BE HELD AT THE GENERAL ELECTION ON NOVEMBER 8, 2022, ON THE QUESTION AS TO WHETHER BREVARD COUNTY SHOULD ISSUE GENERAL OBLIGATION TAX BONDS NOT EXCEEDING \$50,000,000 TO EXTEND THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM FOR THE PURPOSE OF FUNDING THE ACQUISITION AND MANAGEMENT OF ENVIRONMENTALLY ENDANGERED LANDS WITH THE BONDS TO BE PAID OVER A PERIOD OF TWENTY YEARS FROM AN AD VALOREM TAX LEVY NOT EXCEEDING 0.1465 MILLS; AND PROVIDING FOR AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA as follows:

SECTION 1. AUTHORITY FOR RESOLUTION. This resolution is adopted pursuant to Chapter 125, Florida Statutes, and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby found and determined as follows:

A. Brevard County desires to provide funding for the acquisition and management of environmentally endangered land and water areas (the "Project").

B. Issuance by the County of its general obligation tax bonds, in an amount not to exceed Fifty Million Dollars and No Cents (\$50,000,000.00), payable from the proceeds of an annual ad valorem tax not exceeding 0.1465 mills for a period of twenty (20) years levied on all taxable property within the County is the most appropriate and effective method of financing the Project.

C. Chapter 125, Florida Statutes, and Article VII, Section 12 of the Florida Constitution, authorize the County to issue such bonds upon approval by a majority of the electors voting in a bond referendum conducted pursuant to law.

D. November 8, 2022, is an appropriate and desirable date for the conduct of the bond referendum election.

E. All things required to be done prior to the calling of a bond referendum within the County on the issuance of the proposed bonds have been done and it is now desirable to call the necessary bond referendum.

F. The types of projects and lands sought to be acquired for preservation and upon which the bond proceeds may be spent include, but are not limited to, those depicted in Exhibit A, attached hereto.

G. For the purposes of this resolution, passive recreational opportunities may include greenways and trails connecting existing environmentally endangered lands owned governmental agencies and environmentally endangered lands to be acquired with the proceeds obtained from the bonds issued under the authority of this resolution.

H. The interests in land that may be acquired using the bond proceeds include fee simple, conservation easements and other innovative ownership techniques that promote the protection of environmentally endangered land and water areas.

I. It is the intent that the bond proceeds will be used for the expressed purpose of acquiring environmentally endangered land and water areas from willing sellers.

SECTION 3. BONDS. The proposed bond issue (the Bonds) to be submitted to the electorate for referendum approval consists of the issuance of general obligation tax bonds of the County in an aggregate principal amount not exceeding Fifty Million Dollars and No Cents (\$50,000,000.00), in one or more series as determined by subsequent resolution, bearing interest payable at such rate or rates not exceeding the maximum legal rate, as shall be determined at the time of the sale thereof, and maturing not later than twenty (20) years from the date of issuance for the purposes set forth in this resolution. The Bonds and the interest thereon will be payable from an ad valorem tax not exceeding 0.1465 mills levied on all taxable property in the County to provide funding for the continuation of acquisition and management of environmentally endangered land and water areas.

SECTION 4. BOND REFERENDUM. A special election bond referendum (bond referendum) is hereby ordered to be held concurrent with the general election in Brevard County on November 8, 2022, to determine whether or not the Bonds shall be issued.

SECTION 5. NOTICE OF BOND REFERENDUM. This resolution shall be published in full as a part of the notice of the bond referendum, together with a notice in substantially the form attached hereto as Exhibit B, in *Florida Today*, a newspaper of

general circulation in the County, such publication to be made at least twice, once in the fifth week and once in the third week prior to the week in which the election or referendum is to be held with the first such publication to occur at least 30 days prior to the date of the election.

SECTION 6. PLACES OF VOTING, INSPECTORS, CLERKS. As provided by law, the polls will be open at the voting places on the date of such bond referendum. All qualified electors residing within Brevard County shall be entitled and permitted to vote at such bond referendum on the proposition provided below. The places of voting and the inspectors and clerk for the bond referendum shall be those designated by the Supervisor of Election of Brevard County.

SECTION 7. OFFICIAL BALLOT. The ballots to be used in the bond referendum shall contain a statement of the description of the proposed issuance of bonds, and shall be in substantially the following form:

BALLOT  
Brevard County, Florida

Caption: Environmentally Endangered Land and Water Areas Bond Referendum

Shall Brevard County issue bonds to extend the Environmentally Endangered Lands program to acquire, improve and maintain wildlife habitat, wetlands, woodlands, and lands that protect Indian River Lagoon and St Johns River, and maintain and improve nature education centers, with citizen oversight, which bonds don't exceed \$50,000,000 aggregate principal amount, bear interest not exceeding maximum legal rate, mature twenty years from issuance and are payable from levying annual ad valorem taxes not exceeding 0.1465 mills?

For the bonds \_\_\_\_\_

Against the bonds \_\_\_\_\_

SECTION 8. ABSENTEE VOTING. The form of ballots to be used in such bond referendum for absentee voters shall be the same as used at the polling places for said referendum.

SECTION 9. PRINTING OF BALLOTS. The Supervisor of Elections for Brevard County is hereby authorized and requested to (a) have sample ballots printed and to deliver such sample ballots to the inspectors and clerks on or before the date and time for opening of the polls for such bond referendum and (b) have official ballots for use in such bond referendum election printed and delivered in accordance with law.

SECTION 10. PAYMENT OF REFERENDUM EXPENSES. The County Manager is hereby authorized and directed to approve the payment of lawful expenses associated with conducting the bond referendum election and the clerk of the Board of County Commissioners is hereby authorized and directed to disburse funds necessary to pay such expenses.

SECTION 11. VOTER REGISTRATION BOOKS. The Supervisor of Elections for Brevard County is hereby authorized and requested to furnish to the inspectors and clerks at each place where the votes are to be cast in such bond referendum, applicable portions of the registration books or certified copies thereof showing the names of the qualified electors residing in the County.

SECTION 12. ELECTION PROCEDURE. The bond referendum shall be held and conducted in the manner prescribed by law and shall, as soon as practicable, be returned to and canvassed by the Board of County Commissioners of Brevard County. The result shall show the number of qualified electors who voted at such bond referendum and the number of votes cast respectively for and against approval of the bonds. Upon certification by the Board of County Commissioners, the results shall be recorded in the minutes of the Board.

SECTION 13. ELECTION RESULTS. If the majority of the votes cast at such bond referendum shall be "For Bonds," the issuance of the Bonds shall be approved and the Bonds shall be issued as hereafter provided by the Board of County Commissioners of Brevard County, Florida.

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 holding shall not affect any other word, clause, sentence or paragraph hereof.

SECTION 15. REPEALING CLAUSE. All resolutions or other actions of the County which are in conflict herewith are hereby repealed to the extent of such conflict or inconsistency.

SECTION 16. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

DONE AND ADOPTED in Regular Session of the Board of County Commissioners of Brevard County, Florida, this \_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

\_\_\_\_\_  
Rachel Sadoff, Clerk

BY: \_\_\_\_\_  
Kristine Zonka, Chair  
(as approved by the Board on \_\_\_\_\_)

# EXHIBIT A Environmentally Endangered Lands Program Project Areas

## Legend Projects ACQ STATUS

### Acquired Status

- Acquired
- Proposed Properties

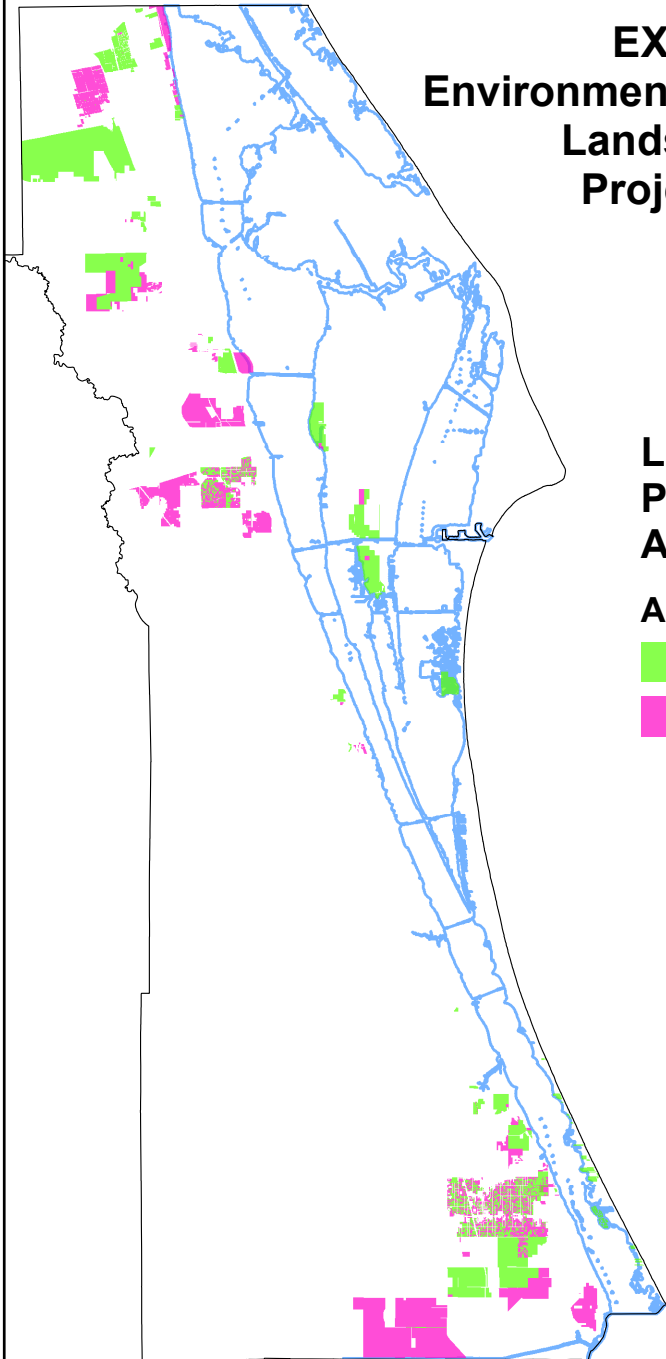


Exhibit "B"

**NOTICE OF SPECIAL ELECTION BOND REFERENDUM ON THE QUESTION AS TO WHETHER BREVARD COUNTY SHOULD ISSUE GENERAL OBLIGATION TAX BONDS NOT EXCEEDING \$50,000,000 TO EXTEND THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM FOR THE PURPOSE OF FUNDING THE ACQUISITION AND MANAGEMENT OF ENVIRONMENTALLY ENDANGERED LANDS, WITH THE BONDS TO BE PAID OVER A PERIOD OF TWENTY YEARS FROM AN AD VALOREM TAX LEVY NOT EXCEEDING 0.1465 MILLS**

Pursuant to law and the Brevard County Home Rule Charter, notice is hereby given that a referendum election shall be held on the question as to whether Brevard County should issue general obligation tax bonds not exceeding \$50,000,000 to extend the Environmentally Endangered Lands Program for the purpose of funding the acquisition and management of environmentally endangered lands, with the bonds to be paid over a period of twenty years from an ad valorem tax levy not exceeding 0.1465 mills. The referendum election shall be held on November 8, 2022, at which the question described in the following resolution number 2022-\_\_\_\_\_ adopted by the Board of County Commissioners of Brevard County, Florida, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022 shall be submitted to the electors:

[Set forth Resolution in full]