

ORDINANCE NO. 3020-15

AN ORDINANCE CALLING A BOND REFERENDUM TO BE HELD ON THE QUESTION OF THE ISSUANCE OF NOT EXCEEDING \$30,000,000 GENERAL OBLIGATION BONDS, SERIES 2016, OF THE CITY OF WINTER PARK, FLORIDA, TO FINANCE THE COST OF THE ACQUISITION AND CONSTRUCTION OF THE WINTER PARK LIBRARY AND EVENTS CENTER AND RELATED IMPROVEMENTS IN THE CITY; AUTHORIZING THE ISSUANCE OF SUCH BONDS IF APPROVED BY REFERENDUM; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA (the "Issuer"):

SECTION 1. AUTHORITY FOR THIS ORDINANCE. This ordinance is enacted pursuant to Chapters 100, 166, and 215, Florida Statutes, and other applicable provisions of law.

SECTION 2. FINDINGS. The City Commission of the Issuer (the "Commission") hereby determines that:

- (a) it serves a public purpose and is in the best interest of the Issuer and the general public to issue General Obligation Bonds, Series 2016 (the "Bonds") to finance the acquisition and construction of the capital improvements described in Exhibit "A" attached hereto, and all purposes incidental thereto (collectively, the "Project"); and
- (b) the Project will be used for educational and cultural events and programs and have shared meeting spaces; and
- (c) the individual components of the Project are united by a single public purpose and constitute a single project for the purposes of all applicable provisions of law.

SECTION 3. AUTHORIZATION OF BONDS. Subject and pursuant to the provisions hereof, the Bonds are authorized to be issued in the aggregate principal amount of not exceeding \$30,000,000 to finance the Project. The money received from the issuance of the Bonds will be used for such purpose and for the benefit of the Issuer. The Bonds shall be payable from ad valorem taxes levied without limitation as to rate or amount on all taxable property in the area of the Issuer. None of the Bonds shall be issued for a longer term than 20 years from their date of issuance, and such Bonds shall bear interest at such rate or rates not exceeding the maximum rate permitted by law on the date of sale of the Bonds.

SECTION 4. BOND REFERENDUM. A bond referendum of the qualified electors residing in the area of the Issuer is hereby called to be held on March 15, 2016 to determine whether or not the issuance of the Bonds, in an aggregate principal amount of not exceeding \$30,000,000 shall be approved by such qualified electors to finance the cost of the acquisition and construction of the Project. All qualified electors residing in the area of the Issuer shall be entitled and permitted to vote in such bond referendum. The polls will be open at the voting places from 7 :00 A.M. until 7:00 P.M. on the same day.

SECTION 5. NOTICE OF BOND REFERENDUM. As required by law, at least 30 days' notice of the bond referendum shall be provided. This ordinance shall be published in full as part of the notice of such bond referendum, together with an appropriate notice in substantially the form attached hereto as Exhibit "B," in the Orlando Sentinel or any other newspaper published and of general circulation in the area of the Issuer, at least twice, once in the fifth week and once in the third week prior to the week in which the bond referendum is to be held.

SECTION 6. PLACES OF VOTING, INSPECTORS, CLERKS. The places of voting and the inspectors and clerks for the polling places for the bond referendum shall be the same as in general elections held in the area of the Issuer.

SECTION 7. OFFICIAL BALLOT. The form of ballot to be used shall be in substantially the following form:

OFFICIAL BALLOT
CITY OF WINTER PARK, FLORIDA
BOND REFERENDUM – MARCH 15, 2016

For the purpose of building the Winter Park Library and Events Center, to include library facilities, civic meeting and gathering facilities and related parking structure, and improvements, and all purposes incidental thereto, shall the City of Winter Park, Florida, issue not exceeding \$30,000,000 general obligation bonds, bearing interest at not exceeding the maximum legal rate, maturing within 20 years from date of issuance, payable from ad valorem taxes levied on all taxable property in the City area, without limitation as to rate or amount; as provided in Ordinance No. 3020-15?

Instructions to Voters:

If you are in favor of the issuance of the bonds, select "FOR BONDS."

If you are not in favor of the issuance of the bonds, select "AGAINST BONDS."

SECTION 8. ABSENTEE VOTING. Paper ballots shall be used at such election for absentee voting. The form of ballot to be used in the referendum for absentee voters shall be in substantially the form specified in Section 7 above.

SECTION 9. PRINTING OF BALLOTS. The Supervisor of Elections is authorized and directed to have printed a sufficient number of such ballots for use of absentee electors qualified to cast ballots in the bond referendum, and shall also have printed sample ballots and deliver them to the inspectors and clerks on or before the date and time for the opening of the polls for such bond referendum, for use at the voting places; and further is authorized and directed to have printed on plain white cardboard or paper and delivered in accordance with law, the official ballots for use in such bond referendum.

SECTION 10. REFERENDUM PROCEDURE. The bond referendum shall be held and conducted in the manner prescribed by law for holding general elections in the area of the Issuer, except as may be provided by Sections 100.201 through 100.351, Florida Statutes. The inspectors and clerks at each polling place shall prepare and file returns of such bond referendum and shall deliver the same to the Issuer. Such returns 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 proposition. The returns shall, as soon as practicable, be canvassed by the Commission.

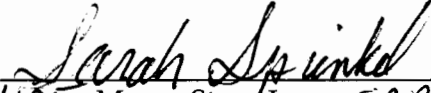
SECTION 11. REFERENDUM RESULTS. If a majority of the votes cast at such bond referendum shall be "For Bonds," such proposition shall be approved; and then the Bonds and, at the option of the Commission, bond anticipation notes, may be issued as hereafter provided by subsequent resolutions of the Commission.

SECTION 12. 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 13. REPEALING CLAUSE. All ordinances, resolutions or parts thereof in conflict or inconsistent with this ordinance are hereby repealed insofar as there is conflict or inconsistency.

SECTION 14. EFFECTIVE DATE. This ordinance shall take effect immediately upon its final passage and adoption.

ADOPTED after reading by title at a regular meeting of the City Commission of the City of Winter Park, Florida, City Hall, Winter Park, Florida, on this 23rd day of November, 2015.


VICE Mayor ~~Steve Leary~~ SARAH SPRINKEL

ATTEST:


Cynthia S. Bonham, City Clerk

EXHIBIT "A"

Description of Project

A new library and events center consisting of library facilities, civic meeting and gathering facilities and related parking structure, and improvements incidental thereto, and the demolition and removal of the existing civic center.

EXHIBIT "B"

NOTICE OF BOND REFERENDUM IN THE CITY OF WINTER PARK, FLORIDA ON
March 15, 2016.

NOTICE IS HEREBY GIVEN THAT A BOND REFERENDUM will be held on March 15, 2016 in the City Winter Park, Florida (the "Issuer"), for the purpose of determining whether or not General Obligation Bonds, Series 2016, of the Issuer shall be issued in the aggregate principal amount of not exceeding \$30,000,000, bearing interest at such rate or rates not exceeding the legal rate as shall be determined at the time of sale thereof, maturing over a period not to exceed 20 years from the date of issuance of such Bonds, payable from ad valorem taxes levied without limitation as to rate or amount on all taxable property in the area of the Issuer, for the purpose of financing the acquisition and construction of a municipal complex consisting of a library and events center which shall include library facilities, civic meeting and gathering facilities and related parking structure, and improvements incidental thereto, and the demolition and removal of the existing civic center; all as more specifically described and provided in Ordinance No. 3020-15 of the Issuer (the "Ordinance").

The places of voting in the bond referendum shall be those same places of voting as for general elections held in the area of the Issuer. The polls will be open at the voting places on the date of the bond referendum from 7:00 A.M. until 7:00 P.M. on the same day, all as provided in the Ordinance published in full below as part of this notice.

All qualified electors residing within the area of the Issuer shall be entitled, qualified and permitted to vote at such referendum.

CITY OF WINTER PARK, FLORIDA

By /s/ Randy B. Knight, City Manager