

M E M O R A N D U M

TO: Town Commission

FROM: Tom Harmer, Town Manager

REPORT DATE: November 18, 2019

MEETING DATE: December 2, 2019

SUBJECT: Ordinance 2019-13 Gulfside and Bayside District Referendum to Authorize the Issuance of General Obligation Bonds/Notes for Beach Restoration, Renourishment and Maintenance Capital Projects on Longboat Key (Including Erosion Control Structures and Sand Placement) and Related Financial Impact

Recommended Action

Adopt Ordinance 2019-13.

Background

The Town Commission approved a five-year Capital Improvement Plan of \$42.5 million for the Beach Capital Fund during the FY20 Budget adoption process. Since January 2019, the Commission was presented updates to the Comprehensive Beach Management Plan during four separate public Commission meetings. Town staff and Dr. Al Browder from Olsen & Associates presented and discussed the Plan document along with three potential construction/nourishment scenarios at the October 1, 2019 Regular Meeting. The Commission unanimously approved the Comprehensive Beach Management Plan at that meeting.

In determining the amount of the debt required, staff considered all funding sources available including cash on hand, annual Tourist Development Tax (TDT) revenue, Federal and State grants and investment income. The Town Commission was presented with various funding scenarios with the related mill rate impacts on an estimated \$25 million borrowing and a second scenario of \$28.5 million, which would provide an additional 100,000 cubic yards of sand at a cost of \$5 million.

Under the original plan without the additional sand, the debt required falls into a range between \$24 - \$30 million. With the additional sand the debt range falls between \$28.5 - \$34.5 million. The actual amount to be borrowed and payback terms will be refined as we get closer to construction, taking into consideration any new funding sources the Town may receive.

Because the State grants under the FDEP Beach Management Plan Funding Assistance Program are not guaranteed, staff recommends that any bond authorization be grossed up to not less than \$34,500,000. That would allow the Town to complete the project without the state grants, if necessary. The Town

will then be able to seek additional borrowing up to authorization amount to finish the projects in the event State funding falls short of expectations.

The tax impact on a \$34,500,000 borrow was reviewed with the Commission and the bonding authorization of \$34,500,000, maturing not later than 8 years, was set at the November 4, 2019 Regular Meeting.

Bond closing costs include validating bonds, but excludes the additional legal costs if bonds are contested. Our financial advisors, Hilltop Securities, will evaluate a public offering vs. bank loans prior to the actual borrow given the potential size of the financing.

Our estimates do not factor in any funding from Manatee County for the North end groin project. At the November 4, 2019 Regular Meeting the Town Commission approved a formal letter requesting funding assistance in the amount of \$2,890,000 to cover two groins, estimated at \$1,200,000 and 77,000 cubic yards of sand at \$1,690,000. Those two groins and related sand would be placed on County property.

Ordinance 2019-13 is attached for your review and includes the bonding authorization and proposed ballot language for the Gulfside and Bayside Districts. This Ordinance was modified since the November 4, 2019 Regular meeting to incorporate a change in the legal description of the Bayside District, requested by the Manatee County Property Appraiser's office, as provided for in Ordinance 2019-17. Ordinance 2019-17 is an amendment to Ordinance 2014-29.

Timing Considerations

Listed below is the anticipated timeline for the Referendum and Bond Issue. If construction should be delayed due to special circumstances, after the referendum passes, but before the bonds are issued, the Town Commission may want to consider an operating mill rate in FY21 to prefund construction costs instead of deferring to FY22. Imposing a FY21 operating millage will provide consistency in taxation and reduce future borrowing amounts, thereby saving interest expense.

Next Steps

Leading up to Referendum

- December 16, 2019 Deadline for ballot language to Supervisors of Elections
- Public outreach on Comprehensive Beach Management Plan and Ballot initiatives (January – March)
- March 17, 2020 Referendum

Leading up to Bond Issue

- Master Bond Resolution April 6, 2020
- Bond Validation by late July 2020 (approximately three month process, potentially longer)
- Supplemental Bond Resolution after RFP process or Public Offering

- Mill Rates established during FY21 budget process based on new property values and published on August 2020 TRIM notice
- Close on Bond in coordination with construction schedule and permitting
- Construction begins estimated early 2021 (after turtle season)

Staff Recommendation

Adopt Ordinance 2019-13.

Attachments

- A. Ordinance 2019-13
- B. PowerPoint (Available in the Town Clerk's Office)

ORDINANCE 2019-13

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, AUTHORIZING THE ISSUANCE, SUBJECT TO THE BOND REFERENDUM OF THE LONGBOAT KEY GULFSIDE DISTRICT HEREIN PROVIDED FOR, OF THE TOWN'S NOT TO EXCEED \$34,500,000.00 GENERAL OBLIGATION BONDS AND/OR NOTES, MATURING NOT MORE THAN EIGHT (8) YEARS FROM ISSUANCE, TO FINANCE THE COST OF BEACH RESTORATION, RENOURISHMENT AND MAINTENANCE CAPITAL PROJECTS ON LONGBOAT KEY; PROVIDING FOR AND CALLING A BOND REFERENDUM OF THE QUALIFIED ELECTORS RESIDING IN THE LONGBOAT KEY GULFSIDE DISTRICT AND A BOND REFERENDUM OF THE QUALIFIED ELECTORS RESIDING IN THE LONGBOAT KEY BAYSIDE DISTRICT, ON THE QUESTION OF THE TOWN INCURRING SUCH OBLIGATIONS FOR SUCH PURPOSE; PROVIDING THAT THE BOND REFERENDA SHALL BE HELD ON MARCH 17, 2020; PROVIDING FOR PROPER NOTICE OF SUCH REFERENDA; PROVIDING FOR OFFICIAL BALLOTS; PROVIDING FOR ABSENTEE VOTING; PROVIDING FOR REFERENDA PROCEDURES; ESTABLISHING THE TOWN'S INTENT TO REIMBURSE SUCH CAPITAL EXPENDITURES INCURRED WITH PROCEEDS OF SUCH GENERAL OBLIGATION BONDS AND/OR NOTES; PROVIDING FOR REFERENDA RESULTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Longboat Key, Florida ("Town") is a coastal, barrier island community with approximately 10 miles of beaches adjacent to the Gulf of Mexico; and

WHEREAS, the Town is authorized pursuant to its home rule powers, Article VIII of the Florida Constitution and Chapters 166 and 189, Florida Statutes, to create dependent special districts within the jurisdictional boundary lines of the municipality; and

WHEREAS, due to the anticipated long-term needs of the Town to finance future beach maintenance activities and beach renourishment (sometimes referred to as beach nourishment) projects, the Town Commission of the Town ("Town Commission") commissioned a study by Burton and Associates (hereinafter "Burton study") dated September 9, 2014, to evaluate and establish the validity, uniformity, benefits, and reasonableness associated with the Town levying an ad valorem tax on the property owners within the Town, and to determine whether any updates to the existing dependent district structures known as "District A" and "District B" established by Ordinances 92-24 and 92-26 and codified within Chapter 92, Sections 92.30-92.37 and 92.50-92.57 of the Town's Code of Ordinances should be considered for future projects and activities; and

WHEREAS, on October 6, 2014, and November 3, 2014, the Town Commission conducted public hearings to consider revisions to Chapter 92 of the Town's Code of Ordinances; and

WHEREAS, during the public hearings held on October 6, 2014, and November 3, 2014, the Town Commission heard testimony and evidence relating to the Town's beaches

and the Town Commission was presented with the findings and recommendations from the Burton study; and

WHEREAS, at said public hearings, the Town Commission heard testimony and evidence that the Town's beaches are a valuable asset to the Town and that beach maintenance and renourishment projects protect the health, safety, and welfare of the Town's residents; and

WHEREAS, the Town Commission also heard testimony and evidence that the Town's beaches are an integral asset to the Town as the beaches attract tourists, commercial businesses, and future residents to the community and retain commercial businesses and current residents within the Town; and

WHEREAS, the Town Commission also heard testimony and evidence that beach maintenance and renourishment activities within the Town will be an ongoing Town expenditure necessitated by tidal and wave action and other natural and man-made causes of beach and coastal erosion; and

WHEREAS, at said public hearings, the Town Commission considered the Burton study findings that beach maintenance and renourishment projects enhance the value of all real property, including commercial property, located within the Town; and

WHEREAS, at said public hearings, the Town Commission considered the Burton study findings that all private and commercial properties within the Town receive some benefit in terms of property value preservation from beach maintenance and renourishment projects within the Town; and

WHEREAS, at said public hearings, the Town Commission considered the Burton study findings that private and commercial real properties that are located in closer proximity to the Gulf of Mexico and the Town's beaches receive enhanced benefit from ongoing beach maintenance and renourishment activities since the properties receive protection from the total loss of property due to their proximity to the Gulf of Mexico; and

WHEREAS, at said public hearings, the Town Commission considered the Burton study recommendation that based upon the enhanced benefit, it was reasonable for the real properties generally located on the west side of Gulf of Mexico Drive to pay a higher millage rate than those real properties generally located on the east side of Gulf of Mexico Drive; and

WHEREAS, at said public hearings, the Town Commission considered the Burton study recommendation that Gulf of Mexico Drive is an appropriate and reasonable geographic dividing line to establish two (2) dependent districts for purposes of levying an appropriate millage; and

WHEREAS, after considering the findings in the Burton study, the evidence and testimony provided at the above referenced public meetings and hearings, the Town Commission enacted Ordinance 2014-29, as amended, which established two (2) new dependent special districts that encompass all real property within the jurisdictional boundaries of the Town as follows: (a) Longboat Key Gulfside District ("Gulfside District") generally located on the westerly side of Gulf of Mexico Drive, the provisions for which are currently codified in Sections 92.40 through 92.48 of the Town Code, as amended, and (b) Longboat Key Bayside District ("Bayside District") generally located on the easterly side of

Gulf of Mexico Drive, the provisions for which are currently codified in Sections 92.60 through 92.68 of the Town Code, as amended; and

WHEREAS, the Town Commission presides as the governing boards of both the Gulfside District and the Bayside District; and

WHEREAS, Sections 92.41 and 92.61, authorize the Gulfside District and Bayside District, respectively, to request the Town Commission to levy ad valorem taxes within district boundaries to pay the costs of construction, reconstruction, improvement, or maintenance of the beaches, sand, accesses, and erosion control projects; and

WHEREAS, the Town Commission finds that there is a public purpose in financing beach renourishment projects and the ongoing beach maintenance capital projects necessary through the Bayside and Gulfside Districts; and

WHEREAS, the Town Commission is now considering, subject to referendum approval, the issuance of General Obligation Bonds and/or notes secured by and payable from ad valorem taxes imposed and collected within the Bayside District and/or the Gulfside District to finance beach restoration, renourishment, and maintenance capital projects on Longboat Key (the "Project"); and

WHEREAS, the Town Commission hereby determines that the qualified electors of the Gulfside District should make, through a bond referendum, the final decision determining whether to issue General Obligation Bonds and/or notes to finance the costs to design, acquire, construct, and install the Project; and

WHEREAS, the Town Commission further determines that the qualified electors of the Bayside District should make, through a bond referendum, the final decision whether the Bayside District should contribute to the annual costs of repaying such General Obligation Bonds through ad valorem taxes collected within the Bayside District, subject to the limitations set forth in Section 92.67 of the Town Code; and

WHEREAS, Section 92.67 of the Town Code provides that the Bayside District's total contribution for the funding of the Town's beach renourishment activities and costs shall be 20 percent of the combined millage rate for both the Bayside District and the Gulfside District; and

WHEREAS, the Town Commission hereby determines that it serves a public purpose that the Project be designed, acquired, constructed, and installed and that it is in the best interest of the Town to issue General Obligation Bonds and/or notes to finance the costs of the design, acquisition, construction, and installation of the Project; and

WHEREAS, to pay all or a part of the cost of the Project, it is necessary to issue the General Obligation Bonds and/or notes of the Town as hereinafter provided; and

WHEREAS, Section 5(b) of the Charter of the Town provides that the Town may issue General Obligation Bonds to finance capital projects authorized by law only when approved by vote of the electors who are qualified to vote pursuant to Article VII, Section 12, of the Florida Constitution; and

WHEREAS, the Town now desires to issue its General Obligation Bonds, in one or more series (the "Bonds"), in an aggregate principal amount not to exceed Thirty Four

Million, Five Hundred Thousand Dollars (\$34,500,000.00) pursuant to the terms of an authorizing bond resolution hereafter to be adopted by the Town Commission if the qualified electors of the Gulfside District approve issuance of the Bonds through the related referendum authorized herein; and

WHEREAS, the Bonds shall be General Obligation Bonds or notes of the Town secured and payable by ad valorem taxes imposed and collected within the Bayside District and/or the Gulfside District, subject to Gulfside District referendum approval; and

WHEREAS, this Ordinance is intended to constitute a "declaration of official intent" within the meaning of Section 1.150-2 of the Income Tax Regulations which were promulgated pursuant to the Internal Revenue Code of 1986, as amended, with respect to the debt incurred to finance the design, acquisition, construction, and installation of the Project.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. AUTHORITY FOR THIS ORDINANCE. This Ordinance is adopted pursuant to the Constitution and laws of the State of Florida, including Chapter 166, Florida Statutes, the Charter of the Town, Sections 92.41 and 92.61 of the Town Code, and other applicable provisions of law (hereinafter collectively referred to as the "Act").

SECTION 2. FINDINGS. The Town Commission hereby finds and determines that the recitals set forth herein are true and correct and adopts the same as its findings and determinations.

SECTION 3. AUTHORIZATION OF BONDS. Subject and pursuant to the provisions hereof, the Bonds of the Town are authorized to be issued in one or more series in the aggregate principal amount not exceeding Thirty Four Million, Five Hundred Thousand Dollars (\$34,500,000.00) to finance the cost of the design, acquisition, construction, and installation of the Project. The monies received and interest earned from the issuance of the Bonds will be used for such purpose. The Bonds shall mature in not more than eight (8) years from issuance, and the Bonds shall bear interest at a rate not exceeding the maximum rate permitted by law at the time of the sale of the Bonds. Both principal and interest on the Bonds, and redemption premiums, if any, may be payable at the office of the paying agent to be named by the Town at or prior to the sale of the Bonds.

The Bonds shall be issued pursuant to authority granted under this Ordinance and the Act, but only after approval of the Gulfside District Bond Referendum hereinafter called and subsequent adoption of an authorizing bond resolution by the Town Commission, as governing body of the Town.

SECTION 4. BOND REFERENDA.

(A) A bond referendum of the qualified electors residing in the Gulfside District is hereby called to be held on Tuesday, March 17, 2020, in conjunction with the presidential preference primary to be held on such date, to determine whether or not the issuance of the Bonds in an aggregate amount of not exceeding Thirty Four Million, Five Hundred Thousand Dollars (\$34,500,000.00), payable from the Town's ad valorem tax revenues and full faith, credit and unlimited ad valorem taxing power within the Gulfside District, shall be approved by such qualified electors to finance the cost of the design, acquisition, construction and

installation of the Project (the "Gulfside District Bond Referendum"). Only the qualified electors in the Gulfside District shall be entitled and permitted to vote in the Gulfside District Bond Referendum.

(B) A bond referendum of the qualified electors residing in the Bayside District is hereby called to be held on Tuesday, March 17, 2020, in conjunction with the presidential preference primary to be held on such date, to determine whether or not the Town shall impose ad valorem taxes within the Bayside District at an annual millage rate of 20% of the combined millage rate for both the Gulfside District and Bayside District, to pay debt service on the Bonds consistent with the limits set forth in Section 92.67 of the Town Code (the "Bayside District Bond Referendum"). Only the qualified electors in the Bayside District shall be entitled and permitted to vote in the Bayside District Bond Referendum. If the Bayside District Bond Referendum passes, the Town shall impose ad valorem taxes in the Bayside District at an annual millage rate of 20% of the combined millage rate for both the Gulfside District and Bayside District to pay debt service on the Bonds, with the remaining debt service on the Bonds paid by ad valorem tax revenues collected within the Gulfside District.

(C) The Sarasota County Supervisor of Elections and the Manatee County Supervisor of Elections (collectively, the "Supervisors of Elections") and the Town Clerk of the Town (the "Clerk") shall take all necessary measures to hold, administer, and conduct the bond referenda in the manner prescribed by law. The results shall be certified to the 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 of the Town, and other applicable law shall be complied with for the purpose of conducting the computation of ballots and completion of bond referendum procedures.

(D) The Town Clerk of the Town of Longboat Key, Florida, as the elections official of the Town pursuant to Article IV, Section 2(b) of the Charter of the Town, is hereby designated and appointed as the official representative of the Town Commission in all transactions with the Supervisors of Elections in relation to matters pertaining to the use of the registration books and the holding of said bond referenda.

(E) Ballots containing the respective questions set forth in Section 6 hereof shall be prepared for the use of absent electors entitled to cast such ballots in said elections. Early voting for the elections shall be in conjunction with the schedules and locations established by the Supervisors of Elections offices.

SECTION 5. NOTICE OF BOND REFERENDA. Notice of the bond referenda shall be published in a daily newspaper of general circulation in the Town, at least twice, once in the fifth week and once in the third week prior to the week in which the bond referenda are held, the date of first publication in said newspaper to be at least thirty (30) days before said bond referenda, in substantially the form attached hereto as Exhibit A for the Gulfside District Bond Referendum and as Exhibit B for the Bayside District Bond Referendum, and in the manner provided in Section 100.342, Florida Statutes. The Town Clerk is hereby charged with the responsibility of this notice procedure.

SECTION 6. OFFICIAL BALLOTS.

(A) The ballot for voting in the Gulfside District Bond Referendum shall be in substantially the following form:

OFFICIAL BALLOT
TOWN OF LONGBOAT KEY
GULFSIDE DISTRICT BEACH RENOURISHMENT BOND REFERENDUM
MARCH 17, 2020

Shall Town be authorized to issue general obligation bonds/notes, in one or more series, not exceeding \$34,500,000.00, bearing interest not exceeding maximum legal rates, maturing not later than 8 years from issuance, payable from the Town's ad valorem tax revenues and full faith, credit and unlimited ad valorem taxing power within the Gulfside District established by Code Section 92.42, as amended, to finance beach restoration, renourishment and maintenance capital projects on Longboat Key?

_____ Yes - For Bonds/Notes

_____ No - Against Bonds/Notes

(B) The ballot for voting in the Bayside District Bond Referendum shall be in substantially the following form:

OFFICIAL BALLOT
TOWN OF LONGBOAT KEY
BAYSIDE DISTRICT BEACH RENOURISHMENT BOND REFERENDUM
MARCH 17, 2020

Shall Town impose ad valorem taxes in Bayside District established by Code Section 92.62, as amended, at annual millage rate of 20% of combined millage rate for Gulfside and Bayside Districts, to pay debt service on general obligation bonds/notes, in one or more series, not exceeding \$34,500,000.00, bearing interest not exceeding maximum legal rates, maturing not later than 8 years from issuance, to finance beach restoration, renourishment and maintenance capital projects on Longboat Key?

_____ Yes - For Bonds/Notes

_____ No - Against Bonds/Notes

SECTION 7. BOND REFERENDA RESULTS. Returns of the votes cast at the bond referenda shall be made as required by law.

If a majority of the votes cast at the Gulfside District Bond Referendum shall be "Yes - For Bonds/Notes," the Bonds shall be approved, and then the Bonds may be issued pursuant to this Ordinance as provided by authorizing bond resolution of the Town Commission, as governing body of the Town. If less than a majority of the votes cast at the Gulfside District Bond Referendum shall be "Yes - For Bonds/Notes," the Bonds shall be defeated, and no Bonds shall be issued pursuant to this Ordinance.

If a majority of the votes cast at the Bayside District Bond Referendum shall be "Yes – For Bonds/Notes," the imposition of ad valorem taxes in the Bayside District at an annual millage rate of 20% of the combined millage rate for the Gulfside and Bayside Districts to pay debt service on the Bonds shall be approved, as provided by such authorizing bond resolution of the Town Commission, as governing body of the Town. If less than a majority of the votes cast at the Bayside District Bond Referendum shall be "Yes – For Bonds/Notes,"

no ad valorem taxes shall be imposed within the Bayside District to pay debt service on the Bonds.

SECTION 8. LANGUAGES. To the extent required by law, the official ballot and notice of bond referenda shall be published in both the English and the Spanish languages.

SECTION 9. INTENT TO REIMBURSE. The Town Commission hereby expresses its intention that the Town be reimbursed from the proceeds of the Bonds for costs relating to the Project. Pending reimbursement, the Town expects to use funds on deposit in the Town's general fund or other appropriate fund or account to pay such costs. This Ordinance is intended to constitute with respect to the construction of the Project a "declaration of official intent" within the meaning of Section 1.150-2 of the Income Tax Regulations.

SECTION 10. EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption by the Town Commission.

PASSED at a meeting of the Town Commission held the 4th day of November, 2019.

ADOPTED at a meeting and public hearing of the Town Commission held the 2nd day of December, 2019.

George L. Spoll, Mayor

Attest:

Trish Shinkle, Town Clerk

Attachments: Exhibit A and Exhibit B

EXHIBIT A

**TOWN OF LONGBOAT KEY, FLORIDA
NOTICE OF GENERAL OBLIGATION BOND REFERENDUM
FOR THE GULFSIDE DISTRICT
TO BE HELD ON TUESDAY, MARCH 17, 2020**

Notice is hereby given that a bond referendum will be held for the electors residing in the Gulfside District of the Town of Longboat Key, Florida, on Tuesday, March 17, 2020. The bond referendum will be held to determine whether there shall be issued General Obligation Bonds and/or notes (the "Bonds") of the Town, in one or more series, in an amount not exceeding Thirty Four Million, Five Hundred Thousand Dollars (\$34,500,000.00). The Bonds shall be general obligations of the Town payable from the Town's ad valorem tax revenues and full faith, credit and unlimited ad valorem taxing power within the Gulfside District established by Sections 92.40 through and including 92.48 of the Town Code of Ordinances, as amended. The Bonds shall mature in not more than eight (8) years from issuance, and the Bonds shall bear interest at a rate not exceeding the maximum rate permitted by law at the time of the sale of the Bonds. The monies received and interest earned from the issuance of the Bonds will be used to finance the cost of beach restoration, renourishment, and maintenance capital projects on Longboat Key.

As described in Section 92.42 of the Town Code, as amended, the geographic boundary of the Gulfside District includes and incorporates all real properties generally located on the westerly side of Gulf of Mexico Drive that are located between Gulf of Mexico Drive and the Gulf of Mexico, all of which are located within the municipal boundaries of the Town.

The holding of such bond referendum to authorize the issuance of such Bonds has been authorized by Ordinance 2019-13 of the Town Commission of the Town adopted on December 2, 2019. Such ordinance approved the following ballot question for the Gulfside District bond referendum:

OFFICIAL BALLOT

**TOWN OF LONGBOAT KEY
GULFSIDE DISTRICT BEACH RENOURISHMENT BOND REFERENDUM
MARCH 17, 2020**

Shall Town be authorized to issue general obligation bonds/notes, in one or more series, not exceeding \$34,500,000.00, bearing interest not exceeding maximum legal rates, maturing not later than 8 years from issuance, payable from the Town's ad valorem tax revenues and full faith, credit and unlimited ad valorem taxing power within the Gulfside District established by Code Section 92.42, as amended, to finance beach restoration, renourishment and maintenance capital projects on Longboat Key?

Yes - For Bonds/Notes

No - Against Bonds/Notes

In accordance with the Constitution and laws of the State of Florida and the Charter of the Town of Longboat Key, only the qualified electors of the Gulfside District shall be entitled to vote in the bond referendum to which this notice pertains. The polls at said bond referendum will be open from 7 o'clock a.m. until 7 o'clock p.m. on Tuesday, March 17, 2020, and will be held at polling places in the several precincts of the Town.

The Town of Longboat Key shall be authorized to issue the Bonds covered by the question hereinabove set forth only if such issuance shall have been approved by vote of a majority of the qualified electors of the Gulfside District voting thereon.

By order of the Town Commission of the Town of Longboat Key, Florida.

Town Clerk,
Town of Longboat Key, Florida

EXHIBIT B

TOWN OF LONGBOAT KEY, FLORIDA NOTICE OF GENERAL OBLIGATION BOND REFERENDUM FOR THE BAYSIDE DISTRICT TO BE HELD ON TUESDAY, MARCH 17, 2020

The Town of Longboat Key, Florida, is proposing to issue General Obligation Bonds and/or notes, in one or more series, in an amount not exceeding Thirty Four Million, Five Hundred Thousand Dollars (\$34,500,000.00) (the "Bonds"), to finance the cost of beach restoration, renourishment, and maintenance capital projects on Longboat Key (the "Project"). The Bonds shall be general obligations of the Town payable from the Town's ad valorem tax revenues and full faith, credit and unlimited ad valorem taxing power within the Gulfside District established by Sections 92.40 through and including 92.48 of the Town Code of Ordinances, as amended. The Bonds shall mature in not more than eight (8) years from issuance and shall bear interest at a rate not exceeding the maximum rate permitted by law at the time of the sale of the Bonds. A bond referendum for the electors residing in the Gulfside District will be held on Tuesday, March 17, 2020, to determine whether the Bonds may be issued to design, acquire, construct, and install the Project (the "Gulfside District Bond Referendum").

Notice is hereby given that a separate bond referendum will also be held for the electors residing in the Bayside District established by Sections 92.60 through and including 92.68 of the Town Code of Ordinances (the "Bayside District Bond Referendum"). The Bayside District Bond Referendum will be held on Tuesday, March 17, 2020 to determine whether the Town shall impose ad valorem taxes in the Bayside District at an annual millage rate of 20% of the combined millage rate for the Gulfside and Bayside Districts to pay debt service on the Bonds. If the Bayside District Bond Referendum passes, the Town shall impose ad valorem taxes in the Bayside District at an annual millage rate of 20% of the combined millage rate for both the Gulfside District and Bayside District to pay debt service on the Bonds, with the remaining debt service on the Bonds paid by ad valorem tax revenues collected within the Gulfside District.

As described in Section 92.62 of the Town Code, as amended, the geographic boundary of the Bayside District includes and incorporates all real properties generally located on the easterly side of Gulf of Mexico Drive that are located between Gulf of Mexico Drive and Sarasota Bay and all real properties located within Sarasota Bay, including but not limited to Jewfish Key and Sister Keys, all of which are located within the municipal boundaries of the Town. The geographic boundary of the Gulfside District is described in Section 92.42 of the Town Code, as amended, and includes and incorporates all real properties generally located on the westerly side of Gulf of Mexico Drive that are located between Gulf of Mexico Drive and the Gulf of Mexico, all of which are located within the municipal boundaries of the Town.

The holding of the Gulfside District Bond Referendum to authorize issuance of such Bonds and the Bayside District Bond Referendum have been authorized by Ordinance 2019-13 of the Town Commission of the Town adopted on December 2, 2019. Such ordinance approved the following ballot question for the Bayside District Bond Referendum:

OFFICIAL BALLOT
TOWN OF LONGBOAT KEY
BAYSIDE DISTRICT BEACH RENOURISHMENT BOND REFERENDUM
MARCH 17, 2020

Shall Town impose ad valorem taxes in Bayside District established by Code Section 92.62, as amended, at annual millage rate of 20% of combined millage rate for Gulfside and Bayside Districts, to pay debt service on general obligation bonds/notes, in one or more series, not exceeding \$34,500,000.00, bearing interest not exceeding maximum legal rates, maturing not later than 8 years from issuance, to finance beach restoration, renourishment and maintenance capital projects on Longboat Key?

_____ Yes - For Bonds/Notes

_____ No - Against Bonds/Notes

In accordance with the Constitution and laws of the State of Florida and the Charter of the Town of Longboat Key, only the qualified electors of the Bayside District shall be entitled to vote in the bond referendum to which this notice pertains. The polls at said bond referendum will be open from 7 o'clock a.m. until 7 o'clock p.m. on Tuesday, March 17, 2020, and will be held at polling places in the several precincts of the Town.

The Town of Longboat Key shall be authorized to partially retire the Bonds covered by the question hereinabove set forth only if approved by vote of a majority of the qualified electors of the Bayside District voting thereon.

By order of the Town Commission of the Town of Longboat Key, Florida.

Town Clerk,
Town of Longboat Key, Florida

End of Agenda Item