

ORDINANCE NO. 22-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, CALLING FOR A BOND REFERENDUM ON NOVEMBER 8, 2022, OR SUCH OTHER DATE AS MAY BE AUTHORIZED BY LAW, RELATING TO THE ISSUANCE OF ADDITIONAL BONDS OR INDEBTEDNESS IN AN AGGREGATE PRINCIPAL AMOUNT NOT-TO-EXCEED \$75,000,000 TO FINANCE CAPITAL PROJECTS RELATED TO THE ACQUISITION, PRESERVATION, PROTECTION, MANAGEMENT, OPERATION AND RESTORATION OF ENVIRONMENTAL LANDS, WATER RESOURCES AND IMPORTANT FISH AND WILDLIFE HABITAT, WHICH ADDITIONAL BONDS OR INDEBTEDNESS SHALL BE PAYABLE FROM AN AD VALOREM TAX NOT TO EXCEED 0.20 MILL TO BE LEVIED FOR A PERIOD NOT IN EXCESS OF TWENTY (20) YEARS; PROVIDING FOR AN ENVIRONMENTAL LANDS FUND; PROVIDING FOR THE USE OF LANDS ACQUIRED; PROVIDING FOR JURISDICTIONAL LIMITS; PROVIDING FOR CONVEYANCE OF ENVIRONMENTAL LANDS TO OTHER PUBLIC AGENCIES OR NON-PROFIT AGENCIES; PROVIDING FOR EXPENDITURES; PROVIDING FOR THE CREATION OF POLK COUNTY CONSERVATION LAND ACQUISITION SELECTION ADVISORY COMMITTEE; PROVIDING FOR EVALUATION OF LANDS; PROVIDING FOR SPECIAL ELECTION CALLED; PROVIDING FOR AUTHORIZATION OF BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT-TO-EXCEED \$75,000,000; PROVIDING FOR NOTICE OF REFERENDUM; PROVIDING FOR PLACES OF VOTING, INSPECTORS, AND CLERKS; PROVIDING FOR BALLOT QUESTION; PROVIDING FOR PAYMENT OF REFERENDUM EXPENSES; PROVIDING FOR REGISTRATION BOOKS; PROVIDING ELECTION ADMINISTRATION, PROVIDING ELECTION RESULTS; PROVIDING FOR VALIDATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR NOTIFICATION BY CLERK; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 94-40, enacted by the Board of County Commissioners of Polk County, Florida (the "Board") on July 26, 1994, as amended by Ordinance No. 94-73 enacted by the Board on October 18, 1994, Polk County, Florida (the "County") called for a referendum of the qualified electors residing in the County related to the question of issuing up to \$20,000,000 in Bonds payable from ad valorem taxes on all taxable property within the County levied at a rate of 0.20 mill for a period of up to twenty years to finance the acquisition, preservation, protection, management and restoration of endangered and environmentally sensitive lands, water resources and important wildlife habitat; and

WHEREAS, a special referendum was held on November 8, 1994 (the "Original Referendum"), at which the qualified electors approved the issuance of bonds in a

principal amount not exceeding \$20,000,000 and with a maturity date no later than twenty (20) years from their date of issuance, payable from such 0.20 mill tax to acquire, preserve, protect, manage, operate and restore endangered and environmentally sensitive lands, water resources and important wildlife habitat (the "Original ESL Program"); and

WHEREAS, the County incurred the entire \$20,000,000 of debt (the "Original Referendum Debt") authorized by the Original Referendum, and the Original ESL Program expired by its terms; and

WHEREAS, increased pressures on natural areas in the State of Florida along with increased costs of acquisition of such areas in fee simple have necessitated that alternatives to fee simple acquisition should be used, where appropriate, to allow more lands to be preserved while retaining some portions of lands on local tax rolls and reducing long-term management costs; and

WHEREAS, the Board desires to submit to voters a referendum the question of whether to issue additional bonds or indebtedness, in an aggregate principal amount not exceeding \$75,000,000 (which amount shall be in addition to the amount of the Original Referendum Debt incurred and shall not include the principal amount of any refunding bonds), which additional bonds or indebtedness may be issued in one or more series from time to time, shall bear interest at rate or rates not in excess of the maximum lawful rate, shall mature not later than twenty (20) years after their date of issuance and shall be payable from an ad valorem tax on all taxable property in the County at a rate not in excess of 0.20 mill to finance capital projects related to the acquisition, preservation, protection, operation, management and restoration of any environmental lands, water resources and important fish and wildlife habitat, which projects may include, without limitation, the acquisition of fee title interests in land, the use of alternatives to fee simple acquisition, where appropriate, including but not limited to acquisition of conservation easements, allowing life estates, purchase of property rights, easements, and other acquisition techniques which achieve the goals of the Polk County Environmental Lands Program, costs of engineering, financial, legal, environmental assessments and other consultant fees and expenses, costs of plans and specifications and surveys, and the construction and management of fencing, trails, boat ramps, parking facilities, picnic facilities and other facilities related to the lands or other real estate interests acquired and all other costs and expenses properly attributable to the Project and such other expenses as may be necessary or incidental to the issuance of the bonds; and shall include reimbursement to the county or any other person, firm or corporation for any moneys advanced for any costs incurred by the County or such person, firm or corporation in connection with any such items or costs. A future resolution adopted in connection with the issuance of such bonds may provide for additional items to be included in the aforesaid costs; and

WHEREAS, for the purposes of this ordinance, water resources shall include water related to natural systems, water quality of lakes and streams, surface waters,

aquifer recharge protection and water for fish and wildlife habitat. It shall not include facilities to provide public water supply for consumption; and

WHEREAS, for the purposes of this Ordinance, environmental lands shall include property that may contain natural areas, wetlands, uplands, forestlands, rangelands, farms, agricultural lands, waterbodies, or features that provide a benefit to protection of water resources, natural resources and fish and wildlife habitat.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, THAT:

SECTION 1. AUTHORITY OF THIS ORDINANCE.

This Ordinance is enacted pursuant to the Polk County Charter, Chapter 125, Florida Statutes, Article VII, Section 12, and Article VIII, Section 1, Florida Constitution, Section 159.11, Florida Statutes, Section 125.013, Florida Statutes, Chapter 100, Florida Statutes, and other applicable provisions of law.

SECTION 2. AUTHORIZATION TO LEVY AD VALOREM TAX.

Subject to the approval by a majority of those qualified electors of Polk County, Florida voting in the referendum hereinafter provided for, and pursuant to the provisions hereof, there is hereby authorization to levy and impose an ad valorem tax in an amount not in excess of 0.20 mill per annum, to be levied for a period not in excess of twenty (20) years, for the purpose of financing capital projects related to the acquisition, preservation, protection, operation, management and restoration of environmental lands, water resources and important fish and wildlife habitat, which projects may include, without limitation, the acquisition of fee title interests in land, the use of alternatives to fee simple acquisition, where appropriate, including but not limited to acquisition of conservation easements, allowing life estates, purchase of property rights, easements, and other acquisition techniques which achieve the goals of the Polk County Environmental Lands Program, costs of engineering, financial, legal and other consultant fees and expenses, costs of plans and specifications and surveys, purchase of equipment needed for the Polk County Environmental Lands Program, and the construction and management of fencing, trails, boat ramps, parking facilities, picnic facilities, boardwalks, and other facilities related to the lands or other real estate interests acquired and all other costs and expenses properly attributable to the Project and such other expenses as may be necessary or incidental to the issuance of the bonds; and shall include reimbursement to the County or any other person, firm or corporation for any moneys advanced for any costs incurred by the County or such person, firm or corporation in connection with any such items or costs. A future resolution adopted in connection with the issuance of such bonds or indebtedness may provide for additional items to be included in the aforesaid costs. Notwithstanding the means or funds used to acquire the land, funds received as result of this referendum may be used for the purposes stated herein for any environmental lands within the Polk County Environmental Lands Program.

References in this Ordinance to bonds includes, bonds, notes or any other type of indebtedness.

SECTION 3. ENVIRONMENTAL LANDS FUND.

An environmental lands fund or funds shall be created by Polk County and all money collected on the levy authorized herein shall be deposited into an account and segregated in the accounting records of the County to be used for the purposes set forth in this Ordinance. Money received in the fund or funds may be transferred into an account or accounts used for the Polk County Environmental Lands Program for purposes set forth in this Ordinance.

SECTION 4. USE OF LANDS ACQUIRED.

Environmental lands acquired pursuant to this Ordinance, whether acquired in fee simple or by some alternative to fee simple acquisition, if compatible with the interest acquired by Polk County, may be used for passive outdoor recreational purposes including, but not limited to, hiking, canoeing, kayaking, camping, biking, horseback riding, fishing, photography, and hunting, provided that such uses are deemed appropriate for the lands acquired and providing that such uses will not disturb or degrade the environmental quality of the site and that such uses are compatible with and supportive of the stated purposes of this Ordinance which is for the acquisition, preservation, protection, operation, management and restoration of environmental lands, water resources and important fish and wildlife habitat.

SECTION 5. JURISDICTIONAL LIMITS.

All territory within the incorporated and unincorporated areas of Polk County, Florida shall be embraced under this Ordinance.

SECTION 6. CONVEYANCE OF ENVIRONMENTAL LANDS.

Any property acquired pursuant to this Ordinance, whether acquired in fee simple or by some alternative to fee simple acquisition, may be conveyed, in whole or part, to other public agencies or not for profit agencies for preservation, management, or recreation purposes provided that:

1. Such conveyance shall be made pursuant to a written agreement between Polk County and the public agency or not-for-profit agency to which the property will be conveyed. Such agreement, which shall be approved by the Polk County Board of County Commissioners, shall provide that any use of the property by such agency or any other subsequent public agency or not-for-profit agency owner must be consistent with preserving, protecting, operating, managing or restoring the property to the extent allowed by law, subject to Polk County having the right of first refusal to re-acquire the property in the event the public agency or not-for-profit agency intends to dispose of the property. Any management or restoration of environmental lands conveyed to another

public agency or not-for-profit agency shall be done only to the extent allowed by local, state or federal law.

2. Any proceeds received by the County from such conveyance shall be returned to the Environmental Lands Fund and shall be expended only for the purposes set forth in this Ordinance.
3. Any property acquired pursuant to this Ordinance which is not conveyed to another public agency shall be held by Polk County for the purposes set forth in this Ordinance.

SECTION 7. EXPENDITURES.

The proceeds of the tax authorized by this Ordinance, as well as any interest or penalties thereon, shall first be expended to provide revenues for paying the debt service on indebtedness issued for the purposes of financing capital projects related to the acquisition, protection, preservation, operation, restoration and management of environmental lands, water resources and important wildlife habitat, which projects may include, without limitation, the acquisition of fee title interests in land, the use of alternatives to fee simple acquisition, where appropriate, including but not limited to acquisition of conservation easements, allowing life estates, purchase of development rights, flowage easements, and other acquisition techniques which achieve the goals of the Polk County Environmental Lands Program, and the construction of fencing, trails, boat ramps, parking facilities, picnic facilities and other facilities related to the lands or other real estate interests acquired. Proceeds not necessary to pay debt service on indebtedness may be expended for pay-as-you-go capital projects to acquire, manage, or restore such lands or to fund capital projects to enhance lands in the Polk County Environmental Lands Program and for any other purpose provided in this Ordinance. For purposes of this Ordinance "management" shall include, but is not limited to, providing security, exotic plant control, prescribed burning, development of public access, maintenance and restoration of natural systems, and other projects designed to preserve and enhance the lands acquired and the public's use of such lands.

SECTION 8. CREATION OF POLK COUNTY CONSERVATION LAND ACQUISITION SELECTION ADVISORY COMMITTEE

All lands acquired pursuant to this Ordinance, whether acquired in fee simple or by some alternative to fee simple acquisition, must be reviewed by the Polk County Conservation Land Acquisition Selection Advisory Committee ("CLASAC") prior to acquisition. Upon passing of the referendum called for by this Ordinance, the Polk County Board of County Commissioners shall create the CLASAC by resolution which shall consist of no less than eleven (11) members. The members should reflect the program's diverse mission and representation should be balanced. Voting membership should consist of the following representative members: two professionals with experience in water resource management, two from local environmental groups, two from agricultural community, one from local sportsman's

group, one from local outdoor recreation group, one with public land management experience, one professional with experience in land use planning and/or education and one County Commissioner.

The creation the CLASAC shall not be limited by this Ordinance and shall be at the sole discretion of the Polk County Board of County Commission including, without limitation, membership qualification, term limits, bylaws, and selection of members.

SECTION 9. EVALUATION OF LANDS

Nominations of environmental lands, which are, for the purposes of this Ordinance defined as properties that contain traits that are significant to the ecosystem or are important to the preservation of water, wildlife and wilderness resources, will be periodically solicited by Polk County. Each proposed site will undergo a preliminary site assessment by the County to ensure that the lands meet the basic criteria of environmental lands. Criteria which will be considered in evaluating lands include (A) Water Resources, (B) Natural Communities and Landscape, (C) Plants and Animals, (D) Human Values, and (E) Management.

If upon the completion of the preliminary site assessment, the County wishes to move forward with the acquisition of the property for environmental lands, the County shall forward the nomination of the land to the CLASAC to evaluate and rank proposed acquisitions based on the following criteria:

A. WATER RESOURCES

ENVIRONMENTAL VALUES – PROTECTION OF WATER RESOURCES

A.1. Whether the property serves an important groundwater recharge function.

2 = Low Priority designation based on aquifer recharge potential & vulnerability

4 = Medium-Low Priority designation based on aquifer recharge potential & vulnerability

6 = Medium Priority designation based on aquifer recharge potential & vulnerability

8 = Medium-High Priority designation based on aquifer recharge potential & vulnerability

10= High Priority designation based on aquifer recharge potential & vulnerability

12 = Very High Priority designation based on aquifer recharge potential & vulnerability

A.2. Whether the property contains or has direct connections to lakes, creeks, rivers, springs, sinkholes, or wetlands for which conservation of the property will protect or improve surface water quality and/or shoreline protection.

2 = Little value for protection of surface water quality.

4 = Some value for protection of surface water quality.

6 = Significant value for protection of surface water quality.

8 = Significant importance for most values for protection of surface water quality.
10 = Great importance for protection of surface quality, especially as part of a karst watershed.

A.3. Whether the property serves an important flood management function, providing water resiliency.

1 = Very little value for flood management.
2 = Little value for flood management.
3 = Some value for flood management.
4 = Significant importance for flood management.
5 = Great importance for flood management.

A.4. Potential for stormwater quality project to address state and federal impaired or Total Maximum Daily Load (TMDL) waterbodies or other important waterbodies.

2 = Little value for potential to address surface water quality.
4 = Some value for potential to address surface water quality.
6 = Significant value for potential to address surface water quality.
8 = Significant importance for most values for potential to address surface water quality.
10 = Great importance for potential to address surface water quality.

B. NATURAL COMMUNITIES AND LANDSCAPE ENVIRONMENTAL VALUES – PROTECTION OF NATURAL COMMUNITIES AND LANDSCAPES

B.1. Whether the natural communities present on the property are rare.

2 = Habitat secure, quite common in Florida.
4 = Habitat frequent in Florida.
6 = Habitat local, but not rare.
8 = Habitat rare.
10 = Habitat critically imperiled.

B.2. Ecological quality in the natural communities present on the property.

This value is based on the evaluations of community quality.

List any significant endemics and note maturity of community.

1 = Community types in poor condition.
2 = Community types in fair condition.
3 = Community types in good condition.
4 = Community types in excellent condition.
5 = Extraordinary example due to quality.

B.3. Whether the property is functionally connected to other natural communities or working landscapes, such as agriculture, silviculture (private or public ownership).

0 = Isolated, no functional connections.

- 2 = Connected to other environmental lands, but connections narrow.
4 = Connected to other environmental lands, with wide connections. (contiguous)
6 = Connected to one or more other environmental lands. (Or two or more boundaries)

B.4. Whether the property is adjacent to properties that are in permanent public or private conservation ownership or have other environmental protections such as conservation easement.

- 2 = Parcel is completely isolated from properties likely to be protected or conserved.
4 = Parcel is currently isolated, though some potential for adjacent protection exists. (If adjacent land is on active acquisition list, or has high ecological quality)
6 = Parcel has adjacent protected parcels in at least one location.
8 = Parcel has adjacent protected parcels in several locations.
10 = Parcel has adjacent protected parcels along most borders or is surrounded by other protected parcels.

B.5. Whether the property contributes substantially to ongoing conservation efforts; inholding, critical corridor piece, smoke management buffer, reduces edge effect, restoration potential, necessary for management.

- 0 = Properties contribution to the sustainability of conservation efforts is poor.
6 = Properties contribution to the sustainability of conservation efforts is fair.
8 = Properties contribution to the sustainability of conservation efforts is good.
10 = Properties contribution to the sustainability of conservation efforts is excellent.
12 = Properties contribution to the sustainability of conservation efforts is extraordinary.

B.6. Whether the property is relatively free from internal fragmentation from roads, power lines, cell towers and other features that create barriers and edge effects.

- 1 = Resource value of the property has been greatly decreased by features that are fragmenting the property.
2 = Resource value of the property has been significantly decreased by features that are fragmenting the property.
3 = Resource value of the property has been moderately decreased by features that are fragmenting the property.
4 = Resource value of the property is only slightly decreased by features that are fragmenting the property.

C. PLANTS AND ANIMALS

ENVIRONMENTAL VALUES – PROTECTION OF PLANT AND ANIMAL SPECIES

C.1. Whether the property serves as documented or potential habitat for rare, threatened, endangered species, species of special concern, endemic or near endemic for Polk.

- 1 = Habitat not conducive for listed species, or no species likely.
- 2 = Habitat potential for listed species low, or not good habitat for any listed species, but occasional use or occurrence possible.
- 3 = Habitat potential for some listed species moderate, or good habitat for one or more species.
- 4 = Habitat potential for some listed high, or very good habitat for one or more listed species.
- 5 = Habitat potential for many listed excellent, or the best habitat for one or more listed species.

C.2. Whether the property serves as documented or potential habitat for species with large home ranges.

- 1 = Habitat not conducive for species with large home ranges, or no species likely.
- 2 = Habitat potential for species with large home ranges low, or not good habitat for such species but occasional use or occurrence possible.
- 3 = Habitat potential for some species with large home ranges moderate, or good habitat for one or more such species.
- 4 = Habitat potential for some species with large home range high, or very good habitat for one or more such species.
- 5 = Habitat potential for many species with large home ranges excellent, or the best habitat for one or more species with large home ranges.

C.3. Whether the property offers high vegetation and animal species diversity.

Based on relative numbers of species recorded or estimated at site.

- 1 = Very low
- 2 = Low
- 3 = Moderate
- 4 = High
- 5 = Very High

C.4. Prevalence of native vs. invasive species on property.

- 1 = Area has extensive invasives and extensive control required.
- 2 = Area has some invasives, currently NOT being managed, and extensive control required.
- 3 = Area has some invasives, currently being managed and would not be resource intensive to manage.
- 4 = Area has few invasives.
- 5 = Invasives not present.

D. HUMAN VALUES

D.1. Whether the property offers opportunities for compatible resource-based recreation, if appropriate.

- 1 = No opportunity for resource-based recreation.
- 2 = Limited opportunity for resource-based recreation.
- 3 = Moderate opportunity for resource-based recreation.
- 4 = Good opportunity for resource-based recreation.
- 5 = Excellent opportunity for resource-based recreation, multiple types available.

D.2. Whether the property contributes to proposed greenspace, blueways, conservation corridors, urban green space, provides a municipal defining greenbelt or has other value from an urban and regional planning perspective.

- 1 = Not part of an urban-defining greenbelt, little opportunity for viewing of scenic vistas.
- 2 = May serve as part of an urban-defining greenbelt or scenic vista, but unlikely given surrounding land uses, etc.
- 3 = Moderate opportunity for serving as part of an urban-defining greenbelt or scenic vista, moderate likelihood of this occurring.
- 4 = Good opportunity for serving as part of a greenbelt or vista, good likelihood of this occurring.

E. MANAGEMENT

E.1. Whether it will be practical to manage the property to protect its environmental, social, and other values (examples include controlled burning, maintaining hydro-period, etc.).

- 1 = Too small and /or degraded for maintenance or reestablishment of normal ecosystem processes, such as periodic burning or flooding. Highly vulnerable to uncontrollable external impacts.
- 2 = Location and /or extent of degradation would make management difficult and expensive. Questionable whether protection/restoration programs would be successful.
- 3 = Could be maintained in or restored to good condition but would require vigilant management. Location and/or historic use suggest chronic problems with trespassers and/ or neighbors. Special programs such as invasive nonnative plant removal or hydrological restoration required. Difficult location for management.
- 4 = Habitats in good condition, but requiring regular attention, such as prescribed burning. Effective buffering from most external impacts possible. Location and surrounding uses reasonably convenient for management.
- 5 = Low-maintenance habitat types in excellent condition. Inherently well buffered from most external impacts. Location minimizes problems with trespassers and neighbors and facilities management access.

SECTION 10. SPECIAL REFERENDUM ELECTION CALLED.

A referendum election is hereby called and ordered to be held concurrent with the general election in Polk County on November 8, 2022, or such other date thereafter authorized by law, for the purpose of submitting to the qualified electors of the County the question of whether to issue additional bonds or indebtedness, in an aggregate principal amount not exceeding \$75,000,000 (which amount shall be in addition to the amount of the Original Referendum Debt previously incurred and shall not include the principal amount of any refunding bonds), which additional bonds or indebtedness may be issued in one or more series from time to time, shall bear interest at rate or rates not in excess of the maximum lawful rate, shall mature not later than twenty (20) years after their date of issuance and shall be payable from an ad valorem tax on all taxable property in the County at a rate not in excess of 0.20 mill, to finance capital projects related to the acquisition, preservation, protection, operation, management and restoration of environmental lands, water resources and important wildlife habitat.

SECTION 11. BONDS.

The issuance of limited ad valorem tax bonds and other indebtedness (the "Bonds"), in an aggregate principal amount not exceeding seventy-five million dollars (\$75,000,000) in one or more series as determined by subsequent resolution of the Board, bearing interest payable at such rate or rates not exceeding the maximum rate permitted by law, and maturing not later than twenty (20) years from the date of issuance, is required for the purposes set forth in this Ordinance, and such Bonds are hereby authorized, subject to elector approval in the bond referendum called and ordered above. Such ad valorem taxes shall be assessed, levied and collected at the same time, and in the same manner, as other ad valorem taxes of the County are assessed, levied and collected. The Bonds and the interest thereon will be payable from the proceeds of an ad valorem tax not exceeding 0.20 mill per annum imposed upon all taxable property within the County. All of the proceeds derived from such tax are, subject to elector approval in the bond referendum called and ordered above, to the extent permitted by applicable law, hereby pledged by the County to secure and liquidate Bonds issued by the County pursuant to the terms of this Ordinance.

SECTION 12. NOTICE OF REFERENDUM.

This Ordinance shall be published twice in full as part of the Notice of the Referendum Election, together with a notice in substantially the form attached hereto as Exhibit "A," in a newspaper of general circulation in the County. The publication shall occur once in the fifth week and once in the third week prior to the date of the referendum, the first publication to be not less than thirty (30) days prior to the date of such referendum.

SECTION 13. PLACES OF VOTING, INSPECTORS, AND CLERKS.

The polls will be open at the voting places within the County on the date of such bond referendum during the hours prescribed by law. All qualified electors residing within the County shall be entitled and permitted to vote at such 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 Polk County Supervisor of Elections.

SECTION 14. BALLOT QUESTION.

The ballot question to be voted upon in said referendum shall be in substantially the following form:

ACQUISITION AND MANAGEMENT OF WATER RESOURCES AND ENVIRONMENTAL LANDS BOND REFERENDUM

To acquire, preserve, protect, manage, or restore, water resources, environmental lands and important fish and wildlife habitat, shall Polk County levy an additional 0.20 mill ad valorem tax and issue bonds payable therefrom in one or more series in an aggregate principal amount not exceeding \$75 million, excluding previously-authorized indebtedness, maturing no later than 20 years from date of issuance of such bonds, bearing interest not exceeding the maximum lawful rate?

_____ YES, FOR BONDS

_____ NO, AGAINST BONDS

SECTION 15. PAYMENT OF REFERENDUM EXPENSES.

The County Manager is hereby authorized and directed to approve the payment of lawful expenses associated with conducting the referendum election and the Clerk of the Board is hereby authorized and directed to disburse funds necessary to pay such expenses.

SECTION 16. VOTER REGISTRATION BOOKS.

The Polk County Supervisor of Elections 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 17. ELECTION ADMINISTRATION.

The referendum shall be held and conducted in the manner prescribed by law and shall, as soon as practicable, be returned and canvassed in the manner prescribed by law. The results shall show the number of qualified electors who voted at such referendum and the number of votes cast respectively for and against such questions. Upon certification in the manner prescribed by law, the results shall be recorded in the minutes of the Board.

SECTION 18. ELECTION RESULTS.

If the majority of the votes cast at such referendum shall be "FOR BONDS," the issuance of the Bonds shall be authorized and the Bonds may thereafter be issued in one or more series as determined by subsequent resolution, bearing interest payable at such rate or rates not exceeding the maximum rate permitted by law, as shall be determined at the time of the sale thereof, and maturing not later than twenty (20) years from the date of issuance. If the majority of the votes cast are "AGAINST BONDS," such Bonds shall not be issued.

SECTION 19. VALIDATION.

To the extent deemed necessary or desirable by the County Attorney, the County Attorney and bond counsel to the County is authorized to institute appropriate proceeds for validation of all or any of the bonds authorized herein pursuant to Chapter 75, Florida Statutes.

SECTION 20. 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 21. NOTIFICATION BY CLERK.

The Clerk to the Board shall immediately notify the Polk County Supervisor of Elections of the adoption of this Ordinance and transmit a certified copy of this Ordinance to the Polk County Supervisor of Elections.

SECTION 22. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

PASSED, AND ADOPTED in Regular Session of the Board of County Commissioners of Polk County, Florida this 5th day of July, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF POLK COUNTY, FLORIDA,

STACY M. BUTTERFIELD
Clerk of Court

/s/ Stephanie May
Deputy Clerk

/s/ Dr. Martha Santiago, Chair

Exhibit "A"

NOTICE OF POLK REFERENDUM

Pursuant to the provisions of Section 100.342, Florida, Statutes, notice is hereby given that at a referendum election to be held on November 8, 2022, or such other date as may be authorized by law, there shall be submitted the question described in the following Ordinance No. 22-050, adopted by the Board of County Commissioners of Polk County, Florida on the 5th day of July, 2022.

(RECITE ORDINANCE)