

ORDINANCE NO. 82-94

AN ORDINANCE OF THE COUNTY OF SARASOTA AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$30,000,000 GENERAL OBLIGATION BONDS OF THE COUNTY OF SARASOTA, FLORIDA, TO FINANCE THE COST OF THE ACQUISITION OF CERTAIN LAND WITHIN THE COUNTY KNOWN AS RINGLING-MACARTHUR TRACT AS A POTABLE WATER SUPPLY SOURCE AND FOR RECREATIONAL AND OPEN SPACE PURPOSES; PROVIDING SAID BONDS SHALL BE PAYABLE FROM UP TO 50% OF THE REVENUES DERIVED FROM THE COUNTY'S PORTION OF THE ADDITIONAL ONE CENT SALES TAX AND FROM LEGALLY AVAILABLE STATE AND FEDERAL GRANTS THAT MAY BE RECEIVED AND, IN THE EVENT OF DEFICIENCY IN SUCH REVENUES, THEN FROM AD VALOREM TAXES LEVIED UPON ALL TAXABLE PROPERTY IN THE COUNTY; PROVIDING FOR AND CALLING A BOND REFERENDUM OF THE QUALIFIED ELECTORS RESIDING IN THE COUNTY TO BE HELD ON NOVEMBER 2, 1982, ON THE QUESTION OF THE ISSUANCE OF SUCH GENERAL OBLIGATION BONDS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

SECTION 1. AUTHORITY OF THIS ORDINANCE. This ordinance is enacted pursuant to the Sarasota County Charter, Section 125.011, Florida Statutes, Chapter 100, Florida Statutes, and other applicable provisions of law.

SECTION 2. AUTHORIZATION OF BONDS. Subject and pursuant to the provisions hereof, general obligation bonds of the County of Sarasota, Florida (herein called "County"), are authorized to be issued in the aggregate principal amount of not exceeding Thirty Million Dollars (\$30,000,000) to finance the cost of the acquisition of a certain tract of land within the County as a potable water supply source and additionally for recreation and open space purposes, as more particularly described in Section 3 hereof, together with other purposes necessary, appurtenant or incidental thereto, including all costs of the issuance of the bonds. Such general obligation bonds shall be payable from up to 50% of the revenues derived from the County's portion of the additional one cent sales tax pursuant to Chapter 82-154, Laws of Florida (1982) and from legally available state and federal grants that may be received to assist in the acquisition of said property or any portion thereof and, in the event of a deficiency in such revenues, from ad valorem taxes levied without limitation as to rate or amount on all taxable property in the County. None of such bonds shall be issued for a longer term than thirty (30) years from their date and such bonds shall bear interest at such rate or rates not exceeding the maximum rate permitted by law at the time of the sale of the bonds.

SECTION 3. BOND REFERENDUM. A bond referendum of the qualified electors residing in the County is hereby called to be held on November 2, 1982, to determine whether or not the issuance of such general obligation bonds in an aggregate principal amount of not exceeding Thirty Million Dollars (\$30,000,000) shall be approved by such qualified electors to finance the cost

of the acquisition of a certain tract of land, historically referred to as the "Ringling-MacArthur Tract", as a potable water supply source and additionally for recreation and open space purposes, together with other purposes necessary, appurtenant or incidental thereto, including all costs of the issuance of the bonds. The use and management of the land shall be consistent with the provisions of Resolution No. 82-200 of the Board of County Commissioners, which is attached hereto and made a part hereof as "Appendix B".

All qualified electors residing in the County shall be entitled and permitted to vote in such bond referendum.

The places of voting shall be the same as in other County elections and the inspectors and clerks for the voting places for the bond referendum shall be the same as those persons appointed by the Supervisor of Elections for the November 2, 1982 general election held in the County.

The polls will be open at the voting places from seven (7) o'clock A.M. until seven (7) o'clock P.M. on the same day.

SECTION 4. OFFICIAL BALLOT. Voting machines shall be used at such bond referendum and the form of ballots to be used shall be in substantially the following form:

OFFICIAL BALLOT
SARASOTA COUNTY, FLORIDA
BOND REFERENDUM
PURCHASE OF RINGLING-MACARTHUR TRACT
NOVEMBER 2, 1982

Shall Sarasota County, Florida, issue not exceeding \$30,000,000 principal amount of general obligation bonds, bearing interest at not exceeding the maximum legal rate of interest at the time of the sale of the bonds, maturing not later than thirty (30) years from the date of issuance thereof, payable from up to 50% of the revenues derived from the County's portion of the additional one cent sales tax pursuant to Chapter 82-154, Laws of Florida (1982) and from whatever state and federal grants that are received to assist in the acquisition of said property or any portion thereof and, in the event of a deficiency in such revenues, from ad valorem taxes levied on all taxable property in the County without limit as to rate or amount, for the purpose of financing the cost of the acquisition of certain land within the County known as the "Ringling-MacArthur Tract" as a potable water supply source and additionally for recreation and open space purposes, as more specifically described and provided in the Ordinance of the Board of County Commissioners, adopted on the 14th day of September, 1982, and Resolution No. 82-200 of the Board of County Commissioners.

The ballots and voting machines shall be so arranged that the voter may vote "FOR BONDS" or "AGAINST BONDS".

SECTION 5. ABSENTEE VOTING. Paper ballots shall be used at such referendum for absentee voting. The form of ballot to be used in the referendum for absentee voters shall be in substantially the form provided in Section 4 above.

SECTION 6. PRINTING OF BALLOTS. The Supervisor of Elections is authorized and directed to have printed on plain white paper a sufficient number of the aforesaid ballots for use of absentee electors entitled to cast such ballots in such 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; and further is authorized and directed to have printed on plain white paper and delivered in accordance with law the official ballots for use in the voting machines and to make all appropriate arrangements for the conducting of such bond referendum.

SECTION 7. REFERENDUM PROCEDURE. The bond referendum shall be held and conducted in the manner prescribed by general law for holding bond referenda. The canvassing of the ballots and certification of the results shall be made pursuant to Section 100.271, Florida Statutes. The returns shall, as soon as practicable, be canvassed by the Board of County Commissioners and the results thereof recorded in its minutes.

SECTION 8. REFERENDUM RESULTS. If a majority of the votes cast at such referendum in respect to said proposition or bonds shall be "FOR BONDS", such proposition or bonds shall be approved and then the bonds shall be issued as hereafter provided by subsequent resolution of the County.

SECTION 9. NOTICE OF BOND REFERENDUM. As required by law, at least thirty (30) days notice of bond referendum shall be provided. This ordinance shall be published in full together with an appropriate notice, in substantially the form attached hereto as "Appendix A", in a newspaper published and of general circulation in the County, 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 10. 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 11. REPEALING CLAUSE. All ordinances in conflict or inconsistent herewith hereby are repealed, insofar as there is conflict or inconsistency.

SECTION 12. EFFECTIVE DATE. This ordinance shall take effect immediately upon receipt of official acknowledgment from the office of the Secretary of State of Florida that this

ordinance has been filed with said office.

PASSED AND DULY ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 14th day of September, 1982.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By Mary Carlson
Chairman

ATTEST:

Harold S. Baggett, Deputy Clerk
R. H. Hackney, Jr.
Clerk of the Circuit
Court and ex officio
clerk of the Board
of County Commissioners
of Sarasota County, Florida

STATE OF FLORIDA, COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE EFFECTIVE DATE OF
THE FOREGOING ORDINANCE IS 10-5-82
WITNESS MY HAND AND OFFICIAL SEAL THIS
DATE 10-5-82
R. H. HACKNEY, JR. CLERK OF CIRCUIT COURT AND
EX OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA.
BY: Janet L. Kollenburg
DEPUTY CLERK

APPENDIX A

NOTICE OF BOND REFERENDUM IN THE COUNTY
OF SARASOTA, FLORIDA, ON NOVEMBER 2, 1982
FOR THE PURCHASE OF THE RINGLING-MACARTHUR TRACT

NOTICE IS HEREBY GIVEN THAT A BOND REFERENDUM will be held on the 2nd day of November, 1982, in the County of Sarasota, Florida, for the purpose of determining whether or not bonds of the County shall be issued in an aggregate principal amount of not exceeding Thirty Million Dollars (\$30,000,000), bearing interest payable semiannually, at such rate or rates not exceeding the maximum rate permitted by law at the time of the sale thereof, maturing over a period not to exceed thirty (30) years from the date of the bonds, payable from up to 50% of the revenues derived from the County's portion of the additional one cent sales tax pursuant to Chapter 82-154, Laws of Florida (1982) and from legally available state and federal grants that may be received to assist in the acquisition of said property or any portion thereof and, in the event of a deficiency in such revenues, from ad valorem taxes levied on all taxable property in the County without limit as to rate or amount, for the purpose of financing the cost of the acquisition of a certain tract of land within the County known as the "Ringling-MacArthur Tract" as a potable water supply source and for recreational and open space purposes, all as more specifically described and provided in the ordinance of the Board of County Commssioners, duly enacted on the 14th day of September, 1982 and Resolution No. 82-200 of the Board of County Commissioners.

The places of voting in the bond referendum shall be the same places as those places designated for voting in the

November 2, 1982 general elections held in the County. The polls will be open at the voting places on the date of said bond referendum from 7:00 A.M. until 7:00 P.M. on the same day, all as provided in said ordinance enacted on September 14, 1982, and published in full below as part of this Notice.

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

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

BY: Mary Cavilting

ATTEST:

R. H. Hackney, Jr. Deputy Clerk
R. H. Hackney, Jr. Clerk of
the Circuit Court and ex officio
Clerk of the Board of County Com-
missioners of Sarasota County,
Florida

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF SARASOTA COUNTY, FLORIDA

RESOLUTION NO. 82-200

RE: STATEMENT OF ENVIRONMENTAL COMMITMENT FOR THE
MANAGEMENT OF THE RINGLING-MACARTHUR TRACT

WHEREAS, the Board of County Commissioners has been requested to formally indicate its commitment to manage the Ringling-MacArthur Tract in an environmentally sensitive manner; and

WHEREAS, broad-based support has been demonstrated by environmental and civic groups for the acquisition of the Ringling-MacArthur Tract; and

WHEREAS, the Ringling-MacArthur Tract is an area of paramount ecological and hydrologic significance, with functional ties with the Myakka River, Deer Prairie Slough, Big Slough and the adjacent Myakka River State Park; and

WHEREAS, the Ringling-MacArthur Tract contains a unique assemblage of habitats important to wildlife species considered endangered; and

WHEREAS, the Myakka River flows into Charlotte Harbor, an area being considered under Chapter 380 as an Area of Critical State Concern, and the conservation of the Ringling-MacArthur Tract will protect four and one-half miles of Myakka River shoreline and the runoff that flows into that river; and

WHEREAS, the Ringling-MacArthur Tract represents a logical extension of the Myakka River State Park due to its eleven plus miles of common boundary and its similar ecological characteristics; and

WHEREAS, the Ringling-MacArthur Tract is a potential site for a future water supply and the County has an opportunity to protect the tract and obtain water in an environmentally-acceptable manner; and

WHEREAS, concern has been expressed that the availability of water might stimulate growth.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, in public meeting assembled that:

1. The public acquisition of the Ringling-MacArthur Tract is necessary and important to present and future citizens of Sarasota County and the State of Florida.
2. Except under emergency conditions, water taken from the Ringling-MacArthur Tract will not be exported out of the County and will be available solely to the citizens of Sarasota County and the municipalities therein.
3. In keeping with the goals and objectives of the County's Comprehensive Plan, water will not be developed on the Ringling-MacArthur Tract, or anywhere else within the purview of the Board, in such a manner that it encourages growth.
4. An active County Water Conservation Program will be continued and demands for additional water will be met, whenever more cost-effective, by increased water conservation activities.
5. Water consumptive use plans, both as to quantity and

mechanism for withdrawal, will be adopted only after the appropriate environmental, archaeological and historical sensitivity studies have been carried out to determine the areas requiring greatest protection.

6. Water withdrawal performance standards, i.e., quantitative limitations on the ecological impacts of water withdrawal, will be developed as part of the above environmental studies and a long-term program of proper monitoring for said impacts on the integrity of the existing Ringling-MacArthur Tract ecosystem, will be carried out.

7. Based on technical, scientific, cultural and public input, a Comprehensive Management Plan for the entire Ringling-MacArthur Tract will be developed, which will address impacts and interactions of proposed uses.

8. Wetlands and associated flora and fauna, found in such unique abundance on the Ringling-MacArthur Tract, will be protected with a significant percentage of the total placed in a preservation category.

9. Public use of the Ringling-MacArthur Tract in County ownership will be limited to water consumption, open space and recreation, with recreational activities receiving highest priority being characterized as non-consumptive, ecologically benign and resource-based. Special consideration will be given to environmental education and research, especially environmental management, ecology, agriculture and related sciences.

10. Site planning and management of the Ringling-MacArthur Tract will be such that activities will be compatible with Myakka River State Park and possible impacts prevented, e.g., by providing an adequate buffer zone which would be of a use and management at least as protective as the adjoining park areas.

11. Copies of this Resolution shall be transmitted immediately to the Conservation and Recreation Lands (CARL) Selection Committee, Governor Bob Graham and all members of the Florida Cabinet, ECOSWF (The Environmental Confederation of Southwest Florida) and, upon request, to all other interested parties.

12. This Resolution shall take effect immediately upon its adoption and all prior resolutions in conflict or inconsistent herewith are hereby superseded, insofar as there is conflict or inconsistencies.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 14th day of September, 1982.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA.

By: Mabel Carleton, Jr.
Chairman

ATTEST:

R. H. HACKNEY, JR., Clerk of the
Circuit Court and Ex-Officio Clerk
of the Board of County Commissioners
of Sarasota County, Florida.

By: Lawrence J. Daggitt
Deputy Clerk

STATE OF FLORIDA)
COUNTY OF SARASOTA)
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILED
IN THE OFFICE WITHIN MY HAND AND OFFICIAL
SEAL THIS 9/17/82
DATE. I AM CLERK OF THE CIRCUIT COURT,
BY APPOINTMENT TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY: Lawrence J. Daggitt
DEPUTY CLERK

R 82-200