

SUNRISE, FLORIDA

CITY CLERK

ORDINANCE NO. 373-A (1991)

1991 JUL 26 AM 10:34

AN ORDINANCE OF THE CITY OF SUNRISE, FLORIDA, AMENDING AND RESTATING CITY OF SUNRISE ORDINANCE NO. 373 ENTITLED "AN ORDINANCE OF THE CITY OF SUNRISE, FLORIDA, CREATING SPECIAL TAX DISTRICT NO. 1 OF THE CITY OF SUNRISE, FLORIDA; ESTABLISHING ITS TERRITORIAL LIMITS; PROVIDING FOR ITS GOVERNMENT AND CERTAIN PROCEDURES FOR ITS OPERATION; STATING ITS PURPOSES; DEFINING CERTAIN TERMS; SETTING FORTH ITS GENERAL POWERS; EMPOWERING IT TO ISSUE TAX BONDS AND TO LEVY AD VALOREM TAXES ON TAXABLE PROPERTY LOCATED WITHIN ITS TERRITORIAL LIMITS TO PAY DEBT SERVICE ON SAID BONDS; AND PROVIDING FOR LIBERAL CONSTRUCTION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE", AS CODIFIED IN SECTIONS 13-146 THROUGH 13-165, BOTH INCLUSIVE, OF THE CITY CODE; PROVIDING FOR MODIFICATIONS MADE DESIRABLE BY AMENDMENTS TO THE CITY CHARTER AND BY THE ENACTMENT OF THE UNIFORM SPECIAL DISTRICT ACCOUNTABILITY ACT OF 1989 AS CODIFIED IN CHAPTER 189, FLORIDA STATUTES; AMENDING PROVISIONS RELATING TO BONDS AND RELATING TO CREDIT FACILITIES; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA:

SECTION 1. Amendment and Restatement of Ordinance No. 373 of the City of Sunrise. Ordinance No. 373 of the City of Sunrise, Florida, codified in Sections 13-146 through 13-165 of Division 2 of Article IV of the City Code of the City of Sunrise, and being the Charter of Special Tax District No. 1 of the City of Sunrise, Florida, is hereby amended and restated as follows:

"SECTION 1. (City Code Sec. 13-146) Creation of District. Pursuant to the powers granted to the City of Sunrise, Florida, by the Constitution and laws of the State of Florida, including without limitation, the powers granted by Chapters 166 and 189, Florida Statutes, there is hereby created and established a body politic and corporate and a dependent special district of the City of Sunrise, Florida, to be known as "Special Tax District No. 1 of the City of Sunrise, Florida" (hereinafter referred to as the "District"), and

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which is hereby authorized to exercise its governmental and corporate powers and perform its duties within the territorial limits established by Section 2 hereof and to exercise certain of its powers and perform duties relating thereto outside such territorial limits as herein provided. The District shall have an official seal; the word "seal" shall appear in a circle in the center of the seal and the name of the District shall be in the area surrounding said center circle. This ordinance shall constitute the Charter of the District.

SECTION 2. (City Code Sec. 13-147) Territorial Limits of District. The territorial limits of the District are hereby established as encompassing all that territory lying and situate in the City of Sunrise, Broward County, Florida described ~~in Exhibit 1 attached hereto and incorporated herein by this reference as follows:~~

PARCEL A

A portion of "Chambers Land Company's Subdivision" of Section 26, Township 49 South, Range 40 East, according to the plat thereof, as recorded in Plat Book 1, Page 5a of the public records of Broward County, Florida, together with a portion of "Florida Fruit Lands Company's Subdivision No. 1," of Section 35, Township 49 South, Range 40 East, according to the plat thereof, as recorded in Plat Book 2, Page 17 of the public records of Dade County, Florida, more particularly described as follows:

Commence at the southeast corner of said Section 26; thence, north 00° 40' 40" west along the east line of said Section 26, a distance of 86.05 feet to a point on the north right-of-way line of Sunrise Boulevard as described in Official Records Book 9949, Page 970 of the public records of Broward County, Florida; thence, along said right-of-way line, south 89° 19' 20" west, 10.00 feet to the point of beginning; thence, along said north right-of-way line the following six courses and distances, south 89° 19' 20" west, 90.00 feet to a point on the arc of a non-tangent curve concave to the northwest (radial line to said point bears north 89° 19' 20" east); thence, southwesterly along the arc of said curve having a radius of 25.00 feet, a central angle of 90° 28' 55", an arc distance of 39.48 feet; thence, tangent to said curve south 89° 48' 12" west, 499.29 feet to a point on the arc of a tangent curve concave to the southeast; thence, southwest-erly along the arc of said curve having a radius of

2351.83 feet, a central angle of 26° 15' 58", an arc distance of 1078.15 feet to a point of reverse curvature; thence, southwest-erly, westerly and north-westerly along the arc of said curve having a radius of 2231.83 feet, a central angle of 52° 32' 02", an arc distance of 2046.34 feet to a point of reverse curvature; thence, northwest-erly along the arc of said curve having a radius of 2351.83 feet, a central angle of 05° 38' 27", an arc distance of 231.54 feet; thence, north 20° 25' 49" east, 625.78 feet; thence, north 78° 55' 59" west, 49.89 feet to a point on the arc of a tangent curve concave to the northeast; thence, northwest-erly along the arc of said curve, having a radius of 773.00 feet, a central angle of 59° 52' 40", an arc distance of 807.83 feet to a point of compound curvature; thence, northerly and northeasterly along the arc of said curve having a radius of 923.00 feet, a central angle of 69° 14' 51", an arc distance of 1115.54 feet to a point of compound curvature; thence, northeasterly along the arc of said curve, having a radius of 1833.00 feet, a central angle of 10° 38' 51", an arc distance of 340.63 feet; thence, tangent to said curve north 60° 50' 22" east, 167.72 feet to a point on the arc of a tangent curve concave to the northwest; thence, northeasterly along the arc of said curve having a radius of 3227.00 feet, a central angle of 01° 29' 25", an arc distance of 83.93 feet; thence, north 26° 45' 43" west, 1120.26 feet to a point on the arc of a non-tangent curve concave to the southeast (radial line to said point bears north 26° 45' 43" west); thence, northeasterly along the arc of said curve, having a radius of 2350.00 feet, a central angle of 06° 54' 32", an arc distance of 283.37 feet to a point of

reverse curvature; thence, northeasterly along the arc of said curve having a radius of 2350.00 feet, a central angle of 36° 08' 10", an arc distance of 1482.13 feet; thence, tangent to said curve north 34° 00' 40" east, 45.76 feet to a point on the arc of a tangent curve concave to the southeast; thence, northeasterly along the arc of said curve, having a radius of 2350.00 feet, a central angle of 57° 18' 34", an arc distance of 2350.56 feet to a point on a line parallel with and 45.00 feet south of the north line of the northeast quarter (northeast 1/4) of said Section 26; thence, tangent to said curve, along said parallel line, south 88° 40' 46" east, 478.45 feet to a point on a line 10.00 feet west of and parallel with the east line of the northeast quarter (northeast 1/4) of said Section 26; thence, along said parallel line south 00° 39' 56" east, 2674.52 feet to a point on a line 10.00 feet west of and parallel with the east line of the southeast quarter (southeast 1/4) of said Section 26; thence, along said parallel line south 00° 40' 40" east, 2634.74 feet to the point of beginning, said lands lying in the City of Sunrise, Broward County, Florida and containing 433.125 acres, more or less.

ACCESS PARCEL ONE

A portion of "Chambers Land Company's Subdivision" of Section 26, Township 49 South, Range 40 East, according to the plat thereof, as recorded in Plat Book 1, Page 5a of the public records of Broward County, Florida, together with a portion of "Florida Fruit Lands Company's Subdivision No. 1," of Section 35, Township 49 South, Range 40 East, according to the plat thereof, as recorded in Plat Book 2, Page 17 of the public records of Dade County, Florida, more particularly described as follows:

Commence at the southeast corner of said Section 26; thence, north 00° 40' 40" west along the east line of said Section 26, a distance of 86.05 feet to a point on the north right-of-way line of Sunrise Boulevard as described in Official Records Book 9949, Page 970 of the public records of Broward County, Florida; thence, along said north right-of-way line the following seven courses and distances, south 89° 19' 20" west, 100.00 feet to a point on the arc of a non-tangent curve concave to the northwest (radial line to said point bears north 89° 19' 20" east); thence, southwesterly along the arc of said curve having a radius of 25.00 feet, a central angle of 90° 28' 55" an arc distance of 39.48 feet; thence, tangent to said curve south 89°

48' 12" west, 499.29 feet to a point on the arc of a tangent curve concave to the southeast; thence, southwesterly along the arc of said curve having a radius of 2351.83 feet, a central angle of 26° 15' 58", an arc distance of 1078.15 feet to a point of reverse curvature; thence, southwesterly, westerly and northwesterly along the arc of said curve having a radius of 2231.83 feet, a central angle of 52° 32' 02", an arc distance of 2046.34 feet to a point of reverse curvature; thence, northwesterly along the arc of said curve having a radius of 2351.83 feet, a central angle of 05° 38' 27", an arc distance of 231.54 feet to the point of beginning; thence, continue northwesterly along the arc of said curve, having a radius of 2351.83 feet, a central angle of 01° 55' 15", an arc distance of 78.84 feet; thence, north 64° 28' 11" east, 48.66 feet; thence, north 20° 25' 49" east, 512.10 feet; thence, north 27° 48' 58" west, 52.22 feet, to a point on the arc of a non-tangent curve concave to the northeast (radial line to said point bears south 13° 56' 15" west); thence, southeasterly, along the arc of said curve having a radius of 805.00 feet, a central angle of 02° 52' 15", an arc distance of 40.33 feet; thence, south 78° 55' 59" east, 44.61 feet; thence, south 20° 25' 49" west, 593.35 feet to the point of beginning, said lands lying in the City of Sunrise, Broward County, Florida and containing 0.640 acres, more or less.

ACCESS PARCEL TWO

A portion of "Chambers Land Company's Subdivision" of Section 26, Township 49 South, Range 40 East, according to the plat thereof, as recorded in Plat Book 1, Page 5a of the public records of Broward County, Florida, more particularly described as follows:

Commence at the southeast corner of said Section 26; thence, north 00° 40' 40" west along the east line of said Section 26, a distance of 86.05 feet to a point on the north right-of-way line of Sunrise Boulevard as described in Official Records Book 9949, Page 970 of the public records of Broward County, Florida; thence, along said north right-of-way line the following six courses and distances, south 89° 19' 20" west, 100.00 feet to a point on the arc of a non-tangent curve concave to the northwest (radial line to said point bears north 89° 19' 20" east); thence, southwesterly, along the arc of said curve having a radius of 25.00 feet, a central angle of 90° 28' 55", an arc distance of 39.48 feet; thence, tangent to said curve south 89° 48' 12"

west, 499.29 feet to a point on the arc of a tangent curve concave to the southeast; thence, southwesterly, along the arc of said curve having a radius of 2351.83 feet, a central angle of 26° 15' 58", an arc distance of 1078.15 feet to a point of reverse curvature; thence, southwesterly, westerly and northwesterly, along the arc of said curve having a radius of 2231.83 feet, a central angle of 52° 32' 02", an arc distance of 2046.34 feet to a point of reverse curvature; thence, northwesterly, along the arc of said curve having a radius of 2351.83 feet, a central angle of 07° 33' 42", an arc distance of 310.38 feet; thence, north 64° 28' 11" east, 48.66 feet; thence, north 20° 25' 49" east, 512.10 feet; thence, north 27° 48' 58" west, 52.22 feet to a point on the arc of a non-tangent curve concave to the northeast (radial line to said point bears south 13° 56' 15" west); thence, northwesterly along the arc of said curve, having a radius of 805.00 feet, a central angle of 57° 00' 25", an arc distance of 800.94 feet to a point of compound curvature; thence, northerly and northeasterly along the arc of said curve having a radius of 955.00 feet, a central angle of 51° 06' 20", an arc distance of 851.82 feet to the point of beginning; thence, north 15° 01' 56" west, 51.26 feet; thence, north 62° 06' 52" west, 823.42 feet; thence, south 71° 52' 08" west, 50.37 feet to a point on the arc of a non-tangent curve concave to the southeast (radial line to said point bears north 64° 08' 52" west); thence, northeasterly, along the arc of said curve, having a radius of 2290.00 feet, a central angle of 04° 03' 58", an arc distance of 162.52 feet; thence, south 16° 05' 53" east, 50.37 feet; thence, south 62° 06' 52" east, 848.35 feet; thence, north 79° 39' 32" east, 43.31 feet to a point on the arc of a non-tangent curve concave to the southeast (radial line to said point bears north 48° 34' 04" west); thence, southwesterly, along the arc of said curve having a radius of 955.00 feet, a central angle of 09° 22' 56", an arc distance of 156.38 feet to the point of beginning, said lands lying in the City of Sunrise, Broward County, Florida and containing 1.924 acres, more or less.

ACCESS PARCEL THREE

A portion of "Chambers Land Company's Subdivision" of Section 26, Township 49 South, Range 40 East, according to the plat thereof, as recorded in Plat Book 1, Page 5a of the public records of Broward County, Florida, more particularly described as follows:

Commence at the southeast corner of said Section 26; thence, north 00° 40' 40" west along the east

line of said Section 26, a distance of 86.05 feet to a point on the north right-of-way line of Sunrise Boulevard as described in Official Records Book 9949, Page 970 of the public records of Broward County, Florida; thence, along said north right-of-way line the following six courses and distances, south 89° 19' 20" west, 100.00 feet to a point on the arc of a non-tangent curve concave to the northwest (radial line to said point bears north 89° 19' 20" east); thence, southwesterly along the arc of said curve having a radius of 25.00 feet, a central angle of 90° 28' 55", an arc distance of 39.48 feet; thence, tangent to said curve south 89° 48' 12" west, 499.29 feet to a point on the arc of a tangent curve concave to the southeast; thence, southwesterly along the arc of said curve having a radius of 2351.83 feet, a central angle of 26° 15' 58", an arc distance of 1078.15 feet to a point of reverse curvature; thence, southwesterly, westerly and northwesterly along the arc of said curve having a radius of 2231.83 feet, a central angle of 52° 32' 02", an arc distance of 2046.34 feet to a point of reverse curvature; thence, northwesterly along the arc of said curve having a radius of 2351.83 feet, a central angle of 07° 33' 42", an arc distance of 310.38 feet; thence, north 64° 28' 11" east, 48.66 feet; thence, north 20° 25' 49" east, 512.10 feet; thence, north 27° 48' 58" west, 52.22 feet to a point of the arc of a non-tangent curve concave to the northeast (radial line to said point bears south 13° 56' 15" west); thence, northwesterly along the arc of said curve, having a radius of 805.00 feet, central angle of 57° 00' 25", an arc distance of 800.94 feet to a point of compound curvature; thence, northerly and northeasterly along the arc of said curve having a radius of 955.00 feet, a central angle to 69° 14' 51", an arc distance of 1154.21 feet to a point of compound curvature; thence, northeasterly along the arc of said curve, having a radius of 1865.00 feet, a central angle of 10° 38' 51", an arc distance of 346.58 feet; thence, tangent to said curve north 60° 50' 22" east, 167.72 feet to a point on the arc of a tangent curve concave to the northwest; thence, northeasterly along the arc of said curve having a radius of 3195.00 feet, a central angle of 00° 07' 12", an arc distance of 6.68 feet to the point of beginning; thence, north 16° 58' 44" east, 48.40 feet; thence, north 26° 45' 43" west, 961.22 feet; thence, north 72° 46' 42" west, 50.37 feet; thence, north 28° 47' 42" west, 60.00 feet to a point on the arc of a non-tangent curve concave to the southeast (radial line to said point bears north 28° 47' 42" west); thence, northeasterly along the arc of said

curve, having a radius of 2350.00 feet, a central angle of $02^{\circ} 01' 59''$, an arc distance of 83.39 feet; thence, south $26^{\circ} 45' 43''$ east, 1088.18 feet to a point on the arc of a non-tangent curve concave to the northwest (radial line to said point bears south $30^{\circ} 41' 23''$ east); thence, southwesterly along the arc of said curve, having a radius of 3195.00 feet, a central angle of $01^{\circ} 24' 34''$, an arc distance of 78.59 feet to the point of beginning, said lands lying in the City of Sunrise, Broward County, Florida and containing 1.205 acres, more or less.

ACCESS PARCEL FOUR

A portion of "Chambers Land Company's Subdivision" of Section 26, Township 49 South, Range 40 East, according to the plat thereof, as recorded in Plat Book 1, Page 5a of the public records of Broward County, Florida, more particularly described as follows:

Commence at the southeast corner of said Section 26; thence, north $00^{\circ} 40' 40''$ west along the east line of said Section 26, a distance of 86.05 feet to a point on the north right-of-way line of Sunrise Boulevard as described in Official Records Book 9949, Page 970 of the public records of Broward County, Florida; thence, along said north right-of-way line the following six courses and distances, south $89^{\circ} 19' 20''$ west, 100.00 feet to a point on the arc of a non-tangent curve concave to the northwest (radial line to said point bears north $89^{\circ} 19' 20''$ east); thence, southwesterly along the arc of said curve having a radius of 25.00 feet, a central angle of $00^{\circ} 28' 55''$, an arc distance of 39.48 feet; thence, tangent to said curve south $89^{\circ} 48' 12''$ west, 499.29 feet to a point on the arc of a tangent curve concave to the southeast; thence, southwesterly along the arc of said curve having a radius of 2351.83 feet, a central angle of $26^{\circ} 15' 58''$, an arc distance of 1078.15 feet to a point of reverse curvature; thence, southwesterly, westerly and northwesterly along the arc of said curve having a radius of 2231.83 feet, a central angle of $52^{\circ} 32' 02''$, an arc distance of 2046.34 feet to a point of reverse curvature; thence, northwesterly along the arc of said curve having a radius of 2351.83 feet, a central angle of $07^{\circ} 33' 42''$, an arc distance of 310.38 feet; thence, north $64^{\circ} 28' 11''$ east, 48.66 feet; thence, north $20^{\circ} 25' 49''$ east, 512.10 feet; thence, north $27^{\circ} 48' 58''$ west, 52.22 feet to the

point of beginning, said point being a point on the arc of a non-tangent curve concave to the northeast (radial line to said point bears south $13^{\circ} 56' 15''$ west); thence, northwesterly along the arc of said curve, having a radius of 805.00 feet, a central angle of $57^{\circ} 00' 25''$, an arc distance of 800.94 feet to a point of compound curvature; thence, northerly and northeasterly along the arc of said curve having a radius of 955.00 feet, a central angle to $69^{\circ} 14' 51''$, an arc distance of 1154.21 feet to a point of compound curvature; thence, northeasterly along the arc of said curve, having a radius of 1865.00 feet, a central angle of $10^{\circ} 38' 51''$, an arc distance of 93.43 feet; thence, tangent to said curve north $60^{\circ} 50' 22''$ east, 167.72 feet to a point on the arc of a tangent curve concave to the northwest; thence, northeasterly along the arc of said curve having a radius of 3195.00 feet, a central angle of $01^{\circ} 31' 45''$, an arc distance of 85.27 feet; thence, south $26^{\circ} 45' 43''$ east, 32.07 feet to a point on the arc of a non-tangent curve concave to the northwest (radial line to said point bears south $30^{\circ} 39' 02''$ east); thence, southwesterly along the arc of said curve, having a radius of 3227.00 feet, a central angle of $01^{\circ} 29' 25''$, an arc distance of 245.16 feet; thence, tangent to said curve south $60^{\circ} 50' 22''$ west, 167.72 feet to a point on the arc of a tangent curve concave to the southeast; thence, southwesterly along the arc of said curve, having a radius of 1833.00 feet, a central angle of $10^{\circ} 38' 51''$, an arc distance of 340.63 feet to a point of compound curvature; thence, southwesterly and southerly along the arc of said curve, having a radius of 923.00 feet, a central angle of $69^{\circ} 14' 51''$, an arc distance of 1115.54 feet to a point of compound curvature; thence, southeasterly along the arc of said curve, having a radius of 773.00 feet, a central angle of $59^{\circ} 52' 40''$, an arc distance of 807.83 feet; thence, tangent to said curve south $78^{\circ} 55' 59''$ east, 49.89 feet; thence, south $20^{\circ} 25' 49''$ west, 32.43 feet; thence, north $78^{\circ} 55' 59''$ west, 44.61 feet to a point on the arc of a tangent curve concave to the northeast; thence, northwesterly, along the arc of said curve, having a radius of 805.00 feet, a central angle of $02^{\circ} 52' 15''$, an arc distance of 48.33 feet to the point of beginning, said land lying in the City of Sunrise, Broward County, Florida and containing 1.912 acres, more or less.
(Ord. No. 373, § 2, 6-7-88)

SECTION 3. (City Code Sec. 13-148) Government of District.

(a) The form of government of the District shall, at all times, be identical to the form of government of the City of Sunrise (the "City"), and any changes made by amendments to the City Charter of the City of Sunrise as to the form of the City's government shall constitute a corresponding change in the form of government of the District.

(b) The officials of the City who, from time to time, shall constitute the legislative body of the City shall constitute the Board of Supervisors of the District which shall be the legislative body of the District. The Board of Supervisors of the District may also be referred to as the "Board of the District", the "District Board", and the "Board". The Board shall have and exercise all lawful legislative powers of the District and shall constitute the governing body of the District except as otherwise provided in this Charter. The powers and duties of the Board shall, as to the District's government, be the same as the powers and duties of the City's legislative body as to the City's government. The title of each member of the Board shall be a "Member of the Board of Supervisors", and each may also be referred to by the titles "Member of the Board" and "Board Member". Any member of the legislative body of the City who holds office as an officer of the legislative body of the City shall, ex officio, hold the same office as an officer of the Board and shall have powers and duties as to the District's government corresponding to such officer's powers and duties as to the City's government.

(c) Regular meetings of the Board may shall be held without notice immediately prior to or during a recess at any regular or special meeting of the legislative body of the City so long as a recess to conduct business of the Board is disclosed on the agenda of the meeting of the City's legislative body and an agenda for the meeting of the Board has been prepared. The Board shall file annually a schedule of its regular meetings with the legislative body of the City as required by Section 189.417, Florida Statutes. Special meetings of the Board, which may be conducted separate from meetings of the legislative body of the City, may be held upon the same conditions and upon the same notice as required for special meetings of the legislative body of the City. It shall not be necessary for the Board to meet except when necessary to conduct its business and if no agenda is prepared for a regular meeting such meeting shall be deemed cancelled. Each meeting of the Board shall be announced by the presiding officer of the Board, the roll shall be called, and (if a quorum is present) the business of the Board shall be conducted; at the end of such meeting it shall be adjourned. Books containing minutes of proceedings of the Board and of ordinances and resolutions of the District shall be kept. District ordinances and resolutions shall be numbered independently of those of the City utilizing the same system of numbering as used for City ~~ordinances--and--resolutions.~~ Legislation authorizing the

issuance of bonds or other debt obligations, shall be enacted by ordinance as herein provided. The terms of each series of authorized bonds may be established and such series of bonds may be issued and sold by resolution or resolutions which are supplemental to a bond ordinance. Bond anticipation notes issued in anticipation of the issuance of bonds may be issued and sold by resolution or resolutions which are supplemental to a bond ordinance. Except as above provided, all legislative action may be by either ordinance or resolution. The procedures for the enactment of ordinances and the adoption of resolutions of the District and for the same becoming effective shall be the same as the procedures applicable to ordinances and resolutions of the City. All meetings of the Board shall be open to the public and governed by Chapter 286, Florida Statutes, as required by Section 189.417, Florida Statutes. All meetings of the Board shall be held at the City's City Hall in compliance with Section 189.417, Florida Statutes.

~~(d) The official of the City who holds office as the head of the executive branch of the City government and chief administrative officer of the City shall, ex officio, hold the office of the head of the executive branch of the District government and chief administrative officer of the District, and shall hold the title of "Executive Director" of the District. The Executive Director shall have powers and duties as to the District's government as such officers have to the City's government. The Mayor, Deputy Mayor and Assistant Deputy Mayor of the City, respectively, shall, ex officio, hold office respectively as the Mayor, Deputy Mayor and Assistant Deputy Mayor of the District. Each of the foregoing shall have powers and duties as to the District's government as they have as to the City's government and may be referred to as the "District Mayor", "District Deputy Mayor" and "District Assistant Deputy Mayor".~~

(e) The Clerk of the City shall, ex officio, hold office as the Clerk of the District and each Deputy Clerk of the City shall, ex officio, hold office as a Deputy Clerk of the District. Each of the foregoing shall have powers and duties as to the District's government as they have as to the City's government and may be referred to, respectively, as "District Clerk" or "Deputy District Clerk".

(f) The City Attorney of the City shall, ex officio, hold office as general legal counsel to the District and shall bear the titles "General District Attorney Counsel". Each Assistant City Attorney of the City shall, ex officio, hold office as "Assistant General District Attorney Counsel." Each of the foregoing shall have powers and duties as to the District's government as they have as to the City's government.

(g) The City Manager of the City shall, ex officio, hold office as the head of the executive branch of the District government and shall hold the title "District Manager". The

District Manager shall have the powers and duties as to the District's government as the City Manager has to the City's government.

(gh) The other elected and appointed officials and employees of the City shall, ex officio, be the officials and employees of the District, each having the titles, powers and duties as to the District corresponding to their powers and duties as to the City. (h) Any official of the City holding office on an "Interim" basis or serving at any time on an "Acting" basis, respectively shall, ex officio, hold the same office as an "Interim" official of the District or serve in the same office as an "Acting" official of the District, respectively.

(i) The officials of the City who are to serve, ex officio, as officials of the District shall receive no compensation from the District for such service, unless otherwise expressly provided by resolution of the District and unless monies have been appropriated by the District to pay such compensation; their services to the District shall be deemed to be compensated for in the compensation paid to them as City officials except as otherwise provided by such resolution. Employees of the City (who are not officials of the City) shall perform services for the District (in the same capacity as they serve the City) when directed to perform such services by the ~~District Manager Executive--Director~~ or the Acting or Interim ~~District Manager Executive-Director~~. Service to the District by any such City employees shall be deemed to be done as City employees in the course of their employment by the City. Said employees of the City who perform services for the District shall receive no compensation from the District for such services, unless otherwise expressly provided by resolution of the District and unless monies have been appropriated by the District for the payment of such compensation; their services to the District shall be deemed to be compensated for in the compensation paid to them as City employees, except as otherwise provided by resolution of the District. By agreement between the City and the District, the District may, from bond proceeds or from other District funds, provide for the payment of additional compensation to such officials and employees for services rendered the District or for the reimbursement by the District of the City's costs of providing the District with the services of its officials, employees and independent consultants. In the case of each official or employee of the City, his or her position with the City shall be deemed to include his or her ex officio position as an official or employee of the District.

(j) Notwithstanding that the City and the District are separate entities, the District, as a dependent special district of the City, shall be operated to further the public and municipal purposes of the City by providing public works benefiting property lying within the District. Therefore, it shall not be a conflict of interest for any person to serve both the City and the District as an official, employee, agent or independent consultant.

(k) The District and the City's officials and employees, when acting for the District, shall have the protection of sovereign immunity, to the maximum extent allowed by law, and the City shall have the protection of sovereign immunity, to the maximum extent allowed by law, with respect to any acts of any City officials or employees while they are providing services to or acting for or on behalf of the District.

(l) The District shall have the same fiscal year as the City and the annual and interim financial statements of the City shall include the financial statements of the District if required by law or accounting and financial reporting practices applicable to Florida municipalities.

(m) The District shall, in accordance with law, prepare an annual budget for the District. The budget of the District shall be included in the City's budget as required by law.

(n) The District may establish separate bank accounts in its name and may hold investments and other property of every kind and description in its own name, or funds of the District may be deposited and investments and other property may be held in the name of the City so long as the records of the City disclose that any funds or property of the District held in the name of the City are the funds or property of the District. No creditor of the District shall have any claim against the City or its funds or property for any contractual obligation or debt incurred by the District unless the City, by City ordinance or resolution, has expressly assumed such ~~ex-~~obligation, or debt. No creditor of the City shall have any claim against the District for any contractual obligation or debt incurred by the City unless the District, by District ordinance or resolution, has expressly assumed such obligation, debt, or liability.

SECTION 4. (City Code Sec. 13-149) Public Purposes of District. The public purposes of the District are to provide, or assist in the provision of, public works lying within its territorial limits and to provide, or assist in the provision of, public works lying, in whole or in part, outside of its territorial limits which benefit property lying within its territorial limits. The cost of public works may be paid from Federal, State, County, or City grants, or other District funds, and, to the extent not paid from said sources, from the proceeds of bonds of the District which are authorized, sold and issued as provided in this Charter.

SECTION 5. (City Code Sec. 13-150) Definitions:

"Ad valorem tax bonds" means bonds payable from ad valorem taxes of the District.

"Bonds" or "bonds" means ad valorem tax bonds and special assessment bonds.

"Bond Service Charges" means and includes debt service on bonds, the fees, expenses and other payments, including any lawful indemnification payments, which are payable in connection with the issuance and administration of any bonds issued by the District, and shall include payments to any trustee, paying agents, registrars, authenticating agents, transfer agents, tender agents, remarketing agents, indexing agents for the bonds, payments to the City to reimburse it for services performed by the City's officials, staff, accountants or to indemnify the City for any losses, costs and expenses incurred by it relating to the District's Bonds, and fees and expenses of professionals in connection with the issuance and administration of the District's Bonds and in connection with compliance with law in connection therewith, fees payable by the District to the State relating to the District or its bonds, or both, rebate payments and penalties payable to the United States with respect to the District's Bonds and Credit Facilities Charges relating to the District's Bonds.

"Cost," when used with reference to any public works project shall include all costs and expenses to be incurred in connection with providing such public works project including, but not limited to, the following:

- (1) The cost of acquisition of any land, improvements to land, structures, buildings, fixtures or any tangible or intangible personal property (including, but not limited to, contract rights) or any interest in any of the foregoing.
- (2) The cost of construction, reconstruction, expansion, alteration, improvement or repair of any structure, building, improvement, or fixture and the cost of fabrication, modification or repair of tangible property, including costs of planning, design, inspection, permitting and other soft costs.
- (3) The cost of demolishing, removing, or relocating any earth, soil, sand, muck, buildings, improvements to land, structures, buildings, fixtures or tangible personal property including the cost of acquiring any lands or interests therein to which the same may be moved or relocated and any costs of disposal of any of the foregoing.
- (4) The cost of financing, including ~~costs--of--any-credit enhancement--facility,--liquidity--facility,--interest and taxes-(if-any)--~~ during the estimated construction period and for ~~up-to-one-(1)-years~~ such period thereafter as may be reasonable under the circumstances, costs of funding any reserve fund, sinking fund, debt service fund or other fund securing bonds or bond anticipation notes of the District, and issuance expenses including, but not limited

to, original issue discount, underwriters' discount, placement agent's fees and expenses, financial advisor's fees and expenses, issuer's counsel's fees and expenses, bond counsel's fees and expenses, fees and expenses of any trustee, paying agents, registrars, authenticating agents, tender agents, indexing agents, remarketing agents and other professionals--fees--and--expenses, printing costs, rating agency fees, special bond election costs, bond validation fees and expenses, Credit Facility Charges and other fees and costs relating to the authorization, issuance and sale of bonds or bond anticipation notes of the District which relate to the financing or refinancing of any public works project.

- (5) All other fees, costs and expenses necessary or incident to the providing such public works project.
- (6) The reimbursement to any governmental body or person of any costs, fees, or contributions-in-aid-of-construction incurred by such governmental body or persons at any time with respect to such public works project or to purchase completed or partially completed public works at their current value.

"Credit Agreement" means any agreement between the District and a Credit Facility Provider under which the District obtains a Credit Facility for any bonds or bond anticipation notes and under which the District is obligated to pay Credit Facility Charges.

"Credit Facility" means an arrangement under which a bank, insurance company, savings association, surety company or other financial institution is obligated to provide moneys for the payment of debt service on bonds or bond anticipation notes of the District, for the redemption of such bonds or notes or for the purchase of such bonds or notes, and shall include, but shall not be limited to, policies of bond insurance, surety bonds, letters of credit, lines of credit, standby bond purchase agreements, surety bonds and other forms of financial guarantees.

"Credit Facility Provider" or "Provider" means any financial institution which provides a Credit Facility for any bonds of the District.

"Credit Facility Charges" means any fees, expenses and charges which are or may become payable by the District to any Credit Facility Provider to obtain any Credit Facility, renew or replace any Credit Facility or maintain any Credit Facility in effect and shall include, but shall not be limited to, bond insurance or surety bond premiums, letter of credit issuance fees and letter of credit periodic fees, fees payable to preserve the Credit Facility Provider's rate of return resulting from changes in law which become effective after the issuance of the Credit Facility, lawful

indemnification payments, reimbursement of amounts advanced under such Credit Facility and interest, at a rate not to exceed the maximum rate allowed by law, on any of the foregoing amounts.

"Governmental body" shall mean and include the District and any one or more of the following: ~~T~~the United States of America, the State of Florida, Broward County, the City, any district, authority, agency or instrumentality of any of the foregoing or any public entity created by contract or agreement between any two or more of the foregoing.

"Issue," when used with respect to bonds, means all bonds authorized by an ordinance; an "issue" of bonds may be sold and delivered in one or more series.

"Maximum Rate" and "maximum rate allowed by law", (A) when used with respect to bonds or bond anticipation notes, means (i) as to bonds rated by a nationally recognized rating service in one of the three highest rating classifications, the maximum rate of interest which will not violate the usury laws of the State of Florida; (ii) as to bonds which are not described in clause (i), above, and with respect to which the State Board of Administration has approved a rate in excess of the rate provided for in Section 159.825(4) or Section 215.84(3), Florida Statutes, as applicable, the maximum interest rate approved by the State Board of Administration pursuant to Section 159.825(5) or Section 215.84(4), Florida Statutes, as applicable; and (iii) as to bonds, other than those described in clauses (i) and (ii), above, the maximum interest rate permitted under Section 159.825(4) or Section 215.84(3), Florida Statutes, as applicable, and (B) when used with respect to any obligation, contractual or otherwise, which is not described in (A), above, means the maximum rate of interest permitted by applicable law of the State of Florida.

"Person" shall mean any natural person or legal entity.

"Project" shall mean all public works which are to be acquired, constructed, or otherwise provided pursuant to a resolution of the District which identifies one or more public works as a single public works project.

"Provided," when used with reference to any public works shall include all activities, including, but not limited to, acquisition, construction and equipping, necessary to provide the benefits of such public works to property within the District.

"Public works," shall embrace any one or more of the following: any land, improvements to land, structure, fixture, and tangible personal property of every kind and description and any estate or interest in any of the foregoing which are to be owned by any governmental body and which benefit property within the District.

"Special assessment bonds" means bonds of the District which are payable from special assessments levied by the District on benefitted property within the District.

SECTION 6. (City Code Sec. 13-151) General Powers of the District. The District shall have all of the powers of a body politic and corporate under the laws of the State of Florida and the government of the District shall have all of the powers necessary, incidental or convenient to carry on District government and to serve the public purposes of the District. The enumeration of particular powers herein shall not be deemed exclusive or restrictive, but shall be deemed to incorporate all additional powers which may be necessary, incidental or convenient to implement the exercise of the powers enumerated in furtherance of the public purposes of the District, as herein set forth. To the extent not inconsistent with general or special law, the enumerated powers of the District include the power to:

- (a~~1~~) Adopt its own rules of procedure, except to the extent procedural rules of the City are specifically required, by this Charter, to be followed by the District, its legislative body and the executive branch of District government;
- (b~~2~~) Set the time and date of meetings of its legislative body;
- (e~~3~~) To sue and be sued and to provide for the prosecution and defense of legal causes;
- (d~~4~~) Purchase or otherwise acquire, construct, reconstruct, establish, improve, extend, enlarge, equip, re-equip, own, maintain, repair, operate, or otherwise provide to take and hold title to public works and other property in its own name or to provide for title thereto to be taken in the name of any governmental body, to convey or transfer or provide for the conveyance or transfer of any public works or any part thereof to any other governmental body, with or without consideration;
- (e~~5~~) Issue bonds of the District for the purpose of paying costs of public works located within or without the territorial limits of the District, and to issue bond anticipation notes in anticipation of the issuance of bonds, to issue bonds and bond anticipation notes to retire or refund, by current or advance refunding, any such bonds or to pay and retire any bond anticipation notes and to pay Bond Service Charges with respect thereto;
- (f~~6~~) Enter into agreements with any governmental body or other person for the joint performance or performance by any such governmental body or other person on behalf of any

other such governmental body or other person, of any powers, duties or functions which relate to the providing of public works located within or without the territorial limits of the District;

- (g7) Levy ad valorem taxes on property within the territorial limits of the District which is subject to taxation, except ad valorem taxes on intangible personal property and taxes prohibited by the Constitution of the State of Florida, without limitation as to rate or amount for the payment of the principal of and interest on the District's ad valorem tax bonds and bond anticipation notes issued in anticipation of the issuance of such ad valorem tax bonds and to pledge such taxes for such purposes as provided in Section 7 hereof.
- (h8) To apply for grants and to acquire by grant, gift, devise, purchase, contribution, exchange, or any other manner all property, including real and personal property and tangible and intangible property (including, but not limited to, contracts and leases), or any estate or interest therein, upon such terms and conditions as the District, by resolution, shall fix and determine;
- (i9) Convey and to provide for the conveyance of property, or any estate or interest therein:
 - (Aa) To any person for such consideration and upon such terms as the District shall, by resolution, find to be proper under the laws of Florida; or
 - (Bb) To any governmental body, with or without consideration, as provided by resolution of the District;
- (j10) Obtain the services of financial advisors, engineers, architects, surveyors, underwriters, accountants, legal counsel and other persons, to purchase, sell or lease property and to make and enter into, with or without public bidding, contracts, leases and agreements with respect thereto and to do and to perform all acts and deeds necessary and incidental to the performance of its duties and the exercise of its powers;
- (k11) Assume any contractual duties and acquire any contractual rights or benefits of any person who is a party to any contract or lease relating to any public works and to reimburse costs previously incurred by such person under such contract or pay compensation to such person for the value of any benefits inuring to property within the District which are the result of payments made or other

duties performed by such person under such contract or lease;-and

- (12) Exercise the City's rights (but not to the exclusion of the City) to levy special assessments on benefitted property within the District for public improvements and to issue special assessment bonds, all pursuant to Chapter 170, Florida Statutes. Special assessment bonds shall be authorized by ordinance and issued and sold by resolution in the same manner as ad valorem tax bonds, provided that no election shall be required unless the bonds are also ad valorem tax bonds; and
- (13) Provide for bonds and bond anticipation notes of the District to be secured by one or more Credit Facilities and to enter into Credit Agreements relating thereto and to pay Credit Facility Charges with respect thereto.

SECTION 7. (City Code Sec. 13-152) Issuance of Bonds and Bond Anticipation Notes.

(a) The District is authorized to issue its ad valorem tax bonds to pay all or any part of the cost of public works located or to be located within or without the District which benefit property within the District and issue special assessment bonds pursuant to Chapter 170, Florida Statutes. The bonds of each issue shall bear interest at such rate or rates (which may be floating, variable, or adjustable rates), not to exceed the ~~Maximum Rate-of-interest allowed-by-law~~, shall mature at such time or times, not exceeding the maximum maturity set forth in (g), below, and may be ~~subject to redemption-redeemable--or--subject---to--purchase before maturity by mandatory--redemption--or---mandatory---procedure,--or--upon--stated conditions--or--at--the--option--of--the--District--or--option--of--the--holder thereof,~~ at such prices, at such times and in such manner as may be established by the District. Bonds which are subject to purchase may be subject to remarketing as established by the District. The District shall determine the form of the bonds, which may be, but not be limited to, coupon bonds, coupon bonds registrable as to principal or as to principal and interest, fully registered bonds, or book entry bonds, fixed interest bonds, floating, variable, or adjustable rate bonds, multimodal bonds, commercial paper, capital appreciation bonds, or any other form or mode of bonds. The bonds may be made payable in legal tender of the United States, in foreign currency or Eurodollars or Petrodollars or any other medium of exchange not prohibited by law.

(b) If the District so provides, bonds may be made subject to mandatory purchase in the event any Credit Facility is to expire, be terminated or be replaced by a different Credit Facility or upon other conditions and, if the District so provides, such bonds may be remarketed at par by a remarketing agent at interest rates determined by a remarketing agent or by an indexing agent to be the

lowest rates of interest at which the bonds of various maturities can then be sold at par in such remarketing provided that the interest rates do not cause the net interest cost rate of the bonds to exceed the lower of (i) the Maximum Rate, or (ii) such lower rates as shall be established by the District as the maximum permissible rate, or (iii) in the case of bonds payable from ad valorem tax revenues, such lower rate as may have been approved by the electors as the maximum permissible rate. ~~The District may provide for one or more credit enhancement facilities for any such bonds including, but not limited to, municipal bond insurance, a reserve fund surety bond, or a letter of credit, and may provide for one or more liquidity facilities to provide for the purchase and remarketing of such bonds including, but not limited to, a letter of credit, a standby bond purchase agreement or remarketing agreement, so long as the District, by resolution, finds that (i) the cost thereof to the District (other than costs paid out of bond proceeds) including any fees which may be payable by the District to such providers of credit enhancement or liquidity facility, or both, if treated as additional interest on the bonds, shall not cause interest rate paid on the bonds to exceed the voter approved rate ("voter approved rate" shall mean the lesser of the maximum interest rate allowed by law or the maximum rate of interest approved by the electors, as herein provided) and (ii) find that any interest payable by the District with respect to advances made to the District, or to any trustee or paying agent for the Bonds, for the payment of principal, interest, redemption price or purchase price of the Bonds, shall not exceed the voter approved rate. The "interest" on any bonds payable from ad valorem taxes, for purposes of determining the amount of any ad valorem tax levy, and the "interest" on any special assessment bonds, for purposes of calculating the interest on the special assessments, shall include such costs and any interest on such advances and the "principal" of bonds for such purposes shall include amounts required to reimburse such advances.~~

(c) The bonds may be sold at public or private sale as provided by general law. In the sale and issuance of the bonds, the District shall comply with general law.

(d) The District may appoint a bank or trust company within or without the State of Florida as trustee ~~or escrow agent or paying agent~~ for the bonds, for the proceeds thereof, and for any ad valorem tax revenues and other revenues and funds pledged to the payment thereof, including interest and profits earned upon the investment of said moneys. The District may appoint or provide for the appointment of one or more paying agents, a registrar, or authenticating agents, or both, for the bonds.

(e) The bonds issued by the District shall be executed by the ~~Executive Director~~ District Mayor or any Member of the Board and shall be attested by the Clerk or any Deputy Clerk of the District or any Member of the Board. Such executions and attestations may be

by manual or facsimile signature. Coupons, if any, on the bonds shall be likewise executed. If both such signatures on any bond are facsimiles, then the manual signature of the authenticating agent or duly authorized signatory of any corporate authenticating agent shall be required on such bond (but not on any coupons) before such bond, and any coupons appurtenant thereto, shall be valid, binding and enforceable. In case any official whose signature or facsimile of whose signature shall appear upon any bond or coupon shall cease to be such official before delivery of such bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes.

(f) All bonds issued under the provisions of this Charter shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the laws of the State of Florida.

(g) Prior to the sale and issuance of any issue of bonds or series of bonds of such issue, the District shall enact an ordinance which shall authorize the issuance of such issue of bonds which shall:

- (1) Specify the maximum aggregate principal amount of bonds of such issue (which may be issued in one or more series); for purposes hereof, the "principal amount" shall mean, in the case of capital appreciation bonds or similar deep discount bonds which provide for any interest to be added to principal rather than being paid currently, the original principal amount thereof at the time of issuance rather than the accreted value thereof at maturity or other time subsequent to issuance;
- (2) Specify the maximum rate of interest which may be paid on any of the bonds of such issue (which may be stated to be the ~~maximum rate of interest allowed by law~~);
- (3) Specify the maximum maturity any bond of such issue may have; an ad valorem tax bond may have a maximum maturity not to exceed forty (40) years from the date such bond is originally issued, or more than forty-five (45) years from the date the issue of bonds is authorized by such ordinance, as hereinafter provided; the maximum maturity of any special assessment bond shall be established with reference to the requirements of Chapter 170, Florida Statutes;
- (4) Specify, if the bonds are being issued to pay the cost of any public works, the general nature of the public works, the cost of which are to be paid, in whole or in part, with proceeds of the bonds of such issue (which may be stated in general terms or may refer to plans, specifications, permits, or other documents containing

such descriptive information which are on file with the District, the City, Broward County or the State);

- (5) Specify, if the bonds are being issued to refund any bonds, the bonds to be refunded; and
- (6) Specify whether the bonds are payable from ad valorem taxes; or special assessments or from both such sources.

If the bonds and debt service thereon are payable from ad valorem taxes, the ordinance shall provide for an election on the proposition for the issuance of such bonds at which all qualified electors of the District, whether or not freeholders, shall be entitled to participate in accordance with general law, provided, however, that no election shall be required if the bonds to be authorized are refunding bonds and no election thereon is required by the Constitution of the State of Florida. No election shall be required if the bonds are special assessment bonds, unless ad valorem taxes are also pledged as a source of payment therefor. The costs of holding such election shall be borne by the District and, if the bonds are issued, shall constitute an issuance cost.

(h) No bonds of any issue shall be issued hereunder unless either:

- (1) the issue of bonds has been approved by a majority of the votes cast in the election by the qualified electors of the District who participated in such election by voting on the proposition for the issuance of bonds of such issue; or
- (2) The bonds are refunding bonds or special assessment bonds for which no vote of the electors is required by the Constitution of the State of Florida.

(i) An issue of bonds which has been authorized by ordinance and, if required hereby, approved by the electors, may thereafter be issued and sold in one or more series from time to time by resolution, but no series of such bonds shall be initially issued more than six (6) years after the date the ordinance authorizing the same became effective, provided that this six (6) year limit shall not apply to rollovers of bonds of any series which are issued in the form of commercial paper (as permitted by (o), below) if the initial issue of the bonds of such series was within the six (6) year period. Provided, further, that if bond anticipation notes are issued during such six (6) year period which mature after the expiration of such six (6) year period, bonds to retire those notes may be issued at or prior to the maturity of such notes. Within such six (6) year period, the issuance of bonds in an amount less than the full amount authorized shall not be deemed to terminate the authority to issue bonds up to the full amount authorized, unless the District, by resolution, expressly terminates the

authorization for the unissued amount. The terms and details of the bonds of each series shall, within the limitations set forth herein and in the authorizing ordinance, be established by resolution or resolutions supplemental to the authorizing ordinance and bonds of each series shall be sold pursuant to a resolution supplemental to such ordinance which may be, but need not be, the same resolution as that establishing the terms and details of the bonds.

(j) When any issue of bonds has been authorized as herein provided, the District, in anticipation of the issuance of any series of such bonds, may, by resolution supplemental to the authorizing ordinance for the bonds, issue bond anticipation notes in accordance with general law. Such bond anticipation notes shall bear interest at a rate no higher than the rate authorized for the bonds. Bond anticipation notes may have any terms the bonds may have (subject to the provisions of general law) and shall be executed in the same manner as bonds.

(k) ~~The principal of each bond issued under this Charter, the interest thereon, the redemption price thereof and the purchase price thereof, if purchased by the District or pursuant to any credit enhancement facility or liquidity facility, including fees, reimbursement of advance and interest or advances payable to any person providing any credit enhancement facility or liquidity which are deemed hereunder to be bond principal and interest and any deposits required to be made to any debt service fund, sinking fund, reserve fund or other fund for the payment of any of the foregoing is herein called "debt service".~~ The debt service and other Bond Service Charges on ad valorem tax bonds issued by the District hereunder shall be payable from and secured by ad valorem tax revenues derived from the levy of ad valorem taxes by the District for such purpose without limitation as to rate and amount ~~the payment of ad valorem tax bonds issued hereunder.~~ The debt service and other Bond Service Charges on any special assessment bonds shall be payable from special assessments as provided in Chapter 170, Florida Statutes. Debt service and other Bond Service Charges on bonds may also be payable from and secured by (i) any proceeds of the bonds of such issue or of the series of bonds of which such bond was a part (and interest income earned thereon), (ii) any interest income earned on amounts on deposit in any debt service fund, sinking fund, reserve fund, or other fund established by the District as security for the bonds of such issue or for the bonds of such series, (iii) advances made under any ~~credit enhancement facility or liquidity facility~~ for the bonds of such issue or for the bonds of such series, and (iv) any other source of payment, including but not limited to special assessments, expressly pledged for the payment of the bonds of such issue or the bonds of such series. All ad valorem tax bonds issued under this Charter shall be secured equally and ratably by the ad valorem taxes of the District levied for the payment of all bonds issued by the District. The District may provide, by resolution, for all ad valorem tax bonds of an issue (and bond anticipation notes issued in anticipation of the issuance

of such bonds) to be secured on a parity basis by one or more of the sources described in clauses (i) through (iv), above, or may cause each series of ad valorem tax bonds of an issue (and bond anticipation notes issued in anticipation of the issuance of such bonds) to be secured separately by one or more of the sources described in clauses (i) through (iv), above.

(l) So long as any ad valorem tax bonds or bond anticipation notes issued in anticipation of the issuance of ad valorem tax bonds have been issued and have not been paid (or defeased pursuant to the provisions of the resolution providing for their terms), the District shall levy ad valorem taxes on all taxable property located within the territorial limits of the District, without limitation as to rate and amount, in an aggregate amount which shall be sufficient (taking into account the tax collection delinquency experience of the tax collector, any early payment discounts available to taxpayers and amounts, other than current ad valorem taxes which will be available for the payment of debt service and which have been appropriated for the payment of debt service) to pay debt service and other Bond Service Charges on ad valorem tax bonds and shall appropriate all such ad valorem taxes for the payment of ~~debt service~~ such Bond Service Charges. The obligation to levy and appropriate such taxes shall be unconditional and irrevocable. As provided by Section 200.066, Florida Statutes, such taxes may be imposed no earlier than January 1, 1989.

(m) Bonds, issued as provided herein, shall identify, in the text thereof, the sources pledged for the payment thereof.

(n) Bonds issued by the District shall be payable solely from the sources identified as the source of payment. The District may pledge the sources herein specified but may not pledge any of the City's separate revenues or taxes. Nothing herein shall prohibit the City, by City ordinance, from expressly pledging its faith and credit, taxing power or specific revenues or property as a source of payment or security for bonds of the District, subject to any limitations contained in the Constitution of the State of Florida, general or special law, or the City's charter.

(o) The bonds authorized by an authorizing ordinance of the District, or any series of such bonds, may, by supplemental resolution, be issued in the form of commercial paper pursuant to a commercial paper program under which the bonds (which may be designated "notes") shall have maturities of not to exceed 365 days (or 366 days if during the term of any bond there is a February 29th) and which are to be retired and cancelled at maturity with, in some instances, the immediate issuance and sale of a new bond or bonds in the same aggregate principal amount (commonly called a "rollover" of such commercial paper). Such a rollover shall not be deemed to be the issuance of new bonds for purposes of authorized limitation on the aggregate principal amount of bonds which may be issued under the authorizing ordinance, but shall, for purposes of

that limitation, be deemed to be the continuance of the same debt as was represented by the bonds which were retired and "rolled over" by the sale and issuance of new bond instruments. In the case of bonds issued in a commercial paper program; (i) the maximum maturity limitation on bonds hereunder (and under the authorizing ordinance under which the same are issued) shall constitute a limitation on the final maturity of bonds issued in such rollovers; (ii) the bonds may be issued in rollovers after the expiration of the six (6) year period described in paragraph (i), above if commercial paper program bonds of such series were initially issued within that six (6) year period; and (iii) the interest rate limitation contained in the authorizing ordinance shall apply to the bonds when initially issued and to any rollovers thereof, and the applicable maximum rate of interest allowed by law shall be determined as of the date of sale of each particular bond, whether sold upon the initial issuance of bonds under the commercial paper program or upon sale of a bond in a rollover.

(p) In the case of any bond which is issued as a variable rate demand bond or as a multimodal bond and which is subject to purchase and remarketing (whether at a specified time or under specified circumstances, or at the option of the District or at the option of the holder of such bond), the purchase of said bond by the District, or by any other person pursuant to any ~~eCredit enhancement Facility or liquidity facility pursuant to contract with the District~~, shall not constitute a retirement of the debt evidenced by such bond and the remarketing or resale of such bond shall not constitute the issuance of a new debt for the purpose of the limitation on the aggregate principal amount of bonds which may be issued under the authorizing ordinance. If any bonds are issued as variable rate or multimodal bonds, changes in the interest rate or interest mode made pursuant to the terms of the bonds or applicable resolution shall not be deemed to constitute the cancellation of debt and the issuance of new debt for purposes of the limitation on the aggregate principal amount of bonds which may be issued under any authorizing ordinance. In the case of any series of variable rate or multimodal bonds, the maximum interest rate limitation shall apply to the bonds of such series when initially issued and to the bonds of such series at the time of each change the interest rate or interest mode and the maximum rate of interest allowed by law shall be determined as of the date of each interest rate or interest mode change, except as otherwise provided by the Florida Statutes or rules of the State Department of Administration promulgated pursuant to the Florida Statutes.

(q) The District is hereby authorized to secure any issue or any series of its bonds or bond anticipation notes with one or more Credit Facilities. Any Credit Facility Charges which relate to the acquisition of such Credit Facility and which are payable upon the issuance of the bonds or bond anticipation notes shall constitute an issuance expense and may be paid from the proceeds of such bonds or bond anticipation notes. Any Credit Facility Charges which relate

to maintaining the Credit Facilities for a specified period may be prepaid as an issuance expense with proceeds of such bonds or bond anticipation notes or the District may establish a reserve therefor which may be funded with proceeds of such bonds or bond anticipation notes or funded with revenues which are pledged to pay Bond Service Charges. Other Credit Facility Charges shall be payable from the special assessments, ad valorem taxes, or both, which are pledged to the payment of Bond Service Charges relating to such bonds or bond anticipation notes. If provided by the District, if any Credit Facility Provider advances funds under a Credit Facility which are used to pay debt service on bonds or bond anticipation notes of the District, then such Credit Facility Provider shall be subrogated to the bondholder's or noteholder's right to receive such debt service and the District shall be obligated to pay such debt service, which shall then be in "default" to such Credit Facility Provider, plus interest thereon at a default rate which shall be the lower of (i) the Maximum Rate, (ii) the rate established by the District in the Credit Agreement under which such Credit Facility was issued, or (iii), in the case of bonds or bond anticipation notes which are payable from ad valorem taxes, the rate approved by the electors as the maximum permitted interest rate. If provided by the District, if any Credit Facility Provider advances funds for the purchase of the District's bonds or bond anticipation notes, and if such bonds or notes are held by such Credit Facility Provider, or by a transferee thereof, the bonds or bond anticipation notes while held by such Credit Facility Provider or transferee shall bear interest at such rate or rates as shall be established by the District by ordinance, resolution or by a trust indenture or credit agreement approved by ordinance or resolution of the District provided that such rate of interest shall be the lower of (i) the maximum rate allowed by law, (ii) the rate established by the District, as aforesaid, or (iii) in the case of bonds or bond anticipation notes which are payable from ad valorem taxes, the rate approved by the electors as the maximum permitted interest rate.

SECTION 8. (City Code Sec. 13-153) Amendment, Merger and Termination.

(a) Amendment. This Charter may be amended by ordinance of the City provided that no amendment shall impair any obligations of the District.

(b) Merger. The District may be merged with another local governmental body as permitted by the laws of the State of Florida.

(c) Termination. The District may be terminated and dissolved by ordinance of the City. Upon such termination and dissolution, the assets and property of the District shall be transferred to the City and the debts, obligations and liabilities of the District shall be assumed by the City.

SECTION 9. (City Code Sec. 13-154) Liberal Construction. This Charter and the purposes herein stated shall be liberally construed. The powers herein granted shall be liberally construed to effect the purposes stated herein; the powers granted to the District herein shall be deemed to be granted in addition to, and not in derogation of, other powers which may be provided by law for the same or similar purposes. Any fair, reasonable substantial doubt concerning the existence of a power is to be resolved by the courts in favor of the District's possession of such power if such power could lawfully have been granted to the District by this Charter.

SECTION 10. (City Code Sec. 13-155) Governing Law. This Charter and the bonds and the ordinances and resolutions under which bonds are issued shall be deemed to be contracts made under the laws of the State and for all purposes shall be governed by and construed in accordance with the laws of the State. Any contract for credit enhancement facilities, liquidity facilities and other contract of the District shall be governed by the provisions of law specified in such contract, or if such contract is silent as to governing law, the governing law shall be determined under applicable principles of conflict of laws. . . ."

SECTION 2. Severability. In case any section or provision of this Ordinance is held to be illegal or invalid for any reason, or is inoperable at any time, that illegality, invalidity or inoperability shall not affect the remainder thereof or any other section or provision of this Ordinance, all of which shall be construed and enforced at the time as if the illegal, invalid or inoperable portion were not contained therein. Any illegality, invalidity or inoperability shall not affect any legal, valid and operable section or provision, all of which shall be deemed to be effective and operative to the full extent permitted by law from time to time.

SECTION 3. Conflicts. All ordinances and resolutions or parts thereof in conflict herewith are to the extent of such conflict superseded and repealed.

SECTION 4. Effective Date. This ordinance shall be effective immediately upon its adoption and enactment.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA, on this first reading this 17th day of July, 1991.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
 SUNRISE, FLORIDA, on this second reading this 30th day of
July, 1991.



Mayor of the City of Sunrise,
 Florida, ex officio the Mayor
 of Special Tax District No. 1
 of the City of Sunrise, Florida

AUTHENTICATION:



City Clerk of the City of
 Sunrise, Florida, ex officio the
 District Clerk of Special Tax
 District No. 1 of the City of
 Sunrise, Florida

FIRST READING

SECOND READING

MOTION: KLAUBER

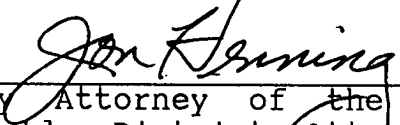
MOTION: EFFMAN

SECOND: EFFMAN

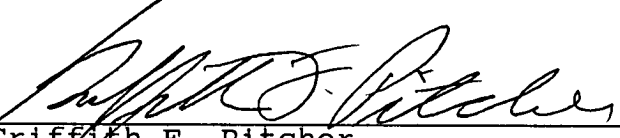
SECOND: FEREN

| | | | |
|----------------|---------------|----------------|---------------|
| <u>EFFMAN</u> | <u>YEA</u> | <u>EFFMAN</u> | <u>YEA</u> |
| <u>FEREN</u> | <u>YEA</u> | <u>FEREN</u> | <u>YEA</u> |
| <u>KLAUBER</u> | <u>YEA</u> | <u>KLAUBER</u> | <u>ABSENT</u> |
| <u>PEARL</u> | <u>YEA</u> | <u>PEARL</u> | <u>YEA</u> |
| <u>WISHNER</u> | <u>ABSENT</u> | <u>WISHNER</u> | <u>YEA</u> |

Approved as to form and legal sufficiency.



City Attorney of the City of Sunrise,
 Florida, District Attorney of Special Tax
 District No. 1 of the City of Sunrise,
 Florida



Griffith F. Pitcher
 Squire, Sanders & Dempsey, Bond Counsel

FORT LAUDERDALE NEWS/SUN-SENTINEL
PUBLISHED DAILY
FORT LAUDERDALE, BROWARD COUNTY, FLORIDA
BOCA RATON, PALM BEACH COUNTY, FLORIDA
MIAMI, DADE COUNTY, FLORIDA

CITY CLERK
1991 JUL 23 11:10:18

STATE OF FLORIDA
COUNTY OF BROWARD/PALM BEACH/DADE
BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY
APPEARED WHO ON
OATH SAYS THAT HE/SHE IS A DULY AUTHORIZED
REPRESENTATIVE OF THE CLASSIFIED DEPARTMENT OF
THE FORT LAUDERDALE NEWS/SUN-SENTINEL, DAILY
NEWSPAPERS PUBLISHED IN BROWARD/PALM BEACH/DADE
COUNTY, FLORIDA THAT THE ATTACHED COPY OF
ADVERTISEMENT, BEING A

NOTICE OF PUBLIC HEARING

IN THE MATTER OF

C91218 PC 62927

IN THE CIRCUIT COURT, WAS PUBLISHED IN SAID
NEWSPAPER IN THE ISSUES OF
C.7/20,1X

AFFIANT FURTHER SAYS THAT THE SAID FORT
LAUDERDALE NEWS/SUN-SENTINEL ARE NEWSPAPERS
PUBLISHED IN SAID BROWARD/PALM BEACH/DADE
COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPERS
HAVE HERETOFORE BEEN CONTINUOUSLY PUBLISHED IN
SAID BROWARD/PALM BEACH/DADE COUNTY, FLORIDA,
EACH DAY, AND HAVE BEEN ENTERED AS SECOND
CLASS MATTER AT THE POST OFFICE IN FORT
LAUDERDALE, IN SAID BROWARD COUNTY, FLORIDA,
FOR A PERIOD OF ONE YEAR NEXT PRECEDING THE
FIRST PUBLICATION OF THE ATTACHED COPY OF
ADVERTISEMENT; AND AFFIANT FURTHER SAYS THAT
HE/SHE HAS NEITHER PAID NOR PROMISED ANY PERSON,
FIRM OR CORPORATION ANY DISCOUNT, REBATE,
COMMISSION OR REFUND FOR THE PURPOSE OF
SECURING THIS ADVERTISEMENT FOR PUBLICATION
IN SAID NEWSPAPERS.

.....
AUTHORIZED REPRESENTATIVE

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 20 DAY OF JULY
A.D. 1991

Barbara Strickland
(SEAL) Notary Public, State of Florida PUBLIC
My Commission Expires July 24, 1992
Bonded Three Thousand Dollars - Insured \$100,000

C91218
ORD. 373-A(1991)

NOTICE OF PUBLIC HEARING
The following ordinance will be presented to the City Commission, City of Sunrise Council Chambers, 10770 W. Oakland Park Blvd., Sunrise, Florida for the second and final reading on:
Tuesday, July 30, 1991 at 6:00 p.m. in the commission chambers.
This ordinance is on file in the Office of the City Clerk and may be reviewed Monday through Friday, 9:00 a.m. to 5:00 p.m. All interested parties are invited to attend this meeting and may be heard relative to this ordinance.
C91218
AN ORDINANCE OF THE CITY OF SUNRISE, FLORIDA, AMENDING AND RE-STATING CITY OF SUNRISE ORDINANCE NO. 373 ENTITLED "AN ORDINANCE OF THE CITY OF SUNRISE, FLORIDA, CREATING SPECIAL TAX DISTRICT NO. 1 OF THE CITY OF SUNRISE, FLORIDA; ESTABLISHING ITS TERRITORIAL LIMITS; PROVIDING FOR ITS GOVERNMENT AND CERTAIN PROCEDURES FOR ITS OPERATION; STATING ITS PURPOSES; DEFINING CERTAIN TERMS; SETTING FORTH ITS GENERAL POWERS; EMPOWERING IT TO ISSUE TAX BONDS AND TO LEVY AD VALOREM TAXES ON TAXABLE PROPERTY LOCATED WITHIN ITS TERRITORIAL LIMITS TO PAY DEBT SERVICE ON SAID BONDS; AND PROVIDING FOR LIBERAL CONSTRUCTION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE", AS CODIFIED IN SECTIONS 13-146 THROUGH 13-165, BOTH INCLUSIVE OF THE CITY

7H3400

CODE: PROVIDING FOR MODIFICATIONS MADE DESIRABLE BY AMENDMENTS TO THE CITY CHARTER AND BY THE ENACTMENT OF THE UNIFORM SPECIAL DISTRICT ACCOUNTABILITY ACT OF 1989 AS CODIFIED IN CHAPTER 189, FLORIDA STATUTES; AMENDING PROVISIONS RELATING TO BONDS AND RELATING TO CREDIT FACILITIES; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.
If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. F.S.S. 286.0105.
Policy of non-discrimination on the basis of handicapped status; equal opportunity employer.
July 20, 1991