

RESOLUTION NO. 2000- 285

**CITY OF POMPANO BEACH
Broward County, Florida**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO BROWARD COUNTY FOR THE CREATION OF A SECOND COMMUNITY REDEVELOPMENT AGENCY AREA AT AND NEAR EAST ATLANTIC BOULEVARD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission has caused a study to be prepared to determine whether or not that area at and near East Atlantic Boulevard meets the criteria necessary for the creation of a Community Redevelopment Agency area; and

WHEREAS, the prepared study supports the creation of a new Community Redevelopment Agency area;

WHEREAS, by state statute the power to create a new Community Redevelopment Agency area is vested exclusively in Broward County; and

WHEREAS, the City Commission of the City of Pompano Beach desires to proceed with the creation of a second Community Redevelopment Agency area; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Resolution.

SECTION 2: That the City Manager or his designee is hereby authorized to make application to Broward County for the creation of a second Community Redevelopment Agency area at and near East Atlantic Boulevard.

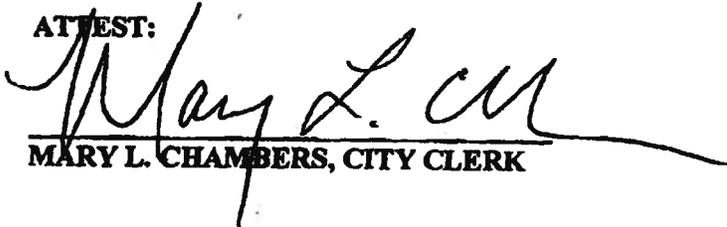
SECTION 3: That this Resolution shall become effective upon passage.

PASSED AND ADOPTED this 12th day of September, 2000.



WILLIAM F. GRIFFIN, MAYOR

ATTEST:



MARY L. CHAMBERS, CITY CLERK

GBL/jrm
9/5/00
l:reso/2000-424

Appendix C – Ordinance 2002-12

1107001 11:07
CITY OF POMPANO BEACH

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ESTABLISHING AND PROVIDING FOR THE FUNDING OF A REDEVELOPMENT TRUST FUND PURSUANT TO SECTION 163.387, FLORIDA STATUTES, TO FINANCE OR REFINANCE COMMUNITY REDEVELOPMENT WITHIN THE COMMUNITY REDEVELOPMENT AREA KNOWN AS THE EAST POMPANO BEACH DISTRICT AREA; PROVIDING FOR ADMINISTRATION OF THE REDEVELOPMENT TRUST FUND; DETERMINING THE TAX INCREMENT TO BE DEPOSITED IN THE REDEVELOPMENT TRUST FUND; ESTABLISHING THE BASE YEAR FOR DETERMINING ASSESSED VALUES OF PROPERTY IN THE COMMUNITY REDEVELOPMENT AREA FOR TAX INCREMENT PURPOSES; PROVIDING FOR THE ANNUAL APPROPRIATION OF THE TAX INCREMENT BY ALL TAXING AUTHORITIES IN THE COMMUNITY REDEVELOPMENT AREA; APPOINTING THE GOVERNING BODY OF THE COMMUNITY REDEVELOPMENT AGENCY AS THE TRUSTEE OF THE REDEVELOPMENT TRUST FUND; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Part III of the Community Redevelopment Act of 1969, Florida Statutes, as amended (the "Act"), the City of Pompano Beach may be empowered to formulate a workable program for utilizing appropriate private and public resources to eliminate and prevent the spread of slum and urban blight, to encourage needed community rehabilitation and to provide for the redevelopment of slum and blighted areas in accordance with such provisions; and

WHEREAS, pursuant to Resolution No. 80-534 and 2001-758 adopted by the Broward County Commission, Broward County delegated to the City Commission of the City of Pompano

Beach, Florida, the authority to create a Community Redevelopment Agency to operate within the jurisdiction of the City, and the authority to exercise all powers conferred upon local governments by the Act subject to the review and approval of a Community Redevelopment Plan by the Board of County Commissioners of Broward County, Florida, within the municipal boundaries of the City of Pompano Beach.

WHEREAS, pursuant to Resolution No. 2002-11 adopted by the City Commission of the City of Pompano Beach, the City declared an area existing within the City as blighted, which area is lying along Atlantic Boulevard between NE 18th Avenue and the Beach and along State Road A1A between SE 2nd Street and NE 3rd Street (hereinafter referred to as the "East Pompano Beach District Area Community Redevelopment Area").

WHEREAS, pursuant to Ordinance No. 2002-06, the City Commission of the City of Pompano Beach, Florida, as the Pompano Beach Community Redevelopment Agency declared itself to be the Community Redevelopment Agency ("Agency") for the East Pompano Beach District Area; and

WHEREAS, pursuant to Resolution No. 2002-58, the City Commission of the City of Pompano Beach approved a Community Redevelopment Plan ("Plan") for the East Pompano Beach District Area; and

WHEREAS, in order to plan and implement community redevelopment within the East Pompano Beach District Area, it is necessary that a Redevelopment Trust Fund ("Trust Fund") be established and created for said area as provided in the Act; and

WHEREAS, notice of the intended creation of a Trust Fund has been given to all taxing authorities in accordance with the Act; and

WHEREAS, pursuant to law, ten (10) day' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That the above recitals are true, correct and incorporated into this Ordinance by this reference.

SECTION 2: That there is hereby established and created in accordance with the provisions of the Act, a Redevelopment Trust Fund for the East Pompano Beach District Area, which Trust Fund shall be utilized and expended for the purposes of and in accordance with the Plan, including any amendments or modifications thereto approved by the City Commission including any community redevelopment under the Plan.

SECTION 3: That the monies to be allocated to and deposited into the Trust Fund shall be used to finance community redevelopment within the East Pompano Beach District Area, which shall be appropriated by the Agency. The Agency shall utilize the funds and revenues paid into and earned by the Trust Fund for community redevelopment purposes as provided in the Plan and as permitted by law. The Trust Fund shall exist for the duration of the community redevelopment undertaken by the Agency pursuant to the Plan to the extent permitted by the Act. Monies shall be held in the Trust Fund by the City for and on behalf of the Agency, and disbursed from the Trust Fund as provided by the Act, this Ordinance or by the Agency.

SECTION 4: That there shall be paid into the Fund each year by each taxing authority levying ad valorem taxes within the East Pompano Beach District Area, a sum equal to ninety-five percent (95%) of the incremental increase in ad valorem taxes levied each year by that taxing authority, as calculated in accordance with Section 6 of this Ordinance and the Act, based on the base tax year established in Section 5 of this Ordinance (such annual sum being hereinafter referred to as the "tax increment").

SECTION 5: That the most recently approved tax roll prior to the effective date of this Ordinance used in connection with the taxation of real property in the East Pompano Beach District Area as provided for in Section 163.387, Florida Statutes, shall be the interim ad valorem tax roll of Broward County, Florida, filed by the Property Appraiser of Broward County, Florida, with the State Department of Revenue on or before July 1, 2001, pursuant to Section 193.1142, Florida Statutes, reflecting valuation of real property for purposes of ad valorem taxation as of January 1, 2001 (the "base year value"), and all deposits into the Trust Fund shall be the amount of tax increment calculated as provided in Section 6 herein based upon increases in valuation of taxable real property from the base year value.

SECTION 6: That the tax increment shall be determined and appropriated annually by each taxing authority as provided in the Act, and shall be an amount equal to ninety-five percent (95%) of the difference between:

A. The amount of ad valorem taxes levied each year by each taxing authority on taxable real property contained within the geographic boundaries of the East Pompano Beach District Area; and

B. The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority upon the total of the

assessed value of the taxable real property in the East Pompano Beach District Area as shown on the assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of this Ordinance.

SECTION 7: That pursuant to Section 163.387 (2), Florida Statutes, each taxing authority shall annually appropriate and pay by January 1 of each year a sum which is no less than the tax increment as defined and determined as provided in the Act and Section 6 of this Ordinance. The obligation of each taxing authority to annually appropriate the tax increment for deposit in the Trust Fund shall commence on the effective date of this Ordinance and continue to an extent permitted by the Act until all loans, advances and indebtedness, if any, and interest thereon, incurred by the Agency as a result of community redevelopment in the East Pompano Beach District Area have been paid.

SECTION 8: That the Trust Fund shall be established and maintained as a separate Trust Fund by the Agency pursuant to the Act and this Ordinance, and other directives of the governing body of the Agency as the trustee of the Trust Fund as may be adopted from time to time, whereby the Trust Fund may be promptly and effectively administered and utilized by the Agency expeditiously and without undue delay for its statutory purpose pursuant to the Plan. The Agency may authorize and direct the City to establish and administer the Trust Fund on behalf of the Agency in accordance with this Ordinance and the Act.

SECTION 9: That the obligation of the City Commission of the City of Pompano Beach to fund the Trust Fund annually shall continue until all loans, advances and indebtedness, if any and interest thereon, of the Agency incurred as a result of community redevelopment have been paid, but only to the extent that the tax increment described in Section 5 of this Ordinance accrues. The obligation of the City Commission to fund the Trust Fund shall not be construed to

make the City a guarantor of the obligations of other taxing authorities under this ordinance or the Act nor shall it be construed to require the exercise of the taxing power of the City or the payment to the Trust Fund from any other funds of the City except the incremental revenue provided for in Section 5.

SECTION 10: That it may, in its discretion, authorize the deposit of such other legally available funds into the Trust Fund as may be described by resolution adopted on or after the effective date of this Ordinance.

SECTION 11: That the governing body of the Agency shall be the trustee of the Trust Fund and shall be responsible for the receipt, custody, disbursement, accountability, management, investments, and property application of all monies paid into the Fund.

SECTION 12: That the funds of the Trust Fund shall be utilized in accordance with the provisions of the Act, this Ordinance and the Community Redevelopment Plan for the East Pompano Beach District Area as approved by the City Commission of the City of Pompano Beach as the same may be amended.

SECTION 13: That the terms contained in this Ordinance shall have the meanings as set forth in the Act.

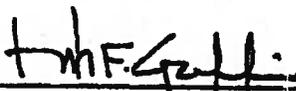
SECTION 14: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 15: All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 16: This Ordinance shall become effective upon passage.

PASSED FIRST READING this 27th day of November, 2001.

PASSED SECOND READING this 11th day of December, 2001.



WILLIAM F. GRIFFIN, MAYOR

ATTEST:



MARY L. CHAMBERS, CITY CLERK

GBL/jrm
10/26/01
L:ord/2002-42

Appendix D – Interlocal Cooperation Agreement

Item 58 - 12/4/01
Reso. 2001-1170

INTERLOCAL COOPERATION AGREEMENT

THIS INTERLOCAL COOPERATION AGREEMENT (the "Agreement"), made this 27th day of November, 2001, by and between Broward County, Florida, a political subdivision of the State of Florida (the "County"), the City of Pompano Beach, Florida, a municipal corporation under the laws of the State of Florida (the "City") and the Pompano Beach CRA, or its successor, a public body corporate and politic (the "CRA").

WHEREAS, the Board of County Commissioners of Broward County, Florida (the "Board") adopted Resolution No. 2001-754 on July 10, 2001, which, among other things, declared that a slum or blighted area existed in a geographic area, described in Resolution No. 2002-58 of the City, attached hereto and made a part hereof as Exhibit "A" (The "Redevelopment Area"), the criteria of which presented by the City, in the aggregate, demonstrated that it is necessary to redevelop such Redevelopment Area in accordance with the provisions of Part III of Chapter 163, Florida Statutes (the "Act"); and

WHEREAS, the Board delegated to the City Commission of the City of Pompano Beach, Florida (the "City Commission") the authority to exercise the redevelopment powers conferred upon the Board within the Redevelopment Area in accordance with the Act to enable the City Commission to declare the need for, create and delegate power to a community redevelopment CRA and to initiate, prepare and adopt a plan of redevelopment for final approval by the Board; and

WHEREAS, the City commission, pursuant to Resolution No. 2002-11 enacted on October 9, 2001, accepted a delegation of powers from the Board, found a need for and created the CRA, granted the CRA the power to exercise those powers permitted by the

Act which were delegated by the Board to the CRA and directed the initiation, preparation and adoption of a community redevelopment plan by the CRA; and

WHEREAS, pursuant to agenda item E-1 enacted by the Board of the Pompano Beach Community Redevelopment Agency on October 23, 2001, the Board has approved the Community Redevelopment Plan (the "Plan") to enable the City to undertake redevelopment of the Redevelopment Area; and

WHEREAS, there shall be established for the CRA created under the Act, a redevelopment trust fund (the "Fund"); and

WHEREAS, the boundaries identified for the Redevelopment Area are within the corporate limits of the City; and

WHEREAS, the City played the major role in the preparation of the Plan; and

WHEREAS, the County, the City and the CRA desire to enter into an agreement of understanding to delineate their areas of responsibility with respect to the redevelopment of the Redevelopment Area, exclusively known as the "East Pompano Beach District Area," and the proposed CRA's obligations and responsibilities to each taxing authority.

WITNESSETH, that for and in consideration of the mutual covenants and agreements contained herein, the County, the City and the CRA agree as follows:

Implementation of the Plan

A. The City and the CRA hereby expressly agree that the Plan as approved by the Board pursuant to Resolution No. _____ is for a thirty (30) year period for purposes of completing the project as outlined in the Plan. The City and the CRA agree that within sixty (60) days of the first anniversary of the establishment of the CRA, based on the fiscal year end, and thereafter, within sixty (60) days of every anniversary following, based on the

fiscal year end, the City and the CRA shall submit to the County, in addition to the requirements of Chap. 163.356(3)(c), Fla. Stat., a detailed report of the progress made in carrying out the Redevelopment Plan.

The detailed report of the progress made in carrying out the Redevelopment Plan is to include time frames and benchmarks, including, but not limited to, changes in tax increment payments, enhancements to the tax base, any leverage of private or non-ad valorem funds, costs and revenues, growth in new business, reduction of incompatible land uses or code violations, improvements to infrastructure, and ongoing benefits to the larger Community.

The County shall review the progress report and determine if the Redevelopment Plan has progressed in a satisfactory manner. At the request of the County, the City and/or the CRA shall submit additional progress reports on the Plan and Redevelopment area activities. If the County determines, based on submissions and performance by the City and/or CRA that progress is unsatisfactory, the City and the CRA and the County shall work jointly to provide a corrective plan of action. If the corrective plan of action and/or performance by the City and the CRA has not improved to a satisfactory level, within a defined time frame, the City and the CRA agree to not issue additional debt or restructure debt, without the expressed approval of the County. Further, the City and/or CRA shall be required to provide the County with quarterly reports on corrective actions taken until the CRA's performance has improved to a satisfactory level, as determined by the County Administrator. The City and/or the CRA, without expressed approval of the County, shall not have the right to replace any cash in debt service reserve with a debt service reserve

surety during the period in which the CRA is deemed by the County to have unsatisfactory performance levels.

Should an amendment to this Agreement be required, the CRA and the City, as the case may be, may only continue to exercise the powers as amended and conferred by the Board to such entity pursuant to this Agreement, as amended, and the amended Plan, and in strict conformity with the requirements of Chap. 163, Fla. Stat.

The CRA and the City shall be responsible solely for the negligence of the CRA and the City's agents, servants and employees. County shall be responsible solely for the negligence of County's agents, servants and employees.

The size of the proposed CRA shall be limited to 158 acres, which is less than one point one percent (1.1%) of the City's land area.

B. Project Financing

The City and the CRA expressly agree that County tax increments from the CRA shall not be used for administrative purposes. It is further agreed, subject to the terms and conditions contained herein, to use County tax increments from the Pompano Beach CRA only for construction of public improvements which are necessary to the successful development of the Project and contained in the Community Redevelopment Plan. The City and CRA also agree to comply with all the terms and conditions of Broward County Resolution No. 2001-754, which is attached hereto and incorporated by reference

The City is willing to cooperate with the County to maximize the net fiscal impact from the proposed CRA by limiting the County's contributions via tax increment revenues to an amount and term that are mutually agreed to in order to meet the minimum requirements of the adopted development and financial plans.

The City, either directly or through the CRA, shall establish and maintain the Fund, as required by applicable law. Both the City and the County shall deposit annually into the Fund an amount equal to ninety-five percent (95%) of the increment from ad valorem taxes collected with the Redevelopment Area pursuant to Section 163.387, Florida Statutes, and other provisions of applicable law.

The City, either directly or through the CRA, shall develop and promulgate rules, regulations and criteria whereby the Fund may be promptly and effectively administered, including the establishment and the maintenance of books and records and adoption of procedures whereby the City may, either directly or through the CRA, expeditiously and without undue delay, utilize such funds in accordance with the approved budget for the Redevelopment Area.

The City, either directly or through the CRA, shall select financial and legal consultants as necessary to assist in the preparation of the tax increment financing plans. The City and the CRA shall encourage the participation of and utilization of small and minority businesses, specifically with respect to financial advisor, bond counsel, underwriters' counsel and underwriting services in the development of the Redevelopment Area.

The City, either directly or through the CRA, may sell bonds and execute notes and other forms of indebtedness, as well as collateral documents, to finance capital improvements deemed necessary for the Redevelopment Area. The City or CRA will advise the County as to amount, duration and purpose of such bonds, notes or other indebtedness, including advances pledging or obligating tax increment revenues. However, in furtherance of Resolution No. 99-1398, duly adopted by the Board on

October 5, 1999, County approval is required in the event that any changes to the Redevelopment Plan would result in a boundary change, an extension of the term of the Redevelopment Plan or a change to the Redevelopment Plan of such magnitude as would require a County or municipal land use plan amendment, prior to issuance of any such bond, note or other form of indebtedness including advances pledging or obligating tax increment revenue.

The County's obligation to annually appropriate to the Fund shall continue until all loans, advances and indebtedness, if any, and interest thereon, of the CRA incurred as a result of redevelopment in the CRA, have been paid, or for as long as required by applicable law, whichever is later. (In no year shall the County's obligation to the Fund exceed the amount of that year's tax increment as determined pursuant to Resolution No. _____.) On the last day of the fiscal year of the CRA, any money which remains in the Fund after payment of expenses pursuant to Section 163.387(6), Florida Statutes, for such year shall be: (1) returned to each taxing authority which paid any tax increment revenues generated in excess of minimum revenue coverage of debt service requirements or utilized to accelerate the repayment of outstanding principal in the proportion that the amount of the payment of such taxing authority bears to the total amount paid into the Fund by all taxing authorities within the Redevelopment Area for that year; (2) used to reduce the amount of any indebtedness to which increment revenues are pledged; (3) deposited into a CRA Trust account for the purpose of later reducing any indebtedness to which increment revenues are pledged; or (4) appropriated to a specific redevelopment project pursuant to the approved Plan which project will be completed within three (3) years from the date of such appropriation.

City/County Coordination

The County Administrator, or designee, shall designate a Redevelopment Area Coordinator (the "Redevelopment Area Coordinator") and/or designee. The Redevelopment Area Coordinator or designee, shall serve as the County's liaison to the City and the CRA for the Redevelopment Area. The Redevelopment Area Coordinator or designee, shall carry out the day-to-day County responsibilities for the Redevelopment Area and shall be the designated person to receive all data and reports pertaining to the Plan.

The City, either directly or through the CRA, shall be responsible for implementing and conforming to the Plan, including developing and implementing proposals for indebtedness and bond financing, acquisition, disposition and relocation activities, eminent domain activities (subject to the limitations contained herein), coordination and implementation of the design and construction of public improvements necessary to support the redevelopment of the Redevelopment area, and such other projects and activities as are contemplated by the Plan. The City and the CRA shall establish a "critical path time line" for the Project. The City and the CRA shall further agree to institute tax increment financing only after firm financial commitments are in place. A "firm financial commitment" as defined herein shall include a legal commitment approved by the CRA Board for the purchase or transfer of CRA owned land for the purpose of economic development. The City, either directly or through the CRA, shall deliver copies of all accepted proposals for the Redevelopment Area to the Redevelopment Area Coordinator or designee.

The Redevelopment Area Coordinator or designee shall submit all proposals related to amendments to the Plan and proposals for indebtedness and bond financing to the County Administrator, or designee, and the County shall review and make recommendations on modifications and amendments to the Plan and all proposals for indebtedness and bond financing for the Redevelopment Area or designee.

The annual budget shall be submitted to the County not later than seventy-five (75) days prior to the beginning of each County fiscal year in a format approved by the County. The annual budget for the CRA and the Redevelopment Area shall be subject to full review by the County.

With respect to any substantial amendments and modifications to the Plan, such amendments and modifications shall become a part of the Plan and the powers delegated to the City commission pursuant to this Agreement, shall be exercisable either directly or through the CRA, with respect to such amendments and modifications only after said changes have been duly approved by the Board. Amendments and modifications are defined in accordance with Resolution No. 99-1398 duly adopted by the Board on October 5, 1999, to include boundary changes, an extension to the term of the Redevelopment Plan involving the continuing contribution by the taxing authorities beyond the original plan adoption and a change to the Redevelopment Plan of such magnitude as would require a county or municipal land use plan amendment.

Other Redevelopment Area Activities

The City, either directly or through the CRA, shall be responsible for the administration and funding of all relocation activities. Six months prior to the

commencement of redevelopment activities which may result in the displacement of persons, the City, either directly or through the CRA, shall establish residential relocation procedures for the relocation of such persons (the "Local Relocation Procedures") and shall submit such Local Relocation Procedures to the Board for review. In addition to any applicable federal, State or local laws, the Local Relocation Procedures shall apply in all relocation cases within the Redevelopment Area; provided, however, if federal funds are received by the City, either directly or through the CRA, for the project which requires residential relocation, the City, either directly or through the CRA, shall follow the relocation procedures set forth in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 United States Code, Chapter 61, Section 4601, et seq. The City may contract with County agencies to assist in residential relocation.

The City, either directly or through the CRA, shall construct multi-unit residential projects within the Redevelopment Area and replace unit for unit any housing stock removed from the Redevelopment Area for development other than residential.

The City, either directly or through the CRA, shall cause an independent audit by a Certified Public Accounting firm to be performed on an annual basis, in compliance with 163.356, Florida Statutes, to be forwarded to the Board within thirty (30) days of completion.

All redevelopment activities conducted with respect to the Redevelopment Area shall be in conformance with the Plan as the same may be amended. Any amendments to the Plan as required by Section 163.361, Florida Statutes, must have prior approval of the Board before the City, either directly or through the CRA, may implement the changes

contemplated by the amendments. Once approved, however, the City, either directly or through the CRA, may implement the amendments thereto.

The City or the CRA, as the case may be, shall include language in any loan agreement, grant agreement or other agreements or contracts entered into between the City or the CRA and business involved in the redevelopment effort of the Redevelopment Area which states that, as a condition to the business' receipt of monies or incentives from the City or the CRA, any new jobs created as a result of the redevelopment shall be awarded so that such group of employees area a racially and ethnically-diverse group, all in accordance with applicable law.

Citizen Participation

To carry out the citizen participation process, the City, either directly or through the CRA, shall utilize community groups and seek community involvement and consider citizen input in the development of Redevelopment Area activities.

The City, either directly or through the CRA, shall create and establish an advisory board the composition of which shall be racially and ethnically diverse and shall include citizens who reside and/or work in the City or are other professionals who may give technical advice to the CRA, in accordance with applicable law. The advisory board shall be charged with monitoring the CRA for compliance with the objectives enumerated in the Plan. The advisory board shall conduct a comprehensive review of the CRA and the City's accomplishments with respect to the Plan. This review shall be done at least every three (3) years and its finding shall be forwarded to the Board for review.

Project Management, Administration and Coordination

The City and/or the CRA shall consider any reasonable request of the County with respect to implementing any plan of action related to the Plan. The City and/or the CRA shall develop implementation schedules and timetables for all significant Redevelopment Area activities as determined by the City and/or the CRA, copies of which shall be delivered to the Redevelopment Area Coordinator or designee beginning one year from the implementation of this Agreement.

The Redevelopment Area Coordinator or designee shall receive from the City and/or the CRA advance notice of all public meetings related to development of projects pursuant to this Agreement and on a regular basis, information regarding the progress of all such development through the design and construction of such projects.

During construction, the County shall have the right to attend all such public meetings and inspect the projects being developed at all reasonable times, at the expense of the CRA, subject to reasonable restrictions imposed by the contractor.

The City and/or the CRA shall consult regularly with the Redevelopment Area Coordinator or designee in order to keep the County reasonably informed throughout the duration of the planning, design and construction of such redevelopment projects. The City, either directly or through the CRA, shall be required to have an outside independent audit on the annual basis, at their expense, to monitor and investigate compliance with the terms of this Agreement. The right of the auditor to investigate, monitor, inspect, copy, review, verify and check operations and records of the City and the CRA shall include, but not be limited to, all of the records of its employees, consultants, agents or authorized contractors and subcontractors, as well as, all administrative and operational facilities used by the City, the CRA and the County in connection with all matters arising under this

Agreement. Records include, but are not limited to, construction, financial, correspondence, instructions, memoranda, bids and contract documents, as well as all other records pertaining to the planning, development and construction of projects pursuant to this Agreement. Any rights that the County has under this provision shall not be the basis for any liability to accrue to the County from the City, the CRA or third parties for such investigation or for the failure to have conducted such investigation.

City Assurances Regarding Affirmative Action

As part of this Agreement, the City and the CRA, as the case may be, shall follow applicable federal, State and County laws and regulations concerning affirmative action and race/ethnic/gender conscious concerns all in accordance with applicable law. The City and CRA shall take affirmative action to include small and minority businesses, where possible, in the CRA's contracting of goods and services including construction activity.

Amendments

This Agreement may be amended only by a written agreement signed by the City, the CRA and the County.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Chair or Vice Chair, authorized to execute same by Board action on the _____ day of _____, 20____; and the CITY OF POMPANO BEACH, signing by and through its MAYOR, duly authorized to execute same.

COUNTY

ATTEST:

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

County Administrator and Ex-
Officio Clerk of the Board of
County Commissioners of Broward
County, Florida

By _____
Chair
____ day of _____, 20____

Approved as to form
Office of County Attorney
Broward County, Florida
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-6968

By _____
Assistant County Attorney
____ day of _____, 20____

CITY

WITNESSES:

Cornelius Paul
[Signature]

ATTEST:

Mary L. [Signature]
City Clerk

CITY OF POMPANO BEACH

By [Signature]
Mayor/Commissioner

28th day of November, 2001

By [Signature]
City Manager

28 day of November, 2001

APPROVED AS TO FORM:

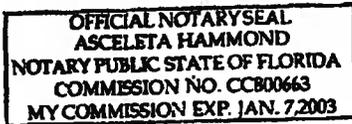
By [Signature]
As Acting City Attorney

CLK/t
11/28/01
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STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 28th day of November, 2001 by **WILLIAM F. GRIFFIN**, as Mayor of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:



Asceleta Hammond
NOTARY PUBLIC, STATE OF FLORIDA

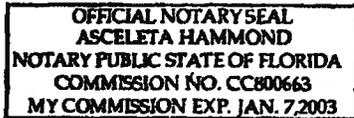
Asceleta Hammond
(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 28th day of November, 2001 by **C. WILLIAM HARGETT, JR.**, as City Manager of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:



Asceleta Hammond
NOTARY PUBLIC, STATE OF FLORIDA

Asceleta Hammond
(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 28th day of November, 2001 by **MARY L. CHAMBERS** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:



NOTARY PUBLIC, STATE OF FLORIDA

Asceleta Hammond
(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

RESOLUTION NO. 2002-58

**CITY OF POMPANO BEACH
Broward County, Florida**

A RESOLUTION OF THE CITY OF POMPANO BEACH PROVIDING FOR FINDINGS OF FACT RELATING TO A COMMUNITY REDEVELOPMENT PLAN; ADOPTING A COMMUNITY REDEVELOPMENT PLAN FOR THE ADDITIONAL COMMUNITY REDEVELOPMENT AREA KNOWN AS THE EAST POMPANO BEACH DISTRICT AREA; PROVIDING AN EFFECTIVE DATE.

2002-11-20
2002-11-20

WHEREAS, pursuant to Resolution Nos. 80-534 and 2001-758 adopted by the Broward county Commission, Broward County delegated to the City Commission of the City of Pompano Beach, Florida, the authority to create a Community Redevelopment Agency, the "Act", to operate within the jurisdiction of the city, and the authority to exercise all powers conferred upon local governments by the Community Redevelopment Act of 1969, Florida Statutes, as amended within the municipal boundaries of the City of Pompano Beach subject to the review and approval by the Board of County Commissioners of Broward County, Florida, of a Community Redevelopment Plan; and

WHEREAS, the City Commission of the City of Pompano Beach, Florida, has made certain findings and declarations as set forth in Resolution 2002-11 the "Resolution of Necessity", as required by Section 163.335, Florida Statutes; for the area known as the East Pompano Beach District Area.

WHEREAS, the City Commission of the City of Pompano Beach, Florida, by the adoption of this resolution reaffirms such findings and declarations; and

WHEREAS, the City Commission of the City of Pompano Beach, Florida, established by the adoption of Ordinance No. 89-27, the "Pompano Beach Community Redevelopment

Agency" to, among other things, prepare or cause to be prepared a community redevelopment plan; and

WHEREAS, a plan for the redevelopment of the East Pompano Beach District Area in accordance with the Act has been undertaken and completed, the "Plan", and is attached hereto and made a party hereof; and

WHEREAS, the Pompano Beach Planning and Zoning Board, the local planning agency for the City of Pompano Beach, has found the Community Redevelopment Plan, the "Plan" for the additional area to be in conformity with the Pompano Beach Comprehensive Plan; and

WHEREAS, the Pompano Beach Community Redevelopment Agency has approved the Community Redevelopment Plan and submitted said plan to the City Commission recommending that the City Commission approve the Community Redevelopment Plan; and

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed resolution and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, the City has at least fifteen (15) days before the public hearing, mailed by registered mail, a notice to each taxing authority which levies ad valorem taxes on taxable real property contained within the geographic boundaries of the redevelopment area, notifying said taxing agencies of the public hearing to consider this resolution; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice and mailed notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT RESOLVED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That the above recitals are true, correct and incorporated into this Resolution by this reference.

SECTION 2: That the finding in its Resolution No. 2002-11 adopted on October 9, 2001, that one or more slum or blighted areas, as those terms are defined in Section 163.340, Florida Statutes, exist within the City of Pompano Beach is hereby reaffirmed.

SECTION 3: That the area designated in Resolution No. 2002-11, finding one or more slum or blighted areas to exist in the City, as described in that resolution, which area is more particularly described in Exhibit "A" attached hereto, is the Community Redevelopment Area for the purpose of this Resolution and the Community Redevelopment Plan approved hereby.

SECTION 4: The City Commission of the City of Pompano Beach, Florida, finds that the Plan provides for the following:

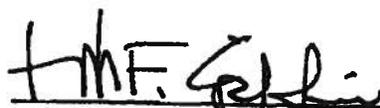
- A. Even though no families are anticipated to be displaced, a feasible method for the location of families who will be displaced from the Community Redevelopment Area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;
- B. The Community Redevelopment Plan conforms to the Pompano Beach Comprehensive Plan;
- C. The Community Redevelopment Plan gives due consideration to the utilization of community policing innovations, and to the provisions of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the plans;
- D. The Community Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the county or municipality as a whole, for the rehabilitation or redevelopment of the community redevelopment area by private enterprise; and

E. The Community Redevelopment Plan and resulting revitalization and redevelopment for the coastal tourist area that is deteriorating and economically distressed will reduce or maintain evacuation time, as appropriate and ensure protection for property against exposure to natural disasters.

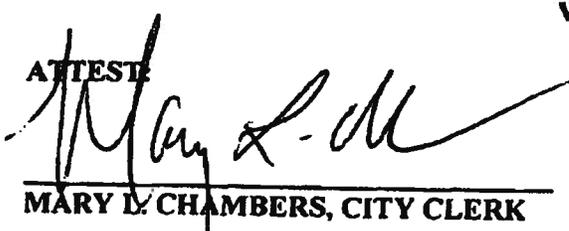
SECTION 5: That it is hereby expressly determined that it is appropriate, proper and timely that a Community Redevelopment Plan be approved at this time, and other resolutions, ordinances and laws may be utilized to further redevelopment within the East Pompano Beach District Area. Therefore, the City Commission does hereby approve as the Community Redevelopment Plan, the "Plan", for the East Pompano Beach District Area pursuant to Section 163.360 (6), Florida Statutes, the document entitled, "Community Redevelopment Plan", attached hereto.

SECTION 6: That this resolution shall take effect immediately upon action taken by the Board of County Commissioners of Broward County, Florida, as contemplated by Resolution No. 2001-758 adopted by the Broward county Commission on July 10, 2001.

PASSED AND ADOPTED this 13th day of November, 2001.


WILLIAM F. GRIFFIN, MAYOR

ATTEST


MARY L. CHAMBERS, CITY CLERK

GBU/jrm
9/18/01
L:reso/2001-425