

RESOLUTION NO. 2017- \_\_\_\_\_

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA INDICATING THE OFFICIAL INTENT OF THE CITY TO ISSUE THE FOLLOWING DESCRIBED TAX-EXEMPT BONDS, IF AUTHORIZED BY A BOND REFERENDUM TO BE HEREINAFTER PROVIDED FOR AND OTHER SUBSEQUENT PROCEEDINGS OF THE CITY COMMISSION OF THE CITY, AND TO USE A PORTION OF THE PROCEEDS OF SUCH BONDS TO REIMBURSE EXPENDITURES PAID OR INCURRED PRIOR TO THE DATE OF ISSUANCE THEREOF, SUCH BONDS TO BE PAYABLE FROM THE FULL FAITH AND CREDIT AND UNLIMITED AD VALOREM TAXING POWER OF THE CITY: (1) NOT TO EXCEED \$46,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF POMPANO BEACH, FLORIDA GENERAL OBLIGATION BONDS FOR THE PRINCIPAL PURPOSE OF FINANCING OR REIMBURSING, ALL OR IN PART, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS, THE COST OF ACQUIRING, CONSTRUCTING, EQUIPPING, RENOVATING, REPLACING AND IMPROVING CERTAIN PUBLIC SAFETY PROJECTS, (2) \$56,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF POMPANO BEACH, FLORIDA GENERAL OBLIGATION BONDS FOR THE PRINCIPAL PURPOSE OF FINANCING OR REIMBURSING, ALL OR IN PART, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS, THE COST OF ACQUIRING, CONSTRUCTING, EQUIPPING, RENOVATING, REPLACING AND IMPROVING CERTAIN PARKS, RECREATION AND LEISURE PROJECTS, AND (3) \$77,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF POMPANO BEACH, FLORIDA GENERAL OBLIGATION BONDS FOR THE PRINCIPAL PURPOSE OF FINANCING OR REIMBURSING, ALL OR IN PART, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS, THE COST OF ACQUIRING, CONSTRUCTING, EQUIPPING, RENOVATING, REPLACING AND IMPROVING STREETS, SIDEWALKS, BRIDGES AND STREETSCAPING PROJECTS, IN EACH CASE, AS MORE FULLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALING CLAUSES; PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1. FINDINGS.**

A. Subject to the conduct of a bond referendum in accordance with applicable law (the “Referendum”) and other subsequent proceedings of the City Commission (the “City Commission”) of the City of Pompano Beach, Florida (the “City”), the City intends to issue:

- (i) its tax-exempt general obligation bonds in one or more series from time to time in an aggregate principal amount not exceeding \$46,000,000 (the “Public Safety Projects General Obligation Bonds”) for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving certain capital projects consisting generally of police, fire, emergency management and lifeguard facilities and related costs, as more fully described on Exhibit A (the “Public Safety Projects”);
- (ii) its tax-exempt general obligation bonds in one or more series from time to time in an aggregate principal amount not exceeding \$56,000,000 (the “Parks, Recreation and Leisure Projects General Obligation Bonds”) for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving certain capital projects consisting generally of parks, recreation and leisure facilities and related costs, as more fully described on Exhibit A (the “Parks, Recreation and Leisure Projects”) and
- (iii) its tax-exempt general obligation bonds in one or more series from time to time in an aggregate principal amount not exceeding \$77,000,000 (the “Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds”) for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving certain capital projects consisting generally of streets, sidewalks, bridges and streetscaping, related utilities and drainage and related costs, as more fully described on Exhibit A (the “Streets, Sidewalks, Bridges and Streetscaping Projects”).

B. A portion of the costs of the Public Safety Projects may be paid or incurred before the Public Safety Projects General Obligation Bonds are issued, in anticipation of the reimbursement of such expenditures from proceeds of the Public Safety Projects General Obligation Bonds, if the same are approved at the Referendum and authorized by subsequent proceedings of the City Commission.

C. A portion of the costs of the Parks, Recreation and Leisure Projects may be paid or incurred before the Parks, Recreation and Leisure Projects General Obligation Bonds are issued, in anticipation of the reimbursement of such expenditures from proceeds of the Parks, Recreation and

Leisure Projects General Obligation Bonds, if the same are approved at the Referendum and authorized by subsequent proceedings of the City Commission.

D. A portion of the costs of the Streets, Sidewalks, Bridges and Streetscaping Projects may be paid or incurred before the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds are issued, in anticipation of the reimbursement of such expenditures from proceeds of the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds, if the same are approved at the Referendum and authorized by subsequent proceedings of the City Commission.

E. Section 1.150-2 of the Federal income tax regulations requires the City to officially declare its intent to use proceeds of the Public Safety Projects General Obligation Bonds, the Parks, Recreation and Leisure Projects General Obligation Bonds and the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds, respectively, as a prerequisite to the proceeds of such bonds being treated as used for reimbursement purposes, in the event such proceeds are used to reimburse expenditures paid prior to issuance thereof.

**SECTION 2. PUBLIC SAFETY PROJECTS GENERAL OBLIGATION BONDS.** If approved at the Referendum and authorized by subsequent proceedings of the City Commission, the City intends to issue the Public Safety Projects General Obligation Bonds, in an amount, at a minimum, that is necessary to finance all or a portion of the costs of the Public Safety Projects. The maximum principal amount of the Public Safety Projects General Obligation Bonds expected to be issued to finance the Public Safety Projects is \$46,000,000. Nothing herein shall be deemed to prohibit the City from modifying the components of the Public Safety Projects described on Exhibit A by subsequent proceedings of the City relating to the Referendum and/or the Public Safety Projects General Obligation Bonds. Further, nothing herein shall require the City to issue the Public Safety General Obligation Bonds and/or to apply proceeds of the Public Safety General Obligations Bonds, if issued, to finance any specific components of the Public Safety Projects.

**SECTION 3. PARKS, RECREATION AND LEISURE PROJECTS GENERAL OBLIGATION BONDS.** If approved at the Referendum and authorized by subsequent proceedings of the City Commission, the City intends to issue the Parks, Recreation and Leisure Projects General Obligation Bonds, in an amount, at a minimum, that is necessary to finance all or a portion of the costs of the Parks, Recreation and Leisure Projects. The maximum principal amount of the Parks, Recreation and Leisure Projects General Obligation Bonds expected to be issued to finance the Parks, Recreation and Leisure Projects is \$56,000,000. Nothing herein shall be deemed to prohibit the City from modifying the components of the Parks, Recreation and Leisure Projects described on Exhibit A by subsequent proceedings of the City relating to the Referendum and/or the Parks, Recreation and Leisure Projects General Obligation Bonds. Further, nothing herein shall be deemed to require the City to issue the Parks, Recreation and Leisure Projects General Obligation Bonds and/or to apply proceeds of the Parks, Recreation and Leisure Projects General Obligation Bonds, if issued, to finance any specific components of the Parks, Recreation and Leisure Projects.

**SECTION 4. STREETS, SIDEWALKS, BRIDGES AND STREETSCAPING PROJECTS GENERAL OBLIGATION BONDS.** If approved at the Referendum and authorized

by subsequent proceedings of the City Commission, the City intends to issue the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds, in an amount, at a minimum, that is necessary to finance all or a portion of the costs of the Streets, Sidewalks, Bridges and Streetscaping Projects. The maximum principal amount of the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds expected to be issued to finance the Streets, Sidewalks, Bridges and Streetscaping Projects is \$77,000,000. Nothing herein shall be deemed to prohibit the City from modifying the components of the Streets, Sidewalks, Bridges and Streetscaping Projects described on “Exhibit A” attached hereto and incorporated herein by subsequent proceedings of the City relating to the Referendum and/or the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds. Further, nothing herein shall be deemed to require the City to issue the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds and/or to apply proceeds of the Streets, Sidewalks, Bridges and Streetscaping Projects General Obligation Bonds, if issued, to finance any specific components of the Streets, Sidewalks, Bridges and Streetscaping Projects.

**SECTION 5. SEVERABILITY OF INVALID PROVISIONS.** If any one or more of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions, and shall in no way affect the validity of any of the other provisions hereof.

**SECTION 6. REPEALING CLAUSE.** All resolutions or parts thereof in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

**SECTION 7. EFFECTIVE DATE.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2017.

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**LAMAR FISHER, MAYOR**

**ATTEST:**

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**ASCELETA HAMMOND, CITY CLERK**

## **EXHIBIT A**

### Public Safety Projects

- Beach Lifeguard Headquarters Renovation--Replace four (4) existing lifeguard towers on the City's public beach with new lifeguard towers and renovate and equip the existing Ocean Rescue Building located at 50 North Pompano Beach Boulevard.
- Fire/Emergency Operations Center-- Construct a new fire rescue and logistics complex to provide centralized operations for the City, to include an administration center, emergency operations center, and a fire and emergency management services distribution center with storage space for emergency apparatus, together with construction of an adjacent public parking garage, including related land acquisition.
- Fire Station #52--Replace existing Fire Station #52 located at 10 SW 27<sup>th</sup> Avenue, through the construction and equipping of a new fire station building.
- Fire Station #61--Replace existing Fire Station #61 located at 2121 NW 3<sup>rd</sup> Avenue, through the construction and equipping of a new fire station building.
- New Fire Station--Construct and equip a new fire station in the Palm Aire area, including related land acquisition for the new fire station site.
- Public Safety Complex--Renovate and equip the existing Public Safety Complex located at 100 SW 3<sup>rd</sup> Street and 120 SW 3<sup>rd</sup> Street.

### Parks, Recreation and Leisure Projects

- Amphitheater Renovations--Renovate the existing amphitheater located at 1801 NE 6<sup>th</sup> Street, including construction of shade structure over existing seating area, new bathrooms, audio/video equipment, stage lighting, and upgrades to ticket booth and concession stand.
- Centennial Park Improvements--Construct and equip a new open-air facility for special events, including City-sponsored and resident events, at existing Centennial Park located at 450 NE 10<sup>th</sup> Street.
- Charlotte J. Burrie Community Center--Construct and equip a new multi-purpose community center to be located in the City's Cresthaven neighborhood for use for banquets, sports and community activities and other special events, including related land acquisition for the community center site.

- Kester Park Improvements-- Renovate and equip existing Kester Park located at 702 NE 6<sup>th</sup> Street, including playground expansion and improvements to open fields, ball fields, and dugouts, and installation of perimeter fencing.
- McNair Park Improvements--Renovate, expand and equip existing McNair Park located at 951 NW 27<sup>th</sup> Avenue, including lighted synthetic football/soccer field, running track, tennis court, basketball court, playground with water features, meeting room, concession and senior center.
- Mitchell Moore Park Improvements--Renovate and equip existing Mitchell Moore Park located at 901 NW 10<sup>th</sup> Street, including replacement of flooring, windows and doors, pull down shutters, and front desk area.
- North Pompano Park--Renovate, expand and equip existing North Pompano Park located at 4400 NE 18<sup>th</sup> Avenue, including upgrades to football/soccer field, playground, and park, including related land acquisition for expansion.
- New Ultimate Sports Park--Construct and equip a new park to be located on NW 3rd Avenue adjacent to Apollo Park, including a skate park, soccer/football field, and concession/restroom building.
- New Youth Sports Complex--Construct and equip a new park to be located on SW 10<sup>th</sup> Street, near Community Park, including multi-use fields for youth sports and related land acquisition for the park site.
- Fishing Pier Replacement--Replace existing fishing pier at the City's public beach to include pedestrian lighting, shade structures, fishing stations and bait and tackle shop.

#### Streets, Sidewalks, Bridges and Streetscaping Projects

- AIA Improvements--Construct and equip improvements on State Road AIA from Hillsboro Inlet to Terra Mar Drive, including undergrounding of new and existing electric, cable and telephone utility lines, sidewalk widening, bike lanes, traffic calming, lighting and other streetscape improvements.
- Atlantic Boulevard Bridge Improvements--Construct and equip streetscape improvements to Atlantic Boulevard Bridge, including lighting, a walkway to the Intracoastal Waterway, a promenade along the east side of the Intracoastal Waterway and beautification improvements.
- Dixie Highway Improvements--Construct and equip improvements to the Dixie Highway corridor, from McNab Road to Sample Road, including roadway crossing improvements,

bicycle lanes, medians, sidewalks, lighting, landscaping, street furniture and other streetscape improvements.

- Martin Luther King Boulevard Improvements--Construct and equip improvements to Martin Luther King Boulevard from NW 6<sup>th</sup> Avenue to Interstate 1-95, including paving, related drainage and water and sewer facilities within streets, sidewalks, medians, lighting, landscaping, street furniture and other streetscape improvements.
- McNab Road Improvements--Construct and equip improvements to McNab Road, including replacing McNab Road bridge, beautifying the McNab Road corridor between Federal Highway and South Cypress Creek Road, paving, related drainage improvements, sidewalks, bus shelters and benches, lighting, landscaping, street furniture and other streetscape improvements.
- Palm-Aire Neighborhood Improvements--Construct and equip streetscape improvements at two bridges spanning the C-14 canal, including lighting, landscaping and sidewalks.
- Pier Street Roadway Improvements--Construct and equip improvements to Pier Street between Riverside Drive and State Road A1A, including paving, intersection improvements, related drainage and water and sewer facilities in streets, lighting, landscaping, street furniture and other streetscape improvements.
- Collier City Neighborhood Improvements--Construct and equip streetscape improvements in the Collier City neighborhood, including lighting and landscaping.