

FIRST AMENDMENT TO INTERLOCAL AGREEMENT REGARDING CITY OF POMPAÑO BEACH COMMUNITY REDEVELOPMENT AGENCY

This First Amendment ("First Amendment") to Interlocal Agreement Regarding City of Pompano Beach Community Redevelopment Agency dated August 18, 2018 (the "Agreement") is entered into by and between Broward County, a political subdivision of the State of Florida (the "County"), the City of Pompano Beach, a Florida municipal corporation (the "City"), the City of Pompano Beach Community Redevelopment Agency (the "CRA"), the North Broward Hospital District ("Hospital District"), an independent special district, and the Children's Services Council of Broward ("CSC"), an independent special district. Collectively, the County, the City, the CRA, the Hospital District, and the CSC are referred to herein as the "Parties."

RECITALS

A. Section 2.2, Term Modification, of the Agreement provides that the term of the Northwest CRA District ("NWCRA") shall not be extended beyond December 31, 2040, without the express written authority of the County Commission.

B. Section 2.7, Funding by Participating Taxing Authorities, of the Agreement provides that the funding obligations of the taxing authorities will cease after December 31, 2025.

C. Section 2.11, Broward County Administrative Code Application, of the Agreement provides that County written approval is not required for modification of a redevelopment plan where extension to the term of the redevelopment plan does not involve the continuing contribution by the taxing authorities.

D. The CRA and the City desire to issue bonds for completion of several of the Approved Projects relating to creation of the Pompano Beach Downtown which necessitates extension of the term of the NWCRA.

E. Such an extension would not involve the continuing contribution by the taxing authorities which, as provided in Section 2.7, expressly ceases after December 31, 2025.

F. The CRA and the City desire to address the inadvertent conflict between Section 2.2 and Section 2.11 of the Agreement and eliminate the provision in Section 2.2 which requires approval of the County Commission for extension of the NWCRA term.

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

FIRST AMENDMENT

1. Section 2.2 of the Agreement is amended as follows:

2.2 Term Modification. Within sixty (60) days after the Effective Date of this Agreement, the County and the City will respectively adopt the Resolutions in substantially the form attached hereto as Exhibit 2 and Exhibit 3, approving an extension of the term of the CRA for the Northwest District for the Extension Period, and *nunc pro tunc*, authorizing the City to create the CRA, to issue bonds, and to delegate powers from the City to the CRA that were delegated by the County to the City, and affirming that the CRA was properly created, has the power to issue bonds, has the power delegated from the City, and is in full force and effect. Within sixty (60) days after the adoption of the referenced County and City Resolutions, the City and the CRA will approve an amendment to the CRA Redevelopment Plan that will expressly incorporate the terms of this Agreement and specify that the Northwest District shall terminate on or before December 31, 2040. ~~In no event shall the City or the CRA extend the duration of the Northwest CRA beyond December 31, 2040, without the formal written approval by the County Commission. The~~ term of the Northwest CRA may be extended without approval of the County provided that such extension does not involve the continuing contribution by the taxing authorities.

2. All other terms and conditions of the Agreement not inconsistent with this First Amendment remain in full force and effect.

3. The effective date is the day on which this First Amendment is executed by the last of the Parties.

4. This First Amendment may be executed in multiple originals, and may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the ____ day of _____, 2024; the CITY OF POMPANO BEACH, signing by and through its Mayor or Vice-Mayor, duly authorized to execute same; the POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY, signing by and through its Chair, duly authorized to execute same; the NORTH BROWARD HOSPITAL DISTRICT, signing by and through its Chair, duly authorized to execute same; and the CHILDREN'S SERVICES COUNCIL OF BROWARD COUNTY, signing by and through its Chair, duly authorized to execute same.

COUNTY

ATTEST:

BROWARD COUNTY, by and through
its Board of County Commissioners

Broward County Administrator, as
Ex-officio Clerk of the Broward County
Board of County Commissioners

By: _____
_____ day of _____, 2024

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By: _____
Andrew J. Meyers (Date)
County Attorney

CITY

ATTEST:

CITY OF POMPANO BEACH

CITY CLERK

By: _____
MAYOR

Print Name

_____ day of _____ 2024

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the
City of Pompano Beach, Florida only:

CITY ATTORNEY

CRA

ATTEST:

POMPANO BEACH COMMUNITY
REDEVELOPMENT AGENCY

SECRETARY

By: _____
CHAIR

_____ day of _____ 2024

APPROVED AS TO FORM & LEGALITY
For the use and reliance of the
Pompano Beach Community
Redevelopment Agency only:

CRA ATTORNEY

NORTH BROWARD HOSPITAL DISTRICT

ATTEST:

NORTH BROWARD HOSPITAL DISTRICT

CITY CLERK

CHAIR

Print name

_____ day of _____ 2024

APPROVED AS TO FORM & LEGALITY

GENERAL COUNSEL

CHILDREN'S SERVICES COUNCIL OF BROWARD COUNTY

ATTEST:

CHILDREN'S SERVICES COUNCIL
OF BROWARD COUNTY

SPECIAL ASSISTANT

CHAIR

Print name

_____ day of _____ 2024

APPROVED AS TO FORM & LEGALITY

GENERAL COUNSEL