
CITY OF POMPANO BEACH, FLORIDA

ORDINANCE NO. 2021-75

Enacted On September 14, 2021

Authorizing and Securing
General Obligation Bonds, Series 2021

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ORDINANCE NO. 2021-75

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, PROVIDING FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2021 IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$81,625,000 TO BE APPLIED, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS OF THE CITY, IF ANY, TO FINANCE, REIMBURSE AND REFINANCE THE COST OF ACQUIRING, CONSTRUCTING, EQUIPPING, RENOVATING, REPLACING AND IMPROVING CERTAIN PROJECTS APPROVED BY THE QUALIFIED ELECTORS OF THE CITY VOTING IN A BOND REFERENDUM HELD IN THE CITY; PROVIDED, HOWEVER THE AGGREGATE PRINCIPAL AMOUNT OF THE GENERAL OBLIGATION BONDS, SERIES 2021 TO BE ISSUED IN CONNECTION WITH (1) THE PUBLIC SAFETY PROJECTS (DEFINED HEREIN) SHALL NOT EXCEED \$30,115,000, (2) PARKS, RECREATION AND LEISURE PROJECTS (DEFINED HEREIN) SHALL NOT EXCEED \$12,465,000, AND (3) THE STREETS, SIDEWALKS, BRIDGES AND STREETSCAPING PROJECTS (DEFINED HEREIN) SHALL NOT EXCEED \$39,045,000; FIXING CERTAIN TERMS AND DETAILS OF THE GENERAL OBLIGATION BONDS, SERIES 2021; AUTHORIZING EXECUTION AND DELIVERY OF THE GENERAL OBLIGATION BONDS, SERIES 2021; DELEGATING AUTHORITY TO DETERMINE WHETHER TO INCLUDE CERTAIN PROJECT COMPONENTS IN THE PROJECTS TO BE FINANCED BY THE GENERAL OBLIGATION BONDS, SERIES 2021; AUTHORIZING THE PUBLIC SALE OF THE SERIES 2021 BONDS AND THE USE OF THE PRELIMINARY OFFICIAL STATEMENT, OFFICIAL NOTICE OF SALE AND SUMMARY NOTICE OF SALE IN CONNECTION THEREWITH; DELEGATING AUTHORITY TO THE CITY MANAGER OF THE CITY, IN CONSULTATION WITH THE CITY'S FINANCIAL ADVISOR, TO ACCEPT, PURSUANT TO A COMPETITIVE PUBLIC SALE PROCESS, THE BID OR BIDS OF THE LOWEST QUALIFIED BIDDER OR BIDDERS FOR THE PURCHASE OF THE SERIES 2021 BONDS, SUBJECT TO CERTAIN PARAMETERS AND OTHER MATTERS SET FORTH HEREIN; DIRECTING THE APPLICATION OF THE PROCEEDS OF THE GENERAL OBLIGATION BONDS, SERIES 2021; APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTIFICATE DEEMING THE PRELIMINARY OFFICIAL STATEMENT FINAL; DELEGATING AUTHORITY TO THE CITY'S FINANCE DIRECTOR, IN CONSULTATION

WITH THE CITY'S FINANCIAL ADVISOR, TO APPOINT THE INITIAL PAYING AGENT AND BOND REGISTRAR FOR THE GENERAL OBLIGATION BONDS, SERIES 2021; APPROVING THE FORM OF AND AUTHORIZING EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE WITH RESPECT TO THE GENERAL OBLIGATION BONDS, SERIES 2021; PROVIDING FOR THE APPOINTMENT OF A DISSEMINATION AGENT; PROVIDING FOR A MUNICIPAL BOND INSURANCE POLICY OPTION; AUTHORIZING OTHER REQUIRED ACTIONS; AUTHORIZING THE PROPER OFFICIALS OF THE CITY TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE MATTERS PROVIDED FOR HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. DEFINITIONS; AUTHORITY FOR THIS 2021 Series ORDINANCE; 2021 SERIES ORDINANCE CONSTITUTES CONTRACT. All capitalized terms used herein and not otherwise defined herein shall have the meaning ascribed thereto in the Master Ordinance (hereinafter defined), unless otherwise provided or unless the context otherwise clearly requires. The City is authorized to adopt this Series Ordinance (the "2021 Series Ordinance") under the authority granted by the provisions of the Act, Ordinance No. 2018-49 enacted by the City on April 24, 2018 (the "Master Ordinance") and the Bond Referendum. This 2021 Series Ordinance is a Series Ordinance with respect to the Series 2021 Bonds within the meaning of the Master Ordinance. In consideration of the purchase of the Series 2021 Bonds by those who shall own the same from time to time, this 2021 Series Ordinance shall be deemed to be and shall constitute a contract between the City and such owners of the Series 2021 Bonds. To the extent necessary to effectuate the terms and conditions hereof, the Master Ordinance is hereby incorporated herein by this reference.

SECTION 2. FINDINGS. It is hereby found and determined that:

A. Pursuant to the Referendum Resolution, the City, among other matters, authorized the issuance of its Bonds in connection with the Projects set forth in the Referendum Resolution, subject to the approval of a majority of the qualified electors of the City voting in the Bond Referendum authorized and called to be held in the City pursuant to the Referendum Resolution.

B. The Projects were described on Exhibit A to the Referendum Resolution and grouped into three categories, referred to, respectively as (i) the "Public Safety Projects" (which consist generally of police, fire, emergency management and lifeguard facilities and related costs); (ii) the "Parks, Recreation and Leisure Projects" (which consist generally of parks, recreation and leisure facilities and related costs); and (iii) the "Streets, Sidewalks, Bridges and Streetscaping Projects" (which consist generally of streets, sidewalks, bridges and streetscaping, related utilities and drainage and related costs).

C. Pursuant to the Referendum Resolution, three separate ballot questions were presented and separately voted on in the Bond Referendum, corresponding to the Public Safety Projects, the Parks, Recreation and Leisure Projects, and the Streets, Sidewalks, Bridges and Streetscaping Projects, respectively.

D. The Bond Referendum was held on March 13, 2018 and a majority of the votes cast by the qualified electors within the City voting in the Bond Referendum approved the issuance of the general obligation bonds that were the subject of the Bond Referendum for each of the Public Safety Projects, the Parks, Recreation and Leisure Projects, and the Streets, Sidewalks, Bridges and Streetscaping Projects.

E. In accordance with the Act, the City certified the returns of the Bond Referendum pursuant to Resolution No. 2018-109 adopted on March 27, 2018.

F. Pursuant to the Act and the Bond Referendum, the City is authorized to (i) issue the Bonds in one or more Series for the purpose of financing, reimbursing and refinancing, together with other legally available funds of the City, if any, the cost of acquiring, constructing, equipping, renovating, replacing and improving the Projects; provided, however the aggregate principal amount of the Bonds (excluding Bonds issued for refunding purposes) to be issued in connection with (1) the Public Safety Projects shall not exceed \$46,000,000, (2) the Parks, Recreation and Leisure Projects shall not exceed \$56,000,000 and (3) the Streets, Sidewalks, Bridges and Streetscaping Projects shall not exceed \$79,000,000; and (ii) pledge the Ad Valorem Taxes levied in the City to the payment of the Bonds.

G. The City enacted the Master Ordinance authorizing the Bonds, in general terms, to finance the Costs of the Projects and providing, among other matters, for each Series of the Bonds to be further authorized by one or more Series Ordinances. Pursuant to Series Ordinance No. 2018-58 enacted on June 26, 2018, as amended by Series Ordinance No. 2020-34 enacted on January 28, 2020 (collectively, the “2018 Series Ordinance”), the City has previously issued its initial Series of Bonds in the aggregate principal amount of \$99,375,000 (the “Series 2018 Bonds”), the proceeds of which, together with \$6,128,245.55 of original issue premium, was allocated to certain of the Projects (collectively, the “Series 2018 Projects”) as follows: (1) \$16,864,071.00 was allocated to certain Public Safety Projects, (2) \$46,220,235.40 was allocated to certain Parks, Recreation and Leisure Projects and (3) \$42,418,939.15 was allocated to certain Streets, Sidewalks, Bridges and Streetscaping Projects.

H. The City now desires to provide for the issuance of its General Obligation Bonds, Series 2021 in an aggregate principal amount not exceeding \$81,625,000 (the “Series 2021 Bonds”), pursuant to the Master Ordinance and this 2021 Series Ordinance (collectively, the “Ordinance”), subject to the terms and conditions of the Ordinance, for the purposes set forth in Section 3A. of this 2021 Series Ordinance, and to determine the terms and details thereof.

I. The City hereby determines that it would be in the best interests of the City that the Series 2021 Bonds be sold on a competitive basis pursuant to a public sale, subject to certain

parameters and other matters set forth herein. To facilitate such public sale, there have been prepared (i) the Preliminary Official Statement relating to the Series 2021 Bonds, a form of which is attached hereto as Exhibit B (the “Preliminary Official Statement”) and (ii) an Official Notice of Sale (“Official Notice of Sale”) and Summary Notice of Sale (“Summary Notice of Sale”), forms of which are attached hereto as composite Exhibit C.

J. The City Commission hereby determines that it is necessary and desirable for the promotion of various municipal purposes and for the health, safety and welfare of the residents of the City, and serves a paramount public purpose, for the City to undertake the Series 2021 Projects (hereinafter defined) and to issue the Series 2021 Bonds to finance or reimburse, all or in part, the cost thereof, together with other legally available funds, as provided for herein (with any benefit to private parties from the Series 2021 Projects being incidental for purposes of the Florida Constitution).

SECTION 3. APPROVAL AND AUTHORIZATION OF THE SERIES 2021 BONDS; APPROVAL AND AUTHORIZATION OF THE SERIES 2021 PROJECTS.

A. Subject to the provisions of Section 6 hereof and Section 7 hereof, the City hereby authorizes and approves the issuance of (i) a Series of Bonds in the initial aggregate principal amount of not exceeding \$81,625,000 to be known as the “City of Pompano Beach, Florida General Obligation Bonds, Series 2021,” the proceeds of which will be applied, together with legally available funds of the City, if any, to: (i) finance (including through reimbursement) the Costs of the Series 2021 Projects, subject to the provisions of Section 3C. and 3D. below; provided, however, the aggregate principal amount of the Series 2021 Bonds to be issued in connection with (1) the Public Safety Projects shall not exceed \$30,115,000, (2) the Parks, Recreation and Leisure Projects shall not exceed \$12,465,000, and (3) the Streets, Sidewalks, Bridges and Streetscaping Projects shall not exceed \$39,045,000; (ii) pay capitalized interest on the Series 2021 Bonds, if determined appropriate pursuant to Section 7 hereof; and (iii) pay Costs of issuance of the Series 2021 Bonds, which may include the premium for an Insurance Policy with respect to all or any maturities of the Series 2021 Bonds. The foregoing not exceeding principal amounts were determined by reference to the maximum principal amounts by category of the Projects approved at the Bond Referendum and the original principal amount of the Series 2018 Bonds allocated to each category of the Projects, without regard to the original issue premium received in connection with the Series 2018 Bonds.

B. The Series 2021 Bonds shall be issued in at least one Series of Tax-Exempt Bonds. The Series 2021 Bonds shall be held pursuant to a book-entry system of registration in accordance with Section 211 of the Master Ordinance. All provisions, covenants, pledges and conditions of the Ordinance shall be applicable to the Series 2021 Bonds. The Series 2021 Bonds shall be initially issued as a single registered bond for each maturity (or each separate interest rate within a maturity). The Series 2021 Bonds will be dated as of their date of issuance or such other date specified in the Official Statement (hereinafter defined), shall be issued in denominations of \$5,000 or integral multiples thereof, and will bear interest payable semi-annually on January 1 and July 1 of each year, commencing January 1, 2022, or such other date specified in the Official Statement. Subject to Section 6 hereof, the Series 2021 Bonds shall mature not later than July 1, 2051 and shall bear interest at a rate per annum not exceeding the maximum rate permitted by law.

C. The Projects currently contemplated to be financed by the Series 2021 Bonds are set forth on Exhibit A hereto (the “Series 2021 Projects”). The City shall include the components of the Series 2021 Projects in its approved five-year capital improvement plan, as same may be adopted from time to time. Notwithstanding anything to the contrary herein, the Series 2021 Projects described on Exhibit A hereto may be modified prior to the date of the Preliminary Official Statement (hereinafter defined), as hereafter described. The execution on behalf of the City of the final Official Statement as of its date shall constitute conclusive evidence of the approval of such matters by the City.

D. As contemplated by the Referendum Resolution, following the date of the Official Statement, the City may, in its sole discretion, by official action evidenced by a resolution or ordinance of the City Commission adopted or enacted from time to time, modify or amend all or any portion of the components included in the Series 2021 Projects to (1) delete one or more of the listed items if the City determines it is not feasible or is otherwise not in the best interest of the City to pursue or (2) substitute or modify one or more of the listed items, if the City determines such substitution or modification better serves City purposes, provided such modified or substituted facility, improvement or equipment shall be included in the City’s five-year capital improvement program, as adopted from time to time, and be related to (i) police, fire, emergency management or lifeguard services with respect to the Public Safety Projects, (ii) parks, community centers, piers, amphitheaters, pavilions, ballfields or other recreation and leisure purposes with respect to the Parks, Recreation and Leisure Projects, and (iii) streets, streetscaping, landscaping, sidewalks, lighting, related utilities and drainage, parking, or bridges with respect to the Streets, Sidewalks, Bridges and Streetscaping Projects.

SECTION 4. REDEMPTION PROVISIONS. Subject to the requirements of Section 6 hereof, the Series 2021 Bonds shall be subject to mandatory sinking fund redemption, if issued as Term Bonds, shall be subject to optional redemption and may be subject to extraordinary redemption, in such manner and at such times so as to produce the best market acceptance for the Series 2021 Bonds, all as shall be provided in the final Official Notice of Sale. The Series 2021 Bonds may be issued as Serial Bonds and/or Term Bonds, and any Term Bonds shall have such Amortization Requirements as shall be set forth in the Official Statement.

SECTION 5. EXECUTION AND AUTHENTICATION OF THE SERIES 2021 BONDS. The Mayor or his designee is hereby authorized and directed to execute, and/or to cause his facsimile signature to be placed on, and the City Clerk or her designee is hereby authorized and directed to attest by manual or facsimile signature, each of the Series 2021 Bonds and such officers are further authorized and directed to cause the corporate seal of the City to be imprinted or reproduced thereon and to deliver the Series 2021 Bonds to the Bond Registrar for authentication and delivery. The form of the Series 2021 Bonds shall be substantially in the form of the Bonds set forth as an exhibit to the Master Ordinance. Execution of the Series 2021 Bonds by the Mayor shall constitute conclusive approval thereof.

SECTION 6. SALE OF THE SERIES 2021 BONDS; OFFICIAL NOTICE OF SALE; SUMMARY NOTICE OF SALE. The Official Notice of Sale and Summary Notice of

Sale, in substantially the forms attached as Exhibit C, are hereby authorized and approved, with such changes, modifications and deletions, consistent with the Parameters (hereinafter defined), as the City Manager, upon advice of the City Attorney, Bond Counsel and the City's Financial Advisor (the "Financial Advisor"), shall deem necessary and appropriate. The use and distribution of the final Official Notice of Sale and Summary Notice of Sale in connection with the public sale of the Series 2021 Bonds is hereby approved and authorized. Notice of the public sale of the Series 2021 Bonds shall be published in summary form in the manner required by Section 218.385, Florida Statutes at least one time at least 10 days prior to the date of sale in one or more newspapers or financial journals published within or outside the State of Florida in accordance with said Section 218.385.

The City Manager, in consultation with the Financial Advisor, is hereby authorized and directed to make the initial determinations of the following with respect to the Series 2021 Bonds: (i) the maturity dates; (ii) the aggregate par amount (and the allocation of the aggregate par amount to each of the three categories of the Series 2021 Projects); (iii) the dated date; (iv) the first Interest Payment Date; (v) the redemption provisions, if any; and (vi) whether to capitalize interest on the Series 2021 Bonds, the period of time, if any, during which interest shall be capitalized (subject to the limitations of applicable law and, in connection with Series 2021 Bonds issued as Tax-Exempt Bonds, the Code) and the amount, if any, of interest to be capitalized (the "Capitalized Interest Amount"), subject in all respects to the Parameters set forth herein, and to cause the same to be set forth in the final Official Notice of Sale. The City Manager, in consultation with the City Attorney, Bond Counsel and the Financial Advisor, is also authorized to determine the date of the public sale of the Series 2021 Bonds.

There is hereby delegated to the City Manager, in consultation with the Financial Advisor, the authority to sell the Series 2021 Bonds to the lowest qualified bidder or bidders in accordance with the Parameters (referred to herein as the "Underwriter(s)"). The sale of the Series 2021 Bonds to the Underwriter(s) shall be evidenced by the execution by the City Manager or his designee of the award certificate substantially in the form attached hereto as Exhibit D (the "Award Certificate").

For purposes of this Ordinance, the "Parameters" shall be as follows: (i) the original aggregate principal amount of the Series 2021 Bonds shall not exceed \$81,625,000 (provided that the aggregate principal amount of the Series 2021 Bonds to be issued in connection with Public Safety Projects shall not exceed \$30,115,000, the Parks, Recreation and Leisure Projects shall not exceed \$12,465,000, and the Streets, Sidewalks, Bridges and Streetscaping Projects shall not exceed \$39,045,000) and in any case shall not exceed the amount needed to finance the estimated cost of the Series 2021 Projects within each category; (ii) the true interest cost rate per annum shall not exceed 5.00%; (iii) the final maturity date of the Series 2021 Bonds shall not be later than July 1, 2051; (iv) the purchase price shall not be less than 100% of the original aggregate principal amount of the Series 2021 Bonds; (v) the Series 2021 Bonds shall be subject to mandatory sinking fund redemption, if issued as Term Bonds, shall be subject to optional redemption as provided in the final Official Notice of Sale, and may be subject to extraordinary redemption, in each case, in such manner and at such times so as to produce the best market acceptance for the Series 2021 Bonds, all as shall be provided in the final Official Notice of Sale; and (vi) the Series 2021 Bonds may be sold with original issue premium only if such sale with original issue premium shall meet the requirements of the Code with respect to Series 2021 Bonds issued as Tax-Exempt Bonds.

The execution by the City Manager or his designee of the Award Certificate on behalf of the City shall constitute conclusive evidence that the Parameters have been met.

SECTION 7. APPLICATION OF PROCEEDS OF THE SERIES 2021 BONDS.

The proceeds derived from the sale of the Series 2021 Bonds shall be applied simultaneously with the delivery thereof for the purposes provided for herein. The City hereby establishes three separate accounts in the Construction Fund, designated as the “2021 Public Safety Projects Construction Account,” the “2021 Parks, Recreation and Leisure Projects Construction Account” and the “2021 Streets, Sidewalks, Bridges and Streetscaping Projects Construction Account,” respectively. Amounts in (i) the 2021 Public Safety Projects Construction Account shall be applied solely for the purpose of paying Costs of the Public Safety Projects; (ii) the 2021 Parks, Recreation and Leisure Projects Construction Account shall be applied solely for the purpose of paying Costs of the Parks, Recreation and Leisure Projects; and (iii) the 2021 Streets, Sidewalks, Bridges and Streetscaping Projects Construction Account shall be applied solely for the purpose of paying Costs of the Streets, Sidewalks, Bridges and Streetscaping Projects. The City shall maintain such records and implement such procedures as necessary to evidence compliance with the foregoing, including, without, limitation, as part of the requisition process referenced in subsection (b) of Section 405 of the Master Ordinance. Any excess amounts remaining in each of such accounts upon completion of the portions of the Series 2021 Projects to be funded from such account shall be transferred to the Ad Valorem Taxes Fund. Capitalized Interest, if any, shall be paid from proceeds of the Series 2021 Bonds and the Capitalized Interest Amount shall be deposited into the Ad Valorem Taxes Fund on the date of issuance of the Series 2021 Bonds.

The specific amounts to be deposited in the funds and accounts created under the Ordinance shall be as set forth in a certificate executed by the City Manager or his designee and delivered at the time of issuance of the Series 2021 Bonds.

SECTION 8. PRELIMINARY OFFICIAL STATEMENT AND OFFICIAL STATEMENT. The Preliminary Official Statement relating to the Series 2021 Bonds in substantially the form attached hereto as Exhibit B (the “Preliminary Official Statement”), with such insertions, deletions, modifications and changes as may be approved by the City Manager, in consultation with the City Attorney, Bond Counsel, Disclosure Counsel to the City and the Financial Advisor, is hereby approved with respect to the information therein contained. The distribution and use of the Preliminary Official Statement in connection with the public offering for sale of the Series 2021 Bonds is hereby authorized. The execution by the City Manager or his designee of a certificate deeming the Preliminary Official Statement final within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934 is hereby authorized. The City Manager or his designee is hereby authorized and directed to execute and the City Clerk or her designee is hereby authorized and directed to attest a final Official Statement to be dated the date of the award of the Series 2021 Bonds to the underwriter(s) (the “Official Statement”), and, upon such execution, to deliver the same to the underwriter(s) for use in connection with the sale and distribution of the Series 2021 Bonds. The Official Statement shall contain such information as necessary to confirm the details of the Series 2021 Bonds. The execution and delivery of the Official Statement by the City Manager or his designee shall constitute conclusive evidence of the approval thereof. The City hereby authorizes the

Official Statement and the information contained therein to be used in connection with the offering and sale of the Series 2021 Bonds.

SECTION 9. APPOINTMENT OF PAYING AGENT AND BOND REGISTRAR.

The City's Finance Director, in consultation with the City's Financial Advisor, is hereby authorized and directed to appoint a qualified financial institution to serve as the initial Paying Agent and Bond Registrar for the Series 2021 Bonds, which selection shall be set forth in the Preliminary Official Statement.

SECTION 10. INSURANCE MATTERS. The City Manager, in consultation with the City's Financial Advisor, shall determine whether to permit bidders to have the option to provide an Insurance Policy insuring all or any maturities of the Series 2021 Bonds, which determination shall be set forth in the final Official Notice of Sale. In the event an Insurance Policy is obtained for the Series 2021 Bonds, the applicable Insurer shall have the rights set forth in the Master Ordinance with respect to the Series 2021 Bonds subject to the Insurance Policy, including the consent rights set forth in Section 706 of the Master Ordinance.

SECTION 11. CONTINUING DISCLOSURE. The Continuing Disclosure Certificate relating to the Series 2021 Bonds, substantially in the form attached as Exhibit E, is hereby authorized and approved, with such insertions, modifications and deletions as are approved by the City Manager. The City Manager or his designee is hereby authorized and directed to execute, and the City Clerk or his or her designee is hereby authorized and directed to attest, without further act of the City, the Continuing Disclosure Certificate. The execution and delivery of the Continuing Disclosure Certificate by the City Manager shall constitute conclusive evidence of the approval thereof. The Obligated Person with respect to the Continuing Disclosure Certificate is the City. The City Manager is hereby authorized to appoint a firm to serve as initial dissemination agent under the Continuing Disclosure Certificate and execution of the Continuing Disclosure Certificate by the City Manager shall be conclusive evidence of such appointment.

SECTION 12. GENERAL AUTHORITY. The Mayor, City Manager, City Clerk and any other proper officials of the City are hereby authorized and directed to do all acts and things required of them by the Ordinance (including this 2021 Series Ordinance), the Official Statement, the Series 2021 Bonds, the Official Notice of Sale, the Continuing Disclosure Certificate or that may otherwise be desirable or consistent with accomplishing the full, punctual and complete performance of all the terms, covenants and agreements contained in any of the foregoing and each member, employee, attorney and officer of the City is hereby authorized and directed to execute and deliver any and all papers and instruments and to cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated thereby.

SECTION 13. SEVERABILITY AND 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, but 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 the other provisions hereof or of the Series 2021 Bonds.

SECTION 14. MASTER ORDINANCE TO CONTINUE IN FORCE. Except as herein expressly provided as to the Series 2021 Bonds, the Master Ordinance and all the terms and provisions thereof, are and shall remain in full force and effect.

SECTION 15. EFFECTIVE DATE. This 2021 Series Ordinance shall be effective as the date of its passage and enactment.

PASSED AND ADOPTED on first reading this ____ day of _____, 2021.

PASSED AND ENACTED on second reading this _____ day of _____, 2021.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

EXHIBIT A

All costs are estimates only and may be greater or less for each component, and include costs of design, engineering and other professional services and reserves for contingencies. The components of the Series 2021 Projects are subject to modification as provided for in the 2021 Series Ordinance to which this Exhibit A is attached. Some of the costs below will include reimbursement to the City for costs previously incurred.

Public Safety Projects

<u>Description</u>	<u>Estimated Costs</u>
Fire/Emergency Operations Center: Construction of a new fire rescue and logistics complex to be located at 100-120 SW 3 rd Street to provide centralized operations for the City. ⁽¹⁾⁽²⁾	\$21,777,443
Fire Station #52: Construction of a new fire station building to replace existing Fire Station #52 located at 10 SW 27 th Avenue. ⁽¹⁾	\$5,075,000
Public Safety Complex: Renovation to the existing Public Safety Complex located at 100 SW 3 rd Street and 120 SW 3 rd Street. ⁽¹⁾	\$2,500,000
Total	\$29,352,443

⁽¹⁾ A portion of the costs of this project (including design and/or preliminary construction) is being financed by the Series 2018 Bonds.

⁽²⁾ A portion of the costs of this project will additionally be funded with legally available funds of the City other than proceeds of the Series 2018 Bonds and the Series 2021 Bonds.

Parks, Recreation and Leisure Projects (total estimated costs and footnotes at end)

<u>Description</u>	<u>Estimated Costs</u>
Centennial Park Improvements: Construction of a new open-air facility for special events, including City-sponsored and resident events, at existing Centennial Park located at 450 NE 10 th Street. ⁽¹⁾	\$962,500
Kester Park Improvements: Renovation of existing Kester Park located at 702 NE 6 th Street. ⁽¹⁾⁽²⁾	\$1,410,743
Mitchell Moore Park Improvements: Renovate, construct and equip existing Mitchell Moore Park located at 901 NW 10 th Street, including, but not limited to, replacement of grass field with synthetic (field turf), a new scoreboard, additional bleachers and shade structures over the bleacher area. ⁽¹⁾	\$445,008
North Pompano Park: Renovate, expand and equip existing North Pompano Park located at 4400 NE 18 th Avenue, including, but not limited to, upgrades to the football/soccer field, playground, and park. ⁽¹⁾	\$741,658
New Ultimate Sports Park: Construction of a new park to be adjacent to Apollo Park located at 1580 NW 3 rd Avenue. ⁽¹⁾⁽²⁾	\$3,779,855
New Youth Sports Complex: Construction of a new park to be located at 700 NE 10 th Street, the former Elks Club property, near Community Park, reimburse the cost of related land acquisition for the park site, and construct and equip the first phase of the new park including, but not limited to, multi-use fields for youth sports and a clubhouse. ⁽¹⁾	\$4,451,072

Total

\$11,790,836

⁽¹⁾ A portion of the costs of this project (including design and/or preliminary construction) is being financed by the Series 2018 Bonds.

⁽²⁾ A portion of the costs of this project will additionally be funded with legally available funds of the City other than proceeds of the Series 2018 Bonds and the Series 2021 Bonds.

Streets, Sidewalks, Bridges and Streetscaping Projects
(total estimated cost and footnotes at end)

<u>Description</u>	<u>Estimated Costs</u>
A1A Improvements: Construction and equipping of improvements on State Road A1A from Hillsboro Inlet to Terra Mar Drive, including, but not limited to, undergrounding of new and existing electric, cable and telephone utility lines, sidewalk widening, bike lanes, traffic calming, lighting and other streetscape improvements. ⁽¹⁾⁽²⁾	\$11,444,213
Dixie Highway Improvements: Construction and equipping of improvements to the Dixie Highway corridor, from McNab Road to Sample Road, including, but not limited to, roadway crossing improvements, bicycle lanes, medians, sidewalks, lighting, landscaping, street furniture and other streetscape improvements. ⁽¹⁾⁽²⁾	\$9,430,000
McNab Road Improvements: Construction of (i) improvements to McNab Road and (ii) replacement of McNab Road bridge. ⁽¹⁾⁽²⁾	\$13,269,363
Palm-Aire Neighborhood Improvements: Construct and equip streetscape improvements at two bridges spanning the C-14 canal, including, but not limited to, lighting, landscaping and sidewalks. ⁽¹⁾⁽²⁾	\$3,900,000

FPL Light Fixtures Conversion Project	\$200,000
Construct and upgrade existing lighting system equipment in Highlands neighborhood. ⁽¹⁾⁽³⁾	
Total	\$38,243,576

⁽¹⁾ A portion of the costs of this project (including design and/or preliminary construction) is being financed by the Series 2018 Bonds.

⁽²⁾ A portion of the costs of this project will additionally be funded with legally available funds of the City other than proceeds of the Series 2018 Bonds and the Series 2021 Bonds.

⁽³⁾ This project supplements the FPL Light Fixtures Conversion Project approved by Ordinance No. 2020-34 of the City enacted on January 28, 2020.

EXHIBIT B

FORM OF PRELIMINARY OFFICIAL STATEMENT

EXHIBIT C

FORMS OF OFFICIAL NOTICE OF SALE AND SUMMARY NOTICE OF SALE

EXHIBIT D

FORM OF AWARD CERTIFICATE

EXHIBIT E

FORM OF CONTINUING DISCLOSURE CERTIFICATE