

PROPOSED

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, APPROVING AN EXTENSION OF THE POMPANO BEACH
3 COMMUNITY REDEVELOPMENT AGENCY, NORTHWEST DISTRICT, THROUGH
4 DECEMBER 31, 2049, ON THE BASIS OF CITY-ONLY TAX INCREMENT FINANCING;
5 AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

6 (Sponsored by Commissioner Lamar P. Fisher)
7

8 WHEREAS, Broward County ("County"), the City of Pompano Beach ("City"), the
9 Pompano Beach Community Redevelopment Agency ("CRA"), and the other applicable
10 taxing authorities entered into an Interlocal Agreement Regarding the City of Pompano
11 Beach Community Redevelopment Agency, dated August 14, 2018 ("Interlocal
12 Agreement");

13 WHEREAS, pursuant to the terms of the Interlocal Agreement, all tax increment
14 financing ("TIF") obligations owed to the Northwest District of the CRA ("Northwest
15 District") by taxing authorities other than the City ended on December 31, 2019;

16 WHEREAS, the Northwest District is currently scheduled to end by
17 December 31, 2040; however, the City desires to extend the duration of the Northwest
18 District through December 31, 2049, on a City-only TIF basis;

19 WHEREAS, Section 18.87 of the Broward County Administrative Code
20 ("Administrative Code") only requires County approval of an extension of a CRA if the
21 extension involves the continuation of TIF obligations by the taxing authorities; however,

22 the Interlocal Agreement requires formal written approval by the Broward County Board
23 of County Commissioners ("Board") for any extension of the Northwest District beyond
24 December 31, 2040;

25 WHEREAS, in addition, as required by the Interlocal Agreement, on
26 September 25, 2018, the County adopted Resolution No. 2018-426, which provided that
27 in no event shall the duration of the Northwest District continue beyond December 31,
28 2040;

29 WHEREAS, although County approval is not required under Section 18.87 of the
30 Administrative Code for a non-TIF extension of the CRA, the City has requested formal
31 written approval of the proposed extension of the Northwest CRA in an abundance of
32 caution; and

33 WHEREAS, the Board desires to approve the extension of the Northwest CRA, on
34 a City-only TIF basis, through December 31, 2049, NOW, THEREFORE,

35 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
36 BROWARD COUNTY, FLORIDA:

37 Section 1. The Board hereby provides formal written approval of the extension
38 of the duration of the Northwest District of the CRA through December 31, 2049, provided
39 that no taxing authority other than the City shall have any TIF obligations regarding the
40 Northwest District for any time period after December 31, 2019.

Section 2. Nothing in this Resolution amends or waives any provision of the Interlocal Agreement or modifies any of the rights or obligations of the County, the City, or the CRA under applicable law. Nothing in this Resolution affects the East District of the CRA. This Resolution supersedes County Resolution No. 2018-426 solely with respect to the permitted duration of the Northwest District.

Section 3. Severability.

If any portion of this Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Resolution. If any court determines that this Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Resolution to any other individual, group, entity, property, or circumstance.

Section 4. Effective Date.

This Resolution is effective upon adoption.

ADOPTED this day of , 2024. **PROPOSED**

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ René D. Harrod 02/16/2024
René D. Harrod (date)
Chief Deputy County Attorney