

**RESOLUTION NO. 2019-085**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED INTERLOCAL AGREEMENT AMONG BROWARD COUNTY, THE CITY OF COCONUT CREEK, AND ALLEY FARMS, LLC; PROVIDING FOR THE CITY TO PERFORM BUILDING, PLANNING, ENGINEERING, AND INSPECTION SERVICES; PROVIDING FOR TERMS AND CONDITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Broward County (hereinafter referred to as “County”), the City of Coconut Creek (hereinafter referred to as “City”), and Alley Farms, LLC (hereinafter referred to as “Owner”) are desirous of entering in an Interlocal Agreement for certain development review services; and

**WHEREAS**, this agreement is entered into pursuant to Section 163.01, Florida Statutes, also known as the Florida Interlocal Cooperation Act of 1969, and under County’s and City’s respective Charter and Constitutional Home Rule Powers; and

**WHEREAS**, Owner owns that certain property more particularly described in Exhibit “A” (“Property”); and

**WHEREAS**, City maintains a Sustainable Development Department that conducts development review including platting, zoning, site planning, engineering, and variance applications and inspections; and

**WHEREAS**, City maintains a Building Division that conducts plan examinations and inspections pursuant to the Florida Building Code; and

**WHEREAS**, Owner has filed with City a Petition for Voluntary Annexation pursuant to Section 171.044, Florida Statutes, seeking annexation of the Property into City limits; and

**WHEREAS**, City approved the annexation ordinance at its City Commission meeting of December 13, 2018, and the annexation petition was submitted to the Broward Legislative Delegation pursuant to Chapter 96-542 and Chapter 99-447, Laws of Florida; and

**WHEREAS**, the Broward Legislative Delegation held a public hearing on the annexation on January 15, 2019; and

**WHEREAS**, Chapter 96-542, Laws of Florida, as amended, provides that annexations in Broward County shall not become effective until the 15th day of September following Adjournment Sine Die of the next regular Legislative Session, following the accomplishment of all procedures necessary for annexation pursuant to Chapter 171, Florida Statutes; and

**WHEREAS**, County recognizes that the Property may be annexed into City, which annexation may not become effective until a later date as provided in Chapter 96-542, Laws of Florida, as amended; and

**WHEREAS**, County and City desire that City act as the building official for the Property pursuant to the requirements of Section 553.73, Florida Statutes, and perform such building, planning, and engineering review and inspection services pursuant to the terms and conditions hereinafter set forth; and

**WHEREAS**, Owner concurs in the desires of City and County as set forth above.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

**Section 2:** That the City Commission of the City of Coconut Creek, Florida, hereby approves the Interlocal Agreement to perform building, planning, engineering, and inspection services for said Property.

**Section 3:** That the City Manager, or designee, is hereby authorized to execute said Interlocal Agreement and associated agreements with Broward County and Alley Farms, LLC.

**Section 4:** That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

**Section 5:** That this resolution shall be in full force and effect immediately upon its adoption.

**Adopted this 25<sup>th</sup> day of April, 2019.**

\_\_\_\_\_  
Sandra L. Welch, Mayor

Attest:

\_\_\_\_\_  
Leslie Wallace May, City Clerk

Welch	<u>Aye</u>
Sarbone	<u>Aye</u>
Tooley	<u>Aye</u>
Belvedere	<u>Aye</u>
Rydell	<u>Aye</u>

WSS/ae

[\\pdc\data\Development\\_Services\Common\Documents\PLANNING & ZONING\Project\\_Coordinator\Resolutions\RES\\_2019-085\\_ILA\\_Alley\\_Farms.docx](\\pdc\data\Development_Services\Common\Documents\PLANNING & ZONING\Project_Coordinator\Resolutions\RES_2019-085_ILA_Alley_Farms.docx)