

RESOLUTION NO. 2017-325

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED THIRD AMENDED AND RESTATED INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING WITH THE SCHOOL BOARD OF BROWARD COUNTY, BROWARD COUNTY, AND AFFECTED BROWARD COUNTY MUNICIPALITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3177(6)(h)2, Florida Statutes, requires each county, all non-exempt municipalities within that county, and the district school board to establish, by interlocal or other formal agreement executed by all affected entities, joint processes for comprehensive land use and school facilities planning programs; and

WHEREAS, on April 30, 2003, the City Commission authorized the City Manager to enter into an Interlocal Agreement (ILA) for Public School Facility Planning, establishing joint processes for comprehensive land use and school facilities planning programs with the School Board of Broward County, Broward County, and affected Broward County municipalities; and

WHEREAS, on April 22, 2010, the City Commission authorized the City Manager to enter into the Second Amended ILA for Public School Facility Planning, establishing provisions related to public school concurrency; and

WHEREAS, the Second Amended ILA was approved modifying the Level of Service (LOS) standard from 110% of permanent Florida Inventory of School Houses (FISH) capacity to 100% gross FISH capacity (including relocatable classrooms) until the end of the 2018/19 school year and providing that the LOS would revert back to 110% permanent FISH capacity in the 2019/20 school year; and

WHEREAS, pursuant to the terms of the Second Amended ILA, School Board staff along with the Oversight Committee and the Staff Working Group have worked

collaboratively to consider various options for addressing the challenges of meeting LOS;
and

WHEREAS, the proposed Third Amended and Restated ILA, attached hereto as Exhibit "A," seeks to implement the LOS at the higher of the two standards (110% permanent FISH capacity or 100% gross capacity); and

WHEREAS, the School Board of Broward County and the Broward County Board of County Commissioners have already approved the Third Amended and Restated ILA;
and

WHEREAS, the City Commission finds and determines it is in the best interest of the residents of the City of Coconut Creek, Florida to enter into the amended agreement among the School Board of Broward County, Broward County, and affected Broward County municipalities (as listed in the attached amended Agreement).

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. All Exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

Section 2: That the City Commission has reviewed and hereby approves the attached Third Amended and Restated Interlocal Agreement for Public School Facility Planning.

Section 3: That the City Manager, or designee, is hereby authorized to execute the attached Third Amended and Restated Interlocal Agreement for Public School Facility Planning.

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 14th day of December, 2017.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, City Clerk

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

WSS;jw

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