



Legislation Details (With Text)

File #:	RES 2017-003	Name:	Second Amendment to NBPS Temp Use Agrmt
Type:	Resolution	Status:	Passed
File created:	12/12/2016	In control:	City Commission
On agenda:	6/8/2017	Final action:	6/8/2017
Title:	A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE SECOND AMENDMENT TO THE TEMPORARY USE AGREEMENT WITH NORTH BROWARD PREPARATORY SCHOOLS, LLC TO PROVIDE FOR A ONE-YEAR EXTENSION OF THE CURRENT TERMS & CONDITIONS OF THE AGREEMENT AND THE FIRST AMENDMENT TO THE AGREEMENT.		
Sponsors:			
Indexes:	Agreement, North Broward Prep, Resolution		
Code sections:			
Attachments:	1. RESOLUTION 2017-003-Second Amendment to NBPS Temp Use Agrmt, 2. EXHIBIT A-Second Amendment to NBPS Temp Use Agrmt, 3. BACKUP-NBPS Request Letter, 4. BACKUP-NBPS Good Cause Letter, 5. BACKUP-NBPS Temp Use Agrmt, 6. BACKUP-First Amendment to NBPS Temp Use Agrmt		

Date	Ver.	Action By	Action	Result
6/8/2017	1	City Commission		

AGENDA ITEM REPORT

TITLE:

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE SECOND AMENDMENT TO THE TEMPORARY USE AGREEMENT WITH NORTH BROWARD PREPARATORY SCHOOLS, LLC TO PROVIDE FOR A ONE-YEAR EXTENSION OF THE CURRENT TERMS & CONDITIONS OF THE AGREEMENT AND THE FIRST AMENDMENT TO THE AGREEMENT.

BACKGROUND:

On June 27, 2013, the City Commission approved the Temporary Use Agreement by and between the City of Coconut Creek and North Broward Preparatory Schools, LLC (NBPS), dated July 11, 2013 ("Use Agreement"), authorizing construction and placement of two temporary modular dormitories on the property generally located at 7600 Lyons Road, Coconut Creek, Florida ("Property") to house students attending the school. The Use Agreement was amended once before to authorize the City to collect certain public facilities and services fees attributable to the Property due to the placement and use of the modular dormitories. The overall Use Agreement provided for a three-year term effective July 11, 2013 through July 11, 2016, with extensions upon mutual written consent of the parties.

DISCUSSION:

One administrative extension was granted upon showing of good cause by NBPS in January 2016. The request to extend the Use Agreement for one year was approved by written consent from City personnel, providing a new termination date of July 11, 2017. Currently, the City is in receipt of another request by NBPS for an additional one-year extension, providing a new termination date of July 11, 2018. Please see the attached letter from Attorney Scott Backman of Dunay, Miskel, Backman, LLP, representing NBPS, detailing the justification for the extension.

RECOMMENDATION:

Staff recommends approval of this Resolution.

FISCAL IMPACT:

REVENUES: \$18,161.62

EXPENDITURES: N/A

BUDGETED: Yes

NOTES: Account 01-V33970, Payment in lieu of taxes.