

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2007-272

A RESOLUTION OF THE CITY OF CORAL GABLES, FLORIDA AMENDING AND UPDATING THE CITY OF CORAL GABLES AND MIAMI-DADE COUNTY SCHOOL BOARD INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING FOR THE PURPOSE OF ADDRESSING STATE-MANDATED PUBLIC SCHOOL CONCURRENCY REQUIREMENTS; AUTHORIZING TRANSMITTAL OF THIS AGREEMENT TO THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL, FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, AND OTHER APPLICABLE AGENCIES FOR REVIEW AND COMMENT AS REQUIRED BY FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is currently party to an existing Interlocal Agreement between the City, Miami-Dade County School Board, and other local governments executed on February 25, 2003 that established intergovernmental coordination mechanisms for linking land use planning and public school facility planning; and

WHEREAS, in 2005 the Florida Legislature passed a sweeping growth management bill, requiring, among other things, that local governments ensure that adequate public school capacity is available to meet the impacts of new residential development, a concept known as public school concurrency; and

WHEREAS, the legislation requires that all local governments and school boards amend their interlocal agreements as necessary to meet the new public school concurrency requirements; and

WHEREAS, since passage of public school concurrency legislation in 2005, the City of Coral Gables has been participating in a countywide intergovernmental effort to comply with and implement the new requirements; and

WHEREAS, the statutory deadline for compliance for all local governments in Miami-Dade County is January 1, 2008, after which the City will be prohibited from amending its Comprehensive Land Use Plan (CLUP) or Future Land Use Map, thereby preventing development projects that require changes to the CLUP text and map from moving forward; and

WHEREAS, Miami-Dade County has taken the lead in developing model school concurrency regulations for other local governments to utilize, and the City of Coral Gables and other local governments did not proceed forward in order to allow the County's model regulations to be reviewed by the Florida Department of Community Affairs (DCA) for compliance, and to address DCA's concerns prior to transmittal of the City's items; and

WHEREAS, the Miami-Dade County School Board presented an overview of school concurrency requirements and proposed regulations at the Planning and Zoning Board meeting of October 10, 2007, and at the City Commission meeting of November 13, 2007; and

WHEREAS, on October 16, 2007, the City began to provide a notice of these requirements to all prospective applicants for residential development in the City; and

WHEREAS, after notice of a public hearing being duly published, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on November 14, 2007 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, at the November 14, 2007 Planning and Zoning Board meeting, the Planning and Zoning Board recommended approval of the proposed "Amended and Restated Interlocal Agreement for Public School Facility Planning in Miami-Dade County" as provided in Attachment A (vote: 6-0); and

WHEREAS, after notice of a public hearing being duly published, the City Commission on December 11, 2007 approved the "Amended and Restated Interlocal Agreement for Public School Facility Planning in Miami-Dade County" as provided in Attachment A (vote: 5-0);

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES THAT:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. The "Amended and Restated Interlocal Agreement for Public School Facility Planning in Miami-Dade County" is hereby adopted as provided in Attachment A.

SECTION 3. The City Manager shall transmit the Interlocal Agreement to the South Florida Regional Planning Council, Florida Department of Community Affairs and other applicable agencies in accordance with State statutes.

SECTION 4. This Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS ELEVENTH DAY OF DECEMBER, A.D.,
2007.

(Moved: Cabrera / Seconded: Anderson)
(Yea: Kerdyk, Withers, Anderson, Cabrera, Slesnick)
(Unanimous; 5-0 Vote)
(Agenda Item: E-7)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I, HEREBY CERTIFY that the foregoing
is a true and correct copy of the original
on file in this office.

6/21/07
Date

Walter J. Foeman
City Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY

Attachment A,
the "Amended and Restated Interlocal Agreement for Public
School Facility Planning in Miami-Dade County,"
is on file with the Planning Department
and available upon request.