

REQUESTED COMMISSION ACTION:

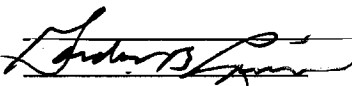
<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Consideration/ Discussion	<input type="checkbox"/> Workshop
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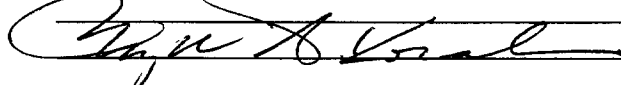
SHORT TITLE A resolution supporting an amendment to the Interlocal Agreement for Public School Facilities Planning in order to avoid the currently proposed school boundary changes in Broward County.

Summary of Purpose and Why:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING AN AMENDMENT TO THE INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITIES PLANNING IN ORDER TO AVOID THE CURRENTLY PROPOSED SCHOOL BOUNDARY CHANGES IN BROWARD COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE**

- (1) Origin of request for this action: \_\_\_\_\_
- (2) Primary staff contact:: Gordon B. Linn, City Attorney 954 786-4614
- (3) Expiration of contract, if applicable: \_\_\_\_\_
- (4) Fiscal impact and source of funding: \_\_\_\_\_

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
<u>City Attorney</u>	<u>11/12/09</u>		
<u>Advisory Board</u>			

City Manager - Interim 

ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>
<u>Workshop</u>		
1 <sup>st</sup> Reading _____	1 <sup>st</sup> Reading _____	Results: _____
2 <sup>nd</sup> Reading _____	_____	Results: _____

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING AN AMENDMENT TO THE INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITIES PLANNING IN ORDER TO AVOID THE CURRENTLY PROPOSED SCHOOL BOUNDARY CHANGES IN BROWARD COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Broward County School Board (“School Board”), Broward County Board of County Commissioners (“County”), and the non-exempt Broward County Municipalities (“Municipalities”) entered into an Interlocal Agreement for Public School Facilities Planning (“ILA”) in 2007 pursuant to the requirements of Sections 163.3180(13) and 163.31777, Florida Statutes; and

**WHEREAS**, the ILA adopted the individual school boundary as the Concurrency Service Area, and adopted a Level of Service standard of 110% of permanent FISH capacity for these Concurrency Service Areas; and

**WHEREAS**, the ILA was found in compliance by the Department of Community Affairs and is currently in effect; and

**WHEREAS**, various new facilities were proposed in the School Board’s Educational Plant Survey to support the feasibility of the ILA’s Concurrency Service Areas and Level of Service standards; and

**WHEREAS**, these proposed new facilities were subsequently rejected by the state and, without construction of these facilities, many Concurrency Service Areas will fail to meet the adopted Level of Service standard over the next five years; and

**WHEREAS**, the School Board has responded to these projected failures to meet the Level of Service standard by proposing boundary changes for the affected schools which will ultimately domino across the County and affect a large number of schools; and

**WHEREAS**, such boundary changes are disruptive to the education of our children, deprive families of their reasonable expectations as to which schools their children will attend, and will otherwise cause harm and substantial inconvenience to many of the residents of the Municipalities; and

**WHEREAS**, the Staff Working Group under the ILA, comprised of staff representation from the School Board, County, and the Municipalities, held a meeting on October 29, 2009; and

**WHEREAS**, the Staff Working Group made a recommendation to continue the use of a 110% permanent capacity Level of Service standard, but to amend the ILA to change the Concurrency Service Area from the individual school boundary to eight (8) Concurrency Service Areas, each containing multiple school boundaries, as a means of avoiding the proposed changes to school boundaries; and

**WHEREAS**, another proposal involves the creation of twelve (12) Concurrency Service Areas, which does not avoid the need to change school boundaries at the middle school level and thus does not resolve the current controversy and avoid the above-referenced harm to residents of the Municipalities; and

**WHEREAS**, the Staff Working Group will forward its proposal to the Oversight Committee for the ILA (“Oversight Committee”) for further review in November 2009; and

**WHEREAS**, the Oversight Committee will subsequently forward its recommendation to the School Board, the County and all Municipalities for approval; and

**WHEREAS**, the proposed amendment to the ILA ultimately requires approval by the School Board, the County and at least 75% of the Municipalities representing at least 50% of the population of Broward County; and

**WHEREAS**, although the amendment process will likely not be complete prior to the School Board's vote on the "Superintendent's Boundary Recommendations," the recommendations brought forth by the Staff Working Group and Oversight Committee should discourage the School Board from approving the currently proposed boundary changes; and

**WHEREAS**, should conditions change and additional facilities be approved for construction by the state, the School Board, County and Municipalities can revisit the ILA and further revise the Level of Service standard or Concurrency Service Areas as may be appropriate; and

**WHEREAS**, the City Commission deems it to be in the best interests of the citizens and residents of Broward County to support the amendment to the ILA endorsed by the Staff Working Group, and further urges the School Board, the Municipalities and the County to adopt the same; now, therefore,

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:**

**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.

**SECTION 2.** The City Commission hereby supports the continued the use of a 110% permanent capacity Level of Service standard, but recommends amending the ILA to change the Concurrency Service Area from the individual school boundary to eight (8) Concurrency Service Areas, each containing multiple school boundaries, and urges the Municipalities, the County and the School Board to approve such an amendment to the ILA.

**SECTION 3.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
**LAMAR FISHER, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**MARY L. CHAMBERS, CITY CLERK**

GBL/jrm  
11/12/09  
l:reso/2010-66