

RESOLUTION NO. 10- 263

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE PROPOSED AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING IN MIAMI-DADE COUNTY, FLORIDA, BY AND BETWEEN THE MIAMI-DADE COUNTY SCHOOL BOARD AND ALL LOCAL GOVERNMENTS WITHIN MIAMI-DADE COUNTY AS REQUIRED BY SECTIONS 163.3177(6)(h)2, 163.31777, AND 10133.33 FLORIDA STATUTES; AUTHORIZING THE TOWN MANAGER TO SIGN THE RESPONSE FORM AND RETURN TO THE SCHOOL DISTRICT; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDED INTERLOCAL AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Miami Lakes, Florida, (the "Town") recognizes its obligation and responsibility for the education, nurturing, and general well-being of the children within the Town; and

**WHEREAS**, the Town desires to retain a strong local voice and local control of the existing "Interlocal Agreement for Public School Facility Planning in Miami-Dade County" but also desires to make the process for amending the Interlocal Agreement more reasonable and realistic; and

**WHEREAS**, Sections 163.3177(6)(h)2, 163.31777 and 1013.33, Florida Statutes, require each county, all the 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**, in Resolution 2008-636, the Town approved an "Amended and Restated Interlocal Agreement for Public School Facility Planning in Miami-Dade

County,”(the “Interlocal Agreement”) in order to meet the mandate in Senate Bill 360;  
and

**WHEREAS,** the Town Council finds that approving the proposed Amendment No. 1 to the Interlocal Agreement is in the best interest and welfare of the current students, future students and residents of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2. Approval of Amendment No. 1 to the Interlocal Agreement.** The Town Council hereby approves the proposed Amendment No. 1 to the “Amended and Restated Interlocal Agreement for Public School Facility Planning in Miami-Dade County,” (the “Interlocal Agreement”).

**Section 3. Town Manager Authorized to Execute Response Form.** The Town Manager is authorized to execute the Response Form.

**Section 4. Mayor Authorized To Execute Interlocal Agreement.** In the event the proposed Amendment No. 1 is approved unanimously by all parties to the Interlocal Agreement, the Mayor is authorized to execute the amended Interlocal Agreement.

**Section 5. Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED D ADOPTED this 14 day of December 2010.

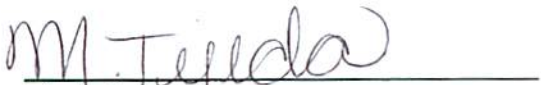
Motion to adopt by Collins, second by Mestre.

FINAL VOTE AT ADOPTION

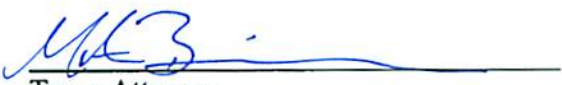
Mayor Michael Pizzi	<u>Absent</u>
Vice Mayor Nick Perdomo	<u>Absent</u>
Councilmember Mary Collins	<u>Yes</u>
Councilmember Tim Daubert	<u>Yes</u>
Councilmember Nelson Hernandez	<u>Yes</u>
Councilmember Ceasar Mestre	<u>Yes</u>
Councilmember Richard Pulido	<u>Yes</u>

  
Michael Pizzi  
MAYOR

ATTEST:

  
Marjorie Tejeda  
TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

  
Town Attorney  
Weiss Serota Helfman Pastoriza  
Cole & Boniske, P.L.

# Response Form

## PROPOSED AMENDMENT No. 1

### AMENDED AND RESTATED INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING IN MIAMI-DADE COUNTY

**Purpose:** To consider whether or not to approve the addition of a new Section (Section 21) related to the required vote on future amendments to the Interlocal Agreement.

**Summary:** Presently the Consensus ILA provides that any amendments to the ILA must be approved by unanimous vote. The language below would, if approved unanimously by all ILA signatories (Municipalities), change that requirement from a unanimous vote of all Municipalities to a 2/3 vote by the Municipalities.

#### Section 21. Amendments

An amendment to this Agreement shall require approval by each City and the School Board, and shall be offered to the County and all other Cities for their consideration as a supplementary agreement. If the amendment to this Agreement affects the uniform district-wide public school concurrency system or otherwise requires the approval of the non-exempt municipalities, it shall become effective only upon the approval of an amendment to this Agreement by the County and School Board and approval of a similar amendment to the Amended and Restated Agreement by two-thirds of the non-exempt municipalities. Notwithstanding the foregoing, all of the nonexempt municipalities must approve the amendment to the Amended and Restated Agreement for it to become effective, unless all non-exempt municipalities have revised the Amended and Restated Agreement to allow for amendments to be approved by two-thirds of the non-exempt municipalities. An amendment shall not be effective until the amendment is fully executed by the applicable parties and, where applicable, all comprehensive plan amendments are effective.

Please indicate your preference by circling the appropriate response

YES In favor of accepting proposed Amendment No. 1, which would add a Section (Section 21) as written above

NO Not in favor of accepting proposed Amendment No. 1. Future amendments would require a unanimous vote of all municipalities

Submitted By: Alex Berg  
(Print and sign name of authorized official)

Date: 4/3/11

Name of Municipality: Town of Miami Lakes