

ORDINANCE NO. 2011 – 011

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ADOPTING AMENDMENTS TO THE TEXT OF THE PUBLIC SCHOOL FACILITIES ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3177(12), F.S., requires the Town to adopt a public school facilities element into its comprehensive plan, which is consistent with those elements adopted by other local governments located within Broward County; and

WHEREAS, Section 163.31777, F.S., requires the Town to enter into an Interlocal Agreement with the School Board and Broward County to ensure that school facilities are properly coordinated with residential development; and

WHEREAS, The School Board of Broward County adopted the Second Amended Interlocal Agreement on February 2, 2010 and the Broward County Commission approved it on February 23, 2010.

WHEREAS, the Town Council of the Town of Southwest Ranches approved and executed the Second Amended Interlocal Agreement on May 20, 2010 to comply with the statutory requirement; and

WHEREAS, the Florida Department of Community Affairs has issued a notice of intent to find the Second Amended Agreement consistent with the minimum requirements of Sections 163.31777(2), F.S; and

WHEREAS, the Broward County Board of County Commissioners has adopted an ordinance to amend its Public School Facilities Element to make it consistent with the Second Amended Interlocal Agreement; and

WHEREAS, the Local Planning Agency of the Town of Southwest Ranches reviewed the proposed text amendments on May 26, 2011, and has recommended the Town's approval of same.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

SECTION 1: Recitals Adopted. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of the Ordinance upon adoption hereof.

SECTION 2: That the Public School Facilities Element of the adopted Town of Southwest Ranches Comprehensive Plan is hereby amended in accordance with Exhibit "A", attached hereto and made a part hereof.

SECTION 3: That the Town Planner shall transmit the proposed Public School Facilities Element to the Florida Department of Community Affairs and other state agencies, as required by law.

SECTION 4: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 5: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

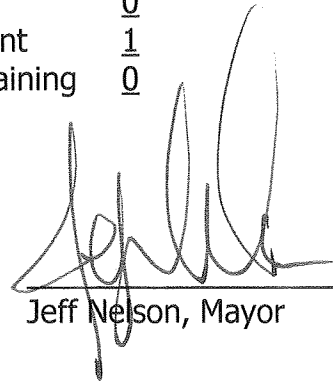
SECTION 6: Effective Date. This Ordinance shall take effect 31 days after adoption unless timely challenged pursuant to sec. 163.32465(6), F.S., in which case the Ordinance shall take effect on the date that the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

PASSED ON FIRST READING this 26th day of May, 2011 on a motion made by Council Member Breitkreuz and seconded by Council Member McKay.

PASSED AND ADOPTED ON SECOND READING this 22nd day of September, 2011 on a motion made by Council Member Breitkreuz and seconded by Council Member McKay.


Nelson	<u>ABSENT</u>
Fisikelli	<u>YES</u>
Breitkreuz	<u>YES</u>
McKay	<u>YES</u>
Jablonski	<u>YES</u>

Ayes	<u>4</u>
Nays	<u>0</u>
Absent	<u>1</u>
Abstaining	<u>0</u>



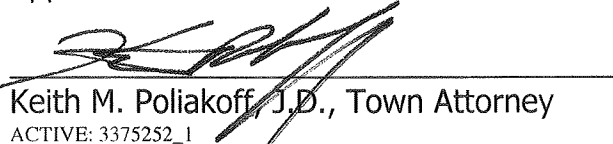
Jeff Nelson, Mayor

Attest:



Erika Gonzalez-Santamaria, Town Clerk

Approved as to Form and Correctness:



Keith M. Poliakoff, J.D., Town Attorney
ACTIVE: 3375252_1