



# AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

## Special Order Request

☐ Yes ☒ No

Time

## Open Agenda

☒ Yes ☐ No

ITEM No.:

AA-1.

MEETING DATE

Aug 18 2015 10:15AM - Regular School Board Meeting

AGENDA ITEM

OPEN ITEMS

CATEGORY

AA. RESOLUTIONS

DEPARTMENT

Facility Planning and Real Estate

TITLE:

Resolution No. 16-07, Regarding Future Development of Parcels A and B of the Triple H Wedge Property

## REQUESTED ACTION:

Adopt Resolution No. 16-07, regarding future development of Parcels A and B of the Triple H Wedge Property

## SUMMARY EXPLANATION AND BACKGROUND:

In August 2012, The School Board of Broward County, Florida (SBBC) approved the School Site Dedication and Impact Fee Agreement (Dedication Agreement) for School Site No. 1 and School Site No. 2, which enabled Triple H Ranch Property, Ltd. to convey elementary and middle school sites in the Wedge Area of the City of Parkland to the SBBC.

See Supporting Docs for continuation of Summary Explanation and Background.

Resolution No. 16-07 has been reviewed and approved as to form and legal content by the Office of the General Counsel.

## SCHOOL BOARD GOALS:

☐ Goal 1: High Quality Instruction ☒ Goal 2: Continuous Improvement ☐ Goal 3: Effective Communication

## FINANCIAL IMPACT:

Currently, the estimated financial impact to the SBBC is \$656,164.00. In the future and prior to when school(s) are slated for construction on the school sites, the funds needed to construct such school(s) would be contained and authorized in the then adopted Five-Year District facilities Plan.

## EXHIBITS: (List)

(1) Summary Explanation and Background (2) Executive Summary (3) Resolution 16-07

## BOARD ACTION:

**ADOPTED**

(For Official School Board Records Office Only)

## SOURCE OF ADDITIONAL INFORMATION:

Name: Chris O. Akagbosu

Phone: 754-321-2162

Name: Derrick Messier

Phone: 754-321-2617

## THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

### Senior Leader & Title

Leslie M. Brown - Chief Portfolio Services Officer

Signature

Leslie M. Brown

Thursday, August 06, 2015 1:24:18 PM

Approved In Open  
Board Meeting On:

By:

AUG 18 2015

*Donna Kohn*

School Board Chair

## **SUMMARY EXPLANATION AND BACKGROUND: continuation**

Subsequently, District staff participated in the closing on the school sites and upon closing, the school sites were conveyed to the SBBC. The purpose for the dedication of the school sites was to mitigate the student impact anticipated from residential units proposed by pertinent residential developers in the Wedge Area of the City.

While the Dedication Agreement contemplated that in the future SBBC owned schools would be constructed on the dedicated sites, provisions in the Broward County Land Development Code (BCLDC) require that the plat where the school sites are located must be recorded before the construction of the residential units and the future schools are allowed on the plat. However as a prerequisite to the recordation of the plat, the BCLDC also require that an Installation of Required Improvements Agreement between the SBBC and the Broward County Board of County Commissioners which delineates SBBC's obligation to construct certain turn lane and school zone signalization improvements (hereinafter "Improvements") must be approved and executed by the SBBC and submitted to Broward County along with related documents. Furthermore, the BCPC require the SBBC to adopt a resolution which specifically commits the SBBC's to construct the Improvements prior to the construction of the school(s) on Parcels A and B of the Triple H/Wedge Property. Thus, the purpose of Resolution No. 16-07 is to enshrine the SBBC's commitment consistent with requirements of the BCLDC.

Resolution No. 16-07 has been reviewed and approved as to form and legal content by the Office of the General Counsel.

## Executive Summary

### **Resolution No. 16-07 Regarding Future Development of Parcels A and B of the Triple H/Wedge Property**

The Wedge Area is a triangular parcel of land that was annexed into Broward County from Palm Beach County in 2009. The total area is approximately 2,612 gross acres, consisting of approximately 2,333 acres that allows residential development. The majority of land (approximately 2000+/- acres) in the Wedge Area would eventually be located within the jurisdictional boundaries of the City of Parkland.

For background purposes, the Agreement between the City of Parkland and the Amerigo Bruschi Family Limited Partnership, a Florida Limited Partnership, and Dale Alan Bruschi and Dean Curtis Bruschi (Annexation Agreement) and with obligations and ownership of the parcels of land owned by the Bruschi Family later transferred to Standard Pacific of Florida (Standard Pacific), required the Bruschi Family to dedicate up to a 12 acre elementary school site to The School Board of Broward County, Florida (SBBC) to mitigate the student impact anticipated from residential development proposed on the Bruschi property. The Annexation Agreement required the SBBC and the City to jointly identify the location of the elementary school site on the property prior to any Land Use Plan Amendments (LUPA) or rezoning(s) of the property. School District and City staff in collaboration with representative(s) of the Bruschi Family jointly fulfilled this requirement on behalf of the SBBC and the City. However, due to site constraints, the elementary school site was not located on the Bruschi Family property, but via consensus amongst District staff, City staff, the Bruschi Family, and Triple H Ranch Property, Ltd. (Triple H), the elementary school site was located on lands owned by Triple H.

The dedicated elementary school site conveyed to the SBBC was an 8.75+/- net acre school site rather than the 12 acre elementary school site. The primary reason was due to the North Springs Improvement District (NSID) requirements, which mandates that construction on all undeveloped land in the Wedge Area shall be constructed with a minimum of eighteen (18%) percent lake or water retention area. But to account for the decreased acreage, the School Site Dedication and Impact Fee Agreement (Dedication Agreement) which enabled the dedication of the site to the SBBC stipulated that the water retention requirements for the site would be addressed in the Triple H property, whereby water run-off from the school site would be channeled into adjacent Triple H land.

Also, the First Amendment to Agreement between the City of Parkland, Triple H Ranch Property Ltd. and the Debuys Property Investment Group, Ltd. (Triple H and Debuys) (Annexation Agreement) required Triple H and Debuys to dedicate a 15-20 acre middle school site to the SBBC to mitigate the student impact anticipated from the residential developments proposed on the Triple H and Debuys land. The Annexation Agreement required the City and the SBBC to jointly determine and identify the location of the middle school site prior to any proposed LUPA or rezoning(s) on the properties. School District and City staff in collaboration with representative(s) of the property owners jointly fulfilled this requirement. The dedicated middle school site conveyed to the SBBC was an approximate 17.16+/- net acres as opposed to the maximum 20 acres called for in the Annexation Agreement; again due to the NSID requirements. Also as with the elementary school site, the Dedication Agreement stipulated that the water retention requirements for the middle school site would be addressed in the Triple H property, whereby water run-off from the school site would be channeled into adjacent Triple H land.

The purpose of Resolution No. 16-07 is to be consistent with requirements of the Broward County Land Development Code (BCLDC), delineate the SBBC's obligation to construct certain turn lane and school zone signalization improvements (hereinafter "Improvements") as required for SBBC owned schools that may be in constructed on the school sites in the future.

It should be noted that the Office of Facilities & Construction (OFC) worked with Triple H and Broward County staff to generate the estimated cost stated herein for the traffic improvements. At some time in the future when the construction of the school(s) are warranted and undertaken in the Wedge Area, the OFC will take the lead to ensure that the obligations codified in the Installation of Required Improvements and Resolution No. 16-07 are fulfilled on behalf of the SBBC.

*The School Board of Broward County, Florida*

# RESOLUTION

No. 16-07

**RESOLUTION REGARDING FUTURE DEVELOPMENT OF  
PARCELS A AND B OF THE TRIPLE H / WEDGE PROPERTY**

**WHEREAS**, The School Board of Broward County, Florida (the "School Board") was provided with property designated as Parcel A ("School Site 1") and Parcel B ("School Site 2") for potential future locations for one middle school and one elementary school (the "Property"); and

**WHEREAS**, the Property is located in the City of Parkland and has been reviewed and approved through the City's development review procedure; and

**WHEREAS**, the Property has been reviewed by County staff and the plat approved for recordation by the County Commission through the County's development review procedures; and

**WHEREAS**, should the School Board proceed with the design and construction of one or both new school facilities on the Property, the County Commission requires, as a condition of plat recordation, that the School Board construct certain turn lane and school zone signalization improvements specifically defined and associated with each Parcel in attached Exhibit "A" (hereinafter "Improvements"); and

**WHEREAS**, the School Board recognizes that the currently estimated total cost for Improvements for both Parcels/Sites is Six Hundred Fifty Six Thousand One Hundred Sixty-Four Dollars (\$656,164.00); and

**WHEREAS**, although the School Board is under no obligation whatsoever to proceed with the design and construction of any school facilities on the Property, the School Board desires to cooperate with the City and County in this regard.

**NOW, THEREFORE, BE IT RESOLVED**, that should the School Board proceed with the design and construction of one or more school facilities on the Property, the School Board shall do the following:

1. Construct the Improvements associated with each Parcel in accordance with the schedule set forth in Exhibit "A."

2. Construct the Improvements associated with each Parcel on the Property set forth in the legal descriptions attached hereto as Exhibit "B."
3. Construct the Improvements in accordance with then existing State and Federal Law, the State Requirements for Educational Facilities ("SREF") and School Board Policy.
4. Bear all costs relating to the installation of the Improvements.
5. If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.
6. This Resolution shall become effective upon adoption.

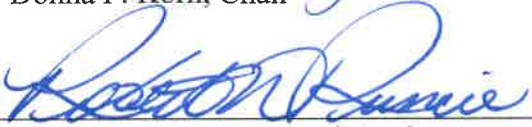
Given at Fort Lauderdale, Florida this 18<sup>th</sup> day of August, 2015.

**THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA**

**BY:**

  
Donna P. Korn, Chair

**ATTEST:**

  
Robert W. Runcie, Superintendent of Schools

**EXHIBIT "A"**  
**LIST OF IMPROVEMENTS AND SCHEDULE**

<u>Improvement</u>	<u>Completion Date</u>
#32 westbound right turn lane on County Line Road at the east 80-foot opening with 200 feet of storage and 100 feet of transition	Prior to the first Certificate of Completion from the Florida Department of Education (C.C.) for Parcel A (School Site "1")
#33 eastbound left turn lane on County Line Road at the east 80-foot opening with 200 feet of storage and 100 feet of transition	Prior to the first C.C. for Parcel A (School Site "1")
#34 westbound u-turn lane on County Line Road at the eastern access with 100 feet of storage and 100 feet of transition.	Prior to the first C.C. for Parcel A (School Site "1")
#35 westbound right turn lane on County Line Road at the west 80-foot opening with 150 feet of storage and 100 feet of transition.	Prior to the first C.C. for Parcel A (School Site "1")
#36 eastbound left turn lane on County Line Road at the west 80-foot opening with 200 feet of storage and 100 feet of transition	Prior to the first C.C. for Parcel B (School Site "2")
#41 Sidewalks along County Line Road adjacent to Parcel A (School Site "1")	Prior to the first C.C. for Parcel A (School Site "1")
#41 Sidewalks along County Line Road adjacent to Parcel B (School Site "2")	Prior to the first C.C. for Parcel B (School Site "2")
#44 Overhead Mast Arm Solar School Flashers on County Line Road for Parcel A and B	Prior to the first C.C. for either Parcel A (School Site "1") or B (School Site "2")
#45 Overhead Mast Arm Solar School Flashers on County Line Road for Parcel B	Prior to the first C.C. for Parcel B (School Site "2")
#48 Construction of the required improvements shall include the installation of pavement markings and signs. All pavement markings shall be thermoplastic. Pavement markings and signing materials shall be fully reflectorized with high intensity materials. The security amount for pavement markings and signs will be based on the approved construction plans or the approved engineer's cost estimate	As required for installation of the above improvements.

**NOTE: Notwithstanding the SCHOOL BOARD's obligation to construct the Improvements *should one or both new facilities be constructed*, the SCHOOL BOARD is under no obligation whatsoever to proceed with the construction of either school facility on the subject property. Accordingly, should the SCHOOL BOARD not construct either one or both facilities it shall have no obligation to construct the Improvements.**

**EXHIBIT "B"**  
**LEGAL DESCRIPTION**

**DESCRIPTION PARCEL A (a/k/a "School Site 1")**

THAT PORTION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 47 SOUTH, RANGE 41 EAST INCLUDING PORTIONS OF LOTS 27 AND 28 ACCORDING TO THE PLAT OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 2 IN SAID SECTION 29 AS RECORDED IN PLAT BOOK 1 AT PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 29; THENCE RUN SOUTH 89°37'21" WEST (BASIS OF BEARINGS A GRID BEARING) 85.00' FEET ALONG THE SOUTH LINE OF SAID SECTION 29; THENCE RUN NORTH 01°15'09" WEST 15.00 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89°37'21" WEST 873.71 FEET; THENCE RUN NORTH 00°22'39" WEST 847.07' FEET; THENCE RUN NORTH 89°37'21" EAST 860.78 FEET TO AN INTERSECTION WITH A LINE 85 FEET WEST OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE EAST LINE OF SAID SECTION 29; THENCE RUN SOUTH 01°15'09" EAST 847.17 FEET ALONG SAID PARALLEL LINE TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE CITY OF PARKLAND, BROWARD COUNTY, FLORIDA AND CONTAINING 734,617 SQUARE FEET OR 16.865 ACRES MORE OR LESS.

**DESCRIPTION PARCEL B (a/k/a "School Site 2")**

THAT PORTION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 47 SOUTH, RANGE 41 EAST INCLUDING PORTIONS OF LOTS 27, 28, 29 AND 30 ACCORDING TO THE PLAT OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 2 IN SAID SECTION 29 AS RECORDED IN PLAT BOOK 1 AT PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND INCLUDING THAT PORTION OF THE ROAD RIGHT-OF-WAY ACCORDING TO SAID PLAT DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 29; THENCE RUN SOUTH 89°37'21" WEST (BASIS OF BEARINGS) 958.91 FEET ALONG THE SOUTH LINE OF SAID SECTION 29; THENCE RUN NORTH 00°22'39" EAST 15.00 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89°37'21" WEST 393.93 FEET; THENCE RUN NORTH 45°22'39" WEST 52.83 FEET; THENCE RUN NORTH 00°22'39" WEST 11.98 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING

**EXHIBIT "B"**  
**LEGAL DESCRIPTION**  
**(Continued)**

DESCRIPTION PARCEL B (a/k/a "School Site 2") (continued)

A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 27°26'21" RUN NORTHERLY 35.92 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 27°26'21" RUN NORTHERLY 59.86 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 00°22'39" WEST 123.50 FEET ALONG THE TANGENT EXTENDED TO A POINT OF CURVATURE OF A CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 145.00 FEET AND A CENTRAL ANGLE OF 25°00'28" RUN NORTHWESTERLY 63.29 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 95.00 FEET AND A CENTRAL ANGLE OF 25°00'28" RUN NORTHERLY 41.46 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 00°22'39" WEST 293.66 FEET ALONG THE TANGENT EXTENDED TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1935.00 FEET AND A CENTRAL ANGLE OF 08°15'29" RUN NORTHEASTERLY 278.89 FEET; THENCE RUN SOUTH 80°38'20" EAST 35.05 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 575.00 FEET AND A CENTRAL ANGLE OF 12°32'33" RUN SOUTHEASTERLY 125.87 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 675.00 FEET AND A CENTRAL ANGLE OF 22°16'52" RUN SOUTHEASTERLY 262.49 FEET; THENCE RUN SOUTH 00°22'39" EAST 847.07 FEET TO THE POINT OF BEGINNING. SAID LANDS SITUATE IN THE CITY OF PARKLAND, BROWARD COUNTY, FLORIDA AND CONTAINING 8.614 ACRES OR 375,209 SQUARE FEET MORE OR LESS.