



AGENDA REQUEST FORM
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2020-06-09 10:05 - School Board Operational Meeting
AGENDA ITEM	ITEMS
CATEGORY	L. OFFICE OF PORTFOLIO SERVICES
DEPARTMENT	Charter Schools/Management Support

Special Order Request <input type="radio"/> Yes <input checked="" type="radio"/> No
Time
Open Agenda <input type="radio"/> Yes <input checked="" type="radio"/> No

ITEM No.:
 L-17.

TITLE:
 Second Amendment to Charter School Agreement with Somerset Academy, Inc., on behalf of Somerset Academy Elementary South 5263

REQUESTED ACTION:
 Approve the Second Amendment to the Charter School Agreement with Somerset Academy, Inc., on behalf of Somerset Academy Elementary South Campus - 5263.

SUMMARY EXPLANATION AND BACKGROUND:
 Somerset Academy, Inc., a Florida non-profit corporation on behalf of Somerset Academy Elementary South Campus - 5263, desires to amend its charter school agreement to acknowledge its co-location with Somerset Academy - 5141.
 A copy of all supporting documents is available at the Charter Schools Management/Support Department on the 12th floor of the K.C.W. Administration Center. A copy of all supporting documents is available online via the Broward County Public Schools eAgenda.
 See Supporting Docs for continuation of Summary Explanation and Background.
 This Agreement has been reviewed and approved to form and legal content by the Office of the General Counsel.

SCHOOL BOARD GOALS:
 Goal 1: High Quality Instruction Goal 2: Safe & Supportive Environment Goal 3: Effective Communication

FINANCIAL IMPACT:
 There is no financial impact to the District.

EXHIBITS: (List)
 (1) Continuation of Summary Explanation and Background (2) Somerset Elem South Campus 5263 ES (3) Somerset South Campus 5263 Second Amendment Agreement (4) CO for Public Use 19620 Pines Blvd

BOARD ACTION:
APPROVED
 (For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Donté Fulton-Collins	Phone: 754-321-2135
Name:	Phone:

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
 Senior Leader & Title

Leslie M. Brown - Chief Portfolio Services Officer

Signature
 Leslie M. Brown
 5/19/2020, 12:07:31 PM

Approved In Open Board Meeting On: JUN - 9 2020
 By:
 School Board Chair

Continuation of Summary Explanation and Background:

Somerset Academy, Inc., a Florida non-profit corporation, on behalf of Somerset Academy Elementary South Campus - 5263, desires to amend its charter school agreement to acknowledge its co-location with Somerset Academy – 5141, for Kinder through fifth (K-5) grades, for the 2020-2021 school year and subsequent years.

Pursuant to Section 1002.33, Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by charter school and The School Board of Broward County, Florida, in a written contractual agreement. This agreement shall constitute a school's charter.

Somerset Academy Elementary South Campus – 5263, is in District 2.

The governing board members of Somerset Academy, Inc., reside in Miami-Dade County.

A copy of all supporting documents is available at the Charter Schools Management/Support Department on the 12th floor of the K.C.W. Administration Center.

A copy of all supporting documents is available online via the Broward County Public Schools eAgenda.

EXECUTIVE SUMMARY

Somerset Academy, Inc.
Somerset Academy Elementary South - 5263

School Name	Somerset Academy Elementary South - 5263
Implementation Year	2018-2019
Location	Pembroke Pines, Florida
District	2
Grades Approved to Serve	K-5
Grades Currently Serving	K-3
Current Enrollment Count	295
Target Population	Neighborhoods surrounding the school
Curriculum Focus	Traditional
School Grade 2018-2019	Not Applicable
School Grade 2017-2018	Not Applicable – New school

The School Board of Broward County, Florida (“Sponsor”) entered into a Charter School Agreement (“Agreement”) with Somerset Academy, Inc. on behalf of Somerset Academy Elementary South Campus - 5263 (“School”) at a Regular School Board Meeting on June 12, 2018, board item L-6. The parties agreed on an Agreement for a five-year period expiring June 30, 2023, which incorporated by reference the School’s Charter Application (“Application”), wherein the School was authorized to operate a charter school, grades K-5 in Broward County, Florida.

The School desires to amend its Agreement to acknowledge its co-location with Somerset Academy - 5141, Kinder through fifth (K-5) grades, for the 2020-2021 school year and subsequent years.

The term of the Agreement shall remain the same, covering five years commencing on July 1, 2018, and ending on June 30, 2023.

Somerset Academy Elementary South Campus – 5263, and Somerset Academy – 5141, will be co-locating with the School at 19620 Pines Boulevard, Pembroke Pines FL 33029, which is located in District 2.

The governing board members of Somerset Academy, Inc. reside in Miami-Dade County, Florida.

**Somerset Academy Elementary South Campus - 5263
Second Amendment to Charter School Agreement**

SECOND AMENDMENT TO THE CHARTER SCHOOL AGREEMENT

This Second Amendment to the Charter School Agreement is made and entered into as of this 9th day of June 2020, by and between:

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA,
a body corporate operating and existing under the laws of the State of Florida
[hereinafter referred to as “Sponsor”],
and having its principal place of business located at
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

SOMERSET ACADEMY, INC.
d/b/a/ Somerset Academy Elementary South Campus - 5263
a Florida not-for-profit organization [hereinafter referred to as “School”],
and having its principal place of business located at
20801 Johnson Street, Pembroke Pines, Florida 33029

WHEREAS, the parties entered into a Charter School Agreement (Agreement) on or about June 12, 2018, which incorporates by reference the School’s Charter School Application wherein the School was authorized to operate a charter elementary school, grade levels K-5, known as “Somerset Academy Elementary South Campus - 5263” in Broward County, Florida; and

WHEREAS, Section 2.B.4 of the Agreement permits the amendment of that Agreement during its term through mutual agreement of the parties, provided such modifications are agreed to in writing and executed by both parties; and

WHEREAS, the School desires to amend its Agreement to acknowledge its co-location with Somerset Academy - 5141, Kinder through fifth (K-5) grades only.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and terms herein set forth, the parties agree as follows:

1.01 Recitals: The foregoing recitals are true and correct and are incorporated within this Agreement by reference.

1.02 Amendments: The following portion of the Charter School Agreement shall be amended to provide as follows:

Section 4.A: **Eligible Students:** The School shall enroll all eligible students in accordance with Section 1002.33(10), Florida Statutes, up to the maximum school enrollment capacity approved by the Sponsor of 350 students through its approval of this Agreement. The School’s maximum enrollment for grades Kinder through fifth will be 350 students. The School

**Somerset Academy Elementary South Campus - 5263
Second Amendment to Charter School Agreement**

shall not be eligible for or receive funds for enrollment beyond the maximum enrollment capacity provided herein. The parties agree that the approved school minimum enrollment capacity is 125 students, the minimum enrollment that will support the School's operations at an adequate level under its approved budget. If the School fails to achieve the minimum school enrollment capacity as provided herein by the October FTE reporting period, such shall be considered good cause for termination or non-renewal for failure to meet generally accepted standards of the school management as provided in Section 1002.33(8)(a)(2), Florida Statutes, unless the School provides the Sponsor a revised and balanced budget within sixty (60) days of October FTE reporting period. A student may not be transferred by the School to another charter school or district school except upon prior written consent of the student's parent/guardian or of the student (if an adult). The School agrees that any transfer or withdrawal of students shall be conducted in accordance with the Sponsor's student transfer and withdrawal policies and procedures. Parents may withdraw a student from the School at any time. In such event, the student shall either return to the student's regularly assigned district school or to another school with an appropriate program.

Section 6.C.4: **Shared Use of a Facility with Other Entities**: The School shall disclose to the Sponsor the identity of any entity with whom it will share the facility or space or share any temporary facility during the term of this Agreement. The School shall disclose the names of the co-located entities to the parents of all students enrolled in the school annually in writing and will place the names of the other entities on its state mandated website. Shared use of a facility requires an amendment to the charter agreements of all co-located schools.

Section 6.C.4.a: **Entity Disclosure**: The School, located at 19620 Pines Boulevard, Pembroke Pines, Florida, 33029, will co-locate with Somerset Academy - 5141. The School shall enroll all eligible students in accordance with Section 1002.33(10), Florida Statutes. The School's enrollment capacity is a maximum of 350 students. The School's enrollment at any time, when combined with the enrollment of any other co-located schools, may not exceed the current building capacity established by the applicable certificate of occupancy.

1.03 Order of Precedence Among Agreement Documents: In the event of a conflict between the provisions of the agreement and the provisions contained herein, the provisions of the following documents shall take precedence in this order:

- (a) This Second Amendment to the Charter School Agreement; then
- (b) The First Amendment to the Charter School Agreement; then
- (c) The Charter School Agreement; and
- (d) The Charter Application.

1.04 Other Provisions, as Amended, Remain in Force: Except as expressly provided herein, all other portions of the agreement remain in full force and effect.

1.05 Authority Each person signing the First Amendment to the Charter School Renewal Agreement on behalf of either party individually warrants that he or she has full legal power to execute this First Amendment to the Charter School Renewal Agreement.

**Somerset Academy Elementary South Campus - 5263
Second Amendment to Charter School Agreement**

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment to Charter School Agreement as of the day and year first above written.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

Somerset Academy Elementary South Campus - 5263
Second Amendment to Charter School Agreement

FOR THE SCHOOL

(Corporate Seal)

Somerset Academy, Inc.

Attest: [Signature]
Secretary
- or -

By: [Signature]
Todd German, Board Chair

Witness

Witness

STATE OF Florida

COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 13th day of May, 2020
by Todd German of Somerset Academy, Inc.
Name of Person on behalf of the Governing Entity

~~He/She~~ took an oath and is personally known to me or ~~has produced~~ _____ as
~~identification.~~

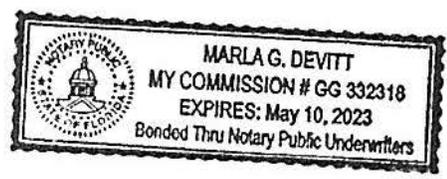
My commission expires:

(SEAL)

[Signature]
Signature - Notary Public

My commission expires:

Marla G Devitt
Printed Name of Notary Public



Somerset Academy Elementary South Campus - 5263
Second Amendment to Charter School Agreement

FOR THE SPONSOR

(Corporate Seal)

ATTEST:



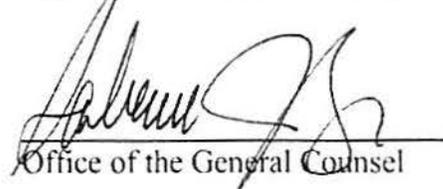
Robert W. Runcie
Superintendent of Schools

**The School Board of Broward County,
Florida**

By:


Donna P. Korn, Chair

Approved as to Form and Legal Content:


Office of the General Counsel



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS

CERTIFICATE OF OCCUPANCY

This project has been inspected in compliance with the requirements of 2017 Florida Building Code for the stated occupancy group & division in accordance with approved documents prepared by the Florida Architect of Record and Florida Engineer of Record.

Permit No.: 1966732-0
Permit Name: Somerset Academy Chapel Trail, 1st Floor, Phase 1A
Folio Number: 5139 14 07 0010
Building Address: 19620 Pines Boulevard, Pembroke Pines, FL 33029
Building Owner Name: Pines Blvd. School Dev., LLC
Building Owner Address: 6457 Sunset Dr., Miami, FL 33143
Contractor Name: Rodberg Construction
Contractor Address: 4500 PGA Blvd., Ste. #302, Palm Beach Gardens, FL 33418
Contractor License No.: CBC037775
Architect of Record: Rolando Llanes, AR13160

Project Description: Commercial Alteration
Occupancy Classification: Group E - Educational
Construction Type: Type II-B
Total Floor area / square feet: 12,110 sq. ft.
Total Occupant Load: Cafeteria@260, Food Prep@5, Office@21, Classroom@93, Total@379
Lowest Floor Elevation: N/A - Existing
Required Fire Protection: Fully Sprinklered w/Fire Alarm

Final Inspections and dates:

Structural Final:	4/1/2020	Electrical Final:	9/30/2019	Plumbing Final:	7/29/2019
Mechanical Final:	3/9/2020	Fire Final:	3/12/2020	Landscaping	3/2/2020
Engineering Final	3/31/2020	Utility Final:	8/8/2019		

Building Official: George W. Kropp

Date: 4/2/2020

Signature: _____



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS

CERTIFICATE OF OCCUPANCY

This project has been inspected in compliance with the requirements of 2017 Florida Building Code for the stated occupancy group & division in accordance with approved documents prepared by the Florida Architect of Record and Florida Engineer of Record.

Permit No.: 1966733-0
Permit Name: Somerset Academy Chapel Trail, 1st Floor, Office Area
Folio Number: 5139 14 07 0010
Building Address: 19620 Pines Boulevard, Pembroke Pines, FL 33029
Building Owner Name: Pines Blvd. School Dev., LLC
Building Owner Address: 6457 Sunset Dr., Miami, FL 33143
Contractor Name: Rodberg Construction
Contractor Address: 4500 PGA Blvd., Ste. #302, Palm Beach Gardens, FL 33418
Contractor License No.: CBC037775
Architect of Record: Rolando Llanes, AR13160

Project Description: Commercial Alteration
Occupancy Classification: Group E - Educational
Construction Type: Type II-B
Total Floor area / square feet: 1,430 sq. ft.
Total Occupant Load: 44
Lowest Floor Elevation: N/A - Existing
Required Fire Protection: Fully Sprinklered w/Fire Alarm

Final Inspections and dates:

Structural Final:	4/1/2020	Electrical Final:	9/30/2019	Plumbing Final:	7/29/2019
Mechanical Final:	3/9/2020	Fire Final:	3/30/2020	Landscaping	3/2/2020
Engineering Final	7/30/2019	Utility Final:	7/30/2019		

Building Official: George W. Kropp

Date: 4/2/2020

Signature: _____



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS

CERTIFICATE OF OCCUPANCY

This project has been inspected in compliance with the requirements of 2017 Florida Building Code for the stated occupancy group & division in accordance with approved documents prepared by the Florida Architect of Record and Florida Engineer of Record.

Permit No.: 1966736-0
Permit Name: Somerset Academy Chapel Trail, 2nd Floor, Phase 2
Folio Number: 5139 14 07 0010
Building Address: 19620 Pines Boulevard, Pembroke Pines, FL 33029
Building Owner Name: Pines Blvd. School Dev., LLC
Building Owner Address: 6457 Sunset Dr., Miami, FL 33143
Contractor Name: Rodberg Construction
Contractor Address: 4500 PGA Blvd., Ste. #302, Palm Beach Gardens, FL 33418
Contractor License No.: CBC037775
Architect of Record: Rolando Llanes, AR13160

Project Description: Commercial Alteration
Occupancy Classification: Group E - Educational
Construction Type: Type II-B
Total Floor area / square feet: 24,890 sq. ft.
Total Occupant Load: 754
Lowest Floor Elevation: N/A - Existing
Required Fire Protection: Fully Sprinklered w/Fire Alarm

Final Inspections and dates:

Structural Final:	4/1/2020	Electrical Final:	9/30/2019	Plumbing Final:	7/29/2019
Mechanical Final:	3/9/2020	Fire Final:	3/12/2020	Landscaping	3/2/2019
Engineering Final	8/8/2019	Utility Final:	8/8/2019		

Building Official: George W. Kropp

Date: 4/2/2020

Signature: _____



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS

CERTIFICATE OF OCCUPANCY

This project has been inspected in compliance with the requirements of 2017 Florida Building Code for the stated occupancy group & division in accordance with approved documents prepared by the Florida Architect of Record and Florida Engineer of Record.

Permit No.: 1966735-0
Permit Name: Somerset Academy Chapel Trail, 1st Floor, Phase 1B
Folio Number: 5139 14 07 0010
Building Address: 19620 Pines Boulevard, Pembroke Pines, FL 33029
Building Owner Name: Pines Blvd. School Dev., LLC
Building Owner Address: 6457 Sunset Dr., Miami, FL 33143
Contractor Name: Rodberg Construction
Contractor Address: 4500 PGA Blvd., Ste. #302, Palm Beach Gardens, FL 33418
Contractor License No.: CBC037775
Architect of Record: Rolando Llanes, AR13160

Project Description: Commercial Alteration
Occupancy Classification: Group E - Educational
Construction Type: Type II-B
Total Floor area / square feet: 7,000 sq. ft.
Total Occupant Load: 373
Lowest Floor Elevation: N/A - Existing
Required Fire Protection: Fully Sprinklered w/Fire Alarm

Final Inspections and dates:

Structural Final:	4/1/2020	Electrical Final:	9/30/2019	Plumbing Final:	7/29/2019
Mechanical Final:	3/9/2020	Fire Final:	3/12/2020	Landscaping	3/2/2020
Engineering Final	7/30/2019	Utility Final:	7/30/2019		

Building Official: George W. Kropp

Date: 4/2/2020

Signature: