



# AGENDA REQUEST FORM

## THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

<b>MEETING DATE</b>	2020-04-21 10:00 - Regular School Board Meeting
<b>AGENDA ITEM</b>	ITEMS
<b>CATEGORY</b>	LL. OFFICE OF PORTFOLIO SERVICES
<b>DEPARTMENT</b>	Facility Planning and Real Estate

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

**ITEM No.:**  
LL-4.

**TITLE:**  
Second Amendment to the Educational Mitigation Agreement Proposed by the City of Miramar

**REQUESTED ACTION:**  
Approve the Second Amendment to the Educational Mitigation Agreement in connection with Broward County Land Use Text Amendment PCT 05-4 and PCT 15-4, as amended by PCT 19-7, and as proposed by the City of Miramar for 2,350 additional residential units included in Land Use Text Amendment PCT 19-7, located in the City of Miramar, and as delineated in the Second Amended Educational Mitigation Agreement.

**SUMMARY EXPLANATION AND BACKGROUND:**  
Approval of the Second Amendment to the Educational Mitigation Agreement in connection with Broward County Land Use Text Amendment PCT 05-4 and PCT 15-4, as amended by PCT 19-7, is being requested by the City of Miramar.  
See Supporting Docs for continuation of Summary Explanation and Background.  
This Agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel, and will be signed by the Broward County Commission after School Board approval.

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

**FINANCIAL IMPACT:**  
There is an estimated \$4,342,800 positive financial impact to the District from the payment of mitigation fee due as delineated in the Agreement (\$1,708,94 above the effective school impact fee due for the units).

**EXHIBITS: (List)**  
(1) Continuation of Summary Explanation and Background (2) Executive Summary (3) Second Amendment to Education Mitigation Agreement (4) Executed and Recorded First Amended Mitigation Agreement (5) Executed and Recorded Education Mitigation Agreement

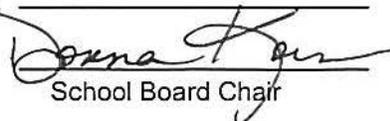
**BOARD ACTION:**  
**APPROVED**  
(For Official School Board Records Office Only)

**SOURCE OF ADDITIONAL INFORMATION:**

Name: Chris O. Akagbosu	Phone: 754-321-2162
Name:	Phone:

**THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA**  
Senior Leader & Title  
Leslie M. Brown - Chief Portfolio Services Officer

Signature  
Leslie M. Brown  
4/6/2020, 11:55:34 AM

Approved In Open Board Meeting On: **APR 21 2020**  
By:   
School Board Chair

## **Continuation of Summary Explanation and Background**

The purpose is to enable the inclusion of 2,350 additional multi-family (reviewed as all garden apartments) residential units proposed (via Land Use Text Amendment PCT 19-7) in the City's Regional Activity Center (RAC).

In 2006, the City of Miramar entered into an Educational Mitigation Agreement ("2006 Agreement") with Broward County and the School Board for LUPA PCT 05-4 to allocate 2,000 residential units (consisting of 192 two bedroom and 358 three or more bedroom townhouse and 290 one bedroom, 942 two bedroom, and 218 three bedroom garden apartment) in the RAC. Subsequently, in 2018, the City of Miramar entered into the First Amendment to the Mitigation Agreement ("2018 Agreement") with Broward County and the School Board for LUPA PCT 05-4 to allocate 1,250 residential units (consisting of 290 one bedroom, 496 two bedroom and 144 three or more bedroom garden apartment, and 142 one bedroom and 178 two or more bedroom mid-rise). Both the 2006 and the 2018 Agreements called for the payment of per dwelling unit cost based on the amount calculated using applicable Student Station Cost Factors published by the State of Florida

On March 18, 2020, the City of Miramar approved the Second Amendment to the Educational Mitigation Agreement in connection with Broward County Land Use Text Amendment PCT 05-4, and PCT 15-4 as Amended by PCT 19-7. Upon School Board approval, the Second Amendment to the Educational Mitigation Agreement in connection with Broward County Land Use Text Amendment PCT 05-4 and PCT 15-4 as amended by PCT 19-7 will be transmitted to Broward County for its formal action; and upon its approval will become effective.

## **Executive Summary**

### **Second Amendment to the Educational Mitigation Agreement Proposed by the City of Miramar**

The City of Miramar Regional Activity Center (RAC) PCT 05-4 consists of approximately 2,205 acres and is located on the south side of Pembroke Road between Flamingo Road and SW 101<sup>st</sup> Avenue in the City of Miramar. In 2006, the City of Miramar proposed a land use text amendment to permit the development of 2,000 additional residential (consisting of 192 two-bedroom and 358 three-or-more bedroom townhouse and 290 one-bedroom, 942 two-bedroom, and 218 three-or-more bedroom garden apartment) units on the site. The District's review of the proposal indicated that the development would generate an additional 441 students (218 elementary, 116 middle, and 107 high school), and the pertinent elementary and high schools affected by the project were critically overcrowded. District staff applied credit for 178 elementary school students based on the funded capital improvements scheduled for the elementary school. As a result, the City of Miramar agreed to mitigate the impact of 263 students (40 elementary, 116 middle, and 107 high school) by paying the applicable Florida Student Station Cost Factors translated into a per dwelling unit cost.

In 2015, the City of Miramar allocated an additional 1,250 multi-family residential (consisting of 142 one-bedroom and 178 two-or-more bedroom mid-rise and 290 one-bedroom, 496 two-bedroom, and 144 three-or-more bedroom garden apartment) units within the RAC via LUPA PCT 15-4. In 2018, the City of Miramar agreed to mitigate the impact of 199 additional students (105 elementary, 48 middle, and 46 high school) by paying the applicable Florida Student Station Cost Factors translated into a per dwelling unit cost.

To enable legal enforcement of the mitigation commitment, the City of Miramar entered into an Educational Mitigation Agreement for LUPA PCT 05-4 and the First Amendment for PCT 15-4 with The School Board of Broward County, Florida (SBBC) and the Broward County Board of County Commissioners in 2006 and 2018 respectively.

In 2019, the City of Miramar allocated an additional 2,350 multi-family residential (consisting of 682 one-bedroom and 1,301 two-or-more bedroom mid-rise and 112 one-bedroom, 187 two-bedroom, and 68 three-or-more bedroom garden apartment) units within the RAC via LUPA PCT 19-7. These additional units were anticipated to generate a maximum 164 additional students (80 elementary, 38 middle, and 46 high school) into Broward County Public Schools. The impact of the 164 additional students will be addressed consistent with the procedures outlined in the proposed Second Amendment to the Educational Mitigation Agreements in connection with Broward County Land Use Text Amendment PCT 05-4 and PCT 15-4 as Amended by PCT 19-7 (Exhibit 2).

Return to: (enclose self-addressed stamped envelope)

Name: Barbara Myrick, General Counsel  
The School Board of Broward County  
600 Southeast 3<sup>rd</sup> Avenue  
Fort Lauderdale, FL 33301

This Instrument Prepared by:  
Marla Neufeld, Esq.  
Greenspoon Marder LLP  
200 E. Broward Blvd, Suite 1800  
Fort Lauderdale, Florida 33301

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

**NOTICE: PURCHASERS, GRANTEES, HEIRS, SUCCESSORS AND ASSIGNS OF ANY INTEREST IN THE PROPERTY SET FORTH ON EXHIBIT "A" ARE HEREBY PUT ON NOTICE OF THE OBLIGATIONS SET FORTH WITHIN THIS AGREEMENT WHICH SHALL RUN WITH THE PROPERTY UNTIL FULLY PAID AND PERFORMED.**

**SECOND AMENDMENT TO  
EDUCATIONAL MITIGATION AGREEMENT  
IN CONNECTION WITH BROWARD COUNTY  
LAND USE TEXT AMENDMENT PCT 05-4  
AS AMENDED BY PCT 15-4  
AS AMENDED BY PCT 19-7**

**THIS SECOND AMENDMENT TO EDUCATIONAL MITIGATION AGREEMENT ("2020 Amendment")** made this 21<sup>st</sup> of April, 2020, and entered into by and between:

**THE CITY OF MIRAMAR**, a municipal corporation, its successors and assigns, with an address of 2300 Civic Center Place, Miramar, FL 33025, ("City"),

AND

**BROWARD COUNTY**, a political subdivision of the State of Florida, with an address of 115 South Andrews Avenue, Fort Lauderdale, Florida 33301 ("County"),

AND

**THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA**, a body corporate and political subdivision of the State of Florida, with an address of 600 Southeast 3<sup>rd</sup> Avenue, Fort Lauderdale, Florida 33301 ("School Board").

**WITNESSETH:**

**WHEREAS**, the City filed an initial land use plan text amendment application for the entire 2,205 acres of the development known as Miramar Regional Activity Center ("MRAC"), as more particularly described on Exhibit "A" ("MRAC Property"), ("PCT 05-4") for 2,000 additional

entered into an Educational Mitigation Agreement between the City, the School Board, and County recorded in Book 42694, Pages 1999 - 2027 of the Official Records of Broward County, Florida which required payment of the higher of student station cost factors fees or school impact fees per dwelling unit for the PCT 05-4 Units (“**2006 School Agreement**”); and

**WHEREAS**, prior to PCT 05-4, 5,460 residential units were originally permitted for residential development on the MRAC Property pursuant to the MRAC (“**Pre PCT 05-4 Units**”). These originally permitted units were subject to school impact fees; and

**WHEREAS**, a second land use plan text amendment application for the MRAC Property (“**PCT 15-4**”) added 1,250 dwelling units (reviewed as all three or more-bedroom garden apartments at the request of the Broward County Planning Council) (“**PCT 15-4 Units**”); and

**WHEREAS**, the PCT 15-4 Units are subject to that certain First Amendment to Educational Mitigation Agreement in Connection with Broward County Land Use Text Amendment PCT 05-4 recorded at Instrument 115347076 of the Official Records of Broward County, Florida, as amended by PCT 15-4 (“**2018 School Agreement**”); and

**WHEREAS**, a third land use plan text amendment application for the MRAC Property (“**PCT 19-7**”), added 2,350 dwelling units (reviewed as all three or more bedroom garden apartments at the request of the Broward County Planning Council) (“**New Units**”); and

**WHEREAS**, the City allocated up to 50 flexibility units (“**Flex Units**”) in the MRAC to the City Center development in the adoption of City Resolution 20-54 and these Flex Units are not subject to this 2020 Amendment; and

**WHEREAS**, the Flex Units shall be subject to school impact fees to be paid at the time of building permit review; and

**WHEREAS**, the owners of the New Units agree to restrict the New Units to 367 garden apartments (112 one bedroom or less, 187 two bedrooms, and 68 three or more bedrooms) and 1,983 midrise units (682 one bedroom or less and 1,301 two or more bedrooms); and

**WHEREAS**, since approval of the 2006 School Agreement, the County and the City, in conjunction with the School Board, have adopted public school concurrency regulations which require all new residential development to comply with development review criteria for public school concurrency which will necessitate public school concurrency review either at the plat or site plan (or functional equivalent) stage of development review; and

**WHEREAS**, Chapter 5, Article IX, Broward County Code of Ordinances, requires that no application for a building permit shall be accepted by the County or by any municipality without documentation that a finding of adequacy of school sites and facilities has been made by the County; and

**WHEREAS**, all of the PCT 05-4 Units shall continue to be bound by the 2006 School Agreement and the PCT 15-4 Units shall continue to be bound by the 2018 School Agreement; and

**WHEREAS**, City agrees that the owner(s) of New Units in the MRAC Property shall mitigate the impact of students anticipated from the development of the New Units in the MRAC pursuant to this 2020 Amendment; and

**WHEREAS**, the School District's Facility Planning and Real Estate Department issued a School Consistency Review Report (SBBC-1865-2015) for the New Units dated January 31, 2019, regarding PCT 19-7, a copy is attached hereto as **Exhibit B**; and

**WHEREAS**, all of the Pre PCT 05-4 Units allowed in the MRAC are built or approved; all of the PCT 05-4 Units are built or approved; and, of the PCT 15-4 Units, 261 of the PCT 15-4 Units remain unbuilt (such unbuilt PCT 15-4 Units shall be referred to as the "**Unbuilt PCT 15-4 Units**"); and

**WHEREAS**, the remaining 261 Unbuilt PCT 15-4 Units consist of:

- (i) 1 one bedroom garden apartment; and
- (ii) 178 two bedroom garden apartment units; and
- (iii) 82 three or more bedroom garden apartments; and

**WHEREAS**, the 2,350 New Units are proposed to consist of

- (i) 1,983 midrise units (682 one bedroom or less and 1,301 two or more bedrooms); and
- (ii) 367 garden apartments (112 one bedroom or less, 187 two bedrooms, and 68 three or more bedrooms); and

**WHEREAS**, as a condition for approval of PCT 19-7, the City was required to amend the 2006 School Agreement, as amended by the 2018 School Agreement with the School Board and County to recognize the incorporation of the New Units and reflect the students anticipated from the New Units, and to enable legal enforcement of the commitment made by the then owner(s) of the New Units before any building permits can be issued for the New Units in the MRAC; and

**WHEREAS**, in connection with PCT 19-7 the City, County, and School Board are desirous of amending the 2006 School Agreement, as amended by the 2018 School Agreement upon the terms and provisions as hereinafter set forth.

**NOW, THEREFORE**, in consideration of the foregoing premises and the promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree:

1. The foregoing recitals set forth above are true and correct and are incorporated herein by this reference.

2. The City, County, and School Board do hereby confirm, ratify and reaffirm the covenants, restrictions and obligations contained in the 2006 School Agreement and the 2018 School Agreement.

3. This 2020 Amendment shall be deemed part of, but shall take precedence over and supersede any provisions to the contrary contained in the 2006 School Agreement and the 2018 School Agreement.

4. At the time of building permit review, the City shall identify the pool of units that the proposed units will be drawn from, either from the Unbuilt PCT 15-4 Units or the New Units. In the event the type of unit is the same between the Unbuilt PCT 15-4 Units and the New Units, the Unbuilt PCT 15-4 Units shall be allotted prior to the same type of New Units, provided that there is a sufficient amount of the type of units being permitted in the PCT 15-4 Units pool of units. The City shall allocate the New Units when the same type of Unbuilt PCT 15-4 Unit pools are exhausted or there is not a sufficient number of units in the Unbuilt PCT 15-4 Unit pool for the proposed development.

5. The City, County and School Board acknowledge the total 2,350 permitted residential dwelling units within the MRAC as specified in the County approved Land Use Plan Amendment PCT 19-7 (all reviewed as three or more bedroom garden apartment at the request of the Broward County Planning Council) Land Use Plan Amendment PCT 19-7. The City has been advised that the owner of the New Units restricts the New Units to 367 garden apartments (112 one bedroom or less, 187 two bedrooms, and 68 three or more bedrooms) and 1,983 midrise units (682 one bedroom or less and, 1,301 two or more bedrooms). Any application for the Unbuilt PCT 15-4 Units shall be subject to the imposition of educational mitigation in the manner set forth in 2018 School Agreement. Any application for the New Units shall be subject to the imposition of educational mitigation in the matter set forth in this 2020 Amendment. The City shall: (a) require that all New Units be assessed the higher of student station cost factor fees, or school impact fees on a site specific project basis, consistent with the terms of this 2020 Amendment, with the actual amount due being determined by the County at time of payment and is received by the County; (b) monitor and make certain that development within the MRAC will be built as specified herein for residential type and bedroom mix, and (c) monitor and make certain that the development of New Units comply with this 2020 Amendment.

6. Based on the currently effective Student Generation Rates contained in the Broward County Land Development Code (BCLDC) Table attached hereto as **Exhibit C**, the New Units, consisting of 367 garden apartments (112 one bedroom or less, 187 two bedrooms, and 68 three or more bedrooms) and 1983 midrise units (682 one bedroom or less and 1,301 two or more bedrooms) are anticipated to generate a total of 164\_ students consisting of 80 elementary school students, 38 middle school students and 46 high school students into Broward County Public Schools.

7. The then owner(s) of the New Units shall provide written notification to the Director of the School Board Facility Planning and Real Estate Department or their designee ("Director") as provided herein, upon site plan or plat approval of any residential project authorized pursuant to PCT 19-7. Notification shall include project location and number and type of units approved in the site plan or plat and shall be confirmed by the City at the time of a building permit being issued.

8. Prior to the issuance of a building permit for construction of any one of the New Units, the City shall verify that the then owner(s), applicant and/or developer has paid the applicable student station cost factor fees or impact fees for the residential units being permitted as set forth herein. Failure to verify and ensure payment of the student mitigation fees prior to issuance of a

building permit shall constitute a default of this 2020 Amendment. Nothing herein shall waive or affect the right of the County and/or School Board to otherwise require the then owner(s) of the New Units to comply with the conditions of PCT 19-7 or this 2020 Amendment by any remedy provided by law or equity.

9. The student station cost factors fees per dwelling unit for each of the New Units shall be an amount derived from the cost per student station using the current Student Station Cost Factors as determined, published and amended by the State of Florida for elementary, middle, and high school students, and the associated per dwelling unit cost as calculated by the School Board and based on the calculation utilizing the State of Florida Student Station Cost Factors, published December 2019 and attached hereto as **Exhibit D**. The per dwelling unit cost for the New Units would be \$1,848 for April 2020, which may change from time to time. In no event shall the student station cost factors fees assessed per dwelling unit be less than the applicable Educational Impact Fee for the type of unit. The actual per unit cost amount due shall be determined at the time of payment and based upon the then Broward County Educational Impact Fee schedule.

10. In the event that the total number of units change from what is represented herein and there is an increase in the number of units or a change in unit type(s) for the New Units the then current owner(s) agrees to provide written notification to the Director, with a copy to the Broward County Planning and Development Management Division. The Director, or designee, shall determine the additional students anticipated from any change in the residential type or increase in residential units beyond the New Units contemplated herein and shall notify the then current owner(s) and the County of any further increase in the number of anticipated students. If it is determined upon review that additional students would be generated by the change proposed to the approved development level reflected herein, and that excess permanent capacity would not be available to accommodate the anticipated additional students, the then current owner(s) shall propose additional mitigation for the newly anticipated additional students consistent with the terms of this 2020 Amendment and subject to the terms and provisions contained in the adopted School Board Growth Management Policy. In the event that changes in the overall mix of residential units for the New Units that result in a net reduction in the amount of units, no refund of any portion of the school impact and/or mitigation fees shall be due and owing to the City or the then current owner(s) by the County or the School Board. In the event that changes in the overall mix of residential units for the New Units does not result in an increase to the 164 (80 elementary, 38 middle, and 46 high) students generated from the New Units, then no amendment to this 2020 Amendment will be required.

11. EFFECTIVE DATE. This 2020 Amendment shall become effective upon its recording in the Public Records of Broward County, Florida ("Effective Date") and the provisions hereof shall constitute a covenant running with the land and shall remain in full force and effect and binding upon the undersigned current owners of the New Units, their heirs, legal representatives, successors, grantees and assigns until released as provided herein.

12. NOTICE. Whenever any of the parties desire to give notice to the other, such notice must be in writing, sent by U.S. Mail, postage prepaid, addressed to the party for whom it is intended at the place last specified; the place for giving of notice shall remain such until it is changed by written notice in compliance with the provisions of this paragraph. Until otherwise designated by amendment to this 2020 Amendment, the parties designate the following as the respective places for giving notice:

For the SCHOOL BOARD:

Superintendent of Schools  
The School Board of Broward County, Florida  
Kathleen C. Wright Administrative Building  
600 Southeast 3<sup>rd</sup> Avenue  
Fort Lauderdale, FL 33301

With a copy to:  
Director, Facility Planning and Real Estate Department  
The School Board of Broward County, Florida  
Facility Planning and Real Estate Department  
Kathleen C. Wright Administrative Building  
600 Southeast 3<sup>rd</sup> Avenue, 8<sup>th</sup> Floor  
Fort Lauderdale, FL 33301

For COUNTY:

Director, Planning and Development Management Division of Broward County  
One North University Drive, Suite 102A  
Plantation, FL 33324

For CITY:

City Manager  
City of Miramar City Hall  
2300 Civic Center Place  
Miramar, FL 33025

With a copy to:

Director of Community & Economic Development  
City of Miramar City Hall  
2300 Civic Center Place  
Miramar, FL 33025

14. SEVERABILITY. If any provision of this 2020 Amendment is declared invalid or unenforceable by a court of competent jurisdiction, the invalid or unenforceable provision will be stricken from the 2020 Amendment, and the balance of the 2020 Amendment will remain in full force and effect as long as doing so would not affect the overall purpose or intent of the 2020 Amendment.

15. RELEASE. When all of the obligations set forth herein are fully paid and performed, County and the School Board, at the request of the then current owner(s) and upon payment of any applicable fees, shall cause a release to be recorded in the Official Records of Broward County, Florida, evidencing such performance. To the extent that the obligations set forth

herein are divisible and attributable to a specific parcel the payment of the student station per dwelling unit cost fees, the applicable County school impact fee and the issuance of a building permit shall constitute evidence that the divisible portion of the obligation has been satisfied.

16. VENUE; CHOICE OF LAW. Any controversies or legal issues arising out of this 2020 Amendment and any action involving the enforcement or interpretation of any such rights hereunder shall be submitted to the jurisdiction of the State Court of the Seventeenth Judicial Circuit of Broward County, Florida, the venue situs, and shall be governed by the laws of the State of Florida.

17. CAPTIONS AND PARAGRAPH HEADINGS. Captions and paragraph headings contained in this 2020 Amendment are for convenience and reference only and in no way define, describe, extend, or limit the scope of this 2020 Amendment, nor the intent of any provisions hereof.

18. NO WAIVER. No waiver of any provisions of this 2020 Amendment shall be effective unless it is in writing, signed by the party against whom it is asserted, and any such written waiver shall only be applicable to the specific instance to which it relates and shall not be deemed to be a continuing or future waiver.

19. EXHIBITS. All Exhibits attached hereto contain additional terms of this 2020 Amendment and are incorporated herein by reference.

20. FURTHER ASSURANCES. The parties hereby agree to execute, acknowledge and deliver and cause to be done, executed, acknowledged, and delivered all further assurances and to perform such acts as shall reasonably be requested of them in order to carry out this 2020 Amendment.

21. AMENDMENTS. No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document prepared with the same or similar formality as this 2020 Amendment and executed by the County, City, and School Board.

22. COUNTERPARTS. This 2020 Amendment may be executed in counterparts, each of which may be deemed to be an original, and all of which together will constitute one and the same instrument.

23. RECORDING. The County agrees to record this 2020 Amendment in the Broward County Public Records, at the expense of the City.

INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties have made and executed this 2020 Amendment on the respective dates under each signature: County, through its Board of County Commissioners, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on the \_\_\_ day of \_\_\_\_\_, 2020, School Board, signing by and through its Chair, authorized to execute same by Board action on the \_\_\_ day of \_\_\_\_\_, 2020, and City, signing by and through its City Manager duly authorized to execute same on the \_\_\_ day of \_\_\_\_\_, 2020.

[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK  
WITH SIGNATURE PAGES FOLLOWING.]

COUNTY

ATTEST:

BROWARD COUNTY, through its BOARD  
OF COUNTY COMMISSIONERS

\_\_\_\_\_  
County Administrator and  
Ex-Officio Clerk of the  
Board of County Commissioners of  
Broward County, Florida

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_ day of \_\_\_\_\_, 2020

Approved as to form by  
Andrew Meyers, County Attorney  
Broward County, Florida  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, FL 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-6968

By \_\_\_\_\_  
Assistant County Attorney

\_\_\_\_\_ day of \_\_\_\_\_ 2020



(Corporate Seal)

ATTEST:

*Robert W. Runcie*

Name: Robert W. Runcie

Title: Superintendent of Schools

SCHOOL BOARD

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

By: *Donna P. Korn*

Name: Donna P. Korn

Title: Chair

\_\_\_\_\_ day of \_\_\_\_\_, 2020

Approved as to Form:

*Barbara J. Myrick*

By: \_\_\_\_\_  
Barbara J. Myrick, its General Counsel

\_\_\_\_\_ day of \_\_\_\_\_, 2020

WITNESSES:

[Signature]  
Print Name: Phibe Wallace  
[Signature]  
Print Name: Alexandra St-Claire

ATTEST:

[Signature]  
City Clerk

CITY

CITY OF MIRAMAR

By: [Signature]  
Name: Vernon E. Hargray ES  
Title: City Manager

18 day of March, 2020

APPROVED AS TO FORM:

By: [Signature]  
Austin Pamela Norris Weeks Powell PLLC

Name: NORMAN C. POWELL  
Title: City Attorney

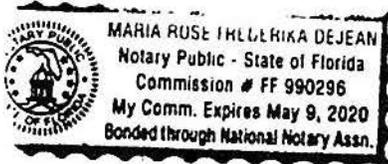
18 day of March 2020

STATE OF FLORIDA     )  
  ) SS  
COUNTY OF BROWARD    )

The foregoing instrument was acknowledged before me this 18 day of March, 2020, by means of  physical presence or  online notarization, by Vernon E. Hargray as City Manager of THE CITY OF MIRAMAR.

He or she is:  
 personally known to me, or  
 produced identification. Type of identification produced \_\_\_\_\_

Seal



NOTARY PUBLIC  
[Signature]  
Print Name Maria Rose Frederika Dejean  
My commission expires: 5/9/2020

Sunbeam and Cleghorn as the owners of the remaining vacant residential land for which site plan approval has not already been issued in the MRAC Property as of the time of this 2020 Amendment, agree to the terms and restrictions of this 2020 Amendment.

Kamy Ghyder  
WITNESS

Wain Smith  
WITNESS

SUNBEAM DEVELOPMENT CORPORATION

By: [Signature]  
Name: SCOTT HODGES  
Title: V.P.

1<sup>st</sup> day of April, 2020

STATE OF FLORIDA        )  
  ) SS  
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 1 day of April, 2020, by means of  physical presence or  online notarization, by Scott Hodges as Vice President of Sunbeam Development Corporation.

He or she is:  
 personally known to me, or  
 produced identification. Type of identification produced \_\_\_\_\_

Seal

NOTARY PUBLIC  
Kathleen E. Shiskin  
Print Name \_\_\_\_\_  
My commission expires: \_\_\_\_\_



Sunbeam and Cleghorn as the owners of the remaining vacant residential land for which site plan approval has not already been issued in the MRAC Property as of the time of this 2020 Amendment, agree to the terms and restrictions of this 2020 Amendment.

CLEGHORN SHOE CORP.

By: Edmund M. Ansin  
Name: Edmund M. Ansin  
Title: V. Pres

1st day of April, 2020

STATE OF FLORIDA )  
 ) SS  
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 1st day of April, 2020, by means of  physical presence or  online notarization, by president as Edmund Ansin of Cleghorn Shoe Corp.

He or she is:

personally known to me, or  
 produced identification. Type of identification produced \_\_\_\_\_

Seal

NOTARY PUBLIC  
Gina Jaramillo  
Print Name Gina Jaramillo  
My commission expires:



EXHIBIT "A"

MRAC PROPERTY

The South one-half of Section 24, Township 51 South, Range 40 East; and the South one-half of Section 19, Township 51 South, Range 41 East; and all of Section 25, Township 51 South, Range 40 East; and all of Section 30, Township 51 South, Range 41 East; and

That portion of the North one-half of Section 36, Township 51 South, Range 40 East, that is designated on the effective date of this First Amendment to the Education Mitigation Agreement as "Regional Activity Center" on the Future Land Use Map of the City of Miramar Comprehensive Plan.

**EXHIBIT "B"**

**SCHOOL CONSISTENCY REVIEW REPORT**

The School Board of Broward County, Florida  
**SCHOOL CONSISTENCY REVIEW REPORT**

**REVISED**  
5/3/19

**LAND USE**  
**SBBC-1865-2015**  
**County No: TBD**  
**East Miramar RAC**

**January 31, 2019**



**Growth Management**  
**Facility Planning and Real Estate Department**  
**600 SE 3rd Avenue, 8th Floor**  
**Fort Lauderdale, Florida 33301**  
**Tel: (754) 321-2177 Fax: (754) 321-2179**  
**[www.browardschools.com](http://www.browardschools.com)**

## SCHOOL CONSISTENCY REVIEW REPORT - LAND USE

PROJECT INFORMATION	IMPACT OF PROPOSED CHANGE	PROPERTY INFORMATION
Date: January 31, 2019	Units Permitted: 8,710      Units Proposed: 11,060	Existing Land Use: RAC
Name: East Miramar RAC	NET CHANGE (UNITS): 2,350	Proposed Land Use: RAC
SBBC Project Number: SBBC-1865-2015	Students Permitted    Proposed    NET CHANGE	Current Zoning: TND, CF, PUD, RM-16,
County Project Number: TBD	Elem    1,633    2,087    454	Proposed Zoning: TND, CF, PUD, RM-16,
Municipality Project Number:	Mid    892    1,158    266	Section:
Owner/Developer: Sunbeam Properties	High    1,033    1,322    289	Township:
Jurisdiction: Miramar	Total    3,558    4,567    1,009	Range:

### SHORT RANGE - 5-YEAR IMPACT

Currently Assigned Schools	Gross Capacity	LOS Capacity	Benchmark* Enrollment	Over/Under LOS	Classroom Equivalent Needed to Meet LOS	% of LOS Capacity
Coconut Palm Elementary	874	902	737	-165	-9	81.7%
Sea Castle Elementary	1,010	1,111	841	-270	-15	75.7%
New Renaissance Middle	1,547	1,702	1,193	-509	-23	70.1%
Everglades High	2,980	2,980	2,352	-628	-25	78.9%
Miramar High	2,665	2,827	2,432	-395	-15	86.0%

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% LOS Capacity Adjusted Benchmark	Projected Enrollment				
				19/20	20/21	21/22	22/23	23/24
Coconut Palm Elementary	737	-165	81.7%	723	730	751	760	771
Sea Castle Elementary	841	-270	75.7%	865	871	855	863	870
New Renaissance Middle	1,193	-509	70.1%	1,185	1,200	1,222	1,199	1,178
Everglades High	2,399	-581	80.5%	2,352	2,322	2,392	2,362	2,332
Miramar High	2,432	-395	86.0%	2,360	2,365	2,402	2,362	2,321

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

\*The first Monday following Labor Day  
 INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

## LONG RANGE - TEN-YEAR IMPACT

Impacted Planning Area	School District's Planning Area Data			Aggregate Projected Enrollment				
	Aggregate School Capacity	Aggregate Enrollment	Aggregate Over/(Under) Enrollment	22/23	23/24	24/25	25/26	26/27
Area F - Elementary	18,994	14,532	-4,462	18,028	18,123	18,218	18,312	18,407
Area F - Middle	10,054	7,501	-2,553	10,643	10,620	10,598	10,575	10,553
Area F - High	13,749	12,391	-1,358	13,601	13,560	13,519	13,477	13,436

## CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2018-19 Contract Permanent Capacity	2018-19 Benchmark* Enrollment	Over/(Under)	Projected Enrollment		
				19/20	20/21	21/22
Atlantic Montessori Charter	144	131	-13	131	131	131
Pembroke Pines E_west Central	2,470	1,902	-568	1,902	1,902	1,902
Renaissance Charter @ Pines	661	575	-86	575	575	575
Somerset Academy Charter High Miramar	1,000	287	-713	287	287	287
Somerset At Miramar 6_8	325	436	111	436	436	436
Somerset Miramar K_5	675	643	-32	643	643	643
Somerset Miramar South	750	100	-650	100	100	100
Somerset Neighborhood	500	526	26	526	526	526

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark school enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

\*The first Monday following Labor Day  
 INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

**PLANNED AND FUNDED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN  
(Years 1 - 5)**

School(s)	Description of Capacity Additions
Coconut Palm Elementary	There are no classroom additions scheduled in the ADEFP that will increase the reflected FISH capacity.
Sea Castle Elementary	There are no classroom additions scheduled in the ADEFP that will increase the reflected FISH capacity.
New Renaissance Middle	There are no classroom additions scheduled in the ADEFP that will increase the reflected FISH capacity.
Everglades High	There are no classroom additions scheduled in the ADEFP that will increase the reflected FISH capacity.
Miramar High	There are no classroom additions scheduled in the ADEFP that will increase the reflected FISH capacity.

**PLANNED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN  
(Years 6 - 10)**

Capacity Additions for Planning Area F	
School Level	Comments
Elementary	None
Middle	None
High	None

\*The first Monday following Labor Day  
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

## Comments

Information contained in the application indicates that the approximately 2,205-acre site is generally located south of Pembroke Road between Flamingo Road and SW 101st Avenue in the City of Miramar. The site is subject to a Tri-Party Educational Mitigation Agreement related to a previously approved Land Use Plan Amendment (LUPA) PCT 05-4 (consisting of 550 townhouse and 1,450 garden apartment units), which requires payment of student station cost factors per dwelling unit. Thereafter, in 2015, the applicant added an additional 1,250 garden apartment (all three or more bedroom) units via LUPA PCT 15-4. Additionally, 5,460 residential units (consisting of 781 single family, 1466 townhouse, and 3,213 garden apartment units) were permitted on the site before LUPA PCT 05-4 was approved. The applicant proposes to add an additional 2,350 garden apartment (all three or more bedroom) units without changing the current land use designation Regional Activity Center (RAC), resulting in a total of 11,060 residential units in the RAC. The additional 2,350 units as proposed are anticipated to generate 1,009 additional students (454 elementary, 266 middle, and 289 high) into Broward County Public Schools.

This application was reviewed based on its location in the School District's Long Range Seven Planning Areas, and Ten-Year Long Range Plan contained in the Adopted District Educational Facilities Plan (DEFP). However, the statistical data regarding the Level of Service (LOS) standard status of the actual schools impacted by this land use application in the initial five years of the ten-year period is depicted herein for informational purposes only.

Schools serving the amendment site in the 2018-19 school year are Coconut Palm Elementary, Sea Castle Elementary, New Renaissance Middle, Everglades High, and Miramar High. Based on the District's Public School Concurrency Planning Document, all the schools are operating below the adopted LOS of the higher of 100% gross capacity or 110% permanent capacities in the 2018-19 school year. Incorporating the cumulative students anticipated from approved and vested developments anticipated to be built within the next three years (2018-19 – 2020-21), all schools are expected to operate below the adopted LOS of the higher of 100% gross capacity or 110% permanent capacities through the 2020-21 school year. It should be noted that the school capacity or Florida Inventory of School Houses (FISH) for the impacted schools reflects compliance with the class size constitutional amendment and the permanent capacity additions that are planned for the schools within the first three years of the Five-Year Adopted DEFP, FY 2018-19 – 2022-23. In addition, to ensure maximum utilization of the impacted Concurrency Service Areas, the Board may utilize other options such as school boundary changes to accommodate students generated from developments in the County. Charter schools located within a two-mile radius of the subject site in the 2018-19 school year are depicted herein.

Capital Improvements scheduled in the long-range section (2023-24 to 2027-28) of the currently Adopted DEFP Fiscal Years 2018-19 – 2022-23 regarding pertinent impacted schools are depicted above. Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "F" and the elementary, middle, and high schools currently serving Planning Area "F" and their cumulative student enrollments, cumulative capacities, and pertinent student enrollment projections are depicted herein. Therefore, Planning Area "F" is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Areas.

Please be advised that the mitigation for the student impact anticipated from the previously approved application LUPA PCT 05-4 and LUPA PCT 15-4 are addressed in the Educational Mitigation Agreements between Broward County, the City of Miramar, and The School Board of Broward County, Florida. Since the application adds more residential units to the RAC site, the existing Agreements must be amended to address the anticipated students from the proposed additional units. Therefore, staff recommends that approval of this application should be conditioned upon amendment of the Agreements to address students anticipated from additional units proposed. Please be advised that if approved, the units from this project will be subject to a public school concurrency review at the plat, site plan (or functional equivalent) phase of development review, whichever comes first.

\*The first Monday following Labor Day  
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

The School Board of Broward County, Florida  
**SCHOOL CONSISTENCY REVIEW REPORT**

PROJECT NUMBER: SBBC-1865-2015

01/31/2019  
Date

Reviewed By:

  
Signature

Mohammed Rasheduzzaman, AICP

Name

Planner

Title

**EXHIBIT "C"**

**BROWARD COUNTY STUDENT GENERATION RATES TABLE**



**FACILITY PLANNING AND REAL ESTATE DEPARTMENT  
GROWTH MANAGEMENT SECTION**

**Generation Rate Detailed Information**

	<u>Bedrooms</u>	<u>Elem</u>	<u>Middle</u>	<u>High</u>
Single Family	2 or less	0.000	0.000	0.000
	3	0.173	0.091	0.107
	4 or more	0.232	0.111	0.122
	Average			
Townhouse/ Duplex/Villa	<u>Bedrooms</u>	<u>Elem</u>	<u>Middle</u>	<u>High</u>
	1 or less	0.060	0.000	0.000
	2	0.109	0.049	0.056
	3 or more	0.177	0.076	0.110
	Average			
Garden Apartment	<u>Bedrooms</u>	<u>Elem</u>	<u>Middle</u>	<u>High</u>
	1 or less	0.013	0.003	0.004
	2	0.136	0.056	0.044
	3 or more	0.193	0.113	0.123
	Average			
Mid Rise Apartment	<u>Bedrooms</u>	<u>Elem</u>	<u>Middle</u>	<u>High</u>
	Studio	0.008	0.004	0.004
	1	0.008	0.004	0.004
	2	0.028	0.013	0.021
	Average			
High Rise Apartment	<u>Bedrooms</u>	<u>Elem</u>	<u>Middle</u>	<u>High</u>
	Studio	0.010	0.004	0.006
	1	0.010	0.004	0.006
	2 or more	0.010	0.004	0.006
	Average	0.010	0.004	0.006
Mobile Home	<u>Bedrooms</u>	<u>Elem</u>	<u>Middle</u>	<u>High</u>
	1 or less	0.084	0.083	0.000
	2	0.084	0.083	0.000
	3 or more	0.182	0.182	0.000
	Average			

0.00 - No Students were observed in the sample.  
Ordinance #2014-36 became effective January 26, 2015.

**EXHIBIT "D"**

**State of Florida Student Station Cost Factors  
December 2019**

## STUDENT STATION COST FACTORS

12/10/2019

	Consumer Price Index - REC National Economic Forecast of December 2019	Student Station Cost Factors	Cost of Elementary School Student Station (\$)	Cost of Middle School Student Station (\$)	Cost of High School Student Station (\$)
Jan-2006	199.3	1.0000	17,952	19,386	25,181
Feb-2006	199.4	1.0005	17,961	19,396	25,194
Mar-2006	199.7	1.0020	17,988	19,425	25,232
Apr-2006	200.7	1.0070	18,078	19,522	25,358
May-2006	201.3	1.0100	18,132	19,581	25,434
Jun-2006	201.8	1.0125	18,177	19,629	25,497
Jul-2006	202.9	1.0181	18,276	19,736	25,636
Aug-2006	203.8	1.0226	18,357	19,824	25,750
Sep-2006	202.8	1.0176	18,267	19,726	25,623
Oct-2006	201.9	1.0130	18,186	19,639	25,510
Nov-2006	202.0	1.0135	18,195	19,649	25,522
Dec-2006	203.1	1.0191	18,294	19,756	25,661
Jan-2007	203.4	1.0208	18,325	19,788	25,704
Feb-2007	204.2	1.0247	18,396	19,865	25,803
Mar-2007	205.3	1.0300	18,491	19,968	25,938
Apr-2007	205.9	1.0331	18,547	20,028	26,015
May-2007	206.8	1.0374	18,624	20,111	26,123
Jun-2007	207.2	1.0398	18,667	20,158	26,183
Jul-2007	207.6	1.0417	18,700	20,194	26,230
Aug-2007	207.7	1.0420	18,706	20,200	26,238
Sep-2007	208.5	1.0464	18,785	20,285	26,349
Oct-2007	209.2	1.0496	18,843	20,348	26,431
Nov-2007	210.8	1.0579	18,991	20,508	26,638
Dec-2007	211.4	1.0609	19,046	20,567	26,715
Jan-2008	212.2	1.0646	19,112	20,638	26,808
Feb-2008	212.7	1.0672	19,158	20,688	26,872
Mar-2008	213.4	1.0710	19,226	20,762	26,969
Apr-2008	213.9	1.0735	19,271	20,810	27,031
May-2008	215.2	1.0798	19,385	20,933	27,191
Jun-2008	217.5	1.0911	19,588	21,153	27,476
Jul-2008	219.0	1.0989	19,728	21,304	27,672
Aug-2008	218.7	1.0973	19,699	21,272	27,631
Sep-2008	218.9	1.0982	19,715	21,290	27,654
Oct-2008	217.0	1.0888	19,546	21,107	27,417
Nov-2008	213.2	1.0695	19,200	20,733	26,931
Dec-2008	211.4	1.0607	19,042	20,563	26,710
Jan-2009	211.9	1.0634	19,090	20,615	26,777
Feb-2009	212.7	1.0673	19,159	20,690	26,875
Mar-2009	212.5	1.0662	19,141	20,669	26,848
Apr-2009	212.7	1.0673	19,160	20,690	26,875
May-2009	213.0	1.0689	19,188	20,721	26,915
Jun-2009	214.8	1.0777	19,347	20,893	27,138
Jul-2009	214.7	1.0774	19,342	20,886	27,130
Aug-2009	215.4	1.0810	19,406	20,956	27,221
Sep-2009	215.9	1.0831	19,444	20,997	27,273
Oct-2009	216.5	1.0863	19,502	21,060	27,355
Nov-2009	217.2	1.0900	19,567	21,130	27,447
Dec-2009	217.3	1.0906	19,578	21,141	27,461
Jan-2010	217.5	1.0913	19,590	21,155	27,479
Feb-2010	217.3	1.0902	19,572	21,135	27,453
Mar-2010	217.4	1.0906	19,578	21,142	27,462
Apr-2010	217.4	1.0908	19,583	21,147	27,468
May-2010	217.3	1.0903	19,572	21,136	27,454
Jun-2010	217.2	1.0898	19,564	21,127	27,442
Jul-2010	217.6	1.0918	19,601	21,167	27,494

## STUDENT STATION COST FACTORS

1/8/2020

	Consumer Price Index - REC National Economic Forecast of December 2019	Student Station Cost Factors	Cost of Elementary School Student Station (\$)	Cost of Middle School Student Station (\$)	Cost of High School Student Station (\$)
Aug-2010	217.9	1.0934	19,629	21,197	27,534
Sep-2010	218.3	1.0952	19,661	21,232	27,578
Oct-2010	219.0	1.0990	19,730	21,306	27,674
Nov-2010	219.6	1.1018	19,780	21,360	27,745
Dec-2010	220.5	1.1062	19,859	21,445	27,856
Jan-2011	221.2	1.1098	19,923	21,515	27,946
Feb-2011	221.9	1.1134	19,988	21,584	28,036
Mar-2011	223.0	1.1191	20,091	21,696	28,181
Apr-2011	224.1	1.1244	20,185	21,798	28,314
May-2011	224.8	1.1280	20,249	21,867	28,404
Jun-2011	224.8	1.1280	20,249	21,867	28,404
Jul-2011	225.4	1.1309	20,303	21,924	28,478
Aug-2011	226.1	1.1345	20,367	21,993	28,568
Sep-2011	226.6	1.1370	20,411	22,041	28,630
Oct-2011	226.8	1.1377	20,425	22,056	28,649
Nov-2011	227.2	1.1398	20,462	22,097	28,702
Dec-2011	227.2	1.1401	20,467	22,102	28,709
Jan-2012	227.8	1.1432	20,523	22,162	28,787
Feb-2012	228.3	1.1457	20,567	22,210	28,849
Mar-2012	228.8	1.1481	20,610	22,256	28,909
Apr-2012	229.2	1.1500	20,644	22,293	28,957
May-2012	228.7	1.1476	20,601	22,247	28,897
Jun-2012	228.5	1.1466	20,584	22,229	28,873
Jul-2012	228.6	1.1470	20,590	22,235	28,882
Aug-2012	229.9	1.1536	20,710	22,364	29,049
Sep-2012	231.0	1.1591	20,809	22,471	29,188
Oct-2012	231.6	1.1623	20,865	22,532	29,267
Nov-2012	231.2	1.1603	20,830	22,494	29,218
Dec-2012	231.2	1.1602	20,827	22,491	29,214
Jan-2013	231.7	1.1625	20,869	22,536	29,272
Feb-2013	232.9	1.1688	20,982	22,658	29,431
Mar-2013	232.3	1.1655	20,923	22,594	29,348
Apr-2013	231.8	1.1631	20,879	22,547	29,287
May-2013	231.9	1.1635	20,888	22,556	29,299
Jun-2013	232.4	1.1663	20,938	22,610	29,369
Jul-2013	232.9	1.1686	20,979	22,654	29,426
Aug-2013	233.5	1.1714	21,029	22,708	29,497
Sep-2013	233.5	1.1718	21,037	22,717	29,508
Oct-2013	233.7	1.1724	21,048	22,729	29,523
Nov-2013	234.1	1.1746	21,087	22,771	29,578
Dec-2013	234.7	1.1777	21,142	22,831	29,656
Jan-2014	235.3	1.1806	21,194	22,887	29,728
Feb-2014	235.5	1.1819	21,217	22,912	29,761
Mar-2014	236.0	1.1843	21,260	22,959	29,821
Apr-2014	236.5	1.1865	21,300	23,001	29,877
May-2014	236.9	1.1888	21,340	23,045	29,934
Jun-2014	237.2	1.1903	21,369	23,076	29,973
Jul-2014	237.5	1.1917	21,393	23,102	30,007
Aug-2014	237.5	1.1915	21,389	23,098	30,002
Sep-2014	237.5	1.1916	21,391	23,099	30,005
Oct-2014	237.4	1.1913	21,387	23,095	29,999
Nov-2014	237.0	1.1891	21,346	23,051	29,942
Dec-2014	236.3	1.1854	21,280	22,980	29,850
Jan-2015	234.7	1.1777	21,142	22,831	29,656
Feb-2015	235.2	1.1803	21,189	22,882	29,721

**STUDENT STATION COST FACTORS**

1/8/2020

	Consumer Price Index - REC National Economic Forecast of December 2019	Student Station Cost Factors	Cost of Elementary School Student Station (\$)	Cost of Middle School Student Station (\$)	Cost of High School Student Station (\$)
Mar-2015	236.0	1.1842	21,258	22,956	29,819
Apr-2015	236.2	1.1849	21,272	22,971	29,838
May-2015	237.0	1.1890	21,345	23,051	29,941
Jun-2015	237.7	1.1926	21,409	23,120	30,031
Jul-2015	238.1	1.1944	21,443	23,156	30,077
Aug-2015	238.0	1.1943	21,440	23,153	30,074
Sep-2015	237.5	1.1917	21,393	23,102	30,008
Oct-2015	237.8	1.1931	21,418	23,129	30,043
Nov-2015	238.0	1.1943	21,439	23,152	30,073
Dec-2015	237.8	1.1933	21,421	23,133	30,048
Jan-2016	237.8	1.1933	21,423	23,134	30,050
Feb-2016	237.5	1.1915	21,390	23,099	30,004
Mar-2016	238.0	1.1944	21,441	23,154	30,075
Apr-2016	238.8	1.1983	21,512	23,231	30,175
May-2016	239.5	1.2015	21,570	23,293	30,256
Jun-2016	240.2	1.2051	21,633	23,361	30,344
Jul-2016	240.2	1.2050	21,632	23,359	30,342
Aug-2016	240.6	1.2072	21,672	23,403	30,399
Sep-2016	241.1	1.2095	21,713	23,447	30,456
Oct-2016	241.7	1.2127	21,770	23,509	30,537
Nov-2016	242.0	1.2144	21,801	23,542	30,580
Dec-2016	242.8	1.2181	21,868	23,615	30,674
Jan-2017	243.8	1.2232	21,959	23,713	30,801
Feb-2017	244.0	1.2241	21,975	23,730	30,824
Mar-2017	243.7	1.2230	21,956	23,710	30,797
Apr-2017	244.1	1.2245	21,983	23,739	30,835
May-2017	244.0	1.2241	21,975	23,730	30,824
Jun-2017	244.2	1.2252	21,995	23,752	30,852
Jul-2017	244.4	1.2262	22,013	23,772	30,878
Aug-2017	245.3	1.2308	22,095	23,860	30,993
Sep-2017	246.4	1.2364	22,196	23,969	31,134
Oct-2017	246.6	1.2373	22,211	23,986	31,156
Nov-2017	247.3	1.2410	22,278	24,058	31,250
Dec-2017	247.9	1.2439	22,330	24,113	31,322
Jan-2018	248.9	1.2488	22,418	24,209	31,446
Feb-2018	249.4	1.2512	22,462	24,256	31,507
Mar-2018	249.5	1.2519	22,474	24,269	31,523
Apr-2018	250.0	1.2542	22,515	24,313	31,581
May-2018	250.6	1.2576	22,577	24,380	31,668
Jun-2018	251.1	1.2601	22,621	24,428	31,730
Jul-2018	251.6	1.2624	22,663	24,473	31,789
Aug-2018	251.9	1.2638	22,688	24,500	31,824
Sep-2018	252.0	1.2645	22,700	24,513	31,841
Oct-2018	252.8	1.2684	22,770	24,589	31,940
Nov-2018	252.8	1.2682	22,767	24,586	31,936
Dec-2018	252.7	1.2681	22,764	24,582	31,931
Jan-2019	252.7	1.2678	22,760	24,578	31,925
Feb-2019	253.1	1.2700	22,799	24,620	31,980
Mar-2019	254.1	1.2752	22,892	24,721	32,111
Apr-2019	255.0	1.2793	22,965	24,800	32,213
May-2019	255.2	1.2803	22,983	24,819	32,238
Jun-2019	255.3	1.2810	22,997	24,834	32,257
Jul-2019	256.2	1.2853	23,074	24,917	32,365
Aug-2019	256.3	1.2860	23,086	24,930	32,383
Sep-2019	256.4	1.2863	23,092	24,936	32,390

## STUDENT STATION COST FACTORS

1/8/2020

	Consumer Price Index - REC National Economic Forecast of December 2019	Student Station Cost Factors	Cost of Elementary School Student Station (\$)	Cost of Middle School Student Station (\$)	Cost of High School Student Station (\$)
Oct-2019	257.3	1.2909	23,174	25,025	32,505
Nov-2019	257.9	1.2942	23,234	25,090	32,589
Dec-2019	258.3	1.2960	23,266	25,125	32,635
Jan-2020	258.4	1.2965	23,275	25,135	32,648
Feb-2020	258.8	1.2985	23,311	25,174	32,699
Mar-2020	259.2	1.3006	23,348	25,212	32,749
Apr-2020	259.8	1.3036	23,402	25,271	32,825
May-2020	260.1	1.3051	23,429	25,300	32,863
Jun-2020	260.5	1.3071	23,465	25,339	32,913
Jul-2020	260.7	1.3081	23,483	25,358	32,939
Aug-2020	260.9	1.3091	23,501	25,378	32,964
Sep-2020	261.1	1.3101	23,519	25,397	32,989
Oct-2020	261.1	1.3101	23,519	25,397	32,989
Nov-2020	261.3	1.3111	23,537	25,417	33,015
Dec-2020	261.6	1.3126	23,564	25,446	33,052
Jan-2021	262.1	1.3151	23,609	25,495	33,116
Feb-2021	262.5	1.3171	23,645	25,533	33,166
Mar-2021	262.9	1.3191	23,681	25,572	33,217
Apr-2021	263.4	1.3216	23,726	25,621	33,280
May-2021	263.9	1.3241	23,771	25,670	33,343
Jun-2021	264.4	1.3266	23,816	25,718	33,406
Jul-2021	265.1	1.3302	23,879	25,786	33,495
Aug-2021	265.6	1.3327	23,924	25,835	33,558
Sep-2021	266.2	1.3357	23,978	25,893	33,634
Oct-2021	266.9	1.3392	24,041	25,961	33,722
Nov-2021	267.4	1.3417	24,086	26,010	33,785
Dec-2021	267.9	1.3442	24,131	26,059	33,848
Jan-2022	268.3	1.3462	24,167	26,098	33,899
Feb-2022	268.8	1.3487	24,212	26,146	33,962
Mar-2022	269.3	1.3512	24,257	26,195	34,025
Apr-2022	269.9	1.3542	24,311	26,253	34,101
May-2022	270.5	1.3573	24,365	26,312	34,177
Jun-2022	271.1	1.3603	24,419	26,370	34,253
Jul-2022	271.6	1.3628	24,464	26,419	34,316
Aug-2022	272.2	1.3658	24,518	26,477	34,392
Sep-2022	272.7	1.3683	24,564	26,526	34,455
Oct-2022	273.3	1.3713	24,618	26,584	34,531
Nov-2022	273.9	1.3743	24,672	26,642	34,607
Dec-2022	274.5	1.3773	24,726	26,701	34,682
Jan-2023	275.1	1.3803	24,780	26,759	34,758
Feb-2023	275.7	1.3833	24,834	26,817	34,834
Mar-2023	276.2	1.3859	24,879	26,866	34,897
Apr-2023	276.8	1.3889	24,933	26,924	34,973
May-2023	277.4	1.3919	24,987	26,983	35,049
Jun-2023	278.0	1.3949	25,041	27,041	35,125
Jul-2023	278.5	1.3974	25,086	27,090	35,188
Aug-2023	279.1	1.4004	25,140	27,148	35,264
Sep-2023	279.7	1.4034	25,194	27,207	35,339
Oct-2023	280.2	1.4059	25,239	27,255	35,402
Nov-2023	280.8	1.4089	25,293	27,314	35,478
Dec-2023	281.4	1.4119	25,347	27,372	35,554
Jan-2024	281.9	1.4145	25,392	27,421	35,617
Feb-2024	282.5	1.4175	25,446	27,479	35,693
Mar-2024	283.0	1.4200	25,491	27,528	35,756
Apr-2024	283.6	1.4230	25,545	27,586	35,832

## STUDENT STATION COST FACTORS

1/8/2020

	Consumer Price Index - REC National Economic Forecast of December 2019	Student Station Cost Factors	Cost of Elementary School Student Station (\$)	Cost of Middle School Student Station (\$)	Cost of High School Student Station (\$)
May-2024	284.2	1.4260	25,599	27,644	35,908
Jun-2024	284.7	1.4285	25,644	27,693	35,971
Jul-2024	285.3	1.4315	25,698	27,751	36,047
Aug-2024	285.8	1.4340	25,744	27,800	36,110
Sep-2024	286.4	1.4370	25,798	27,858	36,186
Oct-2024	287.0	1.4400	25,852	27,917	36,262
Nov-2024	287.5	1.4425	25,897	27,965	36,325
Dec-2024	288.1	1.4456	25,951	28,024	36,401
Jan-2025	288.7	1.4486	26,005	28,082	36,476
Feb-2025	289.3	1.4516	26,059	28,140	36,552
Mar-2025	289.8	1.4541	26,104	28,189	36,615
Apr-2025	290.4	1.4571	26,158	28,247	36,691
May-2025	291.0	1.4601	26,212	28,306	36,767
Jun-2025	291.5	1.4626	26,257	28,354	36,830
Jul-2025	292.1	1.4656	26,311	28,413	36,906
Aug-2025	292.7	1.4686	26,365	28,471	36,982
Sep-2025	293.2	1.4711	26,410	28,520	37,045
Oct-2025	293.8	1.4742	26,464	28,578	37,121
Nov-2025	294.4	1.4772	26,518	28,636	37,197
Dec-2025	294.9	1.4797	26,563	28,685	37,260
Jan-2026	295.5	1.4827	26,617	28,743	37,336
Feb-2026	296.1	1.4857	26,671	28,802	37,411
Mar-2026	296.7	1.4887	26,725	28,860	37,487
Apr-2026	297.3	1.4917	26,779	28,919	37,563
May-2026	297.8	1.4942	26,824	28,967	37,626
Jun-2026	298.4	1.4972	26,878	29,026	37,702
Jul-2026	299.0	1.5003	26,933	29,084	37,778
Aug-2026	299.6	1.5033	26,987	29,142	37,854
Sep-2026	300.2	1.5063	27,041	29,201	37,929
Oct-2026	300.7	1.5088	27,086	29,249	37,993
Nov-2026	301.3	1.5118	27,140	29,308	38,068
Dec-2026	301.9	1.5148	27,194	29,366	38,144
Jan-2027	302.5	1.5178	27,248	29,424	38,220
Feb-2027	303.1	1.5208	27,302	29,483	38,296
Mar-2027	303.6	1.5233	27,347	29,531	38,359
Apr-2027	304.2	1.5263	27,401	29,590	38,435
May-2027	304.8	1.5294	27,455	29,648	38,511
Jun-2027	305.4	1.5324	27,509	29,706	38,586
Jul-2027	306.0	1.5354	27,563	29,765	38,662
Aug-2027	306.6	1.5384	27,617	29,823	38,738
Sep-2027	307.1	1.5409	27,662	29,872	38,801
Oct-2027	307.7	1.5439	27,716	29,930	38,877
Nov-2027	308.3	1.5469	27,770	29,988	38,953
Dec-2027	308.8	1.5494	27,815	30,037	39,016
Jan-2028	309.4	1.5524	27,869	30,095	39,092
Feb-2028	310.0	1.5554	27,923	30,154	39,168
Mar-2028	310.6	1.5585	27,977	30,212	39,243
Apr-2028	311.2	1.5615	28,031	30,271	39,319
May-2028	311.8	1.5645	28,085	30,329	39,395
Jun-2028	312.3	1.5670	28,131	30,378	39,458
Jul-2028	312.9	1.5700	28,185	30,436	39,534
Aug-2028	313.5	1.5730	28,239	30,494	39,610
Sep-2028	314.1	1.5760	28,293	30,553	39,686
Oct-2028	314.7	1.5790	28,347	30,611	39,761

## STUDENT STATION COST FACTORS

1/8/2020

	Consumer Price Index - REC National Economic Forecast of December 2019	Student Station Cost Factors	Cost of Elementary School Student Station (\$)	Cost of Middle School Student Station (\$)	Cost of High School Student Station (\$)
Nov-2028	315.3	1.5820	28,401	30,669	39,837
Dec-2028	315.9	1.5850	28,455	30,728	39,913
Jan-2029	316.5	1.5881	28,509	30,786	39,989
Feb-2029	317.0	1.5906	28,554	30,835	40,052
Mar-2029	317.6	1.5936	28,608	30,893	40,128
Apr-2029	318.2	1.5966	28,662	30,951	40,204
May-2029	318.8	1.5996	28,716	31,010	40,279
Jun-2029	319.4	1.6026	28,770	31,068	40,355

Return to: (enclose self-addressed stamped envelope)

Name: Marla Neufeld, Esq.  
Address: 200 E. Broward Blvd., Suite 1800  
Fort Lauderdale, FL 33301

This Instrument Prepared by:  
Marla Neufeld, Esq.  
Greenspoon Marder  
200 E. Broward Blvd, Suite 1800  
Fort Lauderdale, Florida 33301

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

NOTICE: PURCHASERS, GRANTEES, HEIRS, SUCCESSORS AND ASSIGNS OF ANY INTEREST IN THE PROPERTY SET FORTH ON EXHIBIT "A" ARE HEREBY PUT ON NOTICE OF THE OBLIGATIONS SET FORTH WITHIN THIS AGREEMENT WHICH SHALL RUN WITH THE PROPERTY UNTIL FULLY PAID AND PERFORMED.

**FIRST AMENDMENT TO  
EDUCATIONAL MITIGATION AGREEMENT  
IN CONNECTION WITH BROWARD COUNTY  
LAND USE TEXT AMENDMENT PCT 05-4  
AS AMENDED BY PCT 15-4**

THIS FIRST AMENDMENT TO EDUCATIONAL MITIGATION AGREEMENT ("2018 Amendment") made this 14 of August, 2018, and entered into by and between:

THE CITY OF MIRAMAR, a municipal corporation, its successors and assigns, with an address of 2300 Civic Center Place, Miramar, FL 33025, ("City"),

AND

BROWARD COUNTY, a political subdivision of the State of Florida, with an address of 115 South Andrews Avenue, Fort Lauderdale, Florida 33301 ("County"),

AND

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, a body corporate and political subdivision of the State of Florida, with an address of 600 Southeast 3<sup>rd</sup> Avenue, Fort Lauderdale, Florida 33301 ("School Board").

WITNESSETH:

WHEREAS, the City filed an initial land use plan text amendment application for the entire 2,205 acres of the development known as Miramar Regional Activity Center ("MRAC"), as more particularly described on Exhibit "A" ("MRAC Property"), ("PCT 05-4") for 2,000 additional residential units on the MRAC Property ("PCT 05-4 Units"). In connection with PCT 05-4, the City

entered into an Educational Mitigation Agreement between the City, the School Board, and County recorded in Book 42694, Pages 1999 - 2027 of the Official Records of Broward County, Florida which required payment of the higher of student station cost factors fees or school impact fees per dwelling unit for the PCT 05-4 Units ("**2006 School Agreement**"); and

**WHEREAS**, prior to PCT 05-4, 5,460 residential units were originally permitted for residential development on the MRAC Property pursuant to the MRAC ("**Pre PCT 05-4 Units**"). These originally permitted units were subject to school impact fees; and

**WHEREAS**, a second land use plan text amendment application for the MRAC Property ("**PCT 15-4**") added 1,250 dwelling units (reviewed as all three or more-bedroom garden apartment at the request of the Broward County Planning Council) ("**New Units**");

**WHEREAS**, the owner of the New Units has advised the City that they agree to restrict the New Units to 930 garden apartments (290 one bedroom, 496 two bedroom, and 144 three or more bedroom) and 320 midrise units (142 one bedroom and 178 two or more bedroom); and

**WHEREAS**, since approval of the 2006 School Agreement, the County and the City, in conjunction with the School Board, have adopted public school concurrency regulations which require all new residential development to comply with development review criteria for public school concurrency which will necessitate public school concurrency review either at the plat or site plan (or functional equivalent) stage of development review; and

**WHEREAS**, Chapter 5, Article IX, Broward County Code of Ordinances, requires that no application for a building permit shall be accepted by the County or by any municipality without documentation that a finding of adequacy of school sites and facilities has been made by the County; and

**WHEREAS**, all of the PCT 05-4 Units shall continue to be bound by the 2006 School Agreement and the requirements contained therein including the payment of the higher of student station cost factors fees or school impact fees prior to environmental review approval of construction plans by the Broward County Planning and Development Management Division; and

**WHEREAS**, City agrees that the owner(s) of New Units in the MRAC Property shall mitigate the impact of students anticipated from the development of the New Units in the MRAC pursuant to this 2018 Amendment and the owner(s) of the applicable PCT 05-4 Units in the MRAC Property will continue to mitigate the impacts of the PCT 05-4 Units pursuant to 2006 School Agreement; and

**WHEREAS**, the School District's Facility Planning and Real Estate Department issued a School Consistency Review Report (SBBC-1865-2015) for the New Units dated August 20, 2015, regarding PCT 15-4, a copy is attached hereto as **Exhibit B**; and

**WHEREAS**, of the 5,460 Pre PCT 05-4 Units allowed in the MRAC, 109 dwelling units remain unbuilt and of the 2000 PCT 05-4 Units, 880 units remain unbuilt. The already constructed 5,351 Pre PCT 05-4 dwelling units and the already constructed 1,120 PCT 05-4 dwelling units shall be referred to collectively "**Existing Units**"; and

**WHEREAS**, the remaining 880 unbuilt PCT 05-4 units consist of

- (i) 577 garden apartments and
- (ii) 303 townhomes units ("Unbuilt PCT 05-4 Units"); and

**WHEREAS**, the remaining 109 unbuilt Pre PCT 05-4 units consist of

- (i) 22 garden apartments and
- (ii) 87 townhome units ("Unbuilt Pre PCT 05-4 Units"); and

**WHEREAS**, the 1,250 New Units are proposed to consist of

- (i) 930 garden apartments (290 one bedroom, 496 two bedroom, and 144 three bedroom); and
  
- (ii) 320 midrise units (142 one bedroom and 178 two or more bedroom); and

**WHEREAS**, as a condition for approval of PCT 15-4, the City was required to amend the 2006 School Agreement with the School Board and County to recognize the incorporation of the New Units and reflect the students anticipated from the New Units, and to enable legal enforcement of the commitment made by the then owner(s) of the New Units before any building permits can be issued for the New Units in the MRAC; and

**WHEREAS**, in connection with PCT 15-4 the City, County, and School Board are desirous of amending the 2006 School Agreement upon the terms and provisions as hereinafter set forth.

**NOW, THEREFORE**, in consideration of the foregoing premises and the promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree:

1. The foregoing recitals set forth above are true and correct and are incorporated herein by this reference.

2. The City, County and School Board do hereby confirm, ratify and reaffirm the covenants, restrictions and obligations contained in the 2006 School Agreement.

3. This 2018 Amendment shall be deemed part of, but shall take precedence over and supersede any provisions to the contrary contained in the 2006 School Agreement.

4. The City has issued building permits for the Existing Units and the appropriate school mitigation fees have been paid and satisfied for the Existing Units.

5. At the time of building permit review, the City shall identify the pool of units that the proposed units will be drawn from. Unbuilt Pre PCT 05-4 units may be allotted at any time. In the event the type of unit is the same between the Unbuilt PCT 05-4 Units and the New Units, the Unbuilt PCT 05-4 Units shall be allotted prior to the same type of New Units, provided that there is a sufficient amount of the type of units being permitted in the Unbuilt PCT 05-4 pool of units. The City shall allocate the New Units when the same type of Unbuilt PCT 05-4 unit pool are exhausted or there is not a sufficient number of units in the Unbuilt PCT 05-4 unit pool for the proposed development.

6. The City, County and School Board acknowledge the total 1,250 permitted residential dwelling units within the MRAC as specified in the County approved (reviewed as all three or more bedroom garden apartment at the request of the Broward County Planning Council) Land Use Plan Amendment PCT 15-4. The City has been advised that the owner of the New Units restricts the 1,250 New Units to 930 garden apartments (290 one bedroom, 496 two bedroom, and 144 three or more bedroom) and 320 midrise units (142 one bedroom and 178 two or more bedroom). Any application for the Unbuilt PCT 05-4 Units shall be subject to the imposition of educational mitigation in the manner set forth in 2006 School Agreement and any application for the New Units shall be subject to the imposition of educational mitigation in the matter set forth in this 2018 Amendment. The City shall: (a) require that all New Units be assessed the higher of student station cost factor fees, or school impact fees on a site specific project basis, consistent with the terms of this 2018 Amendment on a site specific project basis, with the actual amount due shall being determined by the County at time of payment and is received by the County; (b) monitor and make certain that development within the MRAC will be built as specified herein for residential type and mix, and (c) monitor and make certain that the development of New Units comply with this 2018 Amendment.

7. Based on the currently effective Student Generation Rates contained in the Broward County Land Development Code (BCLDC) Table attached hereto as **Exhibit C**, the New Units, consisting of 930 garden apartments (290 one bedroom, 496 two bedroom, and 144 three bedroom) and 320 midrise units (142 one bedroom and 178 two or more bedroom) are anticipated to generate a total of 199 students consisting of 105 elementary school students, 48 middle school students and 46 high school students into Broward County Public Schools.

8. The then owner(s) of the New Units shall provide written notification to the Director of the School Board Facility Planning and Real Estate Department or their designee ("Director") as provided herein, upon site plan or plat approval of any residential project authorized pursuant to Amendment PCT 15-4. Notification shall include project location and number and type of units approved in the site plan or plat and shall be confirmed by the City at the time of a building permit being issued.

9. Prior to the issuance of a building permit for construction any of one of the New Units, the City shall verify that the then owner(s), applicant and/or developer has paid the applicable student station cost factor fees or impact fees for the residential units being permitted as set forth herein. Failure to verify and ensure payment of the student mitigation fees prior to issuance of a building permit shall constitute a default of this 2018 Amendment. Nothing herein shall waive or affect the right of the County and/or School Board to otherwise require the then owner(s) of the New Units to comply with the conditions of Amendment PCT 15-4 or this 2018 Amendment by any remedy provided by law or equity.

10. The student station cost factors fees per dwelling unit for each of the New Units shall be an amount derived from the cost per student station using the current Student Station Cost Factors as determined, published and amended by the State of Florida for elementary, middle, and high school students, and the associated per dwelling unit cost as calculated by the School Board. Based on the calculation utilizing the State of Florida Student Station Cost Factors, published July 2017 and attached hereto as **Exhibit "D"**. The per dwelling unit cost for the New Units would be \$3,932 for December 2017, which may change from time to time. In no event shall the student station cost

factors fees assessed per dwelling unit be less than the applicable Educational Impact Fee for the type of unit. The actual per unit cost amount due shall be determined at the time of payment and based upon the then Broward County Educational Impact Fee schedule.

11. In the event that the total number of units change from what is represented herein and there is an increase in the number of units or a change in unit type(s) for the New Units the then current owner(s) agrees to provide written notification to the Director, with a copy to the Broward County Planning and Development Management Division. The Director, or designee, shall determine the additional students anticipated from any change in the residential type or increase in residential units beyond the New Units contemplated herein and shall notify the then current owner(s) and the County of any further increase in the number of anticipated students. If it is determined upon review that additional students would be generated by the change proposed to the approved development level reflected herein, and that excess permanent capacity would not be available to accommodate the anticipated additional students, the then current owner(s) shall propose additional mitigation for the newly anticipated additional students consistent with the terms of this 2018 Amendment and subject to the terms and provisions contained in the adopted School Board Growth Management Policy. In the event that changes in the overall mix of residential units for the New Units that result in a net reduction in the amount of units, no refund of any portion of the school impact and/or mitigation fees shall be due and owing to the City by the County or the School Board. In the event that changes in the overall mix of residential units for the New Units does not result in an increase to the 199 students generated from the New Units, then no amendment to this 2018 Amendment will be required.

12. The Unbuilt Pre PCT 05-4 Units shall be subject to student impact fees.

13. EFFECTIVE DATE. This 2018 Amendment shall become effective upon its recording in the Public Records of Broward County, Florida ("Effective Date") and the provisions hereof shall constitute a covenant running with the land and shall remain in full force and effect and binding upon the undersigned, their heirs, legal representatives, successors, grantees and assigns until released as provided herein.

14. NOTICE. Whenever any of the parties desire to give notice to the other, such notice must be in writing, sent by U.S. Mail, postage prepaid, addressed to the party for whom it is intended at the place last specified; the place for giving of notice shall remain such until it is changed by written notice in compliance with the provisions of this paragraph. Until otherwise designated by amendment to this 2018 Amendment, the parties designate the following as the respective places for giving notice:

For the SCHOOL BOARD:

Superintendent of Schools  
The School Board of Broward County, Florida  
Kathleen C. Wright Administrative Building  
600 Southeast 3<sup>rd</sup> Avenue  
Fort Lauderdale, FL 33301

With a copy to:

Director, Facility Planning and Real Estate Department  
The School Board of Broward County, Florida  
Facility Planning and Real Estate Department  
Kathleen C. Wright Administrative Building  
600 Southeast 3<sup>rd</sup> Avenue, 8<sup>th</sup> Floor  
Fort Lauderdale, FL 33301

For COUNTY:

Director, Planning and Development Management Division of Broward County  
One North University Drive, Suite 102A  
Plantation, FL 33324

For CITY:

City Manager  
City of Miramar City Hall  
2300 Civic Center Place  
Miramar, FL 33025

With a copy to:

Director of Community & Economic Development  
City of Miramar City Hall  
2300 Civic Center Place  
Miramar, FL 33025

14. SEVERABILITY. If any provision of this 2018 Amendment is declared invalid or unenforceable by a court of competent jurisdiction, the invalid or unenforceable provision will be stricken from the 2018 Amendment, and the balance of the 2018 Amendment will remain in full force and effect as long as doing so would not affect the overall purpose or intent of the 2018 Amendment.

15. RELEASE. When all of the obligations set forth herein are fully paid and performed, County and the School Board, at the request of the then current owner(s) and upon payment of any applicable fees, shall cause a release to be recorded in the Official Records of Broward County, Florida, evidencing such performance. To the extent that the obligations set forth herein are divisible and attributable to a specific parcel the payment of the student station per dwelling unit cost fees, the applicable County school impact fee and the issuance of a building permit shall constitute evidence that the divisible portion of the obligation has been satisfied.

16. VENUE; CHOICE OF LAW. Any controversies or legal issues arising out of this 2018 Amendment and any action involving the enforcement or interpretation of any such rights hereunder shall be submitted to the jurisdiction of the State Court of the Seventeenth Judicial Circuit of Broward County, Florida, the venue sitis, and shall be governed by the laws of the State of Florida.

17. CAPTIONS AND PARAGRAPH HEADINGS. Captions and paragraph headings contained in this 2018 Amendment are for convenience and reference only and in no way define, describe, extend, or limit the scope of this 2018 Amendment, nor the intent of any provisions hereof.

18. NO WAIVER. No waiver of any provisions of this 2018 Amendment shall be effective unless it is in writing, signed by the party against whom it is asserted, and any such written waiver shall only be applicable to the specific instance to which it relates and shall not be deemed to be a continuing or future waiver.

19. EXHIBITS. All Exhibits attached hereto contain additional terms of this 2018 Amendment and are incorporated herein by reference.

20. FURTHER ASSURANCES. The parties hereby agree to execute, acknowledge and deliver and cause to be done, executed, acknowledged, and delivered all further assurances and to perform such acts as shall reasonably be requested of them in order to carry out this 2018 Amendment.

21. AMENDMENTS. No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document prepared with the same or similar formality as this 2018 Amendment and executed by the County, City, and School Board.

22. COUNTERPARTS. This 2018 Amendment may be executed in three (3) counterparts, each of which may be deemed to be an original, and all of which together will constitute one and the same instrument.

23. RECORDING. The County agrees to record this 2018 Amendment in the Broward County Public Records, at the expense of the City.

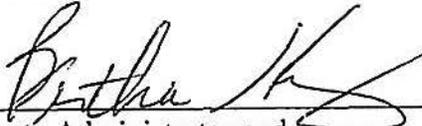
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IN WITNESS WHEREOF, the parties have made and executed this 2018 Amendment on the respective dates under each signature: County, through its Board of County Commissioners, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on the \_\_\_ day of \_\_\_\_\_, 2018, School Board, signing by and through its Chair, authorized to execute same by Board action on the 8 day of May, 2018, and City, signing by and through its City Manager duly authorized to execute same on the \_\_\_ day of \_\_\_\_\_, 2018.

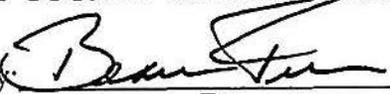
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WITH SIGNATURE PAGES FOLLOWING.]

COUNTY

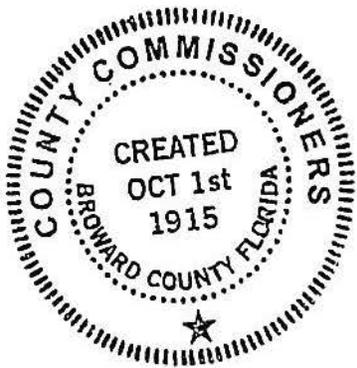
ATTEST:

  
\_\_\_\_\_  
County Administrator and  
Ex-Officio Clerk of the  
Board of County Commissioners of  
Broward County, Florida

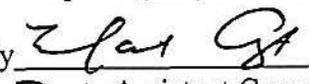
BROWARD COUNTY, through its BOARD  
OF COUNTY COMMISSIONERS

By:   
\_\_\_\_\_  
Printed Name: Beam Furr  
Title: MAYOR

14 day of August, 2018



Approved as to form by  
Office of County Attorney  
Broward County, Florida  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, FL 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-6968

By:   
\_\_\_\_\_  
**Maite Azcoltia**  
Deputy Assistant County Attorney

10 day of July, 2018

SCHOOL BOARD

(Corporate Seal)

THE SCHOOL BOARD OF BROWARD  
COUNTY, FLORIDA

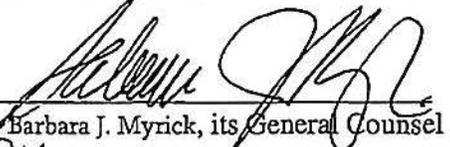
ATTEST:

  
Name: Robert W. Runcle  
Title: Superintendent of Schools

By:   
Name: Nora Rupert  
Title: Chair

8<sup>th</sup> day of May, 2018

Approved as to Form:

By:   
Barbara J. Myrick, its General Counsel  
8<sup>th</sup> day of May, 2018

WITNESSES:

[Signature]

Print Name:

FREDERICA DEJEAN

[Signature]

Print Name:

Phibe Wallace

CITY:

CITY OF MIRAMAR, a Florida Municipal Corporation

By:

[Signature]  
Name: J. Michael Moore  
Title: City Manager

18 day of April, 2018

Attest: [Signature]  
Denise A. Gibbs, City Clerk

APPROVED AS TO FORM:

WEISS SEROTA HELFMAN COLE & BIERMAN

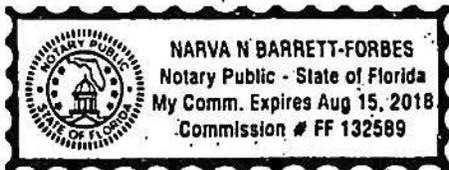
By: [Signature]  
Title: City Attorney ECG

18 day of April, 2018

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of April, 2018, by J. Michael Moore, as City Manager of THE CITY OF MIRAMAR, a Florida Municipal Corporation, on behalf of the municipal corporation. She is: [ ] personally known to me, or [ ] produced identification. Type of identification produced \_\_\_\_\_



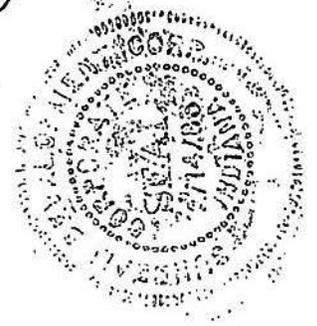
NOTARY PUBLIC  
[Signature]  
Print Name NARVA N. BARRETT-FORBES  
My commission expires:

Sunbeam, Ansin, and Cleghorn as the owners of the remaining vacant residential land in the MRAC Property as of the time of this 2018 Amendment, agree to the terms and restrictions of this 2018 Amendment.

SUNBEAM DEVELOPMENT CORPORATION

By: [Signature]  
Name: James G. Goggins  
Title: Executive Vice President

20<sup>TH</sup> day of FEBRUARY, 2018



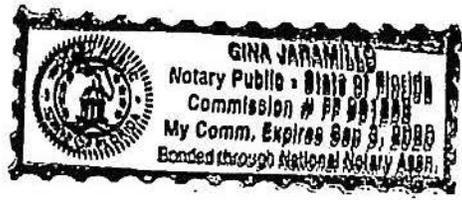
STATE OF FLORIDA        )  
  ) SS  
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 20 day of February, 2018, by James G. Goggins as Executive Vice President of Sunbeam Development Corporation.

He or she is:  
 personally known to me, or  
 produced identification. Type of identification produced \_\_\_\_\_

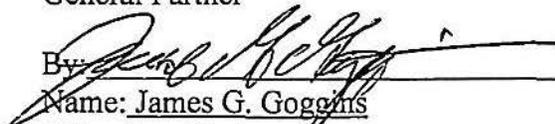
Seal

NOTARY PUBLIC  
[Signature]  
Print Name Gina Jaramilla  
My commission expires:

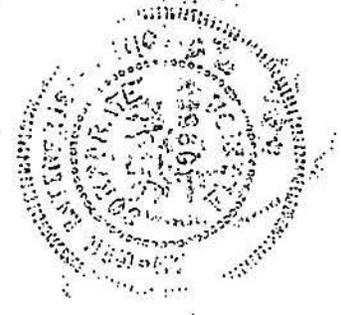


Sunbeam, Ansin, and Cleghorn as the owners of the remaining vacant residential land in the MRAC Property as of the time of this 2018 Amendment, agree to the terms and restrictions of this 2018 Amendment.

ANSIN GROUP, LTD. a Florida Limited Partnership, by AN-KEN Enterprises, Inc., General Partner

By:   
Name: James G. Goggins  
Title: President

20<sup>th</sup> day of February, 2018



STATE OF FLORIDA        )  
  ) SS  
COUNTY OF MIAMI-DADE)

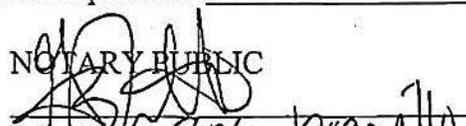
The foregoing instrument was acknowledged before me this 20 day of February 2018, by James G. Goggins as President of AN-KEN Enterprises, Inc., General Partner Ansin Group, Ltd.

He or she is:

personally known to me, or  
 produced identification. Type of identification produced \_\_\_\_\_

Seal

NOTARY PUBLIC

  
Print Name Gina Jaramillo

My commission expires:





**EXHIBIT "A"**

**MRAC PROPERTY**

The South one-half of Section 24, Township 51 South, Range 40 East; and the South one-half of Section 19, Township 51 South, Range 41 East; and all of Section 25, Township 51 South, Range 40 East; and all of Section 30, Township 51 South, Range 41 East; and

That portion of the North one-half of Section 36, Township 51 South, Range 40 East, that is designated on the effective date of this First Amendment to the Education Mitigation Agreement as "Regional Activity Center" on the Future Land Use Map of the City of Miramar Comprehensive Plan.

**EXHIBIT "B"**

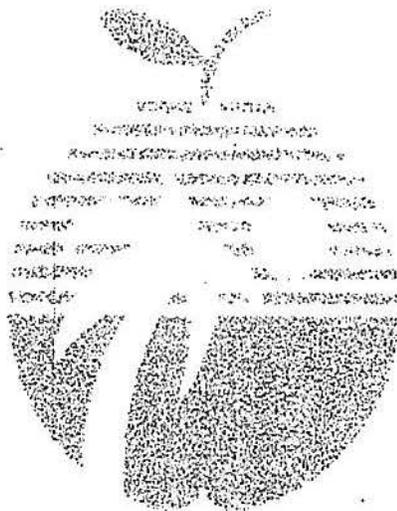
**SCHOOL CONSISTENCY REVIEW REPORT**

The School Board of Broward County, Florida  
**SCHOOL CONSISTENCY REVIEW REPORT**

**REVISED**  
8-21-15

LAND USE  
SBBC-1865-2015  
County No: PCT 15-4  
East Miramar RAC

August 20, 2015



Growth Management  
Facility Planning and Real Estate Department  
600 SE 3rd Avenue, 8th Floor  
Fort Lauderdale, Florida 33301  
Tel: (754) 321-2177 Fax: (754) 321-2179  
[www.browardschools.com](http://www.browardschools.com)

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**SCHOOL CONSISTENCY REVIEW REPORT - LAND USE**

PROJECT INFORMATION	IMPACT OF PROPOSED CHANGE				PROPERTY INFORMATION
Date: August 20, 2015	Units Permitted	7,460	Units Proposed	8,710	Existing Land Use: RAC
Name: East Miramar RAC	NET CHANGE (UNITS): 1,250				Proposed Land Use: RAC
SBBC Project Number: SBBC-1855-2015	Students	Permitted	Proposed	NET CHANGE	Current Zoning: TND,CF,PUD,RM-16,B
County Project Number: PCT 15-4	Elem	1,319	1,560	241	Proposed Zoning: TND,CF,PUD,RM-16,B
Municipality Project Number:	Mid	677	818	141	Section: 24m25m36
Owner/Developer: Sunbeam Properties	High	771	925	154	Township: 51
Jurisdiction: Miramar	Total	2,767	3,303	536	Range: 40

**SHORT RANGE - 5-YEAR IMPACT**

Currently Assigned Schools	Gross Capacity	LOS Capacity	Benchmark Enrollment	Over/Under LOS	Classroom Equivalent Needed to Meet LOS	% of Gross Capacity
Coconut Palm Elementary	1,058	1,058	908	-150	-8	85.8%
Sea Castle Elementary	1,052	1,052	853	-199	-11	81.1%
New Renaissance Middle	1,547	1,547	965	-582	-26	62.4%
Everglades High	2,980	2,980	2,517	-463	-18	84.5%
Miramar High	3,235	3,235	2,585	-650	-26	79.9%

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% Gross Capacity Adjusted Benchmark	Projected Enrollment				
				15/16	16/17	17/18	18/19	19/20
Coconut Palm Elementary	908	-150	85.8%	889	902	913	940	953
Sea Castle Elementary	853	-199	81.1%	887	887	893	891	923
New Renaissance Middle	965	-582	62.4%	938	911	901	917	929
Everglades High	2,517	-463	84.5%	2,568	2,536	2,526	2,468	2,409
Miramar High	2,585	-650	79.9%	2,523	2,507	2,492	2,437	2,372

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. A fractional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/Enrollment/Projection.html>. The annual benchmark enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

\*The first Monday following Labor Day  
 INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

### LONG RANGE - TEN-YEAR IMPACT

Impacted Planning Area	School District's Planning Area Data			Aggregate Projected Enrollment				
	Aggregate School Capacity	Aggregate Enrollment	Aggregate Over/(Under) Enrollment	19/20	20/21	21/22	22/23	23/24
Area F - Elementary	19,263	14,958	-4,305	18,028	18,123	18,218	18,312	18,407
Area F - Middle	11,292	7,849	-3,443	10,643	10,620	10,598	10,575	10,553
Area F - High	14,319	12,662	-1,457	13,601	13,560	13,519	13,477	13,436

### CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2014-15 Contract Permanent Capacity	2014-15 Benchmark Enrollment	Over/(Under)	Projected Enrollment		
				15/16	16/17	17/18
Atlantic Montessori Charter	144	131	-13	131	131	131
Pembroke Pines E_west Central	2,470	1,902	-568	1,902	1,902	1,902
Renaissance Charter @ Pines	661	575	-86	575	575	575
Somerset Academy Charter High Miramar	1,000	287	-713	287	287	287
Somerset At Miramar 6_8	325	436	111	436	436	436
Somerset Miramar K_5	675	643	-32	643	643	643
Somerset Miramar South	750	100	-650	100	100	100
Somerset Neighborhood	500	526	26	526	526	526

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark school enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

\*The first Monday following Labor Day  
 INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

**PLANNED AND FUNDED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN  
(Years 1 - 5)**

School(s)	Description of Capacity Additions
Coconut Palm Elementary	There are no capacity additions that will impact the FISH capacity of the school.
Sea Castle Elementary	There are no capacity additions that will impact the FISH capacity of the school.
New Renaissance Middle	There are no capacity additions that will impact the FISH capacity of the school.
Everglades High	There are no capacity additions that will impact the FISH capacity of the school.
Miramar High	There are no capacity additions that will impact the FISH capacity of the school.

**PLANNED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN  
(Years 6 - 10)**

Capacity Additions for Planning Area F	
School Level	Comments
Elementary	None
Middle	None
High	None

\*The first Monday following Labor Day  
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

## Comments

Information contained in the application indicates that the approximately 2,205-acre site is generally located south of Pembroke Road between Flamingo Road and SW 101st Avenue in the City of Miramar. The site is subject to a Tri-Party Educational Mitigation Agreement related to a previously approved Land Use Plan Amendment (LUPA) PCT 05-4 (consisting of 550 townhouse and 1,450 garden apartment units), which requires payment of student station cost factors per dwelling unit. Additionally, 5,469 residential units (consisting of 781 single family, 1,466 townhouse, and 3,213 garden apartment units) were permitted on the site before LUPA PCT 05-4 was approved. The applicant proposes to add an additional 1,250 garden apartment (all three or more bedroom) units via LUPA PCT 15-4 without changing the current land use designation Regional Activity Center (RAC), resulting in a total of 8,710 residential units in the RAC. The additional 1,250 units as proposed are anticipated to generate 536 additional students (241 elementary, 141 middle, and 154 high) into Broward County Public Schools.

This application was reviewed based on its location in the School District's Long Range Seven Planning Areas, and Ten-Year Long Range Plan contained in the Adopted District Educational Facilities Plan (DEFP). However, the statistical data regarding the Level of Service (LOS) standard status of the actual schools impacted by this land use application in the initial five years of the ten-year period is depicted herein for informational purposes only.

Schools serving the amendment site in the 2014-15 school year are Coconut Palm Elementary, Sea Castle Elementary, New Renaissance Middle, Everglades High, and Miramar High. Based on the District's Public School Concurrency Planning Document, all the schools are operating below the adopted LOS of 100% of gross capacities in the 2014-15 school year. Incorporating the cumulative students anticipated from approved and vested developments anticipated to be built within the next three years (2014-15 – 2016-17), all schools are expected to operate below the adopted LOS of 100% of gross capacities through the 2016-17 school year. It should be noted that the school capacity or Florida Inventory of School Houses (FISH) for the impacted schools reflects compliance with the class size constitutional amendment and the permanent capacity additions that are planned for the schools within the first three years of the Five-Year Adopted DEFP, FY 2014-15 – 2018-19. Also, to ensure maximum utilization of the impacted Concurrency Service Areas, the Board may utilize other options such as school boundary changes to accommodate students generated from developments in the County. Charter schools located within a two-mile radius of the subject site in the 2014-15 school year are depicted herein.

Capital improvements scheduled in the long range section (2019-20 to 2023-24) of the currently Adopted DEFP Fiscal Years 2014-15 – 2018-19 regarding pertinent impacted schools are depicted above. Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "F" and the elementary, middle, and high schools currently serving Planning Area "F" and their cumulative student enrollments, cumulative capacities, and pertinent student enrollment projections are depicted herein. Therefore, Planning Area "F" is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Areas.

Please be advised that the mitigation for the student impact anticipated from previously approved application LUPA PCT 05-4 is addressed in the Educational Mitigation Agreements between Broward County, the City of Miramar, and the School Board of Broward County, Florida. Since the application for LUPA PCT 15-4 adds more residential units to the RAC site, the existing Agreements must be amended to address the anticipated students from the proposed additional units. Therefore, staff recommends that approval of LUPA PCT 15-4 should be conditioned upon amendment of the Agreements to address students anticipated from additional units proposed.

Please be advised that if approved, the units from this project will be subject to a public school concurrency review at the plat, site plan (or functional equivalent) phase of development review, whichever comes first.

\*The first Monday following Labor Day  
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

The School Board of Broward County, Florida  
**SCHOOL CONSISTENCY REVIEW REPORT**

PROJECT NUMBER: SBBC-1865-2015

AUGUST 20, 2015  
Date

Reviewed By:

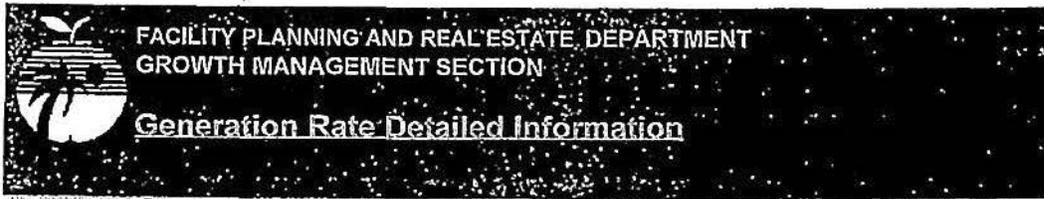
M. Rasheduzzaman  
Signature

Mohammed Rasheduzzaman, AICP  
Name

Planner  
Title

**EXHIBIT "C"**

**BROWARD COUNTY STUDENT GENERATION RATES TABLE**



	Bedrooms	Elem	Middle	High
Single Family	2 or less	0.000	0.000	0.000
	3	0.173	0.081	0.107
	4 or more	0.232	0.111	0.122
	Average			
Townhouse/ Duplex/Villa	1 or less	0.060	0.000	0.000
	2	0.109	0.049	0.056
	3 or more	0.177	0.076	0.110
	Average			
Garden Apartment	1 or less	0.013	0.003	0.004
	2	0.136	0.056	0.044
	3 or more	0.193	0.113	0.123
	Average			
Mid Rise Apartment	Studio	0.008	0.004	0.004
	1	0.008	0.004	0.004
	2	0.028	0.013	0.021
	Average			
High Rise Apartment	Studio	0.010	0.004	0.006
	1	0.010	0.004	0.006
	2 or more	0.010	0.004	0.006
	Average	0.010	0.004	0.006
Mobile Home	1 or less	0.084	0.083	0.000
	2	0.084	0.083	0.000
	3 or more	0.182	0.182	0.000
	Average			

0.00 - No Students were observed in the sample.  
Ordinance #2014-38 became effective January 26, 2015.

## EXHIBIT "D"

### State of Florida Student Station Cost Factors December 2017

#### STUDENT STATION COST FACTORS

7/28/2017

	Consumer Price Index - REC National Economic Forecast of July 2017	Student Station Cost Factors	Cost of Elementary School Student Station (\$)	Cost of Middle School Student Station (\$)	Cost of High School Student Station (\$)
Jan-2006	199.3	1.0000	17,952	19,386	25,181
Feb-2006	199.4	1.0005	17,961	19,395	25,194
Mar-2006	199.7	1.0020	17,988	19,425	25,232
Apr-2006	200.7	1.0070	18,078	19,522	25,358
May-2006	201.3	1.0100	18,132	19,581	25,434
Jun-2006	201.8	1.0125	18,177	19,629	25,497
Jul-2006	202.9	1.0181	18,276	19,736	25,636
Aug-2006	203.8	1.0226	18,357	19,824	25,750
Sep-2006	202.8	1.0176	18,267	19,725	25,623
Oct-2006	201.9	1.0130	18,186	19,639	25,510
Nov-2006	202.0	1.0135	18,195	19,649	25,522
Dec-2006	203.1	1.0191	18,294	19,756	25,661
Jan-2007	203.4	1.0208	18,325	19,788	25,704
Feb-2007	204.2	1.0247	18,396	19,865	25,803
Mar-2007	205.3	1.0300	18,491	19,968	25,938
Apr-2007	205.9	1.0331	18,547	20,028	26,015
May-2007	206.8	1.0374	18,624	20,111	26,123
Jun-2007	207.2	1.0398	18,667	20,168	26,183
Jul-2007	207.6	1.0417	18,700	20,194	26,230
Aug-2007	207.7	1.0420	18,706	20,200	26,238
Sep-2007	208.5	1.0464	18,785	20,285	26,349
Oct-2007	209.2	1.0496	18,843	20,348	26,431
Nov-2007	210.8	1.0579	18,991	20,508	26,638
Dec-2007	211.4	1.0609	19,046	20,567	26,715
Jan-2008	212.2	1.0646	19,112	20,638	26,808
Feb-2008	212.7	1.0672	19,158	20,688	26,872
Mar-2008	213.4	1.0710	19,226	20,762	26,969
Apr-2008	213.9	1.0735	19,271	20,810	27,031
May-2008	215.2	1.0798	19,385	20,933	27,191
Jun-2008	217.5	1.0911	19,588	21,153	27,476
Jul-2008	219.0	1.0989	19,728	21,304	27,672
Aug-2008	218.7	1.0973	19,699	21,272	27,631
Sep-2008	218.9	1.0982	19,715	21,290	27,654
Oct-2008	217.0	1.0888	19,546	21,107	27,417
Nov-2008	213.2	1.0695	19,200	20,733	26,931
Dec-2008	211.4	1.0607	19,042	20,563	26,710
Jan-2009	211.9	1.0634	19,090	20,615	26,777
Feb-2009	212.7	1.0673	19,159	20,690	26,875
Mar-2009	212.5	1.0662	19,141	20,669	26,848
Apr-2009	212.7	1.0673	19,160	20,690	26,875
May-2009	213.0	1.0689	19,188	20,721	26,915
Jun-2009	214.8	1.0777	19,347	20,893	27,138
Jul-2009	214.7	1.0774	19,342	20,886	27,130
Aug-2009	215.4	1.0810	19,406	20,956	27,221
Sep-2009	215.9	1.0831	19,444	20,997	27,273
Oct-2009	216.5	1.0863	19,502	21,060	27,355
Nov-2009	217.2	1.0900	19,567	21,130	27,447
Dec-2009	217.3	1.0906	19,578	21,141	27,461
Jan-2010	217.5	1.0913	19,590	21,165	27,479
Feb-2010	217.3	1.0902	19,572	21,135	27,453
Mar-2010	217.4	1.0906	19,578	21,142	27,462
Apr-2010	217.4	1.0908	19,583	21,147	27,468
May-2010	217.3	1.0903	19,572	21,136	27,454
Jun-2010	217.2	1.0898	19,564	21,127	27,442
Jul-2010	217.6	1.0918	19,601	21,167	27,494

STUDENT STATION COST FACTORS

7/28/2017

	Consumer Price Index - REC National Economic Forecast of July 2017	Student Station Cost Factors	Cost of Elementary School Student Station (\$)	Cost of Middle School Student Station (\$)	Cost of High School Student Station (\$)
Aug-2010	217.9	1.0934	19,629	21,197	27,534
Sep-2010	218.3	1.0952	19,661	21,232	27,578
Oct-2010	219.0	1.0990	19,730	21,306	27,674
Nov-2010	219.6	1.1018	19,780	21,360	27,745
Dec-2010	220.5	1.1062	19,859	21,445	27,856
Jan-2011	221.2	1.1098	19,923	21,515	27,946
Feb-2011	221.9	1.1134	19,988	21,584	28,036
Mar-2011	223.0	1.1191	20,091	21,696	28,181
Apr-2011	224.1	1.1244	20,185	21,798	28,314
May-2011	224.8	1.1280	20,249	21,867	28,404
Jun-2011	224.8	1.1280	20,249	21,867	28,404
Jul-2011	225.4	1.1309	20,303	21,924	28,476
Aug-2011	225.1	1.1345	20,367	21,993	28,568
Sep-2011	225.6	1.1370	20,411	22,041	28,630
Oct-2011	225.8	1.1377	20,425	22,056	28,649
Nov-2011	227.2	1.1398	20,462	22,097	28,702
Dec-2011	227.2	1.1401	20,467	22,102	28,709
Jan-2012	227.8	1.1432	20,523	22,162	28,787
Feb-2012	228.3	1.1457	20,567	22,210	28,849
Mar-2012	228.8	1.1481	20,610	22,256	28,909
Apr-2012	229.2	1.1500	20,644	22,293	28,957
May-2012	228.7	1.1476	20,601	22,247	28,897
Jun-2012	228.5	1.1466	20,584	22,229	28,873
Jul-2012	228.6	1.1470	20,590	22,235	28,882
Aug-2012	229.9	1.1536	20,710	22,364	29,049
Sep-2012	231.0	1.1591	20,809	22,471	29,188
Oct-2012	231.6	1.1623	20,865	22,532	29,267
Nov-2012	231.2	1.1603	20,830	22,494	29,218
Dec-2012	231.2	1.1602	20,827	22,491	29,214
Jan-2013	231.6	1.1621	20,863	22,529	29,264
Feb-2013	233.0	1.1690	20,986	22,663	29,437
Mar-2013	232.3	1.1656	20,924	22,596	29,350
Apr-2013	231.8	1.1630	20,879	22,547	29,287
May-2013	231.9	1.1637	20,890	22,559	29,302
Jun-2013	232.4	1.1660	20,931	22,603	29,360
Jul-2013	232.9	1.1685	20,978	22,653	29,425
Aug-2013	233.3	1.1707	21,017	22,695	29,480
Sep-2013	233.6	1.1723	21,044	22,725	29,519
Oct-2013	233.7	1.1727	21,052	22,734	29,530
Nov-2013	234.1	1.1747	21,089	22,773	29,581
Dec-2013	234.7	1.1777	21,143	22,832	29,657
Jan-2014	235.4	1.1811	21,202	22,896	29,740
Feb-2014	235.7	1.1825	21,228	22,924	29,777
Mar-2014	236.0	1.1840	21,256	22,954	29,815
Apr-2014	236.5	1.1865	21,300	23,002	29,877
May-2014	236.8	1.1883	21,333	23,037	29,923
Jun-2014	237.0	1.1893	21,350	23,056	29,948
Jul-2014	237.4	1.1913	21,386	23,094	29,998
Aug-2014	237.3	1.1904	21,371	23,078	29,977
Sep-2014	237.5	1.1916	21,392	23,100	30,006
Oct-2014	237.5	1.1917	21,393	23,102	30,008
Nov-2014	237.1	1.1898	21,358	23,065	29,959
Dec-2014	236.3	1.1856	21,284	22,984	29,855
Jan-2015	234.9	1.1787	21,160	22,850	29,681
Feb-2015	235.5	1.1816	21,212	22,906	29,753

## STUDENT STATION COST FACTORS

7/28/2017

	Consumer Price Index - REC National Economic Forecast of July 2017	Student Station Cost Factors	Cost of Elementary School Student Station (\$)	Cost of Middle School Student Station (\$)	Cost of High School Student Station (\$)
Mar-2015	236.0	1.1841	21,257	22,955	29,817
Apr-2015	236.2	1.1852	21,276	22,975	29,843
May-2015	236.9	1.1886	21,338	23,042	29,931
Jun-2015	237.4	1.1913	21,386	23,094	29,997
Jul-2015	237.9	1.1936	21,427	23,138	30,055
Aug-2015	237.8	1.1932	21,421	23,132	30,047
Sep-2015	237.5	1.1915	21,390	23,099	30,003
Oct-2015	237.8	1.1931	21,419	23,130	30,044
Nov-2015	238.2	1.1949	21,452	23,165	30,090
Dec-2015	237.8	1.1934	21,424	23,135	30,051
Jan-2016	238.1	1.1947	21,447	23,161	30,084
Feb-2016	237.8	1.1932	21,421	23,132	30,046
Mar-2016	238.1	1.1946	21,445	23,158	30,080
Apr-2016	238.9	1.1987	21,520	23,239	30,185
May-2016	239.4	1.2010	21,561	23,283	30,243
Jun-2016	239.8	1.2034	21,604	23,330	30,303
Jul-2016	239.9	1.2037	21,609	23,335	30,310
Aug-2016	240.4	1.2062	21,653	23,383	30,372
Sep-2016	241.0	1.2093	21,709	23,443	30,450
Oct-2016	241.7	1.2127	21,771	23,510	30,537
Nov-2016	242.2	1.2152	21,816	23,559	30,601
Dec-2016	242.8	1.2184	21,872	23,619	30,680
Jan-2017	244.2	1.2251	21,993	23,749	30,849
Feb-2017	244.5	1.2266	22,019	23,778	30,886
Mar-2017	243.8	1.2230	21,956	23,710	30,797
Apr-2017	244.2	1.2251	21,993	23,749	30,849
May-2017	243.8	1.2235	21,964	23,719	30,809
Jun-2017	243.8	1.2232	21,959	23,714	30,802
Jul-2017	244.5	1.2268	22,023	23,783	30,892
Aug-2017	244.8	1.2283	22,050	23,812	30,930
Sep-2017	245.2	1.2303	22,086	23,851	30,980
Oct-2017	245.8	1.2333	22,140	23,909	31,056
Nov-2017	246.2	1.2353	22,177	23,948	31,107
Dec-2017	246.5	1.2368	22,204	23,977	31,145
Jan-2018	246.8	1.2383	22,231	24,006	31,182
Feb-2018	247.2	1.2403	22,267	24,045	31,233
Mar-2018	247.5	1.2418	22,294	24,074	31,271
Apr-2018	247.9	1.2439	22,330	24,113	31,321
May-2018	248.2	1.2454	22,357	24,143	31,359
Jun-2018	248.6	1.2474	22,393	24,181	31,410
Jul-2018	248.9	1.2489	22,420	24,211	31,448
Aug-2018	249.2	1.2504	22,447	24,240	31,486
Sep-2018	249.6	1.2524	22,483	24,279	31,536
Oct-2018	249.9	1.2539	22,510	24,308	31,574
Nov-2018	250.3	1.2559	22,546	24,347	31,625
Dec-2018	250.7	1.2579	22,582	24,386	31,675
Jan-2019	251.2	1.2604	22,627	24,434	31,738
Feb-2019	251.7	1.2629	22,672	24,483	31,802
Mar-2019	252.2	1.2654	22,717	24,532	31,865
Apr-2019	252.8	1.2684	22,771	24,590	31,941
May-2019	253.3	1.2709	22,816	24,639	32,004
Jun-2019	253.9	1.2740	22,870	24,697	32,080
Jul-2019	254.5	1.2770	22,924	24,755	32,155
Aug-2019	255.0	1.2795	22,969	24,804	32,219
Sep-2019	255.6	1.2825	23,023	24,862	32,294

STUDENT STATION COST FACTORS

7/28/2017

	Consumer Price Index - REC National Economic Forecast of July 2017	Student Station Cost Factors	Cost of Elementary School Student Station (\$)	Cost of Middle School Student Station (\$)	Cost of High School Student Station (\$)
Oct-2019	256.2	1.2855	23,077	24,921	32,370
Nov-2019	256.7	1.2880	23,122	24,969	32,433
Dec-2019	257.3	1.2910	23,176	25,028	32,509
Jan-2020	257.9	1.2940	23,230	25,086	32,585
Feb-2020	258.5	1.2970	23,284	25,144	32,661
Mar-2020	259.2	1.3006	23,348	25,212	32,749
Apr-2020	259.8	1.3036	23,402	25,271	32,825
May-2020	260.4	1.3066	23,456	25,329	32,901
Jun-2020	261.0	1.3096	23,510	25,388	32,977
Jul-2020	261.6	1.3126	23,564	25,446	33,052
Aug-2020	262.2	1.3156	23,618	25,504	33,128
Sep-2020	262.8	1.3186	23,672	25,563	33,204
Oct-2020	263.4	1.3216	23,726	25,621	33,280
Nov-2020	264.0	1.3246	23,780	25,679	33,356
Dec-2020	264.5	1.3271	23,825	25,728	33,419
Jan-2021	265.1	1.3302	23,879	25,786	33,495
Feb-2021	265.7	1.3332	23,933	25,845	33,570
Mar-2021	266.2	1.3357	23,978	25,893	33,634
Apr-2021	266.8	1.3387	24,032	25,952	33,709
May-2021	267.3	1.3412	24,077	26,000	33,773
Jun-2021	267.9	1.3442	24,131	26,059	33,848
Jul-2021	268.5	1.3472	24,185	26,117	33,924
Aug-2021	269.1	1.3502	24,239	26,175	34,000
Sep-2021	269.6	1.3527	24,284	26,224	34,063
Oct-2021	270.2	1.3557	24,338	26,282	34,139
Nov-2021	270.8	1.3588	24,392	26,341	34,215
Dec-2021	271.4	1.3618	24,446	26,399	34,291
Jan-2022	271.9	1.3643	24,491	26,448	34,354
Feb-2022	272.5	1.3673	24,546	26,506	34,430
Mar-2022	273.1	1.3703	24,600	26,565	34,505
Apr-2022	273.7	1.3733	24,654	26,623	34,581
May-2022	274.3	1.3763	24,708	26,681	34,657
Jun-2022	274.9	1.3793	24,762	26,740	34,733
Jul-2022	275.5	1.3823	24,816	26,798	34,809
Aug-2022	276.1	1.3853	24,870	26,856	34,884
Sep-2022	276.7	1.3884	24,924	26,915	34,960
Oct-2022	277.3	1.3914	24,978	26,973	35,036
Nov-2022	277.9	1.3944	25,032	27,031	35,112
Dec-2022	278.5	1.3974	25,086	27,090	35,188
Jan-2023	279.1	1.4004	25,140	27,148	35,264
Feb-2023	279.7	1.4034	25,194	27,207	35,339
Mar-2023	280.3	1.4064	25,248	27,265	35,415
Apr-2023	280.9	1.4094	25,302	27,323	35,491
May-2023	281.5	1.4124	25,356	27,382	35,567
Jun-2023	282.1	1.4155	25,410	27,440	35,643
Jul-2023	282.7	1.4185	25,464	27,498	35,718
Aug-2023	283.3	1.4215	25,518	27,557	35,794
Sep-2023	283.9	1.4245	25,572	27,615	35,870
Oct-2023	284.6	1.4280	25,635	27,683	35,958
Nov-2023	285.1	1.4305	25,680	27,732	36,022
Dec-2023	285.7	1.4335	25,735	27,790	36,097
Jan-2024	286.3	1.4365	25,789	27,849	36,173
Feb-2024	286.9	1.4395	25,843	27,907	36,249
Mar-2024	287.5	1.4425	25,897	27,965	36,325
Apr-2024	288.1	1.4456	25,951	28,024	36,401

## STUDENT STATION COST FACTORS

7/28/2017

	Consumer Price Index - REC National Economic Forecast of July 2017	Student Station Cost Factors	Cost of Elementary School Student Station (\$)	Cost of Middle School Student Station (\$)	Cost of High School Student Station (\$)
May-2024	288.7	1.4486	26,005	28,082	36,476
Jun-2024	289.3	1.4516	26,059	28,140	36,552
Jul-2024	289.9	1.4546	26,113	28,199	36,628
Aug-2024	290.5	1.4576	26,167	28,257	36,704
Sep-2024	291.1	1.4606	26,221	28,315	36,780
Oct-2024	291.8	1.4641	26,284	28,384	36,868
Nov-2024	292.4	1.4671	26,338	28,442	36,944
Dec-2024	293.0	1.4701	26,392	28,500	37,020
Jan-2025	293.6	1.4732	26,446	28,559	37,096
Feb-2025	294.2	1.4762	26,500	28,617	37,171
Mar-2025	294.8	1.4792	26,554	28,675	37,247
Apr-2025	295.4	1.4822	26,608	28,734	37,323
May-2025	296.0	1.4852	26,662	28,792	37,399
Jun-2025	296.6	1.4882	26,716	28,850	37,475
Jul-2025	297.3	1.4917	26,779	28,919	37,563
Aug-2025	297.9	1.4947	26,833	28,977	37,639
Sep-2025	298.5	1.4977	26,887	29,035	37,715
Oct-2025	299.1	1.5008	26,942	29,094	37,790
Nov-2025	299.7	1.5038	26,996	29,152	37,866
Dec-2025	300.4	1.5073	27,059	29,220	37,955
Jan-2026	301.0	1.5103	27,113	29,278	38,031
Feb-2026	301.6	1.5133	27,167	29,337	38,106
Mar-2026	302.2	1.5163	27,221	29,395	38,182
Apr-2026	302.8	1.5193	27,275	29,453	38,258
May-2026	303.4	1.5223	27,329	29,512	38,334
Jun-2026	304.1	1.5258	27,392	29,580	38,422
Jul-2026	304.7	1.5289	27,446	29,638	38,498
Aug-2026	305.3	1.5319	27,500	29,697	38,574
Sep-2026	306.0	1.5354	27,563	29,765	38,662
Oct-2026	306.6	1.5384	27,617	29,823	38,738
Nov-2026	307.3	1.5419	27,680	29,891	38,826
Dec-2026	307.9	1.5449	27,734	29,950	38,902
Jan-2027	308.5	1.5479	27,788	30,008	38,978
Feb-2027	309.2	1.5514	27,851	30,076	39,067
Mar-2027	309.8	1.5544	27,905	30,134	39,142
Apr-2027	310.4	1.5575	27,959	30,193	39,218
May-2027	311.0	1.5605	28,013	30,251	39,294
Jun-2027	311.6	1.5635	28,067	30,309	39,370

Document prepared by and  
Return recorded document to:

Edward Marko, School Board Attorney  
The School Board of Broward County, Florida  
Kathleen C. Wright Administrative Building  
600 Southeast 3<sup>rd</sup> Avenue  
Fort Lauderdale, FL 33301

INSTR # 106395202  
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BROWARD COUNTY COMMISSION  
DEPUTY CLERK 2000  
#1, 29 Pages

**NOTICE: PURCHASERS, GRANTEEES, HEIRS, SUCCESSORS AND ASSIGNS OF ANY INTEREST IN THE PROPERTY SET FORTH ON EXHIBIT "A" ARE HEREBY PUT ON NOTICE OF THE OBLIGATIONS SET FORTH WITHIN THIS AGREEMENT WHICH SHALL RUN WITH THE PROPERTY UNTIL FULLY PAID AND PERFORMED.**

**EDUCATIONAL MITIGATION AGREEMENT**

This is an Agreement, made and entered into by and between:

**BROWARD COUNTY**, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY",

AND

**CITY OF MIRAMAR**, a municipal corporation, created and existing under the laws of the State of Florida, its successors and assigns, hereinafter referred to as "CITY",

AND

**THE SCHOOL BOARD OF BROWARD COUNTY**, a body corporate and political subdivision of the State of Florida, hereinafter referred to as "SCHOOL BOARD".

**RECITALS**

WHEREAS, the Broward County Board of County Commissioners approved Broward County Land Use Text Amendment PCT 05-4, revising the permitted uses within the "Miramar Regional Activity Center" in the City of Miramar (hereinafter "MRAC"); and

WHEREAS, Land Use Plan Amendment PCT 05-4 is a component of the East Miramar Area-Wide Development of Regional Impact (DRI), in which 5,460 residential units are currently approved for residential development (hereinafter "Previously Permitted Units"); and

WHEREAS, 3,551 of the Previously Permitted Units have been built as 781 single family structures, 554 townhouses and 2,216 garden apartments (hereinafter "Existing Units") and 1,909 units consisting of 912 townhouses and 997 garden apartments are currently unbuilt (hereinafter "Unbuilt Units"); and

Approved BCC 8-15-06 #93  
Submitted By Development Mgmt  
RETURN TO DOCUMENT CONTROL (2)

WHEREAS, the Broward County Board of County Commissioners approved Broward County Land Use Plan Amendment PCT 05-4 (hereinafter "Amendment PCT 05-4"), revising the currently approved uses within the MRAC to allow for an increase in residential units from 5,460 to 7,460 and a reduction of 375,600 square feet of commercial use, a description of which is attached hereto as Exhibit "A"; and

WHEREAS, the CITY is proposing an additional 2,000 residential units (hereinafter "Additional Units") and a reduction of 375,600 square feet of commercial use in Amendment PCT 05-4, with the Additional Units consisting of 550 Townhouse units (192 two-bedrooms and 358 three-bedrooms) and 1,450 Garden Apartment units (290 one-bedroom, 942 two-bedrooms and 218 three-bedrooms). As used herein "bedroom" shall be as defined in the Broward County Land Development Code; and

WHEREAS, SCHOOL BOARD staff, as evidenced by the Public School Facility Impact Statement Report dated December 14, 2004 and letter dated February 8, 2005 to the CITY, which is attached hereto as Exhibit "B", anticipates that the Additional Units as proposed will generate 441 additional students consisting of 218 elementary school students, 116 middle school students and 107 high school students into Broward County District Schools; and

WHEREAS, the CITY anticipates that the Additional Units will be developed as 550 Townhouse units and 1,450 Garden Apartment units with the bedroom mix depicted herein. However, the actual mix of townhouse units and garden apartment units may change, and may also include some single family units, but in no event shall the number of students generated by any such mix exceed the 441 additional students consisting of 218 elementary, 116 middle and 107 high school students, as computed by the student generation rate formula applicable as of the date of this Agreement, and as set forth in the attached Public School Facility Impact Statement Report; and

WHEREAS, the CITY agrees to notify the Superintendent, or designee, and the Broward County Development Management Division when it intends on changing the residential units/bedroom mix depicted herein, and the Superintendent, or designee, shall determine the number of students anticipated from such change and notify the COUNTY and CITY of the anticipated results. If for any reason, the number of students generated exceeds 441 due to such change, any such students in excess of the 441 shall be subject to payment of the Student Station Cost Factor in effect at that time, and the cost per dwelling unit as calculated by the SCHOOL BOARD; and

WHEREAS, the CITY has agreed to mitigate the impact of students anticipated from the development of the Additional Units in the MRAC; and

WHEREAS, Chapter 5, Article IX, Broward County Code of Ordinances (hereinafter "County School Impact Fee Regulations"), requires that no application for a building permit shall be accepted by the COUNTY or by any municipality without documentation that a finding of adequacy of school sites and facilities has been made by the COUNTY; and

WHEREAS, the COUNTY, SCHOOL BOARD and CITY agree that the County Impact Fee Regulations apply to the Previously Permitted Units and the applicable COUNTY imposed school impact fees, will be due for the Unbuilt Units and the CITY agrees to provide written notice to the SCHOOL BOARD and the COUNTY regarding the location of the 1,909 un-built units within the boundaries of the MRAC and also send written notice whenever an applicant seeks development approval to develop any such units, and said school impact fees will be paid to the Development Management Division based on the rate in effect at the time; and

WHEREAS, the COUNTY, SCHOOL BOARD and CITY agree that the cost per student station (hereinafter "Student Station Cost Factor") is appropriate to the circumstances of the MRAC and that the Student Station Cost Factor shall be paid in lieu of the COUNTY school impact fees for the Additional Units and that the Student Station Cost Factor shall be as determined and published by the State of Florida; and

WHEREAS, the schedule of the Student Station Cost Factor for elementary, middle and high school students associated with the MRAC dwelling units have been established by the State of Florida pursuant to the published "Student Station Cost Factors Feb. 2005 ", as may be amended, attached hereto as Exhibit "C"; and

WHEREAS, as a condition for approval of Amendment PCT 05-4, the CITY was required to enter into this tri-party interlocal agreement with the SCHOOL BOARD and COUNTY, to enable legal enforcement of the commitment made before any building permits can be issued for Additional Units in the MRAC.

NOW, THEREFORE, in consideration of the mutual terms, conditions, promises, covenants and payments hereinafter set forth, COUNTY, CITY and SCHOOL BOARD agree as follows:

1. AMENDMENT OF THE CITY'S LAND DEVELOPMENT CODE.

1.01 The CITY agrees that any application for a building permit for residential development within the MRAC shall be subject to the imposition of educational mitigation in the manner set forth in this Agreement. The CITY shall amend its land development code no later than May 30, 2006 to monitor and ensure that development of the Additional Units shall be no greater than 550 Townhouse units with the stated mix of 192 two-bedrooms and 358 three-bedrooms, and 1,450 Garden Apartment units with stated mix of 290 one-bedroom, 942 two-bedrooms and 218 three-bedrooms. Amendment of the land development code shall also require the payment of the student station per dwelling unit cost in lieu of the COUNTY school impact fees due for the Additional Units contained within the boundaries of the MRAC. Failure to ensure that the bedroom mix depicted herein for the 550 townhouse and 1,450 garden apartment units is not exceeded except as stated herein shall constitute a default of this Agreement.

1.02 The CITY will require evidence of payment of either the school impact fee or the student station per dwelling unit cost, whichever is applicable, from individual applicants prior to the issuance of building permits, on a site-specific per project basis.

1.03 The CITY shall provide written notice to the School Superintendent or his designee and the County's Development Management Division, upon site plan or plat approval of any residential project authorized pursuant to Amendment PCT 05-4. Notification shall include project location, the number and type of units, the bedroom mix at time of site plan or plat approval and shall be confirmed by the CITY at the time of building permit.

1.04 Prior to environmental review approval of construction plans as set forth within Chapter 27, Broward County Code of Ordinances by the Development Management Division for a building permit for the construction or erection of a residential building to be located within the MRAC, the CITY shall, consistent with this Agreement, identify the specific type of residential unit, the bedroom mix and allocate the available Previously Permitted Units and/or Additional Units and provide written notification to the Broward County Development Management Division.

1.05 Prior to the issuance of a building permit for the construction or erection of a residential building located within the MRAC, the CITY shall verify that the owner, applicant and/or developer has paid the applicable school impact fee for the Previously Permitted Units and/or the student station per dwelling unit cost for the Additional Units, as set forth herein.

1.06 The CITY, its successor and assigns, agrees that no building permits or certificates of occupancy shall be obtained from the CITY for residential development of land within the MRAC until the applicable school impact fee and/or student station per dwelling unit cost has been paid as required by this Agreement. Failure to ensure collection of the school impact fee and/or the student station per dwelling unit cost prior to the issuance of a building permit shall constitute a default of this Agreement. Nothing herein shall waive or affect the right of the COUNTY and/or SCHOOL BOARD to otherwise require the CITY to comply with the conditions of Amendment PCT 05-4 or this Agreement by any remedy provided by law or equity. In the event of a breach of this Agreement or if enforcement of this Agreement shall be required, the COUNTY, SCHOOL BOARD and CITY agree to reasonably cooperate with each other and take all appropriate and necessary action to secure payment of the applicable school impact fee or student station cost payment, and that no party (the County, School Board or City) shall be liable to the other for damages (including the applicable school impact fee or student station cost payment) in such instance; however, a party may be subject to equitable remedies such as mandamus or specific performance.

1.07 The CITY may propose a change to the anticipated specified type of residential unit and/or the bedroom mix upon written notification to the Executive Director, Facility Management, Planning and Site Acquisition of the School Board or designee, with a copy to the Broward County Development Management Division. The Executive Director, or designee, shall determine whether the number of students generated by any such proposed change will exceed the 441 additional students. If it is determined by the Executive Director, or designee, that such proposed change to the specified type of residential unit and/or the bedroom mix does not exceed the 441 additional students as computed by the student generation rate formula applicable as of the date of this Agreement and as set forth in the attached Public School facility Impact Statement Report, no amendment to this Agreement shall be required. Any further increase in the number of anticipated additional students shall require an amendment to this Agreement consistent with Paragraph 15 below to proceed.

## 2. STUDENT STATION PER DWELLING UNIT COST.

2.01 The student station per dwelling unit cost for each Additional Unit within the MRAC shall be an amount derived from the cost per student station as determined, published and amended by the State of Florida for elementary, middle and high school students and the associated per dwelling unit cost as calculated by the SCHOOL BOARD.

2.02 For those Additional Units to be built within the portion of the MRAC, a description of which is attached hereto as Exhibit "D", the owner, applicant, and/or developer shall pay the student station per dwelling unit cost of approximately \$2,036 per residential dwelling unit utilizing the cost per student station figures for middle and high schools as of March 2005. However, in no event shall that amount be less than \$2,036 for each residential dwelling unit.

2.03 For those Additional Units to be built within the portion of the MRAC, a description of which is attached hereto as Exhibit "E" the student station per dwelling unit cost to be paid is approximately \$2,312 per residential dwelling unit utilizing the student station per dwelling unit cost figures for elementary, middle

and high schools as of March 2005. However, in no event shall that amount be less than \$2,312 for each residential dwelling unit.

2.04 When computing the amount to be paid pursuant to the paragraphs above by the owner, applicant, and/or developer for the Additional Units, the amount to be paid shall be the greater of the amounts derived by utilizing; (i) the Student Station Cost Factor method or (ii) the applicable Educational Impact fee method. However, at no time until the last building permit is issued for the final Additional Units shall the total cost per student station amount due for the units be less than the total COUNTY required effective school impact fee that could have been due for the units.

2.05 Prior to the issuance of a finding of adequacy by the COUNTY, the SCHOOL BOARD shall provide the COUNTY with the current Student Station Cost Factors established and published by the State of Florida, and the associated per dwelling unit cost as calculated by the SCHOOL BOARD for the Additional Units. No later than the end of each calendar month, the COUNTY agrees to provide written correspondence to the SCHOOL BOARD listing residential developments issued satisfactory finding of adequacy. At the minimum, the information provided shall include the name of the development, the total number and type of proposed units and bedroom mix, and the total cost per student station amount paid.

3. PREVIOUSLY PERMITTED UNITS IMPACT FEE REQUIREMENT.

3.01 The COUNTY, SCHOOL BOARD and CITY agree and acknowledge that the Previously Permitted Units (which includes the 1,909 Unbuilt Units) mitigate student impact pursuant to the County School Impact Fee Regulations. The parties further acknowledge that consistent with the County School Impact Fee Regulations redevelopment of the Previously Permitted Units may warrant impact fee credit for the demolished and renovated units. If, as a result of redevelopment, additional dwelling units are created, those additional units shall mitigate student impact through the payment of the applicable cost per student station fee.

4. EDUCATIONAL FACILITIES. The student station per dwelling unit cost paid by the owner(s) and/or developer(s) pursuant to this Agreement shall, pursuant to School Board Growth Management Policy be used to provide educational facilities to serve students generated by the Additional Units in the MRAC, and pursuant to provisions of County School Impact Fee Regulations, the County school impact fee due for the Unbuilt Units will be spent in the applicable service area. The CITY recognizes and agrees that, even if such money is not directly utilized to meet the educational needs of the future residents of the area within the MRAC, the use of such money will indirectly benefit such development by making other funds available to directly meet those needs.

5. TRANSMITTAL OF FUNDS TO THE SCHOOL BOARD. The COUNTY agrees to remit quarterly to the SCHOOL BOARD, the student station per dwelling unit cost amount collected for the Additional Units to be spent by the SCHOOL BOARD in accordance with School Board Growth Management Policy. The COUNTY will continue to remit the COUNTY school impact fees to the SCHOOL BOARD consistent with the existing agreement between the COUNTY and the SCHOOL BOARD.

6. The COUNTY agrees that this Agreement satisfies the requirement in Chapter 5, Article IX, Broward County Land Development Code relating to Educational Impact Fees.

7. The recitals and representations set forth within the Whereas clauses are true and correct and are incorporated herein.

8. NOTICES. Whenever any of the parties desire to give notice to the other, such notice must be in writing, sent by U.S. Mail, postage prepaid, addressed to the party for whom it is intended at the place last specified; the place for giving of notice shall remain such until it is changed by written notice in compliance with the provisions of this paragraph. Until otherwise designated by amendment to this Agreement, the parties designate the following as the respective places for giving notice:

For the COUNTY:

Director, Development Management Division of Broward County  
115 South Andrews Avenue, Room A240  
Fort Lauderdale, FL 33301

For the CITY:

City Manager  
City of Miramar  
6700 Miramar Parkway  
Miramar, FL 33023-4897

With a copy to:

Cleghorn Shoe Corp.  
c/o James G. Goggins  
1401 79<sup>th</sup> Street Causeway  
Miami, Florida 33141

For the SCHOOL BOARD

Superintendent of Schools  
The School Board of Broward County, Florida  
Kathleen C. Wright Administrative Building  
600 Southeast 3<sup>rd</sup> Avenue  
Fort Lauderdale, FL 33301

With a copy to:

The Executive Director  
The School Board of Broward County, Florida  
Facility Management, Planning and Site Acquisition Department  
Kathleen C. Wright Administrative Building  
600 Southeast 3<sup>rd</sup> Avenue, 14<sup>th</sup> Floor  
Fort Lauderdale, FL 33301

9. RELEASE. When all of the obligations set forth herein are fully paid and performed, COUNTY, at the request of CITY or its successor and upon payment of any applicable fees, shall cause a release to be recorded in the Official Records of Broward County, Florida, evidencing such performance. To the extent that the obligations set forth herein are divisible and attributable to a specific parcel the payment of the student station per dwelling unit cost, the applicable COUNTY school impact fee and the issuance of a building permit shall constitute evidence that the divisible portion of the obligation has been satisfied.

10. VENUE; CHOICE OF LAW. Any controversies or legal issues arising out of this Agreement and any action involving the enforcement or interpretation of any rights hereunder shall be submitted to the jurisdiction of the State Court of the Seventeenth Judicial Circuit of Broward County, Florida, the venue situs, and shall be governed by the laws of the State of Florida.

11. CAPTIONS AND PARAGRAPH HEADINGS. Captions and paragraph headings contained in this Agreement are for convenience and reference only and in no way define, describe, extend or limit the scope or intent of this Agreement, nor the intent of any provisions hereof.

12. NO WAIVER. No waiver of any provision of this Agreement shall be effective unless it is in writing, signed by the party against whom it is asserted, and any such written waiver shall only be applicable to the specific instance to which it relates and shall not be deemed to be a continuing or future waiver.

13. EXHIBITS. All Exhibits attached hereto contain additional terms of this Agreement and are incorporated herein by reference.

14. FURTHER ASSURANCES. The parties hereby agree to execute, acknowledge and deliver and cause to be done, executed, acknowledged and delivered all further assurances and to perform such acts as shall reasonably be requested of them in order to carry out this Agreement.

15. AMENDMENTS. No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document prepared with the same or similar formality as this Agreement and executed by the COUNTY, CITY and SCHOOL BOARD.

16. COUNTERPARTS. This Agreement may be executed in three (3) counterparts, each of which may be deemed to be an original.

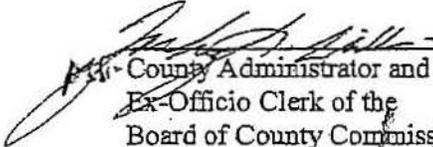
17. RECORDING OF THIS AGREEMENT. The CITY agrees to record this Agreement in the Broward County Public Records, at its expense.

IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on the \_\_\_ day of \_\_\_\_\_, 2006, The SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, signing by and through its Chair, authorized to execute same by Board action on the \_\_\_ day of \_\_\_\_\_, 2006, and CITY, signing by and through its \_\_\_\_\_, duly authorized to execute same.

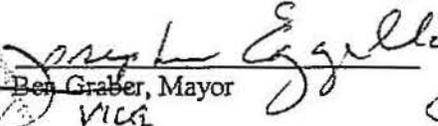
COUNTY

ATTEST:

BROWARD COUNTY, through its  
BOARD OF COUNTY COMMISSIONERS

  
County Administrator and  
Ex-Officio Clerk of the  
Board of County Commissioners  
of Broward County, Florida



By:   
~~Ben Graber, Mayor~~  
VICA

31<sup>st</sup> day of August, 2006

Approved as to form by  
Office of County Attorney  
Broward County, Florida  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-6968

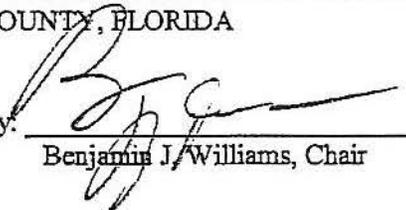
By:   
Assistant County Attorney

27 day of June, 2006

SCHOOL BOARD

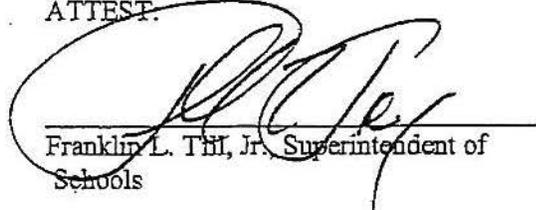
(Corporate Seal)

THE SCHOOL BOARD OF BROWARD  
COUNTY, FLORIDA

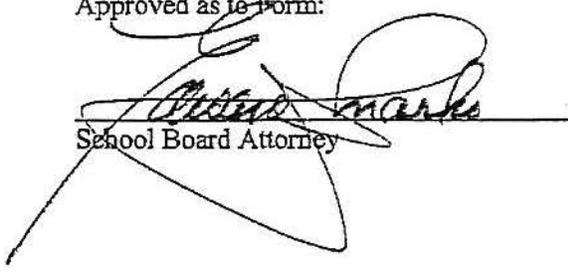
By: 

Benjamin J. Williams, Chair

ATTEST.

  
Franklin L. III, Jr. Superintendent of  
Schools

Approved as to Form:

  
School Board Attorney

CITY

WITNESSES:

CITY OF MIRAMAR

Naura T. Barnett Forbes  
~~Naura T. Barnett Forbes~~  
Denise Gibbs  
~~Denise Gibbs~~

ATTEST:

Yvette M. McLeary  
City Clerk

Robert Payton  
By: Robert Payton  
Robert Payton, City Manager

15 day of February, 2006

APPROVED AS TO FORM:

JML  
By: JML  
City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION MIRAMAR REGIONAL ACTIVITY CENTER

All lands of the City of Miramar Florida lying west of Palm Avenue and east of Flamingo Road, more fully described as follows:

The south one half of Section 24, Township 51 south, Range 40 east; and the south one half of Section 19, Township 51 south, Range 41 east; and all of Section 25 Township 51, south Range 40 east; and all of Section 30 Township 51 south, Range 41 east; and that portion of the north one half of Section 36, Township 51 south, Range 40 east, that is designated as Regional Activity Center on the Future Land Use Map of the City of Miramar Comprehensive Plan.

COMPOSITE EXHIBIT "B"

LAND USE PLAN AMENDMENT

PUBLIC SCHOOL FACILITY IMPACT STATEMENT  
(Land Use Amendment PCT 05-4)

AND

THE FEBRUARY 8 2005 LETTER TO THE CITY OF MIRAMAR

# ATTACHMENT 1

## AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN

### PROPOSED TEXT AMENDMENT PCT 05-4

#### Miramar Regional Activity Center

Acreage: Approximately 2,205 acres

General Location: North of Bass Creek Road between Palm Avenue and Flamingo Road.

#### Density and Intensity of Land Uses:

Residential Land Uses	<del>5,460</del>	<u>7,460</u>	dwelling units
Retail Land Uses	<del>2,212,000</del>	<u>1,836,400</u>	square feet
Office Land Uses		<u>1,500,000</u>	square feet
Industrial Land Uses		<u>11,500,000</u>	square feet
Municipal Facility Land Uses		<u>200,000</u>	square feet

Remarks: This area is the subject of an Areawide Development of Regional Impact.

Post-It Fax Note	7671	Date	1-10-06	# of pages	9
To	<i>[Signature]</i>	From	<i>[Signature]</i>		
Co./Dept.		Co.			
Phone		Phone	954-357-6696		
Fax	954-764-7770	Fax			

Note: Underlined words are proposed additions. ~~Strikethroughs~~ are proposed deletions.

# ATTACHMENT 6

## THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

600 Southeast Third Avenue, 14<sup>th</sup> FL, FT. LAUDERDALE, FLORIDA 33301 • TEL: 754-321-2161 • FAX: 754-321-2179

THOMAS J. CRATES, Esq., Attorney  
1001 E. Main Street, Suite 1000  
Fort Lauderdale, Florida 33301

December 14, 2004

Henry Sniezek, Executive Director  
Broward County Planning Council  
115 South Andrews Avenue, Room #307  
Fort Lauderdale, Florida 33301



Re: Land Use Plan Amendment PCT 05-4

Dear Mr. Sniezek:

**HENRY**

Please find attached, Public School Facility Impact Statement (PSFIS) Report for Land Use Plan Amendment (LUPA) PCT 05-4. Information provided by the applicant indicates that the amendment site is a component of the East Miramar Area-wide Development of Regional Impact (DRI), and 5,460 residential units are currently permitted for development in the DRI. Furthermore, the proposal for the amendment is to modify the mix of uses within the RAC and increase the residential units from the currently permitted 5,460 to 7,460, an increase of approximately 2,000 residential units. Indications are that the Master Incremental Development Order (DO) for the DRI required the dedication of a 20-acre middle school site to address the anticipated student impact from the development of the existing permitted 5,460 units.

Correspondence provided by the agent for the applicant and dated September 27, 2004 (attached) indicates that the additional 2,000 residential units will consist of 192 two-bedroom and 358 three-bedroom townhouse units, 290 one-bedroom, 942 two-bedroom and 218 three-bedroom garden apartment units. The bedroom mix of 2,000 units as currently proposed, is anticipated to generate 218 elementary, 116 middle and 107 high school students for a total of 441 additional students into Broward County Public Schools.

Schools serving the amendment site in the 2004/05 school year are depicted in the attached PSFIS Report. Please be advised that the 2004 permanent capacity data for the impacted schools are not currently available, but are anticipated to become available soon. Therefore, the 2003 permanent capacity data was utilized in the analysis for the development. However, the 2004 preliminary permanent capacity data was utilized for Coral Cove Elementary School because it is a planned new School and the school boundary became effective in the 2004/05 school year. Furthermore, students assigned to Coral Cove Elementary School are currently attending classes in temporary facilities, while the permanent facility is currently under construction and forecasted for substantial completion in 2005. However, based on the 2004/05 Twentieth-Day Membership Counts Report, Coconut Palm Elementary, and Miramar High Schools are critically overcrowded, and New Renaissance Middle School is overcrowded. Therefore, development of the additional 2,000 residential units will further exacerbate overcrowded conditions at the impacted schools.

In the currently Adopted District Educational Facilities Plan, FY 2004/05 - 2008/09, planned Coral Cove Elementary School (Elementary "Y") is scheduled to potentially relieve overcrowding at Coconut Palm Elementary School, and is forecasted for substantial completion in 2005. Furthermore, planned Elementary

School "F-2" is scheduled to potentially relieve overcrowding at Coconut Palm Elementary School. However, the bulk of the funding for construction of the School is slated for FY 2006/07. Also, Miramar High School is scheduled for a 24-classrooms addition. However, School District records indicate that the project is currently in the design phase, and staff analysis concludes that despite the 24-classrooms addition, the School is still projected to become critically overcrowded.

In the 2004/05 school year, the City of Pembroke Pines East (K-5) and Somerset Neighborhood (K-5) charter schools are located within a two-mile radius of the East Miramar Area wide DRJ site, and the Twentieth Day statistical data for the schools are as follows: City of Pembroke Pines East (E,W,C) (K-5): Enrollment - 1,795, Capacity - 1,800, Over/(Under) - (5), 2005/06 Enrollment projection - 1,800; Somerset Neighborhood (K-5): Enrollment - 75, Capacity - 75, Over/(Under) - 0, 2005/06 Enrollment projection - 75. Please be advised that the maximum capacity at each charter school is determined by the enrollment specified in the charter school agreement between the school and the School Board of Broward County, Florida. Some charter schools open under enrolled, but achieve maximum capacity as they add grade levels, move from leased facilities to permanent facilities, or increase public awareness about their school within the area they serve. Coconut Palm Elementary School is projected to become overcrowded in the 2005/06 school year, and students attending or anticipated to attend pertinent charter schools are factored into the enrollment projections for District schools. Therefore, the cited charter schools are not anticipated to completely relieve overcrowding at Coconut Palm Elementary School.

Therefore, consistent with the provisions of School Board Policy 1161, recommendations are that LUPA PCT 05-4 should be denied or deferred until permanent capacity addition is funded in the effective Capital Budget for Miramar High School. Also, this application is subject to the provisions of Section 7.8 of the Interlocal Agreement for Public School Facility Planning, which calls for the mitigation of students generated by proposed residential density increase. Alternatively, the applicant can provide mitigation for the number of applicable additional students anticipated from the amendment. It should be noted that the applicant (Sunbeam Properties, Inc.) is having ongoing discussions with District staff regarding the provision of appropriate mitigation for the anticipated students.

As you may be aware, the recent class size constitutional amendment requires that by the year 2010, the maximum number of students in the following school grades must be: Pre-kindergarten through 3<sup>rd</sup> grade - 18 students, 4<sup>th</sup> through 8<sup>th</sup> grade - 22 students, and 9<sup>th</sup> through 12<sup>th</sup> grade - 25 students. Therefore, due to compliance with this requirement the permanent school capacity for the impacted schools dropped significantly.

Thank you for your continued cooperation and support on land use plan amendment matters pertaining to Broward County Public Schools. If you have questions or need further information, please email me at [chris.akagbosu@broward.k12.fl.us](mailto:chris.akagbosu@broward.k12.fl.us) or call me at 754-321-2162.

Sincerely,



Chris O. Akagbosu, Coordinator, Growth Management Division  
 Facility Management, Planning & Site Acquisition

COA:coa

cc: Thomas J. Coates, Executive Director, Facility Management, Planning and Site Acquisition  
 Tommy Moore, Director, School Boundaries Department



The Nation's Largest Fully

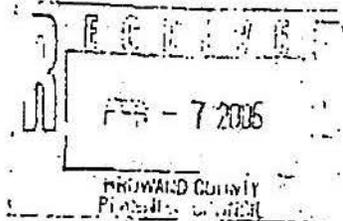
Accredited School System

Facility Management, Planning & Site Acquisition Department  
 600 S.E. 3rd Avenue, 4th Floor  
 Fort Lauderdale, Florida 33301

**Land Use Plan Amendment Public School Facility Impact Statement**

**Property Description**

Type: County SEC 24, 25, 36 and 19, 30 TWP 51 RNG 40, 41  
 Amendment #: PCT 05-4  
 Owner / Developer: City of Miramar/Sunbeam Properties, Inc.  
 Jurisdiction: City of Miramar  
 Current Land Use: Regional Activity Center (Approx. 2,205 Acres)  
 Proposed Land Use: Regional Activity Center (Approx. 2,205 Acres)



**Potential Student Impact\***

Existing Permitted Units: 5,460  
 Proposed Units: 7,460  
 Net Change: +2000

**Additional Impact:**

Elementary Students: 218  
 Middle Students: 116  
 High Students: 107  
 Total: 441

**Cummulative Students From**

**LUPA Approved Since:**  
 Since 1/01/04 to 6/29/04  

Elem	Midd	High	Total

\* Note: Calculations are based upon the maximum student generation rates in the Land Development Code.

**Currently Assigned Schools\***

	School Capacity	20th Day* Enrollment	Over/ (Under) Enrolled	Projected Enrollment**				
				05/06	06/07	07/08	08/09	09/10
Coconut Palm Elementary	820	1,061	241	987	1,065	1,124	1,137	
Joral Cove Elementary	733	497	-236	806	1,044	1,027	1,041	
Jew Renaissance	1,447	1,699	242	1,602	1,607	1,622	1,675	
Miramar High	2,037	2,821	784	2,969	3,115	3,233	3,267	

Information received from the Broward County Planning Council (BCPC) indicates that the current land use plan for the amendment site permits the development of 5,460 residential units. The applicant indicates that this application proposes 7,460 units or 2,000 (192 two-bedroom and 358 three-bedroom) warehouse units, 290 one-bedroom, 942 two-bedroom and 218 three-bedroom garden apartment units) additional units in the Regional Activity Center (RAC), which is anticipated to generate 441 students into Broward County Public Schools. As such, staff is advising the BCPC, the Broward County Commission, the applicant(s)/owner(s) and/or future developer(s) of the amendment site that based on the School District's 2004/05 Twentieth Day Membership Counts report, Coconut Palm Elementary, and Miramar High Schools are critically overcrowded, and Jew Renaissance Middle is overcrowded. Thus, development of 2,000 residential units will further exacerbate overcrowded conditions at the impacted schools. Please be aware that the 2004 permanent capacity data is not readily available, but will be available soon. Therefore, the 2003 permanent capacity data was utilized in the review. Consistent with School Board Policy 12, this application should be denied or deferred until permanent capacity addition is funded in the effective Capital Budget for Miramar High School. Also, this application is subject to the provisions of Section 7.8 of the Interlocal Agreement for Public School Facility Planning which calls for the mitigation of density generated by proposed residential density increase. Alternatively, the applicant can provide mitigation for the anticipated student impact. It should be noted that the applicant (Sunbeam Properties, Inc.) is having ongoing discussions with staff regarding the provision of the appropriate mitigation for the impacted students. Data on charter schools within a two-mile radius of the site in 2004/05 school year is provided in the attached correspondence.

Note: 2004/05 School Year Data - School attendance areas are subject to change each year.

\* Adjusted Cohort projections - Cohort Survival Model, School Boundaries Department.

**Planned and Funded Improvements in the Currently Adopted District Educational Facilities Plan**

**Elementary Schools:** Please see comments in attached correspondence dated December 14, 2004.

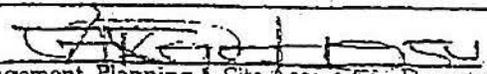
**Middle Schools:** None

**High Schools:** Miramar High: 24-classrooms addition, currently in redesign phase, and no forecasted completion date.

**Comments:** Temporarily the School Board utilizes other options such as portable classrooms, multi-track year round education, double sessions or boundary changes to accommodate students generated from developments in the County.

Date: December 14, 2004

and 6/30/03

By:   
 Facility Management, Planning & Site Acquisition Department

## ATTACHMENT 9

FEB 10 2005



THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA  
600 Southeast Third Avenue • 12<sup>th</sup> FL, FT. LAUDERDALE, FLORIDA 33301 • TEL 754-321-2161 • FAX 754-321-2179

BROWARD COUNTY  
PLANNING COUNCIL

Chris O. Akagbosu, Director  
Growth Management Division  
Facility Management, Planning & Site Acquisition  
chris.akagbosu@browardschools.com

## SCHOOL BOARD

Chair  
Vice Chair

STEPHANIE ARMA KRAFT, ESQ.  
BENJAMIN J. WILLIAMS  
CAROLE L. ANDREWS  
ROBIN BARTLEMAN  
DARLA L. CAKTER  
MALIREEN S. DINNER  
BEVERLY A. GALLAGHER  
DR. ROBERT D. PARKS  
MARTY RUBINSTEIN

February 8, 2005

Charles F. Fink, President  
Charles F. Fink, Inc.  
5342 NW 9<sup>th</sup> Lane  
Coral Springs, Florida 33067

Dr. Frank Till  
Superintendent of Schools

RE: CITY OF MIRAMAR - LAND USE PLAN AMENDMENT PCT 05-4

Dear Mr. Fink:

This correspondence is in response to your letter dated January 31, 2005 regarding the voluntary commitment by Sunbeam Properties, Inc. to provide mitigation for students anticipated from the proposed development of 2,000 residential units in the City of Miramar. The land use designation for the project site is Regional Activity Center (RAC), and an amendment to enable development of the units is currently being processed by the Broward County Planning Council as PCT 05-4.

In your correspondence dated September 27, 2004, you indicated that the additional 2,000 residential units would consist of 192 two-bedroom and 358 three-bedroom townhouse units, 290 one-bedroom, 942 two-bedroom and 218 three-bedroom garden apartment units. Furthermore, you were advised that the bedroom mix of 2,000 units as currently proposed, is anticipated to generate 218 elementary, 116 middle and 107 high school students for a total of 441 additional students into Broward County Public Schools.

In discussions with you regarding this application, you were advised that the proposed development is subject to the provisions of Section 7.8 of the Interlocal Agreement for Public School Facility Planning and School Board Policy 1161, which calls for the mitigation of additional students generated by proposed residential density increase. Furthermore, the District's development review report dated December 14, 2004 for the application indicated that the impacted schools, Coconut Palm Elementary and Miramar High Schools are critically in the 2004/05 school year, and New Renaissance Middle School is overcrowded. Thus, staff's recommendation was that mitigation should be provided for the anticipated pertinent elementary school students, the 116 middle school and the 107 high school students.

In the correspondence dated January 31, 2005, and subsequent email dated February 3, 2005, you indicate that there is a possibility that up to twenty percent (20%) of the units consisting of 80 one-bedroom, 220 two-bedrooms and 65 three-bedroom garden apartments may be constructed north of the Florida Turnpike Extension, thereby impacting Coconut Palm Elementary School. In such a scenario, mitigation will be due for the approximately 40 or more anticipated elementary, 116 middle and 107 high school students.

In your January 31, 2005 correspondence, you indicated that Sunbeam Properties, Inc. has voluntarily agreed to the payment of the Florida established cost per student station as mitigation for the anticipated

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Broward County Public Schools Is An Equal Opportunity/Equal Access Employer

*Transforming Education: One Student at A Time*  
Broward County Public Schools Is An Equal Opportunity/Equal Access Employer

City of Miramar - Land Use Plan Amendment PCT 05-4

February 8, 2005

Page 2

elementary, middle and high school students. Based on the School Impact fee schedule (effective October 1, 2004), the school impact fee that would be currently due for the mix of units is approximately \$3,380,136. Computations utilizing the February 2005 Florida established cost per student station figures indicates that the cost per student station amount for the anticipated elementary, middle and high school students is approximately \$4,527,655 which translates to approximately \$2,264 per unit, and \$1,147,519 above the currently estimated school impact fees for the unit mix. Also, computations utilizing the June 2012 Florida established cost per student station figures indicates that the cost per student station amount for the anticipated elementary, middle and high school students is approximately \$5,308,040 which translates to approximately \$2,654 per unit, and \$1,927,904 above the currently estimated school impact fees for the unit mix. Please be advised that the mitigation amount indicated may be different for units built south of the Florida Turnpike Extension, since mitigation would only be due for the middle and high school students if the said units are not built north of the Florida Turnpike Extension.

The proposed mitigation complies with the mitigation provisions of School Board Policy 1161. However, staff requests that as a condition for approval of the land use plan amendment and final adoption by the Broward County Commission, the City of Miramar must agree to enter into a tri-party interlocal agreement with the School Board of Broward County, Florida and the Broward County Board of County Commissioners prior to the land use plan amendment becoming effective. Furthermore, Policy 1161 requires that at the minimum, the agreement should address the following:

1. Amendment of the City's Land Development Code prior to the issuance of the first building permit for the additional 2,000 units to require payment of the cost per student station amount as the educational impact fee for the additional residential units proposed within the boundaries of the RAC.
2. The City will not issue any residential building permits within the boundaries of the LAC until execution of the agreement and payment of the applicable cost per student station amount.
3. The City will provide written notice to District staff regarding proposed development of the applicable RAC authorized residential units. At the minimum, the notice shall include pertinent information about the project such as location map (site plan or plat), number and type of units.

Thank you for your cooperation regarding this matter and please email me at [chris.akagbosu@browardschools.com](mailto:chris.akagbosu@browardschools.com) or call me at 754.321.2162 if you have additional questions.

Sincerely,



Chris O. Akagbosu, Director  
Growth Management Division  
Facility Management, Planning & Site Acquisition

Coa:coa

cc: Thomas J. Coates, Executive Director, Facility Management, Planning and Site Acquisition  
Alex Baum, Director, Capital Systems, Reporting and Control  
Sharon Cruz, Acting County Attorney  
Henry Sniezek, Executive Director, Broward County Planning Council  
David Danovitz, Acting Director, Development Management Division  
Don Waldron, Director, Community Development Department, City of Miramar

EXHIBIT "C"

STUDENT STATION COST FACTORS  
FEB. 2005 TABLE OR AS AMENDED

EXHIBIT "C"

Student Station Cost Factors Feb 2005

STUDENT STATION COST FACTORS

16-Feb-05

	Consumer Price Index REC National Forecast of February 2005	Student Station Cost Factors	Cost of Elementary School Student Station (\$)	Cost of Middle School Student Station (\$)	Cost of High School Student Station (\$)
Jul-1997	160.4	0.9032	11,520	13,208	17,478
Aug-1997	160.8	0.9054	11,548	13,241	17,521
Sep-1997	161.2	0.9077	11,577	13,274	17,565
Oct-1997	161.5	0.9093	11,599	13,298	17,598
Nov-1997	161.7	0.9105	11,613	13,315	17,619
Dec-1997	161.8	0.9110	11,620	13,323	17,630
Jan-1998	162.0	0.9122	11,635	13,339	17,652
Feb-1998	162.0	0.9122	11,635	13,339	17,652
Mar-1998	162.0	0.9122	11,635	13,339	17,652
Apr-1998	162.2	0.9133	11,649	13,356	17,674
May-1998	162.6	0.9155	11,678	13,389	17,718
Jun-1998	162.8	0.9167	11,692	13,405	17,739
Jul-1998	163.1	0.9184	11,714	13,430	17,772
Aug-1998	163.4	0.9200	11,735	13,455	17,805
Sep-1998	163.5	0.9206	11,742	13,463	17,816
Oct-1998	163.9	0.9229	11,771	13,496	17,859
Nov-1998	164.1	0.9240	11,785	13,512	17,881
Dec-1998	164.5	0.9262	11,814	13,545	17,925
Jan-1999	164.8	0.9279	11,836	13,570	17,957
Feb-1999	164.7	0.9274	11,829	13,562	17,946
Mar-1999	164.9	0.9285	11,843	13,578	17,968
Apr-1999	165.9	0.9341	11,915	13,661	18,077
May-1999	166.0	0.9347	11,922	13,669	18,088
Jun-1999	166.0	0.9347	11,922	13,669	18,088
Jul-1999	166.6	0.9381	11,965	13,718	18,153
Aug-1999	167.1	0.9409	12,001	13,759	18,208
Sep-1999	167.7	0.9443	12,044	13,809	18,273
Oct-1999	168.1	0.9465	12,073	13,842	18,317
Nov-1999	168.4	0.9482	12,094	13,866	18,350
Dec-1999	168.9	0.9510	12,130	13,908	18,404
Jan-2000	169.3	0.9533	12,159	13,941	18,448

ent Station Cost Factors Feb 2004

Feb-2000	169.9	0.9566	12,202	13,990	18,513
Mar-2000	171.0	0.9628	12,281	14,081	18,633
Apr-2000	170.9	0.9623	12,274	14,072	18,622
May-2000	171.2	0.9640	12,295	14,097	18,655
Jun-2000	172.2	0.9696	12,367	14,179	18,764
Jul-2000	172.7	0.9724	12,403	14,221	18,818
Aug-2000	172.7	0.9724	12,403	14,221	18,818
Sep-2000	173.6	0.9775	12,468	14,295	18,916
Oct-2000	173.9	0.9792	12,489	14,319	18,949
Nov-2000	174.2	0.9809	12,511	14,344	18,982
Dec-2000	174.6	0.9831	12,540	14,377	19,025
Jan-2001	175.6	0.9887	12,611	14,459	19,134
Feb-2001	175.9	0.9904	12,633	14,484	19,167
Mar-2001	176.0	0.9910	12,640	14,492	19,178
Apr-2001	176.5	0.9938	12,676	14,533	19,232
May-2001	177.4	0.9989	12,741	14,608	19,330
Jun-2001	177.8	1.0011	12,769	14,640	19,374
Jul-2001	177.4	0.9989	12,741	14,608	19,330
Aug-2001	177.5	0.9994	12,748	14,616	19,341
Sep-2001	178.1	1.0028	12,791	14,665	19,406
Oct-2001	177.6	1.0000	12,755	14,624	19,352
Nov-2001	177.5	0.9994	12,748	14,616	19,341
Dec-2001	177.2	0.9977	12,726	14,591	19,308
Jan-2002	177.6	1.0000	12,755	14,624	19,352
Feb-2002	177.9	1.0017	12,777	14,649	19,385
Mar-2002	178.5	1.0051	12,820	14,698	19,450
Apr-2002	179.4	1.0101	12,884	14,772	19,548
May-2002	179.5	1.0107	12,891	14,780	19,559
Jun-2002	179.7	1.0118	12,906	14,797	19,581
Jul-2002	180.1	1.0141	12,935	14,830	19,624
Aug-2002	180.6	1.0169	12,970	14,871	19,679
Sep-2002	180.9	1.0186	12,992	14,896	19,712
Oct-2002	181.2	1.0203	13,014	14,920	19,744
Nov-2002	181.4	1.0214	13,028	14,937	19,766
Dec-2002	181.6	1.0225	13,042	14,953	19,788
Jan-2003	182.2	1.0259	13,085	15,003	19,853
Feb-2003	183.2	1.0315	13,157	15,085	19,962
Mar-2003	184.0	1.0360	13,215	15,151	20,049
Apr-2003	183.4	1.0327	13,172	15,102	19,984
May-2003	183.3	1.0321	13,164	15,093	19,973
Jun-2003	183.5	1.0332	13,179	15,110	19,995
Jul-2003	183.8	1.0349	13,200	15,135	20,028
Aug-2003	184.5	1.0389	13,251	15,192	20,104
Sep-2003	185.1	1.0422	13,294	15,242	20,169

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Oct-2003	184.9	1.0411	13,279	15,225	20,147
Nov-2003	184.6	1.0394	13,258	15,200	20,115
Dec-2003	184.9	1.0411	13,279	15,225	20,147
Jan-2004	185.8	1.0462	13,344	15,299	20,246
Feb-2004	186.3	1.0490	13,380	15,340	20,300
Mar-2004	187.2	1.0541	13,444	15,414	20,398
Apr-2004	187.6	1.0563	13,473	15,447	20,442
May-2004	188.8	1.0631	13,559	15,546	20,572
Jun-2004	189.4	1.0664	13,602	15,596	20,638
Jul-2004	189.3	1.0659	13,595	15,587	20,627
Aug-2004	189.4	1.0664	13,602	15,596	20,638
Sep-2004	189.7	1.0881	13,624	15,620	20,670
Oct-2004	190.9	1.0749	13,710	15,719	20,801
Nov-2004	191.2	1.0766	13,732	15,744	20,834
Dec-2004	191.1	1.0760	13,725	15,736	20,823
Jan-2005	191.7	1.0794	13,768	15,785	20,888
Feb-2005	191.9	1.0805	13,782	15,801	20,910
Mar-2005	192.0	1.0811	13,789	15,810	20,921
Apr-2005	192.0	1.0811	13,789	15,810	20,921
May-2005	192.2	1.0822	13,804	15,826	20,943
Jun-2005	192.3	1.0828	13,811	15,834	20,954
Jul-2005	192.4	1.0833	13,818	15,843	20,965
Aug-2005	192.7	1.0850	13,839	15,867	20,997
Sep-2005	192.9	1.0861	13,854	15,884	21,019
Oct-2005	193.4	1.0890	13,890	15,925	21,074
Nov-2005	193.7	1.0907	13,911	15,950	21,106
Dec-2005	194.0	1.0923	13,933	15,974	21,139
Jan-2006	194.1	1.0929	13,940	15,983	21,150
Feb-2006	194.4	1.0946	13,962	16,007	21,183
Mar-2006	194.6	1.0957	13,976	16,024	21,204
Apr-2006	194.9	1.0974	13,997	16,049	21,237
May-2006	195.1	1.0985	14,012	16,065	21,259
Jun-2006	195.4	1.1002	14,033	16,090	21,292
Jul-2006	195.7	1.1019	14,055	16,114	21,324
Aug-2006	196.0	1.1036	14,076	16,139	21,357
Sep-2006	196.4	1.1059	14,105	16,172	21,401
Oct-2006	196.7	1.1075	14,127	16,197	21,433
Nov-2006	197.1	1.1098	14,155	16,230	21,477
Dec-2006	197.4	1.1115	14,177	16,254	21,509
Jan-2007	197.7	1.1132	14,199	16,279	21,542
Feb-2007	198.0	1.1149	14,220	16,304	21,575
Mar-2007	198.4	1.1171	14,249	16,337	21,618
Apr-2007	198.7	1.1188	14,270	16,361	21,651
May-2007	199.0	1.1205	14,292	16,386	21,684



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Feb-2011	216.7	1.2202	15,563	17,844	23,612
Mar-2011	217.2	1.2230	15,599	17,885	23,667
Apr-2011	217.7	1.2258	15,635	17,926	23,721
May-2011	218.1	1.2280	15,664	17,959	23,765
Jun-2011	218.6	1.2309	15,700	18,000	23,820
Jul-2011	249.1	1.2337	15,735	18,041	23,874
Aug-2011	219.6	1.2365	15,771	18,082	23,928
Sep-2011	220.1	1.2393	15,807	18,124	23,983
Oct-2011	220.6	1.2421	15,843	18,165	24,037
Nov-2011	221.1	1.2449	15,879	18,206	24,092
Dec-2011	221.6	1.2477	15,915	18,247	24,146
Jan-2012	222.1	1.2506	15,951	18,288	24,201
Feb-2012	222.6	1.2534	15,987	18,329	24,255
Mar-2012	223.0	1.2556	16,016	18,362	24,299
Apr-2012	223.5	1.2584	16,051	18,404	24,353
May-2012	224.0	1.2613	16,087	18,445	24,408
Jun-2012	224.5	1.2641	16,123	18,486	24,462

EXHIBIT "D"

BOUNDARY MAP – Area Referenced in Paragraph 2.02

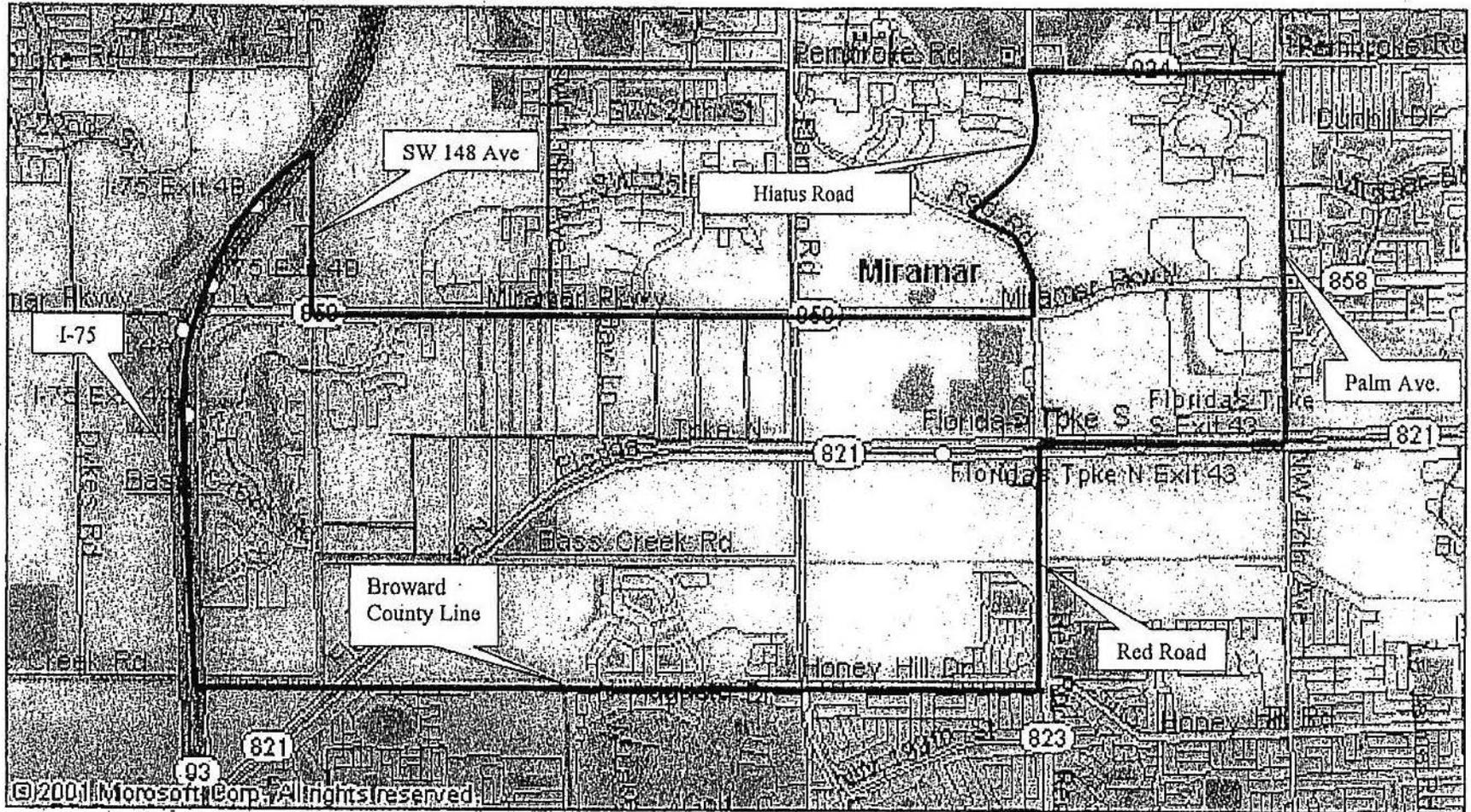


EXHIBIT "D"

MIRAMAR TRI-PARTY AGREEMENT

EXHIBIT "E"

BOUNDARY MAP – Area Referenced in Paragraph 2.03

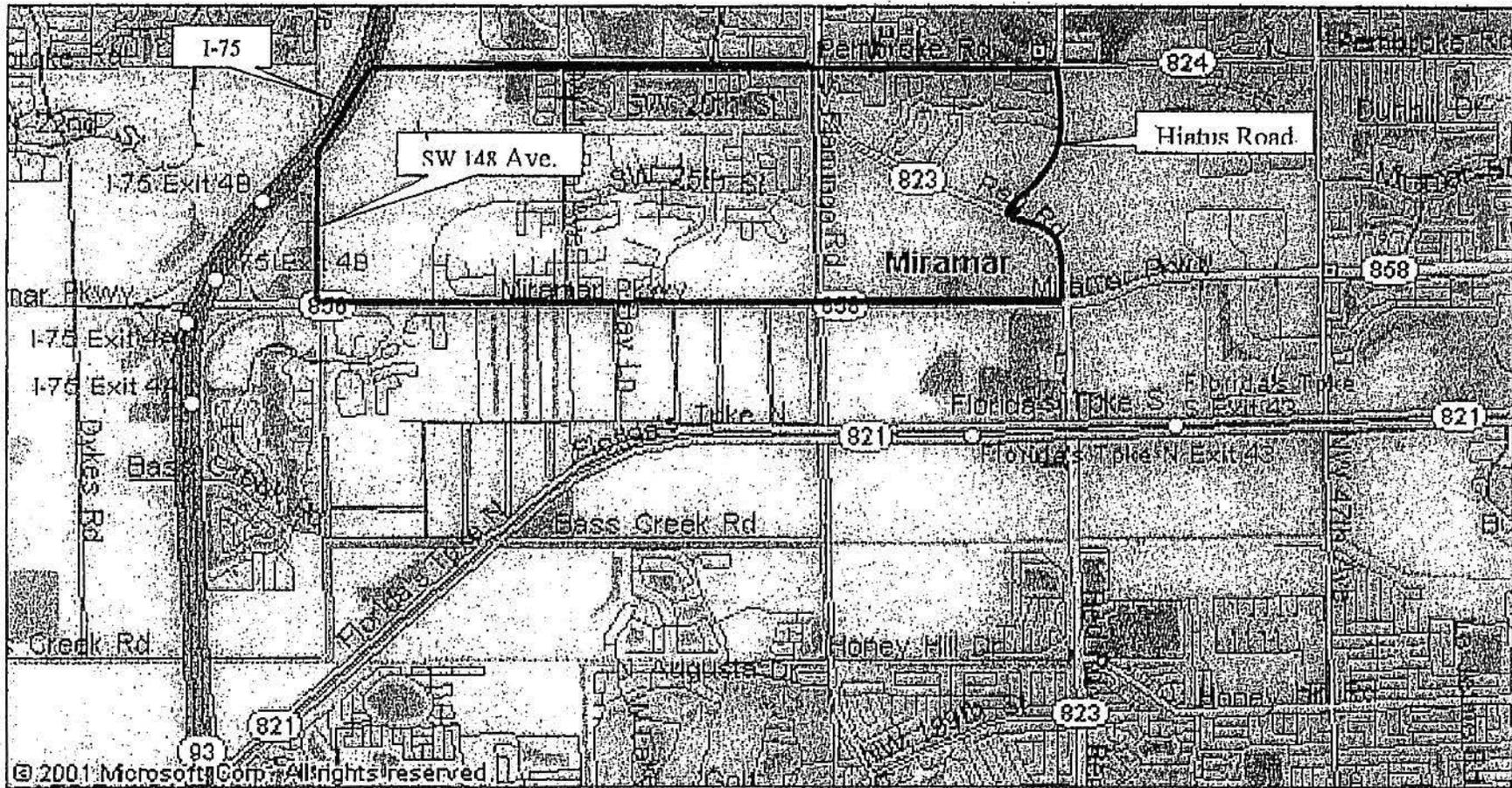


EXHIBIT "E"  
MIRAMAR TRIPARTY AGREEMENT