



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#14-1094

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee Feldman, ICMA-CM, City Manager

DATE: October 7, 2014

TITLE: Broward Addiction Recovery Center (BARC) Interlocal Agreement with
Broward County

Recommendation

It is recommended that the City Commission approved the attached interlocal agreement with Broward County resolving the dispute over the siting of the Broward Addiction Recovery Center (BARC).

Background

On March 17, 2014, pursuant to Broward County Resolution 2014-201, authorizing initiation of conflict resolution proceedings against the City, the County initiated an intergovernmental dispute resolution process with the City under Chapter 164 of the Florida Statutes relating to the Conditional Use Application for the siting of the BARC filed by the County for certain property located within the boundaries of the City. On June 3, 2014, the two governing bodies met to settle the dispute and discussed a broad framework for settlement. Ultimately, based upon those discussions, the administrative and legal staffs of both entities negotiated the attached interlocal agreement, which if adopted by both parties, will resolve the current dispute.

The material terms of the interlocal agreement are as follows:

1. In exchange for **fronting** BARC Central on SW 28 Street or SW 27 Street, the County has agreed to record a Restrictive Covenant on the Western Parcel (1.22 acres) of the Site upon receiving Final Approvals from the City for BARC Central and the Nancy J. Cotterman Sexual Assault Treatment Center (NJCC) or one year from the Effective Date of this Agreement provided the City has issued Final Approvals for BARC Central.

2. The County will withdraw its current application and within 60 days, file a New Application (as defined in the Agreement) to rezone and seek approval for a conditional use to develop BARC Central on the Eastern Parcel (2.81 acres). The County will also have the right to file an application to develop the NJCC on the Existing BARC Central Site within a year.
3. Each party must adhere to certain deadlines with respect to filing applications and issuing Final Approvals.
4. Once the Final Approvals are issued, they will be valid for 5 years.
5. The executed Interlocal Agreement shall be recorded in the Official Records Book.

The County has not agreed to some changes requested by the City. The Department of Sustainable Development has requested 180 days to issue Final Approvals and the County only agreed to 150 days. As to modifications or amendments to the site plan, we had asked that written consent from the County not be unreasonably withheld or delayed. Again, the County would not agree. It should be noted that the County's proposed site plan does not conform to our principles for design and siting of the improvements. If the parties cannot agree on design or siting amendments, the City's only remedy is to terminate the Agreement for cause.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections:

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the **Neighborhood Enhancement Cylinder of Excellence**, specifying advancing:

- **Goal 5:** Be a community of strong, beautiful, and healthy neighborhoods.
- **Objective 2:** Enhance the beauty, aesthetics, and environmental quality of neighborhoods.

This item advances the Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Community.

Attachments: Proposed BARC Interlocal Agreement

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