



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#24-1035

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

FROM: Susan Grant, Acting City Manager

DATE: November 7, 2024

TITLE: Resolution of the City Commission of the City of Fort Lauderdale, Florida, in Support of the Broward County Resolution Urging the School Board of Broward County, Florida, to Release All Cities Subject to Tri-Party Educational Mitigation Agreements and Approving the Release of the 2007 Tri-Party Education Agreement between the Broward County School Board and the City of Fort Lauderdale – **(Commission Districts 1, 2, 3 and 4)**

Recommendation

Staff recommends that the City Commission consider a resolution in support of urging the School Board of Broward County to release all cities subject to the Tri-Party Education Mitigation Agreements and approving the release of the 2007 Tri-Party Education Agreement between the Broward County School Board and the City of Fort Lauderdale.

Background

The Broward County Board of County Commissioners passed a resolution on September 17, 2024, supporting the release of the City of Fort Lauderdale and other cities in Broward County from Tri-Party Educational Mitigation Agreements related to regional activity centers within their boundaries. In Fort Lauderdale, the 2007 Tri-Party Education Mitigation Agreement requires developers of residential projects in the Downtown Regional Activity Center to pay student station costs rather than school impact fees to create additional public-school capacity. The Tri-Party Education Mitigation Agreement was amended in 2017 to account for the addition of 5,000 residential units to the Downtown Regional Activity Center adopted through a Comprehensive Plan text amendment adopted in 2016. The Broward County resolution and the Broward County Planning Council Staff Memorandum are attached as Exhibit 1 and Exhibit 2, respectively. The 2007 Tri-Party Education Mitigation Agreement is attached as Exhibit 3 and the 2017 First Amendment to Educational Mitigation Agreement is attached as Exhibit 4.

Student station costs exceed the school impact fees for comparable developments. For example, The Rise, a 157-multifamily residential unit project in the Downtown Regional Activity Center, paid \$231,889 in student station costs for 2.67 students anticipated to be generated by the School Board's adopted student generation rates. Absent the Tri-Party Agreement, the total cost of school impact fees due for the 157-unit project would have been \$72,377. Since the City of Fort Lauderdale initially entered into the Tri-Party

agreement in 2007 with Broward County and the School Board of Broward County, the student population in Broward County public schools has fallen and many schools are significantly under enrolled, reducing the need for additional public-school capacity. Limiting public school-related fees to school impact fees removes an additional barrier to increasing the supply of housing units in the Downtown Regional Activity Center during a time when Fort Lauderdale and Broward County face a significant housing crisis. A letter from Broward County Housing Finance supporting releasing Broward County cities from the Tri-Party Education Mitigation Agreements is attached as Exhibit 5.

In addition, to date, the City of Lauderhill and the City of Oakland Park adopted resolutions urging the School Board of Broward County to release all cities subject to the Tri-Party Educational Mitigation Agreement. The City of Coconut Creek also sent a letter of support encouraging the Broward County Commission supporting the release of all cities from Tri-Party Agreement.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a FY 2024 Commission Priority, advancing the *Affordable Housing and Economic Development* initiative.

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Housing Focus Area, Goal 2: Enable housing options for all income levels.

This item supports the Advance Fort Lauderdale 2040 Comprehensive Plan specifically advancing:

- The Neighborhood Enhancement Focus Area
- The Housing Element
- Goal 1: The Comprehensive Plan shall support the provision of adequate sites for future housing, including affordable workforce housing, housing for low-income, very low-income, and moderate-income families, mobile homes, and group home facilities and foster care facilities, with supporting infrastructure and public facilities.
- Goal 2: Be a community of strong, beautiful, and healthy neighborhoods.

Attachments

Exhibit 1 – Broward County Resolution, September 17, 2024

Exhibit 2 – Broward County Planning Council Staff Memorandum, September 4, 2024

Exhibit 3 – 2007 Tri-Party Education Mitigation Agreement

Exhibit 4 – 2017 Amended Tri-Party Education Mitigation Agreement

Exhibit 5 – Broward County Housing Finance Letter, August 27, 2024

Exhibit 6 – Resolution

Prepared by: Lorraine Tappen, Principal Urban Planner, Development Services

Department

Acting Department Director: Alfred G. Battle Jr., Development Services Department