

**ORDINANCE NO. 2012 -**

**A CAPITAL PROJECT AUTHORIZING ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY REGARDING THE FINANCING OF A PERMANENT SECONDARY EDUCATIONAL FACILITY AND RECREATIONAL FIELDS LOCATED AT THE MAST ACADEMY CAMPUS AS WELL AS NECESSARY RENOVATIONS OF THE KEY BISCAYNE K-8 CENTER AT A COST NOT TO EXCEED \$23,000,000; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Key Biscayne (the “Village”) Village Council over the last couple of years has been examining different options for providing additional secondary educational choices and recreational fields for Village residents as well as relief for the overcrowding at the Key Biscayne K-8 Center; and

**WHEREAS**, the Miami-Dade County Public Schools District Staff has approached the Village Staff about a potential partnership with the Village, which would include the financing of a permanent secondary educational facility and recreational fields to be used for Village residents located at the Mast Academy campus as well as necessary renovations of the Key Biscayne K-8 Center at a cost not to exceed \$23,000,000 (the “Project”); and

**WHEREAS**, the Village Council desires to approve the Interlocal Agreement with the School Board of Miami-Dade County, attached as Exhibit “A,” for the Project (the “Interlocal Agreement”) and authorize the Village Manager to execute the same; and

**WHEREAS**, the Village Council hereby declares that the approval of the Interlocal Agreement is a valid public purpose and finds that adoption of this Ordinance is necessary, appropriate, and advances the public interest.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS<sup>1</sup>:**

**Section 1. Recitals.** The preceding “Whereas” clauses are ratified and incorporated as the legislative intent of this Ordinance.

**Section 2. Interlocal Agreement Approved.** The Village Council hereby approves the Interlocal Agreement, in substantially the form attached hereto as Exhibit “A,” for the Project at a cost not to exceed \$23,000,000.

**Section 3. Authorization.** The Village Council hereby authorizes the Village Manager to execute the Interlocal Agreement, in substantially the form attached hereto as Exhibit “A,” for the Project at a cost not to exceed \$23,000,000, subject to approval as to form, content, and legal sufficiency by the Village Attorney.

**Section 4. Conflicts.** All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

**Section 5. Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading

PASSED on first reading this \_\_\_\_ day of \_\_\_\_\_, 2012.

PASSED AND ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
MAYOR FRANKLIN CAPLAN

ATTEST:

<sup>1</sup> Coding: underlined words are additions to existing text, struck through words are deletions from existing text, shaded text reflects changes made from First Reading.

CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

VILLAGE ATTORNEY