SUBJECT: APPROVAL OF INTERLOCAL AGREEMENT BETWEEN THE
SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA AND
THE CITY OF CORAL GABLES TO RESOLVE PENDING
CONFLICTS IN ACCORDANCE WITH CHAPTER 164,
FLORIDA STATUTES, “FLORIDA GOVERNMENTAL
CONFLICT RESOLUTION ACT”

LINK TO STRATEGIC
BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

On August 29, 2017, the City of Coral Gables (“City”) adopted Resolution No. 2017-215
initiating governmental dispute resolution proceedings under Chapter 164, Florida
Statutes (Florida’s Governmental Conflict Resolution Act). The City's Resolution sought
to address disputed matters involving the applicability of the City’s zoning and historic
preservation ordinances to Henry West Laboratory School and Coral Gables
Preparatory Academy, two public schools under the jurisdiction of the School Board and
located within the City’s municipal boundaries.

Prior to the initiation of the Chapter 164 proceedings, the City had objected to the
school district’s replacement of the windows at Coral Gables Preparatory Academy, a
school which the City had designated as a historic landmark. The original wood
windows were replaced with code approved metal windows because the school’s old
windows were deteriorating and could not be repaired or properly maintained. The City
later objected to the planned expansion of West Laboratory School because it had not
gone through its zoning approval process. The School Board has consistently
maintained that it is exempt from the City’s Zoning approval process.

After several meetings between District administrative and legal staffs, an agreement
was reached that the City would be given the option to replace and install the windows
to those deemed more historically appropriate, at the City’s own cost and expense. In
addition, after the District provided presentations to the City’s Design Review
Committee the City ceased its objections to the expansion of West Laboratory School
and the new addition opened in 2018. As a result, on May 28, 2019, the City approved
Resolution No. 2019-165 seeking to end the Chapter 164 proceedings and amicably
resolving the aforementioned prior disputes by entering into an Interlocal Agreement
(“ILA”) with the School Board. A copy of the ILA will be transmitted to the Board under
separate cover.

The ILA memorializes and ratifies prior existing agreements and understandings
between the parties. In accordance with the proposed ILA, prior to altering any historic
structure located within the City, the District will voluntarily consult with the City’s Historical Resources and Cultural Arts Director. Prior to any future expansions of the West Laboratory School, the District will provide its proposed expansion plans to City staff for the City’s input in compliance with the Amended and Restated Interlocal Agreement for Public School Facility Planning in Miami-Dade County, executed by the parties in 2007.

The District will in the future also participate in a voluntary administrative zoning review process, without waiving the School Board’s asserted exemption from this process. Any determinations by the City derived through this process will solely constitute recommendations for the Board’s consideration.

The School Board Attorney recommends acceptance by the Board of the ILA as being in the Board’s best interests and as an appropriate resolution of the Chapter 164 process. Administration is in agreement with this recommendation. Upon approval of the ILA, a fully executed version will be submitted to the City of Coral Gables, concluding the Chapter 164 process.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, approve the Interlocal Agreement with the City of Coral Gables, in compliance with and concluding the Chapter 164 proceedings, and authorizing the Superintendent to execute the Interlocal Agreement on behalf of the School Board.