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RESOLUTION NO. 2025/147

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR BROWARD COUNTY STAFF SERVICES IN CONNECTION WITH HEARINGS BEFORE THE COUNTY UNSAFE STRUCTURES BOARD; AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City Code of Ordinances (the "City Code") provides for an Unsafe Structures and Housing Appeals Board (the "City Board") for the purpose of hearing matters brought by the building official; and

WHEREAS, the City has been unable to appoint members to the City Board that satisfy all of the required qualifications; and

WHEREAS, Section 2-165 of the City Code provides for the ability to use an alternate unsafe structures board to hear matters brought by the City Building Official; and

WHEREAS, Broward County (the "County") maintains an Unsafe Structures Board (the "County Board") that hears and disposes of cases brought by building officials to enforce minimum standards of maintenance for occupied and unoccupied structures and adjacent properties in accordance with the Florida Building Code; and

WHEREAS, pursuant to Chapter 5 of the County Code of Ordinances and Section 116 of the Florida Building Code, the County Board has the authority to hear and dispose of cases brought by the City Building Official; and

WHEREAS, the City and the County entered into that certain Interlocal Agreement for Broward County Staff Services in Connection with Hearings Before the Unsafe Structures Board, recorded on September 24, 2020, and recorded at Instrument #116752163 of the Official Records of Broward County (the "ILA"); and

WHEREAS, the ILA is set to expire on September 30, 2025, and provides for renewal for additional five (5) year periods upon request of the City and upon acceptance by the County Administrator; and

WHEREAS, the City desires to utilize the County Board to hear and dispose of unsafe structure cases brought by the City Building Official and the County is willing to prepare and present unsafe structures cases brought by the City Building Official (the "Services"); and

WHEREAS, the City and County desire to enter into the First Amendment to the ILA, attached and incorporated herein as Exhibit "A." (the "First Amendment") to renew the ILA for a five year term, provide for revisions to the compensation rates for the Services and update the notice information and County's custodian of public records; and

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WHEREAS, City staff recommends that the City Commission approve and authorize execution of the First Amendment, attached as Exhibit "A," for the Services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part hereof.

Section 2. The City Commission hereby approves the First Amendment to the ILA with the County, attached as Exhibit "A".

Section 3. The City Manager is hereby authorized to execute the First Amendment, attached as Exhibit "A," together with such non-substantial changes as are deemed acceptable by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. Should any section, provision or word of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Resolution other than the part declared to be invalid.

Section 5. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED THIS 8TH DAY OF SEPTEMBER, 2025.

CITY OF DEERFIELD BEACH

TODD DROSKY, MAYOR

ATTEST:

HEATHER MONTEMAIOR, CITY CLERK