

RESOLUTION NO. 2016 - 005

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN ATTORNEY TO MAKE AN IMMEDIATE OFFER OF JUDGMENT FOR ONE THOUSAND DOLLARS (\$1,000.00) IN THE EVENT THAT THE CITY OF PEMBROKE PINES FILES AN ACTION AGAINST THE TOWN RELATING TO THE TOWN'S LEGAL OPPOSITION TO THE SITING OF THE FRANKLIN ACADEMY CHARTER SCHOOL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 20, 2015, the City of Pembroke Pines filed a Chapter 164 Dispute Resolution against the Town of Southwest Ranches relating to the Town's legal opposition to the siting of the Franklin Academy Charter School; and

WHEREAS, on September 24, 2015, both municipal administrators met pursuant to Section 164.1053 Florida Statutes to discuss the conflict, but were unable to reach a resolution; and

WHEREAS, on October 13, 2015, pursuant to 164.1055 Florida Statutes, there was a joint public meeting of both governing bodies; and

WHEREAS, after the joint public meeting failed to successfully resolve this matter, mediation will be scheduled pursuant to Section 164.1055 Florida Statutes; and

WHEREAS, in the event that mediation is unsuccessful, the City of Pembroke Pines has threatened to file an immediate legal action against the Town; and

WHEREAS, the Town Council believes that such legal action, as stated within the City's Chapter 164 letter, will be frivolous and sanctionable; and

WHEREAS, in the event that such legal action is filed, the Town Council authorizes its Town Attorney to immediately make an Offer of Judgment for One Thousand Dollars (\$1,000.00) to either immediately settle this matter or to enable the Town to seek attorney's fees and costs when this matter is summarily dismissed;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

Section 1: The above-referenced recitals are true and correct and are incorporated herein by reference.

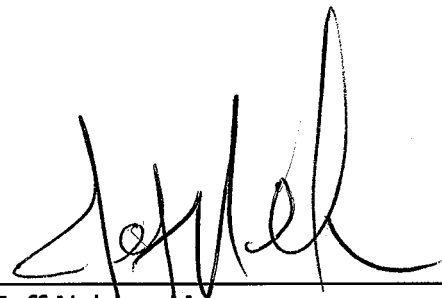
Section 2: The Town Council hereby authorizes its Town Attorney to make an immediate Offer of Judgment for One Thousand Dollars (\$1,000.00) in the event that

the City of Pembroke Pines files a legal action against the Town relating to the Town's legal opposition to siting of the Franklin Academy Charter School.

Section 4: This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 20th day of October, 2015, on a motion by C/M McKay and seconded by C/M Breitkreuz.

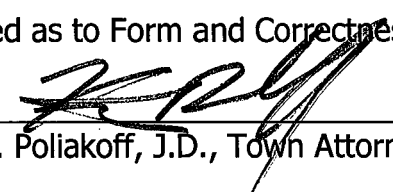
Nelson	<u>Yes</u>	Ayes	<u>4</u>
Fisikelli	<u>Yes</u>	Nays	<u>0</u>
Breitkreuz	<u>Yes</u>	Absent	<u>1</u>
Jablonski	<u>Absent</u>		
McKay	<u>Yes</u>		



Jeff Nelson, Mayor

Attest:


Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:


Keith M. Poliakoff, J.D., Town Attorney

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