



Item: SP: A-1

Tuesday, February 11, 2020

STRATEGIC PLANNING COMMITTEE

SUBJECT: APPROVAL OF THE UNIVERSITY'S FIRST AMENDMENT TO THE AMENDED AND RESTATED CAMPUS DEVELOPMENT AGREEMENT BETWEEN FAU BOT AND THE TOWN OF JUPITER

PROPOSED COMMITTEE ACTION

Recommend approval of the University's First Amendment to the Amended and Restated Campus Development Agreement (CDA) between the Florida Atlantic University and the Town of Jupiter.

BACKGROUND INFORMATION

In accordance with section 1013.30, Florida Statutes, state universities are to address the impacts of campus development on their host cities. After a university adopts a campus master plan, it addresses those impacts through a CDA prepared in conjunction with the host city. The Town and FAU entered into an amended and restated CDA in 2009 (2009 CDA). The First Amendment to the 2009 CDA, extends the term until December 1, 2020 to allow FAU adequate time to finalize the update to the master plan and negotiate a new Campus Development Agreement.

The First Amendment to the CDA addresses the continuing impact of FAU's campus development as approved under the 2009 CDA.

IMPLEMENTATION PLAN/DATE

Upon Board and Town of Jupiter's approval.

FISCAL IMPLICATIONS

N/A

Supporting Documentation: First Amendment to the Amended and Restate Campus Development Agreement between FAU Board of Trustees and the Town of Jupiter

**Presented by: Stacy Volnick,
VP Administrative Affairs and Chief Administrative Officer**

Phone: 561-297-6319

**FIRST AMENDMENT TO AMENDED AND RESTATED
CAMPUS DEVELOPMENT AGREEMENT BETWEEN
THE FLORIDA ATLANTIC UNIVERSITY BOARD OF
TRUSTEES AND THE TOWN OF JUPITER**

This **FIRST AMENDMENT** ("Amendment") is made and entered into this _____ day of _____ 20__ ("Effective Date") by and between the **TOWN OF JUPTIER, FLORIDA** (hereinafter referred to as the "Town"), a municipal corporation of the State of Florida, and the **FLORIDA ATLANTIC UNIVERSITY BOARD OF TRUSTEES**, (herein after referred to as "FAU" or "FAUBOT") a public body corporate of the State of Florida.

WHEREAS, the Town and FAU are parties to an Amended and Restated Campus Development Agreement dated December 1, 2009, pursuant to Section 1013.30(15), Florida Statutes (the "CDA");

WHEREAS, the Town and FAU now desire to amend the CDA to mutually extend the duration of the agreement beyond the initial date of December 1, 2019.

NOW THEREFORE, in consideration of the covenants contained herein and the performance thereof, the parties do hereby agree as follows:

1. The foregoing recitals are true and correct and are incorporated as though fully set forth herein.
2. Article 5.0 of the CDA is hereby amended to extend the duration of the CDA for a period of one additional year, until December 1, 2020.
3. Except as specifically modified by this Amendment, all other provisions of the CDA shall remain in full force and effect and shall be binding upon the parties in accordance with their terms.

IN WITNESS THEREOF, the parties have set their hands and seals on the day and year indicated.
Signed, sealed and delivered in the presence of:

FLORIDA ATLANTIC UNIVERSITY BOARD OF TRUSTEES

Date: _____

STATE OF FLORIDA
COUNTY OF PALM BEACH

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared _____ of the Florida Atlantic University Board of Trustees, to me known to be the person described herein and who executed the foregoing, and acknowledged the execution thereof to be his free act and deed, for the purposes therein mentioned.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

Notary Public

(Notarial Seal)

My Commission expires:

APPROVED by the Town Council on _____, 20____.

ATTEST:

TOWN COUNCIL OF THE
TOWN OF JUPITER, FLORIDA

BY: _____
Todd R. Wodraska, Mayor

(Sally Boylan / Town Clerk)

APPROVED AS TO FORM AND LEGAL

SUFFICIENCY:

Thomas J. Baird, Town Attorney