

THE AMENDED INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING
SPECIAL STAFF WORKING GROUP/STUDENT GENERATION RATE/SCHOOL IMPACT FEE
STANDING COMMITTEE MEETING

Minutes
April 26, 2011
10:30 a.m. – 12:00 p.m.
Room 430, Governmental Center

1. Call to Order and Roll Call

Chair Eichner called the special meeting of the Staff Working Group (SWG)/Student Generation Rate/School Impact Fee Standing Committee to order at 10:38 a.m. Linda Houchins took roll call, and the following members were in attendance:

- | | |
|--------------------------|---|
| • Akagbosu, Chris | Broward County School Board |
| • Allen, Ingrid | Town of Davie |
| • Amoruso, Glenn | Broward County |
| • Boy, Barbara Blake | Broward County Planning Council |
| • Buckeye, Rick | City of Oakland Park |
| • Ciesielski, Michael | City of Fort Lauderdale |
| • Davis-Hernandez, Tanya | City of North Lauderdale |
| • Dokuchitz, Peter | City of Wilton Manors |
| • Dolan, Jean | City of Pompano Beach |
| • Eichner, Shelley | City of West Park and Weston |
| • Hall, Lorri | City of Miramar |
| • Hickey, James | City of Coral Springs |
| • Loftus, Heather | Town of Southwest Ranches and City of Tamarac |
| • Matthews, Melinda | City of Lauderhill |
| • Moore, Roberta | City of Parkland |
| • Sesodia, Josie | City of Sunrise |
| • Stoudemire, Scott | City of Coconut Creek |
| • Suarez, Sarah | City of Hallandale Beach |
| • Williams, Sharon | City of Pembroke Pines |
| • Wood, Matt | City of Cooper City |
| • Zelch, Lisa | City of Plantation |
| • Ziskal, Ben | City of Margate |

Others in attendance at the meeting were as follows:

- | | |
|---------------------------|---------------------------------|
| • Coyle, Matt | Broward County |
| • Danovitz, David | Broward County |
| • Gull, Patti | Broward County |
| • Milinski, Martin | Town of Lauderdale-By-The-Sea |
| • Naderio, John | Broward County |
| • Rasheduzzaman, Mohammed | Broward County School Board |
| • Smith, Micah | Broward County |
| • Snizek, Henry | Broward County Planning Council |

2. Addition(s) to the April 26, 2011 Agenda

There were no additions to the April 26, 2011 agenda.

3. Approval of the Final Agenda for the April 26, 2011 meeting

Ben Ziskal made a motion to approve the final agenda for the April 26, 2011 meeting. Sharon Williams seconded the motion, and the motion passed unanimously.

4. Methodology Regarding Development/Update of the Student Generation Rate/School Impact Fee Study

Chair Eichner said that the special SWG meeting had been scheduled by Chris Akagbosu at the direction of the Oversight Committee. She explained that at the April 13, 2011 Oversight Committee meeting, there were discussions regarding the Student Generation Rate/School Impact Fee (SGR/SIF) Study Update, and Commissioner Wexler advised that the County Commission had voted unanimously to deny pertinent recommendations of the Study Update. Additionally, one of the major issues for denying the Study Update was the methodology that was used. Chair Eichner continued that discussions revolved around the ongoing issues relative to the methodology. She stated that the SWG as well as Broward County staff had raised the same concerns when the consultants did their presentations on the Study. Chair Eichner said that the Chair of the Oversight Committee had suggested that the SWG vet out the issues relative to the methodology and that District staff then approach the School Board to seek authorization for additional funds for the consultant to review the methodology and revise the Study Update utilizing one methodology. Chair Eichner stated that other concerns of the County Commission were the drastic rise of impact fees in certain categories, the number of vacant seats in the school system, and the plan to utilize impact fees for ancillary facilities outside of the school impact fee zones.

Mr. Akagbosu stated that the Amended ILA specifically requires that a SGR/SIF Study be done in coordination with the County and the Municipalities at least once every three years, which was done. He said that the Chair had laid out the issues, but corrected the statements which misrepresented that: 1) there were objections to the methodology that was utilized; 2) that the School District did not listen to the objections; and 3) proceeded with the Study and sent it forward to the County. He advised that the records and the facts show that the Standing Committee which included Patti Gull, Rick Buckeye, and Henry Snizek, were all in agreement regarding the methodology. Mr. Akagbosu advised that the Study Update started with one methodology which was based on census data, which is used nationally to conduct the majority of the SGR/SIF Studies, but when the Study was completed using that methodology, the mid-rise and high-rise fees went up significantly. Therefore, the recommendation from the consultant was to use address matching from the 2007 Study to address the fee increase in those two categories. Thus, there were no objections from the Standing Committee. Additionally, the builders never objected to the methodology. Mr. Akagbosu corrected, for the record, that no one objected to the methodology used and no one advised that the Study should not move forward.

Henry Snizek said that the Standing Committee met twice to discuss the Study Update, and after the first meeting he wrote a letter which raised many questions about the methodology and other issues in the Study and that the consultants responded to all his questions. He continued that there was never a meeting where the Standing Committee agreed to the methodology used, and he said that the methodology was still an outstanding issue for him. In response, Mr. Akagbosu pointed out that County staff also wrote three different letters with questions, and the consultants responded to each letter to the County staff's satisfaction. However, it is a fact that Mr. Snizek did not follow up with additional letters regarding lingering issues he may have had with the methodology and Study. Additionally, when the consultants presented the Study to the Broward County Planning Council, Mr. Snizek did not state any

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| • Dolan, Jean | City of Pompano Beach |
| • Eichner, Shelley | City of West Park and Weston |
| • Hall, Lorri | City of Miramar |
| • Hickey, James | City of Coral Springs |
| • Loftus, Heather | Town of Southwest Ranches and City of Tamarac |
| • Matthews, Melinda | City of Lauderhill |
| • Moore, Roberta | City of Parkland |
| • Sesodia, Josie | City of Sunrise |
| • Stoudemire, Scott | City of Coconut Creek |
| • Suarez, Sarah | City of Hallandale Beach |
| • Williams, Sharon | City of Pembroke Pines |
| • Wood, Matt | City of Cooper City |
| • Zelch, Lisa | City of Plantation |
| • Ziskal, Ben | City of Margate |

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| • Naderio, John | Broward County |
| • Rasheduzzaman, Mohammed | Broward County School Board |
| • Smith, Micah | Broward County |
| • Snizek, Henry | Broward County Planning Council |

objections to the methodology. Discussions followed regarding the concerns with the Study methodology, the fact that the 2007 Study underestimated students by 20 percent, and differences of opinions regarding going forward with the methodology.

Patti Gull advised that when the Study was first presented, the Standing Committee raised the issue about localized data not being used for the mid-rise and high-rise units. Also, as the Study progressed, the consultant changed the numbers in response to criticism about the use of census data for those dwelling unit types, and at the end of the day, two methodologies were used; one that used census data and another that used the address matching methodology. Mr. Akagbosu stated that there were no letters stating that the Study as presented should not have moved forward, and it is factual that County staff and the Standing Committee did not object to the methodology as utilized in the Study. Dave Danovitz commented that the County Commission had the benefit of reviewing comments from all agencies, and it was their decision based upon all the information received to reject the Study.

5. Issues Regarding the Address Matching Database

Mr. Akagbosu gave a history of the previous SGR/SIF Studies. He said that both the 1993 and 1997 Studies were done internally by School District staff in coordination with the County and address matching was used in both Studies. Also, for the 2007 Study the direction was to hire a consultant (Walter Keller, Inc.) to conduct the Study, and address matching was also used and a Geographic Information System (GIS) as a tool. Additionally, Mr. Keller had many problems with the student address matching methodology. Mr. Keller documented those problems in the 2007 Study and those problems still exist today. Additionally, Duncan Associates documented the same problems in the Study Update and concluded as a result, the 2007 Study under-predicted student enrollment by 20%. Thus, the reason for this meeting was to decide what methodology should now be utilized.

Chair Eichner advised that address matching had been used for the last 30 years, and asked why District staff recommended using census data in the Duncan Associates Study. Mohammed Rasheduzzaman answered that when the 2007 Study was done by Mr. Keller, the Builder's Association of South Florida (BASF) hired an expert who objected to the address matching methodology and said that census data was the widely accepted methodology that is utilized in such studies. Mr. Akagbosu followed that Duncan Associates has done such studies in all 50 states of the country and submitted a solid proposal which justified using census data to address the under-enrollment trend in Broward County Public Schools.

Discussions followed regarding the Duncan Associates proposal, the problems with the address matching methodology including the under-prediction of student enrollment by 20 percent, and verification that the Keller Study data was actually flawed. Further discussions continued regarding under-enrollment, excess capacity, the need for school impact fees, and the elimination of portables within an eight year period. Mr. Akagbosu asked that if the SWG agreed to move forward with the address matching methodology, would the County move forward to address the problems identified with the address matching methodology which includes capturing of unit numbers for multi-family developments? Lengthy discussions followed regarding problems using national census data, Broward County's unique category breakdowns, and how to validate unit numbers for the address matching methodology.

Chair Eichner summarized by saying that from the census data all that is known is that the unit is not a single family unit, the number of students would have to be taken from the census data that comes from a multi-family unit, but it would not be known if the units were garden apartments, mid-rise or high-rise units; whereas, with the address matching methodology the number of students from a high-rise building are known, and only the unit numbers are not known. Lengthy discussions followed regarding how to cure deficiencies through obtaining information from Certificates of Occupancy and/or through valid statistical analysis. Mr. Akagbosu said that good conversations were coming forward, and that the data source should be as accurate as possible and legally defensible. Discussions continued on Municipal staff

responsibilities regarding the address matching data and specific pitfalls of each methodology. Several SWG members said that they do not have the capability to capture the multi-family unit numbers.

Matt Wood made a motion to recommend using the address matching methodology for the SGR/SIF Study Update. The motion was seconded by Sharon Williams. A roll-call vote was taken, and there were 20 "yes" votes, 1 "no" vote from the City of Fort Lauderdale and 1 "abstaining" vote by the Broward County School Board SWG representative.

6. Sun-Setting of the Current School Impact Fee Schedule

Mr. Akagbosu said that this item was for informational purposes, and that the phase-in schedule for the current school impact fees was provided in the back-up materials. He advised that the current school impact fees which were done by Mr. Keller will sunset at the end of June 2011. Dave Danovitz advised that the current fees will be in effect until they are changed via the price deflator on September 30, 2011 and are published on the Broward County Web site.

7. Next Staff Working Group Meeting

7.1 June 2, 2011 (Regularly Scheduled Quarterly Meeting)

Chair Eichner advised that the next regular quarterly meeting of the SWG is scheduled for June 2, 2011.

8 Adjourn

Lorri Hall made a motion to adjourn the meeting. Roberta Moore seconded the motion, and the meeting was adjourned at 11:55 a.m.

Respectfully submitted by:


Shelley Eichner, Chair


Linda Houchins, Recording Secretary