

# THE AMENDED INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING STAFF WORKING GROUP MEETING

## Minutes

December 1, 2011

10:30 a.m. – 12:00 a.m.

Bienes Ceremonial Room, 6<sup>th</sup> Floor, Downtown Library

### 1. Call to Order and Roll Call

Chair Eichner called the Staff Working Group (SWG) meeting to order at 10:40 a.m. Linda Houchins took roll call, and the following members were in attendance:

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|--------------------------|---|
| • Allen, Ingrid          | Town of Davie                                 |
| • Amoruso, Glenn         | Broward County                                |
| • Buckeye, Rick          | City of Oakland Park                          |
| • Ciesielski, Michael    | City of Fort Lauderdale                       |
| • Davis-Hernandez, Tanya | City of North Lauderdale                      |
| • Dolan, Jean            | City of Pompano Beach                         |
| • Eichner, Shelley       | Cities of Weston and West Park                |
| • Ferguson, Gerald       | City of Deerfield Beach                       |
| • Fink, Charles          | Town of Pembroke Park                         |
| • Hall, Lorri            | City of Miramar                               |
| • Hickey, James          | City of Coral Springs                         |
| • Lajoie, Corinne Church | City of Dania Beach                           |
| • Loggins, Heather       | Town of Southwest Ranches and City of Tamarac |
| • Matthews, Melinda      | City of Lauderhill                            |
| • Sesodia, Josie         | City of Sunrise                               |
| • Stoudemire, Scott      | City of Coconut Creek                         |
| • Suarez, Sarah          | City of Hallandale Beach                      |
| • Wight, Lisa            | Broward County School Board                   |
| • Williams, Sharon       | City of Pembroke Pines                        |
| • Zelch, Lisa            | City of Plantation                            |
| • Ziskal, Ben            | City of Margate                               |

Others in attendance at the meeting were as follows:

- |                      |                             |
|----------------------|-----------------------------|
| • Fallon, Rosemarie  | Broward County              |
| • Householder, Irena | Broward County              |
| • Lodge, Tom         | City of Fort Lauderdale     |
| • Sipple, Patrick    | Broward County School Board |

### 2. Addition(s) to the December 1, 2011 Agenda

Lisa Wight requested that “Legislative Update” and “Portable Reduction Plan” be added to the SWG agenda. Chair Eichner added “Legislative Update” as Item Number 7.2 and “Portable Reduction Plan” as Item Number 7.3.

### **3. Approval of the Final Agenda for the December 1, 2011 meeting**

Ben Ziskal made a motion to approve the final agenda for the December 1, 2011 SWG meeting with Ms. Wight's additions. Rick Buckeye seconded the motion, and the motion passed unanimously.

### **4. Approval of Minutes – September 1, 2011**

Chair Eichner asked for a motion to approve the September 1, 2011 SWG minutes. Glenn Amoruso requested that the language in Item Number 5.I, Growth Management Legislative Changes Subcommittee, in the third paragraph, first sentence be changed to read "Mr. Amoruso advised that the revisions **will be** available on Broward County's Web site." Sharon Williams made a motion to approve the minutes of the September 1, 2011 SWG meeting as amended. Jim Hickey seconded the motion, and the motion passed unanimously.

### **5. Subcommittee Reports (NONE)**

There were no Subcommittee reports.

### **6. Old Business**

#### **6.1 Feedback from the October 12, 2011 Oversight Committee Meeting**

Chair Eichner advised that the two major issues discussed at the October 12, 2011 Oversight Committee meeting were the Portable Reduction Plan and changes in growth management laws. The Oversight Committee requested a status update, more information, and impacts of the portable reduction plan. Chair Eichner said that the other issue discussed at the meeting was the population projections and the fact that Bill Leonard, Broward County's demographer, had retired and the County is no longer doing the population projections. Additionally, one of the Sections in the Second Amended Interlocal Agreement (ILA) requires the County to do the population projections for all the Municipalities. She said that Peter Ross had issued a memorandum that Broward County will no longer complete the population projections and advised that the issue will be discussed in Item Number 7.1.

#### **6.2 Adoption and Formal Transmittal of the Annual Report on the Implementation of the Amended Interlocal Agreement for Public School Facility Planning (ILA) to the Oversight Committee for the Implementation of the ILA**

Chair Eichner asked if the committee members had any concerns or comments regarding the draft 2011 Annual Report. Lisa Wight explained the color coding and said that yellow represented violations, red represented changes that were made since the last SWG meeting, and blue represented areas that will change prior to adoption by the Oversight Committee in April 2012. Michael Ciesielski, City of Fort Lauderdale, advised that the City has scheduled the Second Amended ILA for approval for first reading on December 6, 2011 and for second reading December 22, 2011 and requested that the language in the Annual Report be changed to reflect the scheduled 2011 approval. Lorri Hall made a motion to approve and transmit the 2011 Annual Report on the Implementation of the Amended ILA to the Oversight Committee with the City of Fort Lauderdale language change and revision of the blue areas. Sharon Williams seconded the motion, and the motion was approved unanimously.

#### **6.3 New Collocation Facilities**

The Municipalities had no new collocation facilities to report.

#### **6.4 Status – Broward County and Municipal Comprehensive Plans and Land Development Codes/Regulations**

Glenn Amoruso said that the County has updated the element, and it will be transmitted to Florida State Department of Economic Opportunity on December 13, 2011. After it has been transmitted, the changes will be made available to the cities via the County Web site. Additionally, the school element will be adopted in February 2012. Brief discussions followed regarding municipal transmittal and adoption of the school element.

Ms. Wight requested for any changes or additions to Attachment “D” of the 2011 Annual Status Report by the cities to advise Linda Houchins.

#### **6.5 Update on Broward County and Municipalities Evaluation and Appraisal Report**

This item was not discussed.

### **7. New Business**

#### **7.1 Broward County Population Forecasting Program Update**

Mr. Amoruso advised that a motion had been made at the last SWG meeting requesting Broward County to continue doing population projections. In response to that motion, Peter Ross responded with a letter to the Oversight Committee and the SWG. Mr. Amoruso said that the County had been comparing the 2010 census with the County in-house model to see if there is justification to continue using the Broward County forecasting model. Out of that evaluation, the County has determined that they will be using the Bureau of Economic and Business Research (BEBR) to update the population projections.

Irena Householder gave a brief update regarding where Broward County stands regarding the population forecasting program update. She said that Bill Leonard, Broward County’s demographer who created and maintained the Broward County Population Forecasting Model, retired in 2009. She said that the County-wide projections were distributed to the municipal level and smaller areas (Traffic Analysis Zones) with the input of an ad hoc committee comprised of municipal planners and School Board staff. Ms. Householder talked about the handouts provided to the SWG which compare the 2010 Census, BEBR, and the Broward County Population Forecasting Model and stated that based on an evaluation of the comparisons; the County had decided not to maintain the in-house model, but will be using estimates and projections from BEBR at the county level. She said that BEBR is widely used in the State of Florida. Additionally, a consultant will work with County staff to develop an allocation methodology to distribute the BEBR numbers to smaller geographic areas. As in previous years, the County will form a technical support group with Municipal planners and School Board staff to review the BEBR numbers and the methodology. Ms. Householder said that the County is evaluating models now and they are hoping to move forward with the process as quickly as possible to have the projections by the end of next year. Brief discussions followed regarding BEBR numbers, updating the allocation models, and how the County-wide projections will be broken down by Municipalities.

#### **7.2 Legislative Update**

Ms. Wight talked about the following legislative bills:

- Senate Bill 912/House Bill 603 prohibits the collection of any new or existing impact fees or the imposition of school concurrency or any proportionate share mitigation until 2015. Ms. Wight

said that the School Board will oppose that Bill because it will take away a significant source of revenue and would also take away the authority to require the availability of school facilities as a prerequisite for approval of residential development.

- Senate Bill 842 deletes the exemption provisions for signatories of the ILA. Ms. Wight said that the Department of Community Affairs (DCA) granted the exemptions and with DCA gone, this Bill would take the state out of the process.
- House Bill 431 relates to the joint use of school facilities and states that in an effort to reduce the epidemic of obesity in the State of Florida, because schools are paid for with taxpayer money, if schools have outdoor recreational facilities, they must give access to the taxpayers during non-school hours at no cost. Ms. Wight said the Bill also limits the liabilities of the School District for any injuries that may occur as a result of said use.

Senate Bill 383 would change how Florida Inventory of School Houses (FISH) is calculated and would result in a loss of capacity of 43,482 seats.

Brief discussions followed.

### **7.3 Portable Reduction Plan**

Ms. Wight advised that the Second Amended ILA changed the Level of Service Standards (LOS) to allow the District to count portables until the year 2018/19 and will revert back to permanent LOS after that date. She said the Oversight Committee's direction was to use the grace period to get back to a permanent LOS without triggering a massive rebounding in Broward County. School District staff is working towards eliminating the reliance on portables. Staff is putting together a comprehensive plan to dispose of portables that carry student capacity. She said that School District staff has formed two committees; one which will look at portables to make sure each school will meet the state's mandate for class-size and LOS before disposing of them, and the other committee to decide how to dispose of the units.

Ms. Wight advised that the information regarding portables is published annually in the District Educational Facilities Plan (DEFP) and will show how many and at which schools the portables will be removed. She advised that the current DEFP lists 152 units which will be removed in 2012, and staff is in the process of determining how to dispose of the units. Additionally, the state has determined that if the portables are younger than 20 years old, the District cannot dispose of them, and if they are over 20 years old they can be eliminated per Section 1013.21, F.S. She stated that approximately 80% of the District's portables that carry capacity are over 20 years old. Ms. Wight advised that detailed data is contained in the planning tool that is available online at the School Boundaries Web site, and frequently asked questions (FAQ) will be available on the Facility Management, Planning and Site Acquisition Website.

Ms. Wight said that the Oversight Committee had noticed that House Bill 7207 states that if a portable that was purchased after 1998 and meets the standards for long term use, it must be included in the LOS. The Oversight Committee wants to re-evaluate whether the School District should eliminate portables if there is a requirement to keep some of them for LOS. The portable issue will be vetted through the Oversight Committee at its January 2012 meeting.

Brief discussions followed regarding allocation and maintenance of portables, removal of portables and funding. Ingrid Allen suggested that the students be asked what should be done with the portables which could be promoted as a school project for the students in order to get their feedback, and perhaps start an "adopt a portable" program.

## 8 Next Staff Working Group Meeting

8.1 March 1, 2012 (Regularly Scheduled Quarterly Meeting)

Chair Eichner advised that the next SWG meeting is scheduled for March 1, 2012.

## 9. Adjourn

Chair Eichner wished everyone a happy and healthy holiday and adjourned the meeting at 11:30 a.m.

Respectfully submitted by:

  
Shelley Eichner, Chair

  
Linda Houchins, Recording Secretary