

BROWARD COUNTY OFFICE OF URBAN PLANNING AND REDEVELOPMENT

PUBLIC SCHOOL FACILITY PLANNING

Staff Working Group Minutes

October 29, 2009

9:30 a.m. - 12 Noon

Broward County Governmental Center - **Room A337**

1. Call to Order and Roll Call

Chair Eichner called the Staff Working Group (SWG) meeting to order at 9:40 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
- Archer, Brian City of Parkland
- Bowman, Jeff Town of Lauderdale-By-The-Sea
- 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
- Eichner, Shelley City of West Park
- Eichner, Shelley City of Weston
- Fink, Chuck Town of Pembroke Park
- Hall, Lorri City of Miramar
- Hickey, Jim City of Coral Springs
- Lajoie, Corinne City of Dania Beach
- Martinez, Amanda City of Deerfield Beach
- Stoudemire, Scott City of Coconut Creek
- Suarez, Sarah City of Hallandale Beach
- Swing, Brad City of Sunrise
- Teetsel, Dawn City of Tamarac
- Teetsel, Dawn Town of Southwest Ranches
- Von Stetina, Deanne Broward County Planning Council
- Williams, Sharon City of Pembroke Pines
- Wood, Matthew City of Cooper City
- Zelch, Lisa City of Plantation
- Ziskal, Ben City of Margate

Others in attendance at the meeting were as follows:

- Gabriel, Alan Broward County School Board Cadre Attorney
- Gancoli, Don City of Lauderhill
- Hamilton, Leander City of Hollywood

- Peservich, Jonathan Broward County School Board
- Pinney, Andrew City of Margate
- Sipple, Patrick Broward County School Board
- Tingom, Peter S. Oversight Committee
- Wight, Lisa Broward County School Board
- Young, Jill Broward County School Board

2. Addition(s) to the October 29, 2009 Agenda

There were no additions to the October 29, 2009 agenda.

3. Approval of Minutes - September 3, 2009

Sharon Williams made a motion to approve the minutes of the September 3, 2009 meeting. Matt Wood seconded the motion, and the motion passed unanimously.

Subcommittee Reports

4.1 Recommended Changes to the Amended Interlocal Agreement (ILA)

Chair Eichner talked about the Subcommittee meeting on October 1, 2009 to address potential changes to the Amended Interlocal Agreement (ILA). She said that the Subcommittee discussed eight or nine housekeeping, timeframe, and processing issues that will allow the SWG to demonstrate to the Oversight Committee and the School Board that the provisions of the ILA are being met. Additionally, that the Subcommittee discussed the following interpretation issues: (1) the less than one rounding issue; (2) exempt residential development determination; and (3) exempt vested residential development determination. She talked about the Interpretation Document that was accepted and approved by the Oversight Committee and which addressed interpretation of the three issues. She also talked about the discussion the Subcommittee Members had regarding whether the three issues in the stand-alone Interpretation Document should be incorporated into the Amended ILA as part of the proposed amendment to the Agreement. She continued that the Subcommittee did not reach consensus on whether the Interpretation Document should be incorporated into the Agreement, but felt that the matter should be discussed at the SWG meeting. Thus, the issue is whether the Interpretation Document should be maintained as a separate Document or be incorporated into the Amended ILA. Discussions followed, and Alan Gabriel advised that when the Interpretation Document was approved by the Oversight Committee, no municipality raised any objections to the approval. Discussions continued regarding whether the SWG wanted to make recommendations regarding whether the Document should be incorporated into the Amended ILA or whether it should be a stand-alone Document. Mr. Akagbosu stated that the School District would prefer to have the Document operate as a stand-alone Document. Chair Eichner advised that as a Group, the SWG did not support the conclusions reached in the Document. Mr. Gabriel followed that the Amended ILA currently contains processes to address issues of disagreement between the parties and that is how the Interpretation Document was created. Chair Eichner outlined the following three options available to the SWG regarding resolution of the issue: (1) the Interpretation Document should be a stand-alone Document; (2) add language to the Amended ILA acknowledging the existence of the Interpretation Document which would be amended to include resolution reached regarding issues that arose; and (3) incorporate the Document into the Amended ILA. Mr. Akagbosu made a motion to acknowledge the existence of the Interpretation Document in the ILA. Matt Wood seconded the motion for discussion. Discussions followed on the motion, and Mr. Gabriel said that language could be drafted in the Section of the Amended ILA that relates to the Oversight Committee to acknowledge the Interpretation Document. Chair Eichner restated the motion which was to include language in the

Amended ILA that would reference the existence of the Interpretation Document with specifications as to the purpose of the Document and where it could be found. Vote on the motion took place, and the motion passed unanimously.

4.2 Interpretation Document

The Interpretation Document was discussed in Item 4.1.

5. Old Business

5.1 Feedback from the October 14, 2009 Oversight Committee Meeting

Mr. Akagbosu stated that annual elections were held at the October 14, 2009 Oversight Committee meeting, and Keven Klopp was re-elected Chair, School Board Chair, Maureen Dinnen was elected Vice Chair and Council Member Peter Tingom was elected Secretary. He stated that the majority of the discussions at the meeting centered on the item that will be discussed under New Business. Additionally, that the timeframe and Mid-Year Report that were developed by the SWG was accepted by the Oversight Committee.

5.2 New Collocation Facilities

Chair Eichner advised that to enable compliance with the provisions of the Amended ILA, new collocation facilities will be listed on every SWG agenda. SWG Members had no proposed new collocation facilities to report.

6. New Business

6.1 Alternative Public School Concurrency Options

6.1.a. Staff Presentation of All Alternatives

Mr. Akagbosu talked about the maps provided by School District staff and stated that the maps were presented to the School Board and are available on the School Board website. Additionally, that the maps depict the level of service standard (LOS) and dates that the concurrency service areas (CSA's) must meet the adopted LOS. Also, that the planned options to meet the adopted LOS were through permanent capacity additions and new schools or via school boundary changes. However, the only option currently available to the School District is the use of school boundary changes because the State has withdrawn the District's ability to build new permanent capacity. Mr. Akagbosu talked about the west to east domino boundary changes which may affect all parts of the county.

Jill Young, Director of the School Boundaries Department, talked about her responsibility to show and educate people about what will happen when the deadline occurs to meet LOS. She talked about adjacency boundary effects. Mr. Akagbosu added that the boundary process must start several years in advance of the date to meet LOS. He showed a PowerPoint presentation which addressed the School Board's request to the Oversight Committee which initially recommended eight expanded CSA's based on 110% of gross capacity and also a recommendation based on 110% of permanent FISH capacity. Mr. Akagbosu said that the Oversight Subcommittee met on September 17, 2009 and after lengthy discussions, focused on the Miami/Dade County model. Subsequently, the Subcommittee recommended that the School Board should: (1) consider repurposing schools; (2) use the Miami/Dade County model

which is based on a LOS of 100% gross capacity, but to cease the utilization of gross capacity in the year 2015. Also, that in the interim years prior to 2015, the School Board should start phasing-in boundary changes; and (3) have staff do an analysis of geographic CSA's. Mr. Akagbosu showed various LOS scenarios and long-term concurrency timeframes and the modification of the original eight CSA's to twelve compact CSA's.

6.1.b. Oversight Committee Recommendations

Mr. Akagbosu said that at the October 14, 2009 Oversight Committee meeting, the Committee adopted the second recommendation made by the Subcommittee.

6.1.c. School Board Workshop Recommendations

Mr. Akagbosu said that District staff presented the Oversight Committee's recommendations to the School Board at the October 27, 2009 School Board Workshop, and after lengthy discussions the School Board decided that staff should go back to the Oversight Committee and present the twelve compact CSA's as a compromise. He said the reason for the decision was because using the Miami/Dade County model would give the School Board only one year before a boundary phase-in process would have to begin. He stated that the second reason discussed was the majority of portables in the District's inventory are 20 years and older, and the District lacks funds to replace the portables. Ms. Young talked about the boundary phase-in process. Discussions followed regarding the 2015 sunset date, school concurrency, the proposed amendments and expanded CSA's, Adequate Yearly Progress (AYP) and school choice, how they affect the boundary process, and State law regarding the use of 20-years and older portables.

Chair Eichner said that the 110% of permanent capacity with the eight CSA's seems to be the path of least resistance in terms of amendment to the ILA to prevent the potential domino boundary changes. Mr. Gabriel said that the School Board is recommending that the CSA's be expanded, and that the Oversight Committee did not recommend the expanded CSA's. He said that the compact CSA's were a compromise. Lengthy discussions followed regarding CSA's, mitigation concerns, school concurrency, concurrency requirements and penalties, and amendment of the ILA. Mr. Akagbosu said that School District staff is in the process of requesting a special Oversight Committee meeting in November 2009 to enable the Oversight Committee to address the Board's request, and would keep the SWG advised when the meeting is scheduled. Chair Eichner requested that the SWG make a recommendation to the Oversight Committee as to what they think the appropriate scenario should be for the Cities. Discussions continued, and it was suggested that the SWG recommendation should point out that the twelve CSA's and the Miami/Dade County model do not solve the problems, but only give the School Board a year of relief, and also that the 20-year portable issue should be incorporated into the recommendation. Matt Wood made a motion to recommend to the Oversight Committee that they go back to the September 17, 2009 Subcommittee recommendation which amends the LOS to 110% permanent capacity from the use of individual school attendance boundaries to the use of eight larger CSA's and to add in the language regarding relocatables. Sharon Williams seconded the motion for discussion. Chair Eichner restated the basic motion as being to recommend that LOS be 110% of permanent capacity utilizing the eight geographic attendance areas as the CSA. She said that qualifiers should be added to the motion as follows: (1) the Miami/Dade 100% gross capacity with a phase out in 2015 does not solve the problem, but only offers one year of relief before boundary changes would have to occur, (2) the 20-year time limit on utilizing portable capacity could be removed by the State at any time and

therefore should not be relied upon, and further approximately 80% of the current portable inventory is in excess of 20-years old.

Ms. Young stated for the record that the rationale of why the twelve CSA's will not work is because it would make many students move from one area of the County to other areas of the County, which does not work for the School District. She said that the other issue is that going to eight CSA's at 110% of permanent capacity would not totally stop boundary changes; but would mean that the need for boundary changes would not be mandated by the ILA. Thus, boundary changes may still occur for educational purposes that have typically been done in past years. Chair Eichner added another qualifier stating that (3) the option of the twelve geographic service areas does not solve the problem at the middle school level and could potentially impact high school levels. Chair Eichner said a fourth qualifier is that (4) the SWG recommendation is strictly based on implementation as it relates to public school concurrency and the State requirements, and are not recommendations that are based on boundary changes that are within the purview of the School Board and which are done for other reasons. Vote was taken on the motion as amended with the qualifiers, and the motion passed with one "no" vote from the City of Dania Beach.

6.2 Additional Special SWG Meeting(s) in 2009

Chair Eichner advised that the next SWG meeting is scheduled for December 3, 2009. Ms. Young talked about the provided timeline. Mr. Akagbosu stated that a special Oversight Committee meeting will be scheduled in November or December 2009, and feedback from that meeting will have to be provided to the School Board. He talked about the timeline process. Discussions followed, and it was decided that the December 3, 2009 SWG meeting would be postponed until a later date in December 2009. Chair Eichner requested that the changes to the Amended ILA that were discussed at the last SWG Subcommittee meeting be included in the next meeting discussions. Mr. Akagbosu emphasized that the cities need to take this message to their elected officials to start educating them about the issues and proposed amendments to the ILA.

Ms. Young clarified that the 34,000 empty seat number that has been circulating includes charter schools and centers, and in actuality there are 15,000 empty public school seats.

7. Next Staff Working Group Meeting

7.1 December 3, 2009 (Regularly Scheduled Quarterly Meeting)

The December 3, 2009 regularly scheduled SWG meeting was postponed.

8. Adjourn

Ingrid Allen made a motion to adjourn the meeting. Sharon Williams seconded the motion, and the meeting was adjourned at 11:10 a.m.

Respectfully submitted by:


Shelley Eichner, Chair


Linda Houchins, Recording Secretary