

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

Minutes

June 9, 2011

10:30 a.m. - 12:00 p.m.

Broward County Governmental Center - Room 430

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:

- Akagbosu, Chris Broward County School Board
- Allen, Ingrid Town of Davie
- Amoruso, Glenn Broward County
- Buckeye, Rick City of Oakland Park
- Chang, Elizabeth City of Hollywood
- Davis-Hernandez, Tanya City of North Lauderdale
- Dokuchitz, Peter City of Wilton Manors
- Dolan, Jean City of Pompano Beach
- Eichner, Shelley Cities of Weston and West Park
- Ferguson, Gerald City of Deerfield Beach
- Fink, Charles F. Town of Pembroke Park
- Hickey, Jim City of Coral Springs
- Lajoie, Corinne City of Dania Beach
- Loftus, Heather Town of Southwest Ranches and City of Tamarac
- Moore, Roberta City of Parkland
- Pinney, Andrew City of Margate
- Sesodia, Josie City of Sunrise
- Suarez, Sarah City of Hallandale Beach
- Von Stetina, Deanne Broward County Planning Council
- Wight, Lisa Broward County School Board
- Williams, Sharon City of Pembroke Pines
- Wood, Matthew City of Cooper City
- Zelch, Lisa City of Plantation

Others in attendance at the meeting were as follows:

- Coyle, Matt Broward County
- Smith, Micah Broward County
- Trevarthen, Susan Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, P.A.

2. Addition(s) to the June 9, 2011 Agenda

There were no additions to the June 9, 2011 agenda. Chair Eichner announced that Debby Ross, a former member of the SWG had passed away after a three and a half year battle with cancer and that her memorial service would be held on Saturday, June 18, 2011 at 4:00 p.m. at River of Grass Unitarian

Universalist Congregation in Davie, Florida. She advised that if anyone wanted a copy of the flyer, she would E-mail it to them.

3. Approval of the Final Agenda for the June 9, 2011 meeting

The final agenda for the June 9, 2011 meeting was approved.

4. Approval of Minutes - March 3, 2011

Sharon Williams made a motion to approve the minutes of the March 3, 2011 meeting. Matt Wood seconded the motion, and the motion passed unanimously.

5. Approval of Minutes - April 26, 2011

Ingrid Allen made a motion to approve the minutes of the April 26, 2011 meeting. Sharon Williams seconded the motion, and the motion passed unanimously.

6. Subcommittee Reports (NONE)

There were no Subcommittee Reports.

7. Old Business

7.1 New Collocation Facilities

The Municipalities had no new collocation facilities to report.

7.2 Status - Student Generation Rate/School Impact Fee Study Update

Mr. Akagbosu gave the status of the Student Generation Rate/School Impact Fee (SGR/SIF) Study Update and said that School District staff is working with the Consultants regarding revisions to the Study Update and using the address matching methodology. He said that the Oversight Committee had requested that a sample of mid-rise and high-rise units be taken and the student generation rates determined from those samples. Additionally, results of the samples will be presented at the June 15, 2011 Oversight Committee meeting. Mr. Akagbosu said that the Consultants advised that the Study Update would take approximately six weeks to complete. He said that the same process would be followed regarding the results of the Study Update and the process should be concluded by the end of the year.

7.3 Status - Broward County and Municipal Comprehensive Plans and Land Development Codes/Regulations

Chair Eichner suggested that School District staff should E-mail the Approval/Effective Dates Matrix to the SWG members for updating. Discussions followed regarding District reviews and Municipal adoption dates for Comprehensive Plans and Land Development Regulations (LDR). Mr. Akagbosu committed to E-mail the Matrix to the SWG members for updating.

7.4 Update on Broward County and Municipalities Evaluation and Appraisal Report

Mr. Amoruso advised that Broward County adopted the Evaluation and Appraisal Report (EAR) in February, 2011 and that on April 29, 2011 the County received the final sufficiency review from the

Department of Community Affairs (DCA). Additionally, no comments were received, and the County is moving forward to adopt the EAR based amendments. Brief discussions followed on the one-year time frame to respond to the EAR. Ms. Trevarthen advised that DCA has placed guidelines on their Web site, and advised the members to utilize the site. She also announced that the South Florida and Treasure Coast Regional Planning Councils are hosting a DCA Growth Management Implementation Regional Workshop on June 30, 2011 in Boca Raton, Florida.

8. New Business

8.1 Annual Interlocal Agreement Report Committee

After brief discussions regarding the Mid-Year Report, the SWG concurred that the Chair should request that the Oversight Committee waive the Mid-Year Report due in July 2011 because the 2010 Annual Status Report on the Implementation of the ILA only had one outstanding issue, and the SWG is working to address the issue.

Mr. Akagbosu advised that the 2011 Annual Status Report Committee needs to be formed, and the following SWG members volunteered to be on the committee: Glenn Amoruso, Chris Akagbosu, Sharon Williams and Jim Hickey.

8.2 2011 Florida Legislative Session Update

Chair Eichner advised that she invited Ms. Trevarthen to attend the SWG meeting to share her insight, knowledge and input on the 2011 Florida Legislative Session with the SWG members to help the Municipalities and elected officials understand what transpired legislatively. Ms. Wight said that aspects of the legislation regarding public school concurrency (PSC) have been misinterpreted and asked Ms. Trevarthen to speak on the subject.

Ms. Trevarthen said that the new state statute is now effective which makes PSC optional. She talked about the controversy that had erupted when Senate Bill 360 was first enacted regarding whether PSC would be self-implementing or whether Local Governments would have to take local action in order for PSC to be enacted, and whether existing Comprehensive Plans and LDR's were legally effective documents. Additionally, the statute removed the state mandate for PSC but recognized that there is still the need for individual jurisdictions to deal with the fact that the Local Governments have legally effective Comprehensive Plans, Regulations, and Interlocal Agreements, and until anything is done with those, there is no impact. She said that the statute is intended to leave things as they are until action is taken from the local governing bodies. Ms. Trevarthen said that PSC must be implemented countywide, and now that the statute has mandated that PSC is optional, it clearly lays the way for a particular county and all government entities to work together to make changes that are mandated by the new law. She said that from her perspective, every city in Broward County has a legally effective Comprehensive Plan that says there shall be PSC, the requisite number of cities have signed the Second Amended Interlocal Agreement (SILA), and by the terms of the SILA, all Local Governments are legally obligated to follow its provisions and implement its changes.

Discussions followed regarding the impact of the Broward County Charter on Comprehensive Plan Amendments, the issue of collocation in the ILA, state law changes to the EAR, and Rule 9J-5 getting moved into the state statute. Ms. Trevarthen suggested that each section of the Amended ILA should be examined to make sure it is in compliance with state law. Mr. Akagbosu suggested creating a subcommittee to review the ILA for compliance with state law. After brief discussions, Chair Eichner asked for volunteers, and the following members volunteered to be on the subcommittee: Lisa Wight, Glenn Amoruso, Josie Sesodia, Sharon Williams, Matt Wood and Rick Buckeye. Ms. Wight volunteered to chair the subcommittee. Chair Eichner suggested that the meeting be set up as soon as

possible and requested that after the meeting an E-mail should be sent to the SWG members advising of the subcommittee findings.

9. Next Staff Working Group Meeting


9.1 September 1, 2011 (Regularly Scheduled Quarterly Meeting)

Chair Eichner advised that the next SWG meeting is scheduled for September 1, 2011.

10. Adjourn

Chair Eichner adjourned the meeting at 11:25 a.m.

Respectfully submitted by:


Shelley Eichner, Chair


Linda Houchins, Recording Secretary