

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

**Minutes
December 6, 2012
10:30 a.m. – 12:30 a.m.**

Bienes Ceremonial Room, 6th Floor, Downtown Library

1. Call to Order and Roll Call

Chair Eichner called the December 6, 2012 Staff Working Group (SWG) meeting to order at 10:35 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 |
| • Carpenter, Paul | City of Coral Springs |
| • Davis-Hernandez, Tanya | City of North Lauderdale |
| • Eichner, Shelley | Cities of West Park and Weston |
| • Ferguson, Jerry | City of Deerfield Beach |
| • Fink, Chuck | Town of Pembroke Park |
| • Hall, Lorri | City of Miramar |
| • Jefferson, Althea | City of Hallandale Beach |
| • Loggins, Heather | City of Parkland |
| • Louie, Linda | City of Tamarac |
| • Pinney, Andrew | City of Margate |
| • Stoudenmire, Scott | City of Coconut Creek |
| • Swing, Brad | City of Sunrise |
| • Wight, Lisa | Broward County School Board |
| • Williams, Sharon | City of Pembroke Pines |
| • Wood, Matt | City of Cooper City |
| • Zelch, Lisa | City of Plantation |

Others in attendance at the meeting were as follows:

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|---------------------|-----------------------------|
| • Boardman, Greg | Broward County School Board |
| • Coyle, Matt | Broward County |
| • Lodge, Tom | City of Fort Lauderdale |
| • Ramsay, Carson | Broward County School Board |
| • Trevarthen, Susan | Weiss, Serota, Helfman |

2. Addition(s) to the December 6, 2012 Agenda

There were no additions to the December 6, 2012 agenda.

Ms. Wight advised that Greg Boardman from the Facilities & Construction Management Department of the Broward County School Board was present at the meeting.

3. Approval of the Final Agenda for the December 6, 2012 meeting

Gerry Ferguson made a motion to approve the final agenda for the December 6, 2012 SWG meeting. Sharon Williams seconded the motion, and the motion passed unanimously.

4. Approval of Minutes - September 6, 2012

Matt Wood made a motion to approve the minutes of the September 6, 2012 SWG meeting for discussion, and Jerry Ferguson seconded the motion. After brief discussions regarding page 3 of the September 6, 2012 minutes regarding the notice to municipalities regarding the on-site and off-site improvements, Ms. Wight suggested that the language in the last sentence of the second to the last paragraph be changed as follows: Mr. Boardman was informed by staff that in the case of the Cooper City High School project, the City was involved in the DRC process, they knew the process was going to start, but that they probably did not know when the process would begin, and that is where the breakdown occurred. A vote was taken and the minutes of the September 6, 2012 SWG meeting were unanimously approved as amended.

5. Subcommittee Reports (none)

6. Old Business

6.1 Feedback from the October 3, 2012 Oversight Committee meeting

Chair Eichner said that at the October 3, 2012 Oversight Committee meeting there were two main issues discussed. One item was that School District staff indicated that in the Amended Interlocal Agreement (ILA) there is language which talks about the portable phase out process in the 2018/2019 school year when portable capacity will no longer be counted. School District staff indicated that the process to phase out portables from the District inventory should begin in the year 2014. Chair Eichner advised that School District staff plans to start those discussions with the Oversight Committee at the January 2013 meeting.

Chair Eichner stated that the other item discussed deals with the issue about notification and cooperation between School District staff and the Municipalities. She said that the Oversight Committee had requested that someone from the Facilities and Construction Management Department be present at the October 3, 2012 meeting. Chair Eichner said that the Project Manager for Cooper City High School was at the Oversight Committee meeting and was completely unprepared to respond adequately to the questions asked by the Committee. Chair Eichner described to the Oversight Committee members all the meetings that the SWG has had with Mr. Boardman and other staff to improve the current process. The Oversight Committee members want more to be done, and requested that the issue be placed on the January 2013 meeting agenda. She said that the next item, Section 6.2 was placed on the agenda so that the SWG could make some recommendations on how the coordination process can be better handled between the School District and the Municipalities.

6.2 Article VI of the Amended ILA, Supporting Infrastructure - Notice to Municipalities Regarding On-Site and Off-Site Improvements

Mr. Boardman apologized for the Project Manager being unprepared at the Oversight Committee meeting. He said that he was not invited to attend that meeting by his director, but said that he felt he could have quickly cleared up the issue. He said that based on the SWG recommendations from the previous meeting, a new letter, a sample of which he distributed to the SWG, will be distributed to the

City Mayor and the SWG members on all small or large projects. Chair Eichner said that the distributed letter was inadequate because it did not give dates as to when projects would begin. Mr. Boardman talked about what is required in Florida Statute 1013.33 Section 9. He said that if the School District is increasing student capacity by more than 5 percent, or if they are repurposing the property in any way, they are required to go through the Municipal Development Review Committee (DRC) process. The Municipal Planners present at the meeting said they have never reviewed a School District project at DRC. Mr. Boardman stated that projects that are not increasing student capacity by more than 5 percent are exempt from the DRC process. He asked how the SWG would like to modify the current process, and said he would take the request to the School Board for approval. Chair Eichner said notification is a requirement of the Interlocal Agreement (ILA). Mr. Boardman advised that he wrote the ILA provisions and that notification is not a requirement of the ILA. Mr. Boardman said he would not agree to something that was not pursuant to the Statute. Ms. Wight said that in cases where the ILA is in conflict with the Statute, then Statute prevails; however, when a local ordinance is not in direct conflict with the Statutes, the local ordinance can be more restrictive than the Statute and still be applied. Discussions continued regarding State Statute and Article VI of the Amended ILA. Chair Eichner advised that the Cities are requesting notification of specific dates and anticipated schedules of when a project will begin in a community. Mr. Boardman advised that the information is public record and every project schedule can be found on the School District website. Chair Eichner advised that this information is too important to a community and should be made more readily accessible.

After lengthy discussions regarding project contract dates, award dates, notices to proceed, and establishing when the Cities should be notified, the SWG made the following recommendations to establish a process with the School District regarding procedures for notification to Municipalities regarding On-Site and Off-Site Improvements.

1. Involving and notifying the Cities at the award date.
2. Continuing with notifying the SWG members and the City Managers on the Notice to Proceed.
3. Amend the standard contract agreement to require the contractor to meet with the City Manager and the SWG member on the timing and scope of work for projects that are anything other than routine maintenance prior to any construction activities occurring.
4. Invite the Cities to the pre-construction meetings as a courtesy.

Tanya Davis-Hernandez made a motion to accept the four above-referenced recommendations. Sharon Williams seconded the motion, and the motion passed unanimously.

Chair Eichner suggested that Mr. Boardman attend the January 2013 Oversight Committee meeting.

6.3 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 there were any comments, concerns, changes or questions regarding the Annual Report on the Implementation of the Amended ILA for Public School Facility Planning. Sharon Williams advised that on Attachment "D" the effective date of the Comprehensive Plan Amendment for the City of Pembroke Pines was October 1, 2012. Ingrid Allen advised that the Town of Davie had reported their Third Quarter Report. Ms. Wight said that the reporting period goes through December 2012, and as reports are received by the School District, they will be added to the report. Lorri Hall said that she appreciated that the Report had been written in a positive light. Chair Eichner said that there is a vast improvement from how the Report was written a few years ago, and the fact that the Report has been softened to show the cooperative feelings between the School District, the County, and the Municipalities. Chair Eichner distributed a hand out and talked about suggested revisions to the

Executive Summary. She also requested that Ms. Wight re-word the language in Article VI of the Executive Summary to include the discussions and recommendations to procedures to improve communication between the District and Municipalities. Ms. Wight said there is room for improvement regarding communication between the cities and the School District on notification of city Local Planning Agency (LPA) meetings. She requested that if a city wants School District staff to attend a city meeting, to please request attendance with the Growth Management staff directly. Chair Eichner thanked the Subcommittee for writing the 2012 Report, and said that she felt there was much progress made. Sharon Williams made a motion to approve the 2012 Annual Status Report as amended. Glenn Amoruso seconded the motion, and the motion passed unanimously.

6.4 New Collocation Facilities

The Municipalities had no new collocation facilities to report.

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

Ms. Wight said that if there were any changes or updates to Attachment "D" to be consistent with the new Level of Service Standard to advise Linda Houchins.

6.6 Update on Broward County and Municipalities Evaluation and Appraisal Report

Ms. Wight said that there is a portion of the ILA that requires that as part of the Evaluation and Appraisal (EAR) process, the SWG vet any potential school issues, and to comply with that section it is on every SWG meeting agenda.

6.7 Municipal Certificate of Occupancy Reports with SBBC Numbers

Ms. Wight said that adding the SBBC number to the Municipalities Certificate of Occupancy (CO) Reports has been discussed at previous SWG meetings. She advised that most of the CO's that were received did not have the SBBC number on them. She showed through the backup provided that the CO Report and the School District Report data do not match, and there is no way for her to identify the projects from the CO Report. She stated that District staff deducts the reserved seats based on the CO data, and it is very important for staff to know that what was reserved can now be deducted. Ms. Wight said that it is important for the Municipalities to make sure that the SBBC numbers are added to all CO Reports. She advised that if this issue is not resolved, it would be put on an Oversight Committee meeting agenda.

7. New Business

7.1 Broward County Traffic Analysis Zones (TAZ) and Municipal Forecasts (2012)

Glenn Amoruso said that as part of the requirements of the ILA, Broward County updates the population forecasts. He said that Bill Leonard, a retired Broward County demographer, had been brought back as a consultant to update the forecasts. Mr. Amoruso said that if the SWG members would like to have further discussions relating to the Broward County TAZ and Municipal forecasts, he would arrange for the County Demographer to give a presentation at the next SWG meeting. Brief discussions followed, and it was decided that the County Demographer would come to the next SWG meeting to give a presentation and answer questions. Mr. Amoruso said to email any questions or concerns to him prior to the meeting.

8. Next Staff Working Group Meeting

8.1 March 7, 2013 (Regularly Scheduled Quarterly Meeting)

Chair Eichner advised that the next SWG meeting is scheduled for March 7, 2013. There was a brief discussion regarding the next SWG meeting venue. Lisa Zelch advised that she will look into having the next SWG meeting at the City of Plantation's meeting room.

9. Adjourn

Chair Eichner said that she felt the meeting had been very productive, and she thanked Mr. Boardman for attending. She wished everyone a happy holiday and a happy and healthy new year. The SWG meeting was adjourned at 11:47 a.m.

Respectfully submitted by:



Shelley Eichner, Chair



Linda Houchins, Recording Secretary