

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

**Minutes  
March 6, 2014  
9:30 a.m. – 11:30 a.m.**

**North Lauderdale City Hall  
701 SW 71<sup>st</sup> Avenue  
North Lauderdale, Florida 33068  
(Corner of Rock Island Road and Forest Blvd.)**

**1. Call to Order and Roll Call**

Chair Eichner called the March 6, 2014 Staff Working Group (SWG) meeting to order at 9:35 a.m. Linda Houchins took roll call, and the following members were in attendance:

- |                          |  |
|--------------------------|--|
| • Akagbosu, Chris        | Broward County School Board                    |
| • Buckeye, Rick          | City of Oakland Park                           |
| • Carpenter, Paul        | City of Coral Springs                          |
| • Davis-Hernandez, Tanya | City of North Lauderdale                       |
| • Dokuchitz, Peter       | City of Plantation                             |
| • Eichner, Shelley       | Cities of West Park and Weston                 |
| • Johnson, Ann           | City of Tamarac                                |
| • Kalus, Evy             | Broward County                                 |
| • Lajoie, Corinne        | City of Dania Beach                            |
| • Leroy, Vanessa         | City of Hallandale Beach                       |
| • Lodge, Thomas          | City of Fort Lauderdale                        |
| • Loggins, Heather       | City of Parkland and Town of Southwest Ranches |
| • Marks, Scott           | Town of Pembroke Park                          |
| • Pinney, Andrew         | City of Margate                                |
| • Sesodia, Jo            | City of Sunrise                                |
| • Stevens, Marcia        | City of Deerfield Beach                        |
| • Stoudenmire, Scott     | City of Coconut Creek                          |
| • Teetsel, Dawn          | Broward County Planning Council                |
| • Wight, Lisa            | Broward County School Board                    |
| • Williams, Sharon       | City of Pembroke Pines                         |
| • Wood, Matt             | City of Cooper City                            |
| • Zombek, Harold         | City of Miramar                                |

Others in attendance at the meeting were as follows:

- |                  |                             |
|------------------|-----------------------------|
| • Brown, Leslie  | Broward County School Board |
| • Beck, Joseph   | Broward County School Board |
| • Boardman, Greg | Broward County School Board |

Chair Eichner requested that staff from the School Board introduce themselves to the Committee.

## **2. Election of Officers**

Chair Eichner opened the floor for nominations for the Chair position. Sharon Williams nominated Shelley Eichner to remain Chair of the SWG. Rick Buckeye seconded the motion. Tanya Davis-Hernandez closed nominations, and the motion passed unanimously. Chair Eichner opened the floor for nominations for the Vice Chair position. Rick Buckeye nominated Lisa Wight to remain Vice Chair, and Matt Wood seconded the motion. There were no other nominations for Vice Chair, and nominations were closed. The motion passed unanimously.

## **3. Election of Staff Working Group (SWG) Ex Officio on the Oversight Committee**

Chair Eichner opened the floor for nominations for the SWG Ex-Officio member on the Oversight Committee. Sharon Williams nominated Shelley Eichner to remain as the SWG Ex-Officio member on the Oversight Committee. Matt Wood seconded the motion. There were no other nominations for the SWG Ex-Officio position, and nominations were closed. The motion passed unanimously.

## **4. Addition(s) to the March 6, 2014 Agenda**

There were no additions to the March 6, 2014 agenda.

## **5. Approval of the Final Agenda for the March 6, 2014 meeting**

Paul Carpenter made a motion to approve the final agenda for the March 6, 2014 meeting. Sharon Williams seconded the motion, and the motion passed unanimously.

## **6. Approval of Minutes - December 5, 2013 meeting**

Sharon Williams made a motion to approve the minutes from the December 5, 2013 meeting. Peter Dokuchitz seconded the motion, and the minutes were approved unanimously.

## **7. Subcommittee Reports (none)**

There were no Subcommittee Reports.

## **8. Old Business**

### **8.1 Feedback from the January 8, 2014 Oversight Committee meeting**

Chair Eichner advised that most of the discussion at the January 8, 2014 Oversight Committee meeting dealt with the Hardship School Concept, and she said the issue would be discussed in detail under New Business, Item No. 9.1. Lisa Wight added that the Oversight Committee was not prepared to recommend any strategy, but wanted the issue discussed with the SWG, and that they would discuss all options to address the Level of Service Standards (LOS) requirements at their next meeting in April 2014.

### **8.2 New Collocation Facilities**

The Municipalities had no new collocation facilities to report.

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

Ms. Wight said that every year the County provides an update to the Comprehensive Plan support document on its website which the Municipalities use to update their Public School Facility Elements (PSFE), but said that the County still had the 2010/11 support documents on their website. Ms. Wight asked for feedback from the SWG regarding annual updates of their Comprehensive Plans. Ms. Williams said that the City of Pembroke Pines had adopted their support documents using the most current District Educational Financial Plan (DEFP) on March 5, 2014. Evy Kalus said that the County updates were complete, and she would find out why the updates were not available on the County website. Ms. Wight asked that the County updates be placed on the website so that the Municipalities could download the updates and have the data for their PSFE. Brief discussions followed.

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

Ms. Kalus said that the Department that updates the Evaluation and Appraisal Report had gone through a transition period and a new administrator was in charge. She said that she would determine the status from the new administrator.

## **9. New Business**

### **9.1 Hardship School Concept and Level of Service Standard (LOS) Options**

Ms. Wight advised that the Hardship School Concept was a mechanism that may provide flexibility to the School District to address the LOS challenges without having to amend the Second Amended Interlocal Agreement (SILA). She said that the District was in a situation where they could not add additional capacity or build additional schools, and that the only mechanism available was school boundary changes, which could be very disruptive to communities. Ms. Wight said that the Hardship School Concept represented an innovative idea that the District was vetting. Chair Eichner said that the existing SILA stated that the use of relocatables that count towards capacity would sunset in 2018/19 and it required that discussions regarding the use of relocatables begin in 2014. She stated that because of the language in the SILA, the phase in of school boundary changes to meet LOS would have to begin in January 2015. Brief discussions followed regarding the competing challenges of declining enrollment of the schools verses over capacity of schools. Chair Eichner said that the Oversight Committee seemed to be embracing the Hardship School Concept and was looking to the SWG for guidance and recommendations.

Discussions followed regarding school boundary changes and the risk of charter schools taking students out of the public school system. Leslie Brown, Chief Portfolio Services Officer, said the District was supportive of charter schools. She said there were currently 95 charter schools in Broward County with 38,000 children in attendance at those schools. Ms. Brown talked about the fact that charter schools have no boundary guidelines, and therefore they do not disrupt the family environment. She said that the District had found that when boundary changes were made, children did not move to their newly assigned schools, but instead attended charter schools located in their communities. After further discussions regarding charter schools, Ms. Brown asked the SWG to consider the larger implications of relocatables other than that children should not be in relocatables, and whether the District should push school boundary changes. She said that whatever she could do to help everyone understand the Hardship School Concept, she would be happy to do so.



Discussions continued regarding charter schools and enrollment projections. Rick Buckeye advised that the District website had a table that showed every school in every city, and he stated that the table showed that in the City of Oakland Park, the children attend 157 different schools throughout Broward County. Ms. Brown asked Ms. Houchins to email the District link showing that data to the SWG.

After further discussions regarding charter schools, Ms. Brown talked about the following solutions:

- Applying the Hardship School Concept
- Amendment of the SILA to eliminate the sunset of relocatables
- Do nothing

Ms. Wight advised that the Hardship School Concept was a very limited provision that would provide help for the most challenged areas in the District, that there would still be the 110 percent LOS based on permanent capacity that would have to be met for the Hardship provision to apply, and that it was a very limited compromise, but may be achievable without amendment of the SILA. She said that the provision was designed to provide the same flexibility to the District that the District already offers to developers who are impacting a school boundary that does not meet its LOS. Ms. Wight said the Hardship School Concept was a work in progress, that the numbers would change, and by the April 2014 Oversight Committee meeting, the numbers should be complete.

Ms. Wight gave the definition of the Hardship School Concept and showed how the Concept would be applied for public school concurrency. She advised that the Concept would be temporary because each year the enrollments and school boundaries change. Additionally, she stated that the Hardship School Concept would be determined annually using the District Educational Facilities Plan (DEFP) and the LOS Plan as a mechanism to implement the Concept. Ms. Wight said that the District had determined that one to four schools might meet the Hardship School Concept, but that using the Concept at those schools could make a big impact on school boundaries in Broward County. She continued that the local governments have the authority to decide what is best for them, and said that the state had supported the Concept. Discussions followed regarding school boundaries and relocatables, and Ms. Brown stated that adding and/or moving relocatables was not the intent of the Hardship School Concept.

Chair Eichner said that if the Hardship School Concept was adopted, the provision in the SILA for the sunset of utilizing relocatables to count towards capacity would still be in effect; however, if a school was deemed to be a Hardship School, then relocatables would count at 100 percent of its gross capacity. Ms. Wight said the Hardship School Concept could be implemented by adding the Concept into the Interpretation Document and the DEFP. She advised that District legal staff have identified two parts of the SILA that would make implementation possible without being in contradiction of the SILA, and that the DEFP would be a good mechanism because all the Municipalities formally adopt the DEFP yearly into their Comprehensive Plans.

Ms. Wight stated the four options that are available as follows:

- 1) Formally amend the SILA to implement the Hardship School Concept
- 2) Apply the Hardship School Concept by adding the Concept into the Interpretation Document and the DEFP process
- 3) Amendment of the SILA to eliminate the sunset of relocatables
- 4) Strip the SILA to its minimum standards and remove public school concurrency

Chair Eichner added that the 5<sup>th</sup> option would be to do nothing.



Mr. Akagbosu advised that the Chair of the Oversight Committee had written a letter to all of the Municipal signatories of the SILA advising them of the issue. Also, he said that the State had supported the Hardship School Concept. He added that the Concept would be used on an as needed basis, and that implementation would be through the DEFP and added into the Interpretation Document. Ms. Wight added that the Oversight Committee wanted to make sure that the Municipalities were in the know and participated in the process. Chair Eichner commented that at the Oversight Committee meeting there was an assumption that if the Hardship School Concept was embraced whether it would be implemented through an amendment to the SILA or added into the Interpretation Document, and she said that decision was not made. She said that the consensus of some of the Oversight Committee members was that it would be easier to add the Hardship School Concept to the Interpretation Document rather than trying to amend the SILA, which was not an easy process. Chair Eichner said that the Oversight Committee wanted to know if the SWG was supportive of the Hardship School Concept, and if so, whether the SWG was supportive of amending the SILA or would support the Concept through the Interpretation Document and DEFP. She said that the Oversight Committee was looking for guidance from the SWG as the technical planners who understand the implications in each of the Municipalities in terms development and neighborhood stability. Discussions followed regarding the sunset provision, the new interpretations regarding the use of relocatables, and the addition of charter schools. Mr. Akagbosu stated that the preference of the District was to implement the Hardship School Concept by adding it into the Interpretation Document.

Ms. Wight advised that the next steps showed that there was a place for public comment. She said that the Oversight Committee wanted the Hardship School Concept to be vetted through the SWG and also wanted the City Managers to be advised of the issue.

Sharon Williams said that in consideration of the fact that the SWG previously amended the Interpretation Document without City Official approval, she made a motion in favor of implementing Option No. 2, which was to apply the Hardship School Concept and add it to the Interpretation Document and the DEFP process. Rick Buckeye seconded the motion. Discussions followed, and Ms. Brown stated that District's intent was to come up with options and opportunities, to teach the communities what the public school system was facing, and provide options for consideration. Chair Eichner reiterated that the motion on the floor was to advise the Oversight Committee that the SWG was recommending implementation of Option No. 2, the Hardship School Concept via the Interpretation Document and the DEFP process in lieu of amendment of the SILA. After brief discussions, a vote on the motion was taken, and the motion passed unanimously. Chair Eichner advised that the next Oversight Committee meeting was scheduled for April 9, 2014.

## **9.2 Student Generation Rates/School Impact Fee Study Update**

Mr. Akagbosu advised that the SILA stated that the Student Generation Rates/School Impact Fee Study (SGR/SIF) be updated once every three years. He said that there was a Standing Committee that tracks the Study, and that Rick Buckeye was the Committee Member that represented the SWG. Mr. Akagbosu stated that the District retained Walter H. Keller as the consultant for the Study in December 2013. He said that the process would take approximately 10 months, and that the Study would be transmitted to the County Commission in June, 2014. Mr. Akagbosu said there would be two School Board Workshops, April 22, 2014 and May 27, 2014, a Broward League of Cities meeting on May 1, 2014, and a public workshop in May 2014. He said that the SGR/SIF information would be provided to the Broward County Planning Council at the April 2014 meeting, and that a special Oversight Committee meeting may be called in May 2014. Mr. Akagbosu advised that the SGR/SIF would be on the County Commission agenda on September 9, 2014. He said that the Study would become effective 90 days after adoption, which should be in December 2014. Discussions followed regarding when the SWG should get involved in the process. Chair Eichner said that the SWG needed time to review the



Study and advise of its accuracy. Mr. Akagbosu advised that there was no change to the definition as part of the scope, but that the consultant would be looking at school impact fees being applied in the current four zones and student generation rates being applied countywide. Additionally, he said that after conversations from School Board members and Oversight Committee members, the consultant would also be looking at the student generation rates based on the 7 planning areas for the District and shrinking the school impact fee zones from 4 to 3 zones. Chair Eichner said there would be impacts to the Cities if the spending zones were changed from 4 to 3 zones, and also if the student generation rates were changed for the different planning areas. She said it was important to call a special meeting, and that feedback from the SWG needed to be shared with City Officials. After further discussions, it was decided that the next SWG meeting would be held on May 1, 2014 and the presentation to the Broward League of Cities meeting would be changed to June 2014.

### **9.3 Updated Public School Impact Application Fees**

Ms. Wight advised that the public school impact application fees had increased slightly for 2014. She also said that when the online payment system was implemented, the fees would again increase slightly.

## **10. Next Staff Working Group Meeting**

### **10.1 June 5, 2014 (Regularly Scheduled Quarterly Meeting)**

Chair Eichner advised that the next SWG meeting would be held on May 1, 2014 and asked for volunteers to host the meeting. After brief discussions, it was decided that the next meeting would be held at the City of Plantation. Chair Eichner thanked Ms. Davis-Hernandez for hosting the SWG meeting.

## **11. Adjourn**

Chair Eichner thanked Ms. Brown for attending the meeting and explaining the Hardship School Concept and the Charter School situation. She adjourned the meeting at 11:21 a.m.

Respectfully submitted by:

  
Shelley Eichner, Chair

  
Linda Houchins, Recording Secretary