

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

**Final Minutes  
May 1, 2014  
9:30 a.m. – 11:30 a.m.**

**City of Plantation, Development Services Building  
401 NW 70<sup>th</sup> Terrace, 1<sup>st</sup> Floor Conference Room  
Plantation, Florida 33317**

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

Vice Chair Lisa Wight called the May 1, 2014 Staff Working Group (SWG) meeting to order at 9:31 a.m. She advised that Shelley Eichner would not be attending the SWG meeting. 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              |
| • Dolan, Jean            | 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         |
| • Pinney, Andrew         | City of Margate                 |
| • Sesodia, Josie         | City of Sunrise                 |
| • Von Stetina, Deanne    | Broward County Planning Council |
| • Waldman, Brett         | City of Parkland                |
| • Wight, Lisa            | Broward County School Board     |
| • Williams, Sharon       | City of Pembroke Pines          |
| • Wood, Matthew          | City of Cooper City             |

Others in attendance at the meeting were as follows:

- |                     |                             |
|---------------------|-----------------------------|
| • Quinn, Marianne   | City of Sunrise             |
| • Leiva, Fernando   | City of Lauderdale Lakes    |
| • Beck, Joseph      | Broward County School Board |
| • Keller, Walter H. | Walter H. Keller, Inc.      |

**2. Addition(s) to the May 1, 2014 Agenda**

There were no additions to the May 1, 2014 agenda.

### **3. Approval of the Final Agenda for the May 1, 2014 Meeting**

Rick Buckeye made a motion to approve the final agenda for the May 1, 2014 meeting. Sharon Williams seconded the motion, and the motion passed unanimously.

### **4. Approval of Minutes – March 6, 2014 Meeting**

Vice Chair Wight asked for a motion to approve the minutes with the correction of the spelling of Jo Sesodia's name. Sharon Williams made a motion to approve the minutes from the March 6, 2014 meeting. Paul Carpenter seconded the motion, and the minutes were unanimously approved as amended.

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

There were no Subcommittee Reports.

### **6. Old Business**

#### **6.1 Feedback from the April 9, 2014 Oversight Committee meeting**

Vice Chair Wight advised that at the April 9, 2014 Oversight Committee meeting, the Committee recommended the implementation of the Hardship School Concept as an immediate measure to increase the Level of Service Standard (LOS) capacity while they also recommended that staff pursue a formal amendment to the Second Amended Interlocal Agreement for Public School Concurrency (SILA) to remove the sunset provision to allow 100 percent gross capacity LOS. She stated that staff was working on implementing mechanisms to accomplish the former via the Interpretation Document, the District Educational Facilities Plan (DEFP), and revision of School Board Policy 1161. Vice Chair Wight said that once the first phase had been accomplished, staff would work on a timeline to move forward with amendment of the SILA. She said that she anticipated the municipal hearings to be from approximately November 2015 through May 2016, and the District would then move forward with the 2016/17 DEFP. Mr. Akagbosu added that the dates are flexible and may be moved up.

#### **6.2 New Collocation Facilities**

The Municipalities had no new collocation facilities to report.

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

There were no changes or updates to the Municipal Comprehensive Plans or Land Development Codes/Regulations.

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

Evvy Kalus advised that the letter, the school element, and all of the latest updates were listed on the County website.

## 7. New Business

### 7.1 Student Generation Rates/School Impact Fee Study Update

Vice Chair Wight introduced Walter Keller, the School District consultant, who was updating the Student Generation Rate/School Impact Fee (SGR/SIF) Study. Mr. Keller said that he appreciated all the help he had received from the municipalities. He advised that the data was very preliminary and was constantly changing. He stated that he started the Study update in December 2013 and that the technical work was scheduled to be complete by June 2014. Mr. Keller said that the SGR/SIF Study was an update of the 2007 Study, and he was using the same methodology that was used in 2007, which was to look at recently constructed units and find the SGR for those units and use those rates to determine the School Impact Fee schedule. He advised that the Study Update would look at characteristics both countywide and by area. He said that Nancy Stroud, AICP, JD, was working with him on the legal basis for the impact fees, and that the results would be listed in the technical report.

Mr. Keller said that the Study looked at data sets from housing units that received Certificates of Occupancy (CO's) between January 2, 2006 and December 31, 2013. Additionally, he said that the methodology for the school impact fees was previously approved by Broward County using recently constructed units and would have the best rationale to determine who would be moving into the new units. Mr. Keller advised that he was close to completing the SGR, and that the technical report draft was close to being released. He talked about the Planning Areas used in the previous Study, and said that he had adjusted the Planning Areas to follow the high school innovation zones. He talked about the table which had identified new dwelling unit types and regions, and also the table which identified the matching of students to dwelling unit types and bedroom mixes. Mr. Keller advised that most of the counties in Florida used census data to obtain student generation rates, but Broward County, because of their data sets, obtained the rates using CO's. He said that the information presented did not include charter schools because the impact fees do not go to charter schools.

Mr. Keller compared the preliminary SGR by dwelling unit type to the 2007 Study and said that the overall SGR in 2014 was approximately 25 percent less than in 2007. He advised that the single family rate went down approximately 20 percent, and explained that in 2007, 44 percent of the units in the data set were single family units, but in the 2014 data set, only 25 percent were single family units. He explained that the rates in all the other dwelling unit categories increased. Mr. Keller explained the methodology using the U.S. census data, and said that the rates for the 2010 Study update were determined by the census data.

In closing, Mr. Keller stated that the bedroom data was nearing completion, and that he appreciated the help he received from the municipalities. He clarified that in the Study Update, he was not proportioning the bedroom information as was done in the 2007 Study. He said there were significant issues when using the census data because the samplings were small and there was no way of aligning the census with the Land Development Code. Mr. Keller said the final results of the Study would be looked at by area, type, bedroom mix, and countywide.

A question and answer session depicted below followed:

#### **1. Does the American Community Survey results include private students?**

Mr. Keller advised that the private school student figures were removed from his data.



2. **The mid-rise definition was not created until 2008, so the data received from the County between 2006 and 2008, merged the mid-rise and high-rise units together. How did that affect the data?**

Mr. Keller stated that when he received the data sets from the County, the first thing he noticed was the mid-rise/high-rise issue, and he asked the County to clean up the data. He also used the County Property Appraiser's office to identify units, and spent much time reclassifying the data.

3. **Will the mid-rise and high-rise SGR have a bedroom distinction?**

Mr. Keller said that the bedroom information came from several different sources. He said there would be bedroom distinction for the mid-rise and high-rise SGR only if the number of students was sufficient.

4. **Why were only new housing sampled (Chair Eichner's written question)?**

Mr. Keller said that Broward County together with the School Board had determined that the best way to determine school impact fees was by looking at new housing units. He added that only new housing units pay impact fees.

5. **Why were residential structures WITHOUT certificates of occupancy requested? If there was no CO, then there was no student in the unit (Chair Eichner's written question)?**

Mr. Keller said that he did not think that the data sets were complete, and therefore, he asked for everything, including permitted units, to see if a CO had been issued.

6. **The student listing was based on the 2013-2014 Benchmark Day enrollment (9/9/13) but the building permit data was through 12/31/2013. How were the students in the units CO's between 9/9/13 and 12/31/13 accounted for (Chair Eichner's written question)?**

Mr. Keller advised that students in units CO'd between September 9, 2013 and December 31, 2013 had not been accounted for. He said that when calculating impact fees, there must be a cutoff date. Discussions followed regarding student enrollment counts.

7. **How statistically valid are some of the rates if the samples were small? For instance, the SGR for mid-rise units in the northwest area is the highest generation rate (Chair Eichner's written question).**

Mr. Keller stated that to have a high statistical relevance, there needed to be approximately 25 instances of a cell. He said that there were not 25 instances for mid-rise or high-rise units in many areas, but that most of the other categories did have high statistical relevance.

8. **What are the implications of 7 planning areas (Chair Eichner's written question)?**

**Will the impact fees collected from each of the 7 areas be required to be spent in the area in which it was collected?**

Mr. Keller stated that the impact fees collected from a certain area would not have to be spent in that area. He said that there are four benefit zones which are where the impact fees would be spent. He said that it was not yet known how the fees would be adopted or if they would be by area.

**What will happen to the fees that have already been collected and allocated to the existing 4 zones?**

Mr. Akagbosu advised that the school impact fees are transmitted by Broward County every quarter per an Agreement between Broward County and the School Board. Evy Kalus said that the fees are collected specifically in the existing 4 zones. Discussions followed regarding the Agreement. Mr. Keller advised that the impact fees are countywide.



**9. Explain how you translate the SGR to school impact fees in dollar value.**

Mr. Keller stated that the Study had two major parts; 1) the SGR and 2) the revised SIF schedule. He said that there would be calculations to determine the net deficit cost per student and once that was established, a fee for the unit would be determined. Mr. Keller said that most of the money that comes through from the capital side of the District budget comes from property taxes. He said once the student costs were calculated and after determining what had been raised, the net deficit is determined. He said that the net deficit is what the school impact fees try to address.

**10. Will the deficit be higher based on lack of money from the state?**

Mr. Keller said he did not want to answer that question. Discussions followed regarding SGR, charter schools, and the lack of capital funds to build new schools. Ms. Kalus said that the 2007 impact fees were discounted. Mr. Keller said that the reason for the discounted fees was because of the significant increase in the fees at that time, and the District implemented the increase in phases. Mr. Akagbosu advised that the impact fees were discounted 25 percent which were phased in because of the economy. Ms. Kalus said that even if the net deficit stayed the same, because of the previous discounting, it would appear that some of the fees would go up significantly.

**11. Explain why with fewer single family homes in the data set, and fewer kids, how does that play into the overall concept.**

Mr. Keller said that in the 2007 Study, there were approximately 47,000 units of which 44 percent were single family. He said that the single family units had a higher percentage of public school students, and because those units were 44 percent of the data set, it had a bigger impact on the overall rate. Mr. Keller stated that in the current Study, single family units were only 25 percent of the total housing units, and the overall rate for single family units had gone down, whereas rates in other categories had gone up. Brief discussions followed regarding school impact fees.

**12. If an old 2/2 is replaced with a 5 bedroom mansion, are school impact fees due?**

Ms. Kalus answered that if a 2 bedroom home was demolished to rebuild a 4 or more bedroom home, the school impact fee would be the difference, but if a 2 bedroom home added a bedroom as an addition, no impact fee would be due.

**13. How do Broward County impact fees compare to Miami/Dade and West Palm Beach County?**

Mr. Keller said that he would compare the impact fees with other counties at the end of the Study.

Ms. Kalus stated that generally Broward County impact fees have been lower than other counties.

Mr. Akagbosu advised that the schedule regarding workshops/public hearings on the SGR/SIF schedule would be emailed to the SWG. He stated that the public workshop had been moved from May 6, 2014 to May 21, 2014 at 2:00 p.m. Additionally, he said that staff was trying to schedule a meeting with the Broward League of Cities in June 2014, and that a special Oversight Committee meeting had been scheduled for June 6, 2014 at 12:00 Noon. Mr. Akagbosu said that the draft Study would be presented at the School Board Workshop on May 27, 2014. Vice Chair Wight advised that the Oversight Committee would be emailing a letter regarding their recommendations relating to the Hardship School Concept.

**7.2 Annual Interlocal Agreement Report Committee**

Vice Chair Wight said that every year a Committee was formed to work on the Annual Status Report on Implementation of the SILA. She stated that last year the following SWG members were on the Committee: Heather Cunniff, Sharon Williams, Tanya Davis-Hernandez, and Lisa Wight. Vice Chair Wight asked for volunteers, and the following SWG members volunteered: Sharon Williams, Tanya Davis-Hernandez, Evy Kalus, and Lisa Wight.

## 8. Next Staff Working Group Meeting

### 8.1 September 4, 2014 (Regularly Scheduled Quarterly Meeting)

Vice Chair Wight asked that the record reflect that the Cities of Dania Beach and Lauderdale Lakes were in attendance. She advised that the next SWG meeting was scheduled for September 4, 2014. She asked for a volunteer to host the meeting. Peter Dokuchitz volunteered to host the meeting at the Development Services Building in the City of Plantation.

## 9. Adjourn

Vice Chair Wight adjourned the meeting at 10:50 a.m.

Respectfully submitted by:



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Lisa Wight, Vice Chair

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Linda Houchins, Recording Secretary