

**MINUTES  
BOARD OF COUNTY COMMISSIONERS**

**CONVOCATION OF GOVERNMENTS  
VENICE COMMUNITY CENTER  
326 SOUTH NOKOMIS AVENUE  
VENICE, FLORIDA**

9:00 a.m.

**COUNTY OF SARASOTA**

Vice Chair Nora Patterson, Commissioners Paul Mercier, Shannon Staub, and Jon Thaxton; County Administrator James Ley; and Deputy Clerk Tricia Granger

**SARASOTA COUNTY SCHOOL BOARD**

Chair Carol Todd, Vice Chair Frank Kovach, Board Members Kathy Kleinlein and John Lewis; Superintendent Gary Norris, and Long Range Planning Director Ken Marsh

**CITY OF VENICE**

Vice Mayor Fred Hammett, Council Members John Simmonds, Rick Tacy, and Bill Willson; and City Manager Martin Black

**CITY OF NORTH PORT**

Chairman Rue Berryman, Commissioner Richard Lockhart, and City Manager Steven Crowell, Jr.

**CITY OF SARASOTA**

Commissioners Lou Ann Palmer, Mary Anne Servian, and Ken Shelin

**TOWN OF LONGBOAT KEY**

Vice Mayor Lee Rothenberg

**1. WELCOME AND INTRODUCTIONS**

School Board Chair Todd called the meeting to order, thanked the participants for the meeting preparations, welcomed and introduced the County and City Commissioners and representatives present, noted the objectives of the meeting to review revisions to the School Concurrency Pilot Community (CPC) Program Interlocal Agreement, and submitted a revised agenda.

Chair Todd noted the time frame from the Florida Department of Community Affairs (FDCA) for completion of the School CPC Program Interlocal Agreement, options for an extension of the deadline for submission to July 3, 2006, and the notification for inclusion of Charter Schools to meet concurrency requirements.

**2. KEY ISSUES**

**A. Goals, Objectives, and Policies - Policy 1.2.2.**

**B. Use of Program Capacity**

**C. Charter Schools**

**D. Completion of Pilot Community Program**

Following comments by School Board Chair Todd, discussion and individual comments followed on the proposed deletion of Policy 1.2.2. from the Goals, Objectives, and Policies of the Public Schools Facilities Element document and the County's position on the Policy. Following comments, Chair Todd noted consensus to delete Policy 1.2.2. from the Goals, Objectives, and Policies document.

(9:15:13)

**2. KEY ISSUES - Continued**

Following review of Program versus FISH (Florida Inventory of School House) Capacity issues, discussion ensued on the inclusion of Charter School capacities in the School Concurrency Pilot Community (CPC) Program relating to concurrency determination. Subsequent to discussion with School Board Superintendent Gary Norris and School Board Long Range Planning Director Ken Marsh, Chair Todd noted consensus for an extension of the submission deadline to July 3, 2006, to provide additional time for data analysis relating to the inclusion of the Charter School element in the School CPC Program.

(9:30:18)

**3. LEVEL OF SERVICE (LOS) STANDARDS OPTIONS****A. Program Capacity****B. FISH (Florida Inventory of School House) Capacity****C. Level of Service (LOS) Options****1. Uniform Standards****2. Tiered Standards****3. Long Term Concurrency Management**

School Board Long Range Planning Director Ken Marsh commented on the schedule for completion of the School Concurrency Pilot Community (CPC) Program and amendments to the original agenda relating to adoption of the School CPC Program and advised that no action will be taken on the final adoption of the document this date.

Mr. Marsh commented on the LOS considerations and reviewed the Table on page 2 of the document entitled "Recommended Level of Service Standards Issues." Discussions were held with Mr. Marsh and School Board Superintendent Gary Norris on the following topics/issues:

- inclusion versus exclusion of portable classrooms
- request for the submission of the PowerPoint presentation to governmental agencies, without objection
- mandates to delete portable classrooms from school facilities
- impact of school backlogs on concurrency requirements
- intent/options to acquire property in the City of North Port for school facilities.

(9:54:03)

**4. DRAFT COMPREHENSIVE PLAN ELEMENTS****A. Public School Facilities****B. Intergovernmental Coordination****C. Capital Improvements**

Following comments by School Board Long Range Planning Director Ken Marsh, Consultant Charles Gauthier, AICP, of Morris-Depew Associates, Inc., presented an overview of the draft Comprehensive Plan Elements of the School Concurrency Pilot Community Program.

(10:05:51)

**5. UPDATE ON INTERLOCAL AGREEMENT**

Attorney Susan Trevarthen of Weiss, Serota, Helfman, Pastoriza, Cole, and Boniske reviewed the Charter School issue and the impact to concurrency requirements and summarized the proposed amendments to the Interlocal Agreement.

(10:11:37)

**6. DISCUSSION AND RECOMMENDATIONS****A. Consensus on Public School Facilities, Intergovernmental Coordination, and Capital Improvement Elements**

Following comments by Attorney Susan Trevarthen of Weiss, Serota, Helfman, Pastoriza, Cole, and Boniske, Commr. Thaxton requested review of the Interlocal Agreement and discussions were held with Attorney Trevarthen and School Board Long Range Planning Director Ken Marsh on the following topics/issues:

- page 14, Section 4.2.(f)(iii), relating to determination of proportionate share/impact of development/mitigation options
- options to ensure authority provided to the School Board to reject cash payments
- current/subsequent versions of the proposed Interlocal Agreement
- page 14, Section 4.2.(f)(ii), relating to authority to delay projects based on capacity determinations
- consideration of the "Orange County Model"/requirements for concurrency review/ time frame and options for execution of Development Agreements
- page 19, Section 7, Comprehensive Plan Amendments, Rezoning, and Development Petitions, relating to the impact on consideration of land use petitions/ options to include language for concurrency requirements for Development of Critical Concern (DOCC) and Site and Development review for non-rezoned properties
- designation of an "Educational Facility Benefit District" (EFBD)/impact on Development of Regional Impact (DRI), Planned Unit Development (PUD), Community Development Districts (CDD), and other forms of development
- terminology "may not be approved" and a request to change the word "may" in the phrase to "must," "shall," or "should," without objection
- inclusion of the West Village District in North Port
- impact on the inclusion of Charter Schools on the Interlocal Agreement/recreational area requirements of Charter Schools/determination of "minimum size"
- financial feasibility impact on the Capital Improvement Program (CIP) of municipalities.

(10:34:21)

**7. DISCUSSION OF ADOPTION SCHEDULE, THE "ORANGE COUNTY MODEL," AND ACTIVITIES**

School Board Chair Todd read the following proposed motion for consideration/consensus:

Move to support the latest drafts of the Public School Facility Element, the Intergovernmental Coordination Element, and the Capital Improvement Element, with Staff to research and respond to the Program capacity and Charter School issues within time lines approved by the Florida Department of Community Affairs (FDCA), removing Policy 1.2.2. from the Policy Section and revision of the deadline for submission to July 3, 2006, with additional time permitted, if required.

Following comments, Chair Todd noted consensus of the motion, without objection.

See Item later this meeting.

(10:35:45)

**8. OTHER BUSINESS**

**A. MUNICIPALITIES/ORGANIZATIONS/BCC**

Commr. Staub commented on an invitation to a Growth Management Convocation relating to regional planning options on June 23, 2006, and requested input on the attendance of the municipality representatives.

Subsequent to individual comments on pending legislation relating to transportation proportionate share, Commr. Staub and School Board Chair Todd requested that Staff from the various municipalities respond to the County on anticipated attendance.

Attorney Susan Trevarthen of Weiss, Serota, Helfman, Pastoriza, Cole, and Boniske, noted the enactment date of December 1, 2006, for the transportation proportionate share legislation.

**7. DISCUSSION OF ADOPTION SCHEDULE, THE "ORANGE COUNTY MODEL," AND ACTIVITIES - Continued**

Attorney Susan Trevarthen of Weiss, Serota, Helfman, Pastoriza, Cole, and Boniske, inquired on scheduling an additional convocation for final review of the School Concurrency Pilot Community (CPC) Program and School Board Chair Todd noted consensus to coordinate an additional meeting prior to the July 3, 2006, deadline, without objection.

**MEETING ADJOURNED:** 10:41 a.m.