

**MINUTES
BOARD OF COUNTY COMMISSIONERS**

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

9:00 a.m.

COUNTY OF SARASOTA

Chair David R. Mills, Vice Chair Nora Patterson, Commissioners Paul Mercier, Shannon Staub, and Jon Thaxton; County Administrator James Ley; and Deputy Clerks Claudia Goodson and Leah Von Leu

SARASOTA COUNTY SCHOOL BOARD

Chair Carol Todd, Vice Chair Frank Kovach, and Board Members Laura Benson, Kathy Kleinlein, and John Lewis; and Superintendent Gary Norris

CITY OF VENICE

Vice Mayor Fred Hammett, Council Members John K. Moore, John Simmonds, and Rick Tacy; and City Manager Martin Black

CITY OF NORTH PORT

Vice Chairman Rue Berryman, and Commissioners Barbara Gross and Fred E. Tower, III; and City Manager Steven S. Crowell, Jr.

CITY OF SARASOTA

Commissioner Lou Ann Palmer

TOWN OF LONGBOAT KEY

Mayor Ron Johnson, Vice Mayor Joan M. Webster, and Commissioners Randall T. Clair and George Spoll

1. WELCOME AND INTRODUCTIONS

School Board Chair Carol 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 the School Concurrency Pilot Community Program and to consider updates to the draft Interlocal Agreement, and expressed thanks for County/City support of the upcoming School referendum.

2. OVERVIEW OF SCHOOL CONCURRENCY PILOT COMMUNITY PROGRAM

Following comments by School Board Chair Carol Todd, School Board Long Range Planning Director Ken Marsh introduced the Facilities Strategy Team members and Consultants Charles Gauthier, AICP, of Morris-Depew Associates, Inc.; Maria Cahill, AICP, of Morris-Depew Associates, Inc.; and, Attorney Susan Trevarthen of Weiss, Serota, Helfman, Pastoriza, Cole, and Boniske. Mr. Gauthier gave an overview of the School Concurrency Pilot Community Program and commented on the provisions of Senate Bill (S.B.) 360 regarding long-range planning in conjunction with public school facilities.

(9:23:23)

3. PRELIMINARY DATA AND ANALYSIS

Mr. Charles Gauthier introduced Maria Cahill, AICP, of Morris-Depew Associates, Inc., who summarized the preliminary data and analysis relative to population growth trends, existing public school locations, school projections, student attendance zones, and school capacity evaluations. School Board Long Range Planning Director Ken Marsh reviewed and submitted copies of a chart on school capacity and a chart entitled "FISH vs. Program Capacity (ideal) at a Sample Elementary School."

3. PRELIMINARY DATA AND ANALYSIS - Continued

Group discussions were held throughout the presentation with Ms. Cahill, School Board Superintendent Gary Norris, and Mr. Marsh on the following topics/issues:

- actual versus anticipated school projections
- Statewide methodology for measurement of school capacity/Florida Inventory of School Houses (FISH)
- special school enrollment projections
- clarification of COFTE (Capital Outlay Full-Time Equivalency Projections)
- identification of schools over capacity
- portables and concreteables in relation to school capacity calculations
- exclusion of private school projections
- permanent versus projected utilization factors
- level of service (LOS) by school type (page 11 of the draft Interlocal Agreement)
- facility size in relation to the Class Size Amendment
- use of FISH projections/Florida Department of Education (FDOE) calculation methods for school facility site determinations
- correlation of adequate facilities to student achievements
- school concurrency regarding specific/general areas/school redistricting
- LOS options over 100 percent
- percentage of projected utilization factors
- LOS chart (page 11 of the draft Interlocal Agreement) regarding County projected capacity versus FDOE FISH calculations/impacts to school standards.

(10:21:15)

4. REVIEW OF PUBLIC SCHOOL INTERLOCAL AGREEMENT**A. Planning and Development Coordination**

1. Proposed Developments with School Impacts
2. Proposed Revisions to School Element and Concurrency System
3. Proposed Development of School Sites and School Facilities Plan

B. Level of Service Standards**C. Concurrency Service Areas****D. School Board's Five Year Plan****E. Proportionate Share Mitigation**

Following introduction of Attorney Susan Trevarthen of Weiss, Serota, Helfman, Pastoriza, Cole, and Boniske by School Board Long Range Planning Director Ken Marsh, group discussion ensued with School Board Chair Carol Todd and School Board Superintendent Gary Norris on the ability of the Pilot Project to address State regulations and school concerns/concurrency determinations. Following comments, Attorney Trevarthen gave an overview of the provisions and amendments to the proposed Public School Facility Interlocal Agreement and reviewed and submitted revised copies of pages 14 and 19.

Group discussions were held throughout the presentation with Attorney Trevarthen, Chair Todd, Mr. Marsh, and Superintendent Norris on the following topics/issues:

- process for denial/deferral of development approval relative to capacity availability/mitigation efforts
- reference to Section 4.2(f) and page 19/absence of language to address development denials
- geographic requirements relative to capacity availability
- developer's proportionate share/school overhead costs

4. REVIEW OF PUBLIC SCHOOL INTERLOCAL AGREEMENT - Continued

- County/City denial of final plats/site plans in Sections 4.2(e) and (ii)
- proportionate share mitigation/consideration for linkage to the School's Five Year Capital Facilities Plan/reference to revised page 14, first paragraph
- use of impact fees to address proportionate share mitigations/developer credits/platted lots
- tax assessments/impacts of school impact fees to affordable housing
- time frame for receipt of impact fee funds
- Florida Department of Community Affairs (FDCA) and FDOE coordination efforts
- City/County joint planning efforts/school facility locations
- suggestion to include language on development denials in a future document on the public school facilities element.

(11:18:38)

5. DISCUSSION ON KEY ISSUES AND RECOMMENDATIONS

Following comments by School Board Chair Carol Todd and Attorney Susan Trevarthen on key issues and recommendations, group discussions were held with Attorney Trevarthen, Chair Todd, School Board Long Range Planning Director Ken Marsh, School Board Superintendent Gary Norris, and County Attorney Stephen DeMarsh on the following topics/issues:

- City/County support for program capacity/recommendation to include permanent program capacity in the Interlocal Agreement, without objection
- recommendation to include the student attendance zone for each school in the Interlocal Agreement, without objection
- local government involvement in the mitigation approval process/revised Section 7.2 regarding the shifting of the impacts/request for County/City/School Board Staff review of the coordination process, without objection
- transference of capacity within geographical locations
- suggestion to strengthen/clarify the revised language on page 14, first paragraph regarding mitigation and the School Board's Five Year Plan
- request to add language to address denial ("not approve") of development petitions in Section 4.2(f), page 13
Commr. Mercier moved to approve the recommended language revision. The motion was seconded by Commr. Thaxton. Following discussion on voting versus general consensus and final approval of the Interlocal Agreement by each entity, Chair Todd noted group consensus to approve the language revisions in Section 4.2(f).
- mitigation value determination/local cost per student station factor/costs of core facilities (inserted comment on page 13)
- high school versus middle school capacity levels/level of service (LOS) as a percentage of Florida Department of Education (FDOE) permanent program capacity
- interchangeable word usage/request to use the word "project" or the word "proposal" throughout the document and to add a definition of a project/proposal, without objection
- request to delete the comma after the word "assured" in line 14, first paragraph, page 11, without objection
- school facility location criteria/site co-location for hurricane shelter use/request to add the words "recreational facilities" in Section 5.2(r), page 17, without objection
- request to delete the words "policies of the" in the second line, first paragraph, page 18, without objection

5. DISCUSSION ON KEY ISSUES AND RECOMMENDATIONS - Continued

- request to revise the word "Approvals" to the word "Petitions" in the heading title for Section 7.1, without objection
- consideration to add special exception petitions to Section 7.1/request for County/City/School Board Staff review of the list/type of land development/use proposals in Section 7.1 and the various terms/names used by each City and the County for special exceptions, without objection
- suggestion to clarify/add language to reflect "if sufficient capacity or mitigation to offset impacts does not exist, the permit shall not be approved" in Section 7.3, without objection
- State concurrency requirements/capacity determinations regarding final plats/site plans versus rezone petitions
- request for County/City/School Board Staff review of the proposed revisions, without objection.

(11:52:14)

6. CONSENSUS ON INTERLOCAL AGREEMENT

School Board Chair Carol Todd noted group consensus to amend the draft Interlocal Agreement to address level of service (LOS) percentage as a placeholder, the addition of denial language to Section 4.2(f), the addition of the words "recreational facilities" in Section 5.2(r), and changing to program permanent capacity. Following discussion, Chair Todd noted majority consensus to amend Section 7.3 to reflect language for the denial ("to not approve") of permits/petitions in the absence of sufficient capacity/mitigation.

Chair Todd thanked the County/City Commissioners/Councils and their Staff's for their efforts and participation and noted the future joint meeting scheduled for May 12, 2006, to approve documents for submittal to the Florida Department of Community Affairs. Individual comments followed.

Following comments, Chair Todd noted group consensus to support the draft School Interlocal Agreement, as amended, and requested that recommendations/suggestions and document modifications be submitted to Staff prior to the next meeting. Individual comments followed.

MEETING ADJOURNED: 11:57 a.m.