

Concurrency Workshop

Tuesday, January 27, 2004 – 1:30 p.m. – 3:00 p.m.

School Board Meeting Room

500 E. Ocean Blvd.

Stuart, FL 34994

Members Present

Dr. David Anderson

Vicki Davis, Chair

Susan Hershey, Vice-Chair

Laurie Gaylord

Lorie Shekailo

Dr. Sara A. Wilcox, Superintendent

Tom Elfers, Board Attorney

Members Absent

Matt Rudling, Student Representative (SFHS)

Staff Present

Hank Salzler, Lori McWilliams, Leighton O'Connor, Dr. Frank Raffone, Rodger Osborne

Public

Nicki vanVonno, Kim Delaney, Amy Alpert, Jim Sherman, Don Quigley, Jeff Krauskopf, Gene Rifkin

Presenters

Vern "Pickup" Crawford, Palm Beach County School District

Kristin Garrison, Palm Beach County School District

Leo Noble, B. S. N. Enterprises, Inc.

Press PBPost – Rani Gupta

Stuart News – Kelly Tyko

MCEA – No Representation

AFSCME – No Representation

1. Call to Order

Call to Order by the Chairman and Pledge of Allegiance to the Flag of the United States.

2. Opening Comments

Dr. Wilcox thanked Mr. Vern Crawford for his continued assistance as well as Mr. Noble and Ms. Garrison.

3. Introduction

Mr. Crawford explained concurrency has been around in Florida since the late 1980's and was etched into law in 1998. Palm Beach County's plan has been in place since 1999-2000 and is the only State approved Concurrency Agreement. They are not here to make recommendations, however to provide factual information and address issues that the district must take into consideration. He noted there are four areas: growth management legislation (Chapter 163), class size reduction, educational facilities, and school parental choice (strongly encouraged by the State).

4. Presentation on School Concurrency

Mr. Noble reviewed the requirements of concurrency under Florida law as well as the optional requirements. Concurrency is defined as the requirement to have facilities in place concurrent with the impacts of new development. For example, if you build a house, and that house on average produces two children, you have to have the space for those two children already in place – built. The infrastructure has to be in place concurrent with the impacts of the development.

Ms. Garrison reviewed the provisions of the Interlocal Agreement, length of term, participants, and interests of all parties. First issue to be completed must be setting the level of service, in which they choose to use the Florida Inventory of Housing, a known commodity. There are three primary components of school concurrency: 5 Year Capital Plan, Regulatory Review and Coordinated Planning. The first component must have an adequate capacity plan to meet the population needs over the next five years and must be financially feasible.

Mrs. Davis asked how older facilities are factored into the plan and Ms. Garrison explained some areas did not have growth and they were more concerned with maintaining facilities (facility equity)

and stated that modernizing or rebuilding existing schools is an equal part of the equation. Mr. Noble commented that the original budget was delegated toward the renovation of schools and has since grown to 65%.

The second of the components is a Technical Advisory Group made up of five members that oversees the implementation of the School Concurrency Program. The group has all the expertise needed to accomplish the task given and is comprised of a demographer, an accountant, a planner, a business representative and a construction representative.

Ms. Garrison reviewed their service area map and pointed out commercial development does not fall under school concurrency - only residential development. She reviewed the service areas and explained how available capacities are determined and how they must review the surrounding zones. She reviewed the three year rule, which looks at the five year plan and see if there is funding available to meet the capacities. The adjacency rule is what typically allows building to take place. Mrs. Davis clarified that the “three-year rule” are rules under Florida Statute that govern concurrency and Ms. Garrison advised that is correct.

She stated suspension / reinstatement means that the program is no longer being implemented; and does not necessarily stop development. Suspension hurts the district’s planning efforts.

The last component is coordinated planning and is the most powerful aspect of concurrency. This component ensures on going communication with local governments, review of residential applications, collaborative mapping and data gathering and strong accountability.

She discussed the challenges the district has faced. She would have had a more clearly defined definition of the roles the local governments play – who should be doing what. Competing objectives and boundary changes are another challenge. Districts are held to the required boundary changes when schools are near overcrowding causing more boundary meetings and distressed parents that do not want to move their children to another school. Class size reduction is a challenge and concurrency discourages portables. Funding has been a big ticket item.

5. Board Discussion

- Jeff Krauskopf, City of Stuart Mayor, provided an example of a builder asking to build a development, and asked how it is determined how many children would be generated as a result of this and how it is decided what schools they would attend. He voiced concern with development being approved while at the same time requiring the school district to make itself ready when it does. Ms. Garrison stated concurrency does not get applied at the land use stage and the district has to wait until a development order comes forward to apply for concurrency. In the meantime, since they have to plan to have adequate capacity for projections – and projections must be on the mark – they probably have already taken into account that land use. Concurrency then becomes a timing issue.

Mr. Krauskopf voiced the need to better communicate with the school district. Mr. Crawford stated at the time concurrency was implemented in Palm Beach County, they had a shortage of student stations and had to grandfather these in as well as PUD’s that were off and going.

Mrs. Hershey stated the developer should know ahead of time where those students would go to school because it was included within redistricting guidelines. The district specifically included these proposed developments within the redistricting so parents would know before they purchased or built where their students would go to school.

Mrs. Shekailo asked how this ties in with the States requirements as to when the district can build a new school and how this can be done with the 2 mil funding. Ms. Garrison advised they have the benefit of being a Charter District, which allowed them to develop their own guidelines. She stated if you follow the letter of Chapter 1013, it says you can’t build a new school until all of your other schools are overcrowded. Mrs. Shekailo asked if being a Charter District frees up restrictions on funding and Ms. Garrison stated you have to ask for specific waivers of statutory requirements. Mr. Crawford stated the district could have applied for some limited waived, however the main mechanism for local flexibility is to have sales tax, etc. He explained Palm Beach County is considering a \$500 million General Obligation Bond or a sales tax issue in November to bring them up to speed with their current 5-year plan exclusive of Class Size Reduction. Ms. Garrison stated that to become a Charter District you have to certify that you have enough local resources to meet all your needs.

Dr. Anderson asked Mr. Noble to compare Martin and Palm Beach Counties and how does Martin stand; should it move forward with concurrency or remain as is. Mr. Noble commented, that in his opinion, concurrency works well in high growth counties and does not personally see an immense benefit to implement school concurrency in Martin County as long as the current Interlocal Agreement is working, however if quick growth begins to happen, then it would be a good option.

Mrs. Hershey discussed Martin being under an obligation to build schools within the Primary and Secondary Urban Services District, which will eventually create major problems being that district is becoming full, allowing for little flexibility. She asked who builds the roads and puts the infrastructure in. Presently, the school board cannot go there unless the infrastructure is there. Ms. Garrison stated they follow the Chapter 1013 requirement of providing notice to the local government to ensure that the prospective school site is consistent with the Comprehensive Plan. They would not be able to build a school unless it was consistent with the Comp Plan. She recommended that if the district does establish a concurrency program, they negotiate this issue in the interlocal agreement.

- Ms. Delaney, City of Stuart Planner, discussed the matrix they developed and feels it addresses a lot of the issues that were mentioned and has five categories; transportation and infrastructure, pedestrian access, neighborhood issues, environmental and hydrologic features and is very idealistic from a planning process and infrastructure is addressed. It does not, however, address school choice. She discussed the need to data share with the City and County and feels the response from the school district is consistently generalized. She would like the School Board to provide the City and County with the number of students and a one page spreadsheet outlining all the schools and their capacities in order to make logical deductions on where students would go from a given development based on the district boundaries that day.

Mrs. Shekailo asked what would happen if the spreadsheets were provided that are being requested and schools are at capacity and Ms. Delaney stated this the very question no one can answer. Ms. Shekailo pointed out the school district cannot build another school until there is capacity to place into that school.

Mrs. Hershey asked how Palm Beach County would handle No Child Left Behind and Ms. Garrison stated they are going to create choice zones and identify within each zones the receiving schools because you have to provide at least two choices.

Discussion took place regarding which governmental entity is responsible for denying potential developments. Ms. Delaney commented that the issue is a circular loop where it appears the school board is not in a position to deny a project due to capacity and the City and County do not have language covering this issue. Dr. Anderson wants to see the three entities work together and Dr. Wilcox feels that is the purpose of the interlocal agreement and intergovernmental planning.

Mr. Krauskopf asked if Palm Beach County works backwards where they say you are at capacity so there is only so many units that you are allowed to build and Ms. Garrison stated she cannot locate a parallel for Palm Beach County and they would know if there is a potential development from City and County input, which, would be included within their projections. She advised their demographer is constantly on the phone with developers asking what their development schedule is and what's on the horizon. They also have a countywide map that has every development that has been approved or submitted including the number of units and the build out schedule; the data is used in short and long range planning.

Dr. Anderson stated he is hearing that the Board is in good shape doing what they are doing and feels something needs to be communicated to the developers, residents and taxpayers of what the Board is doing and why. He stated what works best for Palm Beach County may not necessarily meet the needs of Martin County and Mr. Nobel agreed as long as the district is coordinating planning as much as possible. He does not feel that the time has arrived to implement concurrency in Martin County as of yet.

Mrs. Davis clarified that TAC should look at the procedural process of how the entities could better work together on this issue and bring something back at a joint meeting. Mrs. Gaylord feels there needs to be more specificity in the interlocal.

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Mrs. Shekailo stated she is hearing that the City and County want to hear more from the School Board with information sharing and Mrs. Davis agreed and feels TAC should look at all the avenues and how the process can be more coordinated. Mrs. Delaney feels TAC could benefit from sitting with a demographer in a two step process.

Dr. Anderson asked how much it costs to fund the Office of Growth Management in Palm Beach County and Ms. Garrison stated it's a combination of good planning and the pure cost of concurrency.

Mr. Rodger Osborne asked if the developers were given any input into funding and if they are denied they could contribute to the problem and Ms. Garrison stated have not had any mitigation experiences as of yet. Mr. Osborne asked if school impact fees are collected and was advised yes.

Mr. Nobel suggested the Board meet with their planning staff and does not feel it is necessary at this point to implement concurrency as long as the entities coordinate together and have a demographer provide projections.

Mrs. Davis thanked Mr. Nobel, Ms. Garrison and Mr. Crawford for their expertise and has found it to be very informative. She clarified with the Board that they wish to remain with the interlocal agreement and work together through TAC to strengthen communication and collaboration.

There being no further business to bring before the Board, the meeting was adjourned at 3:12 p.m.

CHAIR (Vicki Davis)

SECRETARY (Sara A. Wilcox, Ph.D.)