

Dr. Marta Pérez, Member

**SUBJECT: SCHOOL BOARD ENDORSEMENT OF LEGISLATIVE INITIATIVES  
FOR 2004 LEGISLATIVE SESSION**

At its September 10, 2003 meeting the Board recognized the importance of collaborating with Miami-Dade County (County) and community members to explore the viability of establishing a system to help provide educational facilities in tandem with residential development. Additionally, the Board directed the Superintendent to engage in preliminary discussions with the County and other appropriate stakeholders to explore the pros and cons of a school concurrency system or other options to increase student stations. Expressing a mutual concern on this issue, the County entered into a companion resolution creating a Working Group on Public Schools Overcrowding (Work Group).

The Working Group's mission is to develop, design and recommend a school overcrowding reduction plan. Members include, but are not limited to, two members of the Board of County Commissioners, two School Board members, one member of the State Oversight Board, and two members of the Miami-Dade Legislative Delegation. At the inaugural meeting of the Work Group, held on January 10, 2004, the members requested that the School District provide a list of its top constraints that impede the District from constructing educational facilities on a timely and cost effective basis. The list will be presented to the Work Group on January 21, 2004 for review and possible sponsorship of corrective legislation at both the Florida House of Representative and Senate. The following is the list of proposed legislation to address the District's ability to construct educational facilities in a timely manner, some of which are already included in the District's Legislative Package for 2004:

1. Allow local school districts to obtain a discount or waiver of payment of wetland mitigation fees, in connection with educational facility construction, for purposes of alleviating the costs of land acquisition.
2. Exempt the cost of building a parking garage from the overall student station cost of a new school facility, to allow the District to utilize small parcels of land for the construction of educational facilities.
3. Delete the requirement for site size waivers with site size to be determined entirely by the local school district based on determined criteria, without the need for State intervention and/or review.
4. Exempt local school district from the requirements of a Castaldi study, prior to determining whether or not an existing structure is to be retained or demolished.

**GOOD CAUSE**

**D-19**

5. Amend statutes to reinstate the Enhanced Hurricane Protection Areas (EHPA) three-mile exemption, and allow district to be reimbursed for costs associated with building EHPA.
6. Create a county-wide documentary stamp surtax imposing a fee on real property instruments, a portion thereof to be set aside for the School District for the specific purpose of acquiring lands and construction of educational facilities.
7. Permit school boards, after approval of the annual capital outlay budget, to delegate to the Superintendent the authority to award contracts for specific projects within approved budget limits.
8. Allow for local school districts to acquire lands, construct and operate educational facilities on sites located within the airport's land use zoning restrictions, including but not limited to "No School Zone" areas.

This item does not appear in the published agenda. There is good cause to vary from the agenda in order to ensure that our legislative delegates have sufficient time to submit bill proposals before the January 31, 2004 deadline.

**ACTION PROPOSED BY:  
DR. MARTA PÉREZ**

That The School Board of Miami-Dade County, Florida, endorse the above-referenced legislative initiatives and authorize District staff to distribute same to the January 21, 2004 meeting of the Working Group on Public Schools Overcrowding for possible legislative sponsorship.