

Office of School Facilities
Rose Diamond, Chief Facilities Officer

**SUBJECT: RECEIVE REPORT FROM THE SCHOOL BOARD
CONCURRENCY TASK FORCE AND ADOPT
RECOMMENDATIONS FOR IMPLEMENTATION OF SCHOOL
CONCURRENCY, AS MANDATED BY 2005 GROWTH
MANAGEMENT LEGISLATION**

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

Background

On August 17, 2005, as proposed by Board Member Ms. Perla Tabares Hantman, the School Board authorized the creation of a School Board Concurrency Task Force (Task Force) to provide recommendations for the implementation of school concurrency, which is now mandated across the State pursuant to growth management legislation enacted in 2005. This legislation will require that school facilities be in place or under construction within three years after issuance of approval for a residential subdivision or upon site-plan approval for residential development. To implement concurrency, all units of local government must adopt a Public School Facilities Element (Element), as part of their respective comprehensive development plans. The phased implementation schedule initiated by the State of Florida Department of Community Affairs (DCA) requires that Miami-Dade County be in compliance by January 1, 2008.

The Task Force's membership was comprised of: two member representatives from the School Board, one representative from the Miami-Dade County Commission, two from the Miami-Dade County League of Cities, two from the Builders Association of South Florida (BASF), one from the Latin Builders Association and one ex-officio member from the South Florida Regional Planning Council. The Staff Working Group, operating under the auspices of the Interlocal Agreement for Public School Facility Planning in Miami-Dade County (Interlocal Agreement), provided technical support to the Task Force. Membership of the Staff Working Group includes representatives from local governments who are signatories to the Interlocal Agreement and representatives from the residential development industry. The Task Force held its first meeting on February 24, 2006, and its work concluded on December 8, 2006, when it approved the final report and forwarded it to the School Board.

Additional Information

The Task Force convened five times over a ten-month period. The members heard presentations from the Staff Working Group, DCA, the Florida Department of Education and neighboring school districts. As noted above, the Task Force concluded its activities on December 8, 2006, and has submitted its recommendations to the School Board. Included in the recommendations is the need to amend the existing Interlocal Agreement to incorporate the Element. Proposed revisions to the Interlocal Agreement

are being developed, and it is anticipated that an agenda item will be brought to the School Board in the near future seeking its adoption.

Subsequent to School Board approval, the Task Force report will be submitted to Miami-Dade County and local governments, with the recommendation that school concurrency standards be incorporated into their respective comprehensive development plans. Thereafter, it will be the responsibility of each local government to file the appropriate documentation with DCA to comply by the January 1, 2008 deadline.

The following summarizes the main recommendations of the Task Force report:

- Level of Service (LOS) Standards - Adopt LOS standards based on a ten-year, three-tiered approach that includes interim LOS standards that will apply until the constitutional class size amendment is fully implemented. By year ten, the LOS standards will be 100% of permanent Florida Inventory of Student Housing (FISH) capacity.
- Concurrency Service Area (CSA) - Adopt CSA's based on existing school attendance boundaries for the schools (elementary, middle and senior high) that would serve a proposed residential development. If one or more of the affected schools are over the established LOS standards, then the development impact shall be shifted to an adjacent school with available capacity.
- Concurrency Management System (CMS) - Establish a GIS-based school CMS that will analyze school capacity availability for the adopted LOS standards within each CSA.
 - The system would allow for proportionate fair share mitigation by an applicant, when capacity is not available.
 - Residential applications will receive a standardized credit against their impact for those students that might attend magnet or charter schools, based on actual District-wide data for magnet or charter school students, measured as of the most recent October FTE. No credit shall be given if either magnet or charter school are over 100% of capacity.
- Revise Interlocal Agreement for Public School Facility Planning in Miami-Dade County (ILA) - Amend the existing ILA, which was entered into by all non-exempt local governments and the School Board, to include the mandated school concurrency requirements and other new statutory requirements.
- Public School Facilities Element (Element) – Develop a uniform Element for Miami-Dade County and all non-exempt municipalities within the County for adoption as a part of their comprehensive plans, in order to establish a framework for the planning and provision of public school facilities.

- Application Fee – Charge a school concurrency review application fee to the residential developer, for payment to the School Board. The fee amount would be consistent with the amounts charged by local governments for re-zoning fees, and would help offset the cost of concurrency review by the District.

The Task Force recommendations were approved unanimously by the members of the Task Force, with the exception of one dissenting vote by one BASF representative, who expressed concerns regarding the review application fee. The BASF member voted against the fee because the exact amount was not determined at the time of voting, but was in favor of all other recommendations in the report.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida:

1. receive the Report from the School Board Concurrency Task Force and adopt the recommendations therein for the implementation of school concurrency; and
2. direct the Superintendent to finalize the required amendments to the Interlocal Agreement for Public School Facility Planning in Miami-Dade County necessary to incorporate the school concurrency element, and bring an item to the Board for its consideration and adoption.