

Office of Superintendent of Schools
Board Meeting of May 15, 2002

May 2, 2002

Business Operations
Joe Arriola, Chief Business Officer

**SUBJECT: PROPOSED PROMULGATION OF NEW SCHOOL BOARD RULE:
INITIAL READING 6Gx13- 2C-1.121, SUBMISSION OF PROPOSALS
FOR TELECOMMUNICATIONS FACILITIES ON BOARD-OWNED
SITES**

Purpose

The purpose of the proposed Board Rule is to establish a formal process for submission of proposals for telecommunications facilities on Board-Owned sites. In the past, the School Board (Board) approved lease agreements for wireless telecommunications towers (towers) and granted easements for controlled environment vaults (CEVs) and fiber optic cabinets (FOCs) with various telecommunications service providers (service providers), on an as requested basis. The process to be authorized by this Board Rule and developed by the Fact-Finding Telecommunications Committee (TC) will include citizen participation and foster competition among the telecommunications service providers.

Background: Wireless Telecommunications Towers

Since 1996, the Board has executed five (5) lease agreements for the siting of towers at school sites with service providers and co-locators. To facilitate proposals for said agreements, the TC was established and adopted an internal process that required the school principal to consult with the chairperson of their respective Parent, Teacher and Student Association (PTSA) and the Educational Excellence School Advisory Council (EESAC). Additionally, the process required parental notification and a recommendation by the principal, based on the response from the notification, as to whether to proceed with the proposed tower.

At the July 11, 2001 meeting, the Board directed the Superintendent to revise and improve the process for reviewing such proposals. The Board's directive stemmed from concern that the latest tower being constructed at Miami Killian Senior High School (Killian) did not provide a vehicle for input from adjacent property owners. Further, several neighbors attended the Board meeting and asked that the tower be relocated to an alternate location. Following the Board meeting, Miami-Dade County (County) claimed building and zoning jurisdiction over the facility at Killian and issued two (2) Warning – Notice of Code Violations (W-NOCVs) for failure to obtain County zoning and building permit approval. As a result of the W-NOCVs issued by the County, the County's assertion of zoning and building jurisdiction, and neighborhood objection to the tower's location, District staff has been involved in a number of efforts to resolve the pending matters.

C-27
ITEM WITHDRAWN
(05/09/02)

Additional Information

In an effort to clarify the extent, if any, of the County's jurisdiction relative to permitting and zoning of towers on Board-owned sites, a legal opinion was requested from the School Board Attorney's (Board Attorney's) Office on August 8, 2001. On August 9, 2001, District staff and a representative from the Board Attorney's office met with County officials concerning the W-NOCVs. The Board Attorney's legal opinion was received on November 1, 2001 and concluded that towers on Board-owned sites that are solely educational or jointly used (commercial and educational) are exempt from local zoning and permitting; and that towers on Board-owned sites that are solely commercial are subject to local zoning and permitting. At the present time, the tower at Killian falls under the latter category.

Formulation of a Process to Consider Proposals for Wireless Telecommunications Towers on Board-Owned Sites

Based on the legal opinion rendered by the Board Attorney and concerns raised by County staff and neighbors of Killian, the Division met with community representatives, service providers and County staff to formulate a new process for considering proposals for wireless telecommunications towers on Board-Owned sites (process). For ease of reference, a draft of the process adopted by the TC on April 11, 2002 is attached as Exhibit "A" and may be subject to further revision by future meetings of the TC. On April 11, 2002, the Division presented the process to the Dade County Council PTA/PTSA (PTA/PTSA) for comment and requested participation on the TC as a voting member. While there were concerns raised, the PTA/PTSA ultimately voted to have a voting member/representative on the TC. During a subsequent phone conversation with the president of the Citizen Advisory Council on April 16, 2002, the president agreed to have a voting member/representative on the TC. The Division forwarded the process to the service providers at various stages of development for comment and held several meetings with the most recent meeting occurring on March 15, 2002. The process was forwarded to County staff for review and input on December 21, 2001, January 14, 2002 and April 23, 2002. Several meetings were also held with County staff during which they indicated a preference for development of an inter-local agreement to address review and coordination of proposed towers on Board-owned sites; to date, the proposed inter-local agreement has not been forwarded to the District for review. Additionally, the District Court of Appeal of Florida, Third District ruled on March 6, 2002 that parts of the County's zoning codes relative to siting wireless telecommunications towers was subjective and unconstitutional. In providing an analysis of the appellate court's ruling, the Board Attorney advised on March 29, 2002 that the decision would not have any significant impact on the review and processing of joint-use proposals.

The process to be authorized by this Board Rule and developed by the TC would apply to pending and future towers where a joint-use is proposed, as well as, co-location on existing joint-use towers; the process will not apply to towers used solely for commercial or educational purposes on Board-owned sites. Towers used solely for commercial purposes will be referred to the local government for zoning and permitting. Towers

used solely for educational purposes are exempt from external review and will be processed accordingly. Further, the process is based on the legal opinion rendered by the Board Attorney and includes member/representatives from the Citizen Advisory Committee (CAC) and Dade County Council PTA/PTSA.

Background: Controlled Environment Vaults and Fiber Optic Cabinets

Since 1998, the Board has granted seven (7) easements to BellSouth for the installation of controlled environment vaults (CEVs) and fiber optic cabinets (FOCs). The easements have allowed BellSouth to up-grade its telecommunications network. To facilitate the easement requests, a "BellSouth Easement Track" Sheet was developed. The track sheet entails BellSouth submitting a signed appraisal for the proposed easement area and compensation being negotiated based on a mutable of the appraised value for the easement area. Historically, District staff in the Division negotiated compensation with BellSouth and submitted said compensation to the Board for consideration. In reviewing past easement proposals, the TC recommended that lease agreements be consummated with annual revenue as opposed to perpetual easements with one-time contributions.

Formulation of a Process to Consider Proposals for Controlled Environment Vaults , Fiber Optic Cabinets and Other telecommunications equipment

The process to be authorized by this Board Rule and developed by the TC would apply to pending and future proposals for CEVs, FOCs and other telecommunications equipment.

Attached are the Notice of Intended and the proposed new rule.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the promulgation of new School Board Rule 6Gx13- 2C-1.121, Submission of Proposals for Telecommunications Facilities on Board-Owned Sites.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedures Act to promulgate new School Board Rule 6Gx13- 2C-1.121, Submission of Proposals for Telecommunications Facilities on Board-Owned sites.

KC:lh

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on May 15, 2002, its intention to promulgate new Board Rule, 6Gx13- 2C-1.121, Submission of Proposals for Telecommunications Facilities on Board-Owned Sites, at its meeting of June 19, 2002.

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish a process for submission of proposals for telecommunications facilities on Board-owned sites that will include citizen participation and foster competition among the telecommunications service providers.

SUMMARY: The intent of the proposed rule is to facilitate proposals for telecommunications facilities on Board-owned sites and, when appropriate, provide appropriate community notification and participation in the decision process.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2); 230.23(22) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 73.015; 112.3143; 235.05; 235.054(1)(a)(b); 235.054(6); 235.15; 235.18; 235.185(2)(3); 235.19; 235.193; 253.025(6)(b); 286.011, F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF June 19, 2002, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by June 11, 2002, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO WISHES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based (Section 286.0105, F.S.)

A COPY OF THE PROPOSED NEW RULE is available for public inspection and copying by the public in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Mr. Joe Arriola
Supervisor: Mr. Merrett R. Stierheim
Date: May 2, 2002

Administrative Operations

**SUBMISSION OF PROPOSALS FOR TELECOMMUNICATIONS FACILITIES
ON BOARD-OWNED SITES**

- I. Intent --The intent of the School Board is:
 - A. To establish a process for considering proposals for telecommunications facilities (facilities) on Board-owned sites.
 - B. To foster competition among telecommunications service providers (service providers).
 - C. To provide community notification, if appropriate, for proposed facilities.
 - D. To include community participation in the review and recommendation process.

- II. Fact-Finding Telecommunications Committee
 - A. Establishment -- The School Board shall establish a telecommunications committee, to be called the Fact-Finding Telecommunications (TC) Committee, which shall include District staff and community representatives.
 - B. Purpose -- The purpose of the TC Committee shall be as follows:
 1. To establish processes for considering proposals for telecommunications facilities on Board-owned sites;
 2. To ensure facilities comply with all applicable regulations, health and safety standards; and
 3. To make recommendations to the School Board and Superintendent of Schools.
 - C. Responsibilities -- The responsibilities of the TC Committee shall be as follows:
 1. Develop and approve processes for considering proposals for telecommunications facilities on Board-owned sites;

2. Review proposals for adherence to approved process;
3. When appropriate, convene community meetings at Board-owned sites to discuss proposed facilities;
4. Provide input in the development of lease agreements and any other appropriate documentation relative to facilities on Board-owned sites;
5. Provide such other advice or input as may become necessary that may include, but not be limited to, ensuring compliance with applicable federal, state and local laws; and
6. Make recommendations to the School Board and to the Superintendent of Schools, which promote internal accountability and equitable distribution of any and all monetary and non-monetary compensation received from proposals.

D. Membership – The TC Committee shall be composed of the following voting members, or their designee:

Associate Superintendent for Procurement and Materials Management;

Associate Superintendent for School Operations;

Chief Auditor;

Chief Facilities Officer (Construction);

Controller;

President of the Citizen's Advisory Council;

President of the Dade County Council PTA/PTSA.

Notwithstanding the aforementioned, the Superintendent of Schools, or designee, may add or delete staff members.

E. Operation – The TC Committee shall operate as follows:

1. Quorum and Committee Chair: A quorum shall consist of a majority of the membership. The TC

Committee shall elect a Chair and Vice Chair every year;

2. Meetings: Meetings shall be held regularly on a monthly basis, unless there is no business to be conducted. Meetings shall be conducted as prescribed in Section 286.011, F.S., and shall be advertised at least five working days prior to the regularly scheduled meeting date. A notice of the meeting shall be posted at the Citizen Information Center. The meetings shall be recorded and summary minutes distributed with the subsequent meeting's agenda packet;
3. Staff Support: The Division of Governmental Affairs and Land Use Policy and Acquisition shall provide primary staff support to the TC Committee, including preparation of the agenda, meeting minutes and supporting documentation. The Office of the School Board Attorney shall provide legal support to the TC Committee. The TC Committee may from time to time, as required, request support from other District personnel;
4. Conflict of Interest: No member of the TC Committee shall participate in any manner which would inure to the member's special private gain or loss, the special gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary of the corporate principal by which he or she is retained, of a relative or a business associate, without first disclosing the nature of his or her interest in the matter. The memorandum of the voting conflict must be filed with the meeting's recording officer, be provided to the other members of the TC Committee, and be read publicly at the next meeting. If the conflict is unknown or not disclosed prior to the meeting, the member must orally disclose the conflict at the meeting when the conflict becomes known. Also, a written memorandum of voting conflict must be filed with the meeting's recording officer within 15 days of the disclosure being made and must be provided to the other members of the agency with the disclosure being read publicly at the next scheduled meeting, all pursuant to Section 112.3143, F.S.

5. Lobbyists: Any and all lobbyists, as defined in School Board Rule 6Gx13- 8C-1.21, present at the TC Committee meeting, who wish to speak on an item being considered by the TC Committee, shall first execute and file the required form with the School Board Clerk's Office at least two business days prior to said meeting. A copy of the executed form shall be made part of the official record for the TC Committee meeting at which the lobbyists are present, and shall be attached to the minutes of the meeting.
6. Lobbying: In the event that a TC Committee member is contacted directly by a lobbyist in connection with any matter that may foreseeably come before the Committee for action, the TC Committee member shall orally disclose such contact at the meeting in which the matter is up for consideration, and file a memorandum of voting conflict, if applicable, as may be required by in the State Code of Ethics for Public Officers and Employees.

III. Telecommunications Technical Review Committee

- A. Establishment – The School Board shall establish the Telecommunications Technical Review (TTRC) Committee, which shall be comprised of District staff members and which shall serve in an advisory capacity to the TC Committee.
- B. Purpose – The purpose of the TTRC Committee shall be to provide oversight in the implementation of processes approved by the TC Committee and recommend acceptable compensation to the TC Committee for each proposal.
- C. Responsibilities – The responsibilities of the TTRC shall be as follows:
 1. To review proposals for adherence to processes approved by the TC Committee; and
 2. To formulate and recommend to the TC Committee acceptable compensation for each proposal.

- D. Membership – The TTRC Committee shall be composed of the following voting members, or their designee:

Chief Business Officer, Chair;

Associate Superintendent for School Operations;

School Board Attorney;

Chief Auditor;

Engineering Director for WLRN.

Notwithstanding the aforementioned, the Superintendent of Schools, or designee, may add or delete District staff members.

- E. Operation – A quorum of the TC Committee shall consist of a majority of the membership. Meetings shall be held as called by the Chair.

Specific Authority: 230.22(2); 230.23(22) F.S.

Law Implemented, Interpreted, or Made Specific 73.015; 112.3143; 235.05; 235.054(1)(a)(b); 235.054(6); 235.15; 235.18; 235.185(2)(3); 235.19; 235.193; 253.025(6)(b); 286.011, F.S.

History

New:

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

PROCESS FOR THE SITING OF JOINT-USE WIRELESS TELECOMMUNICATIONS FACILITIES ON BOARD-OWNED SITES

1. The School Board of Miami-Dade County (Board) issues request for proposals (RFP's), twice a year, for the siting of joint-use wireless telecommunications facilities (facilities) and co-location on existing joint-use facilities on Board-owned sites. The RFP will include, but not be limited to, terms and conditions of any proposed lease agreement and requirements for liability insurance. Prior to the issuance of each RFP, the Division of Governmental Affairs and Land Use Policy and Acquisition (Division) will conduct a mandatory pre-bid meeting to answer any questions from potential bidders.
2. Initial response to the RFP shall include:
 - a. letter of interest to the Division indicating the site(s) the service provider proposes to co-locate or develop;
 - b. a completed application for each Board-owned site on a Division approved form;
 - c. description of the proposed facility which will include, but not be limited to, antenna and supporting equipment with, if applicable, a minimum of two (2) future co-locators;
 - d. copy of the service provider's commercial general liability insurance showing a minimum coverage, in the aggregate, of two million dollars (\$2,000,000);
 - e. type of service to be provided by the facility;
 - f. photo of a similar facility; and,
 - g. a five hundred dollar (\$500.00) non-refundable processing fee, which may be adjusted, from time to time, by the Superintendent of Schools, or his/her designee.
3. For each school site, the Division will send a memorandum (memo) to the principal and their respective region superintendent, requesting conceptual approval or declination of the proposal. The memo will include, as an attachment, a description of the proposed facility and photo of a similar facility. Through the memo, the principal will be advised that he/she is under no obligation to agree to the placement of the facility nor to negotiate with the service provider any issues on behalf of the Board. Further, the principal will be advised of established procedures concerning revenue distribution.
4. For each non-school site, the Division will send a memo to the site director (director) and their immediate supervisor, requesting conceptual approval or declination of the proposal. The memo will include, as an attachment, a description of the proposed facility and photo of a similar facility. Through the memo, the director will be advised that he/she is under no obligation to agree to the placement of the facility nor to negotiate with the service provider any issues on behalf of the Board. Further, the director will be advised of established procedures concerning revenue distribution.

5. Prior to conceptual approval of a school site, the principal shall distribute information on the proposal and seek input from the chairpersons of his/her respective Parent, Teacher and Student Association (PTSA), Educational Excellence School Advisory Council (EESAC), student and teacher organizations, and/or any other school based constituencies which the principal may deem appropriate.
6. If the proposal is declined for either a school or non-school site, written notice will be forwarded to the Division within ten (10) business days from receipt of the initial memo. Upon receipt of the written notice, the Division will provide written notice to the service provider within ten (10) business days and the process ends.
7. If the proposal receives preliminary approval for either a school or non-school site, the principal/director shall forward written notice to the Division within ten (10) business days from receipt of the initial memo. Upon receipt of the written notice, the Division will provide written notice to the service provider within ten (10) business days, in writing, of the preliminary approval.
8. Once notified of the preliminary approval, the service provider will provide written notice to the Division, within ten (10) business days from the pre-approval date, as to whether it wishes to proceed with the proposal. Failure to provide written notice to the Division within the prescribed timeframe may end consideration of the proposal by Board staff.
9. If the service provider wishes to withdraw the proposal, the process ends and the Division will notify the principal/director and their immediate supervisor.
10. Should the service provider wish to proceed with the proposal, written notice shall be forwarded to the Division advising of testing date(s), time(s) and location(s) approved by the principal/director. The notice shall be provided to the Division at least three (3) business days prior to the commencement of any testing and include the scope of work to be performed.
11. Upon completion of any and all required tests, the service provider will notify the Division, within ten (10) business days from the final approved testing date, of their desire to discontinue or proceed with the proposal. Failure to provide written notice to the Division within the prescribed timeframe may end consideration of the proposal by Board staff.
12. If the service provider wishes to withdraw the proposal, the process ends and the Division will notify the principal/director and their immediate supervisor.
13. If the service provider wishes to proceed with the proposal, a one thousand dollar (\$1,000.00) non-refundable fee, per Board-owned site, shall be submitted within fifteen (15) business days of notice to the Division. The application fee will cover the administrative cost of processing and reviewing the proposal and may be adjusted, from time to time, by the Superintendent of Schools, or his/her designee. Additionally, twenty (20) sets of the following items shall be submitted as part of the proposal along with the application fee:
 - a. for co-location on existing facilities, a site plan, to scale, showing the location of the existing facility, existing and proposed equipment, distance to property lines and any required easements;

- b. for proposed facilities, a site and landscape plan (plan), to scale, showing the location of the proposed facility, a minimum of two (2) future co-locators, related equipment, distance to property lines, any required easements and adjacent land uses;
- c. the minimum setback distance from abutting non Board-owned property lines for a proposed monopole shall be one hundred and twenty-five percent (125%) of the height of the monopole;
- d. an elevation, to scale, of the existing or proposed facility, including all dimensions and special attributes;
- e. type of service to be provided by the service provider(s), output power, and telecommunications frequency(-ies) to be used, including the equipment, manufacturer, software versions, et cetera;
- f. an aerial photo showing all properties within 500 feet of the existing or proposed facility as measured from the Board's property lines;
- g. for proposed facilities in areas that are not zoned for wireless telecommunications facilities, a certified mailing list of property owners of record, within 500 feet of the proposed Board-owned site measured from the property lines and reflected on the Miami-Dade County Property Appraiser's tax roll as updated from time to time; and,
- h. proposed monetary and non-monetary compensation to the Board.

Failure to provide written notice to the Division within the prescribed timeframe may end consideration of the proposal by Board staff.

- 14. The site related information contained within the proposal package would be distributed by the Division to departments, divisions and offices that will conduct technical reviews. The technical reviews will include, but not be limited to, applicable building codes, regulations, safety standards and possible co-location of any and all Board-owned equipment. The technical reviews will be conducted by the following: Design and Construction; Division of Energy, Communications and Fiscal Management; Department of Facilities Compliance; Department of Safety, Environment and Hazard Management; Office of Information Technology; and, Division of Media Programs (WLRN). As deemed appropriate, the Superintendent of Schools, or his/her designee, may add or delete reviewers.
- 15. Additionally, the site related information contained within the proposal would be distributed to the planning and/or zoning department of the local municipality. The planning and/or zoning department of the local municipality will have the option of providing technical comments within fifteen (15) business days from receipt of said information.
- 16. Should a proposed facility or co-location on an existing facility conflict with future school use and/or interfere with school operations, the Division will advise the service provider and request twenty (20) sets of a modified plan. The modified plan will propose an

alternate location and will be submitted to the Division within fifteen (15) business days from notice of the conflict for an additional technical review. Failure to provide said plans within the prescribed timeframe may end consideration of the proposal by Board staff.

17. Should a proposed facility or co-location on an existing facility NOT conflict with future school use and/or interfere with school operations, the Division will advise the service provider and forward comments during the technical review for incorporation into final plan documents; the principal/director and their immediate supervisor will also be notified of the results. The final plan documents will be re-submitted to the Division for an additional technical review should the Board approve a negotiated proposal.
18. The Division will convene a meeting of the **Telecommunications Advisory Committee (TAC)** to establish negotiation parameters. The Division will also advise the principal/director and their immediate supervisor of the meeting time and place. The TC membership will include the following, or his/her designees: Chief Business Officer, Chair; Associate Superintendent for School Operations; School Board Attorney; Chief Auditor; and, Engineering Director for WLRN. Notwithstanding the aforementioned, the Superintendent of Schools, or his/her designee, may add or delete staff/representatives.
19. The Superintendent of Schools, or his/her designee, will designate TAC membership.
20. The Division will facilitate all negotiations with the service providers on behalf of the TAC.
21. If negotiations are unsuccessful, any counteroffers will be submitted to the TAC for review and direction.
22. If negotiations are successful, the Division will provide written notice to the principal/director and their immediate supervisor. Proposed facilities in areas that are zoned for wireless telecommunication facilities and/or co-location on existing joint-use facilities will be submitted to the **Fact-finding Telecommunications Committee (TC)**. The TC will review the proposal for adherence to the Board adopted process. The TC membership will include the following, or his/her designees: Board Attorney; Associate Superintendent for Procurement and Materials Management; Associate Superintendent for School Operations; Chief Auditor; Chief Facilities Officer (Construction); Controller; President of the Citizen's Advisory Council; and, President of the Dade County Council PTA/PTSA. Notwithstanding the aforementioned, the Superintendent of Schools, or his/her designee, may add or delete staff/representatives.
23. The TC membership will include the Board Attorney, or his/her designee. The Superintendent of Schools, or his/her designee, will designate TC members from Board-staff. The presidents of the Dade County PTA/PTSA and Citizen's Advisory Council will each designate a representative. Notwithstanding the aforementioned, the Superintendent of Schools, or his/her designee, may add or delete staff/representatives.
24. Proposals that adhered to the Board adopted process will be recommended to the Board for consideration.
25. Proposals not adhering to the Board adopted process will be forwarded to the Division for review and resolution.

26. Proposed facilities in an area not zoned for wireless telecommunications facilities or not for co-location on an existing joint-use facility, will require community notification. The Division will mail notice of the proposed facility to property owners of record, within 500 feet of the proposed site as measured from the Board's property lines and reflected on the Miami-Dade County Property Appraiser's tax roll, as updated from time to time. The notice will contain general information on the proposed facility including its proposed location on the site and request written comments within ten (10) business days from date of the notice. The cost of the notice will be borne by the service provider.
27. Upon receipt of any and all comments for the proposed facility, the Division will convene a meeting of TC. The TC will review proposals relative to adherence of the Board adopted process; review of comments received via the community notification; and, issues Board recommendations. The principal/director and his/her immediate supervisor will be notified of the meeting and requested to attend.
28. Based on community comments and/or input from the principal/director and his/her immediate supervisor, the TC may vote to recommend approval of the proposal by the Board. The Division will advise the service provider and submit the TC's recommendation to the Board of consideration.
29. Based on community comments and/or input from the principal/director and his/her immediate supervisor, the TC may vote to decline the proposal. Should the TC vote to decline the proposal, the Division will advise the service provider and submit the TC's recommendation to the Board of consideration.
30. Based on community comments and/or input from the principal/director and his/her immediate supervisor, the TC may vote to hold a community meeting at the site to discuss the proposed facility.
31. Should the TC vote to hold a community meeting, the Division will notify the community of the date, time and location of the meeting. The notice to the community shall occur a minimum of ten (10) business days prior to the scheduled meeting date. The cost of the notice will be borne by the service provider.
32. After the community meeting, the Division will convene a meeting of the TC for discussion of the community meeting and direction. The meeting agenda will include, but not be limited to, the proposal submitted by the service provider and comments received through the community meeting. The principal/director and his/her immediate supervisor will be notified of the meeting and requested to attend.
33. Based on the input and comments received from all relevant parties, including the community, principal/director and/or his/her immediate supervisor, the TC may vote to decline the proposal. Should the TC vote to decline the proposal, their recommendation will be forwarded to the Board for consideration. The service provider and property owners who provided written and oral comments during the community meeting will be notified of the TC's decision. The notice to the service provider and property owners will include the tentative Board meeting date for consideration of the proposal.
34. Based on the input and comments received from all relevant parties, including the community, principal/director and/or his/her immediate supervisor, the TC may vote to approve the proposal. Should the TC vote to approve the proposal, their

recommendation will be forwarded to the Board for consideration. The service provider and property owners who provided written and oral comments during the community meeting will be notified of the TC's decision. The notice to the service provider and property owners will include the tentative Board meeting date for consideration of the proposal.

35. If the Board declines the proposal, the Division will provide written notice to the service provider within five (5) business days and the process ends.
36. If the Board accepts the proposal, the Division will provide written notice to the service provider within five (5) business days.
37. Upon receipt of written notice from the Division advising that the Board approved the proposal, the service provider will submit twenty (20) sets of final plan documents to the Division for review and approval within fifteen (15) business days. Failure to provide written notice to the Division within the prescribed timeframe may end consideration of the proposal by Board staff. Said plans will include, but not be limited to, the following:
 - a. certification by an engineering firm as to the projected wind-load capacity of the monopole with and without all proposed antennas;
 - b. certification by an engineering firm that the proposed facility or co-location is in compliance with the Florida Building Code and all other applicable local, state and federal building codes, regulations and safety standards as amended from time to time;
 - c. copy of a contract with an independent firm that will validate and certify, on a semi-annual basis, the type of service being provided by the facility, telecommunications frequency(-ies) used, including the equipment manufacturer, software versions and that the facility complies with Federal Communication Commission (FCC) health standards;
 - d. incorporation of technical comments, if any, provided from the initial technical review; and,
 - e. copy of a contract with a uniform building code inspection (UBCI) firm for review and approval of plans and construction.
38. The Division will distribute site related information contained within the proposal package to Design and Construction for approval prior to commencement of any construction activity. Design and Construction will finalize the plans in conjunction with the UBCI firm. As deemed appropriate, the Superintendent of Schools, or his/her designee, may add or delete reviewers.
39. Once the Division receives approval of the plans from Design and Construction, the Division will provide written notice to the service provider with a copy to the principal/director and their immediate supervisor. The Division will also route the lease agreement for execution.