

Facilities Operations, Maintenance and Planning
Ana Rijo-Conde, Interim Assistant Superintendent

**SUBJECT: A) UPDATE ON COMPLIANCE WITH NEWLY
 IMPLEMENTED GROWTH MANAGEMENT
 LEGISLATION**

**B) APPOINTMENT OF DISTRICT STAFF REPRESENTATIVE
 TO ATTEND LOCAL PLANNING AGENCY MEETINGS
 AND TO SERVE IN AN ADVISORY SUPPORT CAPACITY
 ON THE LOCAL GOVERNMENTS STAFF
 DEVELOPMENT REVIEW COMMITTEES, OR
 EQUIVALENT BODIES**

COMMITTEE: FACILITIES MANAGEMENT

Background

At its January 15, 2003 meeting the School Board approved the Interlocal Agreement with all non-exempt local governments and Miami-Dade County; authorized the Superintendent to disseminate the Interlocal Agreement to all non-exempt local governments and Miami-Dade County for review and action by their respective governing body, and requested that any additional proposed revisions to the Agreement be submitted to School Board staff by January 31, 2003; and authorized the Chair and Secretary to the Board to execute the Interlocal Agreement if no substantive modifications were required, or alternatively, if substantive modifications were required, to revise the Interlocal Agreement and submit same to the School Board at the February 12, 2003 meeting for final action.

Staff is pleased to report that other than the six (6) municipalities that requested and were eligible for an exemption from the requirement to execute the Interlocal Agreement, the School District, in compliance with requirements of Section 163.31777, Florida Statutes, successfully entered into the Interlocal Agreement with Miami-Dade County, and the municipalities of the City of Aventura, City of Coral Gables, Village of El Portal, City of Florida City, City of Hialeah, City of Hialeah Gardens, City of Homestead, Village of Key Biscayne, City of Miami, City of Miami Beach, Town of Miami Lakes, Village of Miami Shores, City of Miami Springs, City of North Bay Village, City of North Miami, City of North Miami Beach, City of Opa-Locka, Village of Palmetto Bay, Village of Pinecrest, City of South Miami, City of Sunny Isles Beach, City of Sweetwater and the City of West Miami. An optional first Supplemental Agreement has been entered into with a majority of those entities. As of the date of this writing, the Town of Bay Harbor Islands (Town) is the only entity with unresolved issues. The Town has opted to execute a modified Interlocal Agreement contingent upon the School Board entering into a Second Supplemental Agreement.

The language in the Second Supplemental Agreement has been reviewed by the School Board Attorney and the District staff and is considered problematic in that it would impact Agreements already in place, and propose in part to pre-empt full public participation. School District staff have proposed counter language for consideration by the Town and agreement on such has not been reached as of yet. The State of Florida Department of Community Affairs (DCA) has issued a Notice to Show Cause and the District has responded. Negotiations are on going with the Town of Bay Harbor Islands and the District is committed to finding an amicable solution with the Town.

It should be noted that the (DCA) has complimented the School Board in achieving an Interlocal Agreement with Miami-Dade County and twenty-three non-exempt local governments, emphasizing that this represents an extraordinary achievement considering that Miami-Dade (with a large number of local governments involved) was the first among the first group of Districts with the March 1 deadline;

Additional Information

Pursuant to the terms of the Interlocal Agreement the first meeting of staff working group convened on April 18, 2003. Among its many tasks, the group collaborated on the development of a procedures manual, which will detail processes for the implementation of the Interlocal Agreement.

In addition to the staff working group, and pursuant to Section 163.3174 (1), Florida Statutes, the School Board must:

1. appoint a staff representative to serve as a non-voting member and attend meetings of the local planning agencies or equivalent agencies that first consider comprehensive plan amendments and rezonings, which would, if approved, increase residential density.
2. designate a staff representative to serve in an advisory support capacity on the County's and Cities' staff development review committee, or equivalent body, and to participate at the meetings when development and redevelopment proposals are proposed that would create an increase in the number of residential units and
3. appoint up to nine (9) representatives to an oversight committee that will monitor implementation of the Interlocal Agreement. The County and the Miami-Dade League of Cities shall each appoint up to five (5) citizen members to serve on that Committee. It is anticipated that the Citizen Oversight Committee will be established by October 2003. A follow-up item will be presented to the School Board before that time requesting appointments to that Committee.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to make the necessary staff appointments:

1. to attend the local planning agencies or equivalent agencies of local governments, which consider comprehensive plan amendments and rezonings that would, if approved, increase residential density. Additional appointments may be made on an as needed basis by the Superintendent or designee; and
2. to the County's staff development review committee, or equivalent body, and to Cities' staff development review committees, or equivalent body, as appropriate, when development and redevelopment proposals are proposed that would create an increase in the number of residential units. School District Staff shall serve in an advisory support capacity.

VGv:am