

**JUNE 1, 2006
SCHOOL BOARD
WORKSHOP
AND
SPECIAL MEETING**

WORKSHOP #1:

DISCUSSION ON SCHOOL CONCURRENCY

OUTLINE FOR DISCUSSION

- 1. Timeline**
- 2. Requirements for public school facility element**
- 3. Capacity**
- 4. Level of service**
- 5. Service areas**

SCHOOL CONCURRENCY TIMELINE

- 1. May ___, 2006 Consultant Contract Approval By BCC**
- 2. May - June, 2006 Review Existing Documents/Data Development**
- 3. June 1, 2006 School Board Workshop**
- 4. June 20, 2006 School Board Approval of Capacity, Level Of Service And Service Areas**
- 5. July 10, 2006 Joint Workshop BCC/CCSB**
- 6. July 13, 2006 School Board Workshop On 2006/07 - 2011/12 Educational Facilities Plan**
- 7. July 20, 2006 School Board Approval Of Capacity, Level Of Service And Service Areas (if necessary)**
- 8. July 31, 2006 School Board Tentative Approval Of Educational Facilities Plan**
- 9. August 17, 2006 School Board Review Of Draft Interlocal Agreement**
- 10. August 22, 2006 BCC Review Of Draft Interlocal Agreement**
- 11. August 23-September 20, 2006 Municipality Review Of Draft Interlocal Agreement**
- 12. August 23-September 20, 2006 Submit Draft Interlocal Agreement To Department Of Community Affairs For Review**
- 13. September 7, 2006 School Board Adoption Of Final Educational Facilities Plan**
- 14. September 21, 2006 School Board Adoption Of Final Interlocal Agreement**
- 15. September 26, 2006 BCC Adoption Of Final Interlocal Agreement**
- 16. September 27-October, 2006 Municipality Adoption Of Final Interlocal Agreement**
- 17. September 27-October, 2006 Submit Final Interlocal Agreement To Department Of Community Affairs**

- 18. October 19, 2006** **School Board Review Of Proposed Revisions To Capital Improvements, Future Land Use And Intergovernmental Elements**
- 19. October 24, 2006** **BCC Review Of Proposed Revisions To Capital Improvements, Future Land Use And Intergovernmental Elements**
- 20. October 25-November 10, 2006** **Municipality Review Of Proposed Revisions To Capital Improvements, Future Land Use And Intergovernmental Elements**
- 21. October 25-November 10, 2006** **Submit Proposed Revisions Of Capital Improvements, Future Land Use And Intergovernmental Elements To Department Of Community Affairs For Review**
- 22. November 16, 2006** **School Board Review Of Draft Public School Facility Element**
- 23. November 21, 2006** **BCC Review Of Draft Public School Facility Element**
- 24. November 22-December 15, 2006** **Municipality Review Of Draft Public School Facility Element**
- 25. November 22-December 15, 2006** **Submit Public School Facility Element To Department Of Community Affairs For Review**
- 26. December 21, 2006** **School Board Approval Of Public School Facility Element**
- 27. December __, 2006** **BCC Approval Of Public School Facility Element**
- 28. December 26, 2006-January, 2007** **Municipality Approval Of Public School Facility Element**
- 29. December, 2006-January, 2007** **BCC/Municipality Submission Of Final Comprehensive Plan Amendments To Department Of Community Affairs**

Public Schools Facility Element

A public school facilities element shall be based upon data and analysis that address, among other items, how level-of-service standards will be achieved and maintained. This data and analysis must be based on the following criteria:

- a) The Interlocal Agreement shall be adopted pursuant to FS 163.31777
- b) For each school facility: the existing enrollment, existing school attendance zones, existing FISH capacity or other professionally accepted measure of capacity; surplus capacity based on site size requirements contained within Department of Education design criteria, and existing level of service, utilizing the five-year School District Facilities Work Program adopted pursuant to Section FS 1013.35; and the Educational Plant Survey prepared pursuant to 1013.31.
- c) An existing educational and ancillary plant map or map series.
- d) Information on existing development for the next five (5) years and the long-term planning period.
- e) Projected future population and associated demographics.
- f) Existing and projected school facility surpluses and deficiencies by concurrency service area by year for the five-year planning period, and district-wide by school type for the end of the long range planning period of the host county based on projected enrollment.
- g) An analysis of opportunities to locate schools to serve as community focal points.
- h) An analysis of the adequacy of the existing level of service conditions for each school facility in order to develop appropriate level of service standards.
- i) School facilities needed for each concurrency service area to accommodate projected enrollment at the adopted level of service standard each year for the five-year planning period, and for the end of the long range planning period of the host county, including ancillary plants and land area requirements. The plan shall explain the relationship, if any, of the ancillary plants to school concurrency.
- j) Analysis of problems and opportunities with existing public school facilities and projected public school facilities planned in the adopted District Facilities Work Program, including location, supporting infrastructure, and overcrowding in relation to achieving and maintaining level of service standards for the five-year planning period and for the end of the long range planning period of the host county, including: opportunities and problems in collocating existing projected public school facilities with other public facilities such as parks, libraries and community centers; the need for supporting infrastructure, including, water, sewer, roads, drainage, sidewalks and bus stops for existing and projected public school facilities; and analysis of opportunities to locate public school facilities to serve as community focal points.
- k) Existing revenue sources and funding mechanisms available for school capital improvement financing; the estimated cost of addressing existing deficiencies and future needs identified above by year for the five-year planning period, and for the end of the long range planning period of the host county.
- l) The estimated cost of needed school capital improvements to correct deficiencies and meet future needs based on achieving and maintaining the adopted level of service standard identified by year for the five-year planning period, and for the end of the long range planning period of the host county.

- m) An assessment of the ability to finance capital improvements based upon projected enrollment and revenues during the five-year planning period: forecasting of revenues and expenditures for five years; projections of debt service obligations for currently outstanding bond issues; projection of ad valorem tax base, assessment ratio and millage rate; projections of other tax bases and other revenue sources, such as, impact and user fees; projection of facilities (and not program) operating cost considerations; and projection of debt capacity.
- n) Data and analysis showing how school concurrency costs will be met and shared by all affected parties, consistent with the requirement for a financially feasible capital improvements program for public schools.
- o) The element shall contain one or more goals which establish the long-term end toward which public school programs and activities are ultimately directed. The element shall contain one or more objectives for each goal, setting specific, measurable, intermediate ends that are achievable and mark progress toward the goal. The element shall contain one or more policies for each objective which establish the way in which programs and activities will be conducted to achieve and identify goals.

Capacity

Goal: Establish what the district standard will be for determination of "Capacity".

Definition:

- From FAC 9J5.025 (2)(a) – For each school facility: the existing enrollment, existing school attendance zones, existing FISH capacity or other professionally accepted measure of capacity; surplus capacity based on the size requirements contained within Department of Education Criteria design criteria, and existing level of service, utilizing the five-year School District Facilities Work Program adopted pursuant to Section 235.185, F.S., and the Educational Plant Survey.
- The 2006 FISH Manual defines Capacity as the number of students that may be housed in a facility at any given time based on a utilization percentage of the total number of existing satisfactory student stations.

Points to Consider:

- a) Most of the School Districts that we have studied have used FISH Permanent Student Stations.
- b) FISH Capacity will vary from year to year based on program and grade structure.
- c) Portables = Satisfactory Student Stations. Board action was to not count portables in the capacity studies for review of new development impacts.
- d) SB 360 states that the "school boards shall have the burden to demonstrate that the utilization of school capacity is maximized to the greatest extent possible in the Comprehensive Plan, taking into account transportation costs and court-approved desegregation plans, as well as other factors".
- e) What do we do about excess capacity or surplus capacity? DCA will ask us to "balance" that upon our inclusion into the Comprehensive Plan.
- f) Banking Capacity Credits – When a development does not yield enough students for a full school the credits for the school can be "banked" and as other developments produce students, they will have to purchase the credits from the original developer.
- g) Senate Bill 360 - Where school capacity is available on a district-wide basis but school concurrency is applied on a less than district-wide basis in the form of concurrency service areas (CSA's), if the adopted level-of-service standard cannot be met in a particular service area as applied to an application for a development permit and if the needed capacity for the particular service area is available in one or more contiguous service areas, as adopted by the local government, then the local government may not deny an application for site plan or final subdivision approval or the functional equivalent for a development or phase of a development on the basis of school concurrency, and if issued, development impacts shall be shifted to contiguous service areas with schools having available capacity.

(Capacity Cont.)

Capacity Options:

- a) All Satisfactory Student Stations (FISH)
- b) All Permanent Student Stations (FISH)
- c) Approved Facility List Student Stations (Including the Utilization Rate) –
Permanent and Relocatable.
- d) Combination of A, B and/or C

Level of Service

Definition:

- FAC 9J5 – The Level of Service (LOS) is an indicator of the extent or degree of service provided by or proposed to be provided by, a facility based on and related to the operational characteristics of the facility. Level of Service shall indicate the capacity per unit of demand for each public facility.

Points to Consider:

- a) Level of Service must be financially feasible and meet the five (5) year plan and thus the Five Year Plan must achieve the Level of Service Standards.
 1. Set Level of Service and Finance the Five Year Plan to meet it.
 2. Identify finance sources and values and set Level of Service to fit within the available resources.
- b) If we use the Facility List from the latest Plant Survey, then as an example, AES has 1434 students / 862 students in the Approved Facility list yields a 166% LOS.
- c) The Level of Service is part of the Capital Improvement Plan of the Comprehensive Plan.
- d) The Level of Service can be different for Elementary, Junior High and High Schools.
 1. Local governments and school boards imposing school concurrency shall exercise authority in conjunction with each other to establish jointly adequate level-of-service standards, as defined in chapter 9J-5, Florida Administrative Code, necessary to implement the adopted local government comprehensive plan, based on data and analysis.
 2. Public school level-of-service standards shall be included and adopted into the capital improvements element of the local comprehensive plan and shall apply district-wide to all schools of the same type. Types of schools may include elementary, middle, and high schools as well as special purpose facilities such as magnet schools.
 3. Local governments and school boards shall have the option to utilize tiered level-of-service standards to allow time to achieve an adequate and desirable level-of-service as circumstances warrant.

Level of Service Options:

- a) Tiered approach – Starts out at the highest percentage of existing schools and works toward the district goal over a period of time. This is a popular approach with the percentages starting at 160% and working down to 100% over a five (5) year span. This method allows time to achieve Level of Service goals. We need to determine our Level of Service Goals.
- b) Level of Service as an average of the 3 categories of schools (K-6, 7-8, 9-12).
What about KHH and OLS?

Concurrency Service Area (CSA)

Definition:

- Florida Administrative Code 9J5 - The geographic unit adopted by the local governments within which school concurrency is applied and determined.

Points to Consider:

- a) CSA's must be established to maximize available student capacity.
- b) The CSA's delineation is important for purposes of determining whether the local government has a financially feasible public school capital facilities program that will provide schools that achieve and maintain the adopted level-of-service standards.
- c) Adjacency
- d) The CSA must be established so that the Level of Service is attainable and maintained within the five (5) years depicted in the Capital Projects Plan.
- e) The Legislature recognizes that an essential requirement for a concurrency management system is the level of service at which a public facility is to operate.
- f) Changes in the CSA would require a Comprehensive Plan Amendment through the BCC Planning Department to the Department of Community Affairs.

CSA Options:

- a) District Wide (Encouraged Initially)
 1. Should be easier to track
 2. Does not help the district as much due to low growth/under capacity schools.
 3. Would not require Comprehensive Plan Amendments with a redistricting.
- b) Existing Attendance Boundary for each school
 1. Consistent with attendance boundaries would make them less confusing for staff/board and the public.
 2. Would help the district more in overcrowded schools.
 3. Would require a Comprehensive Plan Amendment with each redistricting.
- c) Geographic CSA's
 1. Harder to develop and more confusing to staff/board and public.
 2. Would help the district more with overcrowded schools.
 3. Would not necessarily require a Comprehensive Plan Amendment with a redistricting.
 4. Would possibly allow staff to isolate areas that cannot house additional students.

SCHOOL CONCURRENCY QUESTIONS TO RESOLVE

QUESTION #1

Since we have impact fees and must credit on a dollar-for-dollar basis, what can we expect from proportionate-share mitigation?

QUESTION #2

If an applicant comes in and capacity does not exist and no offsetting capacity improvement is funded within the first 3 years of the facilities plan, can the application be denied?

QUESTION #3

If an applicant comes in and agrees to advance the impact fees but sufficient capacity cannot be generated because the District does not have the funding balance required, can the development be denied?

If no - will we be required to adjust project funding to make up the balance?

QUESTION #4

Identify a specific example when a development can be denied.

QUESTION #5

Identify a specific example of proportionate share mitigation being larger than impact fees.

QUESTION #6

If an applicant came in and capacity does not exist within the schools to serve the geographic area but does exist within contiguous schools, will the School District be required to amend attendance boundaries in order to provide capacity for the development?

QUESTION #7

Level of service must be identified and maintained. Is level of service created separately by each grade level or as a standard to apply to all?

QUESTION #8

If the level of service is established as 100% of capacity, must the District ensure that all overcapacity schools achieve that level?

QUESTION #9

If the achievement of a stated level of service can only be through redistricting, must the District pursue that course of action? What happens if the District allows a breach of level of service?

QUESTION #10

If the District cannot or will not reduce the level of service to approximately 100% of capacity, will the worst case become the level of service standard for the District?

QUESTION #11

The higher the level of service, the greater our overcrowding or overcapacity of our schools will become, and the smallest deterrence to new development. Is this true?

**WORKSHOP #2: DISCUSSION ON INCLUDED COMPONENTS FOR
IMPACT FEE REVISION**

1. Include Debt Service:

- **Consideration based on Osceola Court Case**
- **Approximately reducing the impact fee by \$1,672.00 on a single family home or 23.8%.**

2. Base local ad valorem and State revenue credit on 5 years vs. 20 years:

- **Approximately increases the impact fee by 26.7% or \$1,878.00 for single family; \$864.00 for multi-family and \$1,596.00 for mobile home.**

3. Base student station cost on current local costs in lieu of D.O.E. cost data:

- **Approximately increases the impact fee by \$736.00 or 10.5%.**

4. Re-analyze average home value:

- **Does the School Board want to develop the average home value based on the previous 5 years or on the previous 12 months?**

This question pertains to fairness and compliance with SB 1194 which requires that impact fees be based on the most recent and localized data.

- **The difference between the taxable value based on the average of the previous 5 years and the previous 12 months is approximately \$23,157.00.**

- **Approximately decreases the impact fee by \$211.00 or 7.3%.**

5. Confirm land portion % with Nabors and Veasey:

- **The current impact fee was based on \$40,000.00 per acre and restricts the land portion to no more than 15%.**

- **The draft county-wide appraisal has been received and establishes the land value at \$45,000.00 per acre which would not change the land portion. However, the appraiser escalates the land value over the next 5 years. The 5-year average may influence the land portion percentage. This is receiving further study.**

6. Historic use of 2 mill funding for generating capacity:

- **Credit reduction measures as may be considered by the School Board must be substantiated by historical data or by adopted and legally supported policies going forward.**
- **Not using the 5-year historic amount would increase the impact fee by approximately \$800.00. The consultant has reservation to including this approach and did not provide the stated amount. The amount shown was calculated by staff.**

7. Do we differentiate the impact fee structure into subsets?

- **If so, the School Board must establish the subsets. It is accepted that in so doing, a study must be undertaken to correlate the data. Approximately \$10,000.00 will be required. It is also provided that most existing impact fees do not do this.**
- **Differentiate by bedroom?**
- **Differentiate by square footage? If by this method, establish the different levels.**
 - a) **Up to 1,500 s.f.?**
 - 1,501 s.f. to 3,000 s.f.?**
 - 3,001 s.f. and higher?**

SUMMARY

Action	Effect On Credits	Effect On Fees	Amount Of Effect
Eliminate debt service as a non-capacity use of 2 mill revenue	Increase	Decrease	\$1,672.00
Change to a 5-year credit period	Decrease	Increase	\$1,878.00
Use local school cost factors	No Change	Increase	\$ 736.00
Use county wide 2005 taxable value vs. 5-year average	Increase	Decrease	\$ 211.00
Eliminate 5-year historic use of 2 mill funds	Decrease	Increase	\$ 800.00
Differentiated impact fees	No Change	Restructure	Unknown

WORKSHOP #3: DISCUSSION ON SARATOGA SPRINGS

ISSUE #1 - METHODOLOGY

We are contracting with a financial advisor experienced in dealing with developments to critique and develop methodology for determining the impact of a development.

We will hold further discussion until after that critique is completed.

Therefore, today I ask that we focus our attention toward:

ISSUE #2 - FINANCIAL APPROACH TO THE DEVELOPMENT

- a) District or developer finance of schools:**
- **Cost of financing**
 - **Debt accounting**
 - **Availability of ad valorem**
 - **Opportunities for refinance**

**SPECIAL MEETING #4: APPROVAL OF INCLUDED COMPONENTS
FOR IMPACT FEE REVISION**

- 1. School Board's desire on including debt service as a credit in the calculation of educational impact fees.**
- 2. School Board's desire on using a 5-year credit vs. a 20-year credit.**
- 3. School Board's desire on using local cost data vs. D.O.E. cost data.**
- 4. School Board's desire on basing home taxable value based on the previous 12 months vs. the average of the last 5 years.**
- 5. School Board's desire on using the historic use of 2 mill funds in the calculation of educational impact fees.**
- 6. School Board's desire on establishing differentiated impact fees:**
 - a) School Board's desire on method and level of differentiation.**

**SPECIAL MEETING #5: APPROVAL OF DIRECTION ON SARATOGA
SPRINGS**

- 1. Establish direction for finance of schools required because of development.**