

2016 Annual Interlocal Agreement for Public School Facility Planning Assessment



January 24, 2017

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Section 1: Introduction and Authorization

Introduction

In 2002, the State created a new section of law 163.31777 requiring the county and municipalities to enter into an interlocal agreement with school boards establishing specific ways in which plans and processes were to be coordinated. In 2003, Manatee County adopted the first Interlocal Agreement for Public School Facility Planning (ILA). There were six parties to the ILA which included the School District, the City of Bradenton, City of Holmes Beach, City of Palmetto, Manatee County Government and the Town of Longboat Key. All governing boards of the six parties agreed on polices and processes adopted in the ILA.

The 2005 Florida Legislature adopted Senate Bill 360 amending the 1985 Growth Management Act by requiring school districts to establish a school concurrency management system ensuring educational facilities are in place or planned to be in place prior to the approval of new residential development. This amendment strengthened the relationship between land use planning, development, and educational facilities planning. In March 2008, the Amended and Restated ILA was adopted by the same six parties. The ILA was amended in 2010 to include additional amendments made by the Legislature and to incorporate actual practices.

In 2011, House Bill 7207, was adopted allowing concurrency for schools, roads and parks to be optional. The bill provided major reform to the 1985 Growth Management Act including the name which is now the Community Planning Act. A Comprehensive Plan amendment must be adopted to rescind school concurrency. Manatee County did not rescind school concurrency and 80% of the total countywide population is represented by the local governments that require school concurrency per Florida Statute (FS) 163.3180(6)(a).

Authorization

Florida Statutes Section 1013.33 requires the school board, county and nonexempt municipalities located within the geographic area of a school district to enter into an interlocal agreement that jointly establishes the specific ways in which the plans and processes of the district school board and the local governments are to be coordinated.

The Annual ILA Assessment Report reviewing the effectiveness of the agreement is required per Section 4.2 of the ILA and may be made in the form of a written document or an oral presentation. The 2016 report is being presented in a written form and a brief update is planned for the January 31, 2016 Council of Governments meeting.

Section 2: 2016 Assessment: Compliance and Recommendations

The Staff Working Group (SWG) made up of staff from each governmental entity, are actively fulfilling polices established in the ILA. The overall success of the ILA is due to the commitment and ongoing collaboration of the SWG to provide quality facilities, supporting networks and services to meet the demands of growth to ensure a quality education for the students of Manatee County. Each section of the Interlocal Agreement has been summarized and reviewed below. The recommendations are provided in *italics* below each Section Summary.

Section 4 Coordination and Implementation Staff Working Group, Periodic Meetings

The Staff Working Group (SWG), consisting of planning and other staff of parties to the ILA, shall meet at least annually to prepare an Annual Assessment Report. The elected officials that are parties to the ILA shall meet at least annually for a joint meeting or work session.

The Staff Working Group (SWG) met January 24, 2017 to prepare the 2016 Annual ILA Assessment Report. There were also individual meetings with the School District staff and the County and City's staff during the year to review the ILA with new staff members and discuss the limited amount of available high school capacity. The SWG is submitting this written report and a summary presentation at the January 31, 2017 Council of Governments (COG) Meeting.

Section 4 Recommendations

- *The SWG could meet more often than once year to review had have a more in depth discussion including upcoming development trends and how we can work together to make schools a focal point in proposed residential areas creating an overall desirable community.*

Section 5.2 Growth and Development Trends

By March 1st each year, the local governments are to provide updates on approved dwelling units, certificate of occupancy, and remaining number of dwelling units to be built. The County and Cities shall send the draft Capital Improvements Plans to the School Board and the final version after adoption.

The 2016 Annual Update of the School Capacity Tracking System (SCT) was due September 1, 2016. All local governments have provided the annual update. The School District combined the data from each local government and updated the School Concurrency Analysis Calculation. The School District has a copy of Manatee County Government's and the Town of Longboat Key's Capital Improvements Plans.

Section 5.3 Growth and Enrollment Projections

The School District shall utilize the Capital Outlay Full-Time Equivalent (COFTE) student projections provided from the Office of Economic and Demographic Research (EDR) to prepare the Five-Year Capital Improvement Plan and for long-range planning.

The COFTE student projections were distributed July 2016 to the SWG. The School District utilized the 2016 COFTE student projections to prepare the Five-Year Capital Improvement Plan and for long-range planning.

Section 2: 2016 Assessment: Compliance and Recommendations

Section 5.3 Growth and Enrollment Projections continued:

By March 1st each year, the County and municipalities shall provide the School Board with reasonable population projections, on an annual basis for a five year period, on a jurisdiction basis and by School Service Areas. The School Board shall use the projections to determine the rate of growth by SSA and allocate the student projections on an annual basis for the five year period.

Manatee County Government sent population projections for the entire county July 2016. The SWG reviewed and approved the population projections. These population projections are used to distribute the projected number students throughout the four School Service Areas (SSA).

Section 5.4 Work Program & Educational Plant Survey

The SWG shall evaluate and make recommendations regarding the need for new school capacity, location of educational facilities, or capacity related improvements at the annual meeting. The recommendations shall be taken into consideration by the School Board in preparation of the Work Program and the Educational Plant Survey.

The 2016-2017 Work Plan was sent September 2016 to the SWG for review prior to adoption. The executed copies were sent to the SWG after adoption. The School Board approved amendments to the 2016-17 Work Plan in December 2016 which were distributed to the SWG prior to adoption and after approval. The June 2012 Educational Plant Survey is still valid and is only updated every five years. These documents are included in the appendix of the Public School Facilities Element.

Section 5.5 School Capacity Program

By July 1st each year, the School Board shall provide the proposed annual update for the School Capacity Program (SCP). The County and Cities shall participate in the process for preparation, amendment and approval related to increase or decrease in student stations. The SWG shall provide written comments within 30 days of submission of the draft SCP. Each local government shall update their Capital Improvements Element (CIE) with the new School Capacity Program (SCP) and incorporate it into their Comprehensive Plans by December 1st each year.

The 2016-2017 SCP was sent September 2016 to the SWG for review prior to adoption. The executed copies were sent to the SWG after adoption. The School Board approved amendments to the 2016-17 SCP in December 2016 which were distributed to the SWG prior to adoption and after approval. The County and Cities are required to incorporate the SCP in their CIE by *December 2016*.

Section 5 Recommendations

- *The due dates in the ILA should be updated to reflect actual practices for example; the population projects are provided in July each year. [Other sections the due date is recommended to be updated ILA 5.2, 5.3, 5.5]*

Section 2: 2016 Assessment: Compliance and Recommendations

Section 6.1 Local Planning Agency Representation

The School Board has a non-voting representation that may serve on the local planning agencies. The School Board representative shall be noticed, provided an agenda and invited to attend/or provide comments to the respective.

School reports have been provided to the local planning agencies by the School Board representative. A School Board non-voting representative attends the Manatee County Government Planning Commission meetings when available.

Section 6.2 – 6.5 Application Transmittal, Review and Approval

Within ten days after submission of a complete land development application for a comprehensive plan amendment, rezone, special permit, special exception or other site plan approval the County and Cities shall submit a notice and copy of the proposed application and supporting documents to the Superintendent. Within thirty days the Superintendent shall review the application and provide a written School Report. An Affected Local Government shall not approve any application that is subject to review unless and until it has received a School Report. The local governments incorporate the school reports into its record for the subject application for the local planning agencies and government boards to utilize when make land use decisions.

The School District receives the development applications from the local governments via postal mail, email, and through the paperless Manatee Electronic Plans Submittal (MEPS).

The School District provides School Reports which analyze the projected impacts on educational facilities from the proposed residential development, including school attendance zones, approved school capacity improvements, estimated educational impact fee, projected number of students, preliminary school concurrency analysis, compatibility, projected school site needs, sidewalk, crosswalk, traffic signalization and transportation needs. The School District also provides School Reports for non-residential applications that may have impacts on area schools such as noise, dust, odor, traffic, consumption/sale of alcohol or other concerns related to student learning and facilities.

The School District provides a School Concurrency Analysis (SCA) for all residential applications with ten or more dwelling units seeking authorization of Horizontal Construction or Vertical Construction. This report notifies the local government that school capacity is encumbered (provides a place in line) for the development application. The School Concurrency Analysis is sent to the affected local government and copied to local governments within the School Service Area and adjacent School Service Area(s).

Section 6 Recommendations

- *Some land development applications are not submitted to the School District for review within 10 days of being deemed complete and the local governments should send the application to the School District allowing ample time to provide a report.*
- *The school reports should be included in the development application sent to the planning agencies to assist in the land use decision making process.[ILA 6.2]*

Section 2: 2016 Assessment: Compliance and Recommendations

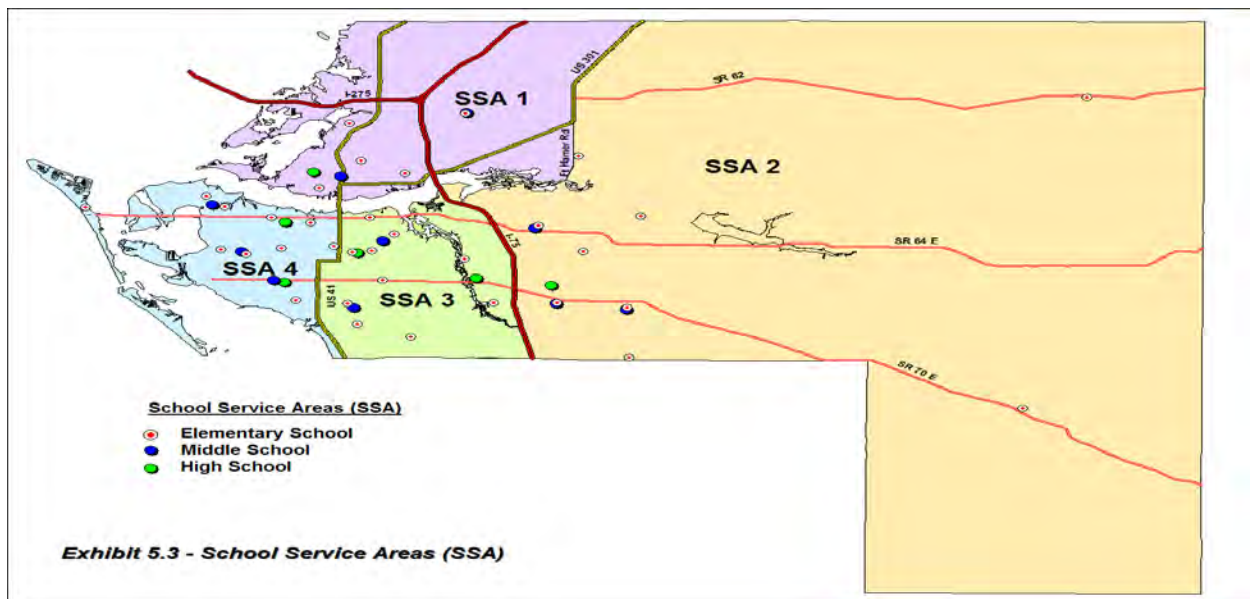
Section 6 Recommendations continued:

- *Some school reports are not provided to the local governments within 30 days. The local governments have less than 30 days to provide responses to applicants. To shorten the school review time, the school report can be simplified, the review process can be analyzed for areas to improve efficiency and the School District can cross train other employees to assist in the preparation of school reports during times of a heightened number of development applications submittals. [ILA 6.2]*

Section 7.2 School Service Areas

The elementary school and middle school have four School Service Areas (SSA) and high schools are analyzed district-wide.

The School Service Areas (SSA) are unchanged from the prior year and there are no plans to amend them at this time.



Section 7.3 Level-of-Service

The Level-of-Service has provided a standard which allows for school capacity to be overburdened until a need for a new school is warranted and can be operationally efficient.

The elementary school level-of-service is 110% of permanent capacity including those relocatables that qualify for long-term use and are based on the four school service areas.

The middle school level-of-service is 105% of permanent capacity including those relocatables that qualify for long-term use and are based on the four school service areas.

The high school level-of-service is 100% of permanent capacity including those relocatables that qualify for long-term use and is district-wide.

Section 2: 2016 Assessment: Compliance and Recommendations

Section 7.3 Level-of-Service continued:

The level of service standards were designed to trigger proportionate share mitigation when the need for a new school would be warranted. If school capacity is not available in a SSA, available capacity is utilized in the contiguous SSA until the level-of-service is met. At this time, a residential development application has not been required to provide proportionate share mitigation.

Section 7.4 School Capacity Tracking System

The Manatee County School Capacity Tracking System (CTS) is currently being maintained by the School District. The Affected Local Governments are responsible for ensuring all residential developments are in the tracking system with the date the application was deemed complete, project name, project number, project address, name of property owner, type of approval, number of units by type, projected students, issuance/expiration date of the CLOS, planner name and reservation of school capacity. The tracking system is utilized in determining if school capacity is available and assists the School District in planning for future growth.

On or about June 1st each year the School District promulgates the student generation rates which are used to project the number of students that may be generated from a proposed residential development.

The 2016 Annual Update of the School Capacity Tracking System was due September 1, 2016. All local governments have provided the annual update. The School District combined the data from each local government and updated the School Concurrency Analysis Calculation.

The December 2016 School Capacity Tracking System shows 18,330 grandfathered dwelling units remaining to be built, 7,955 reserved dwelling units, and 2,030 encumbered dwelling units projecting 3,549 elementary (4 schools), 1,506 middle (1 school), and 1,846 high school (1 school) students for a total of 6,900 additional projected students.

The Student Generation Rates were distributed to the local governments July 2016.

7.5 Uniform School Concurrency Procedures

A Concurrency Determination, otherwise known as the Certificate of Level-of-Service for Educational Facilities (CLOS), issued by the Local Governments may last a maximum of five years unless an extended term is granted pursuant to a Development Agreement, by a local government when the term of the extension has been agreed to through written authorization from the School Board, or a Development of Regional Impact (DRI) development order.

Residential applications submitted for authorization for horizontal or vertical construction (final site plan or functional equivalent) must obtain a CLOS if the application is for ten or more dwelling units. This excludes applications that qualify for exemption from school concurrency requirements.

Section 2: 2016 Assessment: Compliance and Recommendations

7.5 Uniform School Concurrency Procedures continued:

The affected local government issues the Certificate of Level of Service for Educational Facilities (CLOS). The local governments should provide the School District with copies of the CLOS for Educational Facilities.

The state and local government CLOS extensions reserves school capacity for an extended period of time beyond the five year period in the ILA and have a negative impact on School District educational facility planning processes. Reserving school capacity for potential students has become a form of “stockpiling” with the state and local governments extensions and may become detrimental to school planning under the law’s requirement to include capital projects in a financially feasible plan when the demand is not materializing.

Section 7.6 Final Approval; Concurrency Determination

Any application for horizontal or vertical construction shall be reviewed by the Superintendent to determine whether the proposed development will result in a failure to achieve and maintain the level-of-service standards. Capacity demand is determined by adding the number of enrolled students that reside within a SSA to the projected students from encumbered and reserved developments. Capacity availability is determined by adding the capacity within the SSA, School Board approved capacity improvements in the work program and eligible long-term relocatables. If capacity is available, the local government encumbers capacity and issues a CLOS. If capacity is not available in the SSA or the contiguous SSA, then the local government shall not issue a CLOS unless a development agreement is entered into with the applicant and School Board.

The School District continues to analyze level-of-service compliance for residential land development applications and submits a School Concurrency Analysis (SCA) to local governments to assist in their land use decision making. The local governments issue the CLOS.

The capacity demand is determined utilizing the COFTE projections allocated by the rate of growth from the population projections (not based on the students enrolled in each SSA as noted in ILA 7.6 A.).

As of December 2016, Elementary capacity in SSA 1 is 110% level-of-service and capacity is subtracted from SSA 2. Middle capacity in SSA 3 is at 105% level-of-service and capacity is subtracted from SSA 2 and 4 which is at 94% and 82% level-of-service respectively. The high school districtwide level-of-service is 92%.

SSA	Elementary	Middle	High
1	110%	97%	
2	96%	94%	
3	90%	105%	
4	101%	82%	
Districtwide	98%	94%	92%

Section 2: 2016 Assessment: Compliance and Recommendations

Section 7.7 Proportionate Share Mitigation

If there is an insufficiency in available capacity in the SSA and the contiguous SSA the local government shall not grant a Concurrency Determination unless a Development Agreement is entered into. In such instance, the School Board, affected local government and applicant can enter into a Local Development agreement. The Proportionate Share Mitigation options, as identified by the State, include: contribution of land, construction, expansion or payment for land acquisition or construction of a public school facility, charter school (FS 1002.33(18)), and mitigation banking.

In June 2016, a development application triggered the need for Proportionate Share Mitigation by exceeding the high school 100% districtwide level-of-service. The School District and local government deferred the requirement for Proportionate Share Mitigation due to the potential funding of a new high school if the Sales Tax Extension was approved by voters. In November 2016, voters approved a 15 year extension of the ½ cent sales tax through December 31, 2032. In December 2016, the School Board amended the 2016-17 Work Plan approving funding for a new high school which changed the level of service to 92%. A Revised School Concurrency Analysis was provided to all projects which triggered the high school level of service encumbering school capacity.

Section 7.8 Development Agreement

This section outlines the minimum requirements for a Development Agreement. The School Board and Affected Local Government are not required to enter into a Development Agreement, if to do so would not be in the best interest of the School Board or would not be consistent with the Comprehensive Plan and serve the public health safety and welfare.

A draft Development Agreement has been developed. A Development Agreement has not been entered into with the School District, local government and an applicant.

7.10 Reservations

Development applications deemed complete for horizontal or vertical construction on or before June 30, 2007 shall have capacity encumbered.

Completed development applications submitted for horizontal or vertical construction had capacity encumbered.

Section 7.11 Fees

The school review fees shall be collected by the Affected Local Government and remitted to the School District for School Reports and School Concurrency Analysis.

On December 9, 2008 Manatee County Government Board of County Commissioners approved Resolution 08-227 establishing school review fees for residential development applications submitted after January 12, 2009. Manatee County Government collect the School Review fees and remit them to the School District monthly.

Section 2: 2016 Assessment: Compliance and Recommendations

Section 7 Recommendation

- *The School District should review the operational efficiency breakeven point to ensure the LOS standards are still in line with allowing schools to become overburdened to the point where a new school is fiscally warranted. [ILA 7.3]*
- *Work with the State Legislature to remove the requirement to include long-term relocatables from the school concurrency analysis [ILA 7.3]*
- *The School Capacity Tracking System should be simplified, automated and in a database available online so anyone can enter the projected dwelling units and determine if capacity is available and if not calculate potential proportionate share mitigation. [ILA 7.4]*
- *The School District should partner with the County's main Geographic Information Systems (GIS) database so there is access to GIS files between entities [ILA 7.4]*
- *The local governments should put the date and time the residential development applications are deemed complete to ensure the School District reserves school capacity in the correct order.*
- *The local governments should provide the School District with copies of the CLOS for Educational Facilities [ILA 7.5]*
- *The fee schedule and collection of fees has been confusing for applicants and the local governments collecting the fees therefore, the collection process should be reviewed and training provided to personnel collecting the fees. [ILA 7.11]*
- *The local governments should get an administration fee due to the significant amount of time to track, research, collect, assess and remit fees to the School District [ILA 7.11]*

Section 8.1 Comprehensive Plan Provisions

By April 1, 2008 each of the Cities and County shall adopt Comprehensive Plan provisions that

1. Establish or update the Public School Facilities Element (PSFE)
2. In the PSFE and the Capital Improvements Element (CIE) establish criteria and standards for modification of SSA
3. In the PSFE and CIE establish the level-of-service standards
4. In the PSFE and CIE establish the requirements for proportionate share mitigation
5. In the CIE incorporate the most recent School Capacity Program

Section 8.1 Comprehensive Plan Provisions continued;

Some local governments have adopted the Public School Facilities Element (PSFE) into their Comprehensive Plans. In accordance with Florida Statute, some local governments have also updated the Capital Improvements Element (CIE) and Intergovernmental Coordination Element (ICE).

Section 2: 2016 Assessment: Compliance and Recommendations

Section 8.2 Adoption and Consistency of Land Development Code (LDC) Provisions

Each local government shall adopt Land Development Code (LDC) amendments to implement the ILA. At least ten days prior to a scheduled public hearing of the government body to consider adoption of any Comprehensive Plan or LDC provision which implements the ILA, notice shall be provided by the parties to all other parties of the agreement.

Manatee County Government and the City of Bradenton have amended the LDC to implement the ILA.

Section 8.3 Notice to All Parties; Public Hearing

At least ten days prior to any public hearing to consider any Comprehensive Plan amendments or LDC provision which implements or codifies the requirements of this agreement, notice shall be provided by the party to all other parties.

Manatee County Government is the process of updating their LDC and the School Board has been noticed.

Section 8.4 Implementation and Applicability

Each City and County shall implement and apply the land development regulations required pursuant to this agreement by April 1, 2008.

Manatee County Government and the City of Bradenton have amended the LDC to implement the ILA.

Section 8 Recommendations

- *Local government should establish a Public School Facilities Element in their Comprehensive Plans. [8.1]*
- *Annually each year, the local governments should adopt by reference the School Capacity Program in their Capital Improvements Element. [8.1C]*
- *Local governments should update their Land Development Regulations incorporating the alternate school site review process agreed upon in the ILA [ILA 8.2 & 11]*

Section 9.1 School Site Selection

Criteria for school site selection are outlined in this section, including a voluntary meeting of any Affected Local Government to discuss potential school sites and co-location of public facilities. This process has been in practice and was in the 2003 Interlocal Agreement.

The SWG established the site selection criteria and work together to discuss potential co-location opportunities.

Section 2: 2016 Assessment: Compliance and Recommendations

Section 9.2 Planning of Educational Facilities

This section outlines the process of the notification required per Florida Statute for purchasing and constructing school sites. A School Site Plan Standards Checklist describes items that need to be included in the application for the local governments to determine consistency with their Comprehensive Plans in regards to impacts on natural resources, surrounding land uses, and public facilities. This section also notes that the local governments shall amend their Comprehensive Plans and Land Development Code to provide for planning of Educational Facilities.

Section 9.2 Planning of Educational Facilities continued:

Manatee County Government and the City of Bradenton have amended the LDC to implement the ILA.

Section 9.3 Site Improvements

The School Board and local governments shall determine the need for and timing of on-site and off-site infrastructure improvements necessary to support proposed Educational Facilities. These improvements are limited to those pursuant to Florida Statute 1013.51. Generally, the School District provides sidewalks and turn lanes along school property when a need has been identified.

The School Board and local governments have coordinated the need for and timing of on-site and off-site improvements.

Section 9.4 Collocation and Surplus Property

The School Board and local governments shall seek opportunities to collocate and share use of school facilities and civic facilities. The School District currently provides after-hours access to some school properties for use of the playground areas, cafeterias and media centers.

The School Board has provided notice of surplus property in excess of four acres to the County and municipalities for reuse as a public facility before disposing of the property. The School Board has not received any notices of surplus property in excess of four acres from any local government.

Section 9 Recommendations

- *Local governments should provide notice of surplus property in excess of four acres prior to offering the property to the public [ILA 9.4]*

Section 10 Role of Parties and Dispute Resolution

In the event a dispute arises between or among two or more parties to this Agreement, any party may initiate dispute resolutions procedures

The School District and local governments have not entered into dispute resolution procedures in accordance with this section.

Section 10 Recommendations – None

Section 2: 2016 Assessment: Compliance and Recommendations

Section 11 Default, Termination and Remedies

A party hereto shall be deemed in default if it fails to perform or satisfy any material condition hereof, including without limitation the following specific defaults:

1. A parties failure to adopt an ordinance or resolution pursuant to Section 8.1 and 8.2
2. A party adopts any ordinance of resolution that amends, repeals or otherwise revised pursuant to Section 8.1 and 8.2 in a manner inconsistent with this Agreement
3. A party fails to enforce or abide by the provisions of an ordinance or resolution implementing provisions of this Agreement pursuant to Section 8.1 and 8.2
4. A party fails to carry out any act required pursuant to Articles IV, VI, VII, or VIII.

Section 11 Default, Termination and Remedies continued:

In the event a party is in default of this Agreement, any party to this Agreement may bring an action to enforce the terms of this Agreement.

Some local governments have adopted the Public School Facilities Element (PSFE) into their Comprehensive Plans. In accordance with Florida Statute and this Agreement, some local governments have annually updated the Capital Improvements Element (CIE) with the School Capacity Program and incorporate policies in their Intergovernmental Coordination Element (ICE). Some local governments have established a school approval process in their LDC in accordance with this Agreement.

Section 11 Recommendations - None

Section 12 Term, Termination and Amendment

The ILA is in effect in accordance with the Florida Statute. This agreement may be amended by written consent of all parties of the agreement. This Agreement may be terminated upon a minimum of 60 days written notice to the parties.

The Agreement has not been amended since 2010.

Section 12 Recommendations

- *The ILA should be updated to incorporate the changes from the 2011 major reform to growth management including several changes in statutory references throughout the ILA.*

Section 13 Miscellaneous Provisions

This Section outlines Controlling Law, Vested Rights, Catastrophic Events and Notices and several other miscellaneous provisions.

Section 13 Recommendation

- *The School Board Executive Planner address needs to be amended to 1 Matzke Way, Bradenton, FL 34208.*

Section 4: Florida Legislative Amendments

Legislative Amendments

There are 12 legislative amendments that need to be updated in the 2010 ILA. The Florida Statute reference and the ILA section are identified below.

1. The Florida Statute (FS) reference in Whereas Clause 1 needs to be updated due to legislative changes from 163.3180(13)(g) to 163.3180(6)(i) – Acknowledge the local governments land use authority including their authority to approve or deny comprehensive plan amendments and development orders.
2. The FS reference in Whereas Clause 2 needs to be updated due to legislative changes from 163.3180(13)(g) to 163.3180(6)(i) – Acknowledge the School Boards constitutional and statutory obligations to provide a uniform system of free public schools on a countywide basis.
3. The FS reference in Whereas Clause 5 needs to be updated due to legislative changes from 163.3177(g)(h)2 to 163.3177(g)(h)3 - All affected entities shall establish by interlocal agreement or other formal agreement the joint process consistent with the intergovernmental coordination elements.
4. The FS reference in the ILA 5.4 needs to be updated due to legislative changes from 1013.33(3)(f) to 163.31777(2)(f) – Participation by the local governments in the preparation of the annual update to the school boards five year district facilities work program and educational plant survey.
5. The FS reference in the ILA 5.5 needs to be updated due to legislative changes from 163.3180(13)(g)(4) to 163.31777(2)(f)) – Participation by the local governments in the preparation of the annual update to the school boards five year district facilities work program and educational plant survey.
6. The FS reference in the ILA 7.3B Contiguous Service Area, needs to be updated due to legislative changes from 163.3180(13)(c)(3) to 163.3180(6)(f)(2)(b) – Where school capacity is available on a districtwide basis but school concurrency is applied on a less than districtwide basis.
7. The FS 163.3180(6)(f)(2)(b) in ILA 7.3B also changed language from shifting development impacts to a contiguous SSA, to development impacts shall be *subtracted* from the contiguous service area’s capacity totals.
8. The FS 163.3180(6)(e) in ILA 7.3D Capacity language was changed from including long-term relocatables for only the first three years of implementation, to long term relocatables must be included in all years used to analyze school concurrency.

Section 4: Florida Legislative Amendments

9. In accordance with FS 163.3180(6)(e), the capacity availability calculation in ILA 7.6 B needs to include long term relocatables in all years used in the school concurrency analysis.
10. The FS reference in the ILA 9.1 School Site Selection, needs to be updated due to legislative changes from 1013.33(14) to 1013.33(8) – This section does not prohibit a local governing body and district school board from agreeing and establishing an alternative process.
11. The FS reference in the ILA 9.2 A. Consistency with Comprehensive Plan and LDC, needs to be updated due to legislative changes from 1013.33(10) to 1013.33(4) – The location of educational facilities shall be consistent with the comprehensive plan of the appropriate local governing body.
12. The FS reference in the ILA 9.2 B. Preliminary Notice of Consistency, needs to be updated due to legislative changes from 1013.33(11) to 1013.33(5) – To improve coordination relative to potential educational facility sites, a board shall provide in writing notice to the local government.

Interlocal Agreement for Public School Facility Planning



2016 ANNUAL ASSESSMENT & OVERVIEW

01/31/17 Council of Governments

Interlocal Agreement - History



2003 Interlocal Agreement

- New Statewide Requirement
- Joint Planning

2008 Interlocal Agreement

- Development Application Review
- Alternative School Site Process
- School Concurrency

2010 Interlocal Agreement

- Legislative Amendments

163.31777 (1) The county and municipalities located within the geographic area of a school district **shall enter into an interlocal agreement with the district school board** which jointly establishes the specific ways in which the plans and processes of the district school board and the local governments are to be coordinated.

Interlocal – Six Parties



1. **School District**
2. **City of Bradenton**
3. **City of Holmes Beach**
4. **City of Palmetto**
5. **Manatee County Government**
6. **Town of Longboat key**

Interlocal Agreement – 4 Components



- 1. Data Sharing & Capital Improvement Plans**
- 2. School Concurrency & Development Review**
- 3. Educational Facilities Planning**
- 4. Codification**

Data Sharing



School District

- Student Projections
- Student Generation Rates
- School Capacity Program
- Educational Facilities Work Plan
- Educational Facilities Plant Survey

Local Governments

- Population Projections
- Development Trends
- School Capacity Tracking System
- Capital Improvement Plans

Capital Improvement Plans



- **2016-17 School Capacity Program (SCP)**
 - ❖ **Bashaw Elementary**
 - ❖ **Classroom Wing Addition**
 - ❖ **Wakeland/Johnson K-8 IB School**
 - ❖ **Classroom Wing Addition**
 - ❖ **New High School**
- **Capital Improvement Element**

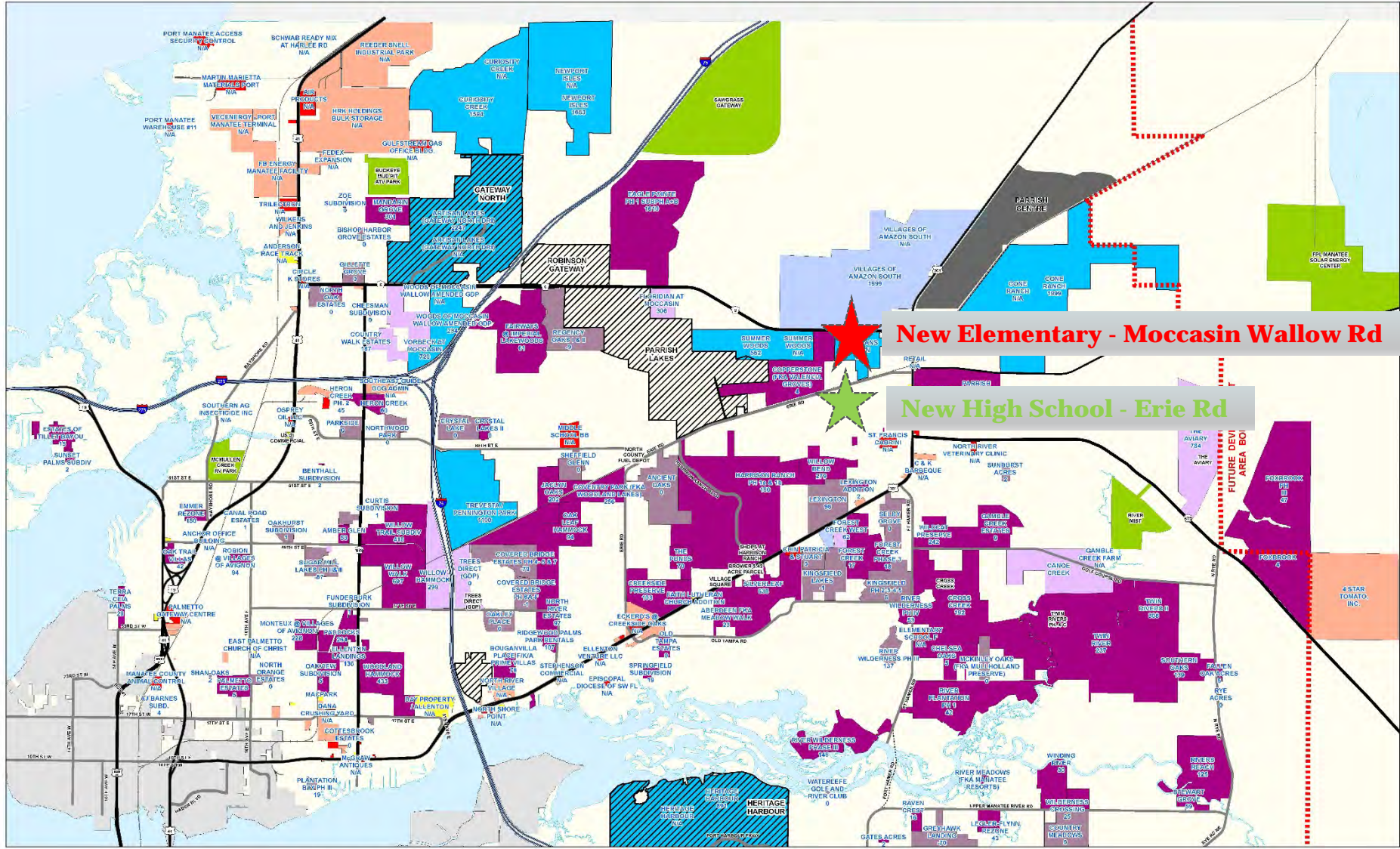
2016 School Capacity Tracking System



Projected New Students from Development - Districtwide

Status	Remaining DU to be Built	Students			
		Elementary	Middle	High	Total
Grandfathered	18,330	2,258	915	1,127	4,300
Reserved	7,955	1,040	457	560	2,057
Encumbered	2,030	251	133	159	543
Subtotal:	28,315	3,549	1,506	1,846	6,900
Student Stations		828	1,164	1,967	
Number of Schools		4	1	1	

DEVELOPMENT PROJECTS / CONCURRENCY - NORTH COUNTY



0 0.5 1 1.5 2
Miles

Map scale and orientation.

JULY 2016

This map was developed by the Pinellas County Geographic Information Systems Division. It is provided as a general reference tool. It is not intended for any other purpose. The user assumes all responsibility for the use of this map. The Pinellas County GISD is not liable for any errors or omissions that may appear in this map. Information is subject to change without notice. The Department of Information Systems is not responsible for any errors or omissions that may appear in this map.



Five Year Recommended Capacity Needs

SSA 1

New Elementary 823

New High School 2,000

SSA 2

Gullett Elementary 100

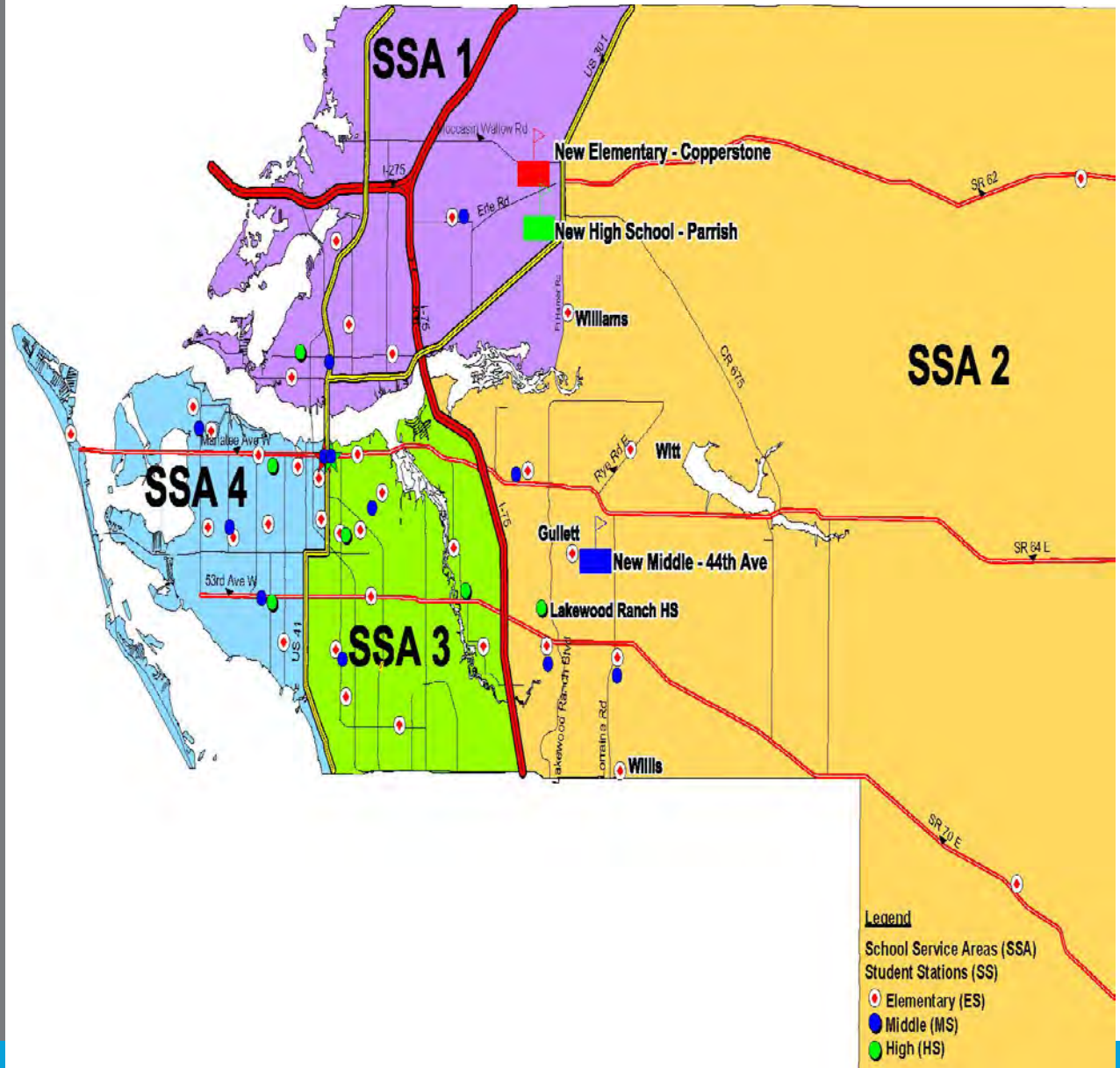
Williams Elementary 100

Willis Elementary 100

Witt Elementary 100

New Middle 1,164

Lakewood Ranch 200

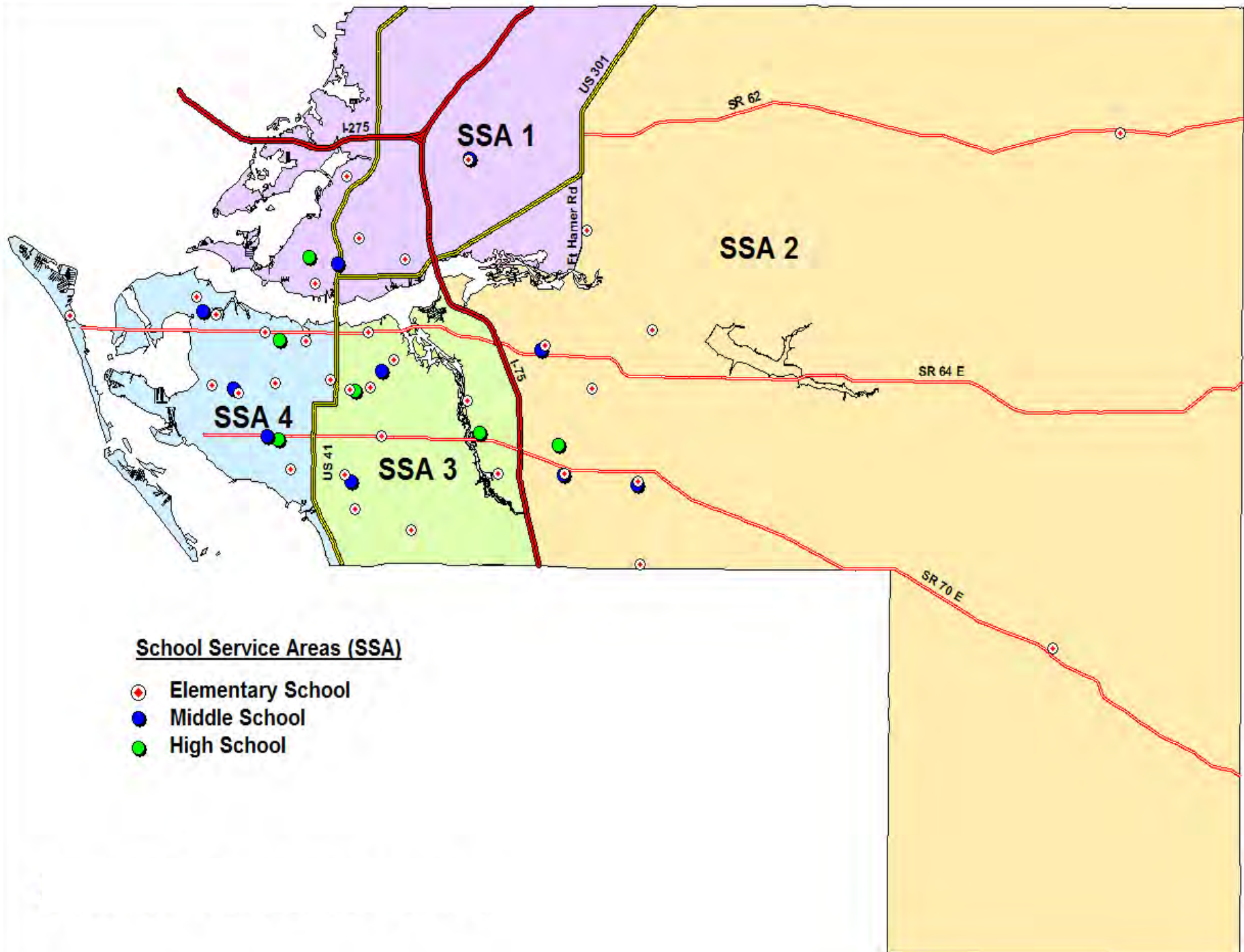


School Concurrency



- School Service Areas (SSA)
- Level of Service (LOS)
- Certificates of Level of Service (CLOS)
- Proportionate Share Mitigation

Concurrency is a concept that requires local governments ensure that facilities and services are available simultaneous with the impacts of development.



School Service Areas (SSA)

- Elementary School
- Middle School
- High School

Level of Service (LOS)



LOS % =

$$\frac{\text{COFTE}}{\text{FISH Perm \& LT Reloc}}$$

Level of Service by School Type

- Elementary 110%
- Middle 105%
- High 100%

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.

Proportionate Share Mitigation



- **Mitigation Options**
 - Land
 - Construction
 - Expansion
 - Payment for land or facilities
 - Charter School (SREF)
 - Mitigation Banking
- **Development Agreement – 3 party agreement**
- **Five Year Work Plan**

Proportionate Share Mitigation are contributions provided to resolve deficiencies in capacity.

December 2016 School Concurrency Analysis



SSA	Elementary	Middle	High
1	110%	97%	
2	96%	94%	
3	90%	105%	
4	101%	82%	
Districtwide	98%	94%	92%

Level-of-Service (LOS)

Elementary School 110% SSA

Middle School 105% SSA

High School 100% Districtwide

Development Application Review



1. **School Report** – *identify impacts* from proposed development on educational facilities
2. **School Concurrency Analysis (SCA)** – provided to local governments for applications requesting authorization of vertical or horizontal construction to *encumber school capacity*

School District of Manatee County
DATE SCHOOL REPORT

*These comments pertain to the specific development application identified herein.
This School Report does not reserve capacity for school concurrency.*

PROJECT NAME: _____

APPLICATION TYPE: Comp Plan, Rezone, Development Plan

APPLICATION NUMBER: _____

SSA: _____

DTS NUMBER: _____

MEPS: _____

ADDRESS/PIN: _____

ACRES: _____

DEVELOPMENT PLAN REVIEW

	YES	NO
1. School Capacity Level-of-Service Exceed	X	-
2. Sidewalks and Bicycle Path comments	X	-
3. School crosswalks, signs, crossing guards and traffic impact	X	-
4. Transportation, bus stops and bus shelter comments	X	-
5. School site desired within development	-	X
6. Development compatible concerns with nearby school(s)	-	X
7. Other:	-	X

Key Concept Review



- ❖ **ILA *required* by Florida**
- ❖ **Six Parties to the ILA**
- ❖ **Data Sharing**
- ❖ **Capital Improvements Plan**
- ❖ **School Concurrency**
 - ❖ **School Service Areas – *Geographic Planning Areas***
 - ❖ **Level of Service – *Breakeven***
- ❖ **Development Application Review**

School Site Selection



- **School Site Selection**
 - Compatibility
 - Site Costs
 - Collocation
 - Linkage to nearby parks
 - Community focal point
 - Adequate other public infrastructure
 - Traffic circulation needs
 - State Requirements for Educational Facilities (SREF)

School Site & Facility Approval Process



Local Government Approval Process

1. Preliminary Notice of Consistency
 - 60 day written notice before purchasing property
 - 45 day written notice land is consistent with Comp Plan

2. Determination of Consistency
 - 90 day notice prior to commencing construction
 - 45 day written notice the facility is consistent with Comp Plan
 - Conditions of Approval (FS 1013.51)

Determination of Consistency



What do local governments look at?

- **Land Development Code/Regulations**
 - Natural resources
 - Surrounding land use
 - Available public infrastructure
- **Comprehensive Plan – Land Use**
 - All Land Uses *except* heavy industrial, preservation and conservation
 - Allowed at the discretion of the local government

Existing Facilities & School Closures



Improvements to Existing Facilities

- **Major Remodel/Renovation**
 - 10% increase in FISH
 - Change in use – change a middle school to a K-8
 - Stadium
- **Expansion *only* - consistent with Comp Plan**

School Closures

Collocation & Surplus Property



- **Collocation**
 - Shared Use

- **Surplus Property**
 - Real property 4 acres or more
 - Offer for reuse as a public facility/use

Codification



Comprehensive Plan is a document meant to outline a community's plan related to future growth and development.

- **Public School Facilities Element (PSFE) – process for School Concurrency and School Facility Planning**
- **Capital Improvement Element (CIE) – School Capacity Program**
- **Intergovernmental Coordination Element (ICE)**
- **Land Development Code/Regulations**

Key Concept Review



❖ **Six Parties to the ILA *required* by Florida 163.31777**

- 1. Data Sharing & Capital Improvements Plan**
- 2. School Concurrency & Development Application Review**
- 3. Educational Facilities Planning**
- 4. Codification**

Staff Working Group



- City of Bradenton – Catherine Hartley & Chris Gratz
- City of Palmetto – Allen Tusing
- City of Holmes Beach – Patti Petruff & Bill Brisson
- Manatee County Government – John Barnott, John Osborn, Kathleen Thompson, Lisa Barrett, Susan Barfield & Bill Clague
- Town of Longboat Key – Alaina Ray & Maika Arnold
- School District of Manatee County – Amy Anderson & Mike Pendley

2016 Annual Assessment & Overview Interlocal Agreement for Public School Facility Planning



QUESTIONS

01/31/17 Council of Governments