

MEMORANDUM

GOE

Agenda Item No. 3(I)

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**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

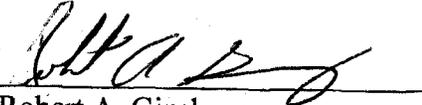
**DATE:** December 7, 2004

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution accepting report  
of Working Group on Public  
Schools Overcrowding Relief

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The accompanying resolution was prepared and placed on the agenda at the request  
of Commissioner Katy Sorenson.

  
Robert A. Ginsburg  
County Attorney

RAG/jls

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# MEMORANDUM

(Revised)

**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** November 30, 2004

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No.

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No.

Veto \_\_\_\_\_

11-30-04

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION ACCEPTING REPORT OF WORKING GROUP  
ON PUBLIC SCHOOLS OVERCROWDING RELIEF AND  
DIRECTING THE COUNTY MANAGER TO COORDINATE  
WITH THE SCHOOL BOARD AND OTHER INTERESTED  
PARTIES TO IMPLEMENT THE FINAL REPORT'S  
RECOMMENDATIONS

**WHEREAS**, on October 21, 2004, this Board approved Resolution No. 1178-03, which established the Miami-Dade County Working Group on Public Schools Overcrowding Relief, and directed the Working Group "to develop, design and recommend a school overcrowding reduction plan, including measures deemed feasible to assure that public school capacity is available whenever and wherever residential growth occurs"; and

**WHEREAS**, the Working Group was further directed to identify and request resources needed to fulfill its purpose, including but not limited to experts and consultants; and

**WHEREAS**, this Board and other stakeholders with direct interests in the reduction of overcrowding in the public schools appointed members to the Working Group to ensure that the full array of community interests were represented on the Working Group, including appointees of this Board, the School Board of Miami-Dade County, the Miami-Dade County delegation to the Florida Legislature, the League of Cities, the State Oversight Board for the School Board, the county-wide Parents and Teachers Association, various builders' groups, and groups representing the interests of minority communities; and

**WHEREAS**, the Working Group was charged to report to this Board on its findings and recommendations to reduce public school overcrowding; and

**WHEREAS**, the Working Group met frequently over the last year, requested and received substantial information from experts from throughout the State of Florida and from the County and School Board professional staffs, considered a wide universe of options for relieving overcrowding, deliberated at length on actions suitable at this time in Miami-Dade County, and upon such deliberation drafted and produced its report, containing specific findings, recommendations and implementation measures; and

**WHEREAS**, the Working Group at its last meeting on October 27, 2004, unanimously approved its Final Report on Public Schools Overcrowding Relief, a copy of which is attached hereto and incorporated by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby accepts the Final Report of the Working Group on Public Schools Overcrowding Relief, and directs the County Manager to coordinate with the School Board and other interested parties in implementing its recommendations.

The foregoing resolution was sponsored by Commissioner Katy Sorenson and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 30<sup>th</sup> day of November, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

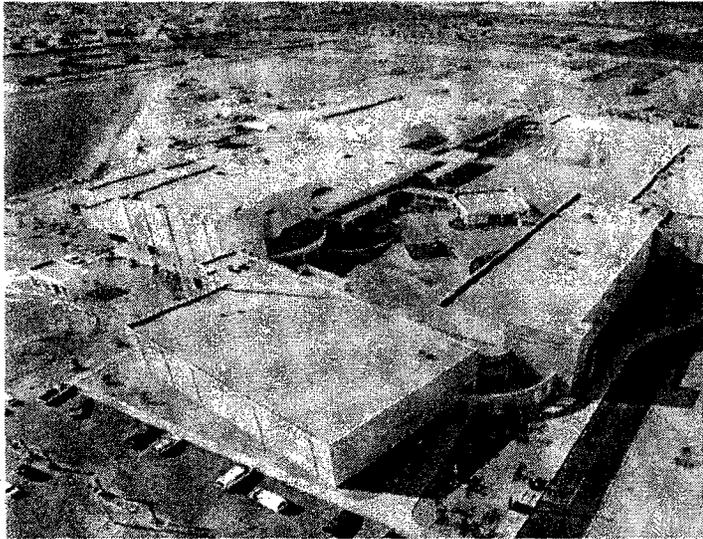
Approved by County Attorney as  
to form and legal sufficiency.



Joni Armstrong Coffey

The Miami-Dade County  
Working Group on

# Public Schools Overcrowding Relief



**Final Report**  
**October 2004**

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Submitted to:  
**Miami-Dade County Board of County Commissioners**  
**School Board of Miami-Dade County**

## **Members of the Miami-Dade County Working Group on Public Schools Overcrowding Relief**

**Commissioner Katy Sorenson**, Miami-Dade County Board of County Commissioners

**Dr. Marta Pérez**, The School Board of Miami-Dade County, Florida

**Commissioner Dorrin D. Rolle**, Miami-Dade County Board of County Commissioners

**Mr. Frank Cobo**, The School Board of Miami-Dade County, Florida

**Senator Frederica S. Wilson**, Miami-Dade Delegation to the Legislature, State of Florida

**Representative Rafael Arza**, Miami-Dade Delegation to the Legislature, State of Florida\*

**Mayor Evelyn Greer**, Village of Pinecrest, Miami-Dade County League of Cities

**Commissioner Joe Sánchez**, City of Miami, Miami-Dade County League of Cities

**Mayor Paul Novack**, Miami-Dade Land Acquisition and Facilities Maintenance Operations Advisory Board

**Ms. Dannie McMillon**, Dade County Council PTA/PTSA

**Dr. Anita Meinbach**, Dade County Council PTA/PTSA

**Mr. Jeffrey Bercow**, Builders Association of South Florida

**Mr. Rolando Llanes**, Latin Builders Association

**Ms. Kametra Driver**, National Association for the Advancement of Colored People

**Mr. Rodolfo Pittaluga**, Spanish American League Against Discrimination

**Mr. John Dixon**, Black Business Association

\* Representative Rafael Arza elected to remove himself from the Working Group, effective March 24, 2004, in order to avoid a potential Sunshine Law conflict.

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## **Executive Summary**

On September 10, 2003, The School Board of Miami-Dade County, Florida (School Board), approved Board Item D-4 (see Exhibit 1), directing the Superintendent to engage in preliminary discussions and dialogue with Miami-Dade County (County) and other appropriate stakeholders to explore the pros and cons of a school concurrency system similar to that adopted in Palm Beach County or other options to increase student stations; and to report back to the Board with the results of its due diligence at the appropriate time. Expressing a mutual concern on this issue, the Miami-Dade County Board of County Commissioners (BCC), on October 21, 2003, adopted a companion Resolution (Number R-1178-03) (see Exhibit 2) creating the Miami-Dade County Working Group on Public Schools Overcrowding Relief (Working Group). The Working Group was charged to develop, design, and recommend a school overcrowding reduction plan, including measures deemed feasible to assure that public school capacity is available whenever and wherever residential growth occurs.

The County Resolution provided for the following membership on the Working Group: two representatives of both the School Board and the BCC; two members of the Miami-Dade Delegation to the Legislature of the State of Florida; two members selected by the Miami-Dade League of Cities, one member selected by the Miami-Dade Land Acquisition and Facilities Maintenance Operations Advisory Board; two members selected by the Parent Teachers Association of Miami-Dade County Public Schools; one member selected by the Builders Association of South Florida; one member selected by the Latin Builders Association; one member selected by the National Association for the Advancement of Colored People; one member selected by the Spanish American League Against Discrimination; and one member selected by the Black Business Association. The Resolution also directed the County Manager to coordinate with the School Board and provide appropriate staffing to the Working Group, and requested the Superintendent of Schools to identify additional resources, as may be required by the Working Group, to fulfill its purpose.

The Working Group recommends that the School Board adopt a financially feasible five-year Capital Construction Plan that eliminates the overcrowding problem in five years. School concurrency may be viable and should be considered in the future for Miami-Dade County once its deficiency is reduced to an acceptable level of service, as determined by stakeholders. In addition, the Working Group examined the concurrency model adopted by Palm Beach County, which requires that public school facilities needed to serve new residential developments be in place concurrent with the development. The Working Group did not recommend adopting such a program in Miami-Dade County, as M-DCPS does not presently have the financial resources to meet pre-existing demands for school facilities. On the other hand, Palm Beach County was able to implement the concurrency model by first eliminating their deficiency over a five-year period prior to implementation. School concurrency may be viable and should be considered in the future for Miami-Dade County once its deficiency is reduced to an acceptable level of service, as determined by stakeholders. Currently Palm Beach County has established its level of service at 110% utilization of Florida Inventory of School Houses (FISH).

The word "overcrowding" has a variety of definitions depending on the context in which it is used. In simple terms, it is defined as when the number of students enrolled in a school exceeds the number of available satisfactory student stations (permanent and satisfactory portable student stations). For the purpose of determining new student stations need, the State of Florida only considers permanent student stations and student enrollment. For school year 2003-04 (as of October 2003), the Miami-Dade County Public Schools (M-DCPS) had 283,755 permanent student stations in its K-12 facilities. This inventory is kept by the State of Florida under the Florida Inventory of School Houses (FISH) program. The degree by which the school is "overcrowded" is typically expressed as a percentage of utilization. As of October 2003 there were 338,809 K-12 students enrolled in those school facilities placing our schools at about 119.40% of FISH, District-wide. After the completion of all projects funded in the current 5-yr. Work Plan, there will be a deficit of 46,000 permanent student stations. This figure is primarily due to the implementation requirements of the November 2002 amendment to the Florida Constitution, which mandates that by school year 2010/2011, the maximum number of students assigned to a teacher not exceed: a) 18 students for Pre-K through grade 3; b) 22 students for Grades 4 through 8; and c) 25 students for Grades 9 through 12. The State is implementing this mandate by requiring a reduction of at least two students per class per year beginning with school year 03/04 until it reaches its goal in 2010/2011.

Throughout the years and as far back as the 1920's, the M-DCPS has experienced overcrowding conditions in its educational facilities. This can be attributed to two basic factors: a) unexpected growth due to unplanned events, such as immigration; and b) population shifts of new families moving into the South Florida area. The School Board has dealt with overcrowding situations in the past by providing creative solutions that range from schedule-based models (such as double sessions and split shifts), locating portable classrooms and building classroom additions at existing school sites, and ultimately building new schools in high areas of growth. Additionally, the School Board has undertaken and explored several other approaches to reducing overcrowding by converting technical centers into comprehensive high schools; providing large-classroom instruction; virtual learning; magnet schools and other schools of choice, including charter schools. The challenge is to continue to identify strategies that would alleviate overcrowding and maintain instructional integrity.

The Working Group convened twelve times over a ten-month period in the development of the final report. During the meetings, the members heard presentations from a number of individuals and numerous agencies including, but not limited to, M-DCPS, Miami-Dade County Department of Planning and Zoning, Miami-Dade Transit, South Florida Regional Planning Council, the School District of Palm Beach County, the real estate industry, and the Archdiocese of Miami. The presentations focused on the areas of legislation, facilities planning and construction, funding, and other strategies to reduce overcrowding. Specific topics included, but were not limited to, population projections, building schools in the airport flight paths, comparison of charter school versus traditional public school construction requirements, funding sources for public schools, Palm Beach County concurrency program, converting the School District into a Charter

School District, M-DCPS project management approach, coordinating the siting of schools with Miami-Dade Transit, and accessing documentary stamp surtax fee (see Exhibit 3 for copies of meeting agendas).

The following provides a brief overview of the recommendations made by the Working Group that address specific issues of concern, such as constructing “leaner” facilities at a faster pace; establishing a dedicated funding source to construct needed public schools; revising legislation to remove certain constraints on public school construction; and examining operational programming and other considerations solutions. These recommendations are categorized into four main headings:

- A. Legislative Initiatives;
- B. Facilities Planning and Construction;
- C. Funding Mechanisms; and
- D. Operational Issues and Other Considerations.

#### **A. Legislative Initiatives**

1. Recommendation: Levy additional state documentary stamp fees on the sale or resale of all homes for school capital outlay
2. Recommendation: Incorporate a voluntary disclosure line item on form for documentary stamp tax on the sale of every residential dwelling unit, reflecting the number of children expected to reside in the unit
3. Recommendation: Implement new statutory provisions allowing adoption of County ordinances to allow for constructing schools in airport flight path zones
4. Recommendation: Initiate state legislation to permit charter school district status for M-DCPS
5. Recommendation: Exempt the cost of building a parking garage from the overall cost per student station restriction when building a new facility

#### **B. Facility Planning & Construction**

1. Recommendation: Refine and maintain planning data on population shifts by hiring or contracting for demographic services
2. Recommendation: Establish and/or revise criteria by which existing non-school structures are considered for conversion into public educational facilities
3. Recommendation: Review and revise all educational facility “amenities” or requirements adopted as School Board policy to determine which ones may be deleted to save time, money and space without sacrificing instructional integrity

4. Recommendation: Continue to focus on where the educational facilities needs are and expedite purchase of land and school construction
5. Recommendation: Implement turnkey process for building new schools (from land acquisition to delivery of facility) in addition to existing delivery systems, such as design-build and reuse of prototype designs
6. Recommendation: Encourage Miami-Dade Transit to coordinate with M-DCPS and private developers in the construction of mixed-use developments that include public educational facilities, along existing and future transit corridors
7. Recommendation: School Board should establish policy, which includes the necessary criteria to allow M-DCPS staff to make recommendations on zoning and comprehensive plan amendment applications that impact public schools beyond the 115% utilization of FISH capacity. The School Site Planning and Construction Committee shall complete an in-depth analysis of the specific criteria to be considered by the School Board prior to establishment of such policy and adoption rules by the School Board

### **C. Funding Mechanisms**

1. Recommendation: Strongly encourage Educational Facilities Benefit Districts and other appropriate funding mechanisms in areas of substantial growth, in cooperation with municipalities and County, to generate dedicated funds for new schools to meet the demand of rapid new residential development
2. Recommendation: Support the on-going review of the Educational Facilities Impact Fee Ordinance
3. Recommendation: Provide clear online timelines for all capital construction projects so that the public can easily monitor the progress of projects at their schools

### **D. Operational Issues and Other Considerations**

1. Recommendation: Consider operational programming and other alternatives to reduce overcrowding prior to planning new facilities. Non-building solutions have been recommended by State of Florida's Office of Program Policy Analysis and Government Accountability (OPPAGA), and are mandated by Chapter 1013.35, Florida Statutes. Such solutions, include realigning school attendance boundaries (redistricting) and double sessions (to be used as a last resort)
2. Recommendation: Expand the use of senior high school programs that provide an educational setting outside the traditional classroom, thereby freeing student stations that would alleviate overcrowding conditions. Programs may include

community-based work programs, virtual schools and internship programs, including executive internship program and community laboratory program

3. Recommendation: Aggressively pursue School of Choice programs at under enrolled-schools to attract students from areas of overcrowded schools
4. Recommendation: Consider the construction of flexible educational facilities that contain a different mix of grade levels

## **Findings and Recommendations**

The members of the Working Group have determined the County is currently experiencing an unprecedented development and redevelopment boom, particularly in areas, such as the Cities of Homestead, Miami, Sunny Isles, and Doral among others, and numerous unincorporated areas of Miami-Dade County, such as Kendall, that will undoubtedly impact public school facilities. Further, the Working Group believes that providing a quality public education is the responsibility of the community as a whole. Legislation and policy changes that will assist M-DCPS to provide additional educational facilities in tandem with residential development can have a positive impact on public schools and education, especially if supported by the entire community.

The current Florida Growth Management legislation sets forth a state policy requiring the coordination of planning between the school boards and local governments to ensure that plans for the construction and opening of schools are facilitated and coordinated in time and place with plans for residential development, concurrently with other necessary services. Legislation also mandates that all governmental entities within the County enter into an Interlocal Agreement, which would serve as a mechanism for planning. After much collaboration with the governmental entities, development community and other stakeholders, M-DCPS entered into an Interlocal Agreement for Public School Facility Planning with the County and with 24 non-exempt municipalities. This document provides for specific methods and timetables for sharing of information with respect to coordination of school siting with residential development and provision of infrastructure to support new and expanded public schools. The parties to the Interlocal Agreement desire undertaking meaningful and effective measures to assure that public school capacity is available when and where residential growth occurs with adequate infrastructure ready and available to accommodate new and expanded public school facilities. In this regard, the Interlocal Agreement has been recognized as a valuable planning tool.

The Working Group believes that it could further the objectives of the Interlocal Agreement by reviewing existing policies and procedures of the School Board and the County, including the bidding and construction processes for designing and building educational facilities on a reduced timeline.

In furtherance of its charge, the Working Group examined numerous issues that at times hinder the ability to provide additional school capacity on a timely basis. The Working Group hereby submits the following recommendations for consideration and implementation by the School Board, County and other agencies, as may be appropriate. The Working Group believes that these recommendations are vital steps for alleviating overcrowding in the public schools of the County. A coordinated and ongoing effort is necessary between the School Board, the County, the municipalities within the County, the residential development industry, and other governmental and private entities and interests to assure that public school capacity is available in tandem with projected residential growth.

As previously stated, this portion of the report is divided into four recommendation categories as follows:

- A. Legislative Initiatives,
- B. Facility Planning and Construction,
- C. Funding Mechanisms, and
- D. Operational Issues and Other Considerations

**A. Legislative Initiatives**

Finding A-1: *Identify additional dedicated sources of revenue for constructing public schools*

Recommendation: **Levy additional state documentary stamp fees on the sale or resale of all homes for school capital outlay**

The tax rate in the State of Florida, for documents that transfer interest in real property (documentary stamp tax) is \$.70 per \$100 of the total consideration paid, or to be paid, for the transfer. However, there is an exception in Miami-Dade County, where the rate is \$.60 per \$100, because the County opted to levy an additional \$.45 discretionary surtax per \$100 on all but single-family residential properties, to be used for low and moderate income housing. It is anticipated that if M-DCPS were to collect an additional \$.05 this could generate an estimated \$8 million per year, based on an average price for a single-residential family home of \$230,000. Examples of documents that may include a transfer of interest in real property are: Warranty Deeds, Quit Claim Deeds, Easements, Contracts or Agreements for Deeds, Assignments for Leasehold, etc.

Implementation: **State law and regulations should be modified as necessary to provide for this dedicated source of revenue for constructing new public educational facilities**

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Finding A-2: *Collect data on population shifts for better school enrollment forecasting*

Recommendation: **Incorporate a voluntary disclosure line item on form for documentary stamp tax on the sale of every residential dwelling unit, reflecting the number of children expected to reside in the unit**

The Working Group expressed concerns that there are certain areas of the County that are experiencing shifts in population where the resale of residential units are being acquired and reoccupied by families with more children than the previous occupants. In order to better project the student population generated by this trend, the Working Group suggests establishing a voluntary disclosure line item on documentary stamps on the sale of every residential dwelling unit stating the number of children that will be residing in the residence. This would provide immediate information on school age population and a system to better track the number of school children in a particular area at a specific time.

Implementation: **State law and/or regulations should be modified as necessary to provide for this disclosure**

.....  
Finding A-3: *Remove airport restrictions for building educational facilities in sites within developing and redeveloping urban areas*

Recommendation: **Implement new statutory provisions allowing adoption of County ordinances to allow for constructing schools in airport flight path zones**

As the demand for residential units in the County grows, local comprehensive plans recommend higher density in the infill area of the county. This creates a need for schools to accommodate the new growth in these areas. Current legislation restricts the building of new schools for a five-mile area in flight path zones of airports, which limits school siting choices and contributes to overcrowding.

The original recommendation of the Working Group was to request a revision to Chapter 333 of the Florida Statutes, by deleting the restrictions of building any new school in airport flight path zones. This item was also part of the School Board's 2004 legislative package. A bill, which incorporated this recommendation, was passed by the Legislature in its 2004 Legislation Session to allow any county with a population of more than 1.5 million as of the most recent decennial census, to exempt itself from the flight path zones restriction. However, the Governor subsequently vetoed the bill advising that existing state law provides for a process allowing local communities to build schools in the flight paths.

Currently, the County is in the process of considering an ordinance that would allow for greater flexibility in the building of schools in flight path zones of Miami International Airport, if certain conditions and requirements are met. Additionally, in April 2004 the School Board authorized the creation of a committee, comprised of a representative from the School Board, City of Doral, City of Miami, Miami-Dade County Parent and Teachers Association, Miami-Dade County Aviation Department and Miami-Dade County Attorneys Department, to secure authority to build educational facilities within a flight zone. Subsequently, on September 8, 2004, the School Board authorized the Superintendent and Board Attorney to review the proposed Miami-Dade County Zoning Ordinance relating to Miami International Airport, and provide comments and suggested revisions to the Board of County Commissioners prior to the date established for the hearing to discuss the proposed Ordinance. At the first committee meeting of September 27, 2004, it was decided to request the County Commissioner sponsoring the ordinance to defer action on the ordinance until the committee has had an opportunity to discuss and provide specific recommendations.

Implementation: **Propose County ordinance relating to construction of educational facilities in parts of airport flight path zones for all Miami-Dade airports**

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Finding A-4: *In order to accelerate delivery of student stations, obtain charter school district status, thus replacing statewide mandated restrictions with those specific to Miami-Dade County*

Recommendation: **Initiate state legislation to permit charter school district status for M-DCPS**

A charter school district is a school district that has submitted to and received approval from the State Board of Education for a charter proposal that exchanges statutory and rule compliance for agreement to meet performance goals stipulated in the proposal. The purpose is to develop a new relationship between the State Board of Education and district school boards that will produce significant improvements in student achievement, while complying with constitutional and statutory requirements assigned to each entity. The State Board of Education enters into a performance contract with district school boards for the purpose of establishing

the school district as an academic performance-based charter school district.

In 2001, the School Board authorized the Superintendent to explore the feasibility of applying to the State Board of Education to enter into a performance contract that would allow M-DCPS to be established as a Charter School District. The study indicated that the areas of facilities and funding would benefit from greater flexibility by becoming a charter school district. M-DCPS opted not to participate in the State sponsored pilot program at that time. The pilot program, intended to test the viability for giving greater control to local school districts, had no eligibility requirements for those districts that chose to participate. However, at the end of the pilot program, districts desiring to become a charter district had to meet specific eligibility requirements. Some of these requirements include that the school district be a high-performing school district in which a minimum of 50 percent of the schools earn a performance grade category "A" or "B" and that no school earn a performance grade category of "D" or "F" for two consecutive years. Presently, M-DCPS does not meet the eligibility requirements therefore, under current legislation M-DCPS does not qualify as a charter school district.

Implementation: **The Working Group recommends that the School Board include in its future legislative initiatives a revision to the eligibility requirements for charter school district status in Chapter 1003.62, Florida Statutes**

.....

Finding A-5: Develop ways of mitigating state mandated cost per student station restrictions.

Recommendation: **Exempt the cost of building a parking garage from the overall cost per student station restriction when building a new facility**

Currently, the cost of building a parking garage for a public school facility is included in the state mandated cost per student station restriction thereby restricting the building of compact mid to high-rise educational facilities with parking garages. Exempting the cost of building a parking garage from the overall cost of a new facility would allow M-DCPS to consider smaller parcels of land for the construction of educational facilities. The exemption would primarily provide an incentive to urban school districts to build up versus out. This would also allow school districts to achieve

economies of scale in certain areas of the county where land is scarce and costly.

Implementation: **State law and regulations should be modified as necessary to provide for this exemption**

.....  
**B. FACILITY PLANNING & CONSTRUCTION**

Finding B-1: *Refine planning data to develop more accurate student population projections resulting in better planning*

Recommendation: **Refine and maintain planning data on population shifts by hiring or contracting for demographic services**

During the meetings of the Working Group it was revealed that M-DCPS does not presently have a long range planning department or assigned planning staff whose responsibility would be to generate data, monitor trends and maintain and update a student population database. This is critical to planning for future new student stations. Adding demographic planning staff would produce more accurate data on student population shifts and new growth from redeveloping infill areas and new developing areas. M-DCPS has been relying on outside sources to provide population and student generation information in the preparation of its Facilities Work Plan. Subsequent to, and as a result of these discussions, the School Board authorized that the feasibility of creating a demographer/planning position within facilities planning be reviewed.

Implementation: **M-DCPS should hire a demographer or contract for demographic services**

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Finding B-2: *Increase the pool of possibilities for delivering educational facilities faster, more cost-effectively and where land is scarce*

Recommendation: **Establish and/or revise criteria by which existing non-school structures are considered for conversion into public educational facilities**

M-DCPS should continue to identify potentially suitable buildings, such as office buildings, large retail facilities, warehouses, and vacant public facilities as part of the inventory of site options for new school construction projects. This could increase the number

of feasible site options available to the School Board. In identifying these facilities, an evaluation should be conducted on the feasibility of retrofitting these buildings as to cost and viability. These facilities may ease overcrowding by creating additional student stations and potentially deliver educational facilities faster, more cost-effectively and where land is scarce.

Implementation: **School Board policy and procedures should be modified as necessary to allow for the retrofitting of existing public/private facilities**

.....

Finding B-3: *Analyze and compare the construction of traditional public schools with other public charter and private educational facilities and identify ways to construct "leaner" and more facilities*

Recommendation: **Review and revise all educational facility "amenities" or requirements adopted as School Board policy to determine which ones may be deleted to save time, money and space without sacrificing instructional integrity**

M-DCPS has adopted policies in the area of specialized educational programs that are considered to be amenities, and may not be essential to the delivery of quality education. By eliminating some of these policies, funding may be re-directed to the construction of much needed additional classrooms. These policies currently include specialized educational programs, such as, athletic spaces, physical education shelters, auditoriums and special laboratories. Other amenities respond to community driven policies, such as, community use of facilities and flood shelters. In order to fulfill its primary obligation to provide quality education to all children, these policies should be reviewed by M-DCPS to determine which are indispensable and which could be deleted when constructing new facilities. The goal of this recommendation is to construct "leaner" facilities in greater quantities during this time of overcrowding and limited funding.

The Working Group analyzed and compared construction of traditional public schools with that of public charter schools and private schools. While all must comply with the Florida Building Code, M-DCPS must also comply with state requirements, as outlined in the State Requirements for Educational Facilities (S.R.E.F.), such as hurricane shelter standards. However, the majority of the differences were found in the spaces built by M-DCPS to house enhanced educational programs (amenities).

Implementation: **Review School Board policies pertaining to enhanced educational programs and community driven requirements to determine which are not indispensable in the construction of new facilities**

.....

Finding B-4: *Review current processes utilized to plan for future student stations to insure that schools are constructed in areas of need having a significant impact on overcrowding*

Recommendation: **Continue to focus on where the educational facilities needs are and expedite purchase of land and school construction**

The current process that M-DCPS utilizes to develop its educational facilities work plan identifies the areas of growth and the impact of future development trends on existing facilities. New student stations are planned in the areas of the county where the needs are greater. This process provides for participation from all stakeholders including input from the public and local government. Criteria should be set for establishing contributions of land from developers in lieu of impact fees and for collaborative efforts with municipal governments, where the municipality provides the land and M-DCPS builds or funds the educational facility.

Recently, the School Board revised its rules to streamline the acquisition process. The purchase of land and long-term leasing should mirror the priorities established in the Educational Facilities the School Board Work Plan.

Implementation: **Continue utilizing the revised processes outlined above**

.....

Finding B-5: *Identify processes of acquiring and building educational facilities to ensure faster and cost-effective delivery*

Recommendation: **Implement a turnkey process for building new schools (from land acquisition to delivery of facility) in addition to existing delivery systems, such as design build and reuse of prototype designs**

The delivery of new educational facilities, in tandem with new residential development, is crucial to eliminating or preventing overcrowding in existing facilities. Limitations in funding, internal

processes and state requirements have curtailed this effort. Presently, M-DCPS utilizes design-build and re-use of prototype designs to accelerate the delivery of new facilities. However, turnkey delivery processes should provide the school district with another valuable option to deliver these new facilities. M-DCPS can benefit from public/private ventures to acquire needed sites, and to design, construct and even maintain the facilities during the first five years of operation.

Implementation: **Develop and issue a Request for Proposals (RFP) for turnkey delivery of new educational facilities. RFP should contain requirements for acquisition of land, design, construction and maintenance of the facility during the first five years after occupancy**

.....

Finding B-6: *Capitalize on opportunities for building educational facilities along existing and future transit corridors*

Recommendation: **Encourage Miami-Dade Transit to coordinate with M-DCPS and private developers in the construction of mixed-use developments that include public educational facilities, along existing and future transit corridors**

Miami-Dade Transit (MDT) has a joint public/private development program, which commenced in 1982, when Metrorail was built. Goals of the program include focusing density around the transit stations, increasing ridership and providing functional and aesthetically pleasing connections to adjacent developments. MDT has entered into several joint development agreements, mostly with the private sector, to build office and retail space, hotels and apartments, including affordable housing. Siting of schools around Metrorail stations is consistent with the goals of the program. MDT should provide incentives to developers who incorporate public educational facilities within their mixed-use developments.

Also, MDT is acquiring land for future possible rail corridors and at various locations along the busway including the southern terminus along South Dixie Highway to Florida City. This effort provides the potential for joint development opportunities between MDT and the School Board.

MDT has initiated meetings with M-DCPS staff to identify those projects that are in the planning stage and approached developers to gauge their interest in building a school on their site or retrofitting existing buildings. Over time there may also be opportunities to retrofit existing buildings into public schools at the stations through developer incentives; this is something the County could explore. Additionally, there is sufficient projected capacity on these transit systems to accommodate student ridership and students would pay a reduced student fare. There could also be opportunities for sharing amenities at the stations.

Implementation: **MDT to explore opportunities with M-DCPS and incentives for developers to construct public schools along transit stations and corridors, both rail and busway**

.....  
Finding B-7: *Identify ways for School District to have stronger voice in zoning and plan amendment applications*

Recommendation: **School Board should establish policy, which includes the necessary criteria to allow M-DCPS staff to make recommendations on zoning and comprehensive plan amendment applications that impact public schools beyond the 115% utilization of FISH capacity. The School Site Planning and Construction Committee shall complete an in-depth analysis of the specific criteria to be considered by the School Board prior to establishment of such policy and adoption rules by the School Board**

Pursuant to the Interlocal Agreement for Public School Facility Planning the School Board is required to review all residential zoning and comprehensive plan amendment applications that would increase density and where the impacted schools are at or would be at 115% utilization of its FISH capacity.

Currently, the School Board provides information and does not recommend approval or denial of these development applications. The Working Group is suggesting that when reviewing zoning and comprehensive plan amendment applications, the School Board provide a recommendation based on School Board established criteria, as determined by stakeholders. Legal representatives from both the County and M-DCPS determined that such a recommendation would be in compliance with the Interlocal Agreement. However, local governments would not be bound by the School Board's recommendation.

Implementation: **School Board should establish policy, which includes the necessary criteria to allow M-DCPS staff to make recommendations on zoning and comprehensive plan amendment applications that impact public schools beyond the 115% utilization of FISH capacity. Stakeholders are to analyze and recommend specific criteria to be considered by the School Board when establishing policy**

.....

**C. Funding Mechanisms**

Finding C-1: *Identify other type of funding mechanisms to augment the limited resources available to build new student stations*

Recommendation: **Strongly encourage Educational Facilities Benefit Districts and other appropriate funding mechanisms in areas of substantial growth, in cooperation with municipalities and County, to generate dedicated funds for new schools to meet the demand of rapid new residential development**

In 2003, the legislature created a mechanism for establishing Educational Facilities Benefit Districts to encourage and authorize public cooperation among district schools, local governments, and private interests to implement financing for timely construction and maintenance of school facilities in tandem with development. These districts provide for alternative funding mechanisms and incentives that allow the cost of building educational facilities to be shared and funds to be leveraged. A benefit district is created through interlocal cooperation agreements between the School Board and the local government within whose jurisdiction the district is to be located and by adopting an ordinance that contains all the required provisions. The benefit district has authority to levy non-ad valorem assessments on property located in the district for a specific time period and to collect all educational facilities impact fees collected in the benefit district. The City of Homestead, M-DCPS, and landowners are in the process of creating an Educational Facilities Benefit District for certain lands located in the City of Homestead.

Implementation: **Stakeholders to identify areas that would potentially benefit from the creation of Educational Facilities Benefit Districts as a result of sustained high growth, new development or redevelopment**

.....  
Finding C-2: *Review the existing impact fee methodology to reflect current conditions*

Recommendation: **Support the on-going review of the Educational Facilities Impact Fee Ordinance**

The Interlocal Agreement for Public School Facility Planning requires the County and School Board to annually review the Educational Facilities Impact Fee Ordinance. The annual review may include an evaluation of the formula and methodology. Recommendations of the annual review may include an adjustment of the impact fee structure to ensure full funding for all eligible capital costs associated with the development of public school capacity. The County, School Board and other local governments should use their best efforts to evaluate a more equitable geographic distribution of impact fee assessments, including possible redistricting to create a better alignment of the benefit districts throughout the County. A realignment of the districts should consider possibly combining urban infill and emerging development areas. Prior to submitting recommendations to the Board of County Commissioners on substantive revisions, including the formula, methodology, and realignment of benefit districts, the county and School Board should elicit participation from the cities, the development industry, and citizens.

The County, School Board, cities, and development industry, have initiated a review of the impact fee criteria through a subcommittee of the Staff Working Group of the Interlocal Agreement for School Facility Planning. The subcommittee has met several times and has developed a plan of action to be presented to the Staff Working Group, at their next meeting of October 29, 2004, for recommendation to the School Board. The plan of action recommends the issuance of a Request for Proposal (RFP) to hire a consultant and outlines timelines necessary to undertake the review and revisions (if necessary) to the current Impact Fee Ordinance.

Implementation: **Stakeholders to complete the review of the educational facilities impact fee ordinance and provide recommendations on potential revisions to the appropriate agencies**

.....  
Finding C-3: *Provide the public with information on current and future construction projects*

**Recommendation:** Provide clear online timelines for all capital construction projects so that the public can easily monitor the progress of projects at their schools

Transparency is key to a successful school construction program and to earn the trust of the community it serves. Routinely updated information on current projects' status, schedules, costs, and planning efforts needs to be shared with the community at large.

Presently, M-DCPS has begun to share some of this information via the M-DCPS site. This effort needs to be encouraged and expanded.

**Implementation:** **Maintain on line and continue to refine the school district's Educational Facilities Work Plan. Conduct periodic surveys to gauge the effectiveness of the product to convey information and make adjustments accordingly**

.....  
**D. Operational Issues and Other Considerations**

**Finding D-1:** *Explore other non-building alternatives to mitigate the impact of overcrowded schools*

**Recommendation:** Consider operational programming and other alternatives to reduce overcrowding prior to planning new facilities. Non-building solutions have been recommended by State of Florida's Office of Program Policy Analysis and Government Accountability (OPPAGA), and are mandated by Chapter 1013.35, Florida Statutes. Such solutions, include realigning school attendance boundaries (redistricting) and double sessions (to be used as a last resort)

The decision to build new facilities should be considered only after other operational programming and other alternatives have been analyzed. The fact that there are several schools under-enrolled in close proximity to overcrowded schools warrants that consideration be given to non-building solutions. If properly done, a few overcrowded schools will be alleviated immediately.

One example of an educational programming solution is the double session model, which divides the school into two sessions, thereby reducing the number of students who are in school at one time. This model allows for some growth in student population. The

Working Group recommends that the double session model be considered as sparingly in critically overcrowded schools and if the community approves it. Presently, one school in Miami-Dade County, Miami Springs Senior High School operates on double session. In this example, the community was in favor of double sessions, and opposed to the construction of an additional 1,500 student stations on campus. Land has been purchased for the off-campus solution and the relief facility is in the planning stage.

Implementation: **M-DCPS to identify solutions that apply to critically overcrowded schools for potential implementation of educational programming and other considerations to reduce overcrowding, and to seek support from parents**

.....

Finding D-2: *Find ways to reduce overcrowded conditions while providing educational opportunities to students*

Recommendation: **Expand the use of senior high school programs that provide an educational setting outside the traditional classroom, thereby freeing student stations that would alleviate overcrowding conditions. Programs may include community-based work programs, virtual schools and internship programs, including executive internship program and community laboratory program**

Student station projections indicate over the next five years there will be an increased demand for senior high school seats. The use of community work by students and virtual schools for senior high school students would reduce overcrowding while providing additional educational opportunities.

By working in the community, students could attend school part of the day and receive vocational training part of the day. Traditionally, in the existing cooperative/vocational education programs, the students attend class in the morning and report to work in the afternoon. These programs could be modified to permit students to work in the morning and attend classes in the afternoon, or permit students to work full-time for one quarter of the school year and attend classes the remainder of the quarters. This program should be expanded to include more students. The benefits include opportunities to apply learning to real world situations and to experience the adult work/learning environment.

Virtual-supported education has become an integral part of education in many urban school systems that are committed to

improving educational opportunities and outcomes. The use of various types of virtual learning centers should be explored further. These centers could include media centers, satellite centers or home based learning. Computers provide an opportunity for students to engage in independent and semi-independent learning activities off-site. This also reduces class size, which in turn enables the classroom teacher to better address students' needs. This approach also enables students to work on projects with a wealth of informational resources easily at their fingertips.

Implementation: **School Board policy should be modified as necessary to expand the existing use of educational programs that encourage senior high school population to work in the community and to learn through virtual schools**

.....  
Finding D-3: *Better utilize under-enrolled schools to alleviate overcrowded facilities*

Recommendation: **Aggressively pursue School of Choice programs at under-enrolled schools to attract students from areas of overcrowded schools**

There are areas of the County, where schools are under-enrolled. At these schools, specialized educational programs (magnet programs) could be established to attract students outside their attendance boundary, which would result in better utilization of the existing facilities. This could result in savings in capital outlay savings for new construction. Magnet programs that attract students from around the County could decrease student population in other schools while also increasing academic choices for students.

Implementation: **Identify under-enrolled schools as host sites for magnet programs to achieve better utilization of the facilities**

.....  
*This finding was moved from B-6*

Finding D-4: *Provide educational alternatives for students to attend schools that maximize the use of those facilities*

Recommendation: **Consider the construction of flexible educational facilities that contain a different mix of grade levels**

As M-DCPS looks to speed-up school construction using a variety of methods, the educational model should reflect flexibility. For instance, in recent years M-DCPS has opened seven kindergarten through 8<sup>th</sup> grade (K-8) facilities. These facilities contain all the elementary grades (K-5) and middle school grades (6-8). K-8 facilities allow for a sharing of common spaces, such as front office, media centers and cafeterias. In the future other educational models that contain a different mix of grade levels should be reviewed and considered. There is a growing support from educators, parents and the community for these types of educational facilities.

Implementation:

**Explore educational facilities that contain a different mix of grade levels either by converting existing facilities or building new facilities**

# Exhibits

## Exhibit 1

Miami-Dade County School Board Agenda Item

## Exhibit 2

Miami-Dade County Board Commission Resolution

## Exhibit 3

Meeting agendas for Miami-Dade County Working Group on  
Public Schools Overcrowding Relief  
*(Complete minutes are maintained at  
the Miami-Dade County Department  
of Planning and Zoning,  
Metropolitan Section)*

EXHIBIT 1

Office of School Board Members  
Board Meeting of September 10, 2003

September 8, 2003

Dr. Marta Pérez, Member

**SUBJECT: AUTHORIZATION TO ENGAGE IN DIALOGUE WITH MIAMI-DADE COUNTY AND OTHER APPROPRIATE STAKEHOLDERS TO STUDY THE FEASIBILITY OF DEVELOPING A SCHOOL CONCURRENCY SYSTEM OR OTHER OPTIONS TO INCREASE STUDENT STATIONS IN MIAMI-DADE COUNTY**

REVISED

**COMMITTEE: FACILITIES MANAGEMENT**

In my capacity as member of the South Florida Regional Planning Council (SFRPC), I have had occasion to participate in a number of discussions concerning the importance of a system to help facilitate the provision of educational facilities in tandem with residential development, specifically in areas of high growth. This type of system, generally referred to as school concurrency, is currently in effect in the Palm Beach County School District (Palm Beach), and seems to be working well to achieve its intended purpose. The Miami-Dade School District, through the recent enactment of an Interlocal Agreement (Interlocal) with Miami-Dade County (County) and twenty-four (24) non-exempt municipalities (Cities), is also making some progress in this area. Under the umbrella of the Interlocal, District staff has engaged in collaborative discussions with a number of applicants seeking to intensify residential development in various parts of the county; as a result of those discussions, to date voluntary contributions have been made in addition to impact fees, totaling approximately \$1.4M. This system however, differs from that in place in Palm Beach, in that voluntary contributions and impact fee collections are not realized until the property is platted and permits are issued, respectively. Thus there is generally a lag between the time when the impact occurs and the time relief (if any), is provided. The Palm Beach system requires that there be sufficient capacity in place prior to or concurrent with the time the impact occurs, based on pre-established level of service standards for the particular concurrency service area.

REVISED

After viewing a presentation on the Palm Beach concurrency system, and through discussion with my peers at the SFRPC, which includes County representation, I thought it appropriate to share this information with my colleagues on the School Board.

**REVISED 2**

**D-4**

Inasmuch as I have an interest in this area, coupled with my increased awareness of land use issues as a direct result of my seat on the SFRPC, I ask my colleagues to support my request to proceed with preliminary dialogue with the County on this topic. This is done with the understanding that there is much that would need to be discussed with participation from not just the County but also a variety of stakeholders, before any conclusions or recommendations can be formulated.

**ACTION PROPOSED BY  
DR. MARTA PÉREZ:**

That The School Board of Miami-Dade County, Florida direct the Superintendent to:

1. engage in preliminary discussions and dialogue with Miami-Dade County and other appropriate stakeholders to explore the pros and cons of a school concurrency system similar to that adopted in the Palm Beach County School District or other options to increase student stations; and
2. report back to the Board with the results of its due diligence at the appropriate time.

REVISE

MP:aj

**EXHIBIT 2**

Approved \_\_\_\_\_ Mayor

Amended

Veto \_\_\_\_\_

Agenda Item No. 10(A)(2)

Override \_\_\_\_\_

10-21-03

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

RESOLUTION NO. R-1178-03

RESOLUTION DIRECTING CREATION OF WORKING GROUP ON PUBLIC SCHOOLS OVERCROWDING RELIEF; PROVIDING FOR WORKING GROUP PURPOSE AND MEMBERSHIP; DIRECTING COUNTY MANAGER TO COORDINATE WITH SCHOOL BOARD OF MIAMI-DADE COUNTY AND CERTAIN INTERESTED PARTIES FOR WORKING GROUP ESTABLISHMENT, APPOINTMENT OF MEMBERS, STAFFING AND IDENTIFICATION OF RESOURCES; DIRECTING COUNTY MANAGER AND REQUESTING THE SUPERINTENDENT OF THE SCHOOL BOARD TO PROVIDE APPROPRIATE STAFF; DIRECTING THE WORKING GROUP TO PROVIDE A REPORT.

WHEREAS, this Board has determined that the safe, convenient, orderly and adequate provision of public school facilities is integral to the health, safety, and general welfare of all of the residents of Miami-Dade County; and

WHEREAS, this Board has determined that it is essential to cooperate with the School Board of Miami-Dade County, the municipalities of the County, the parents and students of the public school system, the residential development industry, and other governmental and private entities and interests to provide a county-wide system of public school facilities in a timely manner and at appropriate locations, among other means by providing school capacity for projected new growth; and

WHEREAS, consistent with the desires of this Board, the Legislature of the State of Florida has provided in Sections 1013.33 and 1013.35, Florida Statutes, that school districts and local governments shall coordinate planning to ensure that the construction and opening of public educational facilities are coordinated in time and place with plans for residential development; and

WHEREAS, Section 163.3177(3)(a), Florida Statutes, requires coordination between local governments with land use regulatory authority and school boards to provide for adequate land proximate to residential development to meet projected needs for schools; and

WHEREAS, Section 163.3177(3)(h)(2.), Florida Statutes, requires local government comprehensive plans to include an intergovernmental coordination element stating principles and guidelines for coordinating adopted comprehensive plans with the plans of school boards, including joint processes for collaborative planning and decisionmaking on population projections and school siting; and

WHEREAS, Section 163.3177(3)(h)(4.), Florida Statutes, requires local governments adopting a public educational facilities element in their comprehensive plans to execute an interlocal agreement among the district school board, the county and certain municipalities requiring specific actions to coordinate sharing of information, joint planning for development and school siting, and joint planning for adequate infrastructure to support school sites; and

WHEREAS, this Board has adopted provisions in both the intergovernmental coordination element and the educational facilities element of the Miami-Dade County Comprehensive Development Master Plan (CDMP) satisfying the requirements of law and calling for cooperation and coordination with appropriate entities to provide for adequate public school facilities; and

WHEREAS, consistent with law and with the CDMP, this Board approved on February 20, 2003, an Interlocal Agreement for Public School Facility Planning in Miami-Dade County, among Miami-Dade County, the School Board of Miami-Dade County, and the municipalities of Miami-Dade County, which provides for specific methods and schedules for

sharing of information, coordination of school siting with residential development, and provision of infrastructure to support new and expanded public schools; and

WHEREAS, the clear and express desire and intent of this Board, of the School Board of Miami-Dade County, of the municipalities of Miami-Dade County, and of the Legislature of the State of Florida, as well as the desire of other governmental and private entities and interest groups, is to take prompt, meaningful and effective measures to assure that public school capacity is available when and where residential growth occurs, with adequate infrastructure ready and available to accommodate new and expanded public school facilities; and

WHEREAS, this Board desires to establish a working group to design and recommend measures to reduce school overcrowding, including analysis of financial feasibility for school concurrency to assure that public school capacity is available whenever and wherever residential growth occurs,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** The Miami-Dade County Working Group on Public Schools Overcrowding Relief (herein, "Working Group") is hereby established.

**Section 2.** The Working Group is directed to develop, design and recommend a school overcrowding reduction plan, including measures deemed feasible to assure that public school capacity is available whenever and wherever residential growth occurs. In fulfilling its purpose, the Working Group is directed to identify and request such resources needed for the Working Group to fulfill its purpose, including but not limited to experts and consultants.

**Section 3.** The membership of the Working Group shall be as provided herein, and a quorum shall consist of a majority of the number of members appointed.

- (1) two members of the Board of County Commissioners who represent districts with high rates of new residential development, to be appointed by the Chair;
- (2) two members of the School Board of Miami-Dade County who represent districts with high rates of residential growth;
- (3) two members of the Miami-Dade delegation to the Legislature of the State of Florida, one from the House of Representatives and one from the Florida Senate, as designated by the delegation;
- (4) two members selected by the Miami-Dade League of Cities, one representing a city with more than 50,000 residents and one representing a city with fewer than 50,000 residents;
- (5) one member selected by the State Oversight Board for the School Board of Miami-Dade County;
- (6) two members selected by the county-wide Parent and Teachers Association of the Miami-Dade County public school system;
- (7) one member selected by the Builders Association of South Florida; and
- (8) one member selected by the Latin Builders Association; and
- (9) one member selected by the National Association for the Advancement of Colored People; and
- (10) one member selected by the Spanish American League Against Discrimination; and
- (11) one member selected by the Black Builders Association.

**Section 4.** The County Manager is directed to contact the parties listed above to coordinate appointment of members, establish the places and times of meetings, and establish initial Working Group procedures. The County Manager and the County Attorney are directed to provide appropriate staffing to the Working Group, and the County Manager is directed to

request that the Superintendent of the Miami-Dade County School Board provide similar staffing and resources. The County Manager is directed and the Superintendent is requested to identify additional resources requested by the Working Group to fulfill its purpose.

Section 5. On or before June 30, 2004, the Working Group is directed to provide to this Board and to the School Board of Miami-Dade County a report containing its recommendations and findings.

The foregoing resolution was sponsored by Commissioner Katy Sorenson and Commissioner Sally A. Heyman and offered by Commissioner Jimmy L. Morales, who moved its adoption. The motion was seconded by Commissioner Sally A. Heyman and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	aye		
Katy Sorenson, Vice-Chairperson	aye		
Bruno A. Barreiro	aye	Jose "Pepe" Diaz	aye
Betty T. Ferguson	aye	Sally A. Heyman	aye
Joe A. Martinez	absent	Jimmy L. Morales	aye
Dennis C. Moss	aye	Dorin D. Rolle	aye
Natacha Seijas	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 21<sup>st</sup> day of October, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **KAY SULLIVAN**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in cursive, appearing to read "JAC", is written over a horizontal line.

Joni Armstrong Coffey

## **EXHIBIT 3**

### **WORKSHOP**

**Working Group on Public Schools Overcrowding Relief  
(Miami-Dade County Resolution R-117803  
Miami-Dade County School Board R)**

**Saturday, January 10, 2004  
9:00 A.M. to NOON**

**Chamber South  
(Located in Fuchs Park)  
6410 S.W. 80 Street  
South Miami, Florida 33143  
(305) 661-1621**

#### **Preliminary Items for Discussion**

**Welcome and Introductory Comments on Resolutions – Katy Sorenson, Miami-Dade County Commission and Dr. Marta Perez, Miami-Dade County School Board**

**Overview/Discussion by South Florida Regional Planning Council, regional perspective, concerns/issues raised at the 1<sup>st</sup> BiAnnual Forum on Interlocal Agreement on October 30, 2003 – Bob Daniels**

**Overview/Discussion by Miami-Dade County School District on Overcrowding, Class Size Reduction, Charter Schools, School Construction Process, Possible Solutions, Impact Fees, and Interlocal Agreement, etc. – Ana Rijo-Conde and Fernando Albuerne**

**Overview/Discussion by Miami-Dade County, Department of Planning and Zoning, on Population Projections – Oliver Kerr**

**Overview/Discussion by Miami-Dade County, Department of Planning and Zoning, on current processes, including Educational Element of CDMP, Public School Facility Site Plan Reviews, School Siting Land-Use Consistency Letters – Mark Woerner and Helen Brown**

**Sunshine Law – Miami-Dade County Attorney, Joni Armstrong-Coffee**

**Closing Comments - Future Meetings and Election of Chair and Vice-Chair**

## Working Group on Public Schools Overcrowding Relief

(Miami-Dade County School Board Item D-4, 9-10-03 and  
Miami-Dade County Resolution R-117803, 10-21-03)

Wednesday, January 21, 2004  
1:30 p.m. to 3:30 p.m.

School Board Administration Building  
Room 916  
1450 N.E. 2<sup>nd</sup> Avenue  
Miami, Florida 33132  
(305) 995-4501

- 1:30 – 1:40 p.m.    A. Opening Remarks  
                          B. Roll Call  
                          C. Approval of January 10, 2004 Meeting Minutes
- 1:40 – 2:30 p.m.    Operations Framework for Working Group  
                          Presentation by Dr. Ralph G. Lewis
- 2:30 – 3:15 p.m.    Discussion of School Board approved legislative initiatives  
                          (Refer to School Board Item-D-19)
- o Airport Land Use Zoning restrictions – Presentation by Miami-Dade County Aviation Department
  - o Create county-wide documentary stamp surtax
  - o Amend statutes to reinstate Enhanced Hurricane Protection Areas Exemption
  - o Waiver of payment of wetland mitigation fees
  - o Exempt costs of building parking garages from overall student stations costs
  - o Delete requirements of site size waivers
  - o Exempt local school districts from requirements of Castaldi Study
  - o Allow Superintendent authority to award contracts for specific projects
- 3:15-3:30 p.m. –    Closing Comments

*Next meeting has been tentatively scheduled for February 2, 2004 at the  
Miami-Dade County Public Library Auditorium, 101 West Flagler Street, from 9:00 a.m. - 12:00 p.m.*

**Working Group on Public Schools Overcrowding Relief**  
(Miami-Dade County Resolution R-117803, 10-21-03  
Miami-Dade County School Board Item D-4, 9-10-03)

**Friday, February 13, 2004**  
**1:30 P.M. – 4:00 P.M.**

**Miami-Dade County Library Auditorium**  
**101 West Flagler Street**  
**Miami, Florida 33130**

- 1:30 – 1:45 p.m.      A. Opening Remarks  
                              B. Roll Call  
                              C. Approval of January 21, 2004 Meeting Summary
- 1:45 – 2:30 p.m.      Aviation Jurisdictional Issue  
                              Craig Collier, Miami-Dade County Assistant County Attorney  
                              Bruce Drum, Assistant Director, Aviation Department
- 2:30 – 3:00 p.m.      Charter Schools vs. Public Schools, requirements, advantages,  
                              disadvantages, etc.  
                              Miami-Dade County Public Schools staff  
                              Diane O'Quinn Williams, Director Miami-Dade County Department  
                              of Planning and Zoning
- 3:00 – 3:30 p.m.      Funding Sources for Public Schools  
                              Miami-Dade County Public Schools staff
- 3:30 – 4:00 p.m.      Next Meeting Agenda  
                              Future Meeting Schedule (attached proposed schedule)  
                              Closing Comments

**Members of Working Group on Public Schools Overcrowding Relief**

1. Commissioner Katy Sorenson, Miami-Dade County Board of County Commission
2. Dr. Marta Pérez, Miami-Dade County School Board
3. Commissioner Dorin D. Rolle, Miami-Dade County Board of County Commission
4. Mr. Frank Cobo, Miami-Dade County School Board
5. Sen. Frederica Wilson, Miami-Dade Delegation to the Legislature, State of Florida.
6. Rep. Rafael Arza, Miami-Dade Delegation to the Legislature, State of Florida
7. Commissioner Joe Sánchez, Miami-Dade County League of Cities
8. Mayor Evelyn Greer, Miami-Dade County League of Cities
9. Mayor Paul Novack, State Oversight Board for the School Board of Miami Dade County
10. Ms. Dannie McMillion, Parent and Teachers Association, Miami-Dade County Public Schools
11. Ms. Anita Meibach, Parent and Teachers Association, Miami-Dade County Public Schools
12. Mr. Jeffrey Bercow, Builders Association of South Florida
13. Mr. Rolando Llanes, Latin Builders Association
14. Mr. Rodolfo Peñaluga, Spanish American League Against Discrimination
15. Mr. John Dixon, Black Business Association
16. Ms. Karmetra Driver, National Association for the Advancement of Colored People

*RSVP: Helen Brown or Raquel Russo, Miami-Dade County Department of Planning Zoning at: 305-375-2235*  
*Parking: Cultural Center Garage, 50 NW 2<sup>nd</sup> Avenue, \$3.00 by having ticket stamped at front desk in library*

**Working Group on Public Schools Overcrowding Relief**  
(Miami-Dade County Resolution R-117803, 10-21-03  
Miami-Dade County School Board Item D-4, 9-10-03)

Wednesday, March 3, 2004  
2:00 P.M. - 3:00 P.M.

Miami-Dade County Public Schools  
School Board Administration Building (SBAB)  
1450 N.E. Second Avenue, Miami  
Conference Room 726B

- 2:00 - 2:45 p.m. Teleconference meeting with Mr. Ray Monteleone, Chief Education  
Financial Officer of the Department of Education
- 2:45 - 3:00 p.m. Closing Remarks

**Members of Working Group on Public Schools Overcrowding Relief**

1. Commissioner Katy Sorenson, Miami-Dade County Board of County Commission
2. Dr. Marta Pérez, Miami-Dade County School Board
3. Commissioner Dorrin D. Rolle, Miami-Dade County Board of County Commission
4. Mr. Frank Cobo, Miami-Dade County School Board
5. Sen. Frederica Wilson, Miami-Dade Delegation to the Legislature, State of Florida.
6. Rep. Rafael Arza, Miami-Dade Delegation to the Legislature, State of Florida
7. Commissioner Joe Sánchez, Miami-Dade County League of Cities
8. Mayor Evelyn Greer, Miami-Dade County League of Cities
9. Mayor Paul Novack, State Oversight Board for the School Board of Miami Dade County
10. Ms. Dannje McMillon, Parent and Teachers Association, Miami-Dade County Public Schools
11. Ms. Anita Meinbach, Parent and Teachers Association, Miami-Dade County Public Schools
12. Mr. Jeffrey Bercow, Builders Association of South Florida
13. Mr. Rolando Llanes, Latin Builders Association
14. Mr. Rodolfo Pittaluga, Spanish American League Against Discrimination
15. Mr. John Dixon, Black Business Association
16. Ms. Kametra Driver, National Association for the Advancement of Colored People



**Working Group on Public Schools Overcrowding Relief**  
**(Miami-Dade County Resolution R-117803, 10-21-03**  
**Miami-Dade County School Board Item D-4, 9-10-03)**

**Monday, April 19, 2004**

**School Board Administration Building**  
**1450 N.E. 2<sup>nd</sup> Avenue, Room 726B**  
**Miami, Florida 33132**

- 9:30 – 9:45 a.m.      A. Opening Remarks  
                              B. Roll Call  
                              C. Approval of March 08 and March 29, 2004 Meetings Summary
- 9:45 – 10:00 a.m.      Forecasting Number of Students Generated by New Development  
*Oliver Kerr, Miami-Dade County Department of Planning and Zoning*
- 10:00 – 10:15 a.m.      Process for Determining School Attendance Boundaries  
*F. Craig Sturgeon, Assistant Superintendent, and Connie Kostyra, Coordinator, Full Services/Attendance Boundary Committee*
- 10:15 – 10:30 a.m.      Converting School District into Charter District – Process (Tentative)  
*Dr. Carlo Rodriguez, Administrative Director*
- 10:30 – 10:45 a.m.      Feeder Pattern Enrollment / Possible Solutions to Overcrowding  
*Terri Sonn and Gloria Roses*
- 10:45 – 11:30 a.m.      Reports:  
                              1. Construction Process Used by Diocese of Miami  
*Terry Garcia, Development Process Advisory Committee*  
                              2. Update on Successes of Other Major School Districts  
*Truly Burton, Builders Association of South Florida*  
                              3. Responses to Castaldi Study Issues  
*Luis M. Garcia, Miami-Dade County School Board Attorney*  
                              4. Update on Legislative Initiatives  
*Miami-Dade County Public Schools staff*
- 11:30 – 11:45 a.m.      Next Meeting Agenda  
*Monday, May 10, 2004 – 9:30 a.m. to Noon*  
*Miami-Dade County Administrative Office*  
*TBD*
- 11:45 – 12:00 a.m.      Future Meeting Agenda Items  
                              • Discussion of Final Report To School Board and County Commission  
                              • Miami-Dade County Public Schools - Project Management Approach  
                              Closing Comments

***Future Meeting Schedule***

**Monday, May 10, 2004, 9:30 a.m. to Noon at Miami-Dade County Selected Office**  
**Tuesday, June 1, 2004, 9:30 a.m. to Noon at John Ferguson High School**  
**Monday, June 21, 2004, 9:30 a.m. to Noon to be determined**

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**Working Group on Public Schools Overcrowding Relief**  
(Miami-Dade County Resolution R-117803, 10-21-03)  
Miami-Dade County School Board Item D-4, 9-10-03)

**Monday, May 10, 2004**  
9:30 a.m. to Noon

**Stephen P. Clark Center**  
111 N.W. First Street, Room 18-4  
Miami, Florida 33128

- 9:30 – 9:45 a.m.      A. Opening Remarks  
                              B. Roll Call  
                              C. Approval of March 08, March 29, and April 19, 2004 Meeting Summaries
- 9:45 – 10:00 a.m.      **Converting School District into Charter District – Process**  
*Dr. Carlo Rodriguez, Administrative Director*
- 10:00 – 10:30 a.m.      **School Concurrency Palm Beach County**  
*Isaac Hoyos, Principal Planner, Palm Beach County*
- 10:30 – 10:45 a.m.      **Requirements for Implementing School Concurrency in Miami-Dade County - County Attorney and School Board Attorney**
- 10:45 – 11:00 a.m.      **Unification of Development Review Processes for Miami-Dade and Broward County - Bob Daniels, South Florida Regional Planning Council**
- 11:00 – 11:15 a.m.      **Charter Authority differences between Miami-Dade and Broward Counties**  
*County Attorney*
- 11:15 – 11:30 a.m.      **Reports:**
1. **Construction Process Used by Diocese of Miami**  
*Bob Brown of Diocese of Miami and Terry Garcia, Development Process Advisory Committee*
2. **Update on Legislative Initiatives**  
*Miami-Dade County Public Schools staff*
- 11:30 – 11:45 a.m.      **Next Meeting Agenda**  
*Monday, June 1, 2004 – 9:30 a.m. to Noon*  
*John Ferguson High School*
- 11:45 – 12:00 Noon      **Future Meeting Agenda Items**
- Discussion of Final Report To School Board and County Commission
  - Miami-Dade County Public Schools - Project Management Approach
- Closing Comments**

***Future Meeting Schedule***

Tuesday, June 1, 2004, 9:30 a.m. to Noon at John Ferguson High School  
Monday, June 21, 2004, 9:30 a.m. to Noon, Stephen P. Clark Center, Room 29A

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**Working Group on Public Schools Overcrowding Relief**  
(Miami-Dade County Resolution R-117803, 10-21-03  
Miami-Dade County School Board Item D-4, 9-10-03)

Wednesday, June 2, 2004

John F. Ferguson Senior High School  
Media Center  
15900 SW 56<sup>th</sup> Street  
Miami, Florida 33185

- 2:30 – 2:40 p.m.      A. Opening Remarks  
                              B. Roll Call  
                              C. Approval of March 08, March 29, April 19 and  
                                      May 10, 2004 Meetings Summary
- 2:45 – 3:00 p.m.      M-DCPS Project Management Approach and Recommended Initiatives  
                                      *Mr. J. E. Surash, Business Operations*
- 3:00 – 3:15 p.m.      School Concurrency Scenario in Miami-Dade County  
                                      Sample Area to Meet a Specified Level Of Service (LOS)  
                                      *Ms. Ana Rijo-Conde, Facilities Operations, Maintenance and Planning*
- 3:15 – 4:15 p.m.      Discussion of Recommendations and Preparation of  
                                      Final Report to School Board and County Commission
- 4:15 – 4:30 p.m.      Next Meeting Agenda  
                                      Closing Comments

**Members of Working Group on Public Schools Overcrowding Relief**

1. Commissioner Katy Sorenson, Miami-Dade County Board of County Commission
2. Dr. Marta Pérez, Miami-Dade County School Board
3. Commissioner Dorrin D. Rolle, Miami-Dade County Board of County Commission
4. Mr. Frank Cobo, Miami-Dade County School Board
5. Sen. Frederica Wilson, Miami-Dade Delegation to the Legislature, State of Florida.
6. Rep. Rafael Arza, Miami-Dade Delegation to the Legislature, State of Florida
7. Commissioner Joe Sánchez, Miami-Dade County League of Cities
8. Mayor Evelyn Greer, Miami-Dade County League of Cities
9. Mayor Paul Novack, State Oversight Board for the School Board of Miami Dade County
10. Ms. Eileen Segal, Parent and Teachers Association, Miami-Dade County Public Schools
11. Ms. Anjita Mejnabach, Parent and Teachers Association, Miami-Dade County Public Schools
12. Mr. Jeffrey Bercow, Builders Association of South Florida
13. Mr. Rolando Llanes, Latin Builders Association
14. Mr. Rodolfo Pittaluga, Spanish American League Against Discrimination
15. Mr. John Dixon, Black Business Association
16. Ms. Kametra Driver, National Association for the Advancement of Colored People

*Next Meeting has been scheduled for June 21, 2004  
Miami-Dade County Administrative Office (TBD) from 9:30 a.m. to Noon*

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**Agenda**  
**Working Group on Public Schools Overcrowding Relief**  
**(Miami-Dade County Resolution R-117803, 10-21-03**  
**Miami-Dade County School Board Item D-4, 9-10-03)**

**Monday, June 21, 2004**  
**9:30 a.m. to Noon**

**Stephen P. Clark Center**  
**111 N.W. First Street, Room 29-A**  
**Miami, Florida 33128**

**9:30 – 9:45 a.m.**

- A. Opening Remarks**
- B. Roll Call**
- C. Approval of June 2, 2004 Meeting Summary**

**9:45 – 11:45 a.m.**

**Discussion of Final Report To School Board and County Commission**

*(See attached Draft List of Recommendations dated 6/7/04 and Proposed Outline for Final Report)*

**Transfer fee (Surtax) on all sales or resales of residences for public school construction**

*Michael Cannon, President, Integra Real Estate Services and School District Staff*

**Discussion Coordinating the siting of schools with Miami-Dade Transit**

*Frank Talleda, Miami-Dade Transit*

**School Board making recommendations on zoning and plan amendment applications**

*Luis Garcia, School Board Attorney*

**11:45 a.m. - Noon**

**Closing Comments**

**Members of Working Group on Public Schools Overcrowding Relief**

- 1. Commissioner Katy Sorenson, Miami-Dade County Board of County Commission**
- 2. Dr. Marta Pérez, Miami-Dade County School Board**
- 3. Commissioner Dorrin D. Rolle, Miami-Dade County Board of County Commission**
- 4. Mr. Frank Cobo, Miami-Dade County School Board**
- 5. Sen. Frederica Wilson, Miami-Dade Delegation to the Legislature, State of Florida.**
- 6. Commissioner Joe Sánchez, Miami-Dade County League of Cities**
- 7. Mayor Evelyn Greer, Miami-Dade County League of Cities**
- 8. Mayor Paul Novack, State Oversight Board for the School Board of Miami Dade County**
- 9. Ms. Dannie McMillion, Parent and Teachers Association, Miami-Dade County Public Schools**
- 10. Ms. Anita Meibach, Parent and Teachers Association, Miami-Dade County Public Schools**
- 11. Mr. Jeffrey Berrow, Builders Association of South Florida**
- 12. Mr. Rolando Llanes, Latin Builders Association**
- 13. Mr. Rodolfo Pittaluga, Spanish American League Against Discrimination**
- 14. Mr. John Dixon, Black Business Association**
- 15. Ms. Kametra Driver, National Association for the Advancement of Colored People**

**Working Group on Public Schools Overcrowding Relief**  
**(Miami-Dade County Resolution R-117803, 10-21-03**  
**Miami-Dade County School Board Item D-4, 9-10-03)**

**Friday, September 10, 2004**

**School Board Administration Building**  
**1450 NE 2<sup>nd</sup> Avenue, Room 726B**  
**Miami, Florida 33137**

- 9:30 – 9:40 a.m.      A. Opening Remarks  
                              B. Roll Call  
                              C. Approval of June 2 and June 21 Meetings Summary
- 9:40 – 11:30 a.m.      **Discussion of Final Report To School Board and County**  
                              **Commission**  
                              *(See Draft of Final Report September 2004)*
- 11:30 – 12:00 p.m.    Closing Comments

**Members of Working Group on Public Schools Overcrowding Relief**

1. Commissioner Katy Sorenson, Miami-Dade County Board of County Commission
2. Dr. Marta Pérez, Miami-Dade County School Board
3. Commissioner Dorrin D. Rolle, Miami-Dade County Board of County Commission
4. Mr. Frank Cobo, Miami-Dade County School Board
5. Sen. Frederica Wilson, Miami-Dade Delegation to the Legislature, State of Florida.
6. Rep. Rafael Arza, Miami-Dade Delegation to the Legislature, State of Florida
7. Commissioner Joe Sánchez, Miami-Dade County League of Cities
8. Mayor Evelyn Greer, Miami-Dade County League of Cities
9. Mayor Paul Novack, State Oversight Board for the School Board of Miami Dade County
10. Ms. Eileen Segal, Parent and Teachers Association, Miami-Dade County Public Schools
11. Ms. Anita Meinbach, Parent and Teachers Association, Miami-Dade County Public Schools
12. Mr. Jeffrey Bercow, Builders Association of South Florida
13. Mr. Rolando Llanes, Latin Builders Association
14. Mr. Rodolfo Pittaluga, Spanish American League Against Discrimination
15. Mr. John Dixon, Black Business Association
16. Ms. Kametra Driver, National Association for the Advancement of Colored People



**Working Group on Public Schools Overcrowding Relief**  
(Miami-Dade County Resolution R-117803, 10-21-03  
Miami-Dade County School Board Item D-4, 9-10-03)

Wednesday, October 27, 2004

School Board Administration Building  
1450 NE 2<sup>nd</sup> Avenue, Room 726B  
Miami, Florida 33137

- 2:30 – 2:35 p.m.      A. Opening Remarks  
                              B. Roll Call  
                              C. Approval of September 10, and October 8, 2004 Meeting Summary
- 2:35 – 3:00 p.m.      Discussion of Final Report To School Board and County  
                              Commission  
                              *(See Draft of Final Report October 27, 2004)*
- 3:00 – 3:15 p.m.      Discussion of Broward County School Board Policy 1161 – Growth  
                              Management  
                              *Teleconference with Mr. Tom Coates, Executive Director of Facilities  
                              Management, Planning & Site Acquisition, Broward County Public  
                              Schools*
- 3:15 – 4:00 p.m.      Continue Discussion of Final Report To School Board and County  
                              Commission  
                              *(See Draft of Final Report October 27, 2004)*
- 4:00 – 4:30 p.m.      Discussion of Resolution to Establish Implementation Committee  
                              (Implement Working Group's recommendations)
- 4:30 – 5:00 p.m.      Closing Comments

**Members of Working Group on Public Schools Overcrowding Relief**

1. Commissioner Katy Sorenson, Miami-Dade County Board of County Commissioners
2. Dr. Marta Pérez, The School Board of Miami-Dade County
3. Commissioner Dorrin D. Rolle, Miami-Dade County Board of County Commissioners
4. Mr. Frank Cobo, The School Board of Miami-Dade County
5. Sen. Frederica S. Wilson, Miami-Dade Delegation to the Legislature, State of Florida
6. Commissioner Joe Sánchez, Miami-Dade County League of Cities
7. Mayor Evelyn Greer, Miami-Dade County League of Cities
8. Mayor Paul Novack, State Oversight Board for the School Board of Miami Dade County
9. Ms. Dannie McMillon, Dade County Council PTA
10. Ms. Anita Meinbach, Dade County Council PTA
11. Mr. Jeffrey Bereow, Builders Association of South Florida
12. Mr. Rolando Llanos, Latin Builders Association
13. Mr. Rodolfo Pittaluga, Spanish American League Against Discrimination
14. Mr. John Dixon, Black Business Association
15. Ms. Kametra Driver, National Association for the Advancement of Colored People