

TAB 11

**Point Paper**  
**School Board Interlocal Agreement**  
**Approval of School Capacity Program**

**Background:**

On March 25, 2008, the School Board of Manatee County along with all local governing bodies approved the Interlocal Agreement (ILA) for Public School Facility Planning. Part of that agreement requires the local governing bodies to approve the annual School Capacity Program. The School Capacity Program identifies the five year improvement plan with the number of student stations.

Two projects are identified within Palmetto's jurisdiction. The first is the replacement of Palmetto Elementary. The second is the expansion/renovation proposed for Palmetto High School. Both of these projects will be presented to City Commission in upcoming plan approvals.

**Budget Impact:**

None

**Staff Recommendation:**

Staff recommends approval of this program as required by the Interlocal Agreement.

**Action Required:**

Motion and vote to approve the School Capacity Program.

## V. SCHOOL FACILITIES PLANNING

**5.5 School Capacity Program.** The School Board, the Cities, and the County shall participate in the following process for preparation, amendment and approval of a public school capital facilities program related to increases or decreases in student stations, herein referred to as School Capacity Program pursuant to Section 163.3180(13)(g)(4), *Florida Statutes*.

A. Preparation. By July 1 of each year, the School Board shall provide the proposed annual update of the School Capacity Program to the Staff Working Group for review and comment for consistency with the Comprehensive Plan with respect to:

- a. Projected enrollment and projected capacity;
- b. Level-of-Service Standards; and
- c. Financial Feasibility.

Within 30 days of submission of the School Capacity Program to the Staff Working Group, the Staff Working Group shall provide written comments to the School Board for its consideration. The School Board shall amend the School Capacity Program to reflect such comments, or provide written reasons why any such comments were not included in the School Capacity Program, prior to submitting the School Capacity Program for joint approval.

B. Approval. By September 15 of each year, the School Capacity Program shall be submitted to the governing boards of the School Board, the County and each of the Cities either separately or in joint meeting or meetings, for approval. In no event shall a City or the County attempt to modify the School Capacity Program.

C. Incorporation into Comprehensive Plan. By December 31 of each year, each local government shall incorporate the School Capacity Program into their Capital Improvements Element Plan and Public School Facilities Element.

D. Financial Feasibility. The School Capacity Program shall ensure the achievement and maintenance of the adopted Level-of-Service Standards in the established School Service Areas by the end of the planning period and thereafter by adding a new fifth year during the annual update pursuant to the Level-of-Service Standards and School Service Areas in Article VII of this agreement.

## VIII. CODIFICATION

**8.1 Comprehensive Plan Provisions.** Each of the Cities and the County shall adopt Comprehensive Plan amendments to implement this Agreement.

A. Development. Prior to the adoption by any of the Cities or the County of any Public School Facilities Element or any Capital Improvements Element respecting School Facilities, the Staff Working Group shall prepare model provisions that meet all requirements of this Agreement, the Act, and other applicable law. The parties shall (a) jointly approve at a joint meeting the model provisions prepared by the Staff Working Group, and (b) cooperate to prepare their respective elements.

B. Adoption. Pursuant to Sections 163.3177 and 163.3187, *Florida Statutes*, by April 1, 2008, each of the Cities and the County shall adopt Comprehensive Plan provisions that:

- a. Establish or update the Public School Facilities Element and Capital Improvements Element of the Comprehensive Plan of the City or County, as the case may be;
- b. Establish the criteria and standards for modification of School Service Areas set forth in Section 7.2, hereof, in the Public School Facilities Element and Capital Improvements Element;
- c. Establish the initial Level-of-Service Standards set forth in Section 7.3.E, hereof, in the Public School Facilities Element and Capital Improvements Element;
- d. Establish the requirements and procedures for Proportionate-Share Mitigation set forth in Section 7.7, hereof, in the Public School Facilities Element and Capital Improvements Element; and
- e. Incorporate into the Capital Improvements Element the most recent School Capacity Program prepared, amended, and jointly approved by the parties pursuant to Section 5.5, hereof.

C. Amendment. By December 31 of each year, each of the Cities and the County shall incorporate into the Capital Improvements Element of its respective Comprehensive Plan the most recent School Capacity Program prepared, amended, and jointly approved by the parties pursuant to Section 5.5, hereof. Any Amendment of this Agreement executed pursuant to Section 12.3, hereof, shall include the process and schedule by which the provisions of such Amendment shall be codified and incorporated by each Affected Local Government. Notwithstanding the foregoing, by December 31 of each year following the initial adoption of Comprehensive Plan provisions implementing this Agreement pursuant to Section 8.1.B, hereof, each of the Cities and the County shall review and, if necessary, amend its Comprehensive Plan to ensure ongoing compliance with this Agreement, the Act, and all other applicable law.

**INTRODUCTION**

The Legislature recognizes that financial feasibility is an important issue because the premise of concurrency is that the public facilities will be provided in order to achieve and maintain the adopted level-of-service standard. Chapter 9J-5, Florida Administrative Code, contain specific standards to determine the financial feasibility of capital programs. These standards were adopted to make concurrency more predictable and local governments more accountable, Florida Statutes 163.3180(13)(d).

The School Capacity Program is based on the capacity improvements from the 5-Year district facilities work plan including improvements that provide a financially feasible program in which the level of service standards will be achieved and maintained by the end of the five year period.

Per the local governments policy in the Capital Improvements Element of their Comprehensive Plans, the local governments shall adopt by reference the School Capacity Program approved by the School Board of Manatee County.

The state land planning agency may evaluate the School Capacity Program for the financial feasibility compliance determination pursuant to Florida Statute 163.3180(13)(d)(3).

**AUTHORITY**

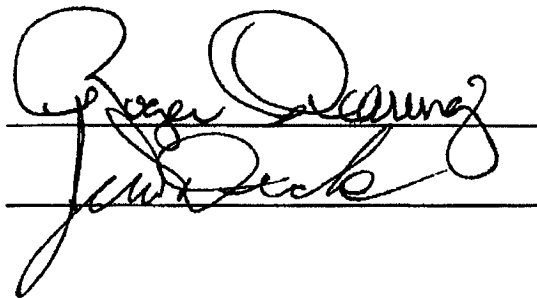
Florida Administrative Code Public School Facilities Element 9J-5.025(3)(c)(2) The element shall contain a policy which requires the adoption of annual plan amendments adding a new fifth year, updating the financially feasible public schools capital facilities program, coordinating the program with the 5-year district facilities work plan, the plans of other local governments, and, as necessary, updates to the concurrency service area map. The annual plan amendments shall ensure that the capital improvements program continues to be financially feasible and that the level of service standards will continue to be achieved and maintained.

Florida Statutes Intergovernmental Coordination Concurrency 163.3180(13)(g)(4) Establish a process for the preparation, amendment, and joint approval by each local government and the school board of a public school capital facilities program which is financially feasible, and a process and schedule for incorporation of the public school capital facilities program into the local government comprehensive plans on an annual basis.

**CERTIFICATION**

We certify that all information provided in the School Capacity Program is accurate and financially feasible. The district Superintendent and Chief Financial Office have approved the information contained with the School Capacity Program and approve submission to the local governments for approval in accordance with the Amended and Restated Interlocal for Public School Facilities Planning.

DISTRICT SUPERINTENDENT



DATE: 09.10.08

CHIEF FINANCIAL OFFICER



DATE: 9-10-08

SCHOOL DISTRICT OF MANATEE COUNTY

2008-09 SCHOOL CAPACITY PROGRAM

SUMMARY OF REVENUE AND EXPENDITURES

	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	Five Year Total
Total Revenue:	\$ 65,951,904	\$ -	\$ -	\$ -	\$ -	\$ 65,951,904
Total Expenditures:	65,951,904	-	-	-	-	65,951,904
Remaining Funds:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

SCHOOL DISTRICT OF MANATEE COUNTY

2008-09 SCHOOL CAPACITY PROGRAM

TOTAL CAPACITY IMPROVEMENTS REVENUE

Item Name	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	Five Year Total
Local Two Mill Discretionary Capital Outlay Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
PECO New Construction	-	-	-	-	-	-
Classroom For Kids	5,169,065	-	-	-	-	5,169,065
Obligated Fund Balance Carried Forward	60,782,839	-	-	-	-	60,782,839
<b>Subtotal:</b>	<b>\$ 65,951,904</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 65,951,904</b>

TOTAL CAPACITY IMPROVEMENTS EXPENDITURES FIVE YEAR

Overview:  
Expenditure amounts listed below may not reflect the total project costs due to expenditures funded in the prior years.

Location	Year Open	Service Area	Student Stations	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	Total
<b>New Construction</b>									
Palmetto Elementary (Replacement)	2010/2011	1	118 A	\$22,926,728	\$ -	\$ -	\$ -	\$ -	\$ 22,926,728
Elementary E	2009/2010	3	573	17,020,978	-	-	-	-	17,020,978
<b>New Construction Subtotal:</b>				<b>\$39,947,706</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 39,947,706</b>
<b>Classroom Additions</b>									
Myakka Elementary	2010/2011	2	160	\$ 2,982,144	\$ -	\$ -	\$ -	\$ -	\$ 2,982,144
Palm View Elementary	2009/2010	1	160	5,500,000	-	-	-	-	5,500,000
Palmetto High School	2010/2011	1	475	8,472,186	-	-	-	-	8,472,186
Rowlett Elementary	2009/2010	3	200	2,944,251	-	-	-	-	2,944,251
Samoset Elementary	2009/2010	3	280	5,411,985	-	-	-	-	5,411,985
Seabreeze Elementary	2008/2009	4	160	693,632	-	-	-	-	693,632
<b>Classroom Additions Subtotal:</b>				<b>\$26,004,198</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 26,004,198</b>
<b>Total:</b>				<b>\$65,951,904</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 65,951,904</b>

NOTES:

A - Palmetto Elementary (replacement) student stations (ss) are the net increase from the existing facility (705 ss) to the new facility (823 ss) (823-705 = 118 additional ss)