

**Item # 70**

**ADDITIONAL MATERIAL  
Public Hearing  
OCTOBER 20, 2020**

**SUBMITTED AT THE REQUEST OF**

**OFFICE of the COUNTY  
ATTORNEY**



**THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA**

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**ROBERT W. RUNCIE**  
*Superintendent of Schools*

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October 7, 2020

The Honorable Mayor Dale VC Holness  
Broward County Board of County Commissioners  
Broward County Governmental Center  
115 S. Andrews Avenue, Room No. 421  
Fort Lauderdale, Florida 33301

Re: **GENERAL TAKEAWAY FROM SEPTEMBER 22, 2020 BROWARD COUNTY COMMISSION MEETING  
ON THE STUDENT GENERATION RATE/SCHOOL IMPACT FEE STUDY UPDATE**

Dear Mayor Holness:

The purpose of this correspondence is to provide the Broward County Commission with the School Board's position on the general takeaway from the September 22, 2020 Broward County Commission meeting on the Student Generation Rate/School Impact Fee Study Update (SGR/SIF Study Update).

As you may recall, certain Broward County Commissioners expressed concerns about aspects of the SGR/SIF Study Update during the meeting; and thereafter, there were expressed interest in receiving the School Board's feedback on the expressed concerns. The general concerns stated were as follows:

1. The School Board's annual set aside of \$375,000.00 for the waiver of school impact fee does not seem enough to address affordable housing needs in Broward County. Thus, the School Board should revisit this allocation.

As response to this concern, and as was stated on the record during the meeting, since Fiscal Year (FY) 2015/16, the School Board in each FY, has allocated \$375,000.00 for the waiver of school impact fees; and data maintained by Broward County Public Schools (BCPS) and depicted below, indicates that since the said period, each FY's total allocation were never fully utilized by affordable housing developers. Thus, each FY, funds were left over.

Therefore, the School Board's position on this concern is that its FY's allocation and contribution towards the provision of affordable housing in Broward County is sufficient. Also, it should be noted that unused allocations are not carried over to the next FY.

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<b>Broward County Public Schools Impact Fee Waiver Annual Statistics</b>				
<b>Fiscal Year</b>	<b>Yearly Allocation</b>	<b>Qualifying Income Levels</b>	<b>Allocation Utilized</b>	<b>Unused Allocation</b>
2015-16	\$375,000	Very Low	\$108,180	\$266,820
2016-17	\$375,000	Very Low	\$30,696	\$344,304
2017-18	\$375,000	Very Low	\$50,000	\$325,000
2018-19	\$375,000	Very Low	\$195,540	\$179,460
2019-20	\$375,000	Very Low and Low	\$127,711	\$247,289
2020-21*	\$375,000	Very Low and Low	\$100,000	\$275,000
<b>TOTAL</b>			<b>\$503,947</b>	

\* Represents data from July 1, 2020 to September 22, 2020

Also, please note that since 1988, the School Board has approved school impact fee waivers for approximately 4,503 that Broward County certified as residential affordable housing units. These waivers equate to approximately \$5,885,323.00.

2. The forty-nine (49%) capped fee increase contained in the SGR/SIF Study Update recommendations for pertinent residential unit types are too high; and as such, will negatively impact housing affordability in Broward County. Therefore, the fee increase should be capped at twenty-five (25%) percent, and the remaining twenty-four (24%) could be utilized towards enabling affordable housing in Broward County.

The School Board's position on this concern is that the maximum forty-nine (49%) fee increase cap contained in the SGR/SIF Study Update recommendations was properly vetted and reached arrived as a consensus; and with the full support of the Oversight Committee.

As you may be aware, the Oversight Committee was established to oversee the Third Amended and Restated Interlocal Agreement for Public School Facility Planning (TRILA). Of note is that the Oversight Committee consists of fifteen (15) members, with five (5) members appointed by the School Board, five (5) members appointed by the Broward County Commission, and five (5) members appointed by the twenty-seven (27) municipal signatories to the TRILA via the Broward League of Cities. Therefore, the School Board requests that the maximum cap of forty-nine (49%) fee increase should remain as was officially communicated in the transmittal of the SGR/SIF Study Update recommendations to the Broward County Commission.

To reiterate, the School Board's preference regarding the above referenced concern is to implement the recommended maximum forty-nine (49%) fee increase cap for all residential housing units. However, if certain Broward County Commissioners still harbor concerns about the said cap, and the presumed imminent impact on affordable housing affordability, the School Board recommends has an alternative, that the school impact fee increase should be implemented in two (2) phases as depicted

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in Attachment 1. Please note that the School Board and the Broward County Commission have utilized this suggested approach in the past to address concerns regarding school impact fee increases contained in similar studies transmitted to the Broward County Commission.

3. Given the declining enrollment in BCPS, and the fact that the School Board is no longer building new schools/increasing capacity at schools, the School Board should examine utilizing and/or should have the ability to utilize school impact fees to repurpose school facilities, for example to provide early learning center.

The School Board appreciates this suggestion. However, its position on this stated concern is that it prefers that school impact fees should be utilized as memorialized in the **“Interlocal Agreement Related to School Impact Fee Monies”** that was approved by the School Board on September 1, 2020, and approved by the Broward County Commission on September 10, 2020.

Please note that the School Board continues to value its long historical relationship with the Broward County Commission and the partnership and support of the Commission in the shared goal of providing the best for our BCPS students.

Please contact Chris Akagbosu, Director, Facility Planning & Real Estate Department via email at [chris.akagbosu@browardschools.com](mailto:chris.akagbosu@browardschools.com) or at (754) 321-2162 if you have additional questions regarding this matter.

Sincerely,



Robert W. Runcie

RWR/JJS/COA:coa

Attachment

cc: School Board Members  
Broward County Commissioners  
Oversight Committee Members  
Senior Leadership Team  
Barbara Myrick, General Counsel  
Alan Gabriel, School Board Cadre Attorney  
Maite Azcoitia, Deputy Broward County Attorney  
Josie Sesodia, Director, Environmental Protection & Growth Management, Broward County

Calculated Fee Rates - Potential Phasing Schedule

Dwelling Unit Type	Bedrooms	Current Adopted	Calculated Rate Capped @49% Increase	Adopted Fee (Feb 2021)	% Increase from Current Adopted Fee	Adopted Fee (Feb 2022)	% Increase from Current Adopted Fee	Increase from Adopted to Calculated Fee	Adoption % (Feb 2021)	Adoption % (Feb 2022)
A	B	C	D	E	F	G	H	I	J	K
Single Family	3 or fewer	\$6,888	\$9,049	\$7,969	16%	\$9,049	31%	\$2,161	50%	100%
	4 or more	\$8,656	\$12,295	\$10,476	21%	\$12,295	42%	\$3,639	50%	100%
Townhouse, Duplex & Villa	2 or fewer	\$3,974	\$4,918	\$4,446	12%	\$4,918	24%	\$944	50%	100%
	3 or more	\$6,741	\$7,377	\$7,059	5%	\$7,377	9%	\$636	50%	100%
Garden Apartment	1 or fewer	\$375	\$559	\$467	25%	\$559	49%	\$184	50%	100%
	2 bedrooms	\$4,393	\$4,918	\$4,656	6%	\$4,918	12%	\$525	50%	100%
	3 or more	\$7,980	\$5,901	\$5,901	-26%	\$5,901	-26%	N/A	100%	100%
Mid-Rise	1 or fewer	\$293	\$437	\$365	25%	\$437	49%	\$144	50%	100%
	2 or more	\$1,153	\$1,718	\$1,436	25%	\$1,718	49%	\$565	50%	100%
High-Rise	Combined	\$361	\$538	\$450	25%	\$538	49%	\$177	50%	100%
Mobile Home	2 or fewer	\$3,103	\$3,688	\$3,396	9%	\$3,688	19%	\$585	50%	100%
	3 or more	\$6,764	\$8,016	\$7,390	9%	\$8,016	19%	\$1,252	50%	100%